



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-3698/PS  
BEM:hmh:pg

D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

\* RSB: Please return original, rough copy to LRB for its files

LPS: Proof all stats. affected by acts w/ bills.

Do not generate

- 1 AN ACT relating to: repealing, consolidating, renumbering, amending and
- 2 revising various provisions of the statutes for the purpose of correcting errors,
- 3 supplying omissions, correcting, and clarifying references, and eliminating
- 4 defects, anachronisms, conflicts, ambiguities, and obsolete provisions
- 5 (Revisor's Revision Bill).

**Analysis by the Legislative Reference Bureau**

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, serial commas are added throughout this bill. "Which" is replaced by "that" where grammatically correct. This bill is not intended to make any substantive changes.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

NOTE: This bill is not intended to make any substantive changes.

- 6 SECTION 1. 1.11 (2) (c) 4. of the statutes is amended to read:
- 7 1.11 (2) (c) 4. The relationship between local short-term uses of the human
- 8 environment and the maintenance and enhancement of long-term productivity; and

NOTE: Deletes improperly located "and." See also the next section of this bill.

1           **SECTION 2.** 1.11 (2) (c) 5. of the statutes is amended to read:

2           1.11 (2) (c) 5. Any irreversible and irretrievable commitments of resources  
3           which that would be involved in the proposed action should it be implemented; and

NOTE: Places "and" in the proper location in the paragraph, prior to the final subdivision.

4           **SECTION 3.** 8.10 (3) (intro.), (a) to (f) and (h) of the statutes are amended to read:

5           8.10 (3) (intro.) The certification of a qualified elector under s. 8.15 (4) (a) shall  
6           be appended to each nomination paper. The number of required signatures on  
7           nomination papers filed under this section is as follows:

8           (a) For statewide offices, not less than 2,000 nor more than 4,000 electors;.

9           (am) For court of appeals judges, not less than 1,000 nor more than 2,000  
10          electors;.

11          (b) For judicial offices not specified in pars. (a), (am), and (c), not less than 200  
12          nor more than 400 electors;.

13          (c) For judicial offices in counties over 500,000 population, not less than 1,000  
14          nor more than 2,000 electors;.

15          (cm) For county executives in counties over 500,000 population, not less than  
16          2,000 nor more than 4,000 electors;.

17          (d) For county executives in counties between 100,000 and 500,000 population,  
18          not less than 500 nor more than 1,000 electors;.

19          (e) For county executives in counties under 100,000 population, not less than  
20          200 nor more than 400 electors;.

21          (f) For supervisors in counties over 500,000 population, not less than 200 nor  
22          more than 400 electors;.

1 (h) For supervisors in counties under 100,000 population, not less than 20 nor  
2 more than 100 electors;

NOTE: Conforms the (intro.) to current style. Makes punctuation of the paragraph  
consistent.

3 SECTION 4. 11.01 (6) (a) (intro.) of the statutes is amended to read:

4 11.01 (6) (a) (intro.) “Contribution” Except as provided in par. (b),  
5 “contribution” means any of the following:

NOTE: Conforms the (intro.) to current style.

6 SECTION 5. 11.01 (6) (b) (intro.) and 1. to 4. of the statutes are amended to read:

7 11.01 (6) (b) (intro.) ~~Notwithstanding the foregoing meanings of “contribution”,~~  
8 ~~the term~~ “Contribution” does not include any of the following:

9 1. Services for a political purpose by an individual on behalf of a registrant  
10 under s. 11.05 who is not compensated specifically for such the services;

11 2. The use of real or personal property and the cost of invitations, food, and  
12 beverages, voluntarily provided by an individual to a candidate in rendering  
13 voluntary personal services on the individual’s residential premises for a purpose  
14 under par. (a) 1. if no funds are raised with the knowledge of the host;

15 3. Any unreimbursed payment for travel expenses made by an individual who  
16 on his or her own behalf volunteers ~~the individual’s~~ his or her personal services for  
17 political purposes;

18 4. The costs of preparation and transmission of personal correspondence,  
19 provided such material that the correspondence is not reproduced by machine for  
20 distribution; ~~or~~

NOTE: Conforms the (intro.) to current style. Makes punctuation of the paragraph  
consistent. Replaces “the individual’s” to improve readability. Inserts a specific reference  
and replaces a disfavored term.

1 SECTION 6. 11.01 (6) (c) of the statutes is renumbered 11.01 (6) (b) 7. and  
2 amended to read:

3 11.01 (6) (b) 7. ~~Notwithstanding par. (a), when a committee or group not~~  
4 ~~organized exclusively for political purposes receives a~~ Δ gift, subscription, loan,  
5 advance, or deposit of anything of value and received by a committee or group not  
6 organized exclusively for political purposes that the group or committee does not  
7 utilize it for political purposes, it is not a "contribution".

NOTE: Reorganizes text to conform provision with current style and to fit within  
the list of other exclusions under par. (b).

8 SECTION 7. 11.01 (7) (a) (intro.) of the statutes is amended to read:

9 11.01 (7) (a) (intro.) <sup>"Disbursement"</sup> ~~"Distribution"~~ Except as provided in par. (b), <sup>"disbursement"</sup> ~~"distribution"~~

10 means any of the following:

NOTE: Conforms the (intro.) to current style.

11 SECTION 8. 11.01 (7) (b) (intro.) and 1. to 3. of the statutes are amended to read:

12 11.01 (7) (b) ~~Notwithstanding the foregoing meanings of "distribution", the~~  
13 term <sup>"Disbursement"</sup> ~~"Distribution"~~ does not include any of the following:

14 1. The use of real or personal property and the cost of invitations, food, and  
15 beverages, voluntarily provided by an individual to a candidate in rendering  
16 voluntary personal services on the individual's residential premises for a purpose  
17 under par. (a) 1. if no funds are raised with the knowledge of the host;

18 2. Any unreimbursed payment for travel expenses made by an individual who  
19 on his or her own behalf volunteers the individual's his or her personal services for  
20 political purposes;

21 3. The costs of preparation and transmission of personal correspondence,  
22 provided ~~such material~~ that the correspondence is not reproduced by machine for  
23 distribution;

NOTE: Conforms the (intro.) to current style. Makes punctuation of the paragraph consistent. Replaces "the individual's" to improve readability. Inserts a specific reference.

1           **SECTION 9.** 11.07 (3) of the statutes is amended to read:

2           11.07 (3) The secretary of state shall keep a record of all processes, notices, and  
3 demands served upon the secretary of state under this section, ~~which~~ that shows the  
4 date and hour of service and the date of mailing. The certificate of the secretary of  
5 state that a summons and complaint ~~or~~, notice of object of action, or any notice or  
6 demand required or permitted by law was served upon the secretary of state and that  
7 the same was mailed by the secretary of state as required by law, shall be evidence  
8 of service upon the secretary of state. If the address of the individual, committee, or  
9 group is not known or readily ascertainable, mailing is dispensed with, and a copy  
10 of the process shall ~~then~~ be published as a class 1 notice, under ch. 985, in the county  
11 ~~wherein~~ in which the last-known registered agent was located ~~and~~ or, if unknown,  
12 in Dane ~~county~~ County.

NOTE: Conforms capitalization to current style, replaces disfavored terminology, and corrects punctuation.

13           **SECTION 10.** 11.20 (8) (intro.), (a) and (b) of the statutes are amended to read:

14           11.20 (8) (intro.) Reports filed under subs. (2), (4), and (4m) shall include all  
15 contributions received and transactions made as of the end of ~~All of the following:~~ not correct

16           (a) The 15th day preceding the primary or election in the case of the preprimary  
17 and preelection report;

18           (b) December 31 in the case of the continuing report required by January 31;  
19 ~~and~~.

NOTE: Conforms the (intro.) to current style. Makes punctuation of the paragraph consistent.

20           **SECTION 11.** 13.48 (21) (title) of the statutes is amended to read:

1           13.48 (21) (title) ~~DEBT INCREASE FOR MEDICAL COLLEGE~~ MEDICAL COLLEGE OF  
2 WISCONSIN.

NOTE: Conforms capitalization to current style.

3           **SECTION 12.** 13.48 (21) (a) (intro.) of the statutes is amended to read:

4           13.48 (21) (a) (intro.) The building commission may authorize up to \$8,000,000  
5 of general fund supported borrowing to aid in the construction of a basic science  
6 education facility at the ~~medical college~~ Medical College of Wisconsin. Prior to the  
7 approval of any state funding commitment, the building commission must satisfy  
8 itself that the ~~medical college~~ Medical College of Wisconsin has secured additional  
9 funding commitments of at least \$34,000,000 from other nonstate revenue sources;  
10 that such revenue sources are reasonable and available; that the nonstate funding  
11 commitments will not exceed \$10,000,000 in borrowed funds, the repayment of  
12 which shall be amortized over a period of years equal to at least three-fourths of the  
13 amortization period for retirement of the bond issue authorized under s. 20.866 (2)  
14 (zb), and that the nonstate funding commitment will not jeopardize the operating  
15 funds of the medical college; and that the total funding commitments will enable the  
16 signing of contracts for the construction of a complete basic sciences educational  
17 facility. If the building commission authorizes a construction grant to the ~~medical~~  
18 ~~college~~ Medical College of Wisconsin, the medical college, in return, shall provide the  
19 state with an option-to-purchase with the following provisions:

NOTE: Conforms capitalization to current style.

20           **SECTION 13.** 15.157 (8) (b) of the statutes is amended to read:

21           15.157 (8) (b) A representative of the ~~medical college~~ Medical College of  
22 Wisconsin, ~~inc.~~ Inc.

NOTE: Conforms capitalization to current style.

1           **SECTION 14.** 15.165 (3) (b) (intro.) of the statutes is amended to read:

2           15.165 (3) (b) *Wisconsin retirement board.* (intro.) There is created in the  
3 department of employee trust funds a Wisconsin retirement board. The board shall  
4 consist of 9 members, and board members appointed under subs. 1. to 8. shall serve  
5 for staggered 5-year terms. The member appointed under subd. 1. shall be  
6 appointed from a list of 5 names submitted by the board of directors of the league  
7 League of Wisconsin municipalities ~~Municipalities~~, and the member appointed  
8 under subd. 4. shall be appointed from a list of 5 names submitted by the executive  
9 committee of the Wisconsin Counties Association. Each member appointed under  
10 subs. 1., 2., and 3. shall be from a different county. Each member appointed under  
11 subs. 4., 5., and 6. shall be appointed from a different county. The board shall consist  
12 of the following members:

NOTE: Conforms capitalization to current style. Adds comma to correct grammar.

13           **SECTION 15.** 15.435 (1) (e) 2. and 6. of the statutes are amended to read:

14           15.435 (1) (e) 2. One municipal official member shall be recommended by the  
15 league League of Wisconsin municipalities ~~Municipalities~~.

16           6. The Native American member shall be recommended by the Great Lakes  
17 ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc. Preference should be given to the  
18 appointment of a Native American who resides in a township town in which the  
19 development of a metalliferous mineral ore body is occurring.

NOTE: Conforms capitalization to current style. Inserts correct municipality terminology.

20           **SECTION 16.** 15.467 (4) (h) of the statutes is amended to read:

21           15.467 (4) (h) A member of the Wisconsin ~~district~~ District Attorneys  
22 Association, designated by the president thereof.

NOTE: Conforms capitalization to current style.

1 SECTION 17. 15.78 of the statutes is amended to read:

2 15.78 **Public defender board.** There is created a public defender board  
3 consisting of 9 members appointed for staggered 3-year terms. No member may be,  
4 or be employed on the staff of, a judicial or law enforcement officer, district attorney,  
5 corporation counsel, or the state public defender. At least 5 members shall be  
6 members of the state bar State Bar of Wisconsin.

NOTE: Conforms capitalization to current style.

7 SECTION 18. 16.375 (3) (intro.) and (d) of the statutes are consolidated,  
8 renumbered 16.375 (3) and amended to read:

9 16.375 (3) **TRANSFER OF REAL PROPERTY.** The department may transfer real  
10 property obtained under sub. (2) to an applicant pursuant to under a written  
11 agreement that includes the following: (d) The a provision that the applicant agrees  
12 to pay the department an amount to utilize the real property in conformance with  
13 the agreement.

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

14 SECTION 19. 16.855 (10n) (a) (intro.) and 2. of the statutes are consolidated,  
15 renumbered 16.855 (10n) (a) and amended to read:

16 16.855 (10n) (a) In this subsection: 2. Minority, "minority group member" has  
17 the meaning given in s. 560.036 (1) (f).

NOTE: The (intro.) and subd. 2. are combined as there are no other subdivisions.

18 SECTION 20. 17.16 (2) of the statutes is renumbered 17.001 and amended to  
19 read:

20 17.001 **Definition.** ~~The word "cause," as used in~~ In this chapter, unless  
21 qualified, "cause" means inefficiency, neglect of duty, official misconduct, or  
22 malfeasance in office.

(private membership)

Insert 8-18

NOTE: Moves a definition applicable to the entire chapter to a separate section at the beginning of the chapter, consistent with current style.

1           **SECTION 21.** 18.61 (3) (a) of the statutes is amended to read:

2           18.61 (3) (a) If the state fails to pay any revenue obligation in accordance with  
3 its terms, and default continues for a period of 30 days or if the state fails or refuses  
4 to comply with this subchapter or defaults in any agreement made with the owners  
5 of any issue of revenue obligations, the owners of 25% in aggregate principal amount  
6 of the revenue obligations of the issue then outstanding, by instrument recorded in  
7 the office of the register of deeds of Dane county County and approved or  
8 acknowledged in the same manner as a deed to be recorded, may appoint a trustee  
9 to represent the owners of the revenue obligations for the purposes specifically  
10 provided in the instrument.

NOTE: Conforms capitalization to current style and corrects punctuation.

11           **SECTION 22.** 20.115 (4) (e) of the statutes is amended to read:

12           20.115 (4) (e) ~~Aids to world dairy expo, inc.~~ World Dairy Expo, Inc. The amounts  
13 in the schedule for aids to the ~~world dairy expo, inc.~~ World Dairy Expo, Inc., to be used  
14 for the payments under s. 93.30.

NOTE: Capitalizes corporate title consistent with current style.

