



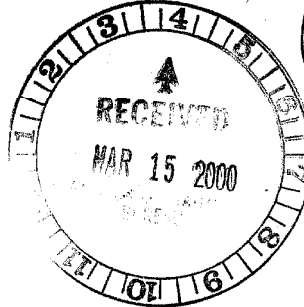
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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3516/PB
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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 (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

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. The title

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.

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~~ swamp land purchasers.**

*one
word "swampland"*

NOTE: Inserts preferred spelling.

1 ~~SECTION 20.~~ 24.61 (3) (a) 1. of the statutes is renumbered 24.61 (3) (a) 1. (intro.)
2 and amended to read:

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

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

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

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

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

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

14 f. Any purpose otherwise authorized by law;~~.~~

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

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

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

Insert
24.79
Title

18 ~~SECTION 22.~~ 25.01 of the statutes is created to read:

19 **25.01 Definition.** In this chapter, unless the context requires otherwise,
20 "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 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.

SECTION #. 24.79 (title) of the statutes is amended to read:

(B) 24.79 (title) Swamp land Swampland grants.

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

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

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

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

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

17 25.17 (2) (b) Invest the state building trust fund in loans to the Wisconsin ~~state~~
18 ~~public building corporation~~ State Public Building Corporation, to the Wisconsin
19 ~~university building corporation~~ University Building Corporation, and to the
20 Wisconsin ~~state colleges building corporation~~ State Colleges Building Corporation.
21 Except for interim loans for construction, or other temporary financing for the
22 purchase of lands, planning (including both engineering and financing), and all

1 other expenses incidental to any of the foregoing, ~~such loans~~ under this paragraph
 2 shall be secured by a pledge and assignment of net revenues derived from the
 3 operation of buildings by ~~said corporations~~ the borrowing corporation on lands leased
 4 or conveyed to ~~said corporations~~ the corporation. Any ~~such~~ loan under this
 5 paragraph shall be made upon the direction of the building commission.

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

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

7 25.17 (2) (d) Invest the environmental improvement fund, and collect the
 8 principal and interest of all moneys loaned or invested from the environmental
 9 improvement fund, as directed by the department of administration under s. 281.59
 10 (2m). In making ~~such investment~~ investments under this paragraph, the ~~investment~~
 11 board shall accept any reasonable terms and conditions that the department of
 12 administration specifies and is relieved of any obligations relevant to prudent
 13 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.

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

15 25.17 (2) (e) Invest the transportation infrastructure loan fund, and collect the
 16 principal and interest of all moneys loaned or invested from the transportation
 17 infrastructure loan fund, as directed by the department of administration under s.
 18 85.52 (4m). In making ~~such investment~~ investments under this paragraph, the
 19 ~~investment~~ board shall accept any reasonable terms and conditions that the
 20 department of administration specifies and is relieved of any obligations relevant to
 21 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.

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

12 —SECTION 42. 25.17 (8) of the statutes is amended to read:

13 25.17 (8) Accept, when necessary to protect a mortgage loan, a quitclaim deed
14 or warranty deed to the mortgaged property in full satisfaction of the mortgage debt,
15 and manage, operate, lease, exchange, sell and convey, by land contract, quitclaim
16 deed or warranty deed, and grant easement rights in, any real property acquired by
17 said the board.

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

18 —SECTION 43. 25.17 (9) of the statutes is amended to read:

19 25.17 (9) Give ~~such~~ advice and assistance ~~as may be~~ requested by the board of
20 commissioners of public lands or the board of regents of the University of Wisconsin
21 System ~~in~~ concerning the investment of any moneys ~~which~~ that under sub. (1) are
22 excepted from the moneys to be loaned or invested by the investment board, and

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

X
 NOTE: Inserts specific references and a missing "the". Deletes unnecessary
 language. Replaces "which" with "that" to correct grammar. See the note to the creation
 of s. 25.01 by this bill. 2 also

8 ~~SECTION 44.~~ 25.17 (10) of the statutes is amended to read:

9 25.17 (10) If a building constitutes any part of the security for a loan made by
 10 the ~~investment~~ board under s. 25.17 (3) (bh) or 620.22 (2), ~~such the~~ building shall be
 11 kept insured for at least the unpaid amount of the loan or ~~such~~ any larger amount
 12 as that may be necessary to comply with any coinsurance clause inserted in or
 13 attached to the policy. When the full insurable value of the building is less than the
 14 unpaid amount of the loan, ~~such the~~ building shall be kept insured for the full
 15 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.

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

17 25.17 (12) (d) All other state boards, commissions, departments, institutions
 18 and officers in the investment of any funds ~~which that~~ under sub. (1) are ~~hereafter~~
 19 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.

20 ~~SECTION 46.~~ 25.17 (13) of the statutes is amended to read:

X

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 "which" with "that" to correct grammar. 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~~ for any item, the item shall be valued at the outstanding
9 principal balance.

NOTE: Replaces plural form of word with singular for sentence agreement and inserts comma to correct grammar. See ^{a/s/o} 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 the market value
13 cannot readily be assigned ~~such, the~~ real property shall be valued at cost.

NOTE: Replaces ~~incorrectly used~~ "which" ^{a/s/o} 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.

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~~ that is in arrears
16 or in 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 "which" with "that" to correct grammar. See ^{a/s/o} 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 **SECTION 73.** 31.06 (3) of the statutes is renumbered 31.06 (3) (a) and amended
2 to read:

3 31.06 (3) (a) ~~At such a hearing under this section, or any adjournment thereof~~
4 ~~the department shall consider the application, and shall take evidence offered by the~~ ^{of the hearing,}
5 applicant and other persons ~~in support thereof or in opposition thereto,~~ supporting
6 or opposing the proposed dam. ~~The department may require the amendment of the~~
7 application, ~~and if.~~

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

14 (c) 1. The enjoyment of natural scenic beauty and environmental quality are
15 declared to be public rights to be considered along with other public rights and the
16 economic need of electric power for the full development of agricultural and
17 industrial activity and other useful purposes in the area to be served. In considering
18 public rights to the recreational use and natural scenic beauty of the river, the
19 department shall investigate the potentialities of the lake and ~~lake shore~~ lakeshore
20 created by the flowage and shall weigh the recreational use and scenic beauty ~~thereof~~
21 of the lake and lakeshore against the known recreational use and scenic beauty of
22 the river in its natural state, ~~and the.~~ The department shall further weigh the known
23 recreational use and scenic beauty of the particular section of river involved against
24 the known recreational use and scenic beauty of other sections of the same river and

1 other rivers in the area remaining in their natural state (without regard to plans of
2 other dams subsequently filed or to be filed); if it.

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

12 b. The permit will cause environmental pollution, as defined in s. 299.01 (4),
13 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.

14 ~~SECTION 74.~~ 31.06 (3) (c) 2. (intro.) of the statutes is created to read:

15 31.06 (3) (c) 2. (intro.) The department shall deny the permit if it finds any of
16 the following:

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

17 ~~SECTION 75.~~ 32.57 (2) (c) of the statutes is amended to read:

18 32.57 (2) (c) Owned exclusively by or held in trust exclusively for this state, if
19 exempt from taxation. Land contracted to be sold by this state is not exempt from
20 assessment. State land that is part of a pedestrian mall under s. 66.610 is exempt
21 from assessment only if it is held or used exclusively for highway purposes. State
22 payment of assessments against a pedestrian mall is governed by s. 66.64 (2) (b).
66.64(2) renumbering is deleted from bill

~~NOTE: Reflects renumbering by this bill.~~

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

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

NOTE: Replaces parentheses consistent with current style.

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


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

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

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

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

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



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: ^{s.} ~~Modifies text for sentence agreement with~~ (46.03 (intro.))
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:

