

**ASSEMBLY BILL 934**

1 statement made under this subsection shall be made under oath or affirmation. A  
2 foster parent, treatment foster parent, or other physical custodian described in s.  
3 48.62 (2) who receives notice of a hearing under sub. (1) (b) or (2m) (b) and an  
4 opportunity to be heard under this subsection does not become a party to the  
5 proceeding on which the hearing is held solely on the basis of receiving that notice  
6 and opportunity to be heard.

NOTE: Corrects cross-references to conform to the renumbering and amendment  
of s. 48.357 (1) and (2m) by this bill.

7 **SECTION 170.** 48.357 (2v) of the statutes, as created by 2001 Wisconsin Act 16,  
8 is amended to read:

9 48.357 (2v) If a hearing is held under sub. (1) (b) or (2m) (b) and the change in  
10 placement would place the child outside the home in a placement recommended by  
11 the person or agency primarily responsible for implementing the dispositional order,  
12 the change in placement order shall include a statement that the court approves the  
13 placement recommended by that person or agency or, if the child is placed outside the  
14 home in a placement other than a placement recommended by that person or agency,  
15 a statement that the court has given bona fide consideration to the recommendations  
16 made by that person or agency and all parties relating to the child's placement.

NOTE: Corrects cross-references to conform to the renumbering and amendment  
of s. 48.357 (1) and (2m) by this bill.

17 **SECTION 171.** 48.375 (7) (a) 1. of the statutes is amended to read:

18 48.375 (7) (a) 1. Appoint legal counsel under s. 48.23 ~~(1)~~ (1m) (cm) for the minor  
19 if the minor is not represented by counsel.

NOTE: Section 48.23 (1) is renumbered to s. 48.23 (1m) by this bill.

20 **SECTION 172.** 48.981 (2) of the statutes, as affected by 2001 Wisconsin Acts 38,  
21 59 and 70, is renumbered 48.981 (2) (a) (intro.) and amended to read:

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1           48.981 (2) (a) (intro.) ~~A physician, coroner, medical examiner, nurse, dentist,~~  
2 ~~chiropractor, optometrist, acupuncturist, other medical or mental health~~  
3 ~~professional, social worker, marriage and family therapist, professional counselor,~~  
4 ~~public assistance worker, including a financial and employment planner, as defined~~  
5 ~~in s. 49.141 (1) (d), school teacher, administrator or counselor, mediator under s.~~  
6 ~~767.11, child care worker in a day care center or residential care center for children~~  
7 ~~and youth, day care provider, alcohol or other drug abuse counselor, member of the~~  
8 ~~treatment staff employed by or working under contract with a county department~~  
9 ~~under s. 46.23, 51.42 or 51.437 or a residential care center for children and youth,~~  
10 ~~physical therapist, physical therapist assistant, occupational therapist, dietitian,~~  
11 ~~speech language pathologist, audiologist, emergency medical technician, first~~  
12 ~~responder or police or law enforcement officer having Any of the following persons~~  
13 ~~who has reasonable cause to suspect that a child seen by the person in the course of~~  
14 ~~professional duties has been abused or neglected or having who has reason to believe~~  
15 ~~that a child seen by the person in the course of professional duties has been~~  
16 ~~threatened with abuse or neglect and that abuse or neglect of the child will occur~~  
17 ~~shall, except as provided under sub. (2m), report as provided in sub. (3).;~~

18           (b) A court-appointed special advocate having who has reasonable cause to  
19 suspect that a child seen in the course of ~~the court-appointed special advocate's~~  
20 activities under s. 48.236 (3) has been abused or neglected or having who has reason  
21 to believe that a child seen in the course of those activities has been threatened with  
22 abuse and neglect and that abuse or neglect of the child will occur shall, except as  
23 provided in sub. (2m), report as provided in sub. (3).

24           (c) Any other person not otherwise specified in par. (a) or (b), including an  
25 attorney, having who has reason to suspect that a child has been abused or neglected

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1 or who has reason to believe that a child has been threatened with abuse or neglect  
2 and that abuse or neglect of the child will occur may ~~make such a~~ report as provided  
3 in sub. (3).

4 (d) Any person, including an attorney ~~having,~~ who has reason to suspect that  
5 an unborn child has been abused or who has reason to believe that an unborn child  
6 is at substantial risk of abuse may report as provided in sub. (3).

7 (e) No person making a report under this subsection may be discharged from  
8 employment for so doing.

NOTE: Subdivides provision and modifies language for internal consistency and improved readability and to conform to current style. See also the next section of this bill.

9 **SECTION 173.** 48.981 (2) (a) 1. to 29. of the statutes are created to read:

10 48.981 (2) (a) 1. A physician.

11 2. A coroner.

12 3. A medical examiner.

13 4. A nurse.

14 5. A dentist.

15 6. A chiropractor.

16 7. An optometrist.

17 8. An acupuncturist.

18 9. A medical or mental health professional not otherwise specified in this  
19 paragraph.

20 10. A social worker.

21 11. A marriage and family therapist.

22 12. A professional counselor.

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1           13. A public assistance worker, including a financial and employment planner,  
2 as defined in s. 49.141 (1) (d).

3           14. A school teacher.

4           15. A school administrator

5           16. A school counselor.

6           17. A mediator under s. 767.11.

7           18. A child-care worker in a day care center or residential care center for  
8 children and youth.

9           19. A day care provider.

10          20. An alcohol or other drug abuse counselor.

11          21. A member of the treatment staff employed by or working under contract  
12 with a county department under s. 46.23, 51.42, or 51.437 or a residential care center  
13 for children and youth.

14          22. A physical therapist.

15          22m. A physical therapist assistant.

16          23. An occupational therapist.

17          24. A dietitian.

18          25. A speech-language pathologist.

19          26. An audiologist.

20          27. An emergency medical technician.

21          28. A first responder.

22          29. A police or law enforcement officer.

NOTE: Recreates language stricken from s. 48.981 (2) by the previous section of this  
bill as a numbered series in order to accommodate the subdivision of s. 48.981 (2).

23          **SECTION 174.** 51.37 (8) (b) of the statutes is amended to read:

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1           51.37 (8) (b) If the condition of any prisoner or inmate committed or transferred  
2 under this section requires psychiatric or psychological treatment after his or her  
3 date of release as determined under s. 302.11 or 302.113, whichever is applicable, the  
4 director of the state treatment facility shall, within a reasonable time before the  
5 release date of the prisoner or inmate, make a written application to the court ~~which~~  
6 that committed the prisoner or inmate under sub. (5) (a). Thereupon, the proceeding  
7 shall be upon application made under s. 51.20, but no physician or psychologist who  
8 is connected with a state prison, Winnebago ~~or~~ Mental Health Institute, Mendota  
9 ~~mental health institute~~ Mental Health Institute, or any county jail or house of  
10 correction may be appointed as an examiner. If the court does not commit the  
11 prisoner or inmate, it may dismiss the application and order the prisoner or inmate  
12 returned to the institution from which he or she was transferred until the release  
13 date of the prisoner or inmate. If the court commits the prisoner or inmate for the  
14 period commencing upon his or her release date, the commitment shall be to the care  
15 and custody of the county department under s. 51.42 or 51.437.

NOTE: Conforms capitalization to current style.

16           **SECTION 175.** 55.02 of the statutes is amended to read:

17           **55.02 Protective service system; establishment.** The department shall  
18 develop a statewide system of protective service for mentally retarded and other  
19 developmentally disabled persons, for aged infirm persons, for chronically mentally  
20 ill persons, and for persons with other like incapacities incurred at any age in  
21 accordance with rules promulgated by the department. The protective service  
22 system shall be designed to encourage independent living and to avoid protective  
23 placement whenever possible. The system shall use the planning and advice of  
24 agencies, including the county department under s. 46.215, 46.22, 46.23, 51.42, or

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1 51.437. The chairperson of each county board of supervisors shall designate a county  
2 department under s. 46.215, 46.22, 51.42, or 51.437 ~~which~~ that is providing services  
3 in his or her county or a joint mechanism of these county departments to have the  
4 responsibility for local planning for the protective service system. The chairperson  
5 of the Milwaukee ~~county~~ County board of supervisors shall designate the county  
6 department under s. 46.215 to serve as the county protective services agency for  
7 purposes of s. 55.043. The department and these county departments shall cooperate  
8 in developing a coordinated system of services. The department shall provide direct  
9 services and enter into contracts with any responsible public or private agency for  
10 provision of protective services. In each county, the county department designated  
11 under this section shall determine the reporting requirements applicable to the  
12 county under s. 880.38 (3).

NOTE: Conforms capitalization to current style.

13 **SECTION 176.** 55.04 (1) (intro.) of the statutes is amended to read:

14 55.04 (1) (intro.) The department shall have all of the following responsibilities  
15 in the administration of this chapter:

NOTE: Corrects introductory language to conform to the amendments to s. 55.04  
(1) (a) 1. to 11.

16 **SECTION 177.** 55.04 (1) (a) 1. to 11. of the statutes are amended to read:

- 17 55.04 (1) (a) 1. Outreach;<sub>2</sub>  
18 2. Identification of persons in need of services;<sub>2</sub>  
19 3. Counseling and referral for services;<sub>2</sub>  
20 4. Coordination of services for individuals;<sub>2</sub>  
21 5. Tracking and follow-up;<sub>2</sub>  
22 6. Provision of social services;<sub>2</sub>  
23 7. Case management;<sub>2</sub>

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- 1           8. Legal counseling or referral;~~;~~  
2           9. Guardianship referral; ~~and~~  
3           10. Diagnostic evaluation;~~;~~  
4           11. ~~Such~~ Any other responsibilities as that the department ~~deems~~ considers  
5 appropriate.

NOTE: Replaces punctuation and disfavored terminology, consistent with current style.

6           **SECTION 178.** 55.043 (1) (a) (intro.) of the statutes is amended to read:

7           55.043 (1) (a) (intro.) If a county protective services agency has probable cause  
8 to believe that there is misappropriation of property or neglect or abuse of a  
9 vulnerable adult, the county protective services agency may conduct an  
10 investigation in Milwaukee ~~county~~ County to determine if the vulnerable adult in  
11 question is in need of protective services. The county protective services agency shall  
12 conduct the investigation in accordance with standards established by the  
13 department for conducting the investigations. The investigation shall include at  
14 least one of the following:

NOTE: Conforms capitalization to current style.

15           **SECTION 179.** 60.30 (1e) (c) of the statutes is amended to read:

16           60.30 (1e) (c) If an ordinance is approved in a referendum under par. (b), the  
17 change from an elective office to an appointive office may not take effect until the  
18 term of office of the incumbent town clerk, town treasurer, or combined town clerk  
19 and town treasurer expires. If an ordinance is approved under par. (b) at a general  
20 election, the ordinance takes effect upon the expiration of the term or terms of the  
21 incumbent officer or officers. If an ordinance is approved under par. (b) at a spring  
22 election at which the office of town clerk or town treasurer is filled, the ordinance  
23 takes effect upon the expiration of the term or terms of each officer who is elected at

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1 that election. A person appointed to the office of town clerk, or town treasurer, or to  
2 the combined office of town clerk and town treasurer, shall serve for a term, not to  
3 exceed 3 years, that is set by the town board. The person may be reappointed and  
4 may be dismissed by the board only for cause, as defined in s. ~~17.16 (2)~~ 17.001.

NOTE: Section 17.16 (2) is renumbered s. 17.001 by this bill. Corrects grammar.

5 **SECTION 180.** 60.30 (1e) (f) of the statutes is amended to read:

6 60.30 (1e) (f) If a person is appointed to office under par. (e), the person initially  
7 appointed may not take office until the term of office of the incumbent town clerk,  
8 town treasurer, or combined town clerk and town treasurer expires. A person  
9 appointed to the office of town clerk, or town treasurer, or to the combined office of  
10 town clerk and town treasurer, shall serve for a term, not to exceed 3 years, that is  
11 set by the town board. The person may be reappointed and may be dismissed by the  
12 board only for cause, as defined in s. ~~17.16 (2)~~ 17.001.

NOTE: Section 17.16 (2) is renumbered s. 17.001 by this bill. Corrects grammar.

13 **SECTION 181.** 66.0139 (3) of the statutes is amended to read:

14 66.0139 (3) A political subdivision may safely dispose of abandoned or  
15 unclaimed flammable, explosive, or incendiary substances, materials, or devices  
16 posing that pose a danger to life or property in their storage, transportation, or use  
17 immediately after taking possession of the substances, materials, or devices without  
18 a public auction. The political subdivision, by ordinance or resolution, may establish  
19 disposal procedures. Procedures may include provisions authorizing an attempt to  
20 return to the rightful owner substances, materials, or devices ~~which~~ that have a  
21 commercial value in the normal business usage and do not pose an immediate threat  
22 to life or property. If enacted, a disposal procedure shall include a presumption that



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1 if the substance, material, or device appears to be or is reported stolen, an attempt  
2 will be made to return the substance, material, or device to the rightful owner.

NOTE: Deletes unnecessary “the,” replaces disfavored word form, and corrects punctuation.

3 **SECTION 182.** 66.0209 (4) of the statutes is amended to read:

4 66.0209 (4) An incorporation referendum ordered by the circuit court under s.  
5 66.0203 (9) (f) may not be stayed pending the outcome of further litigation, unless the  
6 court of appeals or the supreme court, upon an appeal or upon the filing of an original  
7 action in the supreme court, concludes that a strong probability exists that the order  
8 of the circuit court or the decision of the department will be set aside.

NOTE: Inserts missing articles.

9 **SECTION 183.** 66.0309 (14) (d) 1. of the statutes is amended to read:

10 66.0309 (14) (d) 1. Submit the issue to arbitration by 3 arbitrators, one to be  
11 chosen by the local governmental unit, one to be chosen by the regional planning  
12 commission, and the third to be chosen by the first 2 arbitrators. If the arbitrators  
13 are unable to agree, the vote of 2 shall be the decision. ~~They~~ The arbitrators may  
14 affirm or modify the report, and shall submit their decision in writing to the local  
15 governmental unit and the regional planning commission within 30 days of their  
16 appointment unless the time ~~be~~ is extended by agreement of the commission and the  
17 local governmental unit. The decision ~~shall be~~ is binding. ~~Election~~ An election to  
18 arbitrate ~~shall be~~ is a waiver of the right to proceed by action. Two-thirds of the  
19 expenses of arbitration shall be paid by the party requesting arbitration and the  
20 balance by the other.

NOTE: Inserts a specific reference and missing articles and replaces a disfavored term to improve readability and to conform to current style.

