

1 66.0139 (3) A political subdivision may safely dispose of abandoned or
2 unclaimed flammable, explosive, or incendiary substances, materials, or devices
3 ~~posing that pose~~ a danger to life or property in their storage, transportation, or use
4 immediately after taking possession of the substances, materials, or devices without
5 a public auction. The political subdivision, by ordinance or resolution, may establish
6 disposal procedures. Procedures may include provisions authorizing an attempt to
7 return to the rightful owner substances, materials, or devices ~~which~~ that have a
8 commercial value in ~~the~~ normal business usage and do not pose an immediate threat
9 to life or property. If enacted, a disposal procedure shall include a presumption that
10 if the substance, material, or device appears to be or is reported stolen, an attempt
11 will be made to return the substance, material, or device to the rightful owner.

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

12 **SECTION 178.** 66.0209 (4) of the statutes is amended to read:

13 66.0209 (4) An incorporation referendum ordered by the circuit court under s.
14 66.0203 (9) (f) may not be stayed pending the outcome of further litigation, unless the
15 court of appeals or the supreme court, upon an appeal or upon the filing of an original
16 action in the supreme court, concludes that a strong probability exists that the order
17 of the circuit court or the decision of the department will be set aside.

NOTE: Inserts missing articles.

18 **SECTION 179.** 66.0235 (7) (c) of the statutes is amended to read:

19 ~~66.0235 (7) (c) If the asset apportioned consists of an aid or tax to be distributed~~
20 ~~in the future according to population, the apportionment board shall certify to the~~
21 ~~officer, agency, or department responsible for making the distribution ~~of~~ each local~~
22 ~~governmental unit's proportionate share of the asset as determined in accordance~~
23 ~~with sub. (2). The officer, agency, or department shall distribute the aid or tax~~

1 directly to the several local governmental units according to the certification until
2 the next federal census.

NOTE: Inserts missing ~~word~~ *punctuation* corrects grammar.

3 **SECTION 180.** 66.0309 (14) (d) 1. of the statutes is amended to read:

4 66.0309 (14) (d) 1. Submit the issue to arbitration by 3 arbitrators, one to be
5 chosen by the local governmental unit, one to be chosen by the regional planning
6 commission, and the third to be chosen by the first 2 arbitrators. If the arbitrators
7 are unable to agree, the vote of 2 shall be the decision. ~~They~~ The arbitrators may
8 affirm or modify the report, and shall submit their decision in writing to the local
9 governmental unit and the regional planning commission within 30 days of their
10 appointment unless the time ~~be~~ is extended by agreement of the commission and the
11 local governmental unit. The decision ~~shall be~~ is binding. ~~Election~~ An election to
12 arbitrate ~~shall be~~ is a waiver of the right to proceed by action. Two-thirds of the
13 expenses of arbitration shall be paid by the party requesting arbitration and the
14 balance by the other.

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

15 **SECTION 181.** 66.0413 (2) (c) 2. of the statutes is amended to read:

16 66.0413 (2) (c) 2. In an action under this subsection, the circuit court before
17 which the action is commenced shall exercise jurisdiction in rem or quasi in rem over
18 the property ~~which~~ that is the subject of the action. The owner of record of the
19 property, if known, and all other persons of record holding or claiming any interest
20 in the property shall be made parties defendant, and service of process may be made
21 upon them.

NOTE: Inserts missing word and corrects grammar.

22 **SECTION 182.** 66.0413 (2) (e) 1. of the statutes is amended to read:

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

NOTE: Inserts missing article.

8 **SECTION 183.** 66.0901 (2) of the statutes is amended to read:

9 66.0901 (2) **BIDDER'S PROOF OF RESPONSIBILITY.** A municipality intending to enter
10 into a public contract may, before delivering any form for bid proposals, plans, and
11 specifications to any person, except materialmen, suppliers, and others not
12 intending to submit a direct bid, require the person to submit a full and complete
13 statement sworn to before an officer authorized by law to administer oaths. The
14 statement shall consist of information relating to financial ability, equipment,
15 experience in the work prescribed in the public contract, and other matters that the
16 municipality requires for the protection and welfare of the public in the performance
17 of a public contract. The statement shall be in writing on a standard form of a
18 questionnaire that is adopted and furnished by the municipality. The statement
19 shall be filed in the manner and place designated by the municipality. The statement
20 shall not be received less than 5 days prior to the time set for the opening of bids.
21 The contents of the statement shall be confidential and may not be disclosed except
22 upon the written order of the person furnishing the statement, for necessary use by
23 the public body in qualifying the person, or in cases of ~~action~~ actions against, or by,
24 the person or municipality. The governing body of the municipality or the committee,

1 board, or employee charged with, or delegated by the governing body with, the duty
2 of receiving bids and awarding contracts shall properly evaluate the statement and
3 shall find the maker of the statement either qualified or unqualified. This subsection
4 does not apply to a 1st class city.

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

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SECTION 184. 66.1103 (2) (f) of the statutes is amended to read:

(Handwritten circled text)

LPS: Keep all as is.

66.1103 (2) (f) "Improve" "improving" "improvements" and "facilities"
7 embrace include any real or personal property or mixed property of whatever useful
8 life that can be used or that will be useful in an industrial project including sites for
9 buildings, equipment, or other improvements, rights-of-way, roads, streets, sidings,
10 foundations, tanks, structures, pipes, pipelines, reservoirs, lagoons, utilities,
11 materials, equipment, fixtures, machinery, furniture, furnishings, improvements,
12 instrumentalities, pollution control facilities, and other real, personal, or mixed
13 property.

NOTE: Inserts preferred term *and corrects punctuation*

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SECTION 185. 66.1201 (9) (j) of the statutes is amended to read:

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

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

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SECTION 186. 66.1205 (2) (b) of the statutes is amended to read:

66.1205 (2) (b) Pursuant to s. 66.1201 (16) vest in obligees the right, if the
authority defaults, to acquire title to a housing project or the property mortgaged by

1 the housing authority, free from all of the restrictions imposed by s. 66.1203 and this
2 section.

NOTE: Inserts missing word.

3 **SECTION 187.** 66.1331 (14) of the statutes is renumbered 66.1331 (14) (b) and
4 amended to read:

5 66.1331 (14) (b) For the purpose of carrying out or administering a
6 redevelopment plan or other functions authorized under this section, a city may issue
7 municipal obligations payable solely from and secured by a pledge of and lien upon
8 any or all of the income, proceeds, revenues, funds, and property of the city derived
9 from or held by it in connection with redevelopment projects, including the proceeds
10 of grants, loans, advances, or contributions from any public or private source.
11 Municipal obligations issued under this subsection may be registered under s. 67.09
12 but shall otherwise be in a form, mature at times, bear interest at rates, be issued
13 and sold in a manner, and contain terms, covenants, and conditions that the local
14 legislative body of the city, by resolution, determines. The municipal obligations
15 shall be fully negotiable, shall not require a referendum, and are not subject to the
16 provisions of any other law or charter relating to the issuance or sale of municipal
17 obligations. Obligations under this section sold to the United States government
18 need not be sold at public sale. ~~In this subsection, "municipal obligation" has the~~
19 ~~meaning specified in s. 67.01 (6).~~

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

20 **SECTION 188.** 66.1331 (14) (a) of the statutes is created to read:

21 66.1331 (14) (a) In this subsection, "municipal obligation" has the meaning
22 specified in s. 67.01 (6).

NOTE: See the previous section of this bill.

1 **SECTION 189.** 70.06 (2) (c) of the statutes is renumbered 70.06 (2) and amended
2 to read:

3 **70.06 (2)** The commissioner of assessments may, with the approval of the
4 common council, appoint one chief assessor, one or more supervising assessors and
5 supervising assessor assistants, one or more property appraisers, and other expert
6 technical personnel that the commissioner of assessments deems considers to be
7 necessary in order that all valuations throughout the city are uniformly made in
8 accordance with the law. The chief assessor, supervising assessors, and supervising
9 assessor assistants shall exercise the direction and supervision over assessment
10 procedure and shall perform the duties in relation to the assessment of property that
11 the commissioner of assessments determines. Together with the chief assessor and
12 the assessment analysis manager, they shall be members of the board of assessors
13 and shall hold office in the same manner as assessors. Certification of the
14 assessment roll shall be limited to the members of the board of assessors.

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

15 **SECTION 190.** 70.06 (3m) of the statutes is amended to read:

16 **70.06 (3m)** No person may assume the office of commissioner of assessments,
17 chief assessor, assessment analysis manager, systems and administration
18 supervisor, title records supervisor, supervising assessor, supervising assessor
19 assistant, or property appraiser appointed under sub. (2) (e), unless certified by the
20 department of revenue under s. 73.09 as qualified to perform the functions of the
21 office of assessor. If a person who has not been so certified is appointed to the office,

1 the office shall be vacant and the appointing authority shall fill the vacancy from a
2 list of persons so certified by the department of revenue.

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

3 **SECTION 191.** 70.07 (2) of the statutes is amended to read:

4 70.07 (2) The commissioner of assessments shall publish a class 3 notice, under
5 ch. 985, that on the days named, the assessments for the city will be open for
6 examination by the taxable inhabitants of the city. On the 2nd Monday of May the
7 commissioner of assessments shall call together all of the assessors, and the other
8 members of the board of assessors as provided in s. 70.06 (2) (e), and they together
9 with the commissioner of assessments shall constitute an assessment board.

NOTE: Corrects cross-reference. Section 70.06 (2) (c) is renumbered s. 70.06 (2) by SECTION 189 of this bill.

10 **SECTION 192.** 70.11 (3a) (title) of the statutes is amended to read:

11 70.11 (3a) (title) BUILDINGS AT THE WISCONSIN VETERANS HOME VETERANS HOME
12 AT KING OR IN SOUTHEASTERN WISCONSIN.

NOTE: Conforms capitalization to current style.

13 **SECTION 193.** 71.67 (5m) (title) of the statutes is created to read:

14 71.67 (5m) (title) WITHHOLDING FROM PAYMENTS TO PURCHASE ASSIGNMENT OF
15 LOTTERY PRIZE.

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

16 **SECTION 194.** 71.85 (3) (intro.) and (a) of the statutes are consolidated,
17 renumbered 71.85 (3) and amended to read:

18 71.85 (3) ABATEMENT OF INTEREST AND PENALTIES. No penalty or interest that has
19 been imposed under this subchapter on a taxpayer who is eligible for the exemption
20 under: (a) Section s. 71.05 (6) (b) 13. or 14. may continue to accrue while the taxpayer
21 is in the Operation Desert Shield or Operation Desert Storm theater of operations

1 and for 180 days after the taxpayer leaves the Operation Desert Shield or Operation
2 Desert Storm theater of operations.

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

3 SECTION 195. 71.91 (5) (ag) (intro.) and 1. of the statutes are consolidated,
4 renumbered 71.91 (5) (ag) and amended to read:

5 71.91 (5) (ag) In this subsection: 1. "File", "file" means mail, deliver, or submit
6 electronically.

NOTE: The (intro.) and par. (a) ^{subd. 1.} are combined as there are no other ~~paragraphs~~ ^{subdivisions}

7 SECTION 196. 77.54 (14) of the statutes is amended to read:

8 77.54 (14) The gross receipts from the sales of and the storage, use, or other
9 consumption in this state of medicines that are any of the following:

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

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

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

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

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

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

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

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

5 **SECTION 197. 77.54 (14g)** of the statutes is amended to read:

6 77.54 (14g) “Medicines,” as used in sub. (14), means any substance or
7 preparation that is intended for use by external or internal application to the human
8 body in the diagnosis, cure, mitigation, treatment, or prevention of disease and
9 ~~which~~ that is commonly recognized as a substance or preparation intended for such
10 use; but “medicines” do not include any of the following:

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

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

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

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

18 **SECTION 198. 77.61 (5) (b) 2.** of the statutes is amended to read:

19 77.61 (5) (b) 2. The attorney general, and department of justice employees.

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

20 **SECTION 199. 84.11 (5r)** (title) of the statutes is amended to read:

21 84.11 (5r) (title) MILWAUKEE 6TH ~~STREET~~ STREET VIADUCT COST SHARING.

NOTE: Conforms capitalization to current style.

1 **SECTION 200.** 88.11 (5) (intro.) of the statutes is amended to read:

2 88.11 (5) (intro.) The report of the department of agriculture, trade and
3 consumer protection under sub. (3) also shall include a report of the college of
4 ~~agriculture and life sciences~~ College of Agricultural and Life Sciences of the
5 University of Wisconsin–Madison on all of the following:

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

6 **SECTION 201.** 88.63 (1) of the statutes is renumbered 88.63 (1m).

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

7 **SECTION 202.** 88.63 (2) of the statutes is amended to read:

8 88.63 (2) The board shall establish a fund for the payment of costs of
9 maintenance and repair. Whenever the amount of the fund falls below an amount
10 equivalent to 5% of the confirmed benefits currently in effect in the district, the board
11 shall levy an additional assessment under s. 88.23 for maintenance and repair.
12 Assessments for costs of maintenance and repair shall be apportioned on the basis
13 of the confirmed benefits then in effect in the district but may be made
14 notwithstanding the fact that assessments of benefits in the district may have been
15 exhausted by previous assessments for other costs. Assessments for costs of
16 maintenance and repair, including costs incurred and per diems earned by board
17 members under sub. (1) (1m), are not limited by the extent of unexhausted
18 assessments of benefits in the district and shall not be counted in determining
19 whether there are unexhausted assessments of benefits against which assessments
20 for costs other than those authorized by this section may be made.

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

21 **SECTION 203.** 88.63 (3) of the statutes is renumbered 88.63 (1g).

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

1 SECTION 204. 93.06 (1f) of the statutes is amended to read:

2 93.06 (1f) ANIMAL HEALTH INSPECTION AND TESTING. Perform animal health
 3 inspections and tests and examine animal health documentation at the state fair, the
 4 ~~world dairy expo, inc. World Dairy Expo, Inc.~~ ^{plan} ~~the~~ ^{plan} world beef expo, the midwest horse
 5 fair, and other livestock exhibitions held in this state and attended by participants
 6 from outside of this state, as specified by the department by rule. The department
 7 may charge a fee to the sponsor of the exhibition to cover the reasonable costs of the
 8 department's inspection and testing services whether or not the sponsor requests the
 9 services. This subsection does not apply to county fairs or other local livestock
 10 exhibitions.

NOTE: ~~Conforms capitalization to current style~~ ^{deletes inappropriate word.}

11 SECTION 205. 93.30 (1) of the statutes is amended to read:

12 93.30 (1) The secretary shall approve any plans for the expenditure of
 13 appropriations under s. 20.115 (4) (e) to the ~~world dairy expo, inc. World Dairy Expo,~~
 14 ~~Inc.~~, for activities that expand business opportunities for the persons of the dairy
 15 industry that are located in this state. Of the amounts appropriated under s. 20.115
 16 (4) (e), \$33,250 in each fiscal year may be expended only to the extent that a county,
 17 city, village, or town pays to ~~world dairy expo, inc. World Dairy Expo, Inc.~~, an amount
 18 that is not less than 50% of the department's payment.

NOTE: Conforms capitalization to current style.

19 SECTION 206. 93.30 (2) of the statutes is amended to read:

20 93.30 (2) Any moneys received by ~~world dairy expo, inc. World Dairy Expo, Inc.~~,
 21 under this section shall be used only for the purposes described in sub. (1).

NOTE: Conforms capitalization to current style.

1 SECTION 207. 93.30 (3) of the statutes is amended to read:

2 93.30 (3) Not later than 30 days after the close of the exposition each year ~~world~~
3 ~~dairy expo, inc.~~ World Dairy Expo, Inc., shall file with the department, on forms
4 provided by it, an itemized account verified on oath, showing amounts actually paid
5 or to be paid. The verified account shall correspond with the plans approved by the
6 secretary under sub. (1). On or before December 31 of the year in which the
7 exposition is held, ~~world dairy expo, inc.~~ World Dairy Expo, Inc., shall furnish the
8 department with a statement of receipts and disbursements, attendance, and such
9 other information relating to the exposition as the department may require. Upon
10 receipt of such statement the department shall pay ~~world dairy expo, inc.~~ World
11 Dairy Expo, Inc., the aid due for the preceding year.

NOTE: Conforms capitalization to current style.

Insert 82-12

12 SECTION 208. 94.705 (5) (c) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style. Deletes unnecessary “at.”

1 **SECTION 209.** 95.14 (2) of the statutes is amended to read:

2 95.14 (2) Any corporation organized under this section shall be managed and
3 directed by a self-perpetuating board of directors of 5 members, consisting of the
4 dean of the College of Agricultural and Life Sciences of the University of
5 Wisconsin–Madison, who shall be permanent chairperson of the board, and 4 others
6 to be appointed in the first instance by the incorporators; at least 3 of the 5 members
7 shall always be representative livestock breeders of the state. If the dean of the
8 College of Agricultural and Life Sciences fails to act as a member of the board by
9 reason of refusal, disability, or vacancy in the chair of the dean, the remaining
10 members of the board shall appoint a representative livestock breeder to act in his
11 or her place on the board until the time as such refusal, disability, or vacancy in the
12 chair ceases to exist. Whenever the dean of the college of agricultural and life
13 sciences College of Agricultural and Life Sciences becomes a member of the board of
14 directors after any such interim, the dean shall automatically become chairperson
15 of the board.

NOTE: Conforms capitalization to current style.

16 **SECTION 210.** 108.02 (4m) (e) of the statutes is amended to read:

17 108.02 (4m) (e) Back pay that an employee would have been paid during his
18 or her base period as a result of employment for an employer, if the payment of ~~such~~
19 the back pay is made no later than the end of the 104-week period beginning with
20 the earliest week to which ~~such~~ the back pay applies; ~~and~~

NOTE: Deletes incorrectly located “and” and inserts a specific reference.

21 **SECTION 211.** 108.02 (4m) (f) of the statutes is amended to read:

1 108.02 (4m) (f) All wages that an employer was legally obligated to pay in an
2 employee's base period but failed to pay, or was prohibited from paying as a result
3 of an insolvency proceeding under ch. 128 or as a result of a bankruptcy proceeding
4 under 11 USC 101 et seq.; and

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

5 **SECTION 212.** 108.02 (15) (k) of the statutes is amended to read:

6 108.02 (15) (k) "Employment" as applied to work for a given employer other
7 than a government unit or nonprofit organization, except as such employer duly
8 elects otherwise with the department's approval, does not include ~~service~~ any of the
9 following:

10 1. ~~In~~ Service in agricultural labor unless performed for an employer subject to
11 this chapter under sub. (13) (c) or (i);

12 2. ~~As Service as~~ a domestic in the employ of an individual in ~~such~~ the
13 individual's private home, or as a domestic in the employ of a local college club or of
14 a local chapter of a college fraternity or sorority, unless performed for an individual,
15 club, or chapter ~~which~~ that is an employer subject to this chapter under sub. (13) (d)
16 or (i);

17 3. ~~As Service as~~ a caddy on a golf course;

18 4. ~~As Service as~~ an individual selling or distributing newspapers or magazines
19 on the street or from house to house;

20 5. ~~With Service with~~ respect to which unemployment insurance is payable
21 under the federal ~~railroad unemployment insurance act~~ Railroad Unemployment
22 Insurance Act (52 Stat. 1094);

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

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

7 8. ~~As Service as an unpaid officer of a corporation or association or as an unpaid~~
8 ~~manager of a limited liability company;~~

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

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

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

18 14. ~~By Service by an individual for an employer ~~which that~~ is engaged in the~~
19 ~~processing of fresh perishable fruits or vegetables within a given calendar year if the~~
20 ~~individual has been employed by the employer solely within the active processing~~
21 ~~season or seasons, as determined by the department, of the establishment in which~~
22 ~~the individual has been employed by the employer, and the individual's base period~~
23 ~~wages with the employer are less than the wages required to start a benefit year~~
24 ~~under s. 108.04 (4) (a), unless the individual was paid wages of \$200 or more for~~
25 ~~services performed in employment or other work covered by the unemployment~~

1 insurance law of any state or the federal government, other than work performed for
2 the processing employer, during the 4 most recently completed quarters preceding
3 the individual's first week of employment by the processing employer within that
4 year;

5 15. ~~By Service by an individual as a court reporter if the individual receives~~
6 ~~wages on a per diem basis; or,~~

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

11 17. ~~In Service in any type of maritime service specifically excluded from~~
12 ~~coverage under the federal unemployment tax act; Unemployment Tax Act.~~

13 18. ~~By Service by an individual who leases a motor vehicle used for taxicab~~
14 ~~purposes or other taxi equipment attached to and becoming a part of the vehicle~~
15 ~~under a bona fide lease agreement, if all of the following apply:~~

16 a. ~~The individual retains the income earned through the use of the leased motor~~
17 ~~vehicle or equipment during the lease term;~~

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

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

23 19. ~~Performed Service performed by an individual for a seasonal employer if~~
24 ~~the individual received written notice from the seasonal employer prior to~~

1 performing any service for the employer that such service is potentially excludable
2 under this subdivision unless any of the following applies:

3 a. The individual is employed by the seasonal employer for a period of 90 days
4 or more, whether or not service is actually performed on each such day of
5 employment, during any season, as determined under s. 108.066, that includes any
6 portion of the individual's base period; or,

7 b. The individual has been paid or is treated as having been paid wages or other
8 remuneration of \$500 or more during his or her base period for services performed
9 for at least one employer other than the seasonal employer which that is subject to
10 the unemployment insurance law of any state or the federal government.

NOTE: Conforms capitalization, punctuation, and sentence and paragraph structure to current style.

11 SECTION 213. 109.03 (1) (intro.) of the statutes is amended to read:

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

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

21 SECTION 214. 109.03 (1) (a) of the statutes is amended to read:

LPS → do not type
I would hold off on all of this. It's amended again by 10-SS3. Some of this parallels federal law. DWD doesn't like this style + it is less readable when there are breakouts inside of breakouts.

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

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

4 **SECTION 215.** 111.57 (3) (intro.) of the statutes is renumbered 111.57 (3) (a)
5 (intro.) and amended to read:

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

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

12 **SECTION 216.** 111.57 (3) (a) to (c) of the statutes are renumbered 111.57 (3) (a)
13 1. to 3. and amended to read:

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

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

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

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

1 **SECTION 217.** 111.57 (3) (d) of the statutes is amended to read:

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

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

8 **SECTION 218.** 111.57 (3) (e) 1. of the statutes is renumbered 111.57 (3) (a) 4. and
9 amended to read:

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

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

16 **SECTION 219.** 111.57 (3) (e) 2. of the statutes is renumbered 111.57 (3) (e) and
17 amended to read:

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

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

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

4 **SECTION 220.** 115.31 (1) (b) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

14 **SECTION 221.** 120.13 (37) of the statutes is amended to read:

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

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

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

8 **SECTION 227.** 157.02 (4) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

13 **SECTION 228.** 157.06 (1) (c) 2. of the statutes is renumbered 157.06 (1) (c).

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

14 **SECTION 229.** 157.065 (1) (intro.), (a) and (b) (intro.) and 1. to 5. of the statutes
15 are amended to read:

16 157.065 (1) (intro.) No cemetery may be used for burials except any of the
17 following:

- 18 (a) Any A cemetery in use on April 4, 1864; ~~or,~~
19 (b) Any A cemetery organized and operated by any of the following:
20 1. Any A municipality;
21 2. Any A religious association;
22 3. Any A fraternal or benevolent society;

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

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

NOTE: Makes terminology and punctuation internally consistent.

3 **SECTION 230.** 186.22 (16) (a) of the statutes is renumbered 186.22 (16).

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

4 **SECTION 231.** 187.14 (6) of the statutes is amended to read:

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

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

17 **SECTION 232.** 191.001 (intro.) and (1) of the statutes are consolidated,
18 renumbered 191.001 and amended to read:

19 **191.001 Definitions.** In this chapter: (1) "Office", "office" means the office of
20 the commissioner of railroads. Definition (B)

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

21 **SECTION 233.** 200.09 (10) of the statutes is amended to read:

1 200.09 (10) Sections 200.01 to 200.15 do not affect the continued validity of
2 contracts and obligations previously entered into by a metropolitan sewerage district
3 operating under ss. 66.20 to 66.209, 1969 stats., ~~prior to~~ ^{before} April 30, 1972, nor the
4 validity of ~~any such~~ the district.

NOTE: Inserts missing article. *and adopts current usage*

5 **SECTION 234.** 229.66 (3) of the statutes is amended to read:

6 229.66 (3) Upon appointment under sub. (2), the appointing authorities shall
7 certify the appointees to the secretary of administration. The term of office of 50%
8 of the persons appointed under sub. (2) (a) is 2 years, and the term of office of the other
9 50% of the persons appointed under sub. (2) (a) is 4 years, except that if an odd
10 number of persons is appointed under sub. (2) (a), there shall be one more office with
11 a term of 4 years than there are offices with terms of 2 years, and except that for the
12 initial appointments for a newly created district the initial terms shall expire on July
13 1 of the 2nd year beginning after creation of a district for persons appointed to 2-year
14 terms, and the initial terms shall expire on July 1 of the 4th year beginning after
15 creation of a district for persons appointed to 4-year terms. Persons appointed under
16 sub. (2) (a) may be removed from the district board before the expiration of their
17 terms by the appointing authority but only for cause, as defined in s. ~~17.16 (2)~~ 17.001.
18 Vacancies for persons appointed under sub. (2) (a) shall be filled by the appointing
19 authority who appointed the person whose office is vacant. A person appointed to
20 fill a vacancy under sub. (2) (a) shall serve for the remainder of the term to which he
21 or she is appointed. All of the appointing authorities shall ensure, to the greatest
22 extent possible, that the membership of the board is diverse with respect to race. Of
23 the persons appointed under sub. (2), not more than 4 may reside in any one county.

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

1 **SECTION 235.** 229.842 (3) (c) of the statutes is amended to read:

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

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

12 **SECTION 236.** 230.03 (14) (c) of the statutes is amended to read:

13 230.03 (14) (c) A person who served on active duty under honorable conditions
14 in the U.S. armed forces for at least one day during a war period, as defined in s. 45.35
15 (5) (e) 45.001 (5) or under section 1 of executive order 10957 dated August 10, 1961.

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

16 **SECTION 237.** 230.36 (1m) (b) (intro.) of the statutes is amended to read:

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

NOTE: Inserts missing article.

19 **SECTION 238.** 232.03 (2) (b) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

1 **SECTION 239.** 233.10 (3) (a) 3. of the statutes is amended to read:

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

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

4 **SECTION 240.** 233.10 (3r) (a) 3. of the statutes is amended to read:

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

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

7 **SECTION 241.** 236.20 (3) (a) of the statutes is amended to read:

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

NOTE: Inserts missing word.

11 **SECTION 242.** 252.15 (1) (ar) 3. of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

14 **SECTION 243.** 291.09 (1) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

19 **SECTION 244.** 292.35 (9) (a) 1. of the statutes is renumbered 292.35 (9) (a).

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

20 **SECTION 245.** 299.13 (2) (a) 2. of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

7 **SECTION 246.** 301.15 of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style and corrects grammar.

16 **SECTION 247.** 301.16 (1m) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

22 **SECTION 248.** 301.18 (1) (b) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

4 **SECTION 249.** 301.18 (1) (bx) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

7 **SECTION 250.** 301.18 (1) (bz) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

11 **SECTION 251.** 301.32 (2) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

fix
comment
17

16 **SECTION 252.** 302.01 of the statutes, as affected by 2001 Wisconsin Act 16, is
17 ~~renumbered 302.01(2) and~~ amended to read:

18 **302.01 State prisons defined and named and defined. (2)** The
19 penitentiary at Waupun is named "Waupun Correctional Institution."

20 **(3)** The correctional treatment center at Waupun is named "Dodge Correctional
21 Institution."

score

1 (4) The penitentiary at Green Bay is named "Green Bay Correctional
2 Institution."

3 (5) The medium/maximum penitentiary at Portage is named "Columbia
4 Correctional Institution."

5 (6) The medium security institution at Oshkosh is named "Oshkosh
6 Correctional Institution."

7 (7) The medium security penitentiary near Fox Lake is named "Fox Lake
8 Correctional Institution."

9 (8) The penitentiary at Taycheedah is named "Taycheedah Correctional
10 Institution."

11 (9) The medium security penitentiary at Plymouth is named "Kettle Moraine
12 Correctional Institution."

13 (10) The penitentiary at the village of Sturtevant in Racine county County is
14 named "Racine Correctional Institution."

15 (11) The medium security penitentiary at Racine is named "Racine Youthful
16 Offender Correctional Facility."

17 (12) The resource facility at Oshkosh is named "Wisconsin Resource Center".

18 ~~The institutions named in this section, the medium security correctional institutions~~
19 ~~at Redgranite and New Lisbon, the correctional institutions authorized under s.~~
20 ~~301.16 (1n) and (1v), correctional institution authorized under 1997 Wisconsin Act~~
21 ~~4, section 4 (1) (a), correctional institution authorized under s. 301.046 (1),~~
22 ~~correctional institution authorized under s. 301.048 (4) (b), the correctional~~
23 ~~institution at Stanley authorized under 2001 Wisconsin Act 16, section 9107 (1) (b),~~
24 ~~minimum security correctional institutions authorized under s. 301.13, the~~
25 ~~probation and parole holding facilities authorized under s. 301.16 (1q), and~~

strike

91

1 ~~state-local shared correctional facilities when established under s. 301.14, are state~~
2 ~~prisons.~~ 

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

3 **SECTION 253.** 302.01 (1) of the statutes is created to read:

4 **302.01 (1)** All of the following are state prisons:

5 (a) The institutions named in this section.

6 (b) The medium security correctional institutions at Redgranite and New
7 Lisbon.

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

9 (d) The correctional institution authorized under 1997 Wisconsin Act 4, section
10 4 (1) (a).

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

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

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

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

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

17 (j) The state-local shared correctional facilities when established under s.
18 301.14.

NOTE: See the previous section of this bill.

19 **SECTION 254.** 302.02 (title) of the statutes is amended to read:

20 **302.02 (title) Jurisdiction and extent of state correctional institutions;**
21 **service of process therein.**

NOTE: Subsection (5), which refers to the service of process, is renumbered to be s. 302.025 by section 257 of this bill.

1 SECTION 255. 302.02^(1m) (intro.) of the statutes is ^{located} created to read:

2 No 302.02^(1m) (intro.) Every activity conducted under the jurisdiction of and by any
3 institution or facility listed under this section, wherever located, is a precinct of the
4 prison, and each precinct is part of the institution. For all purposes of discipline and
5 judicial proceedings all of the following apply: ⁽³⁺⁾ , other than sub. (3c),

NOTE: Text ^{of those} repeated in each subsection of this section is moved to a single location applicable to all ⁽³⁾ the subsections, to eliminate redundancy and improve readability. See also the next ⁽³⁾ section of this bill. ^{renumbered 302.02(1m)(a), (b), (c) and}

6 SECTION 256. 302.02 (1) to ~~302.02~~ of the statutes are ^(3m) amended to read:

7 (a) ^I ~~(1) WAUPUN CORRECTIONAL INSTITUTION CORRECTIONAL INSTITUTION~~. For all
8 purposes of discipline and for judicial proceedings, the The Waupun correctional
9 institution Correctional Institution and the its precincts thereof shall be deemed are
10 considered to be in Dodge County, and the courts of that county shall have Dodge
11 County circuit court has jurisdiction of all crimes committed within the county.
12 Every activity conducted under the jurisdiction of and by the institution, wherever
13 located, is a precinct of the prison and each precinct is part of the institution.

14 (b) ^I ~~(2) GREEN BAY CORRECTIONAL INSTITUTION~~ For all purposes of discipline and for
15 judicial proceedings, the The Green Bay Correctional Institution and the its
16 precincts thereof shall be deemed are considered to be in Brown County, and the
17 courts of that county shall have Brown County circuit court has jurisdiction of all
18 crimes committed within the county. ~~Every activity conducted under the jurisdiction~~
19 ~~of and by the institution, wherever located, is a precinct of the institution; and each~~
20 ~~precinct is part of the institution.~~ ^I

21 (c) ^I ~~(3) TAYCHEEDAH CORRECTIONAL INSTITUTION~~ For all purposes of discipline and
22 for judicial proceedings, the The Taycheedah Correctional Institution and the its

Institutions located within the state (intro.)
302.02 (1m)
LPS

302.02 (1m)
B

Keep title + subtitle

Keep title + subtitle

(1), and 302.02(1m)(a), (b), (c) and (d), as renumbered, are

md

precincts thereof shall be deemed are considered to be in Fond du Lac County, and the courts of that county shall have Fond du Lac County circuit court has jurisdiction of all crimes committed within the same. ~~Every activity conducted under the jurisdiction of and by such correctional institution, wherever located, is a precinct of the correctional institution; and each precinct is part of the correctional institution~~ county.

(d) ^I (3m) CORRECTIONAL INSTITUTION INSTITUTIONS UNDER SECTION 301.16. For all purposes of discipline and for judicial proceedings, the The correctional institutions authorized under s. 301.16 and the their precincts thereof shall be deemed are considered to be in a the county in which the institution is physically located, and the courts of that county shall have county's circuit court has jurisdiction of all crimes committed within the county. ~~Every activity conducted under the jurisdiction of and by the institution, wherever located, is a precinct of the institution; and each precinct is part of the institution.~~

SECTION #. AM 302.02 (3t)

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

(e) ^I (4) ~~FOX LAKE CORRECTIONAL INSTITUTION~~ For all purposes of discipline and for judicial proceedings, the The Fox Lake Correctional Institution and the its precincts thereof are deemed considered to be in Dodge County, and the courts of that county shall have Dodge County circuit court has jurisdiction of all crimes committed within

Insert 102/20,
[]

(B)
302.02 (1m)

NS
102/14

Keep title + initials

1 the county. ~~Every activity conducted under the jurisdiction of and by the Fox Lake~~
2 ~~Correctional Institution wherever located is a precinct of the institution.~~

3 ^(f) ~~(4a) MINIMUM SECURITY CORRECTIONAL INSTITUTIONS. For all purposes of~~ ^{set}
4 ~~discipline and judicial proceedings the~~ The minimum security correctional
5 institutions and their precincts thereof shall be deemed, as to each inmate, are
6 considered to be in the county in which the institution to which the inmate is
7 assigned is located, and the courts of that county shall have that county's circuit court
8 has jurisdiction of all crimes committed within the same. ~~Every activity conducted~~
9 ~~under the jurisdiction of and by the minimum security correctional institutions~~
10 ~~wherever located is, as to each inmate, a precinct of the institution to which the~~
11 ~~inmate is assigned~~ county.

12 ^(g) ~~(4c) KETTLE MORaine CORRECTIONAL INSTITUTION CORRECTIONAL INSTITUTION.~~
13 ~~For all purposes of discipline and for judicial proceedings, the~~ The Kettle Moraine
14 ~~correctional institution~~ Correctional Institution and the its precincts thereof are
15 deemed considered to be in Sheboygan County, and the courts of that county shall
16 ~~have~~ Sheboygan County circuit court has jurisdiction of all crimes committed within
17 the same. ~~Every activity conducted under the jurisdiction of and by the Kettle~~
18 ~~Moraine correctional institution wherever located is a precinct of the institution~~
19 county.

20 ^(h) ~~(4d) DODGE CORRECTIONAL INSTITUTION CORRECTIONAL INSTITUTION. For all~~
21 ~~purposes of discipline and for judicial proceedings, the~~ The Dodge correctional
22 ~~institution~~ Correctional Institution and the its precincts thereof shall be deemed are
23 considered to be in Dodge County, and the courts of that county shall have Dodge
24 County circuit court has jurisdiction of all crimes committed within the county.
25 ~~Every activity conducted under the jurisdiction of and by the Dodge correctional~~

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file

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

Keep
Title

3 (i) ~~(4t) STATE-LOCAL SHARED CORRECTIONAL FACILITIES~~ For all purposes of discipline
4 and judicial proceedings, the The state-local shared correctional facilities and their
5 precincts shall be deemed are considered, as to each inmate, to be in the county in
6 which the facility to which the inmate is assigned is located, and the courts of that
7 county shall have county's circuit court has jurisdiction over all crimes committed
8 within the facility. ~~Every activity conducted under the jurisdiction of and by the~~
9 ~~state-local shared correctional facility wherever located is, as to each inmate, a~~
10 ~~precinct of the facility to which he or she is assigned.~~

Keep
Title

(j)

11 ~~(4x) CORRECTIONAL INSTITUTION; COMMUNITY RESIDENTIAL CONFINEMENT~~, For all
12 purposes of discipline and judicial proceedings the The correctional institution under
13 s. 301.046 (1) and its precincts thereof shall be deemed are considered, as to each
14 inmate, to be in the county in which the inmate is confined, and the courts of that
15 county shall have jurisdiction of all crimes committed within the same. ~~Every~~
16 ~~activity conducted under the jurisdiction of and by the institution under s. 301.046~~
17 ~~(1) wherever located is a precinct of the institution~~ county.

Keep
Title

(k)

18 ~~(4y) CORRECTIONAL INSTITUTION; INTENSIVE SANCTIONS PROGRAM~~. For all purposes
19 of discipline and judicial proceedings the The correctional institution under s.
20 301.048 (4) (b) and its precincts thereof shall be deemed are considered, as to each
21 inmate, to be in the county in which the inmate is assigned, and the courts of that
22 ~~county shall have~~ county's circuit court has jurisdiction of all crimes committed
23 within the same. ~~Every activity conducted under the jurisdiction of and by the~~
24 ~~institution under s. 301.048 (4) (b) wherever located is a precinct of the institution~~

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2001 - 2002 Legislature

- 105 -

Section # AM 302.02 (3F)

NOTE: Text repeated in each subsection ^{treated by} of this section ^{of the bill} is moved to a single location in a section (intro.) applicable to all the subsections to eliminate redundancy and improve readability. Terminology, capitalization, and sentence structure are modernized and made consistent with current style. See also the previous ^{three} section ³ of this bill.

1 SECTION 257. 302.02 (5) of the statutes is renumbered 302.025, and 302.025
2 (title) and (2), as renumbered, are amended to read:

3 **302.025 (title) Service of process on prison officers, employees, or**
4 **inmates.**

5 (2) Except as provided in ~~par. (a)~~ ^{sub. (1)}, service of process within any such prison
6 under s. 302.01 on any officer ~~or~~ employee, or inmate ~~thereof~~ of the prison shall be
7 made by the warden or superintendent or some person appointed by the warden or
8 superintendent to serve process.

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

9 SECTION 258. 302.375 (1) of the statutes is renumbered 302.375 (1m).

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

10 SECTION 259. 302.375 (4) of the statutes is renumbered 302.375 (1g).

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

11 SECTION 260. 341.14 (6) (a) of the statutes is amended to read:

12 341.14 (6) (a) Upon application to register an automobile or a motor truck or
13 dual purpose farm truck ~~which~~ that has a gross weight of not more than 8,000 pounds
14 by any person who was a member of any of the U.S. armed services and who was held
15 as a prisoner of war during any of the conflicts described in s. 45.35 (5) (e) ~~2. to 8.~~
16 45.001 (5) (b) to (i) or in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle
17 East crisis under s. 45.34, and upon submission of a statement from the U.S.
18 department of veterans affairs certifying that the person was a prisoner of war
19 during one of the conflicts described in s. 45.35 (5) (e) ~~2. to 8.~~ 45.001 (5) (b) to (i) or

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1 in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle East crisis under s.
2 45.34, the department shall issue to the person a special plate ~~which~~ that is colored
3 red, white, and blue and ~~which~~ that has the words “ex-prisoner of war” placed on the
4 plate in the manner designated by the department.

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

5 **SECTION 261.** 341.40 of the statutes is amended to read:

6 341.40 (1) Except as to foreign-owned vehicles required by s. 341.07 to be
7 registered in this state, any vehicle ~~which~~ that is registered in another jurisdiction
8 is exempt from the laws of this state providing for the registration of ~~such~~ the vehicles
9 if all of the following apply:

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

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

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

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

21 **(1m)** Foreign owned or operated vehicles entering Wisconsin to have special
22 equipment or a body constructed or installed or for repair shall be exempt from the
23 registration requirements of this section.

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

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

5 **SECTION 262.** 346.50 (4) of the statutes is renumbered 346.50 (1m).

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

6 **SECTION 263.** 442.14 of the statutes is repealed.

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

7 **SECTION 264.** 551.02 (3) (intro.) and (a) to (g) of the statutes are amended to
8 read:

9 551.02 (3) (intro.) “Broker-dealer” means any person engaged in the business
10 of effecting transactions in securities for the account of others or for the person’s own
11 account. “Broker-dealer” does not include any of the following:

12 (a) An agent;_;

13 (b) An issuer;_;

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

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

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

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

21 (g) The investment board;_;~~or,~~

NOTE: Conforms punctuation and paragraph structure to current style.

1 **SECTION 265.** 560.01 (1) of the statutes is amended to read:

2 560.01 (1) PURPOSES. The functions of the department are of an advocacy,
3 regulatory, consultative, advisory, informational, coordinative, and promotional
4 nature. Through research, planning, consultation, and ~~through~~ promotion of the
5 development and maximum wise use of the natural and human resources of the
6 state, it shall foster the growth and diversification of the economy of the state. It
7 shall serve as the central agency and clearinghouse for developmental activities
8 concerning the economy of the state. It shall make recommendations to the governor
9 for the purpose of guiding a coordinated and economically efficient development of
10 the state and shall seek closer cooperation and coordination between units of state
11 government, educational institutions, local governments, local planning agencies,
12 including regional planning commissions, and business and industry to foster and
13 encourage a pattern of community development and of state-local and business
14 relationships so that the economy of the state may continue to develop fully and meet
15 citizen and community needs. It shall make continuing studies of the problems
16 affecting economic and community development and recommendations for relieving
17 those problems, and function in any other reasonable manner that will accomplish
18 the stated purposes of this chapter. The department may also coordinate training
19 for local government officials provided by state agencies including, but not limited
20 to, the University of ~~Wisconsin-extension~~ Wisconsin-Extension and the technical
21 college system.

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

22 **SECTION 266.** 560.04 (2m) of the statutes is amended to read:

1 560.04 (2m) DUTIES. The department may assign one or more full-time
 2 equivalent positions to the ~~function~~ ^{functions} of coordinating the development and scheduling
 3 of training programs for local government officials by the ~~university~~ University of
 4 ~~Wisconsin-extension~~ Wisconsin-Extension, ~~the~~ technical college system,
 5 department of revenue, elections board, and other state agencies in order to assure
 6 the effective delivery of training programs and to prevent duplication of effort and
 7 ^{of} coordinating requests for management or personnel consultative services from
 8 government units other than the state and directing those requests to the
 9 appropriate division of the department of administration.

NOTE: Conforms capitalization to current style.

SECTION 267. 560.07 (3) (a) of the statutes is amended to read:

11 560.07 (3) (a) Serve as the state's official liaison agency between persons
 12 interested in locating new economic enterprises in Wisconsin, and state and local
 13 groups seeking new enterprises. In this respect the department shall aid
 14 communities in organizing for and obtaining new business or expanding existing
 15 business and shall respond to requests ~~which~~ that reflect interest in locating
 16 economic enterprises in the state. When the secretary considers appropriate, the
 17 department shall refer requests for economic development assistance to Forward
 18 Wisconsin, ~~inc~~ Inc., and shall attempt to prevent duplication of efforts between the

19 department and ~~the~~ Forward Wisconsin, inc Inc. ^{well as is}

NOTE: Conforms capitalization to current style.

SECTION 268. 560.07 (3) (b) of the statutes is amended to read:

21 560.07 (3) (b) Contract with Forward Wisconsin, ~~inc~~ Inc., if the secretary
 22 determines it appropriate, to pay Forward Wisconsin, ~~inc~~ Inc., an amount not to
 23 exceed the amount appropriated under s. 20.143 (1) (bm), to establish and implement

1 a nationwide business development promotion campaign to attract persons
2 interested in locating new enterprises in this state, and to encourage the retention
3 and expansion of businesses and jobs in this state. Funds may be expended to carry
4 out the contract only as provided in s. 16.501.

NOTE: Conforms capitalization to current style.

5 SECTION 269. 560.07 (3) (c) of the statutes is amended to read:

6 560.07 (3) (c) Whenever appropriate, submit to the secretary of administration
7 a report setting forth the amount of private contributions received by Forward
8 Wisconsin, ~~inc~~ ^{Incl}, since the time the department last submitted such a report.

plain NOTE: Conforms capitalization to current style. *Keep as is*

9 SECTION 270. 560.07 (9) of the statutes is amended to read:

10 560.07 (9) On or before July 1, 1985, and every July 1 thereafter, submit to the
11 chief clerk of each house of the legislature, for distribution to the appropriate
12 standing committees under s. 13.172 (3), a report stating the net jobs gain due to the
13 funds provided to Forward Wisconsin, ~~inc~~ ^{Incl}, under s. 20.143 (1) (bm).

plain NOTE: Conforms capitalization to current style. *LPS: Keep as is.*

14 SECTION 271. 560.09 (1) of the statutes is amended to read:

15 560.09 (1) LIAISON WITH STATE AND FEDERAL AGENCIES. The department shall
16 assist, cooperate with, and seek information and advice from other state agencies,
17 federal agencies, organizations of elected officials in the state, units of local
18 government, local business and industry, and other appropriate agencies or
19 organizations in carrying out its assigned functions and duties. Appropriate units
20 of the University of Wisconsin-System-Extension Wisconsin-Extension shall
21 coordinate their activities with the department, and the department shall cooperate
22 by providing information necessary to the conduct of research and professional

1 advice. Particularly, the University of ~~Wisconsin—System—Extension~~
2 Wisconsin—Extension and the department shall develop processes ~~which that~~ will
3 enhance coordination and cooperation in relation to the small business development
4 centers and business advisory service programs and recreation related programs.

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

5 **SECTION 272.** 560.92 (1) of the statutes is amended to read:

6 560.92 (1) The department shall promote this state's science and technology
7 assets in cooperation with Forward Wisconsin, inc. Inc., and the department of
8 agriculture, trade and consumer protection.

NOTE: Conforms capitalization and punctuation to current style.

9 **SECTION 273.** 601.93 (1) of the statutes is renumbered 601.93 (1m).

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

10 **SECTION 274.** 601.93 (3) of the statutes is renumbered 601.93 (1g).

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

11 **SECTION 275.** 611.01 (intro.) of the statutes is amended to read:

12 **611.01 Definitions.** (intro.) In this chapter, unless the context requires
13 otherwise, all of the following apply:

NOTE: Conforms the form of the (intro.) to that of the remainder of the section and
current style. *40*

14 **SECTION 276.** 611.01 (1) of the statutes is amended to read:

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

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

17 **SECTION 277.** 614.01 (1) (c) (intro.) and 1. to 3. of the statutes are amended to
18 read:

1 614.01 (1) (c) (intro.) A "lodge system" exists ~~if and only if~~ all of the following
2 conditions are met:

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

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

9 SECTION 278. 620.22 (intro.) and (1) to (8) of the statutes are amended to read:

10 **620.22 Permitted classes of investments.** (intro.) ~~The~~ Any of the following
11 classes of investments may be counted for the purposes specified in s. 620.21,
12 whether ~~they~~ the investments are made alone or ~~as~~ ^{plain} a participant in a partnership
13 or joint venture: by the insurer

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

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

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

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

that is located

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

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

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

12 (8) Such ~~other~~ *plain* investments *as that* as the commissioner authorizes by rule; and.

Any

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

13 SECTION 279. 623.06 (2m) (a) 5. of the statutes is amended to read:

14 623.06 (2m) (a) 5. "Moody's monthly average" means the corporate bond yield
15 average (~~monthly average corporates~~) *keep comma* as published by Moody's investors service,

monthly

16 ~~inc~~ Investors Service, Inc. *strike all*

plain NOTE: Conforms capitalization to current style.

17 SECTION 280. 632.475 (3) (b) of the statutes is amended to read:

18 632.475 (3) (b) Moody's corporate bond yield average (~~monthly average~~
19 ~~corporates~~) *strike* as published by Moody's investors service, ~~inc~~ Investors Service, Inc. *strike all*

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

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

1 **SECTION 281.** 632.57 (2) (a) of the statutes is renumbered 632.57 (2).

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

2 **SECTION 282.** 704.07 (2) (a) of the statutes is amended to read:

3 704.07 (2) (a) ~~Unless the repair was~~ Except for repairs made necessary by the
4 negligence of, or improper use of the premises by, the tenant, the landlord ~~is under~~
5 has a duty to do all of the following:

6 1. Keep in a reasonable state of repair portions of the premises over which the
7 landlord maintains control_;

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

12 3. Make all necessary structural repairs_;

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

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

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

19 **SECTION 283.** 704.19 (7) (a) to (c) of the statutes are amended to read:

20 704.19 (7) (a) The day of giving or leaving under s. 704.21 (1) (a) and (2) (a) and
21 (b)_;

1 (b) The day of leaving or affixing a copy or the date of mailing, whichever is
2 later, under s. 704.21 (1) (b) and (c).₂

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

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

6 SECTION 284. 706.06 (2) of the statutes is amended to read:

7 706.06 (2) Any public officer entitled by virtue of his or her office to administer
8 oaths, and any member in good standing of the ~~state bar~~ State Bar of Wisconsin, may
9 authenticate one or more of the signatures on an instrument relating to lands in this
10 state, by ~~indorsing~~ endorsing the instrument "Acknowledged" ~~,"~~ "Authenticated," or
11 "Signatures Guaranteed" ~~,"~~ or other words to similar effect, adding the date of
12 authentication, his or her own signature, and his or her official or professional title.
13 ~~Such indorsement~~ The endorsement, unless expressly limited, shall operate as an
14 authentication of all signatures on the instrument; and shall constitute a
15 certification that each authenticated signature is the genuine signature of the
16 person represented; and, as to signatures made in a representative capacity, shall
17 constitute a certification that the signer purported, and was believed, to be such
18 representative.

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

19 SECTION 285. 707.49 (1) (d) 2. of the statutes is amended to read:

20 707.49 (1) (d) 2. An attorney who is a member of the ~~state bar~~ State Bar of
21 Wisconsin.

NOTE: Conforms capitalization to current style.

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1 SECTION 286. 751.12 of the statutes is renumbered 751.12 (1) and amended to
2 read:

3 751.12 Rules of pleading and practice (1) The state supreme court shall,
4 by rules promulgated by it from time to time, regulate pleading, practice, and
5 procedure in judicial proceedings in all courts, for the ~~purpose~~ purposes of
6 simplifying the same and of promoting the speedy determination of litigation upon
7 its merits. The rules shall not abridge, enlarge, or modify the substantive rights of
8 any litigant. The effective dates for all rules adopted by the court shall be January
9 1 or July 1. A rule shall not become effective until 60 days after its adoption. All such
10 rules promulgated under this section shall be printed by the state printer and paid
11 for out of the state treasury, and the court shall direct the rules to be distributed as
12 it deems considers proper.

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

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

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

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

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

3 **SECTION 287.** 753.26 of the statutes is amended to read:

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

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

14 **SECTION 288.** 753.35 (1) of the statutes is amended to read:

15 753.35 (1) A circuit court may, subject to the approval of the chief judge of the
16 judicial administrative district, adopt and amend rules governing practice in that
17 court that are consistent with rules adopted under s. 751.12 and statutes relating to
18 pleading, practice, and procedure. The court shall file each adopted or amended rule
19 with the clerk of circuit court. Except for a rule adopted or amended as an emergency
20 rule, the court shall file an adopted or amended rule prior to the rule's effective date.
21 The clerk of circuit court shall send a copy of the filed adopted or amended rule to the
22 secretary of the local bar association in that circuit, the court administrator for that

1 judicial administrative district, the ~~state bar~~ State Bar of Wisconsin, the state law
2 library, and the office of the director of state courts. A person may submit to the court
3 written comments on a rule for the court's consideration in determining whether
4 revision of the rule is needed. The clerk of circuit court shall print and make
5 available to the public, at cost, all rules adopted or amended under this section.

NOTE: Conforms capitalization to current style.

6 **SECTION 289.** 753.35 (2) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

20 **SECTION 290.** 753.35 (3) of the statutes is amended to read:

21 753.35 (3) The ~~state bar~~ State Bar of Wisconsin, the state law library, and the
22 clerks of court to whom copies of rules are sent under this section shall serve as
23 repositories of the rules sent to them under subs. (1) and (2).

NOTE: Conforms capitalization to current style.

1 **SECTION 291.** 757.293 (3) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

18 **SECTION 292.** 757.83 (1) (a) of the statutes is amended to read:

19 757.83 (1) (a) There is created a judicial commission of 9 members: 5
20 nonlawyers nominated by the governor and appointed with the advice and consent
21 of the senate; one trial judge of a court of record and one court of appeals judge
22 appointed by the supreme court; and 2 members of the ~~state bar~~ State Bar of

1 Wisconsin, who are not judges or court commissioners, appointed by the supreme
2 court. The commission shall elect one of its members as chairperson.

NOTE: Conforms capitalization to current style.

3 **SECTION 293.** 757.83 (4) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

8 **SECTION 294.** 758.13 (3) (b) of the statutes is amended to read:

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

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

14 **SECTION 295.** 779.32 (8) (a) 2. of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

21 **SECTION 296.** 788.04 (2) (a) of the statutes is amended to read:

1 788.04 (2) (a) One arbitrator shall be appointed by the court from a list of
2 attorneys with trial experience. The list shall be prepared and periodically revised
3 by the ~~state bar~~ State Bar of Wisconsin.

NOTE: Conforms capitalization to current style.

4 **SECTION 297.** 803.03 (2) (b) of the statutes is renumbered 803.03 (2) (b) 1.
5 (intro.) and amended to read:

6 803.03 (2) (b) 1. (intro.) Any party joined pursuant to par. (a) may ~~1. participate~~
7 do any of the following:

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

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

11 c. Move for dismissal with or without prejudice.

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

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

22 4. If the party joined moves for dismissal without prejudice as to his or her
23 claim, the party shall demonstrate to the court that it would be unjust to require the
24 party to prosecute the claim with the principal claim. In determining whether to

1 grant the motion to dismiss, the court shall weigh the possible prejudice to the
2 movant against the state's interest in economy of judicial effort.

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

3 SECTION 298. 814.60 (2) of the statutes is amended to read:

4 814.60 (2) In addition to any fine imposed, a defendant shall be required to pay
5 any applicable of the following that applies:

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

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

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

9 (am) ~~Crime~~ The crime victim and witness assistance surcharge imposed by s.
10 973.045~~;~~

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

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

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

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

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

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

20 (cn) ~~Drug~~ The drug abuse program improvement surcharge imposed by s.
21 961.41 (5).

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

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

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

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

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

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

4 SECTION 299. 840.10 (1) (b) of the statutes is amended to read:

5 840.10 (1) (b) A lis pendens that is prepared by a member of the ~~state bar~~ State
6 Bar of Wisconsin need not be authenticated.

NOTE: Conforms capitalization to current style.

7 SECTION 300. 893.36 (1) of the statutes is renumbered 893.36 (1m).

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

8 SECTION 301. 893.36 (2) of the statutes is amended to read:

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

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

13 SECTION 302. 893.36 (3) of the statutes, as affected by 2001 Wisconsin Act 10,
14 is renumbered 893.36 (1g).

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

15 SECTION 303. 938.357 (1) of the statutes is renumbered 938.357 (1) (a) and
16 amended to read:

17 938.357 (1) (a) The person or agency primarily responsible for implementing
18 the dispositional order or the district attorney may request a change in the
19 placement of the juvenile, whether or not the change requested is authorized in the
20 dispositional order, and shall cause written notice to be sent to the juvenile or the

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juvenile's counsel or guardian ad litem, parent, foster parent, treatment foster parent, or other physical custodian described in s. 48.62 (2), ~~guardian, and legal custodian~~. The notice shall contain the name and address of the new placement, the reasons for the change in placement, a statement describing why the new placement is preferable to the present placement, and a statement of how the new placement satisfies objectives of the treatment plan ordered by the court.

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

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NOTE: Subdivides provision for improved readability.

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SECTION 304. 938.357 (2) of the statutes is amended to read:

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938.357 (2) If emergency conditions necessitate an immediate change in the placement of a juvenile placed outside the home, the person or agency primarily responsible for implementing the dispositional order may remove the juvenile to a new placement, whether or not authorized by the existing dispositional order, without the prior notice provided in sub. (1) (a). The notice shall, however, be sent

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1 within 48 hours after the emergency change in placement. Any party receiving
 2 notice may demand a hearing under sub. (1) (b). In emergency situations, the
 3 juvenile may be placed in a licensed public or private shelter care facility as a
 4 transitional placement for not more than 20 days, as well as in any placement
 5 authorized under s. 938.34 (3).

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

6 SECTION 305. 938.357 (2m) of the statutes is renumbered 938.357 (2m) (a) and
 7 amended to read:

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

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

1 bound by the dispositional order at least 3 days prior to the hearing. A copy of the
2 request or proposal for the change in placement shall be attached to the notice. If
3 all the parties consent, the court may proceed immediately with the hearing.

NOTE: Subdivides provision for improved readability.

4 **SECTION 306.** 938.357 (2r) of the statutes is amended to read:

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

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

19 **SECTION 307.** 938.357 (3) of the statutes is amended to read:

20 938.357 (3) Subject to ~~sub.~~ ^{subs.} (4) (b) and (c) and (5) (e), if the proposed change in
21 placement would involve placing a juvenile in a secured correctional facility, a
22 secured child caring institution, or a secured group home, notice shall be given as
23 provided in sub. (1) (a). A hearing shall be held, unless waived by the juvenile,

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

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

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7 **SECTION 308.** 938.357 (4) (b) 2. of the statutes, as affected by 2001 Wisconsin
8 Act 16, is amended to read:

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

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1 applicable, for the cost of the juvenile's care while placed in a Type 1 secured
2 correctional facility.

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

3 **SECTION 309.** 938.357 (4) (c) 1. of the statutes is amended to read:

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

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

12 **SECTION 310.** 938.357 (4) (c) 2. of the statutes is amended to read:

13 938.357 (4) (c) 2. If a juvenile is placed in a Type 2 child caring institution under
14 s. 938.34 (4d) and it appears that a less restrictive placement would be appropriate
15 for the juvenile, the child welfare agency operating the Type 2 child caring
16 institution shall notify the county department that has supervision over the juvenile
17 and, if the county department agrees to a change in placement under this
18 subdivision, the child welfare agency may place the juvenile in a less restrictive
19 placement. A child welfare agency may also, with the agreement of the county
20 department that has supervision over a juvenile who is placed in a less restrictive
21 placement under this subdivision, return the juvenile to the Type 2 child caring

1 institution without a hearing under sub. (1) (b). The child welfare agency shall
2 establish a rate for each type of placement in the manner provided in s. 46.037.

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

3 **SECTION 311.** 938.357 (4) (d) of the statutes is amended to read:

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

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

22 **SECTION 312.** 938.357 (5) (a) of the statutes is amended to read:

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

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

5 **SECTION 313.** 970.03 (12) (c) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

12 **SECTION 314.** 973.013 (3) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

16 **SECTION 315.** 977.05 (1) of the statutes is amended to read:

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

1 of the board. He or she shall devote full time to the performance of duties as state
2 public defender.

NOTE: Conforms capitalization to current style.

3 **SECTION 316.** 977.05 (5) (a) of the statutes is amended to read:

4 977.05 (5) (a) Delegate the legal representation of any person to any member
5 of the ~~state bar~~ State Bar of Wisconsin certified under s. 977.08.

NOTE: Conforms capitalization to current style.

6 **SECTION 317. Terminology changes.**

7 (1) Wherever “coowner” appears in the statutes, “co-owner” is substituted.

8 (2) Wherever “indices” appears in the statutes, “indexes” is substituted.

9 (3) Wherever “indorse,” “indorsed,” “indorsee,” “indorsee’s,” “indorsement,”
10 “indorsements,” “indorser,” “indorsers,” or “indorsing” appears in the statutes,
11 “endorse,” “endorsed,” “endorsee,” “endorsee’s,” “endorsement,” “endorsements,”
12 “endorser,” “endorsers,” or “endorsing” is substituted.

13 (4) Wherever “instalment,” “instalments,” or “instalment’s” appears in the
14 statutes, “installment,” “installments,” or “installment’s” ^{is} substituted.

15 (5) Wherever “wilful,” “wilfully,” or “wilfulness” appears in the statutes,
16 “willful,” “willfully,” or “willfulness” is substituted.

NOTE: Inserts preferred spellings.

17 **SECTION 318. Effective dates.** This act takes effect on the day after
18 publication except as follows:

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

21

(END)

D - note

Insert 8-18

Section #. 16.959 (4) of the statutes is amended to read:

Wisconsin-Extension

16.959 (4) Train University of Wisconsin System ~~extension~~ staff to assist persons interested in siting wind energy conversion systems.

History: 1987 a. 142.

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

(end of ins. 8-18)

Insert 23-20

36.33(4) of the statutes is amended to read:

36.33(4) (CS)

36.33 (4) **Proceeds.** The net proceeds from the sale of agricultural lands and improvements authorized by this section shall be devoted to the purchase of land and construction of improvements contemplated in sub. (1) but of any excess of revenue beyond the amount required for this purpose a sum not to exceed \$7,200,000 shall constitute a nonlapsible fund for the purpose of erecting facilities for research and instruction in animal husbandry, agricultural engineering and ~~agriculture~~ and life sciences at the University of Wisconsin-Madison, and such funds shall become available upon consent and recommendation of the board and authorization by the building commission.

agricultural

NOTE: Corrects name.

Insert 64-11
as created by 2001 Wisconsin Act 16,

X
Section #. 48.357 (2v) of the statutes, as amended to read:

(b) (b)

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

History: 1977 c. 354; 1979 c. 300; 1987 a. 27; 1989 a. 31, 107; 1993 a. 16, 385, 395, 446, 481, 491; 1995 a. 27, 77, 275, 404; 1997 a. 3, 35, 80, 237, 292; 1999 a. 9, 103, 149; 2001 a. 16.

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

(end of insert)

INSERT 69-1

X

Section #. 55.04 (1) (intro.) of the statutes is amended to read:

all of

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

History: 1973 c. 284; 1975 c. 430; 1979 c. 110 s. 60 (1).

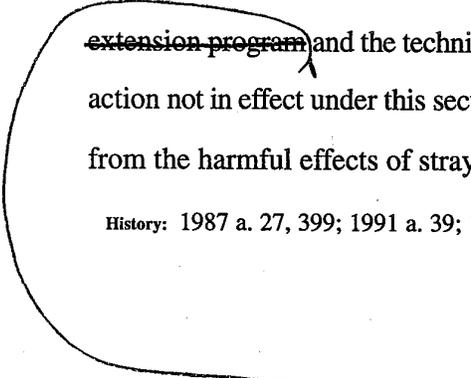
^(CS)
NOTE: Corrects introductory language to conform to the amendments to s. 55.04 (1)(a) 1. to 11.

Insert 82-12

Section #. 93.41 (2) of the statutes is amended to read:

93.41 (2) The department shall develop informational and educational materials on stray voltage and provide those materials to the public in cooperation with the University of Wisconsin System extension program and the technical college system board and shall study the need for any other state action not in effect under this section or s. 196.857 necessary to protect the public health and welfare from the harmful effects of stray voltage.

History: 1987 a. 27, 399; 1991 a. 39; 1993 a. 16, 399; 1995 a. 27; 1997 a. 27.



→ Wisconsin - Extension

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

(end of ins. 82-12)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3698/P4insMD
MGD:.....

1

INSERT 102/14

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

2

INSERT 102/20

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

3

SECTION 1. 302.02 (4) ~~(4a), (4b), (4c), (4d), (4e), (4f), (4g), (4h), (4i), (4j), (4k), (4l), (4m), (4n), (4o), (4p), (4q), (4r), (4s), (4t), (4u), (4v), (4w), (4x), (4y), and (4z)~~ ^{to} (4y) of the statutes *is* *all*

4

renumbered 302.02 (1m) (e) to (k) and amended to read:

4/2/97

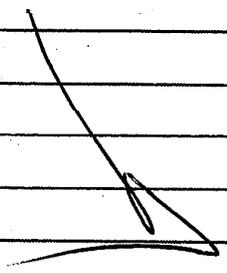
Insert 123-15

X

SEC. 938.23 (1); 938.23 (1m)

~~NOTE~~ NOTE: Accommodates the renumbering of s.

938.23 (b) to 938.23 (1g) by the next section of
the bill.



Insert 123-15
X
renumbered 938.23 (1g) and

Section #. 938.23 (6) of the statutes is amended to read:

⑤ (1g)

In

938.23 (6) DEFINITION. For the purposes of this section, "counsel" means an attorney acting as adversary counsel who shall advance and protect the legal rights of the party represented, and who may not act as guardian ad litem for any party in the same proceeding.

History: 1995 a. 77; 1999 a. 9.

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

(ed & mt)

Inser 126-18

as created by 2001 Wisconsin Act 16,

X
Section #. 938.357 (2v) of the statutes is amended to read:

(b) (b)

938.357 (2v) If a hearing is held under sub. (1) or (2m) and the change in placement would place the juvenile outside the home in a placement recommended by the person or agency primarily responsible for implementing the dispositional order, the change in placement order shall include a statement that the court approves the placement recommended by the person or agency or, if the juvenile is placed outside the home in a placement other than a placement recommended by that person or agency, a statement that the court has given bona fide consideration to the recommendations made by that person or agency and all parties relating to the juvenile's placement.

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 275, 352; 1997 a. 27, 35, 80, 205, 237; 1999 a. 9, 103; 2001 a. 16.

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

(out of mt)

Enst 127-7

X

Section #. 938.357 (4) (b) 1. of the statutes is amended to read:

938.357 (4) (b) 1. If a juvenile whom the department has placed in a Type 2 secured correctional facility operated by a child welfare agency violates a condition of his or her placement in the Type 2 secured correctional facility, the child welfare agency operating the Type 2 secured correctional facility shall notify the department and the department, after consulting with the child welfare agency, may place the juvenile in a Type 1 secured correctional facility under the supervision of the department without a hearing under sub. (1).

History: 1995 a. 27 s. 9126 (19); 1995 a. 77, 275, 352; 1997 a. 27, 35, 80, 205, 237; 1999 a. 9, 103; 2001 a. 16.

(b)

MofE = Corrects cross-reference to conform to the renumbering and amendment of §. 938.357 (1) by this bill.

Enst 127-7

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3698/P3dn

RNK: *hsk*

Date

Bruce:

Please note that I have made changes to your suggested amendment to s. 28.11 (11) (a) 2., as renumbered, to reflect the fact that DNR is required under current law to "investigate" an application to withdraw lands entered under s. 28.11. Your draft language eliminated the investigation requirement which, I believe, results in a substantive rather than a technical change to that provision. ✓ Please note that I have also changed the cross-reference in proposed s. 28.11 (11) (a) 3. so that this subdivision refers to subd. 2., rather than subd. 1.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3698/P4dn
RNK:hmh:pg

February 26, 2002

Bruce:

Please note that I have made changes to your suggested amendment to s. 28.11 (11) (a) 2., as renumbered, to reflect the fact that DNR is required under current law to "investigate" an application to withdraw lands entered under s. 28.11. Your draft language eliminated the investigation requirement which, I believe, results in a substantive rather than a technical change to that provision. Please note that I have also changed the cross-reference in proposed s. 28.11 (11) (a) 3. so that this subdivision refers to subd. 2., rather than subd. 1.

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