15           **SECTION 23.** 20.250 (intro.) of the statutes is amended to read:

16           **20.250 Medical College of Wisconsin.** (intro.) There is appropriated to the  
17 ~~medical college~~ Medical College of Wisconsin, inc. Inc., for the following program:

NOTE: Conforms capitalization to current style.

18           **SECTION 24.** 20.285 (1) (h) of the statutes is amended to read:

19           20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (5) (i) and  
20 (6) (g), all moneys received by the ~~university~~ University of Wisconsin ~~system~~ System  
21 for or on account of any housing facility, commons, dining halls, cafeteria, student

1 union, athletic activities, stationery stand or bookstore, parking facilities or car fleet,  
2 or such other auxiliary enterprise activities as the board designates and including  
3 such fee revenues as allocated by the board and including such moneys received  
4 under leases entered into previously with nonprofit building corporations as the  
5 board designates to be receipts under this paragraph, to be used for the operation,  
6 maintenance, and capital expenditures of activities specified in this paragraph,  
7 including the transfer of funds to pars. (kd) and (ke) and to nonprofit building  
8 corporations to be used by the corporations for the retirement of existing  
9 indebtedness and such other payments as may be required under existing loan  
10 agreements, and for optional rental payments in addition to the mandatory rental  
11 payments under the leases and subleases in connection with the providing of  
12 facilities for such activities. A separate account shall be maintained for each campus  
13 and extension. Upon the request of the extension or any campus within the system,  
14 the board of regents may transfer surplus moneys appropriated under this  
15 paragraph to the appropriation account under par. (kp).

NOTE: Conforms capitalization to current style.

16 **SECTION 25.** 20.435 (2) (gk) of the statutes, as affected by 2001 Wisconsin Act  
17 16, is amended to read:

18 20.435 (2) (gk) *Institutional operations and charges.* The amounts in the  
19 schedule for care, other than under s. 51.06 (1r), provided by the centers for the  
20 developmentally disabled, to reimburse the cost of providing the services and to  
21 remit any credit balances to county departments that occur on and after  
22 July 1, 1978, in accordance with s. 51.437 (4rm) (c); for care, other than under s.  
23 46.043, provided by the mental health institutes, to reimburse the cost of providing  
24 the services and to remit any credit balances to county departments that occur on and

1 after January 1, 1979, in accordance with s. 51.42 (3) (as) 2.; for maintenance of  
2 state-owned housing at centers for the developmentally disabled and mental health  
3 institutes; for repair or replacement of property damaged at the mental health  
4 institutes or at centers for the developmentally disabled; and for reimbursing the  
5 total cost of using, producing, and providing services, products, and care. All moneys  
6 received as payments from medical assistance on and after August 1, 1978; as  
7 payments from all other sources including other payments under s. 46.10 and  
8 payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as medical  
9 assistance payments, other payments under s. 46.10, and payments under s. 51.42  
10 (3) (as) 2. received on and after January 1, 1979; as payments for the rental of  
11 state-owned housing and other institutional facilities at centers for the  
12 developmentally disabled and mental health institutes; for the sale of electricity,  
13 steam, or chilled water; as payments in restitution of property damaged at the  
14 mental health institutes or at centers for the developmentally disabled; for the sale  
15 of surplus property, including vehicles, at the mental health institutes or at centers  
16 for the developmentally disabled; and for other services, products, and care shall be  
17 credited to this appropriation, except that any payment under s. 46.10 received for  
18 the care or treatment of patients admitted under s. 51.10, 51.15, or 51.20 for which  
19 the state is liable under s. 51.05 (3), of patients admitted under s. 55.06 (9) (d) or (e)  
20 for which the state is liable under s. 55.05 (1), of forensic patients committed under  
21 ch. 971 or 975, admitted under ch. 975, or transferred under s. 51.35 (3), or of patients  
22 transferred from a state prison under s. 51.37 (5), to <sup>the</sup> ~~Mendota mental health institute~~  
23 Mental Health Institute or <sup>the</sup> ~~Winnebago mental health institute~~ Mental Health  
24 Institute shall be treated as general purpose revenue — earned, as defined under s.  
25 20.001 (4).

*and adds articles for better readability*

NOTE: Conforms capitalization to current style.

1           **SECTION 26.** 20.435 (6) (hx) of the statutes is amended to read:

2           20.435 (6) (hx) *Services related to drivers, receipts.* The amounts in the  
3 schedule for services related to drivers. All moneys received by the state treasurer  
4 from the driver improvement surcharge on court fines and forfeitures authorized  
5 under s. 346.655 and all moneys transferred from the appropriation account under  
6 s. 20.395 (5) (di) shall be credited to this appropriation. The secretary of  
7 administration shall annually transfer to the appropriation account under s. 20.395  
8 (5) (ek) 3.76% of all moneys credited to this appropriation from the driver  
9 improvement surcharge. Any unencumbered moneys in this appropriation account  
10 may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5)  
11 (ci) and (di), and 20.455 (5) (h) by the secretary of administration, after consultation  
12 with the secretaries of health and family services and transportation, the  
13 superintendent of public instruction, the attorney general, and the president of the  
14 university University of Wisconsin ~~system~~ System.

NOTE: Conforms capitalization to current style and corrects grammar.

15           **SECTION 27.** 20.485 (1) (d) of the statutes is amended to read:

16           20.485 (1) (d) *Cemetery maintenance and beautification.* The amounts in the  
17 schedule for cemetery maintenance and beautification at the Wisconsin veterans  
18 ~~memorial cemetery~~ Veterans Memorial Cemetery at the Wisconsin veterans home  
19 Veterans Home at King.

NOTE: Conforms capitalization to current style.

20           **SECTION 28.** 20.485 (1) (gd) of the statutes is amended to read:

21           20.485 (1) (gd) *Veterans home cemetery operations.* All moneys received from  
22 the estate of the decedents under s. 45.37 (15) (c) for the burial of veterans and

1 non-veterans in the Wisconsin ~~veterans memorial cemetery~~ Veterans Memorial  
2 Cemetery at the Wisconsin ~~veterans home~~ Veterans Home at King, to be used for that  
3 purpose.

NOTE: Conforms capitalization to current style.

4 **SECTION 29.** 20.485 (2) (em) of the statutes is amended to read:

5 20.485 (2) (em) *Payments related to The Highground.* From the general fund,  
6 as a continuing appropriation, the amounts in the schedule to make payments under  
7 s. 45.03 (3) related to the veterans memorial at The Highground in Clark ~~county~~  
8 County. Moneys may not be spent from this appropriation without the approval of  
9 the joint committee on finance.

NOTE: Conforms capitalization to current style.

10 **SECTION 30.** 20.680 (3) (g) of the statutes is amended to read:

11 20.680 (3) (g) *Board of bar examiners.* All moneys received from the ~~state bar~~  
12 State Bar of Wisconsin, attorney licensing exam fees, and attorney licensing fees for  
13 the operational expenses of the board of bar examiners.

NOTE: Conforms capitalization to current style.

14 **SECTION 31.** 20.680 (3) (h) of the statutes is amended to read:

15 20.680 (3) (h) *Board of attorneys professional responsibility.* All moneys  
16 received from the ~~state bar~~ State Bar of Wisconsin and any other revenue derived  
17 from the activities of the board for the operational expenses of and the expenses of  
18 disciplinary investigations and actions by the board of attorneys professional  
19 responsibility.

NOTE: Conforms capitalization to current style.

20 **SECTION 32.** 20.866 (2) (zb) of the statutes is amended to read:

21 20.866 (2) (zb) *Medical college* College of Wisconsin, inc. Inc.; *basic science*  
22 *education and health information technology facilities.* From the capital

ROWP  
at-  
membership  
pg.

11

1 improvement fund, a sum sufficient for the ~~medical college~~ Medical College of  
2 Wisconsin, ~~inc.~~ Inc., to aid in the construction of a basic science education facility and  
3 in the funding of a health information technology center. The state may contract  
4 public debt in an amount not to exceed \$10,000,000 for these purposes.

NOTE: Conforms capitalization to current style.

5 SECTION 33. 20.916 (3) of the statutes is amended to read:

6 20.916 (3) FURNISHING OF GROUP TRANSPORTATION TO PLACE OF WORK. The  
7 department of health and family services, the department of corrections, and the  
8 department of natural resources may, with the approval of the governor and the  
9 department of administration, provide group transportation, in the absence of  
10 convenient and public scheduled transportation, for employees to and from the  
11 Mendota and Winnebago mental health institutes and the centers for the  
12 developmentally disabled in the case of employees of the department of health and  
13 family services, to the Ethan Allen School, the Taycheedah Correctional Institution,  
14 and the Fox Lake Correctional Institution in the case of employees of the department  
15 of corrections, and to and from its temporary branch offices located at the Nevin fish  
16 hatchery Fish Hatchery grounds in the case of employees of the department of  
17 natural resources. Any employee, if injured while being so transported, shall be  
18 deemed considered to have been in the course of his or her employment.

NOTE: Conforms capitalization to current style and inserts preferred term.

19 SECTION 34. 20.916 (4m) of the statutes is renumbered 20.916 (4m) (b) and  
20 amended to read:

21 20.916 (4m) (b) Except as otherwise provided in this subsection paragraph, if  
22 any state agency determines that ~~the~~ an employee's duties of ~~an employee~~ require  
23 the use of a motor vehicle, and use of a personal motor vehicle is authorized by the

1 agency under similar circumstances, the agency shall authorize the employee to use  
2 a personal motorcycle for ~~such~~ the employee's duties and shall reimburse the  
3 employee for ~~such~~ the use of the motorcycle at rates determined biennially by the  
4 secretary of employment relations under sub. (8), subject to the approval of the joint  
5 committee on employment relations. No state agency may authorize an employee to  
6 use or reimburse an employee for the use of a personal motorcycle under this  
7 subsection paragraph if more than one individual is transported on the motorcycle.  
8 All allowances for the use of a motorcycle shall be paid upon approval and  
9 certification of the amounts payable by the head of the state agency for which the  
10 employee performs duties to the department of administration. ~~In this subsection,~~  
11 ~~“motorcycle” has the meaning given under s. 340.01 (32).~~

NOTE: Moves definition to a separate paragraph at the beginning of the subsection, consistent with current style, and inserts specific references. See also the next section of this bill.

12 **SECTION 35.** 20.916 (4m) (a) of the statutes is created to read:  
13 20.916 (4m) (a) In this subsection, “motorcycle” has the meaning given under  
14 s. 340.01 (32).

NOTE: See the previous section of this bill.

15 **SECTION 36.** 20.927 (1) of the statutes is renumbered 20.927 (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.

16 **SECTION 37.** 20.927 (4) of the statutes is renumbered 20.927 (1g).

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

17 **SECTION 38.** 24.39 (4) (h) of the statutes is amended to read:

18 24.39 (4) (h) All rights to submerged lands and rights above submerged lands  
19 ceded, granted, or leased to municipalities, or other persons by ~~prior~~ acts of the state

1 ~~[1961]~~ that were effective prior to October 10, 1961, shall not be affected by this  
2 subsection or by s. 30.11 (5).

NOTE: Inserts the effective date of ch. 355, laws of 1961, which created this provision, and language to clarify the applicability of this provision.

3 **SECTION 39.** 26.01 of the statutes is renumbered 26.01 (intro.) and amended  
4 to read:

5 **26.01 Definition Definitions.** (intro.) In this chapter, ~~unless:~~

6 (1) Unless the context requires otherwise, "department" means the  
7 department of natural resources.

NOTE: Accommodates the renumbering of s. 26.11 (2) by this bill.

8 **SECTION 40.** 26.11 (1) of the statutes is amended to read:

9 26.11 (1) The department is vested with power, authority, and jurisdiction in  
10 all matters relating to the prevention, detection, and suppression of forest fires  
11 outside the limits of ~~incorporated~~ villages and cities in the state except as provided  
12 in sub. s. 26.01 (2), and to do all things necessary in the exercise of such power,  
13 authority, and jurisdiction.

NOTE: Deletes unnecessary term. Village means an incorporated village under s. 990.01 (45). Changes cross-reference in accordance with renumbering by this bill.

14 **SECTION 41.** 26.11 (2) of the statutes is renumbered 26.01 (2) and amended to  
15 read:

16 26.01 (2) ~~The term "forest~~ "Forest fire" ~~as used in this chapter~~ means  
17 uncontrolled, wild, or running fires occurring on forest, marsh, field, cutover, or other  
18 lands or involving farm, city, or village property and improvements incidental to the  
19 uncontrolled, wild, or running fires occurring on forest, marsh, field, cutover, or other  
20 lands.

NOTE: Renumbers definition applicable to all of ch. 26 to the definitions section at the beginning of the chapter consistent with current style.

1           **SECTION 42.** 27.11 (5) (a) of the statutes is renumbered 27.11 (5).

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

2           **SECTION 43.** 28.11 (6) (b) 4. of the statutes is amended to read:

3           28.11 (6) (b) 4. Within 90 days after completion of any cutting operation (,  
4 including timber trespass), but not more than 2 years after filing the cutting notice,  
5 the county shall transmit to the department on forms furnished by the department,  
6 a report of merchantable wood products cut. The department may conduct ~~such~~ any  
7 investigations on timber cutting operations as ~~that it deems~~ considers to be  
8 advisable, including the holding of public hearings ~~thereon~~ on the timber cutting  
9 operations, and may assess severance share payments accordingly.

NOTE: Replaces parentheses and disfavored terminology to improve readability and to conform to current style.

10          **SECTION 44.** 28.11 (11) (a) of the statutes is renumbered 28.11 (11) (a) 1. and  
11 amended to read:

12          28.11 (11) (a) 1. The county board may by resolution adopted by not less than  
13 two-thirds of its membership make application to the department to withdraw lands  
14 entered under this section. The county board shall first refer the resolution to the  
15 county forestry committee, which shall consult with an authorized representative of  
16 the department in formulating its withdrawal proposal. The county board shall not  
17 take final action ~~thereon~~ on the application until 90 days after ~~such~~ referral of the  
18 application to the forestry committee or until the report ~~thereon~~ of the forestry  
19 committee regarding the application has been filed with the board. ~~Such~~ The  
20 application shall include the land description and, a statement of the reasons for  
21 withdrawal, and any restrictions or other conditions of use attached to the land  
22 proposed for withdrawal.

score

the application

1           2. Upon the filing of such an application to withdraw lands under subd. 1., the  
2 department shall investigate the same and it may conduct a public hearing thereon  
3 if it deems it advisable at such time and place as it sees fit. If requested by the county  
4 in writing the department shall hold a public hearing. During the course of its  
5 investigation the department shall make an examination of the character of the land,  
6 the volume of timber, improvements, and any other special values and in. In the case  
7 of withdrawal for the purpose of sale to any purchaser other than the state or a local  
8 unit of government it, the department shall establish a minimum value on the lands  
9 to be withdrawn. In making its investigation the department shall give full weight  
10 and consideration to the purposes and principles set forth in sub. (1) and it shall also  
11 weigh and consider the benefits to the people of the state as a whole, as well as to the  
12 county, from the proposed use against the benefits accruing to the people of the state  
13 as a whole and to the county under the continued entry of such the lands to be  
14 withdrawn. The department may conduct a public hearing on the application, if it  
15 considers it advisable, at a time and place that it determines, except that if the county  
16 requests a hearing in writing, the department shall hold a public hearing.