21 **SECTION 184.** 66.0413 (2) (c) 2. of the statutes is amended to read:

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1           66.0413 (2) (c) 2. In an action under this subsection, the circuit court before  
2 which the action is commenced shall exercise jurisdiction in rem or quasi in rem over  
3 the property ~~which~~ that is the subject of the action. The owner of record of the  
4 property, if known, and all other persons of record holding or claiming any interest  
5 in the property shall be made parties defendant, and service of process may be made  
6 upon them.

NOTE: Inserts missing word and corrects grammar.

7           **SECTION 185.** 66.0413 (2) (e) 1. of the statutes is amended to read:

8           66.0413 (2) (e) 1. A receiver appointed under par. (d) shall collect all rents and  
9 profits accruing from the property held in receivership and pay all costs of  
10 management, including all general and special real estate taxes or assessments and  
11 interest payments on first mortgages on the property. A receiver under par. (d) shall  
12 apply moneys received from the sale of property held in receivership to pay all debts  
13 due on the property in the order set by law and shall pay any balance to the selling  
14 owner if the circuit court approves.

NOTE: Inserts missing article.

15           **SECTION 186.** 66.0901 (2) of the statutes is amended to read:

16           66.0901 (2) **BIDDER'S PROOF OF RESPONSIBILITY.** A municipality intending to enter  
17 into a public contract may, before delivering any form for bid proposals, plans, and  
18 specifications to any person, except materialmen, suppliers, and others not  
19 intending to submit a direct bid, require the person to submit a full and complete  
20 statement sworn to before an officer authorized by law to administer oaths. The  
21 statement shall consist of information relating to financial ability, equipment,  
22 experience in the work prescribed in the public contract, and other matters that the  
23 municipality requires for the protection and welfare of the public in the performance

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1 of a public contract. The statement shall be in writing on a standard form of a  
2 questionnaire that is adopted and furnished by the municipality. The statement  
3 shall be filed in the manner and place designated by the municipality. The statement  
4 shall not be received less than 5 days prior to the time set for the opening of bids.  
5 The contents of the statement shall be confidential and may not be disclosed except  
6 upon the written order of the person furnishing the statement, for necessary use by  
7 the public body in qualifying the person, or in cases of ~~action~~ actions against, or by,  
8 the person or municipality. The governing body of the municipality or the committee,  
9 board, or employee charged with, or delegated by the governing body with, the duty  
10 of receiving bids and awarding contracts shall properly evaluate the statement and  
11 shall find the maker of the statement either qualified or unqualified. This subsection  
12 does not apply to a 1st class city.

NOTE: Inserts missing article and replaces the singular form of a word with the plural for correct sentence agreement.

13 **SECTION 187.** 66.1103 (2) (f) of the statutes is amended to read:

14 66.1103 (2) (f) “Improve<sup>2</sup>” “improving<sup>2</sup>” “improvements,” and “facilities”  
15 ~~embrace~~ include any real or personal property or mixed property of whatever useful  
16 life that can be used or that will be useful in an industrial project including sites for  
17 buildings, equipment, or other improvements, rights-of-way, roads, streets, sidings,  
18 foundations, tanks, structures, pipes, pipelines, reservoirs, lagoons, utilities,  
19 materials, equipment, fixtures, machinery, furniture, furnishings, improvements,  
20 instrumentalities, pollution control facilities, and other real, personal, or mixed  
21 property.

NOTE: Inserts preferred term and corrects punctuation.

22 **SECTION 188.** 66.1201 (9) (j) of the statutes is amended to read:

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1           66.1201 (9) (j) To contract for the sale of, and to sell, any part or all of the  
2 interest in real estate acquired and to execute contracts of sale and conveyances as  
3 the authority considers desirable.

NOTE: Inserts missing article and other language and commas to improve readability and to conform to current style.

4           **SECTION 189.** 66.1205 (2) (b) of the statutes is amended to read:

5           66.1205 (2) (b) Pursuant to s. 66.1201 (16) vest in obligees the right, if the  
6 authority defaults, to acquire title to a housing project or the property mortgaged by  
7 the housing authority, free from all of the restrictions imposed by s. 66.1203 and this  
8 section.

NOTE: Inserts missing word.

9           **SECTION 190.** 66.1331 (14) of the statutes is renumbered 66.1331 (14) (b) and  
10 amended to read:

11           66.1331 (14) (b) For the purpose of carrying out or administering a  
12 redevelopment plan or other functions authorized under this section, a city may issue  
13 municipal obligations payable solely from and secured by a pledge of and lien upon  
14 any or all of the income, proceeds, revenues, funds, and property of the city derived  
15 from or held by it in connection with redevelopment projects, including the proceeds  
16 of grants, loans, advances, or contributions from any public or private source.  
17 Municipal obligations issued under this subsection may be registered under s. 67.09  
18 but shall otherwise be in a form, mature at times, bear interest at rates, be issued  
19 and sold in a manner, and contain terms, covenants, and conditions that the local  
20 legislative body of the city, by resolution, determines. The municipal obligations  
21 shall be fully negotiable, shall not require a referendum, and are not subject to the  
22 provisions of any other law or charter relating to the issuance or sale of municipal  
23 obligations. Obligations under this section sold to the United States government

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1 need not be sold at public sale. In this subsection, “municipal obligation” has the  
2 meaning specified in s. 67.01 (6).

NOTE: Definition is deleted from this provision and moved to separate paragraph at the beginning of the subsection, consistent with current style. See the next section of this bill.

3 **SECTION 191.** 66.1331 (14) (a) of the statutes is created to read:

4 66.1331 (14) (a) In this subsection, “municipal obligation” has the meaning  
5 specified in s. 67.01 (6).

NOTE: See the previous section of this bill.

6 **SECTION 192.** 70.06 (2) (c) of the statutes is renumbered 70.06 (2) and amended  
7 to read:

8 70.06 (2) The commissioner of assessments may, with the approval of the  
9 common council, appoint one chief assessor, one or more supervising assessors and  
10 supervising assessor assistants, one or more property appraisers, and other expert  
11 technical personnel that the commissioner of assessments ~~deems~~ considers to be  
12 necessary in order that all valuations throughout the city are uniformly made in  
13 accordance with the law. The chief assessor, supervising assessors, and supervising  
14 assessor assistants shall exercise the direction and supervision over assessment  
15 procedure and shall perform the duties in relation to the assessment of property that  
16 the commissioner of assessments determines. Together with the chief assessor and  
17 the assessment analysis manager, they shall be members of the board of assessors  
18 and shall hold office in the same manner as assessors. Certification of the  
19 assessment roll shall be limited to the members of the board of assessors.

NOTE: Eliminates unnecessary paragraph designation; this provision is not subdivided. Replaces disfavored terminology and inserts article to improve readability and conformity with current style.

20 **SECTION 193.** 70.06 (3m) of the statutes is amended to read:

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1           **70.06 (3m)** No person may assume the office of commissioner of assessments,  
2 chief assessor, assessment analysis manager, systems and administration  
3 supervisor, title records supervisor, supervising assessor, supervising assessor  
4 assistant, or property appraiser appointed under sub. (2) (e), unless certified by the  
5 department of revenue under s. 73.09 as qualified to perform the functions of the  
6 office of assessor. If a person who has not been so certified is appointed to the office,  
7 the office shall be vacant and the appointing authority shall fill the vacancy from a  
8 list of persons so certified by the department of revenue.

NOTE: Corrects cross-reference. Subsection (2) (c) is renumbered to sub. (2) by the  
previous section of this bill.

9           **SECTION 194.** 70.07 (2) of the statutes is amended to read:

10           **70.07 (2)** The commissioner of assessments shall publish a class 3 notice, under  
11 ch. 985, that on the days named, the assessments for the city will be open for  
12 examination by the taxable inhabitants of the city. On the 2nd Monday of May the  
13 commissioner of assessments shall call together all of the assessors, and the other  
14 members of the board of assessors as provided in s. 70.06 (2) (e), and they together  
15 with the commissioner of assessments shall constitute an assessment board.

NOTE: Corrects cross-reference. Section 70.06 (2) (c) is renumbered s. 70.06 (2) by  
SECTION 192 of this bill.

16           **SECTION 195.** 70.11 (3a) (title) of the statutes is amended to read:

17           **70.11 (3a) (title)** BUILDINGS AT THE WISCONSIN VETERANS HOME VETERANS HOME  
18 AT KING OR IN SOUTHEASTERN WISCONSIN.

NOTE: Conforms capitalization to current style.

19           **SECTION 196.** 71.67 (5m) (title) of the statutes is created to read:

20           **71.67 (5m) (title)** WITHHOLDING FROM PAYMENTS TO PURCHASE ASSIGNMENT OF  
21 LOTTERY PRIZE.

NOTE: The remainder of the subsections in s. 71.67 have titles.

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1           **SECTION 197.** 71.85 (3) (intro.) and (a) of the statutes are consolidated,  
2           renumbered 71.85 (3) and amended to read:

3           **71.85 (3) ABATEMENT OF INTEREST AND PENALTIES.** No penalty or interest that has  
4           been imposed under this subchapter on a taxpayer who is eligible for the exemption  
5           under: ~~(a) Section s.~~ 71.05 (6) (b) 13. or 14. may continue to accrue while the taxpayer  
6           is in the Operation Desert Shield or Operation Desert Storm theater of operations  
7           and for 180 days after the taxpayer leaves the Operation Desert Shield or Operation  
8           Desert Storm theater of operations.

          NOTE: The (intro.) and par. (a) are combined as there are no other paragraphs.

9           **SECTION 198.** 71.91 (5) (ag) (intro.) and 1. of the statutes are consolidated,  
10          renumbered 71.91 (5) (ag) and amended to read:

11          **71.91 (5) (ag)** In this subsection: 1. ~~“File”, “file”~~ means mail, deliver, or submit  
12          electronically.

          NOTE: The (intro.) and subd. 1. are combined as there are no other subdivisions.

13          **SECTION 199.** 77.54 (14) of the statutes is amended to read:

14          **77.54 (14)** The gross receipts from the sales of and the storage, use, or other  
15          consumption in this state of medicines that are any of the following:

16          (a) Prescribed for the treatment of a human being by a person authorized to  
17          prescribe the medicines, and dispensed on prescription filled by a registered  
18          pharmacist in accordance with law;.

19          (b) Furnished by a licensed physician, surgeon, podiatrist, or dentist to a  
20          patient for treatment of the patient;.

21          (c) Furnished by a hospital for treatment of any person pursuant to the order  
22          of a licensed physician, surgeon, podiatrist, or dentist;.

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1 (d) Sold to a licensed physician, surgeon, podiatrist, dentist, or hospital for the  
2 treatment of a human being; ~~or,~~

3 (e) Sold to this state or any political subdivision or municipal corporation  
4 thereof, for use in the treatment of a human being; ~~or furnished.~~

5 (em) Furnished for the treatment of a human being by a medical facility or  
6 clinic maintained by this state or any political subdivision or municipal corporation  
7 thereof.

8 (f) Furnished without charge to a physician, surgeon, nurse anesthetist,  
9 advanced practice nurse, osteopath, dentist who is licensed under ch. 447, podiatrist  
10 who is licensed under ch. 448, or optometrist who is licensed under ch. 449 if the  
11 medicine may not be dispensed without a prescription.

NOTE: Conforms the form of the (intro.) and punctuation to current style. Divides  
the two clauses in par. (e) into separate paragraphs consistent with the remainder of the  
section.

12 **SECTION 200.** 77.54 (14g) of the statutes is amended to read:

13 77.54 (14g) "Medicines," as used in sub. (14), means any substance or  
14 preparation that is intended for use by external or internal application to the human  
15 body in the diagnosis, cure, mitigation, treatment, or prevention of disease and  
16 ~~which~~ that is commonly recognized as a substance or preparation intended for such  
17 use; but "medicines" do not include any of the following:

18 (a) Any auditory, prosthetic, ophthalmic, or ocular device or appliance.

19 (b) Articles ~~which~~ that are in the nature of splints, bandages, pads, compresses,  
20 supports, dressings, instruments, apparatus, contrivances, appliances, devices, or  
21 other mechanical, electronic, optical, or physical equipment or ~~article~~ articles, or the  
22 component parts or accessories thereof.



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1 (c) Any alcohol beverage the manufacture, sale, purchase, possession, or  
2 transportation of which is licensed or regulated under the laws of this state.

NOTE: Conforms the form of the (intro.) to current style. Inserts the plural  
“articles” for sentence agreement.

3 **SECTION 201.** 77.61 (5) (b) 2. of the statutes is amended to read:

4 77.61 (5) (b) 2. The attorney general, and department of justice employees.

NOTE: Replaces comma with “and” to correct poor grammar resulting from a partial  
veto in ch. 418, Laws of 1977.

5 **SECTION 202.** 84.11 (5r) (title) of the statutes is amended to read:

6 84.11 (5r) (title) MILWAUKEE 6TH STREET STREET VIADUCT COST SHARING.

NOTE: Conforms capitalization to current style.

7 **SECTION 203.** 88.11 (5) (intro.) of the statutes is amended to read:

8 88.11 (5) (intro.) The report of the department of agriculture, trade and  
9 consumer protection under sub. (3) also shall include a report of the ~~college of~~  
10 ~~agriculture and life sciences~~ College of Agricultural and Life Sciences of the  
11 University of Wisconsin–Madison on all of the following:

NOTE: Conforms capitalization to current style and the changes name of the college  
with that used in the remainder of the statutes.

12 **SECTION 204.** 88.63 (1) of the statutes is renumbered 88.63 (1m).

NOTE: Renumbers subsection to accommodate the renumbering of the definition  
in sub. (3) to the beginning of the section, consistent with current style.

13 **SECTION 205.** 88.63 (2) of the statutes is amended to read:

14 88.63 (2) The board shall establish a fund for the payment of costs of  
15 maintenance and repair. Whenever the amount of the fund falls below an amount  
16 equivalent to 5% of the confirmed benefits currently in effect in the district, the board  
17 shall levy an additional assessment under s. 88.23 for maintenance and repair.  
18 Assessments for costs of maintenance and repair shall be apportioned on the basis  
19 of the confirmed benefits then in effect in the district but may be made

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1 notwithstanding the fact that assessments of benefits in the district may have been  
2 exhausted by previous assessments for other costs. Assessments for costs of  
3 maintenance and repair, including costs incurred and per diems earned by board  
4 members under sub. (1) (1m), are not limited by the extent of unexhausted  
5 assessments of benefits in the district and shall not be counted in determining  
6 whether there are unexhausted assessments of benefits against which assessments  
7 for costs other than those authorized by this section may be made.

NOTE: Subsection (1) is renumbered to sub. (1m) by the previous section of this bill.

8 **SECTION 206.** 88.63 (3) of the statutes is renumbered 88.63 (1g).

NOTE: Renumbers a definition provision to the beginning of the section, consistent  
with current style.

9 **SECTION 207.** 93.06 (1f) of the statutes is amended to read:

10 **93.06 (1f) ANIMAL HEALTH INSPECTION AND TESTING.** Perform animal health  
11 inspections and tests and examine animal health documentation at the state fair, the  
12 world dairy expo, ~~inc.~~, the world beef expo, the midwest horse fair, and other livestock  
13 exhibitions held in this state and attended by participants from outside of this state,  
14 as specified by the department by rule. The department may charge a fee to the  
15 sponsor of the exhibition to cover the reasonable costs of the department's inspection  
16 and testing services whether or not the sponsor requests the services. This  
17 subsection does not apply to county fairs or other local livestock exhibitions.

NOTE: Deletes inappropriate word.

18 **SECTION 208.** 93.30 (1) of the statutes is amended to read:

19 **93.30 (1)** The secretary shall approve any plans for the expenditure of  
20 appropriations under s. 20.115 (4) (e) to the world dairy expo, ~~inc.~~ World Dairy Expo,  
21 Inc., for activities that expand business opportunities for the persons of the dairy  
22 industry that are located in this state. Of the amounts appropriated under s. 20.115

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1 (4) (e), \$33,250 in each fiscal year may be expended only to the extent that a county,  
2 city, village, or town pays to ~~world dairy expo, inc.~~ World Dairy Expo, Inc., an amount  
3 that is not less than 50% of the department's payment.

NOTE: Conforms capitalization to current style.

4 **SECTION 209.** 93.30 (2) of the statutes is amended to read:

5 93.30 (2) Any moneys received by ~~world dairy expo, inc.~~ World Dairy Expo, Inc.,  
6 under this section shall be used only for the purposes described in sub. (1).

NOTE: Conforms capitalization to current style.

7 **SECTION 210.** 93.30 (3) of the statutes is amended to read:

8 93.30 (3) Not later than 30 days after the close of the exposition each year ~~world~~  
9 ~~dairy expo, inc.~~ World Dairy Expo, Inc., shall file with the department, on forms  
10 provided by it, an itemized account verified on oath, showing amounts actually paid  
11 or to be paid. The verified account shall correspond with the plans approved by the  
12 secretary under sub. (1). On or before December 31 of the year in which the  
13 exposition is held, ~~world dairy expo, inc.~~ World Dairy Expo, Inc., shall furnish the  
14 department with a statement of receipts and disbursements, attendance, and such  
15 other information relating to the exposition as the department may require. Upon  
16 receipt of such statement the department shall pay ~~world dairy expo, inc.~~ World  
17 Dairy Expo, Inc., the aid due for the preceding year.

NOTE: Conforms capitalization to current style.

18 **SECTION 211.** 93.41 (2) of the statutes is amended to read:

19 93.41 (2) The department shall develop informational and educational  
20 materials on stray voltage and provide those materials to the public in cooperation  
21 with the University of Wisconsin System ~~extension program~~ Wisconsin-Extension  
22 and the technical college system board and shall study the need for any other state

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1 action not in effect under this section or s. 196.857 necessary to protect the public  
2 health and welfare from the harmful effects of stray voltage.

NOTE: Makes reference to the university extension consistent with the remainder  
of the statutes.

3 **SECTION 212.** 94.705 (5) (c) of the statutes is amended to read:

4 94.705 (5) (c) *Certification for emergency use.* A person may apply for an  
5 emergency use certification. Only one emergency use certification shall be granted  
6 to a person. Thereafter, certification under par. (a) or (b) is necessary. The  
7 department shall conduct a specific evaluation of the applicant's ability to use and  
8 apply the pesticide safely and correctly and make any other evaluations deemed  
9 necessary by the department. The department shall notify the dealer by telephone  
10 that the applicant has been granted an emergency use certification. Written notice  
11 of the applicant's responsibility and liability shall be sent by the department to the  
12 dealer and the applicant. This certification shall be valid for a ~~one-time~~ onetime  
13 specific use only. The department's evaluation shall be conducted at a designated  
14 department office, any University of ~~Wisconsin-extension~~ Wisconsin-Extension  
15 office, or at any other site approved by the department.

NOTE: Conforms capitalization to current style. Deletes unnecessary "at."

16 **SECTION 213.** 95.14 (2) of the statutes is amended to read:

17 95.14 (2) Any corporation organized under this section shall be managed and  
18 directed by a self-perpetuating board of directors of 5 members, consisting of the  
19 dean of the College of Agricultural and Life Sciences of the University of  
20 Wisconsin-Madison, who shall be permanent chairperson of the board, and 4 others  
21 to be appointed in the first instance by the incorporators; at least 3 of the 5 members  
22 shall always be representative livestock breeders of the state. If the dean of the  
23 College of Agricultural and Life Sciences fails to act as a member of the board by

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1 reason of refusal, disability, or vacancy in the chair of the dean, the remaining  
2 members of the board shall appoint a representative livestock breeder to act in his  
3 or her place on the board until the time as such refusal, disability, or vacancy in the  
4 chair ceases to exist. Whenever the dean of the ~~college of agricultural and life~~  
5 ~~sciences~~ College of Agricultural and Life Sciences becomes a member of the board of  
6 directors after any such interim, the dean shall automatically become chairperson  
7 of the board.

NOTE: Conforms capitalization to current style.

8 **SECTION 214.** 108.02 (4m) (e) of the statutes is amended to read:

9 108.02 (4m) (e) Back pay that an employee would have been paid during his  
10 or her base period as a result of employment for an employer, if the payment of ~~such~~  
11 ~~the~~ back pay is made no later than the end of the 104-week period beginning with  
12 the earliest week to which ~~such~~ the back pay applies; ~~and~~

NOTE: Deletes incorrectly located "and" and inserts a specific reference.

13 **SECTION 215.** 108.02 (4m) (f) of the statutes is amended to read:

14 108.02 (4m) (f) All wages that an employer was legally obligated to pay in an  
15 employee's base period but failed to pay, or was prohibited from paying as a result  
16 of an insolvency proceeding under ch. 128 or as a result of a bankruptcy proceeding  
17 under 11 USC 101 et seq.; and

NOTE: Makes punctuation consistent with the rest of the subsection.

18 **SECTION 216.** 109.03 (1) (intro.) of the statutes is amended to read:

19 109.03 (1) REQUIRED FREQUENCY OF PAYMENTS. (intro.) Every employer shall as  
20 often as monthly pay to every employee engaged in the employer's business, except  
21 those employees engaged in logging operations and farm labor, all wages earned by  
22 ~~such~~ the employee to a day not more than 31 days prior to the date of ~~such~~ payment.

**ASSEMBLY BILL 934****SECTION 216**

1 Employees engaged in logging operations and farm labor shall be paid all earned  
2 wages no less often than at regular quarterly intervals. Any employee who is absent  
3 at the time fixed for payment or who for any other reason is not paid at that time shall  
4 be paid thereafter at any time upon 6 days' demand. The required frequency of wage  
5 payments provided in this subsection does not apply to any of the following:

NOTE: Amends (intro.) ending for agreement with the subsequent paragraphs and replaces disfavored terminology.

6 **SECTION 217.** 109.03 (1) (a) of the statutes is amended to read:

7 109.03 (1) (a) Employees covered under a valid collective bargaining  
8 agreement establishing a different frequency for such wage payments, including  
9 deferred payments exercised at the option of employees; or,

NOTE: Makes punctuation consistent with the remainder of the subsection and inserts a specific reference.

10 **SECTION 218.** 111.57 (3) (intro.) of the statutes is renumbered 111.57 (3) (a)  
11 (intro.) and amended to read:

12 111.57 (3) (a) (intro.) ~~Where~~ If there is no contract between the parties, or ~~where~~  
13 if there is a contract but the parties have begun negotiations looking to a new  
14 contract or amendment of the existing contract, and wage rates or other conditions  
15 of employment under the proposed new or amended contract are in dispute, the  
16 factors, among others, to be given weight by the arbitrator in arriving at decision,  
17 shall include all of the following:

NOTE: Renumbers provision to allow the separation of par. (d) and (e) 2. into stand alone provisions by this bill. Replaces disfavored terminology and amends the (intro.) ending, consistent with current style.

18 **SECTION 219.** 111.57 (3) (a) to (c) of the statutes are renumbered 111.57 (3) (a)  
19 1. to 3. and amended to read:

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1           111.57 (3) (a) 1. ~~Comparison~~ A comparison of wage rates or other conditions of  
2 employment of the utility in question with prevailing wage rates or other conditions  
3 of employment in the local operating area involved;

4           2. ~~Comparison~~ A comparison of wage rates or other working conditions with  
5 wage rates or other working conditions maintained for the same or similar work of  
6 workers exhibiting like or similar skills under the same or similar working  
7 conditions in the local operating area involved;

8           3. The value of the service to the consumer in the local operating area involved;

NOTE: Renumbers provision consistent with the treatment of the remainder of s.  
111.57 (3) by this bill. Inserts articles and modifies punctuation, consistent with current  
style.

9           **SECTION 220.** 111.57 (3) (d) of the statutes is amended to read:

10           111.57 (3) (d) ~~Where~~ In addition to considering the factors under par. (a), if a  
11 public utility employer has more than one plant or office and some or all of such  
12 ~~plurality of the employer's plants or offices~~ are found by the arbitrator to be located  
13 in separate areas with different characteristics, consideration shall be given to the  
14 establishment of separate wage rates or a schedule of wage rates and separate  
15 conditions of employment for plants and offices in different areas;

NOTE: This provision is separated from the remainder of the enumerated factors  
due to a lack of sentence agreement with the subsection (intro.) and different subject  
matter than the other factors included under the (intro.).

16           **SECTION 221.** 111.57 (3) (e) 1. of the statutes is renumbered 111.57 (3) (a) 4. and  
17 amended to read:

18           111.57 (3) (a) 4. The overall compensation presently received by the employees,  
19 having regard not only to wages for time actually worked but also to wages for time  
20 not worked, including, without limiting the generality of the foregoing, vacation,  
21 holidays, and other excused time, and all benefits received, including insurance and

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1 pensions, medical and hospitalization benefits, and the continuity and stability of  
2 employment enjoyed by the employees.

NOTE: Renumbers provision consistent with the treatment of the remainder of s.  
111.57 (3) by this bill.

3 **SECTION 222.** 111.57 (3) (e) 2. of the statutes is renumbered 111.57 (3) (e) and  
4 amended to read:

5 111.57 (3) (e) The enumeration of factors under ~~subd. 1, pars. (a) and (d)~~ shall  
6 not be construed as precluding the arbitrator from taking into consideration other  
7 factors not confined to the local labor market area that are normally or traditionally  
8 taken into consideration in the determination of wages, hours, and working  
9 conditions through voluntary collective bargaining or arbitration between the  
10 parties.

NOTE: Corrects cross-reference inserted by 1999 Wis. Act 83, a nonsubstantive  
revisor's revision bill. Drafting records indicate that the enumerated factors referred to  
are all of those listed in the subsection rather than just those in the paragraph.

11 **SECTION 223.** 115.31 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
12 57, is amended to read:

13 115.31 (1) (b) "Educational agency" means a school district, cooperative  
14 educational service agency, state correctional institution under s. 302.01, secured  
15 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,  
16 as defined in s. 938.02 (15g), the Wisconsin Center for the Blind and Visually  
17 Impaired, the Wisconsin Educational Services Program for the Deaf and Hard of  
18 Hearing, the Mendota ~~mental health institute~~ Mental Health Institute, the  
19 Winnebago ~~mental health institute~~ Mental Health Institute, a state center for the  
20 developmentally disabled, a private school, or a private, nonprofit, nonsectarian  
21 agency under contract with a school board under s. 118.153 (3) (c).

NOTE: Conforms capitalization to current style.



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1           **SECTION 224.** 120.13 (37) of the statutes, as affected by 2001 Wisconsin Act 38,  
2 is amended to read:

3           **120.13 (37) AWARDING HIGH SCHOOL DIPLOMAS TO VETERANS.** Notwithstanding s.  
4 118.33 (1), award a high school diploma to a person who is at least 65 years old,  
5 attended high school in the school district, left high school before receiving a high  
6 school diploma to join the U.S. armed forces during a war period under s. 45.35 (5)  
7 (e) 45.001 (5), and served on active duty under honorable conditions in the U.S.  
8 armed forces or in forces incorporated as part of the U.S. armed forces. A school board  
9 may award a high school diploma to a person who received a high school equivalency  
10 diploma under s. 115.29 (4) after serving on active duty if the person meets the other  
11 conditions of this subsection.

NOTE: Corrects cross-reference. Section 45.35 (5) (e) is renumbered to s. 45.001  
(5) by this bill.

12           **SECTION 225.** 120.21 (1) (a) of the statutes is amended to read:

13           **120.21 (1) (a)** With the ~~university extension division of the university~~  
14 University of Wisconsin Wisconsin-Extension for extension courses for pupils  
15 enrolled in high school.

NOTE: Conforms capitalization to current style and modifies extension title  
consistent with the remainder of the statutes.

16           **SECTION 226.** 134.33 (6) (a) of the statutes is renumbered 134.33 (6).

NOTE: Eliminates unnecessary paragraph designation. This provision is not  
subdivided.

17           **SECTION 227.** 148.01 of the statutes is amended to read:

18           **148.01 Definition.** In this chapter, “medical society” means the ~~state medical~~  
19 society State Medical Society of Wisconsin and any county medical society organized  
20 or continued under this chapter.

NOTE: Conforms capitalization to current style.

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1           **SECTION 228.** 148.015 (1) of the statutes is amended to read:

2           148.015 (1) The ~~state medical society~~ State Medical Society of Wisconsin is  
3 continued with the general powers of a corporation. It may from time to time adopt,  
4 alter, and enforce constitution, bylaws, and regulations for admission and expulsion  
5 of members, election of officers, and management.

NOTE: Conforms capitalization to current style.

6           **SECTION 229.** 157.02 (3) of the statutes is amended to read:

7           157.02 (3) NOTICE TO UNIVERSITY OR SCHOOL. If the corpse is in the Mendota  
8 ~~mental health institute~~ Mental Health Institute district, the University of Wisconsin  
9 shall be notified that it may have the corpse. If the corpse is in the Winnebago ~~mental~~  
10 ~~health institute~~ Mental Health Institute district, ~~medical college~~ the Medical College  
11 of Wisconsin, ~~inc.~~ Inc., or any accredited school of mortuary science at Milwaukee  
12 shall be notified that it may have the corpse. The university or school so notified shall  
13 immediately inform the superintendent or public officer whether it desires to have  
14 the corpse. If it does, the corpse shall be delivered accordingly, properly encased, to  
15 the most available facility for transportation to the consignee, the consignee to pay  
16 the cost of transportation.

NOTE: Conforms capitalization to current style and inserts missing article.

17           **SECTION 230.** 157.02 (4) of the statutes is amended to read:

18           157.02 (4) STANDING APPLICATIONS. If there are advance applications for such  
19 bodies, by ~~medical college~~ the Medical College of Wisconsin, ~~inc.~~ Inc., or any  
20 accredited school of mortuary science, ~~such~~ the superintendent or public officer shall  
21 make an equitable distribution between them.

NOTE: Conforms capitalization to current style.

22           **SECTION 231.** 157.06 (1) (c) 2. of the statutes is renumbered 157.06 (1) (c).

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NOTE: Eliminates unnecessary subdivision designation. This provision is not subdivided.

1 SECTION 232. 157.065 (1) (intro.), (a) and (b) (intro.) and 1. to 5. of the statutes  
2 are amended to read:

3 157.065 (1) (intro.) No cemetery may be used for burials except any of the  
4 following:

5 (a) ~~Any~~ A cemetery in use on April 4, 1864; ~~or,~~

6 (b) (intro.) ~~Any~~ A cemetery organized and operated by any of the following:

7 1. ~~Any~~ A municipality; ~~;~~

8 2. ~~Any~~ A religious association; ~~;~~

9 3. ~~Any~~ A fraternal or benevolent society; ~~;~~

10 4. ~~Any~~ An incorporated college of a religious order; ~~;~~

11 5. ~~Any~~ A cemetery association created under s. 157.062; ~~or,~~

NOTE: Makes terminology and punctuation internally consistent.

12 SECTION 233. 186.22 (16) (a) of the statutes is renumbered 186.22 (16).

NOTE: Eliminates unnecessary paragraph designation. This provision is not subdivided.

13 SECTION 234. 187.14 (6) of the statutes is amended to read:

14 187.14 (6) ~~The consolidated society, when~~ When the incorporation thereof of a  
15 consolidated society is completed as provided in this section, ~~shall be the~~  
16 consolidated society is vested with all the temporalities and property, real or  
17 personal, of the constituent societies, ~~and any~~ Any gifts, grants, devises, or bequests  
18 ~~thereafter~~ accruing to either of the former societies after the completion of the  
19 incorporation of the consolidated society, or to the consolidated society, by whatever  
20 name designated, ~~shall be~~ are valid and ~~the same~~ shall pass to and vest in the  
21 consolidated society, ~~it being the declared intent of this section that no.~~ No gift,  
22 grant, devise, or bequest shall ~~fail by reason of the fact that the same may have been~~

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1 given to either one of the former societies ~~shall fail~~, but that instead the consolidated  
2 society shall take ~~any such~~ the gift, grant, devise, or bequest as would otherwise have  
3 passed to either of the former societies would have.

NOTE: Deletes unnecessary and obsolete verbage and punctuation and otherwise  
modifies the provision to improve readability and conformity with current style.

4 **SECTION 235.** 191.001 (intro.) and (1) of the statutes are consolidated,  
5 renumbered 191.001 and amended to read:

6 **191.001 Definitions Definition.** In this chapter: ~~(1) “Office”, “office”~~ means  
7 the office of the commissioner of railroads.

NOTE: Eliminates unnecessary subsection. This provision has only one subsection.

8 **SECTION 236.** 200.09 (10) of the statutes is amended to read:

9 200.09 (10) Sections 200.01 to 200.15 do not affect the continued validity of  
10 contracts and obligations previously entered into by a metropolitan sewerage district  
11 operating under ss. 66.20 to 66.209, 1969 stats., ~~prior to~~ before April 30, 1972, nor  
12 the validity of any such the district.

NOTE: Inserts missing article and adopts current usage.

13 **SECTION 237.** 229.66 (3) of the statutes is amended to read:

14 229.66 (3) Upon appointment under sub. (2), the appointing authorities shall  
15 certify the appointees to the secretary of administration. The term of office of 50%  
16 of the persons appointed under sub. (2) (a) is 2 years, and the term of office of the other  
17 50% of the persons appointed under sub. (2) (a) is 4 years, except that if an odd  
18 number of persons is appointed under sub. (2) (a), there shall be one more office with  
19 a term of 4 years than there are offices with terms of 2 years, and except that for the  
20 initial appointments for a newly created district the initial terms shall expire on July  
21 1 of the 2nd year beginning after creation of a district for persons appointed to 2-year  
22 terms, and the initial terms shall expire on July 1 of the 4th year beginning after

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1 creation of a district for persons appointed to 4-year terms. Persons appointed under  
2 sub. (2) (a) may be removed from the district board before the expiration of their  
3 terms by the appointing authority but only for cause, as defined in s. ~~17.16 (2)~~ 17.001.  
4 Vacancies for persons appointed under sub. (2) (a) shall be filled by the appointing  
5 authority who appointed the person whose office is vacant. A person appointed to  
6 fill a vacancy under sub. (2) (a) shall serve for the remainder of the term to which he  
7 or she is appointed. All of the appointing authorities shall ensure, to the greatest  
8 extent possible, that the membership of the board is diverse with respect to race. Of  
9 the persons appointed under sub. (2), not more than 4 may reside in any one county.

NOTE: Section 17.16 (2) is renumbered s. 17.001 by this bill.

10 **SECTION 238.** 229.842 (3) (c) of the statutes is amended to read:

11 229.842 (3) (c) Persons appointed under sub. (2) (b) to (d) must have resided  
12 within 25 miles of the sponsoring city's city hall for at least one year before their  
13 appointment. Persons appointed under sub. (2) (b) to (d) may be removed from the  
14 district board before the expiration of their terms by the appointing authority but  
15 only for cause, as defined in s. ~~17.16 (2)~~ 17.001. Vacancies shall be filled by the  
16 appointing authority who appointed the person whose office is vacant. A person  
17 appointed to fill a vacancy under sub. (2) (b) to (d) shall serve for the remainder of  
18 the unexpired term to which he or she is appointed. The appointing authorities shall  
19 confer with one another regarding their appointments with a view toward achieving  
20 diversity on the district board.

NOTE: Section 17.16 (2) is renumbered s. 17.001 by this bill.

21 **SECTION 239.** 230.03 (14) (c) of the statutes is amended to read:

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1           230.03 (14) (c) A person who served on active duty under honorable conditions  
2 in the U.S. armed forces for at least one day during a war period, as defined in s. 45.35  
3 (5)(e) 45.001 (5) or under section 1 of executive order 10957 dated August 10, 1961.

NOTE: Corrects cross-reference. Section 45.35 (5) (e) is renumbered to s. 45.001 (5) by this bill.

4           **SECTION 240.** 230.36 (1m) (b) (intro.) of the statutes is amended to read:

5           230.36 (1m) (b) (intro.) “Performance of duties” means duties performed in the  
6 line of duty by any of the following:

NOTE: Inserts missing article.

7           **SECTION 241.** 232.03 (2) (b) of the statutes is amended to read:

8           232.03 (2) (b) Three nominees of the Bradley ~~family foundation, inc.~~ Family  
9 Foundation, Inc.

NOTE: Conforms capitalization to current style.

10          **SECTION 242.** 233.10 (3) (a) 3. of the statutes is amended to read:

11          233.10 (3) (a) 3. The position in which the employee was employed under subd.  
12 2. was at the University of Wisconsin ~~Hospital~~ Hospitals and Clinics.

NOTE: Conforms spelling to that used in the remainder of the statutes.

13          **SECTION 243.** 233.10 (3r) (a) 3. of the statutes is amended to read:

14          233.10 (3r) (a) 3. The position in which the employee was employed under subd.  
15 2. was at the University of Wisconsin ~~Hospital~~ Hospitals and Clinics.

NOTE: Conforms spelling to that used in the remainder of the statutes.

16          **SECTION 244.** 236.20 (3) (a) of the statutes is amended to read:

17          236.20 (3) (a) The location of the subdivision by government lot, recorded  
18 private claim, quarter-quarter section, section, township, range, and county noted  
19 immediately under the name given to the subdivision.

NOTE: Inserts missing word.

20          **SECTION 245.** 252.15 (1) (ar) 3. of the statutes is amended to read:

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1           252.15 (1) (ar) 3. An employee of the Mendota ~~mental health institute~~ Mental  
2           Health Institute or the Winnebago ~~mental health institute~~ Mental Health Institute.

NOTE: Conforms capitalization to current style.

3           **SECTION 246.** 291.09 (1) of the statutes is amended to read:

4           291.09 (1) The department, in cooperation with the University of ~~Wisconsin~~  
5           ~~Extension~~ Wisconsin-Extension and other interested parties, shall develop  
6           educational programs and offer technical assistance to persons interested in  
7           hazardous waste management.

NOTE: Conforms capitalization to current style.

8           **SECTION 247.** 292.35 (9) (a) 1. of the statutes is renumbered 292.35 (9) (a).

NOTE: Eliminates unnecessary subdivision designation. This provision is not  
subdivided.

9           **SECTION 248.** 299.13 (2) (a) 2. of the statutes is amended to read:

10          299.13 (2) (a) 2. Recommend educational priorities to the ~~university~~ University  
11          of ~~Wisconsin extension~~ Wisconsin-Extension for the center, considering volume and  
12          toxicity of hazardous substances, toxic pollutants and hazardous waste produced,  
13          lack of compliance with environmental standards, potential for pollution prevention,  
14          and projected shortfalls in hazardous waste treatment or disposal facilities under  
15          the capacity assurance plan.

NOTE: Conforms capitalization to current style.

16          **SECTION 249.** 301.15 of the statutes is amended to read:

17          **301.15 Medium security prison.** The department may construct a medium  
18          security prison to be known as the Fox Lake ~~correctional institution~~ Correctional  
19          Institution on state-owned land known as prison farm 10 in Dodge County. Inmates  
20          from the Wisconsin state prisons may be transferred to this institution, and they  
21          shall be subject to all laws pertaining to inmates of other penal institutions of this

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1 state. Officers and employees of the institutions shall be subject to the same laws  
2 as pertain to other penal institutions. Inmates shall not be received on direct  
3 commitment from the courts.

NOTE: Conforms capitalization to current style and corrects grammar.

4 **SECTION 250.** 301.16 (1m) of the statutes is amended to read:

5 301.16 (1m) The medium security institution under sub. (1) shall be the  
6 Oshkosh ~~correctional institution~~ Correctional Institution and shall be located north  
7 of Oshkosh, north of Snell ~~road~~ Road and south of Sunnyview road Road at the site  
8 which ~~that~~, on July 31, 1981, is ~~was~~ the site of the Winnebago ~~correctional farm~~  
9 Correctional Farm.

NOTE: Conforms capitalization to current style.

10 **SECTION 251.** 301.18 (1) (b) of the statutes is amended to read:

11 301.18 (1) (b) Provide the facilities necessary for at least 45 additional beds for  
12 a corrections drug abuse treatment program on the grounds of the Winnebago ~~mental~~  
13 ~~health institute~~ Mental Health Institute.

NOTE: Conforms capitalization to current style.

14 **SECTION 252.** 301.18 (1) (bx) of the statutes is amended to read:

15 301.18 (1) (bx) Provide the facilities necessary for the Racine ~~correctional~~  
16 ~~institution~~ Correctional Institution.

NOTE: Conforms capitalization to current style.

17 **SECTION 253.** 301.18 (1) (bz) of the statutes is amended to read:

18 301.18 (1) (bz) Provide the facilities necessary for not more than 170 additional  
19 beds at the Kettle Moraine ~~correctional institution~~ Correctional Institution for use  
20 associated with alcohol and other drug abuse treatment.

NOTE: Conforms capitalization to current style.

21 **SECTION 254.** 301.32 (2) of the statutes is amended to read:



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1           301.32 (2) CENTRAL RECEPTION UNIT; EXCEPTION. Notwithstanding sub. (1) and  
2 s. 302.13, an inmate account need not be opened or maintained for an inmate placed  
3 at the central reception unit at the Dodge ~~correctional institution~~ Correctional  
4 Institution.

NOTE: Conforms capitalization to current style.

5           **SECTION 255.** 302.01 of the statutes, as affected by 2001 Wisconsin Act 16, is  
6 amended to read:

7           **302.01 State prisons defined and named and defined. (2)** The  
8 penitentiary at Waupun is named “Waupun Correctional Institution.”

9           **(3)** The correctional treatment center at Waupun is named “Dodge Correctional  
10 Institution.”

11           **(4)** The penitentiary at Green Bay is named “Green Bay Correctional  
12 Institution.”

13           **(5)** The medium/maximum penitentiary at Portage is named “Columbia  
14 Correctional Institution.”

15           **(6)** The medium security institution at Oshkosh is named “Oshkosh  
16 Correctional Institution.”

17           **(7)** The medium security penitentiary near Fox Lake is named “Fox Lake  
18 Correctional Institution.”

19           **(8)** The penitentiary at Taycheedah is named “Taycheedah Correctional  
20 Institution.”

21           **(9)** The medium security penitentiary at Plymouth is named “Kettle Moraine  
22 Correctional Institution.”

23           **(10)** The penitentiary at the village of Sturtevant in Racine ~~county~~ County is  
24 named “Racine Correctional Institution.”

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1           **(11)** The medium security penitentiary at Racine is named “Racine Youthful  
2 Offender Correctional Facility.”

3           **(12)** The resource facility at Oshkosh is named “Wisconsin Resource Center”.  
4 ~~The institutions named in this section, the medium security correctional institutions~~  
5 ~~at Redgranite and New Lisbon, the correctional institutions authorized under s.~~  
6 ~~301.16 (1n) and (1v), correctional institution authorized under 1997 Wisconsin Act~~  
7 ~~4, section 4 (1) (a), correctional institution authorized under s. 301.046 (1),~~  
8 ~~correctional institution authorized under s. 301.048 (4) (b), the correctional~~  
9 ~~institution at Stanley authorized under 2001 Wisconsin Act 16, section 9107 (1) (b),~~  
10 ~~minimum security correctional institutions authorized under s. 301.13, the~~  
11 ~~probation and parole holding facilities authorized under s. 301.16 (1q), and~~  
12 ~~state local shared correctional facilities when established under s. 301.14, are state~~  
13 ~~prisons.”~~

NOTE: Conforms capitalization to current style. Subdivides provision and moves definition to the beginning of the provision, consistent with current style, by moving the stricken sentence to a separate subsection. Reorders the title in accordance with the reordering of the text. See the next section of this bill.

14           **SECTION 256.** 302.01 (1) of the statutes is created to read:

15           302.01 (1) All of the following are state prisons:

16           (a) The institutions named in this section.

17           (b) The medium security correctional institutions at Redgranite and New  
18 Lisbon.

19           (c) The correctional institutions authorized under s. 301.16 (1n) and (1v).

20           (d) The correctional institution authorized under 1997 Wisconsin Act 4, section  
21 4 (1) (a).

22           (e) The correctional institution authorized under s. 301.046 (1).

23           (f) The correctional institution authorized under s. 301.048 (4) (b).

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1 (g) The correctional institution at Stanley authorized under 2001 Wisconsin  
2 Act 16, section 9107 (1) (b).

3 (h) The minimum security correctional institutions authorized under s. 301.13.

4 (i) The probation and parole holding facilities authorized under s. 301.16 (1q).

5 (j) The state-local shared correctional facilities when established under s.  
6 301.14.

NOTE: See the previous section of this bill.

7 SECTION 257. 302.02 (title) of the statutes is amended to read:

8 302.02 (title) **Jurisdiction and extent of state correctional institutions;**  
9 **service of process therein.**

NOTE: Subsection (5), which refers to the service of process, is renumbered to be  
s. 302.025 by SECTION 262 of this bill.

10 SECTION 258. 302.02 (1) to (3m) of the statutes are renumbered 302.02 (1m) (a),  
11 (b), (c) and (d) and amended to read:

12 302.02 (1m) (a) ~~Waupun correctional institution~~ Correctional Institution. For  
13 all purposes of discipline and for judicial proceedings, the ~~The~~ Waupun correctional  
14 institution Correctional Institution and the ~~its~~ precincts thereof shall be deemed are  
15 considered to be in Dodge County, and the ~~courts of that county shall have~~ Dodge  
16 County circuit court has jurisdiction of all crimes committed within the county.  
17 ~~Every activity conducted under the jurisdiction of and by the institution, wherever~~  
18 ~~located, is a precinct of the prison and each precinct is part of the institution.~~

19 (b) ~~Green Bay Correctional Institution~~. For all purposes of discipline and for  
20 judicial proceedings, the ~~The~~ Green Bay Correctional Institution and the ~~its~~  
21 precincts thereof shall be deemed are considered to be in Brown County, and the  
22 ~~courts of that county shall have~~ Brown County circuit court has jurisdiction of all  
23 crimes committed within the county. ~~Every activity conducted under the jurisdiction~~

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## SECTION 258

1 of and by the institution, wherever located, is a precinct of the institution; and each  
2 precinct is part of the institution.

3 (c) *Taycheedah Correctional Institution.* ~~For all purposes of discipline and for~~  
4 ~~judicial proceedings, the~~ The Taycheedah Correctional Institution and the its  
5 ~~precincts thereof shall be deemed~~ are considered to be in Fond du Lac County, and  
6 ~~the courts of that county shall have~~ Fond du Lac County circuit court has jurisdiction  
7 of all crimes committed within the same. ~~Every activity conducted under the~~  
8 ~~jurisdiction of and by such correctional institution, wherever located, is a precinct of~~  
9 ~~the correctional institution; and each precinct is part of the correctional institution~~  
10 county.

11 (d) *Correctional institution institutions under section 301.16.* ~~For all purposes~~  
12 ~~of discipline and for judicial proceedings, the~~ The correctional institutions  
13 authorized under s. 301.16 and the their precincts thereof shall be deemed are  
14 considered to be in ~~a~~ the county in which the institution is physically located, and  
15 ~~the courts of that county shall have~~ county's circuit court has jurisdiction of all crimes  
16 committed within the county. ~~Every activity conducted under the jurisdiction of and~~  
17 ~~by the institution, wherever located, is a precinct of the institution; and each precinct~~  
18 ~~is part of the institution.~~

NOTE: Text repeated in each subsection treated by this section of the bill is moved to a single location in a section (intro.) applicable to all of the subsections to eliminate redundancy and improve readability. Terminology, capitalization, and sentence structure are modernized and made consistent with current style. See also the previous section and the next two sections of this bill.

19 **SECTION 259.** 302.02 (1m) (intro.) of the statutes is created to read:

20 **302.02 (1m) INSTITUTIONS LOCATED WITHIN THE STATE.** (intro.) Every activity  
21 conducted under the jurisdiction of and by any institution or facility listed under this  
22 section, wherever located, is a precinct of the prison, and each precinct is part of the

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1 institution. For all purposes of discipline and judicial proceedings all of the following  
2 apply:

NOTE: Text repeated in each subsection of this section, other than sub. (3t), is moved to a single location applicable to all of those subsections, to eliminate redundancy and improve readability. See also the next three sections of this bill.

3 SECTION 260. 302.02 (3t) of the statutes is amended to read:

4 302.02 (3t) INSTITUTIONS LOCATED IN OTHER STATES. For all purposes of discipline  
5 and for judicial proceedings, each institution that is located in another state and  
6 authorized for use under s. 301.21 and ~~the its precincts of the institution shall be~~  
7 ~~deemed~~ are considered to be in ~~a~~ the county in which the institution is physically  
8 located, and the courts of that county shall have jurisdiction of any activity, wherever  
9 located, conducted by the institution.

NOTE: Sentence structure is modernized and made consistent with current style. See also the previous two sections and the next section of this bill.

10 SECTION 261. 302.02 (4) to (4y) of the statutes are renumbered 302.02 (1m) (e)  
11 to (k) and amended to read:

12 302.02 (1m) (e) *Fox Lake Correctional Institution*. ~~For all purposes of discipline~~  
13 ~~and for judicial proceedings, the~~ The Fox Lake Correctional Institution and the its  
14 ~~precincts thereof are deemed~~ considered to be in Dodge County, and the courts of that  
15 ~~county shall have~~ Dodge County circuit court has jurisdiction of all crimes committed  
16 within the county. ~~Every activity conducted under the jurisdiction of and by the Fox~~  
17 ~~Lake Correctional Institution wherever located is a precinct of the institution.~~

18 (f) *Minimum security correctional institutions*. ~~For all purposes of discipline~~  
19 ~~and judicial proceedings the~~ The minimum security correctional institutions and  
20 ~~their precincts thereof shall be deemed,~~ are considered to be in the  
21 county in which the institution to which the inmate is assigned is located, and the  
22 ~~courts of that county shall have~~ that county's circuit court has jurisdiction of all

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## SECTION 261

1 crimes committed within the same. ~~Every activity conducted under the jurisdiction~~  
2 ~~of and by the minimum security correctional institutions wherever located is, as to~~  
3 ~~each inmate, a precinct of the institution to which the inmate is assigned~~ county.

4 (g) ~~Kettle Moraine correctional institution~~ Correctional Institution. For all  
5 purposes ~~of discipline and for judicial proceedings, the~~ The Kettle Moraine  
6 ~~correctional institution~~ Correctional Institution and the ~~its~~ precincts thereof are  
7 deemed considered to be in Sheboygan County, and the courts of that county shall  
8 have Sheboygan County circuit court has jurisdiction of all crimes committed within  
9 the same. ~~Every activity conducted under the jurisdiction of and by the Kettle~~  
10 ~~Moraine correctional institution wherever located is a precinct of the institution~~  
11 county.

12 (h) ~~Dodge correctional institution~~ Correctional Institution. For all purposes of  
13 discipline and for judicial proceedings, the ~~The~~ Dodge correctional institution  
14 Correctional Institution and the ~~its~~ precincts thereof shall be deemed are considered  
15 to be in Dodge County, and the courts of that county shall have Dodge County circuit  
16 court has jurisdiction of all crimes committed within the county. ~~Every activity~~  
17 ~~conducted under the jurisdiction of and by the Dodge correctional institution,~~  
18 ~~wherever located, is a precinct of the institution; and each precinct is part of the~~  
19 ~~institution.~~

20 (i) ~~State-local shared correctional facilities.~~ For all purposes of discipline and  
21 judicial proceedings, the ~~The~~ state-local shared correctional facilities and their  
22 precincts shall be deemed are considered, as to each inmate, to be in the county in  
23 which the facility to which the inmate is assigned is located, and the courts of that  
24 county shall have county's circuit court has jurisdiction over all crimes committed  
25 within the facility. ~~Every activity conducted under the jurisdiction of and by the~~

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1 ~~state-local shared correctional facility wherever located is, as to each inmate, a~~  
2 ~~precinct of the facility to which he or she is assigned.~~

3 (j) *Correctional institution; community residential confinement.* ~~For all~~  
4 ~~purposes of discipline and judicial proceedings the~~ The correctional institution under  
5 s. 301.046 (1) and its precincts thereof shall be deemed are considered, as to each  
6 inmate, to be in the county in which the inmate is confined, and the courts of that  
7 county shall have jurisdiction of all crimes committed within the same. ~~Every~~  
8 ~~activity conducted under the jurisdiction of and by the institution under s. 301.046~~  
9 ~~(1) wherever located is a precinct of the institution county.~~

10 (k) *Correctional institution; intensive sanctions program.* ~~For all purposes of~~  
11 ~~discipline and judicial proceedings the~~ The correctional institution under s. 301.048  
12 (4) (b) and its precincts thereof shall be deemed are considered, as to each inmate,  
13 to be in the county in which the inmate is assigned, and ~~the courts of that county shall~~  
14 have county's circuit court has jurisdiction of all crimes committed within the same.  
15 ~~Every activity conducted under the jurisdiction of and by the institution under s.~~  
16 ~~301.048 (4) (b) wherever located is a precinct of the institution county.~~

NOTE: Text repeated in each subsection treated by this section of the bill is moved to a single location in a section (intro.) applicable to all the subsections to eliminate redundancy and improve readability. Terminology, capitalization, and sentence structure are modernized and made consistent with current style. See also the previous three sections of this bill.

17 **SECTION 262.** 302.02 (5) of the statutes is renumbered 302.025, and 302.025  
18 (title) and (2), as renumbered, are amended to read:

19 **302.025 (title) Service of process on prison officers, employees, or**  
20 **inmates.**

21 (2) Except as provided in ~~par. (a)~~ sub. (1), service of process within any such  
22 prison under s. 302.01 on any officer ~~or~~, employee, or inmate thereof of the prison

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1 shall be made by the warden or superintendent or some person appointed by the  
2 warden or superintendent to serve process.

NOTE: The subject matter of this provision is inconsistent with the remainder of  
s. 302.02.

3 **SECTION 263.** 302.375 (1) of the statutes is renumbered 302.375 (1m).

NOTE: Accommodates the renumbering of a definition to the beginning of the  
section, consistent with current style. See the next section of this bill.

4 **SECTION 264.** 302.375 (4) of the statutes is renumbered 302.375 (1g).

NOTE: Renumbers a definition provision to the beginning of the section, consistent  
with current style.

5 **SECTION 265.** 341.14 (6) (a) of the statutes is amended to read:

6 341.14 (6) (a) Upon application to register an automobile or a motor truck or  
7 dual purpose farm truck ~~which that~~ has a gross weight of not more than 8,000 pounds  
8 by any person who was a member of any of the U.S. armed services and who was held  
9 as a prisoner of war during any of the conflicts described in s. ~~45.35 (5) (e) 2. to 8.~~  
10 45.001 (5) (b) to (i) or in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle  
11 East crisis under s. 45.34, and upon submission of a statement from the U.S.  
12 department of veterans affairs certifying that the person was a prisoner of war  
13 during one of the conflicts described in s. ~~45.35 (5) (e) 2. to 8.~~ 45.001 (5) (b) to (i) or  
14 in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle East crisis under s.  
15 45.34, the department shall issue to the person a special plate ~~which that~~ is colored  
16 red, white, and blue and ~~which that~~ has the words “ex-prisoner of war” placed on the  
17 plate in the manner designated by the department.

NOTE: Corrects cross-reference. Section 45.35 (5) (e) is renumbered to s. 45.001  
(5) by this bill.

18 **SECTION 266.** 341.40 of the statutes is amended to read:

19 341.40 (1) Except as to foreign-owned vehicles required by s. 341.07 to be  
20 registered in this state, any vehicle ~~which that~~ is registered in another jurisdiction



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1 is exempt from the laws of this state providing for the registration of ~~such~~ the vehicles  
2 if all of the following apply:

3 (a) The vehicle carries a registration plate indicating the registration in ~~such~~  
4 ~~other~~ the other jurisdiction; ~~and~~.

5 (b) The vehicle is owned by a nonresident; ~~and~~.

6 (c) The jurisdiction in which the vehicle is registered allows ~~such~~ vehicles ~~when~~  
7 that are registered in Wisconsin to be operated tax free upon its highways under  
8 conditions substantially as favorable to residents of Wisconsin as to its own  
9 residents.

10 (d) The vehicle is operated in accordance with rules adopted by the secretary  
11 based on the gross weight of the vehicle. The secretary may, by rule, determine the  
12 gross weight exemption, giving consideration to reciprocity privileges extended to  
13 Wisconsin residents in other jurisdictions.

14 **(1m)** Foreign owned or operated vehicles entering Wisconsin to have special  
15 equipment or a body constructed or installed or for repair shall be exempt from the  
16 registration requirements of this section.

17 **(2)** If the owner of any ~~such~~ vehicle exempted under sub. (1) or (1m) moves to  
18 Wisconsin or if the vehicle is purchased by or leased to a Wisconsin resident, the  
19 vehicle immediately becomes subject to the laws of this state providing for the  
20 registration of vehicles.

NOTE: Subsection (1m) is separated from sub. (1) (d) because it is a separate factor  
that does not fit grammatically within the list of factors in sub. (1).

21 **SECTION 267.** 346.50 (4) of the statutes is renumbered 346.50 (1m).

NOTE: Moves definition applicable to subs. (2) and (2a) so it precedes those  
provisions.

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1           **SECTION 268.** 551.02 (3) (intro.) and (a) to (g) of the statutes are amended to  
2 read:

3           551.02 (3) (intro.) “Broker–dealer” means any person engaged in the business  
4 of effecting transactions in securities for the account of others or for the person’s own  
5 account. “Broker–dealer” does not include any of the following:

6           (a) An agent;<sub>;</sub>

7           (b) An issuer;<sub>;</sub>

8           (c) A bank, savings institution, or trust company, when effecting transactions  
9 for its own account or as agent under s. 551.31 (5);<sub>;</sub>

10          (d) An executor, administrator, guardian, conservator, or pledgee;<sub>;</sub>

11          (e) A person whose dealings in securities are limited to transactions exempt by  
12 s. 551.23 (5);<sub>;</sub>

13          (f) A person licensed as a real estate broker under ch. 452 and whose  
14 transactions in securities are isolated transactions incidental to that business;<sub>;</sub>~~or.~~

15          (g) The investment board;<sub>;</sub>~~or.~~

NOTE: Conforms punctuation and paragraph structure to current style.

16           **SECTION 269.** 560.01 (1) of the statutes is amended to read:

17           560.01 (1) PURPOSES. The functions of the department are of an advocacy,  
18 regulatory, consultative, advisory, informational, coordinative, and promotional  
19 nature. Through research, planning, consultation, and through promotion of the  
20 development and maximum wise use of the natural and human resources of the  
21 state, it shall foster the growth and diversification of the economy of the state. It  
22 shall serve as the central agency and clearinghouse for developmental activities  
23 concerning the economy of the state. It shall make recommendations to the governor  
24 for the purpose of guiding a coordinated and economically efficient development of

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1 the state and shall seek closer cooperation and coordination between units of state  
2 government, educational institutions, local governments, local planning agencies,  
3 including regional planning commissions, and business and industry to foster and  
4 encourage a pattern of community development and of state-local and business  
5 relationships so that the economy of the state may continue to develop fully and meet  
6 citizen and community needs. It shall make continuing studies of the problems  
7 affecting economic and community development and recommendations for relieving  
8 those problems, and function in any other reasonable manner that will accomplish  
9 the stated purposes of this chapter. The department may also coordinate training  
10 for local government officials provided by state agencies including, but not limited  
11 to, the University of ~~Wisconsin-extension~~ Wisconsin-Extension and the technical  
12 college system.

NOTE: Conforms capitalization to current style and deletes repeated word.

13 **SECTION 270.** 560.04 (2m) of the statutes is amended to read:

14 560.04 (2m) DUTIES. The department may assign one or more full-time  
15 equivalent positions to the ~~function~~ functions of coordinating the development and  
16 scheduling of training programs for local government officials by the ~~university of~~  
17 ~~Wisconsin-extension~~, the University of Wisconsin-Extension, technical college  
18 system, department of revenue, elections board, and other state agencies in order to  
19 assure the effective delivery of training programs and to prevent duplication of effort  
20 and of coordinating requests for management or personnel consultative services  
21 from government units other than the state and directing those requests to the  
22 appropriate division of the department of administration.

NOTE: Conforms capitalization to current style.

23 **SECTION 271.** 560.07 (3) (a) of the statutes is amended to read:

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1           560.07 (3) (a) Serve as the state's official liaison agency between persons  
2 interested in locating new economic enterprises in Wisconsin, and state and local  
3 groups seeking new enterprises. In this respect the department shall aid  
4 communities in organizing for and obtaining new business or expanding existing  
5 business and shall respond to requests ~~which~~ that reflect interest in locating  
6 economic enterprises in the state. When the secretary considers appropriate, the  
7 department shall refer requests for economic development assistance to Forward  
8 Wisconsin, ~~inc.~~ Inc., and shall attempt to prevent duplication of efforts between the  
9 department and Forward Wisconsin, ~~inc.~~ Inc.

NOTE: Conforms capitalization to current style.

10           **SECTION 272.** 560.07 (3) (b) of the statutes is amended to read:

11           560.07 (3) (b) Contract with Forward Wisconsin, ~~inc.~~ Inc., if the secretary  
12 determines it appropriate, to pay Forward Wisconsin, ~~inc.~~ Inc., an amount not to  
13 exceed the amount appropriated under s. 20.143 (1) (bm), to establish and implement  
14 a nationwide business development promotion campaign to attract persons  
15 interested in locating new enterprises in this state, and to encourage the retention  
16 and expansion of businesses and jobs in this state. Funds may be expended to carry  
17 out the contract only as provided in s. 16.501.

NOTE: Conforms capitalization to current style.

18           **SECTION 273.** 560.07 (3) (c) of the statutes is amended to read:

19           560.07 (3) (c) Whenever appropriate, submit to the secretary of administration  
20 a report setting forth the amount of private contributions received by Forward  
21 Wisconsin, ~~inc.~~ Inc., since the time the department last submitted such a report.

NOTE: Conforms capitalization to current style.

22           **SECTION 274.** 560.07 (9) of the statutes is amended to read:

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1           560.07 (9) On or before July 1, 1985, and every July 1 thereafter, submit to the  
2 chief clerk of each house of the legislature, for distribution to the appropriate  
3 standing committees under s. 13.172 (3), a report stating the net jobs gain due to the  
4 funds provided to Forward Wisconsin, inc. Inc., under s. 20.143 (1) (bm).

NOTE: Conforms capitalization to current style.

5           **SECTION 275.** 560.09 (1) of the statutes is amended to read:

6           560.09 (1) LIAISON WITH STATE AND FEDERAL AGENCIES. The department shall  
7 assist, cooperate with, and seek information and advice from other state agencies,  
8 federal agencies, organizations of elected officials in the state, units of local  
9 government, local business and industry, and other appropriate agencies or  
10 organizations in carrying out its assigned functions and duties. Appropriate units  
11 of the University of Wisconsin ~~System Extension~~ Wisconsin-Extension shall  
12 coordinate their activities with the department, and the department shall cooperate  
13 by providing information necessary to the conduct of research and professional  
14 advice. Particularly, the University of Wisconsin ~~System Extension~~  
15 Wisconsin-Extension and the department shall develop processes which that will  
16 enhance coordination and cooperation in relation to the small business development  
17 centers and business advisory service programs and recreation related programs.

NOTE: Makes references to the university extension consistent with the remainder  
of the statutes and conforms capitalization to current style.

18           **SECTION 276.** 560.92 (1) of the statutes is amended to read:

19           560.92 (1) The department shall promote this state's science and technology  
20 assets in cooperation with Forward Wisconsin, ~~inc. Inc.~~, and the department of  
21 agriculture, trade and consumer protection.

NOTE: Conforms capitalization and punctuation to current style.

22           **SECTION 277.** 601.93 (1) of the statutes is renumbered 601.93 (1m).

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NOTE: Accommodates the renumbering of a definition to the beginning of the section, consistent with current style. See the next section of this bill.

1       **SECTION 278.** 601.93 (3) of the statutes is renumbered 601.93 (1g).

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

2       **SECTION 279.** 611.01 (intro.) of the statutes is amended to read:

3       **611.01 Definitions.** (intro.) In this chapter, unless the context requires  
4 otherwise, all of the following apply:

NOTE: Conforms the form of the (intro.) to that of the remainder of the section and to current style.

5       **SECTION 280.** 611.01 (1) of the statutes is amended to read:

6       **611.01 (1) STOCK CORPORATIONS.** The definitions in s. 180.0103 (2), (3), (14), (15),  
7 and (17) apply to stock corporations; ~~and.~~

NOTE: Conforms punctuation to that of the remainder of the section and current style.

8       **SECTION 281.** 614.01 (1) (c) (intro.) and 1. to 3. of the statutes are amended to  
9 read:

10       **614.01 (1) (c) (intro.)** A “lodge system” exists ~~if and only if~~ all of the following  
11 conditions are met:

- 12       1. There is a supreme governing body;
- 13       2. Subordinate to the supreme governing body, there are local lodges (,  
14 whatever they may be the local lodges are called), into which natural persons are  
15 admitted as members in accordance with the laws of the fraternal;
- 16       3. The local lodges are required by the laws of the fraternal to hold regular  
17 meetings at least monthly; ~~and.~~

NOTE: Conforms punctuation and paragraph structure to current style. Eliminates parentheses, consistent with current style, and replaces a pronoun with a specific reference to improve readability.

18       **SECTION 282.** 620.22 (intro.) and (1) to (8) of the statutes are amended to read:

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1           **620.22 Permitted classes of investments.** (intro.) ~~The~~ Any of the following  
2 classes of investments may be counted for the purposes specified in s. 620.21,  
3 whether they the investments are made by the insurer alone or as a participant in  
4 a partnership or joint venture:

5           (1) Bonds or other evidences of indebtedness of governmental units in the  
6 United States or Canada, or the instrumentalities of such governmental units, or of  
7 private corporations domiciled ~~therein;~~ in the United States or Canada.

8           (2) Loans secured by mortgages, trust deeds, or other security interests in  
9 tangible property located in the United States or Canada or secured by insurance  
10 against default issued by a government insurance corporation of the United States  
11 or Canada or an insurer authorized to do business in this state;

12           (3) Preferred or common stock of any United States or Canadian corporation;

13           (4) Property needed for the convenient transaction of the insurer's business;

14           (5) Real property, together with the fixtures, furniture, furnishings, and  
15 equipment pertaining ~~thereto~~ to the real property, that is located in the United  
16 States or Canada, ~~which~~ and that produces, or after suitable improvement can  
17 reasonably be expected to produce, substantial income;

18           (6) Loans upon the security of the insurer's own policies in amounts that are  
19 adequately secured thereby and that in no case exceed the surrender values of the  
20 policies;

21           (7) Investments in property and facilities for the development and production  
22 of solar or geothermal energy, fossil or synthetic fuel, or gasohol, including, but not  
23 limited to, ownership and control of such property and facilities, of up to 5% of the  
24 portion of the insurer's assets ~~which~~ that exceeds \$2 billion;

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1           (8) Such Any other investments as that the commissioner authorizes by rule;  
2 and.

NOTE: Conforms punctuation and section structure to current style. A specific reference is added and a word is replaced to improve sentence agreement.

3           **SECTION 283.** 623.06 (2m) (a) 5. of the statutes is amended to read:

4           623.06 (2m) (a) 5. “Moody’s monthly average” means the corporate bond yield  
5 monthly average (~~monthly average corporates~~), as published by Moody’s investors  
6 service, ~~inc.~~ Investors Service, Inc.

NOTE: Conforms capitalization to current style.

7           **SECTION 284.** 632.475 (3) (b) of the statutes is amended to read:

8           632.475 (3) (b) Moody’s corporate bond yield monthly average (~~monthly~~  
9 ~~average corporates~~), as published by Moody’s investors ~~service, inc.~~ Investors  
10 Service, Inc., or its successor, for the month ending 2 months before the rate is  
11 applied. If such the monthly average is no longer published, a comparable average  
12 shall be substituted by the commissioner by rule.

NOTE: Conforms capitalization to current style. Replaces disfavored term.

13           **SECTION 285.** 632.57 (2) (a) of the statutes is renumbered 632.57 (2).

NOTE: Deletes unnecessary paragraph designation. This subsection is not subdivided.

14           **SECTION 286.** 704.07 (2) (a) of the statutes is amended to read:

15           704.07 (2) (a) ~~Unless the repair was~~ Except for repairs made necessary by the  
16 negligence ~~of~~ or improper use of the premises by, the tenant, the landlord ~~is under~~  
17 has a duty to do all of the following:

18           1. Keep in a reasonable state of repair portions of the premises over which the  
19 landlord maintains control;

20           2. Keep in a reasonable state of repair all equipment under the landlord’s  
21 control necessary to supply services ~~which~~ that the landlord has expressly or



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1 impliedly agreed to furnish to the tenant, such as heat, water, elevator, or air  
2 conditioning;

3 3. Make all necessary structural repairs;

4 4. Except for residential premises subject to a local housing code, and except  
5 as provided in sub. (3) (b), repair or replace any plumbing, electrical wiring,  
6 machinery, or equipment furnished with the premises and no longer in reasonable  
7 working condition, ~~except as provided in sub. (3) (b)~~.

8 5. For a residential tenancy, comply with ~~a~~ any local housing code applicable  
9 to the premises.

NOTE: Reorganizes text and replaces language and punctuation to correct sentence  
structure and improve readability, consistent with current style.

10 **SECTION 287.** 704.19 (7) (a) to (c) of the statutes are amended to read:

11 704.19 (7) (a) The day of giving or leaving under s. 704.21 (1) (a) and (2) (a) and  
12 (b);

13 (b) The day of leaving or affixing a copy or the date of mailing, whichever is  
14 later, under s. 704.21 (1) (b) and (c);

15 (c) The 2nd day after the day of mailing if the mail is addressed to a point within  
16 the state, and the 5th day after the day of mailing in all other cases, under s. 704.21  
17 (1) (d) and (2) (c);

NOTE: Replaces punctuation for internal consistency and to conform to current  
style.

18 **SECTION 288.** 706.06 (2) of the statutes is amended to read:

19 706.06 (2) Any public officer entitled by virtue of his or her office to administer  
20 oaths, and any member in good standing of the state ~~bar~~ State Bar of Wisconsin, may  
21 authenticate one or more of the signatures on an instrument relating to lands in this  
22 state, by ~~indorsing~~ endorsing the instrument “Acknowledged”, “Authenticated,” or

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1 “Signatures Guaranteed”<sup>3</sup>,” or other words to similar effect, adding the date of  
2 authentication, his or her own signature, and his or her official or professional title.  
3 ~~Such indorsement~~ The endorsement, unless expressly limited, shall operate as an  
4 authentication of all signatures on the instrument; and shall constitute a  
5 certification that each authenticated signature is the genuine signature of the  
6 person represented; and, as to signatures made in a representative capacity, shall  
7 constitute a certification that the signer purported, and was believed, to be such  
8 representative.

NOTE: Conforms capitalization to current style. Inserts preferred spellings and  
phrase for parallel construction.

9 **SECTION 289.** 707.49 (1) (d) 2. of the statutes is amended to read:  
10 707.49 (1) (d) 2. An attorney who is a member of the ~~state bar~~ State Bar of  
11 Wisconsin.

NOTE: Conforms capitalization to current style.

12 **SECTION 290.** 751.12 of the statutes is renumbered 751.12 (1) and amended to  
13 read:

14 751.12 (1) The state supreme court shall, by rules promulgated by it from time  
15 to time, regulate pleading, practice, and procedure in judicial proceedings in all  
16 courts, for the ~~purpose~~ purposes of simplifying the same and of promoting the speedy  
17 determination of litigation upon its merits. The rules shall not abridge, enlarge, or  
18 modify the substantive rights of any litigant. The effective dates for all rules adopted  
19 by the court shall be January 1 or July 1. A rule shall not become effective until 60  
20 days after its adoption. All ~~such~~ rules promulgated under this section shall be  
21 printed by the state printer and paid for out of the state treasury, and the court shall  
22 direct the rules to be distributed as it ~~deems~~ considers proper.

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1           **(2)** All statutes relating to pleading, practice, and procedure may be modified  
2 or suspended by rules promulgated under this section. No rule modifying or  
3 suspending such statutes relating to pleading, practice, and procedure may be  
4 adopted until the court has held a public hearing with reference to the rule.

5           **(3)** Notice of public hearings shall be given by publication of a class 3 notice,  
6 under ch. 985, the expense of the publication to be paid out of the state treasury.  
7 Notice shall also be given in an official publication of the ~~state bar~~ State Bar of  
8 Wisconsin, the notice to be published not more than 60 days nor less than 30 days  
9 before the date of hearing. The ~~state bar~~ State Bar of Wisconsin shall not charge the  
10 state treasury for publication of this notice. Proposed rules, including changes, if  
11 any, in existing rules, shall be set forth in full in the notice.

12           **(4)** This section shall not abridge the right of the legislature to enact, modify,  
13 or repeal statutes or rules relating to pleading, practice, or procedure.

14           **(5)** The judicial council shall act in an advisory capacity to assist the court in  
15 performing its duties under this section.

NOTE: Subdivides long provision, inserts specific references, replaces a disfavored  
term and conforms capitalization to current style.

16           **SECTION 291.** 753.26 of the statutes is amended to read:

17           **753.26 Office and records to be kept at county seat.** Except in branches  
18 Nos. 4, 5, and 7 of the circuit court for Rock ~~county~~ County, every circuit judge in this  
19 state shall maintain in his or her office, at the county seat of the county in which the  
20 judge holds office, all of the books, papers, and records of the court at the county seat  
21 of the county in which the judge holds office, which. The office and the books, papers,  
22 and records ~~thereof of the circuit judge~~ shall at all reasonable times be open to access  
23 and inspection by any person having any business ~~therewith~~ with the books, papers,

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1 and records of the court, except as otherwise provided by law. Originals of judgments  
2 or orders made under circuit court jurisdiction of branches Nos. 4, 5, and 7 of the Rock  
3 County circuit court in Beloit, shall be kept at the county seat.

NOTE: Conforms capitalization to current style, reorders text and subdivides a sentence to improve readability, deletes disfavored terminology, and corrects punctuation.

4 **SECTION 292.** 753.35 (1) of the statutes is amended to read:

5 753.35 (1) A circuit court may, subject to the approval of the chief judge of the  
6 judicial administrative district, adopt and amend rules governing practice in that  
7 court that are consistent with rules adopted under s. 751.12 and statutes relating to  
8 pleading, practice, and procedure. The court shall file each adopted or amended rule  
9 with the clerk of circuit court. Except for a rule adopted or amended as an emergency  
10 rule, the court shall file an adopted or amended rule prior to the rule's effective date.  
11 The clerk of circuit court shall send a copy of the filed adopted or amended rule to the  
12 secretary of the local bar association in that circuit, the court administrator for that  
13 judicial administrative district, the ~~state bar~~ State Bar of Wisconsin, the state law  
14 library, and the office of the director of state courts. A person may submit to the court  
15 written comments on a rule for the court's consideration in determining whether  
16 revision of the rule is needed. The clerk of circuit court shall print and make  
17 available to the public, at cost, all rules adopted or amended under this section.

NOTE: Conforms capitalization to current style.

18 **SECTION 293.** 753.35 (2) of the statutes is amended to read:

19 753.35 (2) The chief judge of the judicial administrative district shall file a local  
20 rule of trial court administration adopted or amended under SCR 70.34 with the  
21 court administrator for the judicial administrative district. The chief judge of the  
22 judicial administrative district shall file the local rule prior to the rule's effective

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1 date. The court administrator for the judicial administrative district shall send a  
2 copy of the filed adopted or amended rule to the clerks of circuit court in the judicial  
3 administrative district, the secretaries of the local bar associations in the district, the  
4 ~~state bar~~ State Bar of Wisconsin, the state law library, and the office of the director  
5 of state courts. A person may submit to the chief judge of the judicial administrative  
6 district written comments on a rule for the chief judge's consideration in determining  
7 whether revision of the rule is needed. The clerks of circuit court in the judicial  
8 administrative district shall print and make available to the public, at cost, all rules  
9 adopted under SCR 70.34.

NOTE: Conforms capitalization to current style.

10 **SECTION 294.** 753.35 (3) of the statutes is amended to read:

11 753.35 (3) The ~~state bar~~ State Bar of Wisconsin, the state law library, and the  
12 clerks of court to whom copies of rules are sent under this section shall serve as  
13 repositories of the rules sent to them under subs. (1) and (2).

NOTE: Conforms capitalization to current style.

14 **SECTION 295.** 757.293 (3) of the statutes is amended to read:

15 757.293 (3) A member of the ~~state bar~~ State Bar of Wisconsin shall file with the  
16 state bar annually, with payment of the member's state bar dues or upon such other  
17 date as approved by the supreme court, a certificate stating whether the member is  
18 engaged in the private practice of law in Wisconsin and, if so, the name of each bank,  
19 trust company, credit union, savings bank, or savings and loan association in which  
20 the member maintains a trust account, safe deposit box, or both, as required by this  
21 section. A partnership or professional legal corporation may file one certificate on  
22 behalf of its partners, associates, or officers who are required to file under this  
23 section. The failure of a member to file the certificate required by this section is

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1 grounds for automatic suspension of the member's membership in the state bar in  
2 the same manner as provided in section 6 of rule 2 of the Rules of the State Bar of  
3 Wisconsin for nonpayment of dues. The filing of a false certificate is unprofessional  
4 conduct and is grounds for disciplinary action. The state bar shall supply to each  
5 member, with the annual dues statement or at such other time as directed by the  
6 supreme court, a form on which the certification must be made and a copy of this  
7 section.

NOTE: Conforms capitalization to current style.

8 **SECTION 296.** 757.83 (1) (a) of the statutes is amended to read:

9 757.83 (1) (a) There is created a judicial commission of 9 members: 5  
10 nonlawyers nominated by the governor and appointed with the advice and consent  
11 of the senate; one trial judge of a court of record and one court of appeals judge  
12 appointed by the supreme court; and 2 members of the ~~state bar~~ State Bar of  
13 Wisconsin, who are not judges or court commissioners, appointed by the supreme  
14 court. The commission shall elect one of its members as chairperson.

NOTE: Conforms capitalization to current style.

15 **SECTION 297.** 757.83 (4) of the statutes is amended to read:

16 757.83 (4) STAFF. The judicial commission shall hire an executive director, and  
17 may hire one staff member, in the unclassified service. The executive director shall  
18 be a member of the ~~state bar~~ State Bar of Wisconsin and shall provide staff services  
19 to the judicial commission and the judicial council.

NOTE: Conforms capitalization to current style.

20 **SECTION 298.** 758.13 (3) (b) of the statutes is amended to read:

21 758.13 (3) (b) The council may promulgate and modify rules for the conduct of  
22 its proceedings in the exercise of its powers. The council may meet at such time and

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1 place as it determines but at least once every 3 months. It shall meet upon call of the  
2 chairperson or a call signed by 5 members of the council. ~~Nine~~ Eleven members shall  
3 constitute a quorum.

NOTE: Under s. 758.13 (1), the judicial council has 21 members, thus requiring 11  
members for a quorum, not 9.

4 **SECTION 299.** 779.32 (8) (a) 2. of the statutes is amended to read:

5 779.32 (8) (a) 2. The person owing the commission or compensation pays an  
6 amount equal to 125% of the commission or compensation owed into the trust  
7 account of the broker or the trust account of any attorney who does not represent any  
8 party to the dispute and who is in good standing with the state bar State Bar of  
9 Wisconsin. The moneys shall be held in escrow until disbursed pursuant to the  
10 written mutual agreement of the parties or pursuant to a court order.

NOTE: Conforms capitalization to current style.

11 **SECTION 300.** 788.04 (2) (a) of the statutes is amended to read:

12 788.04 (2) (a) One arbitrator shall be appointed by the court from a list of  
13 attorneys with trial experience. The list shall be prepared and periodically revised  
14 by the state bar State Bar of Wisconsin.

NOTE: Conforms capitalization to current style.

15 **SECTION 301.** 803.03 (2) (b) of the statutes is renumbered 803.03 (2) (b) 1.  
16 (intro.) and amended to read:

17 803.03 (2) (b) 1. (intro.) Any party joined pursuant to par. (a) may ~~1. participate~~  
18 do any of the following:

19 a. Participate in the prosecution of the action, ~~2. agree,~~

20 b. Agree to have his or her interest represented by the party who caused the  
21 joinder, ~~or 3. move,~~

22 c. Move for dismissal with or without prejudice.

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1           2. If the party joined chooses to participate in the prosecution of the action, the  
2 party joined shall have an equal voice with other claimants in ~~such~~ the prosecution.

3           3. Except as provided in par. (bm), if the party joined chooses to have his or her  
4 interest represented by the party who caused the joinder, the party joined shall sign  
5 a written waiver of the right to participate ~~which~~ that shall express consent to be  
6 bound by the judgment in the action. ~~Such~~ The waiver shall become binding when  
7 filed with the court, but a party may withdraw the waiver upon timely motion to the  
8 judge to whom the case has been assigned with notice to the other parties. A party  
9 who represents the interest of another party and who obtains a judgment favorable  
10 to ~~such~~ the other party may be awarded reasonable attorneys fees by the court.

11           4. If the party joined moves for dismissal without prejudice as to his or her  
12 claim, the party shall demonstrate to the court that it would be unjust to require the  
13 party to prosecute the claim with the principal claim. In determining whether to  
14 grant the motion to dismiss, the court shall weigh the possible prejudice to the  
15 movant against the state's interest in economy of judicial effort.

NOTE: Subdivides provision to conform numbering with current style and to  
improve readability. Replaces disfavored terms.

16           **SECTION 302.** 814.60 (2) (intro.), (a) and (ag) of the statutes are amended to  
17 read:

18           814.60 (2) (intro.) In addition to any fine imposed, a defendant shall be required  
19 to pay any ~~applicable~~ of the following that applies:

20           (a) ~~Penalty~~ The penalty assessment imposed by s. 757.05<sub>2</sub>;

21           (ag) ~~Jail~~ The jail assessment imposed by s. 302.46 (1)<sub>2</sub>.

NOTE: Conforms the form of the (intro.), paragraph beginnings, and punctuation  
to current style.



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1           **SECTION 303.** 814.60 (2) (ai) of the statutes, as affected by 2001 Wisconsin Act  
2 16, is amended to read:

3           814.60 (2) (ai) ~~Consumer~~ The consumer protection assessment imposed by s.  
4 100.261.

NOTE: Conforms the form of the paragraph beginning to current style.

5           **SECTION 304.** 814.60 (2) (am) to (d) of the statutes are amended to read:

6           814.60 (2) (am) ~~Crime~~ The crime victim and witness assistance surcharge  
7 imposed by s. 973.045;.

8           (an) ~~Crime~~ The crime laboratories and drug law enforcement assessment  
9 imposed under s. 165.755.

10           (ap) ~~Deoxyribonucleic~~ The deoxyribonucleic acid analysis surcharge imposed  
11 by s. 973.046;.

12           (b) ~~Domestic~~ The domestic abuse assessment imposed by s. 971.37 (1m) (c) 1.  
13 or 973.055;.

14           (bm) ~~Uninsured~~ The uninsured employer assessment imposed by s. 102.85 (4);.

15           (c) ~~Driver~~ The driver improvement surcharge imposed by s. 346.655;.

16           (cg) ~~Enforcement~~ The enforcement assessment imposed by s. 253.06 (4) (c).

17           (cn) ~~Drug~~ The drug abuse program improvement surcharge imposed by s.  
18 961.41 (5).

19           (cs) ~~Environmental~~ The environmental assessment imposed by s. 299.93.

20           (d) ~~Natural~~ The natural resources assessment imposed by s. 29.987; and.

NOTE: Conforms the form of the paragraph beginnings and punctuation to current style.

21           **SECTION 305.** 814.60 (2) (e) of the statutes, as affected by 2001 Wisconsin Act  
22 56, is amended to read.

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1           814.60 (2) (e) ~~Natural~~ The natural resources restitution payment imposed by  
2 s. 169.46 (2) or 29.989.

NOTE: Conforms the form of the paragraph beginning to current style.

3           **SECTION 306.** 814.60 (2) (eg) of the statutes, as created by 2001 Wisconsin Act  
4 16, is amended to read:

5           814.60 (2) (eg) ~~Truck~~ The truck driver education assessment imposed by s.  
6 349.04.

NOTE: Conforms the form of the paragraph beginning to current style.

7           **SECTION 307.** 814.60 (2) (em) and (f) of the statutes are amended to read:

8           814.60 (2) (em) ~~Wild~~ The wild animal protection assessment imposed by s.  
9 29.983.

10          (f) ~~Weapons~~ The weapons assessment imposed by s. 167.31 (5).

NOTE: Conforms the form of the paragraph beginnings to current style.

11          **SECTION 308.** 840.10 (1) (b) of the statutes is amended to read:

12          840.10 (1) (b) A lis pendens that is prepared by a member of the ~~state bar~~ State  
13 Bar of Wisconsin need not be authenticated.

NOTE: Conforms capitalization to current style.

14          **SECTION 309.** 893.36 (1) of the statutes is renumbered 893.36 (1m).

NOTE: Accommodates the renumbering of a definition to the beginning of the section, consistent with current style. See the next two sections of this bill.

15          **SECTION 310.** 893.36 (2) of the statutes is amended to read:

16          893.36 (2) This section does not apply to actions based upon a sale of livestock  
17 occurring prior to April 3, 1980, nor to an action by a secured party against its debtor.  
18 Section 893.35 or 893.51 applies to any action described in sub. (1) ~~(1)~~ (1m) if the  
19 limitation described in sub. (1) (1m) is not applicable.

NOTE: Sub. (1) is renumbered to sub. (1m) by this bill.

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1           **SECTION 311.** 893.36 (3) of the statutes, as affected by 2001 Wisconsin Act 10,  
2 is renumbered 893.36 (1g).

NOTE: Renumbers a definition provision to the beginning of the section, consistent with current style.

3           **SECTION 312.** 938.23 (1) of the statutes is renumbered 938.23 (1m).

NOTE: Accommodates the renumbering of s. 938.23 (6) to 938.23 (1g) by the next section of the bill.

4           **SECTION 313.** 938.23 (6) of the statutes is renumbered 938.23 (1g) and amended  
5 to read:

6           **938.23 (1g) DEFINITION.** For the purposes of ~~In~~ this section, “counsel” means  
7 an attorney acting as adversary counsel who shall advance and protect the legal  
8 rights of the party represented, and who may not act as guardian ad litem for any  
9 party in the same proceeding.

NOTE: Renumbers a definition provision to the beginning of the section, consistent with current style.

10           **SECTION 314.** 938.357 (1) of the statutes is renumbered 938.357 (1) (a) and  
11 amended to read:

12           **938.357 (1) (a)** The person or agency primarily responsible for implementing  
13 the dispositional order or the district attorney may request a change in the  
14 placement of the juvenile, whether or not the change requested is authorized in the  
15 dispositional order, and shall cause written notice to be sent to the juvenile or the  
16 juvenile’s counsel or guardian ad litem, the parent, guardian, and legal custodian of  
17 the juvenile, and any foster parent, treatment foster parent, or other physical  
18 custodian described in s. 48.62 (2), ~~guardian and legal custodian of the juvenile.~~ The  
19 notice shall contain the name and address of the new placement, the reasons for the  
20 change in placement, a statement describing why the new placement is preferable

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1 to the present placement, and a statement of how the new placement satisfies  
2 objectives of the treatment plan ordered by the court.

3 (b) Any person receiving the notice under ~~this subsection~~ par. (a) or notice of  
4 the a specific foster or treatment foster placement under s. 938.355 (2) (b) 2. may  
5 obtain a hearing on the matter by filing an objection with the court within 10 days  
6 after receipt of the notice. Placements ~~shall~~ may not be changed until 10 days after  
7 such ~~that~~ notice is sent to the court unless the parent, guardian, or legal custodian  
8 and the juvenile, if 12 or more years of age, sign written waivers of objection, except  
9 that placement changes ~~which that~~ were authorized in the dispositional order may  
10 be made immediately if notice is given as required ~~in this subsection~~ under par. (a).  
11 In addition, a hearing is not required for placement changes authorized in the  
12 dispositional order except ~~where~~ when an objection filed by a person who received  
13 notice alleges that new information is available ~~which that~~ affects the advisability  
14 of the court's dispositional order.

NOTE: Subdivides provision for improved readability.

15 **SECTION 315.** 938.357 (2) of the statutes is amended to read:

16 938.357 (2) If emergency conditions necessitate an immediate change in the  
17 placement of a juvenile placed outside the home, the person or agency primarily  
18 responsible for implementing the dispositional order may remove the juvenile to a  
19 new placement, whether or not authorized by the existing dispositional order,  
20 without the prior notice provided in sub. (1) (a). The notice shall, however, be sent  
21 within 48 hours after the emergency change in placement. Any party receiving  
22 notice may demand a hearing under sub. (1) (b). In emergency situations, ~~the a~~  
23 juvenile may be placed in a licensed public or private shelter care facility as a

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1 transitional placement for not more than 20 days, as well as in any placement  
2 authorized under s. 938.34 (3).

NOTE: Corrects cross-references to conform to the renumbering and amendment  
of s. 938.357 (1) by this bill.

3 **SECTION 316.** 938.357 (2m) of the statutes is renumbered 938.357 (2m) (a) and  
4 amended to read:

5 938.357 (2m) (a) The juvenile, the parent, guardian, or legal custodian of the  
6 juvenile, or any person or agency primarily bound by the dispositional order, other  
7 than the person or agency responsible for implementing the order, may request a  
8 change in placement under this subsection paragraph. The request shall contain the  
9 name and address of the place of the new placement requested and shall state what  
10 new information is available ~~which~~ that affects the advisability of the current  
11 placement. ~~This~~ The request shall be submitted to the court. In addition, the court  
12 may propose a change in placement on its own motion.

13 (b) The court shall hold a hearing on the matter prior to ordering any change  
14 in placement requested or proposed under ~~this subsection~~ par. (a) if the request  
15 states that new information is available ~~which~~ that affects the advisability of the  
16 current placement, unless written waivers of objection to the proposed change in  
17 placement are signed by all parties entitled to receive notice under sub. (1) (a) and  
18 the court approves. If a hearing is scheduled, the court shall notify the juvenile, the  
19 parent, guardian, and legal custodian of the juvenile, any foster parent, treatment  
20 foster parent, or other physical custodian described in s. 48.62 (2) of the juvenile, and  
21 all parties who are bound by the dispositional order at least 3 days prior to the  
22 hearing. A copy of the request or proposal for the change in placement shall be

1 attached to the notice. If all of the parties consent, the court may proceed  
2 immediately with the hearing.

NOTE: Subdivides provision for improved readability.

3 **SECTION 317.** 938.357 (2r) of the statutes is amended to read:

4 938.357 (2r) If a hearing is held under sub. (1) (b) or (2m) (b) and the change  
5 in placement would remove a juvenile from a foster home, treatment foster home, or  
6 other placement with a physical custodian described in s. 48.62 (2), the court shall  
7 give the foster parent, treatment foster parent, or other physical custodian described  
8 in s. 48.62 (2) an opportunity to be heard at the hearing by permitting the foster  
9 parent, treatment foster parent, or other physical custodian to make a written or oral  
10 statement during the hearing or to submit a written statement prior to the hearing  
11 relating to the juvenile and the requested change in placement. Any written or oral  
12 statement made under this subsection shall be made under oath or affirmation. A  
13 foster parent, treatment foster parent, or other physical custodian described in s.  
14 48.62 (2) who receives notice of a hearing under sub. (1) (b) or (2m) (b) and an  
15 opportunity to be heard under this subsection does not become a party to the  
16 proceeding on which the hearing is held solely on the basis of receiving that notice  
17 and opportunity to be heard.

NOTE: Corrects cross-references to conform to the renumbering and amendment  
of s. 938.357 (1) and (2m) by this bill.

18 **SECTION 318.** 938.357 (2v) of the statutes, as created by 2001 Wisconsin Act 16,  
19 is amended to read:

20 938.357 (2v) If a hearing is held under sub. (1) (b) or (2m) (b) and the change  
21 in placement would place the juvenile outside the home in a placement recommended  
22 by the person or agency primarily responsible for implementing the dispositional  
23 order, the change in placement order shall include a statement that the court

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1 approves the placement recommended by the person or agency or, if the juvenile is  
2 placed outside the home in a placement other than a placement recommended by that  
3 person or agency, a statement that the court has given bona fide consideration to the  
4 recommendations made by that person or agency and all parties relating to the  
5 juvenile's placement.

NOTE: Corrects cross-reference to conform to the renumbering and amendment of  
s. 938.357 (1) and (2m).

6 **SECTION 319.** 938.357 (3) of the statutes is amended to read:

7 938.357 (3) Subject to ~~sub.~~ subs. (4) (b) and (c) and (5) (e), if the proposed change  
8 in placement would involve placing a juvenile in a secured correctional facility, a  
9 secured child caring institution, or a secured group home, notice shall be given as  
10 provided in sub. (1) (a). A hearing shall be held, unless waived by the juvenile,  
11 parent, guardian, and legal custodian, before the judge makes a decision on the  
12 request. The juvenile shall be entitled to counsel at the hearing, and any party  
13 opposing or favoring the proposed new placement may present relevant evidence and  
14 cross-examine witnesses. The proposed new placement may be approved only if the  
15 judge finds, on the record, that the conditions set forth in s. 938.34 (4m) have been  
16 met.

NOTE: Corrects cross-reference to conform to the renumbering and amendment of  
s. 938.357 (1) by this bill.

17 **SECTION 320.** 938.357 (4) (b) 1. of the statutes is amended to read:

18 938.357 (4) (b) 1. If a juvenile whom the department has placed in a Type 2  
19 secured correctional facility operated by a child welfare agency violates a condition  
20 of his or her placement in the Type 2 secured correctional facility, the child welfare  
21 agency operating the Type 2 secured correctional facility shall notify the department  
22 and the department, after consulting with the child welfare agency, may place the

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1 juvenile in a Type 1 secured correctional facility under the supervision of the  
2 department without a hearing under sub. (1) (b).

NOTE: Corrects cross-reference to conform to the renumbering and amendment of  
s. 938.357 (1) by this bill.

3 **SECTION 321.** 938.357 (4) (b) 2. of the statutes, as affected by 2001 Wisconsin  
4 Act 16, is amended to read:

5 938.357 (4) (b) 2. If a juvenile whom the court has placed in a Type 2 child  
6 caring institution under s. 938.34 (4d) violates a condition of his or her placement in  
7 the Type 2 child caring institution, the child welfare agency operating the Type 2  
8 child caring institution shall notify the county department that has supervision over  
9 the juvenile and, if the county department agrees to a change in placement under this  
10 subdivision, the child welfare agency shall notify the department and the  
11 department, after consulting with the child welfare agency, may place the juvenile  
12 in a Type 1 secured correctional facility under the supervision of the department,  
13 without a hearing under sub. (1) (b), for not more than 10 days. If a juvenile is placed  
14 in a Type 1 secured correctional facility under this subdivision, the county  
15 department that has supervision over the juvenile shall reimburse the child welfare  
16 agency operating the Type 2 child caring institution in which the juvenile was placed  
17 at the rate established under s. 46.037, and that child welfare agency shall reimburse  
18 the department at the rate specified in s. 301.26 (4) (d) 2. or 3., whichever is  
19 applicable, for the cost of the juvenile's care while placed in a Type 1 secured  
20 correctional facility.

NOTE: Corrects cross-reference to conform to the renumbering and amendment of  
s. 938.357 (1) by this bill.

21 **SECTION 322.** 938.357 (4) (c) 1. of the statutes is amended to read:



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1           938.357 (4) (c) 1. If a juvenile is placed in a Type 2 secured correctional facility  
2 operated by a child welfare agency under par. (a) and it appears that a less restrictive  
3 placement would be appropriate for the juvenile, the department, after consulting  
4 with the child welfare agency that is operating the Type 2 secured correctional  
5 facility in which the juvenile is placed, may place the juvenile in a less restrictive  
6 placement, and may return the juvenile to the Type 2 secured correctional facility  
7 without a hearing under sub. (1) (b). The child welfare agency shall establish a rate  
8 for each type of placement in the manner provided in s. 46.037.

NOTE: Corrects cross-reference to conform to the renumbering and amendment of  
s. 938.357 (1) by this bill.

9           **SECTION 323.** 938.357 (4) (c) 2. of the statutes is amended to read:

10           938.357 (4) (c) 2. If a juvenile is placed in a Type 2 child caring institution under  
11 s. 938.34 (4d) and it appears that a less restrictive placement would be appropriate  
12 for the juvenile, the child welfare agency operating the Type 2 child caring  
13 institution shall notify the county department that has supervision over the juvenile  
14 and, if the county department agrees to a change in placement under this  
15 subdivision, the child welfare agency may place the juvenile in a less restrictive  
16 placement. A child welfare agency may also, with the agreement of the county  
17 department that has supervision over a juvenile who is placed in a less restrictive  
18 placement under this subdivision, return the juvenile to the Type 2 child caring  
19 institution without a hearing under sub. (1) (b). The child welfare agency shall  
20 establish a rate for each type of placement in the manner provided in s. 46.037.

NOTE: Corrects cross-reference to conform to the renumbering and amendment of  
s. 938.357 (1) by this bill.

21           **SECTION 324.** 938.357 (4) (d) of the statutes is amended to read:

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1           938.357 (4) (d) The department may transfer a juvenile who is placed in a Type  
2   1 secured correctional facility to the Racine youthful offender correctional facility  
3   named in s. 302.01 if the juvenile is 15 years of age or over and the office of juvenile  
4   offender review in the department has determined that the conduct of the juvenile  
5   in the Type 1 secured correctional facility presents a serious problem to the juvenile  
6   or others. The factors that the office of juvenile offender review may consider in  
7   making that determination shall include, but are not limited to, whether and to what  
8   extent the juvenile's conduct in the Type 1 secured correctional facility is violent and  
9   disruptive, the security needs of the Type 1 secured correctional facility, and whether  
10   and to what extent the juvenile is refusing to cooperate or participate in the  
11   treatment programs provided for the juvenile in the Type 1 secured correctional  
12   facility. Notwithstanding sub. (1) (b), a juvenile is not entitled to a hearing regarding  
13   the department's exercise of authority under this paragraph unless the department  
14   provides for a hearing by rule. A juvenile may seek review of a decision of the  
15   department under this paragraph only by the common law writ of certiorari. If the  
16   department transfers a juvenile under this paragraph, the department shall send  
17   written notice of the transfer to the parent, guardian, legal custodian, and  
18   committing court.

NOTE: Corrects cross-reference to conform to the renumbering and amendment of  
s. 938.357 (1) by this bill.

19           **SECTION 325.** 938.357 (5) (a) of the statutes is amended to read:

20           938.357 (5) (a) The department or a county department, whichever has been  
21   designated as a juvenile's aftercare provider under s. 938.34 (4n), may revoke the  
22   aftercare status of that juvenile. Revocation of aftercare supervision shall not  
23   require prior notice under sub. (1) (a).

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NOTE: Corrects cross-reference to conform to the renumbering and amendment of s. 938.357 (1) by this bill.

1           **SECTION 326.** 970.03 (12) (c) of the statutes is amended to read:

2           970.03 (12) (c) At any preliminary examination in Milwaukee ~~county~~ County,  
3 a latent fingerprint report of the city of Milwaukee police department bureau of  
4 identification division's latent fingerprint identification unit, certified as correct by  
5 the police chief or a person designated by the police chief, shall, when offered by the  
6 state or the accused, be received as evidence of the facts and findings stated, if  
7 relevant. The expert who made the findings need not be called as a witness.

NOTE: Conforms capitalization to current style.

8           **SECTION 327.** 973.013 (3) of the statutes is amended to read:

9           973.013 (3) Female persons convicted of a felony may be committed to the  
10 ~~Taycheedah correctional institution~~ Correctional Institution unless they are subject  
11 to sub. (3m).

NOTE: Conforms capitalization to current style.

12           **SECTION 328.** 977.05 (1) of the statutes is amended to read:

13           977.05 (1) APPOINTMENT. The board shall appoint a state public defender, who  
14 shall be a member of the ~~state bar~~ State Bar of Wisconsin. The state public defender  
15 shall serve for a period of 5 years and shall continue until a successor is appointed,  
16 except that at the conclusion of the 5-year term of the state public defender in office  
17 as of July 1, 1980, the state public defender shall be appointed to serve at the pleasure  
18 of the board. He or she shall devote full time to the performance of duties as state  
19 public defender.

NOTE: Conforms capitalization to current style.

20           **SECTION 329.** 977.05 (5) (a) of the statutes is amended to read:

