

1 placement. Any party receiving notice may demand a hearing under sub. (1) (b). In
2 emergency situations, a child may be placed in a licensed public or private shelter
3 care facility as a transitional placement for not more than 20 days, as well as in any
4 placement authorized under s. 48.345 (3).

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

5 SECTION 161. 48.357 (2m) of the statutes is renumbered 48.357 (2m) (a) and
6 amended to read:

7 48.357 (2m) (a) The child, the parent, guardian, or legal custodian of the child,
8 the expectant mother, the unborn child by the unborn child's guardian ^{ad} ~~at~~ ad ~~litem~~, or
9 any person or agency primarily bound by the dispositional order, other than the
10 person or agency responsible for implementing the order, may request a change in
11 placement under this ~~subsection~~ paragraph. The request shall contain the name and
12 address of the place of the new placement requested and shall state what new
13 information is available ~~which~~ that affects the advisability of the current placement.
14 This request shall be submitted to the court. In addition, the court may propose a
15 change in placement on its own motion.

16 (b) The court shall hold a hearing on the matter prior to ordering any change
17 in placement under this subsection if the request states that new information is
18 available ~~which~~ that affects the advisability of the current placement, unless written
19 waivers of objection to the proposed change in placement are signed by all persons
20 entitled to receive notice under sub. (1) (a), other than a court-appointed special
21 advocate, and the court approves. If a hearing is scheduled, the court shall notify the
22 child, the parent, guardian, and legal custodian of the child, any foster parent,
23 treatment foster parent, or other physical custodian described in s. 48.62 (2) of the

1 child, the child's court-appointed special advocate, all parties who are bound by the
2 dispositional order, and, if the child is the expectant mother of an unborn child under
3 s. 48.133, the unborn child by the unborn child's guardian ad litem, or shall notify
4 the adult expectant mother, the unborn child by the unborn child's guardian ad litem,
5 and all parties who are bound by the dispositional order, at least 3 days prior to the
6 hearing. A copy of the request or proposal for the change in placement shall be
7 attached to the notice. If all the parties consent, the court may proceed immediately
8 with the hearing.

NOTE: Subdivides provision for improved readability

and corrects an incorrect term

9 **SECTION 162.** 48.357 (2r) of the statutes is amended to read:

10 48.357 (2r) If a hearing is held under sub. (1) (b) or (2m) (b) and the change in
11 placement would remove a child from a foster home, treatment foster home, or other
12 placement with a physical custodian described in s. 48.62 (2), the court shall give the
13 foster parent, treatment foster parent, or other physical custodian described in s.
14 48.62 (2) an opportunity to be heard at the hearing by permitting the foster parent,
15 treatment foster parent, or other physical custodian to make a written or oral
16 statement during the hearing or to submit a written statement prior to the hearing,
17 relating to the child and the requested change in placement. Any written or oral
18 statement made under this subsection shall be made under oath or affirmation. A
19 foster parent, treatment foster parent, or other physical custodian described in s.
20 48.62 (2) who receives notice of a hearing under sub. (1) (b) or (2m) (b) and an
21 opportunity to be heard under this subsection does not become a party to the
22 proceeding on which the hearing is held solely on the basis of receiving that notice
23 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.

1 SECTION 163. 48.375 (7) (a) 1. of the statutes is amended to read:
2 48.375 (7) (a) 1. Appoint legal counsel under s. 48.23 (1) (1m) (cm) for the minor
3 if the minor is not represented by counsel.

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

4 SECTION 164. 48.981 (2) of the statutes is renumbered 48.981 (2) (a) (intro.) and
5 amended to read:

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

22 (b) A court-appointed special advocate ~~having~~ who has reasonable cause to
23 suspect that a child seen in the course of ~~the court-appointed special advocate's~~

1 activities under s. 48.236 (3) has been abused or neglected or having who has reason
2 to believe that a child seen in the course of those activities has been threatened with
3 abuse and neglect and that abuse or neglect of the child will occur shall, except as
4 provided in sub. (2m), report as provided in sub. (3).

5 (c) Any other person not otherwise specified in par. (a) or (b), including an
6 attorney, having who has reason to suspect that a child has been abused or neglected
7 or who has reason to believe that a child has been threatened with abuse or neglect
8 and that abuse or neglect of the child will occur may ~~make such a report as~~ provided
9 in sub. (3).

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

13 (e) No person making a report under this subsection may be discharged from
14 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.

15 SECTION 165. 48.981 (2) (a) 1. to 29. of the statutes are created to read:

16 48.981 (2) (a) 1. A physician.

17 2. A coroner.

18 3. A medical examiner.

19 4. A nurse.

20 5. A dentist.

21 6. A chiropractor.

22 7. An optometrist.

23 8. An acupuncturist.

- 1 9. A medical or mental health professional not otherwise specified in this
- 2 paragraph.
- 3 10. A social worker.
- 4 11. A marriage and family therapist.
- 5 12. A professional counselor.
- 6 13. A public assistance worker, including a financial and employment planner,
- 7 as defined in s. 49.141 (1) (d).
- 8 14. A school teacher.
- 9 15. A school administrator
- 10 16. A school counselor.
- 11 17. A mediator under s. 767.11.
- 12 18. A child^ocare worker in a day care center or child-caring institution.
- 13 19. A day care provider.
- 14 20. An alcohol or other drug abuse counselor.
- 15 21. A member of the treatment staff employed by or working under contract
- 16 with a county department under s. 46.23, 51.42, or 51.437.
- 17 22. A physical therapist.
- 18 23. An occupational therapist.
- 19 24. A dietitian.
- 20 25. A speech-language pathologist.
- 21 26. An audiologist.
- 22 27. An emergency medical technician.
- 23 28. A first responder.
- 24 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).

1 **SECTION 166.** 51.37 (8) (b) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

17 **SECTION 167.** 55.02 of the statutes is amended to read:

18 **55.02 Protective service system; establishment.** The department shall
19 develop a statewide system of protective service for mentally retarded and other
20 developmentally disabled persons, for aged infirm persons, for chronically mentally
21 ill persons, and for persons with other like incapacities incurred at any age in
22 accordance with rules promulgated by the department. The protective service
23 system shall be designed to encourage independent living and to avoid protective

1 placement whenever possible. The system shall use the planning and advice of
 2 agencies, including the county department under s. 46.215, 46.22, 46.23, 51.42, or
 3 51.437. The chairperson of each county board of supervisors shall designate a county
 4 department under s. 46.215, 46.22, 51.42, or 51.437 which that is providing services
 5 in his or her county or a joint mechanism of these county departments to have the
 6 responsibility for local planning for the protective service system. The chairperson
 7 of the Milwaukee county County board of supervisors shall designate the county
 8 department under s. 46.215 to serve as the county protective services agency for
 9 purposes of s. 55.043. The department and these county departments shall cooperate
 10 in developing a coordinated system of services. The department shall provide direct
 11 services and enter into contracts with any responsible public or private agency for
 12 provision of protective services. In each county, the county department designated
 13 under this section shall determine the reporting requirements applicable to the
 14 county under s. 880.38 (3).

NOTE: Conforms capitalization to current style.

15 SECTION 168. 55.04 (1) (a) ^{I. to II.} of the statutes ^{are} is amended to read:

- 16 55.04 (1) (a) Protective services ^{or} 1. Outreach;
 17 2. Identification of persons in need of services;
 18 3. Counseling and referral for services;
 19 4. Coordination of services for individuals;
 20 5. Tracking and follow-up;
 21 6. Provision of social services;
 22 7. Case management;
 23 8. Legal counseling or referral;
 24 9. Guardianship referral; and.

1 10. Diagnostic evaluation;

2 11. Such Any other responsibilities as that the department deems considers
3 appropriate.

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

4 SECTION 169. 55.043 (1) (a) (intro.) of the statutes is amended to read:

5 55.043 (1) (a) (intro.) If a county protective services agency has probable cause
6 to believe that there is misappropriation of property or neglect or abuse of a
7 vulnerable adult, the county protective services agency may conduct an
8 investigation in Milwaukee county County to determine if the vulnerable adult in
9 question is in need of protective services. The county protective services agency shall
10 conduct the investigation in accordance with standards established by the
11 department for conducting the investigations. The investigation shall include at
12 least one of the following:

NOTE: Conforms capitalization to current style.

13 SECTION 170. 60.30 (1e) (c) of the statutes is amended to read:

14 60.30 (1e) (c) If an ordinance is approved in a referendum under par. (b), the
15 change from an elective office to an appointive office may not take effect until the
16 term of office of the incumbent town clerk, town treasurer, or combined town clerk
17 and town treasurer expires. If an ordinance is approved under par. (b) at a general
18 election, the ordinance takes effect upon the expiration of the term or terms of the
19 incumbent officer or officers. If an ordinance is approved under par. (b) at a spring
20 election at which the office of town clerk or town treasurer is filled, the ordinance
21 takes effect upon the expiration of the term or terms of each officer who is elected at
22 that election. A person appointed to the office of town clerk, town treasurer, or to the
23 combined office of town clerk and town treasurer shall serve for a term, not to exceed

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1 3 years, that is set by the town board. The person may be reappointed and may be
2 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.*

3 **SECTION 171.** 60.30 (1e) (f) of the statutes is amended to read:

4 60.30 (1e) (f) If a person is appointed to office under par. (e), the person initially
5 appointed may not take office until the term of office of the incumbent town clerk,
6 town treasurer, or combined town clerk and town treasurer expires. A person
7 appointed to the office of town clerk, ^{or} town treasurer, or ^{plain} the combined office of town
8 clerk and town treasurer shall serve for a term, not to exceed 3 years, that is set by
9 the town board. The person may be reappointed and may be dismissed by the board
10 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.

11 **SECTION 172.** 66.0139 (3) of the statutes is amended to read:

12 66.0139 (3) A political subdivision may safely dispose of abandoned or
13 unclaimed flammable, explosive, or incendiary substances, materials, or devices
14 posing ~~that pose~~ a danger to life or property in their storage, transportation, or use
15 immediately after taking possession of the substances, materials, or devices without
16 a public auction. The political subdivision, by ordinance or resolution, may establish
17 disposal procedures. Procedures may include provisions authorizing an attempt to
18 return to the rightful owner substances, materials, or devices ~~which~~ that have a
19 commercial value in the normal business usage and do not pose an immediate threat
20 to life or property. If enacted, a disposal procedure shall include a presumption that
21 if the substance, material, or device appears to be or is reported stolen, an attempt
22 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.

1 **SECTION 173.** 66.0209 (4) of the statutes is amended to read:

2 66.0209 (4) An incorporation referendum ordered by the circuit court under s.
3 66.0203 (9) (f) may not be stayed pending the outcome of further litigation, unless the
4 court of appeals or the supreme court, upon an appeal or upon the filing of an original
5 action in the supreme court, concludes that a strong probability exists that the order
6 of the circuit court or the decision of the department will be set aside.

NOTE: Inserts missing articles.

7 **SECTION 174.** 66.0235 (7) (c) of the statutes is amended to read:

8 66.0235 (7) (c) If the asset apportioned consists of an aid or tax to be distributed
9 in the future according to population, the apportionment board shall certify to the
10 officer, agency, or department responsible for making the distribution of each local
11 governmental unit's proportionate share of the asset as determined in accordance
12 with sub. (2). The officer, agency, or department shall distribute the aid or tax
13 directly to the several local governmental units according to the certification until
14 the next federal census.

NOTE: Inserts missing word.

15 **SECTION 175.** 66.0309 (14) (d) 1. of the statutes is amended to read:

16 66.0309 (14) (d) 1. Submit the issue to arbitration by 3 arbitrators, one to be
17 chosen by the local governmental unit, one to be chosen by the regional planning
18 commission, and the third to be chosen by the first 2 arbitrators. If the arbitrators
19 are unable to agree, the vote of 2 shall be the decision. ~~They~~ The arbitrators may
20 affirm or modify the report, and shall submit their decision in writing to the local
21 governmental unit and the regional planning commission within 30 days of their
22 appointment unless the time be is extended by agreement of the commission and the
23 local governmental unit. The decision shall be binding. ~~Election~~ An election to

1 arbitrate ~~shall be~~ is a waiver of the right to proceed by action. Two-thirds of the
2 expenses of arbitration shall be paid by the party requesting arbitration and the
3 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.

4 SECTION 176. 66.0413 (2) (c) 2. of the statutes is amended to read:

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

NOTE: Inserts missing word.

11 SECTION 177. 66.0413 (2) (e) 1. of the statutes is amended to read:

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

NOTE: Inserts missing article.

19 SECTION 178. 66.0901 (2) of the statutes is amended to read:

20 66.0901 (2) BIDDER'S PROOF OF RESPONSIBILITY. A municipality intending to enter
21 into a public contract may, before delivering any form for bid proposals, plans, and
22 specifications to any person, except materialmen, suppliers, and others not

1 intending to submit a direct bid, require the person to submit a full and complete
2 statement sworn to before an officer authorized by law to administer oaths. The
3 statement shall consist of information relating to financial ability, equipment,
4 experience in the work prescribed in the public contract, and other matters that the
5 municipality requires for the protection and welfare of the public in the performance
6 of a public contract. The statement shall be in writing on a standard form of a
7 questionnaire that is adopted and furnished by the municipality. The statement
8 shall be filed in the manner and place designated by the municipality. The statement
9 shall not be received less than 5 days prior to the time set for the opening of bids.
10 The contents of the statement shall be confidential and may not be disclosed except
11 upon the written order of the person furnishing the statement, for necessary use by
12 the public body in qualifying the person, or in cases of ~~action~~ actions against, or by,
13 the person or municipality. The governing body of the municipality or the committee,
14 board, or employee charged with, or delegated by the governing body with, the duty
15 of receiving bids and awarding contracts shall properly evaluate the statement and
16 shall find the maker of the statement either qualified or unqualified. This subsection
17 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.

18 SECTION 179. 66.1103 (2) (f) of the statutes is amended to read:

19 66.1103 (2) (f) "Improve", "improving", "improvements," and "facilities"
20 ~~embrace~~ include any real or personal property or mixed property of whatever useful
21 life that can be used or that will be useful in an industrial project including sites for
22 buildings, equipment, or other improvements, rights-of-way, roads, streets, sidings,
23 foundations, tanks, structures, pipes, pipelines, reservoirs, lagoons, utilities,

1 materials, equipment, fixtures, machinery, furniture, furnishings, improvements,
2 instrumentalities, pollution control facilities, and other real, personal, or mixed
3 property.

NOTE: Inserts preferred term.

4 **SECTION 180.** 66.1201 (9) (j) of the statutes is amended to read:

5 66.1201 (9) (j) To contract for the sale of, and to sell, any part or all of the
6 interest in real estate acquired and to execute contracts of sale and conveyances as
7 the authority considers desirable.

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

8 **SECTION 181.** 66.1205 (2) (b) of the statutes is amended to read:

9 66.1205 (2) (b) Pursuant to s. 66.1201 (16) vest in obligees the right, if the
10 authority defaults, to acquire title to a housing project or the property mortgaged by
11 the housing authority, free from all of the restrictions imposed by s. 66.1203 and this
12 section.

NOTE: Inserts missing word.

13 **SECTION 182.** 66.1331 (14) of the statutes is renumbered 66.1331 (14) (b) and
14 amended to read:

15 66.1331 (14) (b) For the purpose of carrying out or administering a
16 redevelopment plan or other functions authorized under this section, a city may issue
17 municipal obligations payable solely from and secured by a pledge of and lien upon
18 any or all of the income, proceeds, revenues, funds, and property of the city derived
19 from or held by it in connection with redevelopment projects, including the proceeds
20 of grants, loans, advances, or contributions from any public or private source.
21 Municipal obligations issued under this subsection may be registered under s. 67.09
22 but shall otherwise be in a form, mature at times, bear interest at rates, be issued

1 and sold in a manner, and contain terms, covenants, and conditions that the local
2 legislative body of the city, by resolution, determines. The municipal obligations
3 shall be fully negotiable, shall not require a referendum, and are not subject to the
4 provisions of any other law or charter relating to the issuance or sale of municipal
5 obligations. Obligations under this section sold to the United States government
6 need not be sold at public sale. ~~In this subsection, "municipal obligation" has the~~
7 ~~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.

8 SECTION 183. 66.1331 (14) (a) of the statutes is created to read:

9 66.1331 (14) (a) In this subsection, "municipal obligation" has the meaning
10 specified in s. 67.01 (6).

NOTE: See the previous section of this bill.

11 SECTION 184. ^{create autored "b" / use in ment 75-12 ✓} 70.06 (2) (c) of the statutes is renumbered 70.06 (2) and amended
12 to read:

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

1 and shall hold office in the same manner as assessors. Certification of the
2 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.

3 SECTION 185. 70.06 (3m) of the statutes is amended to read:

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

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

12 SECTION 186. 70.11 (3a) (title) of the statutes is amended to read:

13 70.11 (3a) (title) BUILDINGS AT THE WISCONSIN VETERANS HOME VETERANS HOME
14 AT KING OR IN SOUTHEASTERN WISCONSIN.

NOTE: Conforms capitalization to current style.

15 SECTION 187. 71.67 (5m) (title) of the statutes is created to read:

16 71.67 (5m) (title) WITHHOLDING FROM PAYMENTS TO PURCHASE ASSIGNMENT OF
17 LOTTERY PRIZE.

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

18 SECTION 188. 71.85 (3) (intro.) and (a) of the statutes are consolidated,
19 renumbered 71.85 (3) and amended to read:

1 71.85 (3) ABATEMENT OF INTEREST AND PENALTIES. No penalty or interest that has
2 been imposed under this subchapter on a taxpayer who is eligible for the exemption
3 under: (a) Section ~~s.~~ [✓] 71.05 (6) (b) 13. or 14. may continue to accrue while the taxpayer
4 is in the Operation Desert Shield or Operation Desert Storm theater of operations
5 and for 180 days after the taxpayer leaves the Operation Desert Shield or Operation
6 Desert Storm theater of operations.

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

7 SECTION 189. 71.91 (5) (ag) (intro.) and 1. of the statutes are consolidated,
8 renumbered 71.91 (5) (ag) [✓] and amended to read:

9 71.91 (5) (ag) In this subsection: 1. [✓] "File", "file" means mail, deliver, or submit
10 electronically.

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

11 SECTION 190. 77.54 (14) of the statutes is amended to read:

12 77.54 (14) The gross receipts from the sales of and the storage, use, or other
13 consumption in this state of medicines that are any of the following:

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

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

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

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

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

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

6 (f) Furnished without charge to a physician, surgeon, nurse anesthetist,
7 advanced practice nurse, osteopath, dentist who is licensed under ch. 447, podiatrist
8 who is licensed under ch. 448, or optometrist who is licensed under ch. 449 if the
9 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.

10 SECTION 191. 77.54 (14g) of the statutes is amended to read:

11 77.54 (14g) "Medicines," as used in sub. (14), means any substance or
12 preparation that is intended for use by external or internal application to the human
13 body in the diagnosis, cure, mitigation, treatment, or prevention of disease and
14 ~~which that~~ is commonly recognized as a substance or preparation intended for such
15 use; but "medicines" do not include any of the following:

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

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

21 (c) Any alcohol beverage the manufacture, sale, purchase, possession, or
22 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.

1 **SECTION 192.** 77.61 (5) (b) 2. of the statutes is amended to read:

2 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.

3 **SECTION 193.** 84.11 (5r) (title) of the statutes is amended to read:

4 84.11 (5r) (title) MILWAUKEE 6TH STREET ~~STREET~~ VIADUCT COST SHARING.

NOTE: Conforms capitalization to current style.

5 **SECTION 194.** 88.11 (5) (intro.) of the statutes is amended to read:

6 88.11 (5) (intro.) The report of the department of agriculture, trade and
7 consumer protection under sub. (3) also shall include a report of the college of
8 ~~agriculture and life sciences~~ College of Agricultural and Life Sciences of the
9 University of Wisconsin-Madison on all of the following:

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

10 **SECTION 195.** 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.

11 **SECTION 196.** 88.63 (2) of the statutes is amended to read:

12 88.63 (2) The board shall establish a fund for the payment of costs of
13 maintenance and repair. Whenever the amount of the fund falls below an amount
14 equivalent to 5% of the confirmed benefits currently in effect in the district, the board
15 shall levy an additional assessment under s. 88.23 for maintenance and repair.
16 Assessments for costs of maintenance and repair shall be apportioned on the basis
17 of the confirmed benefits then in effect in the district but may be made
18 notwithstanding the fact that assessments of benefits in the district may have been
19 exhausted by previous assessments for other costs. Assessments for costs of
20 maintenance and repair, including costs incurred and per diems earned by board

1 members under sub. (1) (1m), are not limited by the extent of unexhausted
2 assessments of benefits in the district and shall not be counted in determining
3 whether there are unexhausted assessments of benefits against which assessments
4 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.

5 SECTION 197. 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.

6 SECTION 198. 93.06 (1f) of the statutes is amended to read:

7 93.06 (1f) ANIMAL HEALTH INSPECTION AND TESTING. Perform animal health
8 inspections and tests and examine animal health documentation at the state fair, the
9 ~~world dairy expo, inc.~~ World Dairy Expo, Inc., the world beef expo, the midwest horse
10 fair, and other livestock exhibitions held in this state and attended by participants
11 from outside of this state, as specified by the department by rule. The department
12 may charge a fee to the sponsor of the exhibition to cover the reasonable costs of the
13 department's inspection and testing services whether or not the sponsor requests the
14 services. This subsection does not apply to county fairs or other local livestock
15 exhibitions.

NOTE: Conforms capitalization to current style.

16 SECTION 199. 93.30 (1) of the statutes is amended to read:

17 93.30 (1) The secretary shall approve any plans for the expenditure of
18 appropriations under s. 20.115 (4) (e) to the ~~world dairy expo, inc.~~ World Dairy Expo,
19 Inc., for activities that expand business opportunities for the persons of the dairy
20 industry that are located in this state. Of the amounts appropriated under s. 20.115
21 (4) (e), \$33,250 in each fiscal year may be expended only to the extent that a county,

1 city, village, or town pays to ~~world dairy expo, inc.~~ World Dairy Expo, Inc., an amount
2 that is not less than 50% of the department's payment.

NOTE: Conforms capitalization to current style.

3 **SECTION 200.** 93.30 (2) of the statutes is amended to read:

4 93.30 (2) Any moneys received by ~~world dairy expo, inc.~~ World Dairy Expo, Inc.,
5 under this section shall be used only for the purposes described in sub. (1).

NOTE: Conforms capitalization to current style.

6 **SECTION 201.** 93.30 (3) of the statutes is amended to read:

7 93.30 (3) Not later than 30 days after the close of the exposition each year ~~world~~
8 ~~dairy expo, inc.~~ World Dairy Expo, Inc., shall file with the department, on forms
9 provided by it, an itemized account verified on oath, showing amounts actually paid
10 or to be paid. The verified account shall correspond with the plans approved by the
11 secretary under sub. (1). On or before December 31 of the year in which the
12 exposition is held, ~~world dairy expo, inc.~~ World Dairy Expo, Inc., shall furnish the
13 department with a statement of receipts and disbursements, attendance, and such
14 other information relating to the exposition as the department may require. Upon
15 receipt of such statement the department shall pay ~~world dairy expo, inc.~~ World
16 Dairy Expo, Inc., the aid due for the preceding year.

NOTE: Conforms capitalization to current style.

17 **SECTION 202.** 95.14 (2) of the statutes is amended to read:

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

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

NOTE: Conforms capitalization to current style.

10 SECTION 203. 94.705 (5) (c) of the statutes is amended to read:

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

strike

NOTE: Conforms capitalization to current style.

23 SECTION 204. 108.02 (4m) (a) to (e) of the statutes are amended to read:

1 108.02 (4m) (a) All earnings for wage-earning service which that are paid to
2 an employee during his or her base period as a result of employment for an employer.

3 (b) All sick pay which that is paid directly by an employer to an employee at
4 the employee's usual rate of pay during his or her base period as a result of
5 employment for an employer.

6 (c) All holiday, vacation and termination pay which that is paid to an employee
7 during his or her base period as a result of employment for an employer.

8 (d) For an employee who, as a result of employment for an employer, receives
9 temporary total disability or temporary partial disability payments under ch. 102 or
10 under any federal law which provides for payments on account of a work-related
11 injury or illness analogous to those provided under ch. 102, all payments that the
12 employee would have been paid during his or her base period as a result of
13 employment for an employer, but not exceeding the amount that, when combined
14 with other wages, the employee would have earned but for the injury or illness.

15 (e) Back pay that an employee would have been paid during his or her base
16 period as a result of employment for an employer, if the payment of such the back pay
17 is made no later than the end of the 104-week period beginning with the earliest
18 week to which such the back pay applies; and.

NOTE: Deletes incorrectly located "and," inserts a specific reference, and makes
punctuation consistent with the rest of the section.

19 SECTION 205. 108.02 (15) (k) 1. to 17. of the statutes are amended to read:

20 108.02 (15) (k) 1. In agricultural labor unless performed for an employer
21 subject to this chapter under sub. (13) (c) or (i);

22 2. As a domestic in the employ of an individual in such the individual's private
23 home, or as a domestic in the employ of a local college club or of a local chapter of a

1 college fraternity or sorority, unless performed for an individual, club, or chapter
2 ~~which that~~ is an employer subject to this chapter under sub. (13) (d) or (i);.

3 3. As a caddy on a golf course;.

4 4. As an individual selling or distributing newspapers or magazines on the
5 street or from house to house;.

6 5. With respect to which unemployment insurance is payable under the federal
7 ~~railroad unemployment insurance act~~ Railroad Unemployment Insurance Act (52
8 Stat. 1094);.

9 6. By an individual for a person as an insurance agent or an insurance solicitor,
10 if all ~~such~~ service performed by ~~such the~~ individual for ~~such the~~ person is performed
11 for remuneration solely by way of commissions;.

12 7. By an individual for a person as a real estate agent or as a real estate
13 salesperson, if all ~~such~~ service performed by ~~such the~~ individual for ~~such the~~ person
14 is performed for remuneration solely by way of commission;.

15 8. As an unpaid officer of a corporation or association or as an unpaid manager
16 of a limited liability company;.

17 9. Covered by any other unemployment insurance law pursuant to a reciprocal
18 arrangement made by the department under s. 108.14 (8m);.

19 10. For an employer who would otherwise be subject to this chapter solely
20 because of sub. (13) (f), if and while the employer, with written notice to and approval
21 by the department, duly covers under the unemployment insurance law of another
22 jurisdiction all services for ~~such the~~ employer ~~which that~~ would otherwise be covered
23 under this chapter;.

24 11. By an individual in the employ of the individual's son, daughter, or spouse,
25 and by an individual under the age of 18 for his or her parent;.

1 14. By an individual for an employer ~~which~~ that is engaged in the processing
2 of fresh perishable fruits or vegetables within a given calendar year if the individual
3 has been employed by the employer solely within the active processing season or
4 seasons, as determined by the department, of the establishment in which the
5 individual has been employed by the employer, and the individual's base period
6 wages with the employer are less than the wages required to start a benefit year
7 under s. 108.04 (4) (a), unless the individual was paid wages of \$200 or more for
8 services performed in employment or other work covered by the unemployment
9 insurance law of any state or the federal government, other than work performed for
10 the processing employer, during the 4 most recently completed quarters preceding
11 the individual's first week of employment by the processing employer within that
12 year;

13 15. By an individual as a court reporter if the individual receives wages on a
14 per diem basis; ~~or~~.

NOTE: Deletes unnecessary "or."

15 16. By an individual whose remuneration consists solely of commissions,
16 overrides, bonuses, or differentials directly related to sales or other output derived
17 from in-person sales to or solicitation of orders from ultimate consumers, primarily
18 in the home; ~~or~~.

NOTE: Deletes unnecessary "or."

19 17. In any type of maritime service specifically excluded from coverage under
20 the federal ~~unemployment tax act~~; Unemployment Tax Act.

21 **SECTION 206.** 108.02 (15) (k) 18. a. to [✓]c. of the statutes are amended to read:

22 108.02 (15) (k) 18. a. The individual retains the income earned through the use
23 of the leased motor vehicle or equipment during the lease term;

1 b. The individual receives no direct compensation from the lessor during the
2 lease term; ~~and,~~

3 c. The amount of the lease payment is not contingent upon the income
4 generated through the use of the motor vehicle or equipment during the lease term;
5 ~~or,~~

6 **SECTION 207.** 108.02 (15) (k) 19. a. of the statutes is amended to read:

7 108.02 (15) (k) 19. a. The individual is employed by the seasonal employer for
8 a period of 90 days or more, whether or not service is actually performed on each ~~such~~
9 day, during any season, as determined under s. 108.066, that includes any portion
10 of the individual's base period; ~~or,~~

11 **SECTION 208.** 109.03 (1) (intro.) of the statutes is amended to read:

12 109.03 (1) REQUIRED FREQUENCY OF PAYMENTS. (intro.) Every employer shall as
13 often as monthly pay to every employee engaged in the employer's business, except
14 those employees engaged in logging operations and farm labor, all wages earned by
15 ~~such~~ the employee to a day not more than 31 days prior to the date of ~~such~~ payment.
16 Employees engaged in logging operations and farm labor shall be paid all earned
17 wages no less often than at regular quarterly intervals. Any employee who is absent
18 at the time fixed for payment or who for any other reason is not paid at that time shall
19 be paid thereafter at any time upon 6 days' demand. The required frequency of wage
20 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.

21 **SECTION 209.** 109.03 (1) (a) of the statutes is amended to read:

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

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

4 **SECTION 210.** 111.57 (3) (intro.) of the statutes is renumbered 111.57 (3) (a)
5 (intro.) and amended to read:

6 111.57 (3) (a) (intro.) ~~Where~~ If there is no contract between the parties, or ~~where~~
7 if there is a contract but the parties have begun negotiations looking to a new
8 contract or amendment of the existing contract, and wage rates or other conditions
9 of employment under the proposed new or amended contract are in dispute, the
10 factors, among others, to be given weight by the arbitrator in arriving at decision,
11 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.

12 **SECTION 211.** 111.57 (3) (a) to (c) of the statutes are renumbered 111.57 (3) (a)
13 1. to 3. and amended to read:

14 111.57 (3) (a) 1. ~~Comparison~~ A comparison of wage rates or other conditions of
15 employment of the utility in question with prevailing wage rates or other conditions
16 of employment in the local operating area involved;.

17 2. ~~Comparison~~ A comparison of wage rates or other working conditions with
18 wage rates or other working conditions maintained for the same or similar work of
19 workers exhibiting like or similar skills under the same or similar working
20 conditions in the local operating area involved;.

21 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.

1 **SECTION 212.** 111.57 (3) (d) of the statutes is amended to read:

2 111.57 (3) (d) ~~Where~~ In addition to considering the factors under par. (a), if a
3 public utility employer has more than one plant or office and some or all of such
4 ~~plurality of the employer's~~ plants or offices are found by the arbitrator to be located
5 in separate areas with different characteristics, consideration shall be given to the
6 establishment of separate wage rates or a schedule of wage rates and separate
7 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.).

8 **SECTION 213.** 111.57 (3) (e) 1. of the statutes is renumbered 111.57 (3) (a) 4. and
9 amended to read:

10 111.57 (3) (a) 4. The overall compensation presently received by the employees,
11 having regard not only to wages for time actually worked but also to wages for time
12 not worked, including, without limiting the generality of the foregoing, vacation,
13 holidays, and other excused time, and all benefits received, including insurance and
14 pensions, medical and hospitalization benefits, and the continuity and stability of
15 employment enjoyed by the employees.

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

16 **SECTION 214.** 111.57 (3) (e) 2. of the statutes is renumbered 111.57 (3) (e) and
17 amended to read:

18 111.57 (3) (e) The enumeration of factors under ~~subd. 1,~~ par. (a) and (d) shall
19 not be construed as precluding the arbitrator from taking into consideration other
20 factors not confined to the local labor market area that are normally or traditionally

1 taken into consideration in the determination of wages, hours, and working
2 conditions through voluntary collective bargaining or arbitration between the
3 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.

4 **SECTION 215.** 115.31 (1) (b) of the statutes is amended to read:

5 115.31 (1) (b) "Educational agency" means a school district, cooperative
6 educational service agency, state correctional institution under s. 302.01, secured
7 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,
8 as defined in s. 938.02 (15g), the Wisconsin Center for the Blind and Visually
9 Impaired, the Wisconsin School for the Deaf, the Mendota ~~mental health institute~~
10 Mental Health Institute, the Winnebago ~~mental health institute~~ Mental Health
11 Institute, a state center for the developmentally disabled, a private school, or a
12 private, nonprofit, nonsectarian agency under contract with a school board under s.
13 118.153 (3) (c).

NOTE: Conforms capitalization to current style.

14 **SECTION 216.** 120.13 (37) of the statutes is amended to read:

15 120.13 (37) AWARDING HIGH SCHOOL DIPLOMAS TO VETERANS. Notwithstanding s.
16 118.33 (1), award a high school diploma to a person who is at least 65 years old,
17 attended high school in the school district, left high school before receiving a high
18 school diploma to join the U.S. armed forces during a war period under s. 45.35 (5)
19 (e) 45.001 (5), and served on active duty under honorable conditions in the U.S.
20 armed forces or in forces incorporated as part of the U.S. armed forces. A school board
21 may award a high school diploma to a person who received a high school equivalency

1 diploma under s. 115.29 (4) after serving on active duty if the person meets the other
2 conditions of this ~~paragraph subsection~~.

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

3 SECTION 217. 120.21 (1) (a) of the statutes is amended to read:

4 120.21 (1) (a) With the ~~university extension division of the university~~
5 University of Wisconsin Wisconsin-Extension for extension courses for pupils
6 enrolled in high school.

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

7 SECTION 218. 134.33 (6) (a) of the statutes is renumbered 134.33 (6).

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

8 SECTION 219. 148.01 of the statutes is amended to read:

9 148.01 Definition. In this chapter, "medical society" means the ~~state medical~~
10 ~~society~~ State Medical Society of Wisconsin and any county medical society organized
11 or continued under this chapter.

NOTE: Conforms capitalization to current style.

12 SECTION 220. 148.015 (1) of the statutes is amended to read:

13 148.015 (1) The ~~state medical society~~ State Medical Society of Wisconsin is
14 continued with the general powers of a corporation. It may from time to time adopt,
15 alter, and enforce constitution, bylaws, and regulations for admission and expulsion
16 of members, election of officers, and management.

NOTE: Conforms capitalization to current style.

17 SECTION 221. 157.02 (3) of the statutes is amended to read:

18 157.02 (3) NOTICE TO UNIVERSITY OR SCHOOL. If the corpse is in the Mendota
19 ~~mental health institute~~ Mental Health Institute district, the University of Wisconsin
20 shall be notified that it may have the corpse. If the corpse is in the Winnebago ~~mental~~

1 health institute Mental Health Institute district, ~~medical college~~ ^{the} Medical College of
 2 Wisconsin, ~~inc.~~ Inc. or any accredited school of mortuary science at Milwaukee shall
 3 be notified that it may have the corpse. The university or school so notified shall
 4 immediately inform the superintendent or public officer whether it desires to have
 5 the corpse. If it does, the corpse shall be delivered accordingly, properly encased, to
 6 the most available facility for transportation to the consignee, the consignee to pay
 7 the cost of transportation.

NOTE: Conforms capitalization to current style.

8 SECTION 222. 157.02 (4) of the statutes is amended to read:

9 157.02 (4) STANDING APPLICATIONS. If there are advance applications for such
 10 bodies, by ~~medical college~~ the Medical College of Wisconsin, ~~inc.~~ Inc. or any
 11 accredited school of mortuary science, such the superintendent or public officer shall
 12 make an equitable distribution between them.

NOTE: Conforms capitalization to current style.

13 SECTION 223. 157.06 (1) (c) 2. [✓] of the statutes is renumbered 157.06 (1) (c).

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

14 SECTION 224. 157.065 (1) (b) 1. to ⁵ of the statutes are amended to read:

15 157.065 (1) (b) 1. ~~Any~~ A municipality;

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

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

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

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

20 6. A corporation organized under ch. 180 or 181.

21 7. A limited liability company organized under ch. 183.

NOTE: Makes terminology and punctuation internally consistent.

1 **SECTION 225.** 186.22 (16) (a) of the statutes is renumbered 186.22 (16). ✓

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

2 **SECTION 226.** 187.14 (6) of the statutes is amended to read:

3 187.14 (6) ~~The consolidated society, when~~ When the incorporation thereof of a
4 consolidated society is completed as provided in this section, ~~shall be the~~
5 consolidated society is vested with all the temporalities and property, real or
6 personal, of the constituent societies, ~~and any.~~ Any gifts, grants, devises, or bequests
7 ~~thereafter~~ accruing to either of the former societies after the completion of the
8 incorporation of the consolidated society, or to the consolidated society, by whatever
9 name designated, ~~shall be~~ are valid and ~~the same~~ shall pass to and vest in the
10 consolidated society, ~~it being the declared intent of this section that no.~~ No gift,
11 grant, devise, or bequest shall fail by reason of the fact that the same may have been
12 given to either one of the former societies shall fail, but that instead the consolidated
13 society shall take any such the gift, grant, devise, or bequest as ~~would otherwise have~~
14 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. ✓

15 **SECTION 227.** 191.001 (intro.) and (1) of the statutes are consolidated, ✓
16 renumbered 191.001^{er} and amended to read:

17 **191.001 Definitions.** In this chapter: (1) ~~"Office",~~ "office" means the office of
18 the commissioner of railroads.

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

19 **SECTION 228.** 200.09 (10) of the statutes is amended to read:

20 200.09 (10) Sections 200.01 to 200.15 do not affect the continued validity of
21 contracts and obligations previously entered into by a metropolitan sewerage district

1 operating under ss. 66.20 to 66.209, 1969 stats., prior to April 30, 1972, nor the
2 validity of ~~any such~~ the district.

NOTE: Inserts missing article.

3 **SECTION 229.** 229.66 (3) of the statutes is amended to read:

4 229.66 (3) Upon appointment under sub. (2), the appointing authorities shall
5 certify the appointees to the secretary of administration. The term of office of 50%
6 of the persons appointed under sub. (2) (a) is 2 years, and the term of office of the other
7 50% of the persons appointed under sub. (2) (a) is 4 years, except that if an odd
8 number of persons is appointed under sub. (2) (a), there shall be one more office with
9 a term of 4 years than there are offices with terms of 2 years, and except that for the
10 initial appointments for a newly created district the initial terms shall expire on July
11 1 of the 2nd year beginning after creation of a district for persons appointed to 2-year
12 terms, and the initial terms shall expire on July 1 of the 4th year beginning after
13 creation of a district for persons appointed to 4-year terms. Persons appointed under
14 sub. (2) (a) may be removed from the district board before the expiration of their
15 terms by the appointing authority but only for cause, as defined in s. ~~17.16 (2)~~ [✓] 17.001.
16 Vacancies for persons appointed under sub. (2) (a) shall be filled by the appointing
17 authority who appointed the person whose office is vacant. A person appointed to
18 fill a vacancy under sub. (2) (a) shall serve for the remainder of the term to which he
19 or she is appointed. All of the appointing authorities shall ensure, to the greatest
20 extent possible, that the membership of the board is diverse with respect to race. Of
21 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.

22 **SECTION 230.** 229.842 (3) (c) of the statutes is amended to read:

1 229.842 (3) (c) Persons appointed under sub. (2) (b) to (d) must have resided
2 within 25 miles of the sponsoring city's city hall for at least one year before their
3 appointment. Persons appointed under sub. (2) (b) to (d) may be removed from the
4 district board before the expiration of their terms by the appointing authority but
5 only for cause, as defined in s. ~~17.16 (2)~~ [✓] 17.001. Vacancies shall be filled by the
6 appointing authority who appointed the person whose office is vacant. A person
7 appointed to fill a vacancy under sub. (2) (b) to (d) shall serve for the remainder of
8 the unexpired term to which he or she is appointed. The appointing authorities shall
9 confer with one another regarding their appointments with a view toward achieving
10 diversity on the district board.

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

11 **SECTION 231.** 230.03 (14) (c) of the statutes is amended to read:

12 230.03 (14) (c) A person who served on active duty under honorable conditions
13 in the U.S. armed forces for at least one day during a war period, as defined in s. 45.35
14 (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) (c) is renumbered to s. 45.001 (5) by this bill.

15 **SECTION 232.** 230.36 (1m) (b) (intro.) of the statutes is amended to read:

16 230.36 (1m) (b) (intro.) "Performance of duties" means duties performed in the
17 line of duty by any of the following:

NOTE: Inserts missing article.

18 **SECTION 233.** 232.03 (2) (b) of the statutes is amended to read:

19 232.03 (2) (b) Three nominees of the Bradley family foundation, inc. Family
20 Foundation, Inc.

NOTE: Conforms capitalization to current style.

21 **SECTION 234.** 233.10 (3) (a) 3. of the statutes is amended to read:

1 233.10 (3) (a) 3. The position in which the employee was employed under subd.
2 2. was at the University of Wisconsin ~~Hospital~~ [✓] Hospitals and Clinics.

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

3 **SECTION 235.** 233.10 (3r) (a) 3. of the statutes is amended to read:

4 233.10 (3r) (a) 3. The position in which the employee was employed under subd.
5 2. was at the University of Wisconsin ~~Hospital~~ [✓] Hospitals and Clinics.

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

6 **SECTION 236.** 236.20 (3) (a) of the statutes is amended to read:

7 236.20 (3) (a) The location of the subdivision by government lot, recorded
8 private claim, quarter–quarter section, section, township, range, and county noted
9 immediately under the name given to the subdivision.

NOTE: Inserts missing word.

10 **SECTION 237.** 252.15 (1) (ar) 3. of the statutes is amended to read:

11 252.15 (1) (ar) 3. An employee of the Mendota ~~mental health institute~~ [✓] Mental
12 Health Institute or the Winnebago ~~mental health institute~~ [✓] Mental Health Institute.

NOTE: Conforms capitalization to current style.

13 **SECTION 238.** 291.09 (1) of the statutes is amended to read:

14 291.09 (1) The department, in cooperation with the University of Wisconsin
15 ~~Extension~~ [✓] Wisconsin–Extension and other interested parties, shall develop
16 educational programs and offer technical assistance to persons interested in
17 hazardous waste management.

NOTE: Conforms capitalization to current style.

18 **SECTION 239.** 292.35 (9) (a) 1. of the statutes is renumbered 292.35 (9) (a).

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

19 **SECTION 240.** 299.13 (2) (a) 2. of the statutes is amended to read:

1 299.13 (2) (a) 2. Recommend educational priorities to the ~~university~~ University
2 of ~~Wisconsin extension~~ Wisconsin-Extension for the center, considering volume and
3 toxicity of hazardous substances, toxic pollutants and hazardous waste produced,
4 lack of compliance with environmental standards, potential for pollution prevention,
5 and projected shortfalls in hazardous waste treatment or disposal facilities under
6 the capacity assurance plan.

NOTE: Conforms capitalization to current style.

7 **SECTION 241.** 301.15 of the statutes is amended to read:

8 **301.15 Medium security prison.** The department may construct a medium
9 security prison to be known as the Fox Lake ~~correctional institution~~ Correctional
10 Institution on state-owned land known as prison farm 10 in Dodge County. Inmates
11 from the Wisconsin state prisons may be transferred to this institution and they shall
12 be subject to all laws pertaining to inmates of other penal institutions of this state.
13 Officers and employees of the institutions shall be subject to the same laws as pertain
14 to other penal institutions. Inmates shall not be received on direct commitment from
15 the courts.

NOTE: Conforms capitalization to current style.

16 **SECTION 242.** 301.16 (1m) of the statutes is amended to read:

17 **301.16 (1m)** The medium security institution under sub. (1) shall be the
18 Oshkosh ~~correctional institution~~ Correctional Institution and shall be located north
19 of Oshkosh, north of Snell road Road and south of Sunnyview road Road at the site
20 which that, on July 31, 1981, is was the site of the Winnebago ~~correctional farm~~
21 Correctional Farm.

NOTE: Conforms capitalization to current style.

22 **SECTION 243.** 301.18 (1) (b) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

4 **SECTION 244.** 301.18 (1) (bx) of the statutes is amended to read:

5 301.18 (1) (bx) Provide the facilities necessary for the Racine ~~correctional~~
6 ~~institution~~ Correctional Institution.

NOTE: Conforms capitalization to current style.

7 **SECTION 245.** 301.18 (1) (bz) of the statutes is amended to read:

8 301.18 (1) (bz) Provide the facilities necessary for not more than 170 additional
9 beds at the Kettle Moraine ~~correctional institution~~ Correctional Institution for use
10 associated with alcohol and other drug abuse treatment.

NOTE: Conforms capitalization to current style.

11 **SECTION 246.** 301.32 (2) of the statutes is amended to read:

12 301.32 (2) **CENTRAL RECEPTION UNIT, EXCEPTION.** Notwithstanding sub. (1) and
13 s. 302.13, an inmate account need not be opened or maintained for an inmate placed
14 at the central reception unit at the Dodge ~~correctional institution~~ Correctional
15 Institution.

NOTE: Conforms capitalization to current style.

16 **SECTION 247.** 302.01 of the statutes, as affected by 2001 Wisconsin Act 16, is
17 amended to read:

18 **302.01 State prisons named and defined.** The penitentiary at Waupun is
19 named "Waupun Correctional Institution." The correctional treatment center at
20 Waupun is named "Dodge Correctional Institution." The penitentiary at Green Bay
21 is named "Green Bay Correctional Institution." The medium/maximum penitentiary
22 at Portage is named "Columbia Correctional Institution." The medium security

1 institution at Oshkosh is named "Oshkosh Correctional Institution." The medium
2 security penitentiary near Fox Lake is named "Fox Lake Correctional Institution."
3 The penitentiary at Taycheedah is named "Taycheedah Correctional Institution."
4 The medium security penitentiary at Plymouth is named "Kettle Moraine
5 Correctional Institution." The penitentiary at the village of Sturtevant in Racine
6 county County is named "Racine Correctional Institution." The medium security
7 correctional institution near Black River Falls is named "Jackson Correctional
8 Institution." The medium security penitentiary at Racine is named "Racine Youthful
9 Offender Correctional Facility." The resource facility at Oshkosh is named
10 "Wisconsin Resource Center." The institutions named in this section, the medium
11 security correctional institutions at Redgranite and New Lisbon, the correctional
12 institutions authorized under s. 301.16 (1n) and (1v), correctional institution
13 authorized under 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution
14 authorized under s. 301.046 (1), correctional institution authorized under s. 301.048
15 (4) (b), the correctional institution at Stanley authorized under 2001 Wisconsin Act
16 ~~16. (this act),~~ section 9107 (1) (b), minimum security correctional institutions
17 authorized under s. 301.13, the probation and parole holding facilities authorized
18 under s. 301.16 (1q), and state-local shared correctional facilities when established
19 under s. 301.14, are state prisons.

NOTE: Conforms capitalization to current style.

20 SECTION 248. 302.02 (1) of the statutes is amended to read:

21 302.02 (1) WAUPUN ~~CORRECTIONAL INSTITUTION~~ CORRECTIONAL INSTITUTION. For
22 all purposes of discipline and for judicial proceedings, the Waupun ~~correctional~~
23 ~~institution~~ Correctional Institution and the precincts thereof shall be deemed to be
24 in Dodge County, and the courts of that county shall have jurisdiction of all crimes

1 committed within the county. Every activity conducted under the jurisdiction of and
2 by the institution, wherever located, is a precinct of the prison and each precinct is
3 part of the institution.

NOTE: Conforms capitalization to current style.

4 SECTION 249. 302.02 (4c) of the statutes is amended to read:

5 302.02 (4c) ~~KETTLE MORAIN~~ KETTLE MORAIN ~~ECORRECTIONAL INSTITUTION~~ ECORRECTIONAL
6 INSTITUTION. For all purposes of discipline and for judicial proceedings, the Kettle
7 Moraine ~~correctional institution~~ Correctional Institution and the precincts thereof
8 are deemed to be in Sheboygan County, and the courts of that county shall have
9 jurisdiction of all crimes committed within the ~~same county~~. Every activity
10 conducted under the jurisdiction of and by the Kettle Moraine ~~correctional~~
11 ~~institution~~ Correctional Institution wherever located is a precinct of the institution.

NOTE: Conforms capitalization to current style.

12 SECTION 250. 302.02 (4d) of the statutes is amended to read:

13 302.02 (4d) ~~DODGE CORRECTIONAL INSTITUTION~~ DODGE CORRECTIONAL INSTITUTION. For
14 all purposes of discipline and for judicial proceedings, the Dodge ~~correctional~~
15 ~~institution~~ Correctional Institution and the precincts thereof shall be deemed to be
16 in Dodge County, and the courts of that county shall have jurisdiction of all crimes
17 committed within that county. Every activity conducted under the jurisdiction of and
18 by the Dodge ~~correctional institution~~ Correctional Institution, wherever located, is
19 a precinct of the institution; and each precinct is part of the institution.

NOTE: Conforms capitalization to current style.

20 SECTION 251. 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.

21 SECTION 252. 302.375 (4) of the statutes is renumbered 302.375 (1g).

45.001 (5) (b) to (i)

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

1 SECTION 253. 341.14 (6) (a) of the statutes is amended to read:

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

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

14 SECTION 254. 341.40 of the statutes is amended to read:

15 341.40 (1) Except as to foreign-owned vehicles required by s. 341.07 to be
16 registered in this state, any vehicle ~~which that~~ is registered in another jurisdiction
17 is exempt from the laws of this state providing for the registration of such ~~the~~ vehicles
18 if all of the following apply:

19 (a) The vehicle carries a registration plate indicating the registration in such
20 other ~~the other~~ jurisdiction; and,

21 (b) The vehicle is owned by a nonresident; and,

1 (c) The jurisdiction in which the vehicle is registered allows such vehicles when
2 that are registered in Wisconsin to be operated tax free upon its highways under
3 conditions substantially as favorable to residents of Wisconsin as to its own
4 residents.

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

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no change to (1m)

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

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

NOTE: Sub (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). *section*

delete "5"

16 SECTION 255. 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.

17 SECTION 256. 442.14 of the statutes is repealed.

NOTE: Deletes obsolete provision relating to the validating certificates of certified public accountants granted before September 21, 1935.

18 SECTION 257. 551.02 (3) (a) to (g) of the statutes are amended to read:

19 551.02 (3) (a) An agent;

20 (b) An issuer;

1

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

3

(d) An executor, administrator, guardian, conservator or pledgee;

4
5

(e) A person whose dealings in securities are limited to transactions exempt by s. 551.23 (5);

6
7

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

NOTE: Deletes unnecessary "or" and makes punctuation consistent with the rest of the subsection.

8

(g) The investment board; or

NOTE: Conforms punctuation to that of current style.

9

SECTION 258. 560.01 (1) of the statutes is amended to read:

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560.01 (1) PURPOSES. The functions of the department are of an advocacy, regulatory, consultative, advisory, informational, coordinative, and promotional nature. Through research, planning, consultation, and through promotion of the development and maximum wise use of the natural and human resources of the state, it shall foster the growth and diversification of the economy of the state. It shall serve as the central agency and clearinghouse for developmental activities concerning the economy of the state. It shall make recommendations to the governor for the purpose of guiding a coordinated and economically efficient development of the state and shall seek closer cooperation and coordination between units of state government, educational institutions, local governments, local planning agencies, including regional planning commissions, and business and industry to foster and encourage a pattern of community development and of state-local and business relationships so that the economy of the state may continue to develop fully and meet citizen and community needs. It shall make continuing studies of the problems

1 affecting economic and community development and recommendations for relieving
2 those problems, and function in any other reasonable manner that will accomplish
3 the stated purposes of this chapter. The department may also coordinate training
4 for local government officials provided by state agencies including, but not limited
5 to, the University of ~~Wisconsin-extension~~ Wisconsin-Extension and the technical
6 college system.

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

7 **SECTION 259.** 560.04 (2m) of the statutes is amended to read:

8 560.04 (2m) DUTIES. The department may assign one or more full-time
9 equivalent positions to the function of coordinating the development and scheduling
10 of training programs for local government officials by the ~~university~~ University of
11 ~~Wisconsin-extension~~ Wisconsin-Extension, the technical college system,
12 department of revenue, elections board, and other state agencies in order to assure
13 the effective delivery of training programs and to prevent duplication of effort and
14 coordinating requests for management or personnel consultative services from
15 government units other than the state and directing those requests to the
16 appropriate division of the department of administration.

NOTE: Conforms capitalization to current style.

17 **SECTION 260.** 560.07 (3) (a) of the statutes is amended to read:

18 560.07 (3) (a) Serve as the state's official liaison agency between persons
19 interested in locating new economic enterprises in Wisconsin, and state and local
20 groups seeking new enterprises. In this respect the department shall aid
21 communities in organizing for and obtaining new business or expanding existing
22 business and shall respond to requests ~~which~~ that reflect interest in locating
23 economic enterprises in the state. When the secretary considers appropriate, the

1 department shall refer requests for economic development assistance to Forward
2 Wisconsin, ~~inc~~ Inc., and shall attempt to prevent duplication of efforts between the
3 department and to Forward Wisconsin, ~~inc~~ Inc.

NOTE: Conforms capitalization to current style.

4 SECTION 261. 560.07 (3) (b) of the statutes is amended to read:

5 560.07 (3) (b) Contract with Forward Wisconsin, ~~inc~~ Inc., if the secretary
6 determines it appropriate, to pay Forward Wisconsin, ~~inc~~ Inc., an amount not to
7 exceed the amount appropriated under s. 20.143 (1) (bm), to establish and implement
8 a nationwide business development promotion campaign to attract persons
9 interested in locating new enterprises in this state and to encourage the retention
10 and expansion of businesses and jobs in this state. Funds may be expended to carry
11 out the contract only as provided in s. 16.501.

NOTE: Conforms capitalization to current style.

12 SECTION 262. 560.07 (3) (c) of the statutes is amended to read:

13 560.07 (3) (c) Whenever appropriate, submit to the secretary of administration
14 a report setting forth the amount of private contributions received by Forward
15 Wisconsin, ~~inc~~ Inc., since the time the department last submitted such a report.

NOTE: Conforms capitalization to current style.

16 SECTION 263. 560.07 (9) of the statutes is amended to read:

17 560.07 (9) On or before July 1, 1985, and every July 1 thereafter, submit to the
18 chief clerk of each house of the legislature, for distribution to the appropriate
19 standing committees under s. 13.172 (3), a report stating the net jobs gain due to the
20 funds provided to Forward Wisconsin, ~~inc~~ Inc., under s. 20.143 (1) (bm).

NOTE: Conforms capitalization to current style.

21 SECTION 264. 560.09 (1) of the statutes is amended to read:

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

13 **SECTION 265.** 560.92 (1) of the statutes is amended to read:

14 560.92 (1) The department shall promote this state's science and technology
15 assets in cooperation with Forward Wisconsin, ~~inc.~~ Inc. and the department of
16 agriculture, trade and consumer protection.

NOTE: Conforms capitalization to current style.

17 **SECTION 266.** 601.93 (1) of the statutes is renumbered 601.93 (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.

18 **SECTION 267.** 601.93 (3) of the statutes is renumbered 601.93 (1g).

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

19 **SECTION 268.** 611.01 (intro.) of the statutes is amended to read:

1 **611.01 Definitions.** (intro.) In this chapter, unless the context requires
2 otherwise, all of the following apply:

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

3 **SECTION 269.** 611.01 (1) of the statutes is amended to read:

4 **611.01 (1) STOCK CORPORATIONS.** The definitions in s. 180.0103 (2), (3), (14), (15),
5 and (17) apply to stock corporations; and,

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

6 **SECTION 270.** 614.01 (1) (c) 1. to 3. of the statutes are amended to read:

7 614.01 (1) (c) 1. There is a supreme governing body; and,

8 2. Subordinate to the supreme governing body there are local lodges (, whatever
9 they may be the local lodges are called), into which natural persons are admitted as
10 members in accordance with the laws of the fraternal; and,

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

11 3. The local lodges are required by the laws of the fraternal to hold regular
12 meetings at least monthly; and,

NOTE: Conforms punctuation to that of current style.

13 **SECTION 271.** 620.22 (1) to (8) of the statutes are amended to read:

14 620.22 (1) Bonds or other evidences of indebtedness of governmental units in
15 the United States or Canada, or the instrumentalities of such governmental units,
16 or of private corporations domiciled ~~therein~~; in the United States or Canada.

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

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

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

3 (5) Real property, together with the fixtures, furniture, furnishings, and
4 equipment pertaining thereto to the real property in the United States or Canada,
5 which that produces or after suitable improvement can reasonably be expected to
6 produce substantial income;

NOTE: Conforms punctuation to that of current style.

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

NOTE: Conforms punctuation to that of current style.

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

NOTE: Conforms punctuation to that of current style.

14 (8) ~~Such other~~ Other investments as the commissioner authorizes by rule; ~~and,~~

NOTE: Conforms punctuation to that of current style.

15 SECTION 272. 623.06 (2m) (a) 5. of the statutes is amended to read:

16 623.06 (2m) (a) 5. "Moody's monthly average" means the corporate bond yield
17 average (, monthly average corporates), as published by Moody's investors service,
18 ~~inc. Investors Service, Inc.~~

NOTE: Conforms capitalization to current style.

19 SECTION 273. 632.475 (3) (b) of the statutes is amended to read:

20 632.475 (3) (b) Moody's corporate bond yield average (, monthly average
21 corporates), as published by Moody's investors service, ~~inc.~~ Investors Service, Inc.

1 or its successor, for the month ending 2 months before the rate is applied. If such the
2 monthly average is no longer published, a comparable average shall be substituted
3 by the commissioner by rule.

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

4 SECTION 274. 632.57 (2) (a) of the statutes is renumbered 632.57 (2).

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

5 SECTION 275. 704.07 (2) (a) of the statutes is amended to read:

6 704.07 (2) (a) ~~Unless the repair was~~ Except for repairs made necessary by the
7 negligence of, or improper use of the premises by, the tenant, the landlord is under
8 has a duty to do all of the following:

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

11 2. Keep in a reasonable state of repair all equipment under the landlord's
12 control necessary to supply services ~~which~~ that the landlord has expressly or
13 impliedly agreed to furnish to the tenant, such as heat, water, elevator, or air
14 conditioning;

15 3. Make all necessary structural repairs;

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

20 5. For a residential tenancy, comply with a any local housing code applicable
21 to the premises.

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

22 SECTION 276. 704.19 (7) (a) to (c) of the statutes are amended to read:

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

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

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

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

8 SECTION 277. 706.06 (2) of the statutes is amended to read:

9 706.06 (2) Any public officer entitled by virtue of his or her office to administer
10 oaths, and any member in good standing of the ~~state bar~~ State Bar of Wisconsin, may
11 authenticate one or more of the signatures on an instrument relating to lands in this
12 state, by ~~indorsing~~ endorsing the instrument "Acknowledged", "Authenticated," or
13 "Signatures Guaranteed", or other words to similar effect, adding the date of
14 authentication, his or her own signature, and his or her official or professional title.
15 ~~Such indorsement~~ The endorsement, unless expressly limited, shall operate as an
16 authentication of all signatures on the instrument; and shall constitute a
17 certification that each authenticated signature is the genuine signature of the
18 person represented; and, as to signatures made in a representative capacity, that the
19 signer purported, and was believed, to be such representative.

NOTE: Conforms capitalization to current style. Inserts preferred spellings.

20 SECTION 278. 707.49 (1) (d) 2. of the statutes is amended to read:

21 707.49 (1) (d) 2. An attorney who is a member of the ~~state bar~~ State Bar of
22 Wisconsin.

NOTE: Conforms capitalization to current style.

shall constitute
a certification

1 SECTION 279. 751.12 of the statutes is amended to read:

2 **751.12 Rules of pleading and practice.** The state supreme court shall, by
3 rules promulgated by it from time to time, regulate pleading, practice, and procedure
4 in judicial proceedings in all courts, for the ~~purpose~~ ^{Purposes} of simplifying the same and of
5 promoting the speedy determination of litigation upon its merits. The rules shall not
6 abridge, enlarge, or modify the substantive rights of any litigant. The effective dates
7 for all rules adopted by the court shall be January 1 or July 1. A rule shall not become
8 effective until 60 days after its adoption. All such rules shall be printed by the state
9 printer and paid for out of the state treasury, and the court shall direct the rules to
10 be distributed as it deems considers proper. All statutes relating to pleading,
11 practice, and procedure may be modified or suspended by rules promulgated under
12 this section. No rule modifying or suspending such statutes may be adopted until the
13 court has held a public hearing with reference to the rule. Notice of public hearings
14 shall be given by publication of a class 3 notice, under ch. 985, the expense of the
15 publication to be paid out of the state treasury. Notice shall also be given in an official
16 publication of the ~~state bar~~ ^{State Bar} of Wisconsin, the notice to be published not
17 more than 60 days nor less than 30 days before the date of hearing. The ~~state bar~~
18 State Bar of Wisconsin shall not charge the state treasury for publication of this
19 notice. Proposed rules, including changes, if any, in existing rules, shall be set forth
20 in full in the notice. This section shall not abridge the right of the legislature to enact,
21 modify, or repeal statutes or rules relating to pleading, practice, or procedure. The
22 judicial council shall act in an advisory capacity to assist the court in performing its
23 duties under this section.

NOTE: Conforms capitalization to current style.

24 SECTION 280. 753.26 of the statutes is amended to read:

1 **753.26 Office and records to be kept at county seat.** Except in branches
2 Nos. 4, 5, and 7 of the circuit court for Rock county County, every circuit judge in this
3 state shall maintain in his or her office, at the county seat of the county in which the
4 judge holds office, all of the books, papers, and records of the court at the county seat
5 of the county in which the judge holds office, which office and the books, papers, and
6 records thereof shall at all reasonable times be open to access and inspection by any
7 person having any business therewith, except as otherwise provided by law.
8 Originals of judgments or orders made under circuit court jurisdiction of branches
9 Nos. 4, 5, and 7 of the Rock County circuit court in Beloit, shall be kept at the county
10 seat.

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

11 **SECTION 281. 753.35 (1) of the statutes is amended to read:**

12 **753.35 (1)** A circuit court may, subject to the approval of the chief judge of the
13 judicial administrative district, adopt and amend rules governing practice in that
14 court that are consistent with rules adopted under s. 751.12 and statutes relating to
15 pleading, practice, and procedure. The court shall file each adopted or amended rule
16 with the clerk of circuit court. Except for a rule adopted or amended as an emergency
17 rule, the court shall file an adopted or amended rule prior to the rule's effective date.
18 The clerk of circuit court shall send a copy of the filed adopted or amended rule to the
19 secretary of the local bar association in that circuit, the court administrator for that
20 judicial administrative district, the state bar State Bar of Wisconsin, the state law
21 library, and the office of the director of state courts. A person may submit to the court
22 written comments on a rule for the court's consideration in determining whether

1 revision of the rule is needed. The clerk of circuit court shall print and make
2 available to the public, at cost, all rules adopted or amended under this section.

NOTE: Conforms capitalization to current style.

3 **SECTION 282.** 753.35 (2) of the statutes is amended to read:

4 753.35 (2) The chief judge of the judicial administrative district shall file a local
5 rule of trial court administration adopted or amended under SCR 70.34 with the
6 court administrator for the judicial administrative district. The chief judge of the
7 judicial administrative district shall file the local rule prior to the rule's effective
8 date. The court administrator for the judicial administrative district shall send a
9 copy of the filed adopted or amended rule to the clerks of circuit court in the judicial
10 administrative district, the secretaries of the local bar associations in the district, the
11 ~~state bar~~ State Bar of Wisconsin, the state law library, and the office of the director
12 of state courts. A person may submit to the chief judge of the judicial administrative
13 district written comments on a rule for the chief judge's consideration in determining
14 whether revision of the rule is needed. The clerks of circuit court in the judicial
15 administrative district shall print and make available to the public, at cost, all rules
16 adopted under SCR 70.34.

NOTE: Conforms capitalization to current style.

17 **SECTION 283.** 753.35 (3) of the statutes is amended to read:

18 753.35 (3) The ~~state bar~~ State Bar of Wisconsin, the state law library, and the
19 clerks of court to whom copies of rules are sent under this section shall serve as
20 repositories of the rules sent to them under subs. (1) and (2).

NOTE: Conforms capitalization to current style.

21 **SECTION 284.** 757.293 (3) of the statutes is amended to read:

1 757.293 (3) A member of the ~~state bar~~ State Bar of Wisconsin shall file with the
2 state bar annually, with payment of the member's state bar dues or upon such other
3 date as approved by the supreme court, a certificate stating whether the member is
4 engaged in the private practice of law in Wisconsin and, if so, the name of each bank,
5 trust company, credit union, savings bank, or savings and loan association in which
6 the member maintains a trust account, safe deposit box, or both, as required by this
7 section. A partnership or professional legal corporation may file one certificate on
8 behalf of its partners, associates, or officers who are required to file under this
9 section. The failure of a member to file the certificate required by this section is
10 grounds for automatic suspension of the member's membership in the state bar in
11 the same manner as provided in section 6 of rule 2 of the Rules of the State Bar of
12 Wisconsin for nonpayment of dues. The filing of a false certificate is unprofessional
13 conduct and is grounds for disciplinary action. The state bar shall supply to each
14 member, with the annual dues statement or at such other time as directed by the
15 supreme court, a form on which the certification must be made and a copy of this
16 section.

NOTE: Conforms capitalization to current style.

17 **SECTION 285.** 757.83 (1) (a) of the statutes is amended to read:

18 757.83 (1) (a) There is created a judicial commission of 9 members: 5
19 nonlawyers nominated by the governor and appointed with the advice and consent
20 of the senate; one trial judge of a court of record and one court of appeals judge
21 appointed by the supreme court; and 2 members of the ~~state bar~~ State Bar of
22 Wisconsin, who are not judges or court commissioners, appointed by the supreme
23 court. The commission shall elect one of its members as chairperson.

NOTE: Conforms capitalization to current style.

1 **SECTION 286.** 757.83 (4) of the statutes is amended to read:

2 757.83 (4) **STAFF.** The judicial commission shall hire an executive director, and
3 may hire one staff member, in the unclassified service. The executive director shall
4 be a member of the ~~state bar~~ State Bar of Wisconsin and shall provide staff services
5 to the judicial commission and the judicial council.

NOTE: Conforms capitalization to current style.

6 **SECTION 287.** 758.13 (3) (b) of the statutes is amended to read:

7 758.13 (3) (b) The council may promulgate and modify rules for the conduct of
8 its proceedings in the exercise of its powers. The council may meet at such time and
9 place as it determines but at least once every 3 months. It shall meet upon call of the
10 chairperson or a call signed by 5 members of the council. ~~Nine~~ Eleven[✓] members shall
11 constitute a quorum.

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

12 **SECTION 288.** 779.32 (8) (a) 2. of the statutes is amended to read:

13 779.32 (8) (a) 2. The person owing the commission or compensation pays an
14 amount equal to 125% of the commission or compensation owed into the trust
15 account of the broker or the trust account of any attorney who does not represent any
16 party to the dispute and who is in good standing with the ~~state bar~~ State Bar of
17 Wisconsin. The moneys shall be held in escrow until disbursed pursuant to the
18 written mutual agreement of the parties or pursuant to a court order.

NOTE: Conforms capitalization to current style.

19 **SECTION 289.** 788.04 (2) (a) of the statutes is amended to read:

20 788.04 (2) (a) One arbitrator shall be appointed by the court from a list of
21 attorneys with trial experience. The list shall be prepared and periodically revised
22 by the ~~state bar~~ State Bar of Wisconsin.

NOTE: Conforms capitalization to current style.

1 **SECTION 290.** 803.03 (2) (b) of the statutes is renumbered 803.03 (2) (b) 1.
2 (intro.) and amended to read:

3 803.03 (2) (b) 1. (intro.) Any party joined pursuant to par. (a) may ~~1. participate~~
4 do any of the following:

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

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

8 c. Move for dismissal with or without prejudice.

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

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

19 4. If the party joined moves for dismissal without prejudice as to his or her
20 claim, the party shall demonstrate to the court that it would be unjust to require the
21 party to prosecute the claim with the principal claim. In determining whether to
22 grant the motion to dismiss, the court shall weigh the possible prejudice to the
23 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.

1 SECTION 291. 814.60 (2) of the statutes is amended to read:

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

4 (a) ~~Penalty~~ The penalty assessment imposed by s. 757.05~~;~~.

5 (ag) ~~Jail~~ The jail assessment imposed by s. 302.46 (1)~~;~~.

6 (ai) ~~Consumer~~ The consumer information assessment imposed by s. 100.261.

7 (am) ~~Crime~~ The crime victim and witness assistance surcharge imposed by s.
8 973.045~~;~~.

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

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

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

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

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

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

18 (cn) ~~Drug~~ The drug abuse program improvement surcharge imposed by s.
19 961.41 (5).

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

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

22 (e) ~~Natural~~ The natural resources restitution payment imposed by s. 29.989.

23 (em) ~~Wild~~ The wild animal protection assessment imposed by s. 29.983.

1 (f) ~~Weapons~~ [✓] The weapons assessment imposed by s. 167.31 (5).

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

2 SECTION 292. 840.10 (1) (b) of the statutes is amended to read:

3 840.10 (1) (b) A lis pendens that is prepared by a member of the ~~state bar~~ State
4 Bar of Wisconsin need not be authenticated.

NOTE: Conforms capitalization to current style.

5 SECTION 293. 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.

6 SECTION 294. 893.36 (2) of the statutes is amended to read:

7 893.36 (2) This section does not apply to actions based upon a sale of livestock
8 occurring prior to April 3, 1980, nor to an action by a secured party against its debtor.
9 Section 893.35 or 893.51 applies to any action described in sub. ~~(1)~~ [✓] (1m) if the
10 limitation described in sub. ~~(1)~~ [✓] (1m) is not applicable.

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

11 SECTION 295. 893.36 (3) of the statutes, as affected by 2001 Wisconsin Act 10,
12 is renumbered 893.36 (1g).

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

13 SECTION 296. 938.357 (1) of the statutes is renumbered 938.357 (1) (a) and
14 amended to read:

15 938.357 (1) (a) The person or agency primarily responsible for implementing
16 the dispositional order or the district attorney may request a change in the
17 placement of the juvenile, whether or not the change requested is authorized in the
18 dispositional order, and shall cause written notice to be sent to the juvenile or the
19 juvenile's counsel or guardian ad litem, parent, foster parent, treatment foster
20 parent, or other physical custodian described in s. 48.62 (2), guardian, and legal

1 custodian. The notice shall contain the name and address of the new placement, the
2 reasons for the change in placement, a statement describing why the new placement
3 is preferable to the present placement, and a statement of how the new placement
4 satisfies objectives of the treatment plan ordered by the court.

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

NOTE: Subdivides provision for improved readability.

17 SECTION 297. 938.357 (2) of the statutes is amended to read:

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

1 juvenile may be placed in a licensed public or private shelter care facility as a
2 transitional placement for not more than 20 days, as well as in any placement
3 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.

4 SECTION 298. 938.357 (2m) of the statutes is renumbered 938.357 (2m) (a) and
5 amended to read:

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

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

1 request or proposal for the change in placement shall be attached to the notice. If
2 all the parties consent, the court may proceed immediately with the hearing.

NOTE: Subdivides provision for improved readability.

3 SECTION 299. 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 300. 938.357 (3) of the statutes is amended to read:

19 938.357 (3) Subject to sub. (4) (b) and (c) and (5) (e), if the proposed change in
20 placement would involve placing a juvenile in a secured correctional facility, a
21 secured child caring institution, or a secured group home, notice shall be given as
22 provided in sub. (1) (a). A hearing shall be held, unless waived by the juvenile,
23 parent, guardian, and legal custodian, before the judge makes a decision on the

1 request. The juvenile shall be entitled to counsel at the hearing, and any party
2 opposing or favoring the proposed new placement may present relevant evidence and
3 cross-examine witnesses. The proposed new placement may be approved only if the
4 judge finds, on the record, that the conditions set forth in s. 938.34 (4m) have been
5 met.

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

W. J. ...
SECTION 301. 938.357 (4) (b) 2. of the statutes, as affected by 2001 Wisconsin
7 Act 16, is amended to read:

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

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

1 **SECTION 302.** 938.357 (4) (c) 1. of the statutes is amended to read:

2 938.357 (4) (c) 1. If a juvenile is placed in a Type 2 secured correctional facility
3 operated by a child welfare agency under par. (a) and it appears that a less restrictive
4 placement would be appropriate for the juvenile, the department, after consulting
5 with the child welfare agency that is operating the Type 2 secured correctional
6 facility in which the juvenile is placed, may place the juvenile in a less restrictive
7 placement, and may return the juvenile to the Type 2 secured correctional facility
8 without a hearing under sub. (1) (b). The child welfare agency shall establish a rate
9 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.

10 **SECTION 303.** 938.357 (4) (c) 2. of the statutes is amended to read:

11 938.357 (4) (c) 2. If a juvenile is placed in a Type 2 child caring institution under
12 s. 938.34 (4d) and it appears that a less restrictive placement would be appropriate
13 for the juvenile, the child welfare agency operating the Type 2 child caring
14 institution shall notify the county department that has supervision over the juvenile
15 and, if the county department agrees to a change in placement under this
16 subdivision, the child welfare agency may place the juvenile in a less restrictive
17 placement. A child welfare agency may also, with the agreement of the county
18 department that has supervision over a juvenile who is placed in a less restrictive
19 placement under this subdivision, return the juvenile to the Type 2 child caring
20 institution without a hearing under sub. (1) (b). The child welfare agency shall
21 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.

1 **SECTION 304.** 938.357 (4) (d) of the statutes is amended to read:

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

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

20 **SECTION 305.** 938.357 (5) (a) of the statutes is amended to read:

21 938.357 (5) (a) The department or a county department, whichever has been
22 designated as a juvenile's aftercare provider under s. 938.34 (4n), may revoke the

1 aftercare status of that juvenile. Revocation of aftercare supervision shall not
2 require prior notice under sub. (1) (a).

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

3 SECTION 306. 970.03 (12) (c) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

10 SECTION 307. 973.013 (3) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

14 SECTION 308. 977.05 (1) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

1 SECTION 309. 977.05 (5) (a) of the statutes is amended to read:

2 977.05 (5) (a) Delegate the legal representation of any person to any member
3 of the ~~state bar~~ State Bar of Wisconsin certified under s. 977.08.

NOTE: Conforms capitalization to current style.

4 SECTION 310. Terminology changes.

5 (1) Wherever "coowner" appears in the following sections of the statutes,
6 "co-owner" is substituted.

7 (2) Wherever "indices" appears in the following sections of the statutes,
8 "indexes" is substituted.

9 (3) Wherever "indorse," "indorsed," "indorsee," "indorsee's," "indorsement,"
10 "indorsements," "indorser," "indorsers," or "indorsing" appears in the following
11 sections of the statutes, "endorse," "endorsed," "endorsee," "endorsee's,"
12 "endorsement," "endorsements," "endorser," "endorsers," or "endorsing" is
13 substituted.

14 (4) Wherever "instalment," "instalments," or "instalment's" appears in the
15 following sections of the statutes, "installment," "installments," or "installment's"
16 are substituted.

17 (5) Wherever "wilful," "wilfully," or "wilfulness" appears in the following
18 sections of the statutes, "willful," "willfully," or "willfulness" is substituted.

NOTE: Inserts preferred spellings.

19 SECTION 311. Effective dates. This act takes effect on the day after
20 publication except ~~Section 309~~ which takes effect on September 1, 2002.

(END)

as follows:
This act

(9) (1) The treatment of section 938.357(4)(b)2
of the statutes takes effect on September 1, 2002.

**2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3698/P1ins
BEM:hmh:pg

INSERT 29-3

SECTION 1. 45.03 (1) (intro.) and (b) of the statutes are consolidated, renumbered 45.03 (1) and amended to read:

45.03 (1) In this section: ~~(b)~~ "Persian Gulf war" means the period of conflict designated by the president of the United States as Operation Desert Shield and Operation Desert Storm and any operation that is a successor to Operation Desert Shield or Operation Desert Storm.

NOTE: This bill repeals section 45.03. Since par. (b) is the only remaining paragraph, the (intro.) and par. (b) are combined.

(1)(a)

Insert 38-1

SECTION 2. 45.35 (5) (e) (intro.) of the statutes is renumbered 45.001 (5) (intro.) and amended to read:

45.001 (5) (intro.) The "War period" means any of the following are designated as war periods:

NOTE: Moves the definition of "war period" applicable to all of ch. 45 to the beginning of the chapter and rearranges text, consistent with current style.

SECTION 3. 45.35 (5) (e) 1. to 7. of the statutes are renumbered 45.001 (5) (a) to (g).

NOTE: Moves the definition of "war period" applicable to all of ch. 45 to the beginning of the chapter.

SECTION 4. 45.35 (5) (e) 8. of the statutes, as affected by 2001 Wisconsin Act 16, is renumbered 45.001 (5) (h).

NOTE: Moves the definition of "war period" applicable to all of ch. 45 to the beginning of the chapter.

SECTION 5. 45.35 (5) (e) 9. of the statutes, as created by 2001 Wisconsin Act (Assembly Bill 558), is renumbered 45.001 (5) (i).

NOTE: Moves the definition of "war period" applicable to all of ch. 45 to the beginning of the chapter.

Insert 75-12

SECTION 6. 70.07 (2) of the statutes is amended to read:

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

istory: 1973 c. 90; 1977 c. 29 s. 1647 (8), (16); 1977 c. 273; 1979 c. 34 s. 2102 (46) (b); 1979 c. 95 ss. 2, 4; 1979 c. 176; 1983 a. 192, 220; 1991 a. 156, 316.

NOTE: Corrects cross-reference. Section 70.06 (2) (c) is renumbered s. 70.06 (2) by

SECTION # of this bill.

*use auto-ref
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(created on page 74)*