17           3. If the department finds that the benefits after withdrawal of the lands  
18 described in the application described in subd. 1. outweigh the benefits under  
19 continued entry of the lands and that the lands will be put to a better and higher use,  
20 it shall make an order withdrawing such the lands from entry; otherwise it shall  
21 deny the application.

22           4. If the application is denied, the county board may, by resolution adopted by  
23 not less than two-thirds of its membership, appeal to a review committee. The  
24 department shall submit the findings of its investigation and of any hearing on a

plain

plain

plain period

plain

plain

2

public

under 2 ✓

1 proposed withdrawal to the committee, which shall be composed of ~~one~~ the following  
2 members:

3 a. One member appointed by the county board submitting the application for  
4 withdrawal; ~~one.~~ *who is appointed by the governor, and who is*

5 b. One member from another county which that has land enrolled under the  
6 county forest law, ~~this member to be appointed by the governor and to~~ *and* who shall be  
7 chairperson of the review committee; ~~one.~~

8 c. One member appointed by the department; ~~one.~~

9 d. One member appointed by the University of Wisconsin from the college of  
10 agriculture; and a ~~5th~~ College of Agricultural and Life Sciences.

11 e. One member to be selected by unanimous vote of the appointed members or  
12 by ~~the governor, if they~~ the appointed members fail to achieve unanimity. ~~This, by~~  
13 the governor.

14 5. The review committee appointed under subd. 4. shall, by majority vote shall,  
15 within 60 days after receiving the findings of the department, ~~either approve~~ do one  
16 of the following:

17 a. Approve the application for withdrawal if it finds the proposed use to be of  
18 a greater benefit considering all losses and benefits to the people of the state as a  
19 whole, as well as to the people of the county, ~~or shall provisionally.~~

20 b. Provisionally deny the application for withdrawal giving specific reasons  
21 why it finds the proposal deficient and making any suggestions for revising the  
22 application to reduce the conflict of the proposed use with the public interest.

23 6. If the committee approves a withdrawal under subd. 5., it shall notify the  
24 county board of its approval stating, as necessary, specific procedures to be followed  
25 by the county relating to ~~such~~ the withdrawal. The county board may then by a

1 resolution approved by not less than two-thirds of its membership, withdraw the  
2 lands from the county forest law and shall send copies of this resolution to the  
3 department and to the county register of deeds who shall record the same resolution.

4 7. If the committee provisionally denies the proposed withdrawal under subd.  
5 5.<sup>✓</sup> it may consider an amended application for withdrawal upon presentation of the  
6 application and supporting information, or it may require additional investigation  
7 of the amended application by the department before reconsidering the application.  
8 Any additional investigation shall include additional public hearings if requested by  
9 either the county, the department, or by the committee.

NOTE: Subdivides long provision, inserts specific references and cross-references,  
replaces disfavored terminology, reorders text, and modifies punctuation to improve  
readability and to conform to current style. Corrects and capitalizes college title.

10 **SECTION 45.** 30.207 (6) (intro.) of the statutes is renumbered 30.207 (6) (a).

NOTE: This provision is not introductory to the existing paragraph (b) that follows  
it but is separate and distinct and is renumbered accordingly.

11 **SECTION 46.** 30.90 of the statutes is renumbered 30.90 (1) (a) and amended to  
12 read:

13 30.90 (1) (a) Neither the county or town may provide, nor shall any subdivider  
14 be required or permitted to provide, public access to Lake Lions Lake ~~in the town of~~  
15 ~~Alban, Portage County~~, if such the public access will in any way interfere with the  
16 use of the lake as a recreational area for the physically handicapped ~~as long as such~~  
17 ~~use is continued~~.

18 (b) The department may stock ~~said lake~~ Lake Lions with fish ~~as long as such~~  
19 ~~use is continued~~, any provision in ch. 29 to the contrary notwithstanding.

20 (2) The town board of the town of Alban shall have jurisdiction over Lake Lions,  
21 and may enact and enforce ~~such~~ any ordinances necessary to prevent any

1 deterioration of the said waters of Lake Lions or any nuisances which that would  
2 adversely affect the health or safety of the people.

NOTE: Makes lake name consistent and conforms capitalization to current style.  
Reorganizes text and subdivides provision to improve readability and to conform to  
current style, including moving text to a new sub. (1) (intro.) created by the next section  
of this bill.

3 **SECTION 47.** 30.90 (1) (intro.) of the statutes is created to read:

4 30.90 (1) (intro.) As long as Lake Lions in the town of Alban, Portage County,  
5 continues to be used as a recreational area for the physically handicapped, all of the  
6 following shall apply:

NOTE: See the previous section of this bill.

7 **SECTION 48.** 33.44 (1) (f) 1. of the statutes is amended to read:

8 33.44 (1) (f) 1. Except as provided in subds. 2. and 3., one member who is not  
9 a supervisor on the county board, who resides outside the city of Madison and whose  
10 name is on a list of at least 2 nominees submitted to the county executive by the Dane  
11 ~~county towns association~~ County Towns Association.

NOTE: Conforms capitalization to current style.

12 **SECTION 49.** 33.44 (1) (f) 2. of the statutes is amended to read:

13 33.44 (1) (f) 2. For terms subsequent to the initial term, the person appointed  
14 under this paragraph must reside outside the city of Madison and the person's name  
15 must be on a list of at least 2 nominees submitted to the county executive by the Dane  
16 ~~county towns association~~ County Towns Association. Unless the person has served  
17 continuously as the member appointed under this paragraph for all previous terms,  
18 including the initial term, the person may not be a supervisor on the county board.

NOTE: Conforms capitalization to current style.

19 **SECTION 50.** 36.25 (3) (a) of the statutes is amended to read:

1           36.25 (3) (a) The board may establish through the college of agricultural and  
2 ~~life sciences~~ College of Agricultural and Life Sciences of the University of  
3 Wisconsin-Madison demonstration stations for the purpose of aiding in agricultural  
4 development. The location of the stations shall be determined by the board which  
5 shall consider the opportunities for agricultural development in various regions of  
6 the state.

NOTE: Conforms capitalization to current style.

7           **SECTION 51.** 36.25 (3) (c) of the statutes is amended to read:

8           36.25 (3) (c) The board shall, under the supervision of the dean of the college  
9 ~~of agricultural and life sciences~~ College of Agricultural and Life Sciences of the  
10 University of Wisconsin-Madison, foster research and experimentation in the  
11 control of bovine brucellosis (which is also known as Bang's disease), at various  
12 points within this state as ~~it deems~~ that the board considers ~~it~~ advisable. To  
13 facilitate such work the bovine brucellosis research and experimentation, contracts  
14 may be entered into with owners of bovine animals of various classes for the  
15 supervised control of the animals and for the purchase of animals under conditions  
16 to be specified in such contracts which ~~that~~ shall be retained for control purposes.  
17 Payment for such animals under the contracts shall be made out of the appropriation  
18 in s. 20.285 (1) (a).

NOTE: Conforms capitalization to current style. Inserts specific references,  
replaces parentheses, and replaces disfavored terminology to improve readability and to  
conform to current style.

19           **SECTION 52.** 36.25 (4) of the statutes is amended to read:

20           36.25 (4) DUTCH ELM DISEASE STUDIES. The board shall, through the college of  
21 ~~agricultural and life sciences~~ College of Agricultural and Life Sciences of the  
22 University of Wisconsin-Madison, authorize laboratory and field studies, research,

1 and experiments to determine the cause and control of Dutch elm disease. The  
2 various departments of the state shall cooperate with the university in this program.

NOTE: Conforms capitalization to current style.

3 SECTION 53. 36.25 (29m) (intro.) of the statutes is amended to read:

4 36.25 (29m) CENTER FOR ~~ENVIRONMENTAL~~ EDUCATION ENVIRONMENTAL  
5 EDUCATION. (intro.) There is established in the college of natural resources College  
6 of Natural Resources at the University of Wisconsin-Stevens Point a center for  
7 environmental education to assist in the development, dissemination,  
8 implementation, and evaluation of environmental education programs for  
9 elementary and secondary school teachers and pupils. The center shall do all of the  
10 following:

NOTE: Conforms capitalization to current style.

11 SECTION 54. 36.25 (29m) (h) of the statutes is amended to read:

12 36.25 (29m) (h) Assist the University of Wisconsin-Stevens Point college of  
13 natural resources College of Natural Resources in providing opportunities for  
14 teachers to complete advanced training in environmental education through the  
15 college's master's degree program.

NOTE: Conforms capitalization to current style.

16 SECTION 55. 36.25 (30m) of the statutes is amended to read:

17 36.25 (30m) AGRICULTURAL TECHNOLOGY AND FAMILY FARM PROGRAMS. The board  
18 may establish agricultural technology and family farm programs in the college of  
19 ~~agricultural and life sciences~~ College of Agricultural and Life Sciences at the  
20 University of Wisconsin-Madison.

NOTE: Conforms capitalization to current style.

*and corrects name*

21 SECTION 56. 39.15 (1) (a) of the statutes is amended to read:

*Inset  
23-20*

~~agriculture~~

1           39.15 (1) (a) One-third of the members of the board of trustees of the medical  
2 college ~~Medical College~~ of Wisconsin, ~~inc. Inc.~~, shall be nominated by the governor,  
3 and, with the advice and consent of the senate, appointed, for staggered 6-year terms  
4 expiring on May 1.

NOTE: Conforms capitalization to current style.

5           **SECTION 57.** 39.15 (1) (b) of the statutes is amended to read:

6           39.15 (1) (b) The medical college Medical College of Wisconsin, ~~inc. Inc.~~, shall  
7 give first preference in admissions to residents of this state.

NOTE: Conforms capitalization to current style.

8           **SECTION 58.** 39.15 (1) (c) of the statutes is amended to read:

9           39.15 (1) (c) The medical college Medical College of Wisconsin, ~~inc. Inc.~~, shall  
10 make every effort to ensure that at least 5% of the total enrollment of the college  
11 consists of minority students.

NOTE: Conforms capitalization to current style.

12           **SECTION 59.** 39.15 (2) of the statutes is amended to read:

13           39.15 (2) The legislative audit bureau shall biennially postaudit expenditures  
14 under s. 20.250 so as to assure the propriety of expenditures and compliance with  
15 legislative intent. State affirmative action policies, rules, and practices shall be  
16 applied to the ~~medical college~~ Medical College of Wisconsin, ~~inc. Inc.~~, consistent with  
17 their application to state agencies.

NOTE: Conforms capitalization to current style.

18           **SECTION 60.** 39.155 (title) and (1) of the statutes are amended to read:

19           **39.155 (title) Medical college College of Wisconsin; state aid policies.**  
20 (1) Subject to sub. (3), all funds appropriated to the ~~medical college~~ Medical College  
21 of Wisconsin, ~~inc. Inc.~~, under s. 20.250 (1) (a) shall be based on a per capita formula  
22 for an amount for each Wisconsin resident enrolled at the college who is paying full

1 tuition. A student's qualification as a resident of this state shall be determined by  
2 the higher educational aids board in accordance with s. 36.27, so far as applicable.

NOTE: Conforms capitalization to that of current style.

3 **SECTION 61.** 39.155 (2) of the statutes is amended to read:

4 39.155 (2) On or before January 15 and September 15 of each year, the ~~medical~~  
5 ~~college~~ Medical College of Wisconsin, ~~inc.~~ Inc., shall submit to the higher educational  
6 aids board for its approval a list of the Wisconsin residents enrolled at the college who  
7 are paying full tuition. The state shall make semiannual payments to the ~~medical~~  
8 ~~college~~ Medical College of Wisconsin, ~~inc.~~ Inc., from the appropriation under s.  
9 20.250 (1) (a), upon approval of the list. If the appropriation under s. 20.250 (1) (a)  
10 is insufficient to pay the amount specified to be disbursed under s. 20.250 (1) (a), the  
11 payments shall be disbursed on a prorated basis for each student entitled to such aid.  
12 No more than 8 such payments may be made to the ~~medical college~~ Medical College  
13 of Wisconsin, ~~inc.~~ Inc., from the appropriation under s. 20.250 (1) (a), for any  
14 individual student.

NOTE: Conforms capitalization to current style.

15 **SECTION 62.** 39.155 (3) of the statutes is amended to read:

16 39.155 (3) The ~~medical college~~ Medical College of Wisconsin, ~~inc.~~ Inc., may not  
17 assess tuition for a Wisconsin resident enrolled at the college in an amount that  
18 exceeds the difference between the tuition assessed a nonresident student enrolled  
19 at the college and the amount disbursed under s. 20.250 (1) (a) for each Wisconsin  
20 resident enrolled at the college. This subsection applies only to students enrolled in  
21 the class entering the college in the 1986–87 academic year and thereafter for whom  
22 payments are made to the Medical College of Wisconsin, Inc., from the appropriation  
23 under s. 20.250 (1) (a).

NOTE: Conforms capitalization to current style.

1           **SECTION 63.** 39.16 (intro.) of the statutes is renumbered 39.16 (1).

NOTE: This provision is not introductory to the existing subsection (2) that follows it but is separate and distinct and is renumbered accordingly.

2           **SECTION 64.** 40.02 (48) (am) of the statutes is renumbered 40.02 (48) (am)  
3 (intro.) and amended to read:

4           40.02 (48) (am) (intro.) “Protective occupation participant” includes any  
5 participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm)  
6 and who is a any of the following:

- 7           1. A conservation warden<sub>7,2</sub>.
- 8           2. A conservation patrol boat captain<sub>7,2</sub>.
- 9           3. A conservation patrol boat engineer<sub>7,2</sub>.
- 10          4. A conservation pilot<sub>7,2</sub>.
- 11          5. A conservation patrol officer<sub>7,2</sub>.
- 12          6. A forest fire control assistant<sub>7,2</sub>.
- 13          7. A member of the state traffic patrol<sub>7,2</sub>.
- 14          8. A state motor vehicle inspector<sub>7,2</sub>.
- 15          9. A police officer<sub>7,2</sub>.
- 16          10. A fire fighter<sub>7,2</sub>.
- 17          11. A sheriff<sub>7,2</sub>.
- 18          12. An undersheriff<sub>7,2</sub>.
- 19          13. A deputy sheriff<sub>7,2</sub>.
- 20          14. A state probation and parole officer<sub>7,2</sub>.
- 21          15. A county traffic police officer<sub>7,2</sub>.
- 22          16. A state forest ranger<sub>7,2</sub>.
- 23          17. A fire watcher employed at Wisconsin veterans facilities<sub>7,2</sub>.

- 1           18. A state correctional–psychiatric officer,<sub>s</sub>
- 2           19. An excise tax investigator employed by the department of revenue,<sub>s</sub>
- 3           20. A special criminal investigation agent in the department of justice,<sub>s</sub>
- 4           21. An assistant or deputy fire marshal,~~or,~~
- 5           22. A person employed under s. 61.66 (1).

NOTE: Subdivides long sentence for improved readability and greater conformity with current style.

6           **SECTION 65.** 41.41 (4) (c) of the statutes is amended to read:

7           41.41 (4) (c) The department of agriculture, trade and consumer protection, the  
8 department of natural resources, the department of transportation, the department  
9 of commerce, the department of administration, the state historical society, and the  
10 university University of Wisconsin–extension Wisconsin–Extension shall cooperate  
11 with and assist the board in matters related to its functions.

NOTE: Conforms capitalization to current style.

12           **SECTION 66.** 43.17 (10) of the statutes is amended to read:

13           43.17 (10) BORROWERS' CARDS. Except as provided in sub. (11), all public libraries  
14 in a public library system shall honor the valid borrowers' cards of a public library  
15 in an adjacent public library system, other than the Milwaukee county–federated  
16 library–system County Federated Library System. The requirement under this  
17 subsection does not apply to the Milwaukee County Federated Library System.

NOTE: Conforms capitalization to current style.

18           **SECTION 67.** 45.001 of the statutes is created to read:

19           **45.001 Definitions.** In this chapter, unless the context otherwise requires:

- 20           (2) “Department” means the department of veterans affairs.
- 21           (3) “Secretary” means the secretary of veterans affairs.

NOTE: Creates definitions applicable to the entire chapter for terms used throughout the chapter.

1           **SECTION 68.** 45.014 of the statutes, as affected by 2001 Wisconsin Act 16, section  
2 1441, is amended to read:

3           **45.014 Wisconsin veterans museum.** The department of administration  
4 shall provide suitable space for the purpose of a memorial hall, designated as the  
5 ~~Wisconsin veterans museum~~ Veterans Museum, dedicated to the men and women of  
6 Wisconsin who served in the armed forces of the United States in the civil war of 1861  
7 to 1865 or who meet one of the conditions listed in s. ~~45.35 (5) (a) 1. a. to d.~~ 45.001  
8 (4) (a) 1. a. to d., and the department of veterans affairs shall operate and conduct  
9 the Wisconsin ~~veterans museum~~ Veterans Museum. The mission of the Wisconsin  
10 ~~veterans museum~~ Veterans Museum is to acknowledge, commemorate, and affirm  
11 the role of Wisconsin veterans in the United States of America's military past by  
12 means of instructive exhibits and other educational programs.

NOTE: Section 45.35 (5) (a) is renumbered to s. 45.001 (4) (a) by this bill. Conforms capitalization to current style. Section 45.01 was renumbered 45.014 by 2001 Wisconsin Act 16.

13           **SECTION 69.** 45.02 of the statutes is renumbered 45.02 (intro.) and amended to  
14 read:

15           **45.02 Memorial collection.** (intro.) The battle flags of Wisconsin units  
16 serving in the nation's wars, and all relics and mementos of such ~~the nation's wars~~  
17 donated to or otherwise acquired by the state for display in the Wisconsin ~~veterans~~  
18 ~~museum~~ Veterans Museum shall constitute the memorial collection. The  
19 department of veterans affairs shall catalog do all of the following:

20           (1) Catalog and identify all war relics and mementos of the memorial collection,  
21 restore,

22           (2) Restore, preserve, and safeguard such items, procure the relics and  
23 mementos of the memorial collection.

1           **(3)** Procure additions to such the memorial collection, provide,

2           **(4)** Provide proper display equipment, and to so display such the memorial

3 collection as to make it instructive and attractive to visitors.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by s. 45.001 (2), which is created by this bill. Inserts specific references and subdivides provision to improve readability and to conform to current style. Conforms the form of the (intro.) and capitalization to current style.

4           **SECTION 70.** 45.03 (1) (intro.) and (b) of the statutes are consolidated,  
5 renumbered 45.03 (1) and amended to read:

6           45.03 (1) In this section: ~~(b)~~ "Persian Gulf war" means the period of conflict  
7 designated by the president of the United States as Operation Desert Shield and  
8 Operation Desert Storm and any operation that is a successor to Operation Desert  
9 Shield or Operation Desert Storm.

NOTE: This bill repeals section 45.03 (1) (a). Since par. (b) is the only remaining paragraph, the (intro.) and par. (b) are combined.

10           **SECTION 71.** 45.03 (1) (a) of the statutes is repealed.

NOTE: Repeals definition of "department" made unnecessary by the creation of s. 45.001 (2), which defines "department" for all of ch. 45.

11           **SECTION 72.** 45.03 (2) of the statutes is amended to read:

12           45.03 (2) From the appropriation under s. 20.485 (2) (d), the department shall  
13 provide funding to the Wisconsin Vietnam ~~veterans memorial project, inc.~~ Veterans  
14 Memorial Project, Inc., for the construction of 3 memorials, as defined in s. 45.04 (1)  
15 (c), one memorial for the veterans of World War I, one memorial for the veterans of  
16 World War II, and one memorial for the veterans of the Persian Gulf war. The  
17 memorials shall be constructed at the veterans memorial site located at The  
18 Highground in Clark County. The department may expend up to \$45,000 for the  
19 memorial for the veterans of World War I, up to \$85,000 for the memorial for the  
20 veterans of World War II, and up to \$60,000 for the memorial for the veterans of the

1 Persian Gulf war. If the moneys available under this section to construct one of these  
2 memorials are in excess of the moneys needed to construct that memorial, and if the  
3 moneys available under this section to construct another one of these memorials are  
4 insufficient to construct that memorial, the department, with the approval of the  
5 joint committee on finance, may allocate the excess moneys to construct the  
6 memorial that is insufficiently funded.

NOTE: Conforms capitalization to current style.

7 **SECTION 73.** 45.04 (1) (a) of the statutes is repealed.

NOTE: Repeals definition of “department” made unnecessary by the creation of s.  
45.001 (2), which defines “department” for all of ch. 45.

8 **SECTION 74.** 45.04 (1) (d) of the statutes is repealed.

NOTE: Repeals definition of “secretary” made unnecessary by the creation of s.  
45.001 (3), which defines “secretary” for all of ch. 45.

9 **SECTION 75.** 45.052 (1) (c) of the statutes is amended to read:

10 45.052 (1) (c) It may convey any property under its control to any municipality  
11 and lease it back under terms agreed upon by the commission or board of trustees  
12 and the municipality.

NOTE: Inserts specific board. “Board” in ch. 45 is defined as the board of veterans  
affairs, unless qualified, by s. 45.001 (1).

13 **SECTION 76.** 45.059 of the statutes is amended to read:

14 **45.059 Catalog of memorials.** The department of ~~veterans affairs~~ shall  
15 prepare a catalog of memorials, describing each memorial and giving its location and  
16 condition. The department shall update that catalog.

NOTE: “Department” in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

17 **SECTION 77.** 45.12 (1) of the statutes is amended to read:

18 45.12 (1) There is created in each county a “~~County Veterans’ Service~~  
19 Commission” county veterans’ service commission consisting of 3 residents of the

1 county who are veterans appointed for staggered 3-year terms by the county  
2 executive or county board chairperson in a county ~~which that~~ does not have a county  
3 executive.

NOTE: Conforms punctuation and capitalization to current style.

4 SECTION 78. 45.14 (1) of the statutes is amended to read:

5 45.14 (1) ~~Such~~ In this section, "commission" means the county veterans' service  
6 commission.

7 (1m) The commission shall meet, at the courthouse or at ~~such~~ any other place  
8 as ~~that~~ the county board shall ~~designate~~ designates, on or before the first Monday  
9 of January in each year and at ~~such~~ any other times as ~~that~~ may be necessary.

NOTE: Inserts specific reference and modernizes language to improve readability  
and to conform to current style.

10 SECTION 79. 45.14 (2) of the statutes is renumbered 45.14 (2) (a) and amended  
11 to read:

12 45.14 (2) (a) Except as provided under sub. (3), the commission may furnish aid  
13 to any person within s. 45.10 if the right of ~~such that~~ person to aid ~~shall be~~ is  
14 established to ~~its~~ the commission's satisfaction.

15 (b) The secretary of the commission shall make and deposit with the county  
16 clerk a list containing the name, place of residence, and ~~the~~ amount to be paid to each  
17 ~~such~~ person furnished with aid under par. (a), which shall be signed by the  
18 chairperson and secretary of the commission.

19 (c) The total disbursements made by the commission under this subsection  
20 shall not exceed the amount collected from the tax levied. When ~~such lists are~~ a list  
21 under par. (b) is filed, the county clerk shall issue an order upon the county treasurer  
22 for the sum designated ~~therein~~ in the list in each case and deliver it ~~that~~ sum to the  
23 person entitled ~~thereto~~ to that sum.

1           (d) The commission may furnish aid in a different manner than by supplying  
2 money. The commission may request the county clerk to issue an order upon the  
3 county treasurer to a purveyor of services or commodities for the purchase of ~~such~~  
4 services or commodities, or the commission may furnish ~~such~~ supplies, as it deems  
5 considers best.

6           (e) The commission shall make a detailed report to the county board at each  
7 annual session ~~thereof~~ of the county board showing the amount expended under this  
8 subsection.

NOTE: Subdivides provision, creates a definition, inserts specific references and cross-references, and modifies language and punctuation to improve readability and to conform to current style.

9           **SECTION 80.** 45.185 (2) and (3) of the statutes are amended to read:

10           45.185 (2) ~~Such~~ The municipal governing bodies specified in sub. (1) shall  
11 report to the county clerk of their respective counties, on or before September 1 of  
12 each year, the respective locations of the graves ~~so taken care of~~ cared for by them  
13 under sub. (1), together with the ~~name~~ names of the deceased and the amount  
14 claimed for ~~such~~ care of the graves for a the fiscal year from the previous July 1 to  
15 June 30.

16           (3) The chairperson of the county board and the county clerk of ~~such~~ county,  
17 upon receipt of ~~such~~ the report under sub. (2), shall draw an order on the county  
18 treasurer for the amount of the expenses ~~so incurred in caring for the graves~~, payable  
19 to the person or persons designated in said the report as being entitled thereto.

NOTE: Inserts specific references and cross-references, specifies that the board in sub. (3) is the county board, and otherwise modifies text and punctuation to improve readability and to conform to current style.

20           **SECTION 81.** 45.19 of the statutes is amended to read:

1           **45.19 Military honors funerals.** The department of veterans affairs shall  
2 administer a program to coordinate the provision of military honors funerals to  
3 deceased veterans by local units of member organizations of the council on veterans  
4 programs and by members of the Wisconsin national guard activated under s. 21.11  
5 (3). From the appropriation under s. 20.485 (2) (q), the department shall reimburse  
6 a local unit of a member organization of the council on veterans programs for the  
7 costs of providing a military honors funeral to a deceased veteran. The  
8 reimbursement may not exceed \$50 for each military honors funeral.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

9           **SECTION 82.** 45.21 of the statutes is amended to read:

10           **45.21 Registration of certificate of discharge.** Every person who has  
11 served in the U.S. armed forces at any time, and who has been honorably discharged  
12 or given a certificate of service or relieved from active service may record with the  
13 register of deeds of any county, in a suitable book provided by the county for that  
14 purpose, a certificate of discharge or release. The certificate shall be accessible only  
15 to the discharged person or that person's dependents, the county veterans' service  
16 officer, the department of veterans affairs, or any person with written authorization  
17 from the ~~person~~ discharged person or that person's dependents. The register of deeds  
18 may not charge for recording, except that in counties where the register of deeds is  
19 under the fee system and not paid a fixed salary, the county shall pay the fee specified  
20 in s. 59.43 (2) (ag). The record of any ~~such~~ certificate heretofore of discharge or  
21 release made prior to July 6, 1919, is hereby legalized.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill. Inserts specific references and the effective date  
of the last sentence to improve clarity and readability.

1           **SECTION 83.** 45.25 (1) of the statutes, as affected by 2001 Wisconsin Act 16, is  
2 amended to read:

3           45.25 (1) ADMINISTRATION. The department of ~~veterans affairs~~ shall administer  
4 a tuition and fee reimbursement program for eligible veterans enrolling as  
5 undergraduates in any institution of higher education, as defined in s. 45.396 (1) (a),  
6 in this state, enrolling in a school that is approved under s. 45.35 (9m), enrolling in<sup>plain</sup>  
7 a proprietary school that is approved under s. 45.54, or receiving a waiver of  
8 nonresident tuition under s. 39.47.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

9           **SECTION 84.** 45.34 (2) (e) 3. of the statutes is amended to read:

10           45.34 (2) (e) 3. Between August 1, 1990, and the ending date of Operation  
11 Desert Shield or Operation Desert Storm, as established by the department of  
12 ~~veterans affairs~~ by rule.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

13           **SECTION 85.** 45.34 (2) (f) 3. of the statutes, as created by 2001 Wisconsin Act  
14 22, is amended to read:

15           45.34 (2) (f) 3. Between September 11, 2001, and the ending date of Operation  
16 Enduring Freedom or an operation that is a successor to Operation Enduring  
17 Freedom, as established by the department of ~~veterans affairs~~ by rule.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

18           **SECTION 86.** 45.34 (4) of the statutes is amended to read:

19           45.34 (4) SERVICE IN SOMALIA. A person shall be considered to have served in  
20 Somalia if the person was on active duty in the U.S. armed services in Somalia or in  
21 territorial waters adjacent to Somalia under honorable conditions between

1 December 9, 1992, and the ending date of Operation Restore Hope, as established by  
2 the department of veterans affairs by rule.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

3 **SECTION 87.** 45.34 (5) (c) of the statutes is amended to read:

4 45.34 (5) (c) Between December 1, 1995, and the ending date of Operation  
5 Balkan Endeavor or a successor operation, as established by the department of  
6 veterans affairs by rule.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

7 **SECTION** <sup>create auto-ref "a" (use on page 40)</sup> ~~88.~~ 45.348 (1) of the statutes is created to read:

8 45.348 (1) In this section and ss. 45.35, 45.351, and 45.356 unless otherwise  
9 modified, "child" means any natural child, any legally adopted child, any stepchild  
10 or child if a member of the veteran's household, or any nonmarital child if the veteran  
11 acknowledges paternity or paternity has been otherwise established.

NOTE: Moves the definition of "child" applicable to ss. 45.35, 45.351, and 45.356,  
previously a part of the definition of "dependent" in s. 45.35 (5m), to a separate provision  
for easier access. The definition of "dependent" is renumbered to s. 45.348 (2) by this bill.

12 **SECTION 89.** 45.35 (2) of the statutes is renumbered 45.001 (1) and amended to  
13 read:

14 45.001 (1) ~~DEFINITION.~~ In this chapter "board" "Board" means the board of  
15 veterans affairs.

NOTE: This bill creates, as the first section in ch. 45, s. 45.001, a section for  
definitions applicable to all of ch. 45, consistent with current style.

16 **SECTION 90.** 45.35 (3d) (b) of the statutes, as affected by 2001 Wisconsin Act 16,  
17 is amended to read:

18 45.35 (3d) (b) The council on veterans programs and the department, jointly  
19 or separately, shall submit a report regarding the council on veterans programs to

1 the chief clerk of each house of the legislature for distribution to the legislature under  
2 s. 13.172 (2) ~~by November 1, 1989, and by September 30 of every odd-numbered year~~  
3 ~~thereafter~~. The report shall include a general summary of the activities and  
4 membership over the past 2 years of the council and each organization on the council.

NOTE: An outdated transition provision is deleted.

5 **SECTION 91.** 45.35 (4) (a) of the statutes, as affected by 2001 Wisconsin Act 16,  
6 is amended to read:

7 45.35 (4) (a) The secretary shall appoint under the classified service such  
8 persons as are necessary to carry out the policy of the board and for the proper  
9 conduct of the Wisconsin ~~veterans museum~~ Veterans Museum. All persons  
10 appointed by the department shall, if possible, be veterans as defined in sub. (5) and  
11 preference shall be given to disabled veterans.

NOTE: Conforms capitalization to current style.

12 **SECTION 92.** 45.35 (5) (title) of the statutes is repealed and recreated to read:

13 45.35 (5) (title) SPOUSES AND DEPENDENTS ENTITLEMENT TO BENEFITS.

NOTE: See the treatment of s. 45.35 (5) (d) by SECTION 96<sup>✓</sup> this bill.

14 **SECTION 93.** 45.35 (5) (a) of the statutes is renumbered 45.001 (4) (a), and 45.001  
15 (4) (a) (intro.), 1. (intro.) and a. to c. and 2. (intro.) and a., as renumbered, are  
16 amended to read:

17 45.001 (4) (a) (intro.) ~~“Veteran” as used in this chapter, except~~ Except as used  
18 in s. 45.358 or 45.37 and or subch. II or unless otherwise modified, and except as  
19 provided in par. (b), “veteran” means any person who has served on active duty under  
20 honorable conditions in the U.S. armed forces or in forces incorporated as part of the  
21 U.S. armed forces, except service on active duty for training purposes, and who meets  
22 all of the following conditions:

1           1. (intro.) ~~The person~~ Except as provided in par. (c), is a resident of and living  
2 in this state at the time of making application, or is deceased, and meets one of the  
3 following conditions:

4           a. Has served in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle  
5 East crisis under s. 45.34.

6           b. Was entitled to receive the armed forces expeditionary medal, established  
7 by executive order 10977 on December 4, 1961, the Vietnam service medal  
8 established by executive order 11231 on July 8, 1965, the navy expeditionary medal,  
9 or the marine corps expeditionary medal.

10           c. Has served for 90 days or more during a war period ~~as enumerated under par.~~  
11 ~~(e) or~~ under section 1 of executive order 10957 dated August 10, 1961, or if having  
12 served less than 90 days was honorably discharged for a service-connected disability  
13 or for a disability subsequently adjudicated to have been service connected or died  
14 in service.

15           2. (intro.) ~~The person~~ Except as provided in par. (c), is a resident of and living  
16 in this state at the time of making application or is deceased, and meets one of the  
17 following conditions:

18           a. His or her selective service local board, if any, and home of record at the time  
19 of entry or reentry into active service as shown on the veteran's report of separation  
20 from the U.S. armed forces for a qualifying period were in this state.

NOTE: This bill creates, as the first section in ch. 45, s. 45.001, a section for definitions applicable to all of ch. 45, consistent with current style. Excepts statutes that contain a different definition of "veteran." Reorders text to improve readability and to conform to current style.

21           **SECTION 94.** 45.35 (5) (b) of the statutes is renumbered 45.001 (4) (b).

NOTE: Moves a part of the definition of "veteran" applicable to all of ch. 45 to the beginning of the chapter, consistent with current style.

1           **SECTION 95.** 45.35 (5) (c) of the statutes is renumbered 45.001 (4) (c).

NOTE: Moves a part of the definition of “veteran” applicable to all of ch. 45 to the beginning of the chapter, consistent with current style.

2           **SECTION 96.** 45.35 (5) (d) of the statutes is renumbered 45.35 (5).

NOTE: Sub. (5) (a) to (c) make up the definition of “veteran” as used in ch. 45 and are renumbered to s. 45.001 by this bill. This provision does not fit within the definition of veteran and is not renumbered.

3           **SECTION 97.** 45.35 (5) (e) (intro.) of the statutes is renumbered 45.001 (5) (intro.)

4 and amended to read:

5           45.001 (5) (intro.) The “War period” means any of the following are designated  
6 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.

7           **SECTION 98.** 45.35 (5) (e) 1. to 7. of the statutes are renumbered 45.001 (5) (a)

8 to (g).

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

9           **SECTION 99.** 45.35 (5) (c) 8. of the statutes, as affected by 2001 Wisconsin Act  
10 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.

11           **SECTION 100.** 45.35 (5) (e) 9. of the statutes, as created by 2001 Wisconsin Act 22,

12 ~~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.

13           **SECTION 101.** 45.35 (5m) (title) of the statutes is renumbered 45.348 (title) and

14 amended to read:

15           **45.348 (title) Dependent and child defined for ss. 45.35, 45.351, and**  
16 **45.356.**

NOTE: See the next section of this bill.

1           **SECTION 102.** 45.35 (5m) (a) and (b) of the statutes are renumbered 45.348 (2)

2           (a) and (b) and amended to read:

3           45.348 (2) (a) ~~“Dependent” of a veteran as used in this section and In ss. 45.35~~  
4           and 45.351 and 45.356, “dependent” includes only any of the following:

5           1. ~~A wife or husband spouse, an unremarried widow or widower, or a divorced~~  
6           ~~wife spouse, but only when if the divorced spouse is~~ receiving benefits under a court  
7           order.

8           2. Any child of the veteran under 18 years of age, or under the age of 26 if in  
9           full attendance at a recognized school of instruction, or of any age if incapable of  
10          self-support by reason of mental or physical disability. ~~“Child” as used in this section~~  
11          ~~means any natural child, any legally adopted child, any stepchild or child if a member~~  
12          ~~of the veteran’s household or any nonmarital child if the veteran acknowledges~~  
13          ~~paternity or the same has been otherwise established.~~

14          3. ~~The natural mother or natural father~~ parent or a person to whom the veteran  
15          stands in the place of a parent and who has so stood for not less than 12 months prior  
16          to the veteran’s entrance into active service.

17          4. A ~~minor sister or minor brother~~ sibling or a ~~brother or sister~~ sibling of any  
18          age if incapable of self-support by reason of mental or physical disability.

19          (b) For purposes of defining “dependent” under ~~this subsection~~ par. (a),  
20          “veteran” includes a person who served on active duty under honorable conditions  
21          in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces,  
22          who was a resident of this state at the time of entry or reentry into active duty and  
23          who died while on active duty if ~~that~~ the person’s death was not the result of the  
24          ~~veteran’s wilful~~ person’s willful misconduct.

CS  
See Section 98 of this bill.

use auto-ref. created on page 35

NOTE: Moves the definition of "dependent" applicable to multiple sections to a separate section for easier access. The definition of "child" is deleted from the definition of "dependent" and recreated as a separate definition by this bill as s. 45.348 (1). Dependent is not used in s. 45.356 and that cross-reference is deleted. Gender neutral terms are inserted pursuant to s. 13.93 (1) (m) 2. Amends punctuation and inserts specific references and cross-references to improve readability and to conform to current style.

1 SECTION 103. 45.35 (6) of the statutes is amended to read:

2 45.35 (6) COORDINATION DUTIES. The department shall coordinate the activities  
3 of all state agencies and the University of Wisconsin Hospitals and Clinics Authority  
4 performing functions relating to the medical, hospital, or other remedial care,  
5 placement and training, <sup>and</sup> educational, economic, or vocational rehabilitation of  
6 persons who served in the armed forces of the United States at any time and who  
7 were honorably discharged, including such persons with disabilities whether or not  
8 service-connected or war-connected. In particular ~~it~~, the department shall  
9 coordinate the activities of the technical college system board, state selective service  
10 administration, department of health and family services, department of workforce  
11 development, department of public instruction, the University of Wisconsin System  
12 and other educational institutions, the University of Wisconsin Hospitals and  
13 Clinics Authority, and all other departments or agencies performing any of the  
14 functions specified, to the end that the benefits provided in this section may be made  
15 available to veterans as promptly and effectively as possible.

NOTE: Replaces pronoun with specific reference to improve readability.

16 SECTION 104. 45.35 (13) (b) of the statutes is amended to read:

17 45.35 (13) (b) The department may also receive moneys or other gifts and  
18 bequests in its name for the benefit of the Wisconsin veterans museum Veterans  
19 Museum. All moneys so received shall be deposited in the state treasury and credited  
20 to the veterans trust fund and is appropriated ~~therefrom~~ by from s. 20.485 (2) (zm)

1 to the department to be used, as far as practicable in accordance with the wishes of  
2 the donors, and in accordance with the policies adopted by the board.

NOTE: Conforms capitalization to current style. Removes unnecessary language regarding appropriation.

3 SECTION 105. 45.35 (17) (c) 1. of the statutes is renumbered 45.35 (17) (c) 1m.

NOTE: Accommodates the renumbering of s. 45.35 (17) (c) 4. to s. 45.35 (17) (c) 1g. by this bill.

4 SECTION 106. 45.35 (17) (c) 3. of the statutes is amended to read:

5 45.35 (17) (c) 3. The department shall incorporate the payment acceleration  
6 requirements of subd. 1. 1m. in all loan documents for programs administered by the  
7 department under s. 45.351 or subch. II.

NOTE: Subdivision 1. is renumbered to subd. 1m. by this bill.

8 SECTION 107. 45.35 (17) (c) 4. of the statutes is renumbered 45.35 (17) (c) 1g.

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

9 SECTION 108. 45.351 (1) of the statutes, as affected by 2001 Wisconsin Act 16,  
10 is renumbered 45.351 (1) (a) and amended to read:

11 45.351 (1) ~~SUBSISTENCE GRANTS.~~ (a) The department may grant subsistence  
12 to any incapacitated individual who is a veteran or a dependent of a veteran  
13 amount that the department determines is advisable to prevent want or di  
14 The department may grant subsistence aid under this ~~subsection~~ <sup>paragraph</sup> to an indi  
15 whose incapacitation is the result of the individual's abuse of alcohol or other  
16 if the individual is participating in an alcohol and other drug abuse treatment  
17 program that is approved by the department. The department may grant  
18 subsistence aid on a month-to-month basis or for a 3-month period. The  
19 department may grant subsistence aid for a 3-month period if the veteran or  
20 dependent whose incapacity is the basis for the aid will be incapacitated for more

*If we don't change - must be amend only not R/A*

1 than 3 months and if earned or unearned income or aid from sources other than those  
2 listed in the application will not be available in the 3-month period. Subsistence aid  
3 is limited to a maximum of 3 months in a 12-month period unless the department  
4 determines that the need for subsistence aid in excess of this maximum time period  
5 is caused by the aid recipient's relapse.

6 (b) The department may submit a request to the joint committee on finance for  
7 supplemental funds from the veterans trust fund to be credited to the appropriation  
8 account under s. 20.485 (2) (vm) for subsistence grants to veterans. If the  
9 cochairpersons of the committee do not notify the secretary of the department within  
10 14 working days after the date of the department's submittal that the committee  
11 intends to schedule a meeting to review the request, the appropriation account shall  
12 be supplemented as provided in the request. If, within 14 working days after the date  
13 of the department's submittal, the cochairpersons of the committee notify the  
14 secretary of the department that the committee intends to schedule a meeting to  
15 review the request, the appropriation account shall be supplemented only as  
16 approved by the committee.

NOTE: Subdivides long provision for improved readability. "Secretary" in ch. 45 is defined as the secretary of veterans affairs by s. 45.001 (3), which is created by this bill.

17 **SECTION 109.** 45.356 (1m) of the statutes is repealed.

NOTE: Repeals definitions of "department" and "veteran" made unnecessary by the creation of s. 45.001, which defines those terms for all of ch. 45.

18 **SECTION 110.** 45.356 (2) of the statutes is amended to read:

19 45.356 (2) The department may lend a veteran, a veteran's unremarried  
20 spouse, or a deceased veteran's child who meets the requirements of s. 45.35 (5m) (a)  
21 2. not more than \$15,000, or a lesser amount established by the department by rule,  
22 for the purchase of a mobile home, business, or business property, the education of

1 the veteran or ~~his or her~~ the veteran's spouse or children, the payment of medical or  
2 funeral expenses, the payment under sub. (6) (c), or the consolidation of debt. The  
3 department may prescribe loan conditions, but the term of the loan may not exceed  
4 10 years. The department shall ensure that the proceeds of any loan made under this  
5 section shall first be applied to pay any delinquent child support or maintenance  
6 payments and <sup>then</sup> to pay any past support, medical expenses, or birth expenses.

NOTE: This bill incorporates the requirements for a child in s. 45.35 (5m) (a) 2. into a definition at s. 45.348 that is applicable to this section, which renders the text deleted by this section unnecessary. Punctuation is amended and a specific reference replaces pronouns to improve readability and to conform to current style.

7 **SECTION 111.** 45.356 (3) of the statutes is amended to read:

8 45.356 (3) The department may lend not more than \$15,000, or a lesser amount  
9 established by the department by rule, to a veteran's remarried surviving spouse or  
10 to the parent of a deceased veteran's child for the education of a child ~~who meets the~~  
11 ~~requirements of s. 45.35 (5m) (a) 2.~~

NOTE: This bill incorporates the requirements for a child in s. 45.35 (5m) (a) 2. into a definition at s. 45.348 that is applicable to this section, which renders the text deleted by this section unnecessary.

12 **SECTION 112.** 45.357 (1) of the statutes is amended to read:

13 45.357 (1) The department ~~of veterans affairs~~ shall administer a program to  
14 provide assistance to persons who served in the U.S. armed forces or in forces  
15 incorporated as part of the U.S. armed forces and who were discharged under  
16 conditions other than dishonorable. The department shall provide assistance to  
17 persons whose need for services is based upon homelessness, incarceration, or other  
18 circumstances designated by the department by rule. The department shall  
19 designate the assistance available under this section, which may include assistance  
20 in receiving medical care, dental care, education, employment, and transitional

1 housing. The department may provide grants to facilitate the provision of services  
2 under this section.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

3 **SECTION 113.** 45.358 (2) of the statutes is amended to read:

4 45.358 (2) CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to  
5 authorization under ss. 13.48 (10) and 20.924 (1), the department of veterans affairs  
6 may construct and operate veterans cemeteries in northwestern and southeastern  
7 Wisconsin and may employ ~~such~~ any personnel as that are necessary for the proper  
8 management of the cemeteries. The cemetery in southeastern Wisconsin is the  
9 Southern Wisconsin Veterans Memorial Cemetery. The cemetery in northwestern  
10 Wisconsin is the Northern Wisconsin Veterans Memorial Cemetery. The department  
11 may acquire, by gift, purchase, or condemnation, lands necessary for the purposes  
12 of the cemeteries. Title to the properties shall be taken in the name of this state.  
13 Every deed of conveyance shall be immediately recorded in the office of the proper  
14 register of deeds and thereafter filed with the secretary of state. All cemeteries  
15 operated by the department are exempt from the requirements of ss. 157.061 to  
16 157.70 and 440.90 to 440.95.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

17 **SECTION 114.** 45.358 (4) of the statutes is amended to read:

18 45.358 (4) GIFTS, GRANTS, AND BEQUESTS. The department of veterans affairs  
19 may accept for the state all gifts, grants, and bequests for the purposes of  
20 maintenance, restoration, preservation, and rehabilitation of the veterans  
21 cemeteries constructed under sub. (2).

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

1           **SECTION 115.** 45.36 (title) of the statutes is amended to read:

2           **45.36 (title) Release of information and records by the department of**  
3 **veterans affairs and by county veterans' service offices.**

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by s. 45.001 (2), which is created by this bill. "By" is added for clarification.

4           **SECTION 116.** 45.36 (1) (a) of the statutes is repealed.

NOTE: Repeals definition of "department" made unnecessary by the creation of s. 45.001 (2), which defines "department" for all of ch. 45.

5           **SECTION 117.** 45.36 (6) of the statutes is amended to read:

6           **45.36 (6) DISCLOSURE OF OTHER INFORMATION.** Except as provided in subs. (2) to  
7 (5), all files, records, reports, papers, and documents pertaining to applications for  
8 benefits from the department, and information contained therein, shall only be  
9 released by the department or service office only pursuant to rules of the department.  
10 The rules must provide for the furnishing of information required under sub. (5m)  
11 and for official purposes by any agency of the U.S. government, by any agency of this  
12 state, by any law enforcement or public welfare agency of any Wisconsin county, or  
13 by members of the state senate and assembly, ~~and.~~ The rules will otherwise provide  
14 for release of personal information pertaining to or contained in any application for  
15 benefits, whether pending or adjudicated, ~~only where~~ when authorized in writing by  
16 the applicants or ~~where~~ when necessary to assist applicants in securing veterans  
17 benefits ~~to which they~~ that the applicants may be entitled to or ~~where~~ when  
18 necessary for the efficient management of loans made by the department.

NOTE: Reorganizes and replaces language and punctuation to improve readability, sentence agreement, and conformity with current style.

19           **SECTION 118.** 45.365 (1) (a) 1. of the statutes is repealed.

NOTE: Repeals definition of "department" made unnecessary by the creation of s. 45.001 (2), which defines "department" for all of ch. 45.

20           **SECTION 119.** 45.37 (1a) of the statutes is amended to read:

1           **45.37 (1a) DEFINITION OF VETERAN.** Except as provided in sub. (15) (a) and (b),  
2 in this section “veteran” has the meaning given in s. ~~45.35 (5) (a)~~ 45.001 (4) (a) or  
3 means any person who served on active duty under honorable conditions in the U.S.  
4 armed forces or in forces incorporated as part of the U.S. armed forces for at least one  
5 day during a war period, ~~as defined in s. 45.35 (5) (e)~~ or under section 1 of executive  
6 order 10957, dated August 10, 1961, and who was officially reported missing in  
7 action or killed in action or who died in service, or who was discharged under  
8 honorable conditions after 90 days or more of active service, or if having served less  
9 than 90 days was honorably discharged for a service-connected disability or for a  
10 disability subsequently adjudicated to have been service connected, or who died as  
11 a result of a service-connected disability.

NOTE: Section 45.35 (5) (a) is renumbered to s. 45.001 (4) (a) by this bill. Section  
45.35 (5) (e), the definition of “war period,” is renumbered to s. 45.001 (5) and made  
applicable to all of ch. 45, rendering the second stricken phrase unnecessary.

12           **SECTION 120.** 45.37 (9d) of the statutes is amended to read:

13           **45.37 (9d) MEDICAL ASSISTANCE PAYMENTS.** All moneys received under title XIX  
14 of the ~~social security act~~ Social Security Act for the care of members shall be  
15 transferred to the appropriation under s. 20.485 (1) (gk).

NOTE: Conforms capitalization to current style.

16           **SECTION 121.** 45.375 (1) of the statutes is amended to read:

17           **45.375 (1)** The department ~~of veterans affairs~~ may establish a hospital at the  
18 Wisconsin Veterans Home at King.

NOTE: “Department” in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

19           **SECTION 122.** 45.38 (2) (d) of the statutes is amended to read:

20           **45.38 (2) (d)** All powers and duties conferred upon the board or the department  
21 pursuant to this section shall be exercised and performed by resolution of the board.

1 All conveyances, leases, and subleases made pursuant to this section, when  
2 authorized pursuant to resolution of the board, shall be made, executed, and  
3 delivered in the name of the department of ~~veterans affairs~~ and shall be signed by  
4 the director and sealed with the seal of the department.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by  
s. 45.001 (2), which is created by this bill.

5 **SECTION 123.** 45.385 of the statutes is amended to read:

6 **45.385 Veterans residential, treatment, and nursing care facilities.**

7 Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department of  
8 ~~veterans affairs~~ may construct or renovate and operate residential, treatment, and  
9 nursing care facilities in southeastern Wisconsin, including a community-based  
10 residential facility, to be known as the Southern Wisconsin Veterans Retirement  
11 Center. The department may employ such any personnel as that are necessary for  
12 the proper management of the Southern Wisconsin Veterans Retirement Center.  
13 The department may acquire by gift, purchase, or condemnation lands necessary for  
14 the purposes of the Southern Wisconsin Veterans Retirement Center. Title to any  
15 properties acquired under this section shall be taken in the name of this state. Every  
16 deed of conveyance shall be immediately recorded in the office of the proper register  
17 of deeds and filed with the secretary of state.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs  
by s. 45.001 (2), which is created by this bill.

18 **SECTION 124.** 45.42 (1) of the statutes is renumbered 45.42 (1) (intro.) and  
19 amended to read:

20 45.42 (1) (intro.) The department may compile a record of the veteran's burial  
21 places located within the state of ~~persons who meet the definition of a "veteran"~~

1 under s. 45.35 (5) (a). ~~The record that may, so far as practicable, may indicate the~~  
2 all of the following information:

3 (a) The deceased veteran's name of each person; the,

4 (b) The service in which the deceased veteran was engaged; the,

5 (c) The appropriate designation of the deceased veteran's armed forces unit;  
6 the,

7 (d) The deceased veteran's rank and period of service; the,

8 (e) The name and location of the cemetery or other place in which the deceased  
9 veteran's body is interred; the,

10 (f) The location of the deceased veteran's grave in the cemetery or other place  
11 ;~~and the of interment.~~

12 (g) The character of the headstone or other marker, if any, at the deceased  
13 veteran's grave.

NOTE: Eliminates unnecessary cross-reference to the definition of "veteran,"  
inserts specific references, and subdivides provision for improved readability and  
conformity with current style.

14 SECTION 125. 45.42 (2) of the statutes is amended to read:

15 45.42 (2) The department may ~~have prepare~~ blank forms ~~prepared whereby for~~  
16 the transmission to the department of the information required for the record may  
17 be transmitted to it and under sub. (1). The department may distribute the forms  
18 to county veterans' service officers. The A county veterans' service officer within  
19 whose county and any cemetery or other burial place is located in which deceased  
20 veteran's bodies are interred the bodies of persons who meet the definition of a  
21 "veteran" under s. 45.35 (5) (a) shall submit the facts required for such the record  
22 under sub. (1) to the department on the forms provided by it, if so requested by the  
23 department.

of veterans  
affair  
was kept b/c DEN  
is mentioned in  
this paragraph.  
Should it  
be  
kept?

NOTE: Eliminates unnecessary cross-reference to the definition of “veteran” and reorders and modifies text for improved readability and conformity with current style.

1           **SECTION 126.** 45.43 (7) (b) of the statutes is amended to read:

2           45.43 (7) (b) The department shall award a grant annually to a county that  
3 meets the standards developed under this subsection and employs a county veterans’  
4 service officer who, if chosen after August 9, 1989, is chosen from a list of candidates  
5 who have taken a civil service examination for the position of county veterans’ service  
6 officer developed and administered by the division of merit recruitment and selection  
7 in the department of employment relations, or is appointed under a civil service  
8 competitive examination procedure under ch. 63 or s. 59.52 (8). The grant shall be  
9 \$8,500 for a county with a population of ~~under~~ less than 20,000, \$10,000 for a county  
10 with a population of 20,000 to 45,499, \$11,500 for a county with a population of  
11 45,500 to 74,999, and \$13,000 for a county with a population of 75,000 or more. The  
12 department of ~~veterans affairs~~ shall use the most recent Wisconsin official  
13 population estimates prepared by the demographic services center when making  
14 grants under this paragraph.

NOTE: “Department” in ch. 45 is defined as the department of veterans affairs  
by s. 45.001 (2), which is created by this bill.

15           **SECTION 127.** 45.52 of the statutes is amended to read:

16           **45.52 Physical disability does not disqualify for public employment.**

17 A veteran, ~~as defined under s. 45.35 (5) (a)~~, who has suffered a physical disability as  
18 a direct result of military or naval service shall not on that account be barred from  
19 employment in any public position or employment whether under state, county, or  
20 municipal civil service or otherwise, if the licensed physician making a physical  
21 examination of the veteran for the public employer certifies that the applicant’s

1 disability will not materially handicap the veteran in the performance of the duties  
2 of the position.

NOTE: "Veteran" in ch. 45 is defined by s. 45.001, which is created by this bill.

3 **SECTION 128.** 45.54 (1) (e) 1. of the statutes is amended to read:

4 45.54 (1) (e) 1. In-state schools that are exempt from taxation under section  
5 501 of the ~~internal revenue code~~ Internal Revenue Code and that either were  
6 incorporated in this state prior to January 1, 1992, or had their administrative  
7 headquarters and principal places of business in this state prior to 1970.

NOTE: Conforms capitalization to current style.

8 **SECTION 129.** 45.54 (5) of the statutes is amended to read:

9 45.54 (5) EMPLOYEES, QUARTERS. The board shall employ a person to perform  
10 the duties of an executive secretary and such any other persons under the classified  
11 service as that may be necessary to carry out its the board's purpose. The person  
12 performing the duties of the executive secretary shall be in charge of the  
13 administrative functions of the board. The board shall, to the maximum extent  
14 practicable, keep its office with the department of ~~veterans affairs~~.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs  
by s. 45.001 (2), which is created by this bill. A pronoun is replaced to improve  
readability and to conform to current style.

15 **SECTION 130.** 45.71 (2m) of the statutes is repealed.

NOTE: Repeals definition of "board" made unnecessary because s. 45.001 (1), which  
is renumbered from s. 45.35 (2) by this bill, defines "board" for all of ch. 45 as the the board  
of veterans affairs.

16 **SECTION 131.** 45.71 (4) of the statutes is repealed.

NOTE: Repeals definition of "department" made unnecessary by the creation of s.  
45.001 (2), which defines "department" for all of ch. 45.

17 **SECTION 132.** 45.71 (15) of the statutes is repealed.

NOTE: Repeals definition of "secretary" made unnecessary by the creation of s.  
45.001 (3), which defines "secretary" for all of ch. 45.

18 **SECTION 133.** 45.71 (16) (a) 1m. c. of the statutes is amended to read:

1           45.71 (16) (a) 1m. c. Has served for 90 days or more during a war period as  
2     ~~enumerated under par. (am)~~ or under section 1 of executive order 10957, dated  
3     August 10, 1961, except service on active duty for training purposes, or if having  
4     served less than 90 days was honorably discharged for a service-connected disability  
5     or for a disability subsequently adjudicated to have been service-connected or died  
6     in service.

NOTE: This bill renumbers the definition of "war period" at s. 45.35 (5) (e), which  
is identical to par. (am), to s. 45.001 (5) and makes it applicable to all of ch. 45, rendering  
the language deleted here unnecessary.

7           **SECTION 134.** 45.71 (16) (am) of the statutes is repealed.

NOTE: This bill renumbers the definition of "war period" at s. 45.35 (5) (e), which  
is identical to this provision, to s. 45.001 (5) and makes it applicable to all of ch. 45,  
rendering this provision unnecessary.

8           **SECTION 135.** 45.79 (6) (a) 2. and (c) 2. of the statutes are amended to read:

9           45.79 (6) (a) 2. The chairperson of the board shall certify that the chairperson  
10     does not expect proceeds of state debt issued under this paragraph to be used in a  
11     manner that would cause the debt to be arbitrage bonds as defined by the ~~internal~~  
12     ~~revenue code~~ Internal Revenue Code, where that debt is a bond that is exempt from  
13     federal taxation.

14           (c) 2. The chairperson of the board shall certify that the board and the  
15     department do not expect and shall not use proceeds of revenue obligations issued  
16     under this paragraph in a manner that would cause the revenue obligations to be  
17     arbitrage bonds as defined in the ~~U.S. internal revenue code~~ Internal Revenue Code,  
18     where that debt is a bond that is exempt from federal taxation.

NOTE: Confirms capitalization to current style.

19           **SECTION 136.** 46.04 (2) of the statutes is amended to read:

20           46.04 (2) PROGRAM. From the appropriations under s. 20.435 (2) (a) and (gk),  
21     the department shall establish at the Winnebago ~~mental health institute~~ Mental

1 Health Institute a program of inpatient assessment and treatment to be known as  
2 the “Anchorage program”,” which is designed primarily to meet the needs of  
3 adolescents who are drug dependent, who evidence drug-related behavior ~~which~~  
4 that may be dangerous to the adolescent or to others, and who have a history of drug  
5 dependency and resistance to less restrictive forms of treatment, but ~~which~~ that also  
6 may be used by the department to provide inpatient assessment and treatment of  
7 adolescents who have mental illness, who evidence mental illness-related behavior  
8 that may be dangerous to the adolescent or to others, and who have a history of  
9 mental illness and resistance to less restrictive forms of treatment. A county  
10 department under s. 51.42 may refer an adolescent for assessment or treatment  
11 under this section and shall approve all admissions to the program under this section  
12 of adolescents committed under s. 51.20 or 51.45 or admitted under s. 51.13.  
13 Transfers under s. 51.35 (3) or 51.37 (5) may also be made to the program under this  
14 section.

NOTE: Conforms capitalization to current style.

15 **SECTION 137.** 46.041 (1) (intro.) of the statutes is amended to read:

16 46.041 (1) (intro.) A program to be known as the “children’s consultation  
17 service” shall be provided. The service shall be established at ~~the Mendota mental~~  
18 ~~health institute~~ Mental Health Institute or ~~the Winnebago mental health institute~~  
19 Mental Health Institute, or at both institutions. The service shall:

NOTE: Conforms capitalization to current style.

20 **SECTION 138.** 46.042 of the statutes is amended to read:

21 **46.042 Treatment program for emotionally disturbed children.** The  
22 department shall establish a program for the intensive treatment of emotionally  
23 disturbed children. The program shall be operated by ~~the Mendota mental health~~

1 ~~institute~~ Mental Health Institute and be subject to all federal and state laws, rules,  
2 and regulations ~~which~~ that apply to the institute. Operational planning shall  
3 provide close interrelationship between the department and the University of  
4 Wisconsin Medical School for conduct of educational and research programs.

NOTE: Conforms capitalization to current style.

5 **SECTION 139.** 46.10 (14) (a) of the statutes is amended to read:

6 46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person  
7 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons  
8 under 18 years of age at community mental health centers, a county mental health  
9 complex under s. 51.08, the centers for the developmentally disabled, ~~the~~ Mendota  
10 ~~mental health institute~~ Mental Health Institute, and ~~the~~ Winnebago ~~mental health~~  
11 ~~institute~~ Mental Health Institute or care and maintenance of persons under 18 years  
12 of age in residential, nonmedical facilities such as group homes, foster homes,  
13 treatment foster homes, child caring institutions, and juvenile correctional  
14 institutions is determined in accordance with the cost-based fee established under  
15 s. 46.03 (18). The department shall bill the liable person up to any amount of liability  
16 not paid by an insurer under s. 632.89 (2) or (2m) or by other ~~3rd party~~ 3rd-party  
17 benefits, subject to rules ~~which~~ that include formulas governing ability to pay  
18 promulgated by the department under s. 46.03 (18). Any liability of the patient not  
19 payable by any other person terminates when the patient reaches age 18, unless the  
20 liable person has prevented payment by any act or omission.

NOTE: Conforms capitalization and hyphenation to current style.

21 **SECTION 140.** 46.19 (1) of the statutes is amended to read:



1           **SECTION 145.** 46.282 (2) (am) of the statutes is amended to read:

2           46.282 (2) (am) *Appointment by a tribe or band or council.* If a tribe or band  
3 or the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., intends to  
4 apply for a contract to operate a resource center or for certification as a care  
5 management organization, the tribe or band or the council shall, as a condition of the  
6 application or the certification, appoint a local long-term care council.

NOTE: Conforms capitalization to current style and adds comma to correct  
grammar.

7           **SECTION 146.** 46.282 (2) (b) 3. of the statutes is amended to read:

8           46.282 (2) (b) 3. A local long-term care council that is appointed by a tribe or  
9 band or by the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., shall  
10 consist of 21 members, at least 11 of whom are older persons or persons with physical  
11 or developmental disabilities or their family members or other representatives. The  
12 age or disability represented by these 11 members shall correspond to the proportion  
13 of numbers of persons, as determined by the department, receiving long-term care  
14 in this state who are aged 65 or older or have a physical or developmental disability.  
15 The total remaining 10 members shall consist of providers of long-term care services,  
16 persons residing in the county with recognized ability and demonstrated interest in  
17 long-term care and up to 3 members of the governing board of the tribe or band or  
18 the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., that appoints  
19 the local long-term care council.

NOTE: Conforms capitalization to current style.

20           **SECTION 147.** 46.282 (2) (d) of the statutes is amended to read:

21           46.282 (2) (d) *Compensation and training.* Members of the local long-term care  
22 council who are older persons, persons with physical or developmental disabilities,  
23 or the family members or other representatives of these persons shall receive

1 compensation from the applicable county for reasonable expenses associated with  
2 membership participation. The county board of supervisors or, in the case of a  
3 member appointed by the governing body of a tribe or band or by the Great Lakes  
4 ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., the tribe or band or the Great  
5 Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., shall provide training to  
6 these members to enable them to participate effectively.

NOTE: Conforms capitalization to current style. 2

7 **SECTION 148.** 46.282 (3) (a) 1. (intro.) of the statutes is amended to read:

8 46.282 (3) (a) 1. (intro.) Develop the initial plan for the structure of the county,  
9 multicounty or tribal resource center and care management organization or  
10 organizations, including formulating recommendations to the county board or  
11 boards of supervisors and, in a county with a county executive or a county  
12 administrator, to the county executive or county administrator, to the governing body  
13 of the tribe or band or of the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal  
14 Council, Inc., if applicable, and to the department on all of the following:

NOTE: Conforms capitalization to current style.

15 **SECTION 149.** 46.282 (3) (a) 1. a. of the statutes is amended to read:

16 46.282 (3) (a) 1. a. Whether or not the county, counties, tribe or band, or Great  
17 Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., should exercise ~~its~~ the right  
18 to apply under s. 46.283 (1) for a contract to operate a resource center or to apply  
19 under s. 46.284 (1) for a contract to operate a care management organization and how  
20 the operation should proceed.

NOTE: Conforms capitalization to current style.

21 **SECTION 150.** 46.282 (3) (a) 1. d. of the statutes is amended to read:

✓

1           46.282 (3) (a) 1. d. If applicable, how county-operated functions should interact  
2 with a resource center or care management organization that is operated by a tribe  
3 or band or by the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc.

NOTE: Conforms capitalization to current style.

4           **SECTION 151.** 46.283 (1) (b) of the statutes is amended to read:

5           46.283 (1) (b) After considering recommendations of the local long-term care  
6 council under s. 46.282 (3) (a) 1., the governing body of a tribe or band or of the Great  
7 Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., may decide whether to  
8 authorize a tribal agency to apply to the department for a contract to operate a  
9 resource center for tribal members and, if so, which client group to serve.

NOTE: Conforms capitalization to current style.

10          **SECTION 152.** 46.283 (1) (c) of the statutes is amended to read:

11          46.283 (1) (c) Under the requirements of par. (a), a county board of supervisors  
12 may decide to apply to the department for a contract to operate a multicounty  
13 resource center in conjunction with the county board or boards of one or more other  
14 counties or a county-tribal resource center in conjunction with the governing body  
15 of a tribe or band or the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council,  
16 Inc.

NOTE: Conforms capitalization to current style.

17          **SECTION 153.** 46.283 (1) (d) of the statutes is amended to read:

18          46.283 (1) (d) Under the requirements of par. (b), the governing body of a tribe  
19 or band may decide to apply to the department for a contract to operate a resource  
20 center in conjunction with the governing body or governing bodies of one or more  
21 other tribes or bands or the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal  
22 Council, Inc., or with a county board of supervisors.

NOTE: Conforms capitalization to current style.

1 SECTION 154. 46.283 (2) (a) of the statutes is amended to read:

2 46.283 (2) (a) Before July 1, 2001, the department may contract only with a  
3 county, a family care district, the governing body of a tribe or band ~~or~~ the Great  
4 Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., or ~~with~~ 2 or more of these  
5 entities under a joint application, to operate a resource center.

NOTE: Conforms capitalization to current style.

6 SECTION 155. 46.283 (2) (b) (intro.) of the statutes is amended to read:

7 46.283 (2) (b) (intro.) After June 30, 2001, the department shall contract with  
8 the entities specified under s. 46.281 (1) (d) 1. and may, in addition to contracting  
9 with these entities and subject to approval of necessary funding, contract to operate  
10 a resource center with counties, family care districts, <sup>or</sup> the governing body of a tribe  
11 or band ~~or~~ the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc.,  
12 under a joint application of any of these, or with a private nonprofit organization if  
13 the department determines that the organization has no significant connection to an  
14 entity that operates a care management organization and if any of the following  
15 applies:

SCORE  
comma

NOTE: Conforms capitalization to current style.

16 SECTION 156. 46.284 (1) (b) of the statutes is amended to read:

17 46.284 (1) (b) The governing body of a tribe or band or of the Great Lakes  
18 ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., may decide whether to authorize  
19 a tribal agency to apply to the department for a contract to operate a care  
20 management organization for tribal members and, if so, which client group to serve.

NOTE: Conforms capitalization to current style.

21 SECTION 157. 46.284 (1) (c) of the statutes is amended to read:

1           46.284 (1) (c) Under the requirements of par. (a), a county board of supervisors  
2 may decide to apply to the department for a contract to operate a multicounty care  
3 management organization in conjunction with the county board or boards of one or  
4 more other counties or a county-tribal care management organization in conjunction  
5 with the governing body of a tribe or band or the Great Lakes ~~inter-tribal council,~~  
6 ~~inc. Inter-Tribal Council, Inc.~~

NOTE: Conforms capitalization to current style.

7           **SECTION 158.** 46.284 (1) (d) of the statutes is amended to read:

8           46.284 (1) (d) Under the requirements of par. (b), the governing body of a tribe  
9 or band may decide to apply to the department for a contract to operate a care  
10 management organization in conjunction with the governing body or governing  
11 bodies of one or more other tribes or bands or the Great Lakes ~~inter-tribal council,~~  
12 ~~inc. Inter-Tribal Council, Inc.,~~ or with a county board of supervisors.

NOTE: Conforms capitalization to current style.

13           **SECTION 159.** 46.284 (2) (b) 1. b. of the statutes is amended to read:

14           46.284 (2) (b) 1. b. The governing body of a tribe or band or the Great Lakes  
15 ~~inter-tribal council, inc. Inter-Tribal Council, Inc.,~~ elects to operate a care  
16 management organization within the area and is certified under sub. (3).

NOTE: Conforms capitalization to current style.

17           **SECTION 160.** 46.37 of the statutes is amended to read:

18           **46.37 Certain water and sewerage service in Winnebago County.** The  
19 department, as a member of the tri-institutional Winnebago mental health institute  
20 Mental Health Institute, Winnebago county ~~County~~ <sup>Asylum</sup> and Sunny View  
21 ~~sanatorium~~ sewer agreement in Winnebago county County is authorized to furnish  
22 and charge for water and ~~sewage~~ sewerage services to business and dwelling units

Asylum

Sanatorium

located

1 located in the privately owned area lying west of the Winnebago mental health  
 2 institute Mental Health Institute and bounded on the west by the railroad properties  
 3 and on the north, east, and south by the grounds of the Winnebago mental health  
 4 institute Mental Health Institute, together with such any dwelling or other units as  
 5 ~~now exist or as may be erected in existence on or after March 29, 1940,~~ on the railroad  
 6 railroad-owned and state-owned state-owned property adjacent to this area.

NOTE: ~~Inserts effective date of statute for clarification and proper term.~~ Conforms capitalization and hyphenation to current style.

7 SECTION 161. 46.986 (6) (title) of the statutes is created to read:

8 46.986 (6) (title) EVALUATION.

NOTE: The remaining subsections of s. 46.986 ~~(6)~~ have titles.

9 SECTION 162. 48.23 (1) of the statutes is renumbered 48.23 (1m).

NOTE: Accommodates the renumbering of s. 48.23 (6) to 48.23 (1g) by the next section of this bill.

10 SECTION 163. 48.23 (6) of the statutes is renumbered 48.23 (1g) and amended  
 11 to read:

12 48.23 (1g) DEFINITION. ~~For the purposes of In~~ this section, "counsel" means an  
 13 attorney acting as adversary counsel who shall advance and protect the legal rights  
 14 of the party represented, and who may not act as guardian ad litem or  
 15 court-appointed special advocate for any party in the same proceeding.

NOTE: Renumbers provision to beginning of section and modifies language, consistent with current style.

16 SECTION 164. 48.357 (1) of the statutes is renumbered 48.357 (1) (a) and  
 17 amended to read:

18 48.357 (1) (a) The person or agency primarily responsible for implementing the  
 19 dispositional order, the district attorney, or the corporation counsel may request a  
 20 change in the placement of the child or expectant mother, whether or not the change

Substitutes the present tense "located" for "as now exist or as may be erected." A statute is regarded as speaking in the present, as if the matter is read or applied. Also, under s. 99.01(2) the present tense of a verb includes the future when applicable.

1 requested is authorized in the dispositional order, and shall cause written notice to  
2 be sent to the child, the parent, guardian, and legal custodian of the child, any foster  
3 parent, treatment foster parent, or other physical custodian described in s. 48.62 (2)  
4 of the child, the child's court-appointed special advocate, and, if the child is the  
5 expectant mother of an unborn child under s. 48.133, the unborn child by the unborn  
6 child's guardian ad litem. If the expectant mother is an adult, written notice shall  
7 be sent to the adult expectant mother and the unborn child by the unborn child's  
8 guardian ad litem. The notice shall contain the name and address of the new  
9 placement, the reasons for the change in placement, a statement describing why the  
10 new placement is preferable to the present placement, and a statement of how the  
11 new placement satisfies objectives of the treatment plan ordered by the court.

12 (b) Any person receiving the notice under ~~this subsection~~ par. (a) or notice of  
13 a specific placement under s. 48.355 (2) (b) 2., other than a court-appointed special  
14 advocate, may obtain a hearing on the matter by filing an objection with the court  
15 within 10 days after receipt of the notice. Placements may not be changed until 10  
16 days after that notice is sent to the court unless the parent, guardian, or legal  
17 custodian and the child, if 12 years of age or over, or the child expectant mother, if  
18 12 years of age or over, her parent, guardian, or legal custodian and the unborn child  
19 by the unborn child's guardian ad litem, or the adult expectant mother and the  
20 unborn child by the unborn child's guardian ad litem, sign written waivers of  
21 objection, except that placement changes ~~which~~ that were authorized in the  
22 dispositional order may be made immediately if notice is given as required ~~in this~~  
23 ~~subsection~~ under par. (a). In addition, a hearing is not required for placement  
24 changes authorized in the dispositional order except when an objection filed by a

1 person who received notice alleges that new information is available ~~which~~ that  
2 affects the advisability of the court's dispositional order.

NOTE: Subdivides provision to improve the readability of that provision.

3 **SECTION 165.** 48.357 (2) of the statutes is amended to read:

4 48.357 (2) If emergency conditions necessitate an immediate change in the  
5 placement of a child or expectant mother placed outside the home, the person or  
6 agency primarily responsible for implementing the dispositional order may remove  
7 the child or expectant mother to a new placement, whether or not authorized by the  
8 existing dispositional order, without the prior notice provided in sub. (1) (a). The  
9 notice shall, however, be sent within 48 hours after the emergency change in  
10 placement. Any party receiving notice may demand a hearing under sub. (1) (b). In  
11 emergency situations, a child may be placed in a licensed public or private shelter  
12 care facility as a transitional placement for not more than 20 days, as well as in any  
13 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.

14 **SECTION 166.** 48.357 (2m) of the statutes is renumbered 48.357 (2m) (a) and  
15 amended to read:

16 48.357 (2m) (a) The child, the parent, guardian, or legal custodian of the child,  
17 the expectant mother, the unborn child by the unborn child's guardian ~~at~~ ad ~~lit~~item,  
18 or any person or agency primarily bound by the dispositional order, other than the  
19 person or agency responsible for implementing the order, may request a change in  
20 placement under this subsection paragraph. The request shall contain the name and  
21 address of the place of the new placement requested and shall state what new  
22 information is available ~~which~~ that affects the advisability of the current placement.

requested or proposed - 63 -

The

~~requested~~

par. (a)

1 This request shall be submitted to the court. In addition, the court may propose a  
2 change in placement on its own motion. ~~paragraph~~

3 (b) The court shall hold a hearing on the matter prior to ordering any change  
4 in placement, ~~under this subsection~~ if the request states that new information is  
5 available ~~which~~ that affects the advisability of the current placement, unless written  
6 waivers of objection to the proposed change in placement are signed by all persons  
7 entitled to receive notice under sub. (1) (a), other than a court-appointed special  
8 advocate, and the court approves. If a hearing is scheduled, the court shall notify the  
9 child, the parent, guardian, and legal custodian of the child, any foster parent,  
10 treatment foster parent, or other physical custodian described in s. 48.62 (2) of the  
11 child, the child's court-appointed special advocate, all parties who are bound by the  
12 dispositional order, and, if the child is the expectant mother of an unborn child under  
13 s. 48.133, the unborn child by the unborn child's guardian ad litem, or shall notify  
14 the adult expectant mother, the unborn child by the unborn child's guardian ad litem,  
15 and all parties who are bound by the dispositional order, at least 3 days prior to the  
16 hearing. A copy of the request or proposal for the change in placement shall be  
17 attached to the notice. If all the parties consent, the court may proceed immediately  
18 with the hearing.

NOTE: Subdivides provision for improved readability and corrects an incorrect term.

19 SECTION 167. 48.357 (2r) of the statutes is amended to read:

20 48.357 (2r) If a hearing is held under sub. (1) (b) or (2m) (b) and the change in  
21 placement would remove a child from a foster home, treatment foster home, or other  
22 placement with a physical custodian described in s. 48.62 (2), the court shall give the  
23 foster parent, treatment foster parent, or other physical custodian described in s.

1 48.62 (2) an opportunity to be heard at the hearing by permitting the foster parent,  
 2 treatment foster parent, or other physical custodian to make a written or oral  
 3 statement during the hearing or to submit a written statement prior to the hearing,  
 4 relating to the child and the requested change in placement. Any written or oral  
 5 statement made under this subsection shall be made under oath or affirmation. A  
 6 foster parent, treatment foster parent, or other physical custodian described in s.  
 7 48.62 (2) who receives notice of a hearing under sub. (1) (b) or (2m) (b) and an  
 8 opportunity to be heard under this subsection does not become a party to the  
 9 proceeding on which the hearing is held solely on the basis of receiving that notice  
 and opportunity to be heard.

10 Insert  
64-11  
 NOTE: Corrects cross-references to conform to the renumbering and amendment  
 of s. 48.357 (1) and (2m) by this bill.

11 **SECTION 168.** 48.375 (7) (a) 1. of the statutes is amended to read:

12 48.375 (7) (a) 1. Appoint legal counsel under s. 48.23 ~~(1)~~ (1m) (cm) for the minor  
 13 if the minor is not represented by counsel.

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

14 **SECTION 169.** 48.981 (2) of the statutes is renumbered 48.981 (2) (a) (intro.) and  
 15 amended to read:

16 48.981 (2) (a) (intro.) ~~A physician, coroner, medical examiner, nurse, dentist,~~  
 17 ~~chiropractor, optometrist, acupuncturist, other medical or mental health~~  
 18 ~~professional, social worker, marriage and family therapist, professional counselor,~~  
 19 ~~public assistance worker, including a financial and employment planner, as defined~~  
 20 ~~in s. 49.141 (1) (d), school teacher, administrator or counselor, mediator under s.~~  
 21 ~~767.11, child care worker in a day care center or child caring institution, day care~~  
 22 ~~provider, alcohol or other drug abuse counselor, member of the treatment staff~~  
 23 ~~employed by or working under contract with a county department under s. 46.23,~~

by the person

1 ~~51.42 or 51.437, physical therapist, occupational therapist, dietitian,~~  
2 ~~speech language pathologist, audiologist, emergency medical technician, first~~  
3 ~~responder or police or law enforcement officer having~~ Any of the following persons  
4 who has reasonable cause to suspect that a child seen by the person in the course of  
5 professional duties has been abused or neglected or ~~having~~ who has reason to believe  
6 that a child seen in the course of professional duties has been threatened with abuse  
7 or neglect and that abuse or neglect of the child will occur shall, except as provided  
8 under sub. (2m), report as provided in sub. (3);

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

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

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

23 (e) No person making a report under this subsection may be discharged from  
24 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.

**SECTION 170.** 48.981 (2) (a) ~~11. to 20.~~ <sup>stat (plain)</sup> of the statutes ~~are~~ <sup>stat (plain)</sup> created to read:

- 2 48.981 (2) (a) 1. A physician.
- 3 2. A coroner.
- 4 3. A medical examiner.
- 5 4. A nurse.
- 6 5. A dentist.
- 7 6. A chiropractor.
- 8 7. An optometrist.
- 9 8. An acupuncturist.
- 10 9. A medical or mental health professional not otherwise specified in this
- 11 paragraph.
- 12 10. A social worker.
- 13 11. A marriage and family therapist.
- 14 12. A professional counselor.
- 15 13. A public assistance worker, including a financial and employment planner,
- 16 as defined in s. 49.141 (1) (d).
- 17 14. A school teacher.
- 18 15. A school administrator
- 19 16. A school counselor.
- 20 17. A mediator under s. 767.11.
- 21 18. A child-care worker in a day care center or child-caring institution.
- 22 19. A day care provider.
- 23 20. An alcohol or other drug abuse counselor.

10

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

- 21. A ~~member of the~~ <sup>st plan</sup> treatment staff employed by or working under contract with a county department under s. 46.23, 51.42, or 51.437.
- 22. A physical therapist.
- 23. An occupational therapist.
- 24. A dietitian.
- 25. A speech-language pathologist.
- 26. An audiologist.
- 27. An emergency medical technician.
- 28. A first responder.
- 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).

**SECTION 171.** 51.37 (8) (b) of the statutes is amended to read:

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

1 date of the prisoner or inmate. If the court commits the prisoner or inmate for the  
2 period commencing upon his or her release date, the commitment shall be to the care  
3 and custody of the county department under s. 51.42 or 51.437.

NOTE: Conforms capitalization to current style.

4 **SECTION 172.** 55.02 of the statutes is amended to read:

5 **55.02 Protective service system; establishment.** The department shall  
6 develop a statewide system of protective service for mentally retarded and other  
7 developmentally disabled persons, for aged infirm persons, for chronically mentally  
8 ill persons, and for persons with other like incapacities incurred at any age in  
9 accordance with rules promulgated by the department. The protective service  
10 system shall be designed to encourage independent living and to avoid protective  
11 placement whenever possible. The system shall use the planning and advice of  
12 agencies, including the county department under s. 46.215, 46.22, 46.23, 51.42, or  
13 51.437. The chairperson of each county board of supervisors shall designate a county  
14 department under s. 46.215, 46.22, 51.42, or 51.437 which ~~that~~ is providing services  
15 in his or her county or a joint mechanism of these county departments to have the  
16 responsibility for local planning for the protective service system. The chairperson  
17 of the Milwaukee county County board of supervisors shall designate the county  
18 department under s. 46.215 to serve as the county protective services agency for  
19 purposes of s. 55.043. The department and these county departments shall cooperate  
20 in developing a coordinated system of services. The department shall provide direct  
21 services and enter into contracts with any responsible public or private agency for  
22 provision of protective services. In each county, the county department designated  
23 under this section shall determine the reporting requirements applicable to the  
24 county under s. 880.38 (3).

INSERT  
69-1

NOTE: Conforms capitalization to current style.

1 SECTION 173. 55.04 (1) (a) 1. to 11. of the statutes are amended to read:

- 2 55.04 (1) (a) 1. Outreach;
- 3 2. Identification of persons in need of services;
- 4 3. Counseling and referral for services;
- 5 4. Coordination of services for individuals;
- 6 5. Tracking and follow-up;
- 7 6. Provision of social services;
- 8 7. Case management;
- 9 8. Legal counseling or referral;
- 10 9. Guardianship referral; and
- 11 10. Diagnostic evaluation;
- 12 11. Such Any other responsibilities as that the department deems considers
- 13 appropriate.

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

14 SECTION 174. 55.043 (1) (a) (intro.) of the statutes is amended to read:

15 55.043 (1) (a) (intro.) If a county protective services agency has probable cause  
 16 to believe that there is misappropriation of property or neglect or abuse of a  
 17 vulnerable adult, the county protective services agency may conduct an  
 18 investigation in Milwaukee ~~county~~ County to determine if the vulnerable adult in  
 19 question is in need of protective services. The county protective services agency shall  
 20 conduct the investigation in accordance with standards established by the  
 21 department for conducting the investigations. The investigation shall include at  
 22 least one of the following:

NOTE: Conforms capitalization to current style.

1           **SECTION 175.** 60.30 (1e) (c) of the statutes is amended to read:

2           60.30 (1e) (c) If an ordinance is approved in a referendum under par. (b), the  
3 change from an elective office to an appointive office may not take effect until the  
4 term of office of the incumbent town clerk, town treasurer, or combined town clerk  
5 and town treasurer expires. If an ordinance is approved under par. (b) at a general  
6 election, the ordinance takes effect upon the expiration of the term or terms of the  
7 incumbent officer or officers. If an ordinance is approved under par. (b) at a spring  
8 election at which the office of town clerk or town treasurer is filled, the ordinance  
9 takes effect upon the expiration of the term or terms of each officer who is elected at  
10 that election. A person appointed to the office of town clerk, or town treasurer, or to  
11 the combined office of town clerk and town treasurer, shall serve for a term, not to  
12 exceed 3 years, that is set by the town board. The person may be reappointed and  
13 may be dismissed by the board only for cause, as defined in s. ~~17.16 (2)~~ 17.001.

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

14           **SECTION 176.** 60.30 (1e) (f) of the statutes is amended to read:

15           60.30 (1e) (f) If a person is appointed to office under par. (e), the person initially  
16 appointed may not take office until the term of office of the incumbent town clerk,  
17 town treasurer, or combined town clerk and town treasurer expires. A person  
18 appointed to the office of town clerk, or town treasurer, or to the combined office of  
19 town clerk and town treasurer, shall serve for a term, not to exceed 3 years, that is  
20 set by the town board. The person may be reappointed and may be dismissed by the  
21 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.

22           **SECTION 177.** 66.0139 (3) of the statutes is amended to read: