



State of Wisconsin
1999 - 2000 LEGISLATURE

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LRB-3516/91
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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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 (Revision
5 Bill).

Analysis by the Legislative Reference Bureau

This revisor's correction 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 (1) The Wisconsin state song is "On, Wisconsin", music written by W. T.
8 Purdy, the words to which are as follows: "On, Wisconsin! On, Wisconsin! Grand old

1 badger state! We, thy loyal sons and daughters, Hail thee, good and great. On,
2 Wisconsin! On, Wisconsin Champion of the right, 'Forward', our motto — God will
3 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 corolinensis 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.~~

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 glosseboralf).~~

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.~~

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.~~

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

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

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

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

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

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

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

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

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

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

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

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

3 19.01 (4) (a) (intro.) Official oaths and bonds of the following public officials

4 shall be filed: ~~(a) In in~~ the office of the secretary of state: ~~Of all~~

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

6 2. The governor;

7 3. The lieutenant governor and.

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

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

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

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

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

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

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

NOTE: Subdivides provision in outline form and reorders and rennumbers text to create grammatically correct complete sentences for improved readability and conformity with current style. See the next 3 sections of this bill.

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;

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 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 the county; Of all in
10 which 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,

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 for the county; Of all county officers elected or appointed in and
21 for such 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

1 sanatorium, county asylum or other joint county institution shall ~~file~~ be filed in the
2 office of the county clerk for the county in which the buildings of such institutions
3 the 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. See the previous section and the next 2 sections of this bill.

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

6 19.01 (4m) Bonds specified in ~~pars. sub. (4) (c) and, (d) and (dm)~~ and bonds of
7 any county employe required by statute or county ordinance to be bonded shall be
8 approved by the district attorney as to amount, form and execution before the bonds
9 are accepted for filing. The clerk of the circuit court and the county clerk respectively
10 shall notify in writing the county board or chairperson within 5 days after the entry
11 upon the term of office of a judicial or county officer specified in ~~pars. sub. (4) (c) and,~~
12 ~~(d) and (dm)~~ or after a county employe required to be bonded has begun employment.
13 The notice shall state whether or not the required bond has been furnished and shall
14 be published with the proceedings of the county 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). See also the next section and preceding 2 sections of this bill.

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

16 19.01 (4)(e) In Official oaths and bonds of all elected and appointed town officers
17 shall be filed in the office of any the town clerk: Of all officers elected or appointed
18 in and for such the town in which the officer serves, except the that oaths and bonds
19 of town clerk who clerks shall file be filed in the office of the town treasurer;

20 (f) In Official oaths and bonds of all elected and appointed city officers shall be
21 filed in the office of any the city clerk: Of all officers elected or appointed in and for

1 ~~such the city in which the officer serves, except the that oaths and bonds of city clerk~~
2 ~~who clerks shall file be filed~~ in the office of the city treasurer;.

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

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

10 (j) ~~With Official oaths and bonds of the members of a technical college district~~
11 ~~shall be filed with the secretary of a for the~~ technical college district: ~~Of all members~~
12 ~~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. See the next three sections of this bill.

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

15 20.003 (3) (b) 1. Appropriations from general purpose revenues shall be
16 assigned paragraph letters (a) to (fz);.

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

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

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

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

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

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

7 3. Appropriations from program revenue-service shall be shown with a 2nd
8 paragraph letter of “k”;

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

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

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

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

14 20.921 (1) (d) 2. The trustee shall make purchases of savings bonds in the name
15 of the officer or employe (, or other beneficiary named in the request), whenever the
16 amount to their credit is sufficient for that purpose and transmit them to the person
17 entitled thereto. If the officer or employe cancels the request for the purchase of
18 savings bonds, or upon termination of the trust, the amount remaining to a person’s
19 credit is not sufficient to purchase a bond the trustee may purchase savings stamps
20 and transmit them to the person entitled thereto or refund the amount.

NOTE: Replaces parentheses in greater conformity with current style.

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

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~~” Except in ch. 25, “board” means the board of commissioners
3 of public lands.

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 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.**

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 purposes:

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 otherwise authorized by law;.

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

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

15 24.61 (3) (a) 2. A town, village, city or county as provided under s. 67.04 or
16 otherwise authorized by law; ~~or.~~

17 **SECTION 22.** 25.01 of the statutes is created to read:

18 **25.01 Definition.** In this chapter, unless the context requires otherwise,
19 "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 ch. 25 to 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

which 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 23.** 25.14 (1) of the statutes is amended to read:

2 25.14 (1) There is created a state investment fund under the jurisdiction and
3 management of the investment board (~~hereinafter referred to as "board"~~) to be
4 operated as an investment trust for the purpose of managing the securities of all the
5 state's funds consisting of the funds specified in s. 25.17 (1) except the state life fund,
6 fixed retirement investment trust, variable retirement investment trust, capital
7 improvement fund, bond security and redemption fund, state building trust fund, the
8 state housing authority reserve fund, the children's trust fund, the patients
9 compensation fund, the tuition trust fund, funds which under article X of the
10 constitution are controlled and invested by the board of commissioners of public
11 lands, funds which are required by specific provision of law to be controlled and
12 invested by any other authority, the university trust funds and the trust funds of the
13 state universities except that the respective authorities controlling the investment
14 of any such excluded fund may authorize the transfer of any temporary cash assets
15 of any such excluded fund to the state investment fund in accordance with subs. (2)
16 and (3).

NOTE: The stricken language is unnecessary after the creation of the definition of
"board" as s. 25.01 by this bill.

17 **SECTION 24.** 25.14 (3) of the statutes is amended to read:

18 25.14 (3) The department of administration, upon consultation with the
19 ~~investment~~ board, shall distribute all earnings, profits or losses of the state
20 investment fund to each participating fund in the same ratio as each such fund's
21 average daily balance within the state investment fund bears to the total average
22 daily balance of all participating funds, except as provided in s. 14.58 (19) and except

1 that the department of administration shall credit to the appropriation account
2 under s. 20.585 (1) (jt) an amount equal to the amount assessed under s. 25.19 (3)
3 from the earnings or profits of the funds against which an assessment is made. Such
4 distribution shall be made at such times as the department of administration may
5 determine, but must be made at least semiannually in each complete fiscal year of
6 operation.

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

7 **SECTION 25.** 25.15 (5) of the statutes is amended to read:

8 25.15 (5) COMMISSIONS. All records of commissions paid by the ~~investment~~
9 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.

10 **SECTION 26.** 25.156 (1) of the statutes is amended to read:

11 25.156 (1) The members of the board shall be the governing body of the
12 ~~investment~~ board and shall promulgate rules and formulate policies deemed
13 necessary and appropriate to carry out its functions.

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

14 **SECTION 27.** 25.156 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
15 amended to read:

16 25.156 (2) The ~~investment~~ board shall employ an executive director, who shall
17 serve outside the classified service. The executive director shall be qualified by
18 training and prior experience to manage, administer and direct the investment of
19 funds. The ~~investment~~ board shall fix the compensation of the executive director,
20 and may award bonus compensation.

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

21 **SECTION 28.** 25.156 (2m) of the statutes is amended to read:

1 25.156 (2m) The ~~investment~~ board shall employ an internal auditor, who shall
2 serve outside the classified service. The board shall fix the compensation of the
3 internal auditor.

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

4 **SECTION 29.** 25.156 (8) of the statutes is amended to read:

5 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.

6 **SECTION 30.** 25.156 (9) of the statutes is amended to read:

7 25.156 (9) The chairperson of the ~~investment~~ board shall appear at least
8 annually before any committee established in the senate, whose jurisdiction includes
9 financial institutions, if that committee so requests.

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

10 **SECTION 31.** 25.16 (1) of the statutes is amended to read:

11 25.16 (1) The executive and administrative functions of the ~~investment~~ board,
12 except for the functions performed by the internal auditor under s. 25.165 (2), shall
13 be vested in an executive director, who shall perform the functions of executive
14 director in conformity with the requirements of the members of the board and in
15 accordance with policies, principles and directives determined by the members of the
16 board.

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

17 **SECTION 32.** 25.16 (2) of the statutes is amended to read:

18 25.16 (2) Subject to authorization under s. 16.505, the executive director may
19 appoint a chief legal counsel, chief financial officer, chief risk officer and not more
20 than 11 investment directors and shall appoint a chief investment officer and all
21 other employes necessary to carry out the functions of the ~~investment~~ board, except
22 that the ~~investment~~ board shall appoint the internal auditor and shall participate

1 in the selection of the chief investment officer and investment directors and the
2 internal auditor shall appoint his or her staff. The executive director shall appoint
3 all employes outside the classified service, except blue collar and clerical employes.
4 Neither the executive director, the internal auditor, the chief investment officer, the
5 chief legal counsel, the chief financial officer, the chief risk officer, any investment
6 director nor any other employe of the board shall have any financial interest, either
7 directly or indirectly, in any firm engaged in the sale or marketing of real estate or
8 investments of any kind, nor shall any of them render investment advice to others
9 for remuneration.

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

10 **SECTION 33.** 25.16 (7) of the statutes, as affected by 1999 Wisconsin Act 9, is
11 amended to read:

12 25.16 (7) The executive director shall fix the compensation of all employes
13 appointed by the executive director, subject to restrictions set forth in the
14 compensation plan under s. 230.12 or any applicable collective bargaining
15 agreement in the case of employes in the classified service, but the investment board
16 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.

17 **SECTION 34.** 25.165 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
18 amended to read:

19 25.165 (1) There is created in the investment board an internal audit subunit,
20 under the supervision of the internal auditor. The internal auditor shall report
21 directly to the board and, subject to authorization under s. 16.505, shall appoint all
22 employes necessary to carry out the duties of the internal auditor. The internal
23 auditor shall appoint all employes outside the classified service, except blue collar

1 and clerical employees. The internal auditor shall fix the compensation of all
2 employes appointed by the internal auditor, subject to restrictions set forth in the
3 compensation plan under s. 230.12 or any applicable collective bargaining
4 agreement in the case of employes in the classified service, but the investment board
5 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.

6 **SECTION 35.** 25.17 (1) (pg) of the statutes is amended to read:

7 25.17 (1) (pg) State building trust fund (s. 25.30), except for the purpose and
8 extent of loans to the Wisconsin state public building corporation, the Wisconsin
9 university building corporation, and the Wisconsin state colleges building
10 corporation, which are subject to sub. (2) (b); and

NOTE: Deletes unnecessary "and".

11 **SECTION 36.** 25.17 (2) (a) of the statutes is amended to read:

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

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

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

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

NOTE: Replaces parentheses in conformity with current style.

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

12 25.17 (2) (d) Invest the environmental improvement fund, and collect the
13 principal and interest of all moneys loaned or invested from the environmental
14 improvement fund, as directed by the department of administration under s. 281.59
15 (2m). In making such investment, the investment board shall accept any reasonable
16 terms and conditions that the department of administration specifies and is relieved
17 of any obligations relevant to prudent investment of the fund, including those set
18 forth under ch. 881.

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

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

20 25.17 (2) (e) Invest the transportation infrastructure loan fund, and collect the
21 principal and interest of all moneys loaned or invested from transportation
22 infrastructure loan fund, as directed by the department of administration under s.

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

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

5 **SECTION 40.** 25.17 (5) of the statutes is amended to read:

6 25.17 (5) The limitations upon the percentage of the assets of any fund which
7 are imposed by sub. (4) or any other statute shall not be applicable to investments
8 made by the ~~investment~~ board of funds in the variable retirement investment trust
9 created under s. 40.04 (3) and said investments shall be excluded in computing the
10 assets to which any such limitations apply. Assets of the variable retirement
11 investment trust shall be invested primarily in equity securities which shall include
12 common stocks, real estate or other recognized forms of equities whether or not
13 subject to indebtedness, including securities convertible into common stocks and
14 securities of corporations in the venture capital stage. The ~~investment~~ board may,
15 however, temporarily invest such assets in investments which are authorized under
16 sub. (3), but the assets so temporarily invested shall be replaced by equity securities
17 at the earliest time ~~deemed~~ considered by the board to be practicable considering the
18 then existing condition of the securities market and other influential factors.
19 Investments in securities of corporations which are in the venture capital stage shall
20 not exceed 2% of the admitted assets of the variable retirement investment trust.

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

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

22 25.17 (6) Notwithstanding any other statute, transfers from the variable
23 retirement investment trust to the fixed retirement investment trust under s. 40.04

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

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

14 **SECTION 42.** 25.17 (8) of the statutes is amended to read:

15 25.17 (8) Accept when necessary to protect a mortgage loan, a quitclaim deed
16 or warranty deed to the mortgaged property in full satisfaction of the mortgage debt,
17 and manage, operate, lease, exchange, sell and convey, by land contract, quitclaim
18 deed or warranty deed, and grant easement rights in, any real property acquired by
19 said the board.

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

20 **SECTION 43.** 25.17 (9) of the statutes is amended to read:

21 25.17 (9) Give such advice and assistance as may be requested by the board of
22 commissioners of public lands or the board of regents of the University of Wisconsin
23 System in the investment of any moneys which under sub. (1) are excepted from the

1 moneys to be loaned or invested by the investment board, and assign, sell, convey and
2 deed to them such investments made by the said investment board as may be
3 mutually agreeable. The cost of any services rendered to the board of commissioners
4 of public lands or the board of regents of the University of Wisconsin System
5 pursuant to this section shall be charged to the fund to which the moneys invested
6 belong and shall be added to appropriation to the investment board in s. 20.536.

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

7 **SECTION 44.** 25.17 (10) of the statutes is amended to read:

8 25.17 (10) If a building constitutes any part of the security for a loan made by
9 the ~~investment~~ board under s. 25.17 (3) (bh) or 620.22 (2), ~~such~~ the building shall be
10 kept insured for at least the unpaid amount of the loan or such larger amount as may
11 be necessary to comply with any coinsurance clause inserted in or attached to the
12 policy. When the full insurable value of the building is less than the unpaid amount
13 of the loan, ~~such~~ the building shall be kept insured for the full insurable value
14 thereof.

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

15 **SECTION 45.** 25.17 (12) (d) of the statutes is amended to read:

16 25.17 (12) (d) All other state boards, commissions, departments, institutions
17 and officers in the investment of any funds ~~which~~ that under sub. (1) are hereafter
18 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.

19 **SECTION 46.** 25.17 (13) of the statutes is amended to read:

1 25.17 (13) Succeed to all of the property, documents, records and assets of the
2 state annuity and investment board in the investment of the several funds ~~which~~
3 that were under the control of ~~said the state annuity and investment~~ board.

NOTE: Replaces incorrectly used "which". See also the note to the creation of s. 25.01
by this bill.

4 **SECTION 47.** 25.17 (14) (a) of the statutes is amended to read:

5 25.17 (14) (a) Bonds and other evidences of debt and loans secured by
6 mortgages having a fixed term and rate shall be valued at market value, except that
7 if the ~~investment~~ board determines that a market value cannot readily be
8 determined ~~such items~~ that item shall be valued at the outstanding principal
9 balance.

NOTE: Replaces plural form of word with singular for sentence agreement. See the
note to the creation of s. 25.01 by this bill.

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

11 25.17 (14) (c) Real property ~~which~~ that is leased to others shall be valued at
12 market value, except that if the ~~investment~~ board determines that market value
13 cannot readily be assigned ~~such~~ the real property shall be valued at cost.

NOTE: Replaces incorrectly used "which". See the note to the creation of s. 25.01 by
this bill.

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

15 25.17 (14) (d) Any preferred stock, bond, or mortgage which is in arrears or in
16 default shall be assigned a value by the ~~investment~~ board ~~which~~ that will
17 approximate what the board in its sole discretion feels the asset is worth.

NOTE: Replaces incorrectly used "which". See the note to the creation of s. 25.01
by this bill.

18 **SECTION 50.** 25.17 (15) of the statutes is amended to read:

19 25.17 (15) For purposes of the power and authority of the ~~investment~~ board to
20 make investments, the "admitted assets" of the fixed retirement investment trust or

1 the variable retirement investment trust shall be the total valuation of the assets of
2 such trust as set forth in the last report made pursuant to sub. (14).

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

3 **SECTION 51.** 25.17 (17) of the statutes is amended to read:

4 25.17 (17) No later than January 31 annually, submit a report to the joint
5 committee on finance concerning the amount of credits generated by the investment
6 board with brokerage firms during the preceding calendar year. The report shall
7 contain a separate itemization of the amount of directed credits for services to be
8 provided by the firm providing the credit and ~~3rd party~~ ~~3rd-party~~ credits for services
9 to be provided by any firm. The report shall include information regarding
10 utilization of ~~3rd-party~~ credits by the board.

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

11 **SECTION 52.** 25.17 (70) (a) and (b) (intro.) of the statutes are consolidated,
12 renumbered 25.17 (70) (intro.) and amended to read:

13 25.17 (70) (intro.) No later than June 30 of every odd-numbered year, after
14 receiving a report from the department of commerce under s. 560.08 (2) (m) and in
15 consultation with the department of commerce, submit to the governor and to the
16 presiding officer of each house of the legislature a plan for making investments in
17 this state. The purpose of the plan is to encourage the board to make the maximum
18 amount of investments in this state, subject to s. 25.15 and consistent with the
19 statutory purpose of each trust or fund managed by the board. ~~(b)~~ The plan shall
20 discuss potential investments to be made during the first to 5th fiscal years following
21 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.

1 **SECTION 53.** 25.17 (70) (b) 1. to 4. of the statutes are renumbered 25.17 (70) (a)
2 to (d), and 25.17 (70) (b) (intro.) and 3., as renumbered, are amended to read:

3 **25.17 (70) (b) (intro.)** Nonbinding management objectives for each fiscal year
4 stated, as appropriate, as a dollar amount or as a percentage of the total amount of
5 all investments made by the ~~investment~~ board, for the following:

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

10 a. Loans to corporations and other organizations to maintain or expand
11 operations in this state; 2) purchases.

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

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

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

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

19 f. Investments in venture capital firms based in other states, if those
20 investments are to be used to purchase securities in companies located in this state;
21 7) investments.

22 g. Investments in businesses headquartered in this state that have less than
23 500 employees; and 8) other.

24 h. Other investments that the ~~investment~~ board determines will result in
25 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.

1 **SECTION 54.** 25.18 (1) (intro.) of the statutes is amended to read:

2 25.18 (1) (intro.) In addition to the powers and duties enumerated in s. 25.17,
3 but subject to s. 25.183, the ~~investment~~ board may:

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

4 **SECTION 55.** 25.18 (2) (intro.) of the statutes is amended to read:

5 25.18 (2) (intro.) In addition to the powers set forth in sub. (1) and s. 25.17, but
6 subject to s. 25.183, the ~~investment~~ board may:

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

7 **SECTION 56.** 25.185 (2) of the statutes is amended to read:

8 25.185 (2) The ~~investment~~ board shall attempt to ensure that 5% of the total
9 funds expended for financial and investment analysis and for common stock and
10 convertible bond brokerage commissions in each fiscal year is expended for the
11 services of minority financial advisers or minority investment firms.

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

12 **SECTION 57.** 25.185 (3) of the statutes is amended to read:

13 25.185 (3) The ~~investment~~ board shall annually report to the department of
14 administration the total amount of moneys expended under sub. (2) for common
15 stock and convertible bond brokerage commissions, the services of minority financial
16 advisers and the services of minority investment firms during the preceding fiscal
17 year.

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

18 **SECTION 58.** 25.19 (1) of the statutes is amended to read:

19 25.19 (1) The state treasurer shall be the treasurer of the ~~investment~~ board and
20 shall give an additional bond in such amount and with such corporate sureties as is
21 required and approved by the board, the cost of which shall be borne by the board.

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

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

2 **25.19 (1m)** Any of the securities purchased by the investment board for any of
3 the funds whose investment is under the control of the board may be deposited by
4 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.

5 **SECTION 60.** 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.

6 **SECTION 61.** 25.50 (5) (intro.) of the statutes is amended to read:

7 **25.50 (5) INVESTMENT POLICIES.** (intro.) The investment board shall formulate
8 policies for the investment and reinvestment of moneys in the fund and the
9 acquisition, retention, management and disposition of such investments. The board
10 shall provide a copy of the investment policies, together with any guidelines adopted
11 by the board to direct staff investment activity, to each local government having an
12 investment in the fund upon the local government's request and at least annually to
13 all investors. The board shall distribute at least annually performance information
14 over the preceding one-year, 5-year and 10-year periods, compared with
15 appropriate indices or benchmarks in the private sector. The investment policies
16 shall include all of the following:

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

17 **SECTION 62.** 25.50 (6) of the statutes is amended to read:

18 **25.50 (6) INVESTMENT BOARD BOARD TO INVEST, REINVEST POOLED FUNDS.** In the
19 amounts available for investment purposes and subject to the policies formulated by
20 the investment board, the investment board shall invest and reinvest moneys in the

1 fund and acquire, retain, manage, including the exercise of any voting rights, and
2 dispose of investments of the fund.

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

3 **SECTION 63.** 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.

4 **SECTION 64.** 27.01 (5) of the statutes is amended to read:

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

NOTE: Deletes unnecessary parentheses.

10 **SECTION 65.** 27.01 (7) (c) 1. to 8. of the statutes are amended to read:

11 27.01 (7) (c) 1. Any vehicle in an admission area between November 1 and
12 March 31, except as the department provides by rule;

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

15 3. Any vehicle when furnishing services or supplies;

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

17 5. Any vehicle within state parks or state park areas designated by the
18 department;

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

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

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

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

5 **SECTION 66.** 27.05 (intro.) of the statutes is amended to read:

6 **27.05 Powers of commission or general manager.** (intro.) The county
7 park commission ~~except, or the general manager~~ in counties with a county executive
8 or county administrator, ~~the general manager~~, shall have charge and supervision of
9 all county parks, and all lands ~~heretofore or hereafter~~ acquired by the county for park
10 or reservation purposes; ~~and. The county park commission or general manager,~~
11 subject to the general supervision of the county board and ~~to such regulations as it~~
12 ~~may prescribe prescribed by the county board,~~ except as provided under s. 27.03 (2),
13 may do any of the following:

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

14 **SECTION 67.** 27.05 (1) of the statutes is amended to read:

15 27.05 (1) Lay out, improve, maintain and govern all ~~such~~ county parks and
16 open spaces; ~~provide.~~

17 (1g) Provide by contract with sanitary districts, counties, ~~or~~ towns, cities or
18 villages, subject to the approval of the county board of supervisors, or in any other
19 manner, for the disposal of sewage arising from the use of ~~such~~ county parks and take
20 all action necessary to prevent the pollution of park or parkway areas or any portion
21 thereof by sewage emanating from upland areas; ~~lay.~~

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

7 **(1s)** Make rules for the regulation of the use and enjoyment ~~thereof~~ of the
8 county parks and open spaces by the public;.

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

9 **SECTION 68.** 27.05 (2) of the statutes is amended to read:

10 27.05 (2) Accept, in the name of the county, grants, conveyances and devises
11 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.

12 **SECTION 69.** 29.522 (1)(a) 1., (b) 1. and (c) 2. of the statutes are amended to read:

13 29.522 (1) (a) 1. One net of a general hoop or circular-like structure commonly
14 called a crib or pot with numbers of hoops holding, encasing or ~~inclosing~~ enclosing
15 net webbing.

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

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

NOTE: Inserts preferred spelling.

21 **SECTION 70.** 29.924 (4) of the statutes is amended to read:

1 29.924 (4) ACCESS TO STORAGE PLACES. The owner or occupant of any ~~cold storage~~
2 cold-storage warehouse or building used for the storage or retention of wild animals
3 or carcasses shall permit the department and its wardens to enter and examine the
4 premises subject to ss. 66.122 and 66.123. The owner or occupant, or the agent or
5 employee of the owner or occupant, shall deliver to the officer any wild animal or
6 carcass, in his or her possession during the closed season, whether taken within or
7 without the state.

NOTE: Corrects spelling.

8 **SECTION 71.** 31.06 (1) of the statutes is amended to read:

9 31.06 (1) Upon receipt of an application for a permit under s. 31.05 the
10 department may order a hearing or it may mail a notice that it will proceed on the
11 application without public hearing unless a request for a public hearing is filed as
12 hereinafter provided in this subsection. The notice shall be mailed to the clerk of
13 each municipality directly affected thereby ~~and the~~. The department may give
14 further or other notice as it ~~deems~~ considers proper. The department shall mail a
15 copy of the notice to the applicant who shall cause the ~~same~~ notice to be published
16 in each county in which affected riparian lands are located as a class 1 notice, under
17 ch. 985. If a hearing is not requested in writing within 30 days after mailing of the
18 notice, the department may waive the hearing.

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

19 **SECTION 72.** 31.06 (3) of the statutes is renumbered 31.06 (3) (a) and amended
20 to read:

21 31.06 (3) (a) At ~~such a~~ hearing under this section or any adjournment thereof
22 the department shall consider the application, and ~~shall~~ take evidence offered by the

1 applicant and other persons in support thereof or in opposition thereto, The
2 department may require the amendment of the application, ~~and if.~~

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

9 (c) 1. The enjoyment of natural scenic beauty and environmental quality are
10 declared to be public rights to be considered along with other public rights and the
11 economic need of electric power for the full development of agricultural and
12 industrial activity and other useful purposes in the area to be served. In considering
13 public rights to the recreational use and natural scenic beauty of the river, the
14 department shall investigate the potentialities of the lake and ~~lake shore~~ lakeshore
15 created by the flowage and shall weigh the recreational use and scenic beauty thereof
16 of the lake and lakeshore against the known recreational use and scenic beauty of
17 the river in its natural state, ~~and the.~~ The department shall further weigh the known
18 recreational use and scenic beauty of the particular section of river involved against
19 the known recreational use and scenic beauty of other sections of the same river and
20 other rivers in the area remaining in their natural state (without regard to plans of
21 other dams subsequently filed or to be filed); if it,

No CHANGE

22 ~~of the department~~
23 ~~of the department~~ It appears that the river in its natural state offers greater recreational
24 facilities and scenic value for a larger number of people than can by proper control
25 of the flowage level be obtained from the use of the lake and ~~lake shore~~ lakeshore and
that the remaining sections of the river and other rivers in the area in their natural

1 state provide an insufficient amount of recreational facilities and scenic beauty, and
2 if it further appears that the economic need of electric power is less than the value
3 of the recreational and scenic beauty advantages of such the river in its natural state,
4 ~~the department shall so find and the permit be denied. If the department finds that~~
5 ~~approval of the~~.

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

8 **SECTION 73.** 31.06 (3) (c) 2. (intro.) of the statutes is created to read:

9 31.06 (3) (c) 2. (intro.) If the department finds any of the following, the permit
10 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.

Note. Created (intro) to facilitate the subdivision of s. 31.06 (3) (c) by the previous section of this bill.
11 **SECTION 74.** 35.91 (1) of the statutes is amended to read:

12 35.91 (1) The latest edition of the Wisconsin statutes shall be sold at a price (,
13 calculated to the nearest dollar), to be fixed by the department, based on cost plus
14 75% of the revisor's expenditures under s. 20.765 (3) (a) during the preceding
15 biennium. The department may sell noncurrent editions of the Wisconsin statutes
16 and Wisconsin annotations at reduced prices to be fixed by it.

NOTE: Replaces parentheses consistent with current style.

17 **SECTION 75.** 39.11 (4), (6), (7) and (8) of the statutes are amended to read:

18 39.11 (4) Initiate, develop and maintain a comprehensive state plan for the
19 orderly operation of a statewide television system for the presentation of
20 noncommercial instructional programs ~~which that~~ will serve the best interests of the
21 people of the state now and in the future;.

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

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

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

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

12 **SECTION 76.** 40.02 (24) (a) of the statutes is amended to read:

13 40.02 (24) (a) A supreme court justice, court of appeals judge, circuit judge or
14 state, county or municipal official elected by vote of the people; ~~or.~~

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

15 **SECTION 77.** 40.02 (25) (a) 1., 2. and 3. of the statutes are amended to read:

16 40.02 (25) (a) 1. Any participating state employe who has been participating
17 under the Wisconsin retirement system for a period of at least 6 months prior to
18 attainment of age 70 not including any period of leave of absence without pay; ~~or.~~

19 2. Any state employe who is a member or employe of the legislature, a state
20 constitutional officer, a district attorney who did not elect under s. 978.12 (6) to
21 continue insurance coverage with a county, or who did elect such coverage but has
22 terminated that election under s. 978.12 (6), a justice of the supreme court, a court

1 of appeals judge, a circuit judge or the chief clerk or sergeant at arms of the senate
2 or assembly; ~~or.~~

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

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

11 **SECTION 78.** 40.02 (25) (b) 1. of the statutes, as affected by 1999 Wisconsin Act
12 9, is amended to read:

13 40.02 (25) (b) 1. Any teacher who is employed by the university for an expected
14 duration of not less than 6 months on at least a one-third full-time employment
15 basis and who is not described in subd. 1m.;

16 **SECTION 79.** 40.02 (25) (b) 2., 2m., 3., 4., 5., 6. b., 7., 8., 9. and 10. of the statutes
17 are amended to read:

18 40.02 (25) (b) 2. Any person employed as a graduate assistant and other
19 employes-in-training as are designated by the board of regents of the university,
20 who are employed on at least a one-third full-time basis;

21 2m. A crew leader or regional crew leader employed by the Wisconsin
22 conservation corps board for whom the Wisconsin conservation corps board under s.
23 106.215 (10) (fm) has authorized group health care coverage;

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

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

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

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

14 7. Any employe whose health insurance premiums are being paid under s.
15 40.05 (4) (bm);.

16 8. Any other state employe for whom coverage is authorized under a collective
17 bargaining agreement pursuant to subch. I or V of ch. 111 or under s. 230.12 or
18 233.10;.

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

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

NOTE: Replaces punctuation for internal consistency.

24 **SECTION 80.** 40.06 (1) (a) of the statutes is amended to read:

1 40.06 (1) (a) Except as otherwise provided by rule or statute, the employe
2 contributions and premium payments specified in s. 40.05 shall be deducted from the
3 earnings of each employe and from the annuity (, if sufficient), of each insured retired
4 employe and transmitted to the department, or an agent specified by the
5 department, in the manner and within the time limit fixed by the department
6 together with the required employer contributions and premium payments and
7 reports in the form specified by the department. Notwithstanding any other law, rule
8 or regulation, the payment of earnings less the required deductions shall be a
9 complete discharge of all claims for service rendered during the period covered by the
10 payment.

NOTE: Replaces parentheses in conformity with current style.

11 **SECTION 81.** 43.05 (14) of the statutes is amended to read:

12 43.05 (14) (b) Conduct a review of a public library system if at least 30% of the
13 libraries in participating municipalities that include at least 30% of the population
14 of all participating municipalities state in the report under s. 43.58 (6) (c) that the
15 public library system did not adequately meet the needs of the library. If the division
16 determines that the public library system did not adequately meet the needs of
17 libraries participating in the system, it shall prepare an advisory plan suggesting
18 how the public library system can so do in the future, including suggestions designed
19 to foster intrasystem communications and local dispute resolution. The advisory
20 plan shall be distributed to the public library system board, the boards of all libraries
21 participating in the system and the county boards of all counties participating in the
22 system.

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

The NOTE: The definition of "participating municipality" is relocated to a separate paragraph at the beginning of the subsection consistent with current style. Cross-reference is changed due to the renumbering of s. 43.18 (1) (c) to s. 43.18 (1) (ag) in SECTION 84.

1 **SECTION 82.** 43.18 (1) (intro.) of the statutes is renumbered 43.18 (1) (am) and
2 amended to read:

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

NOTE: This provision is not an introductory paragraph and is renumbered to a paragraph as it one of the several paragraphs in s. 43.18 (1) dealing with municipal withdrawals from library systems. Cross-reference is changed to reflect renumbering in SECTION 83.

9 **SECTION 83.** 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.

10 **SECTION 84.** 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.

11 **SECTION 85.** 45.35 (17) (c) 1. a. and b. of the statutes are amended to read:

12 **45.35 (17) (c) 1. a.** The applicant did not report income amounts as required on
13 the loan application;

14 b. The applicant did not make the disclosures required under subd. 2. a., b. or
15 c. on the loan application;

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

16 **SECTION 86.** 45.37 (4) (c) (intro.) of the statutes is renumbered 45.37 (4) (c) 1m.
17 (intro.).

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

1 **SECTION 87.** 45.37 (4) (c) 1. to 4. of the statutes are renumbered 46.37 (4) (c) 1m.

2 a. to d. and amended to read:

3 45.37 (4) (c) 1m. a. Eligible veterans shall have 1st priority₃.

4 b. Spouses of eligible veterans shall be given 2nd priority₃.

5 c. Surviving spouses of eligible veterans shall be given 3rd priority₃.

6 d. Parents of eligible veterans shall be given 4th priority₃.

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

7 **SECTION 88.** 46.03 (2a) of the statutes is amended to read:

8 46.03 (2a) GIFTS. ~~The department may~~ Be authorized to accept gifts, grants or
9 donations of money or of property from private sources to be administered by the
10 department for the execution of its functions. All moneys so received shall be paid
11 into the general fund and are appropriated therefrom as provided in s. 20.435 (9) (i).

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

12 **SECTION 89.** 46.03 (4) (a) of the statutes is amended to read:

13 46.03 (4) (a) Develop and maintain ~~such~~ education and prevention programs
14 of ~~education and prevention~~ as it ~~deems~~ considers proper.

15 **SECTION 90.** 46.03 (4) (b) 1. of the statutes is renumbered 46.03 (4) (b) and
16 amended to read:

17 46.03 (4) (b) ~~The department, in~~ In order to discharge more effectively its
18 responsibilities under this chapter and ch. 48 and other relevant provisions of the
19 statutes, ~~is~~ be authorized to study causes and methods of prevention and treatment
20 of mental illness, mental deficiency, mental infirmity, and related social problems,
21 including establishment of demonstration projects to apply and evaluate such

1 methods in actual cases. The department is directed and authorized to utilize all
2 powers provided by the statutes, including the authority under sub. (2a), to accept
3 grants of money or property from federal, state or private sources, and to enlist the
4 cooperation of other appropriate agencies and state departments; it may enter into
5 agreements with local government subdivisions, departments and agencies for the
6 joint conduct of such projects; and it may purchase services when deemed
7 appropriate.

NOTE: Section 46.03 (4) (b) is not divided into subdivisions.

8 **SECTION 91.** 46.22 (1) (c) 1. (intro.) and a. of the statutes are amended to read:

9 46.22 (1) (c) 1. (intro.) Make investigations in cooperation with the court,
10 institution superintendent, district attorney and other agencies and officials
11 operating in the welfare field regarding admissions to and release (or conditional
12 release) from the following institutions:

13 a. 'County institutions.' ~~County~~ Any county infirmary, home, asylum or
14 hospital ~~(for mental diseases, tuberculosis or otherwise) or asylum.~~ *plain*

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

15 **SECTION 92.** 48.04 (1) of the statutes is renumbered 48.04.

NOTE: Section 48.04 is not divided into subsections.

16 **SECTION 93.** 48.067 (1), (3), (4), (5), (6), (7) and (8) of the statutes are amended
17 to read:

18 48.067 (1) Provide intake services 24 hours a day, 7 days a week, for the purpose
19 of screening children taken into custody and not released under s. 48.20 (2) and the
20 adult expectant mothers of unborn children taken into custody and not released
21 under s. 48.203 (1);

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

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

6 (5) Provide crisis counseling during the intake process when such counseling
7 appears to be necessary;.

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

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

13 (8) Make interim recommendations to the court concerning children, and
14 unborn children and their expectant mothers, awaiting final disposition under s.
15 48.355; and.

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

16 SECTION 94. 48.205 (1) (a) of the statutes is amended to read:

17 48.205 (1) (a) Probable cause exists to believe that if the child is not held he or
18 she will cause injury to himself or herself or be subject to injury by others;.

19 SECTION 95. 48.205 (1) (am) of the statutes is amended to read:

20 48.205 (1) (am) Probable cause exists to believe that if the child is not held he
21 or she will be subject to injury by others, based on a determination under par. (a) or
22 a finding under s. 48.21 (4) that if another child in the home is not held that child will
23 be subject to injury by others;.

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

2 48.205 (1) (b) Probable cause exists to believe that the parent, guardian or legal
3 custodian of the child or other responsible adult is neglecting, refusing, unable or
4 unavailable to provide adequate supervision and care and that services to ensure the
5 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.

6 **SECTION 97.** 48.41 (2) (a) of the statutes is amended to read:

7 48.41 (2) (a) The parent appears personally at the hearing and gives his or her
8 consent to the termination of his or her parental rights. The judge may accept the
9 consent only after the judge has explained the effect of termination of parental rights
10 and has questioned the parent, or has permitted an attorney who represents any of
11 the parties to question the parent, and is satisfied that the consent is informed and
12 voluntary; ~~or.~~

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

13 **SECTION 98.** 48.42 (1) (a) and (b) of the statutes are amended to read:

14 48.42 (1) (a) The name, birth date and address of the child; ~~and~~

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

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

17 **SECTION 99.** 48.60 (2) (a), (b) and (c) of the statutes are amended to read:

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

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 100.** 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 99 and 100 replace punctuation for internal consistency and
conformity with current style.

9 **SECTION 101.** 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 102.** 50.05 (9) (a) 1. of the statutes is amended to read:

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

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

6 **SECTION 103.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

7 50.49 (1) (b) (intro.) “Home health services” means the following items and
8 services furnished to an individual, who is under the care of a physician, by a home
9 health agency or by others under arrangements with them made by such a home
10 health agency, under a plan (for furnishing such those items and services to such the
11 individual), established and periodically reviewed by a physician, which items and
12 services are, except as provided in subd. 6., provided on a visiting basis in a place of
13 residence used as such individual’s home:

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

14 **SECTION 104.** 51.05 (1) (title), (2) (title), (3) (title), (3g) (title), (3m) (title) and (4)
15 (title) of the statutes are created to read:

16 51.05 (1) (title) DESIGNATION.

17 (2) (title) ADMISSIONS AUTHORIZED BY COUNTIES.

18 (3) (title) ADMISSIONS AUTHORIZED BY DEPARTMENT.

19 (3g) (title) EXPENSE REDUCTION.

20 (3m) (title) REVENUES; REPORTS.

21 (4) (title) TRANSFERS AND DISCHARGES.

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