

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

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

2 55.043 (1) (a) (intro.) If a county protective services agency has probable cause
3 to believe that there is misappropriation of property or neglect or abuse of a
4 vulnerable adult, the county protective services agency may conduct an
5 investigation in Milwaukee county County to determine if the vulnerable adult in
6 question is in need of protective services. The county protective services agency shall
7 conduct the investigation in accordance with standards established by the
8 department for conducting the investigations. The investigation shall include at
9 least one of the following:

NOTE: Conforms capitalization to current style.

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

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

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

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

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

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

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

10 66.0139 (3) A political subdivision may safely dispose of abandoned or
11 unclaimed flammable, explosive, or incendiary substances, materials, or devices
12 ~~posing that pose~~ a danger to life or property in their storage, transportation, or use
13 immediately after taking possession of the substances, materials, or devices without
14 a public auction. The political subdivision, by ordinance or resolution, may establish
15 disposal procedures. Procedures may include provisions authorizing an attempt to
16 return to the rightful owner substances, materials, or devices ~~which~~ that have a
17 commercial value in the normal business usage and do not pose an immediate threat
18 to life or property. If enacted, a disposal procedure shall include a presumption that
19 if the substance, material, or device appears to be or is reported stolen, an attempt
20 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.

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

22 66.0209 (4) An incorporation referendum ordered by the circuit court under s.
23 66.0203 (9) (f) may not be stayed pending the outcome of further litigation, unless the

1 court of appeals or the supreme court, upon an appeal or upon the filing of an original
2 action in the supreme court, concludes that a strong probability exists that the order
3 of the circuit court or the decision of the department will be set aside.

NOTE: Inserts missing articles.

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

5 66.0309 (14) (d) 1. Submit the issue to arbitration by 3 arbitrators, one to be
6 chosen by the local governmental unit, one to be chosen by the regional planning
7 commission, and the third to be chosen by the first 2 arbitrators. If the arbitrators
8 are unable to agree, the vote of 2 shall be the decision. ~~They~~ The arbitrators may
9 affirm or modify the report, and shall submit their decision in writing to the local
10 governmental unit and the regional planning commission within 30 days of their
11 appointment unless the time ~~be~~ is extended by agreement of the commission and the
12 local governmental unit. The decision ~~shall be~~ is binding. ~~Election~~ An election to
13 arbitrate ~~shall be~~ is a waiver of the right to proceed by action. Two-thirds of the
14 expenses of arbitration shall be paid by the party requesting arbitration and the
15 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.

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

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

NOTE: Inserts missing word and corrects grammar.

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

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

NOTE: Inserts missing article.

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

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

1 the person or municipality. The governing body of the municipality or the committee,
2 board, or employee charged with, or delegated by the governing body with, the duty
3 of receiving bids and awarding contracts shall properly evaluate the statement and
4 shall find the maker of the statement either qualified or unqualified. This subsection
5 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.

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

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

NOTE: Inserts preferred term and corrects punctuation.

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

16 66.1201 (9) (j) To contract for the sale of, and to sell, any part or all of the
17 interest in real estate acquired and to execute contracts of sale and conveyances as
18 the authority considers desirable.

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

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

20 66.1205 (2) (b) Pursuant to s. 66.1201 (16) vest in obligees the right, if the
21 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 190.** 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 191.** 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 192.** 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 193.** 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 194.** 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) (e) is renumbered s. 70.06 (2) by SECTION 192 of this bill.

10 **SECTION 195.** 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 196.** 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 197.** 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 198. 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 subd. 1. are combined as there are no other subdivisions.

7 SECTION 199. 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; ~~or,~~

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 200.** 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 201.** 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 202.** 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 203.** 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 the changes name of the college
with that used in the remainder of the statutes.

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

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

7 **SECTION 205.** 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 206.** 88.63 (3) of the statutes is renumbered 88.63 (1g).

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

1 **SECTION 207.** 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.~~, the world beef expo, the midwest horse fair, and other livestock
5 exhibitions held in this state and attended by participants from outside of this state,
6 as specified by the department by rule. The department may charge a fee to the
7 sponsor of the exhibition to cover the reasonable costs of the department's inspection
8 and testing services whether or not the sponsor requests the services. This
9 subsection does not apply to county fairs or other local livestock exhibitions.

NOTE: Deletes inappropriate word.

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

11 **93.30 (1)** The secretary shall approve any plans for the expenditure of
12 appropriations under s. 20.115 (4) (e) to the ~~world dairy expo, inc.~~ World Dairy Expo,
13 Inc., for activities that expand business opportunities for the persons of the dairy
14 industry that are located in this state. Of the amounts appropriated under s. 20.115
15 (4) (e), \$33,250 in each fiscal year may be expended only to the extent that a county,
16 city, village, or town pays to ~~world dairy expo, inc.~~ World Dairy Expo, Inc., an amount
17 that is not less than 50% of the department's payment.

NOTE: Conforms capitalization to current style.

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

19 **93.30 (2)** Any moneys received by ~~world dairy expo, inc.~~ World Dairy Expo, Inc.,
20 under this section shall be used only for the purposes described in sub. (1).

NOTE: Conforms capitalization to current style.

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

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

NOTE: Conforms capitalization to current style.

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

12 93.41 (2) The department shall develop informational and educational
13 materials on stray voltage and provide those materials to the public in cooperation
14 with the University of Wisconsin ~~System extension program Wisconsin-Extension~~
15 and the technical college system board and shall study the need for any other state
16 action not in effect under this section or s. 196.857 necessary to protect the public
17 health and welfare from the harmful effects of stray voltage.

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

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

19 94.705 (5) (c) *Certification for emergency use.* A person may apply for an
20 emergency use certification. Only one emergency use certification shall be granted
21 to a person. Thereafter, certification under par. (a) or (b) is necessary. The
22 department shall conduct a specific evaluation of the applicant's ability to use and
23 apply the pesticide safely and correctly and make any other evaluations deemed

1 necessary by the department. The department shall notify the dealer by telephone
2 that the applicant has been granted an emergency use certification. Written notice
3 of the applicant's responsibility and liability shall be sent by the department to the
4 dealer and the applicant. This certification shall be valid for a ~~one-time~~ onetime
5 specific use only. The department's evaluation shall be conducted at a designated
6 department office, any University of ~~Wisconsin-extension~~ Wisconsin-Extension
7 office, or at any other site approved by the department.

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

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

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

NOTE: Conforms capitalization to current style.

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

1 108.02 (4m) (e) Back pay that an employee would have been paid during his
2 or her base period as a result of employment for an employer, if the payment of ~~such~~
3 the back pay is made no later than the end of the 104-week period beginning with
4 the earliest week to which ~~such the back~~ pay applies; ~~and~~

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

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

6 108.02 (4m) (f) All wages that an employer was legally obligated to pay in an
7 employee’s base period but failed to pay, or was prohibited from paying as a result
8 of an insolvency proceeding under ch. 128 or as a result of a bankruptcy proceeding
9 under 11 USC 101 et seq.; ~~and~~

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

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

11 109.03 (1) **REQUIRED FREQUENCY OF PAYMENTS.** (intro.) Every employer shall as
12 often as monthly pay to every employee engaged in the employer’s business, except
13 those employees engaged in logging operations and farm labor, all wages earned by
14 ~~such the~~ employee to a day not more than 31 days prior to the date of ~~such~~ payment.
15 Employees engaged in logging operations and farm labor shall be paid all earned
16 wages no less often than at regular quarterly intervals. Any employee who is absent
17 at the time fixed for payment or who for any other reason is not paid at that time shall
18 be paid thereafter at any time upon 6 days’ demand. The required frequency of wage
19 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.

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

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

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

4 **SECTION 218.** 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 219.** 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 220.** 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 221.** 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 222.** 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.

105
88-4
SECTION 223. 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 224. 120.13 (37) of the statutes, as affected by 2001 Wisconsin Act 38,
15 is amended to read:

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

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

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

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

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

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

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

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

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

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

NOTE: Conforms capitalization to current style.

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

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

NOTE: Conforms capitalization to current style.

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

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

1 ~~health institute~~ Mental Health Institute district, ~~medical college~~ the Medical College
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 230.** 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 231.** 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 232.** 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) (intro.) ~~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 233. 186.22 (16) (a) of the statutes is renumbered 186.22 (16).

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

4 SECTION 234. 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 235. 191.001 (intro.) and (1) of the statutes are consolidated,
18 renumbered 191.001 and amended to read:

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

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

21 SECTION 236. 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
4 the validity of ~~any such~~ the district.

NOTE: Inserts missing article and adopts current usage.

5 **SECTION 237.** 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 238.** 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 239.** 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) (e) is renumbered to s. 45.001 (5) by this bill.

16 **SECTION 240.** 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 241.** 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 242.** 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 243.** 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 244.** 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 245.** 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 246.** 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 247.** 292.35 (9) (a) 1. of the statutes is renumbered 292.35 (9) (a).

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

20 **SECTION 248.** 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 249.** 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 250.** 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 251.** 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 252.** 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 253.** 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 254.** 301.32 (2) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

16 **SECTION 255.** 302.01 of the statutes, as affected by 2001 Wisconsin Act 16, is
17 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.”

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~~

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 256.** 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 257.** 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 262 of this bill.

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

3 302.02 (1m) (a) ~~Waupun correctional institution~~ Correctional Institution. For
4 all purposes of discipline and for judicial proceedings, the ~~The~~ Waupun correctional
5 institution Correctional Institution and the ~~its~~ precincts thereof shall be deemed are
6 considered to be in Dodge County, and the courts of that county shall have Dodge
7 County circuit court has jurisdiction of all crimes committed within the county.
8 ~~Every activity conducted under the jurisdiction of and by the institution, wherever~~
9 ~~located, is a precinct of the prison and each precinct is part of the institution.~~

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

17 (c) ~~Taycheedah Correctional Institution~~. For all purposes of discipline and for
18 judicial proceedings, the ~~The~~ Taycheedah Correctional Institution and the ~~its~~
19 precincts thereof shall be deemed are considered to be in Fond du Lac County, and
20 the courts of that county shall have Fond du Lac County circuit court has jurisdiction
21 of all crimes committed within the same. ~~Every activity conducted under the~~
22 ~~jurisdiction of and by such correctional institution, wherever located, is a precinct of~~

1 ~~the correctional institution; and each precinct is part of the correctional institution~~
2 county.

3 (d) ~~Correctional *institution* *institutions* under section 301.16. For all purposes~~
4 ~~of discipline and for judicial proceedings, the~~ The correctional institutions
5 authorized under s. 301.16 and ~~the their~~ precincts thereof shall be deemed are
6 considered to be in ~~a~~ the county in which the institution is physically located, and
7 ~~the courts of that county shall have~~ county's circuit court has jurisdiction of all crimes
8 committed within the county. ~~Every activity conducted under the jurisdiction of and~~
9 ~~by the institution, wherever located, is a precinct of the institution; and each precinct~~
10 ~~is part of the institution.~~

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

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

12 **302.02 (1m) INSTITUTIONS LOCATED WITHIN THE STATE.** (intro.) Every activity
13 conducted under the jurisdiction of and by any institution or facility listed under this
14 section, wherever located, is a precinct of the prison, and each precinct is part of the
15 institution. For all purposes of discipline and judicial proceedings all of the following
16 apply:

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

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

18 **302.02 (3t) INSTITUTIONS LOCATED IN OTHER STATES.** For all purposes of discipline
19 and for judicial proceedings, each institution that is located in another state and
20 authorized for use under s. 301.21 and ~~the its~~ precincts of the institution shall be

1 ~~deemed~~ are considered to be in ~~a~~ the county in which the institution is physically
2 located, and the courts of that county ~~shall~~ have jurisdiction of any activity, wherever
3 located, conducted by the institution.

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

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

6 302.02 (1m) (e) *Fox Lake Correctional Institution.* ~~For all purposes of discipline~~
7 ~~and for judicial proceedings, the~~ The Fox Lake Correctional Institution and ~~the its~~
8 precincts thereof ~~are deemed~~ considered to be in Dodge County, and the courts of that
9 county ~~shall have~~ Dodge County circuit court has jurisdiction of all crimes committed
10 within the county. ~~Every activity conducted under the jurisdiction of and by the Fox~~
11 ~~Lake Correctional Institution wherever located is a precinct of the institution.~~

12 (f) *Minimum security correctional institutions.* ~~For all purposes of discipline~~
13 ~~and judicial proceedings the~~ The minimum security correctional institutions and
14 ~~their~~ precincts thereof ~~shall be deemed,~~ are considered to be in the
15 county in which the institution to which the inmate is assigned is located, and the
16 courts of that county ~~shall have~~ that county's circuit court has jurisdiction of all
17 crimes committed within the same. ~~Every activity conducted under the jurisdiction~~
18 ~~of and by the minimum security correctional institutions wherever located is, as to~~
19 ~~each inmate, a precinct of the institution to which the inmate is assigned~~ county.

20 (g) *Kettle Moraine correctional institution* Correctional Institution. ~~For all~~
21 ~~purposes of discipline and for judicial proceedings, the~~ The Kettle Moraine
22 ~~correctional institution~~ Correctional Institution and ~~the its~~ precincts thereof are
23 ~~deemed~~ considered to be in Sheboygan County, and the courts of that county shall

1 ~~have Sheboygan County circuit court has jurisdiction of all crimes committed within~~
2 ~~the same. Every activity conducted under the jurisdiction of and by the Kettle~~
3 ~~Moraine correctional institution wherever located is a precinct of the institution~~
4 ~~county.~~

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

13 (i) ~~*State-local shared correctional facilities*~~. For all purposes of discipline and
14 ~~judicial proceedings, the The state-local shared correctional facilities and their~~
15 ~~precincts shall be deemed are considered, as to each inmate, to be in the county in~~
16 ~~which the facility to which the inmate is assigned is located, and the courts of that~~
17 ~~county shall have county's circuit court has jurisdiction over all crimes committed~~
18 ~~within the facility. Every activity conducted under the jurisdiction of and by the~~
19 ~~state-local shared correctional facility wherever located is, as to each inmate, a~~
20 ~~precinct of the facility to which he or she is assigned.~~

21 (j) ~~*Correctional institution; community residential confinement*~~. For all
22 ~~purposes of discipline and judicial proceedings the The correctional institution under~~
23 ~~s. 301.046 (1) and its precincts thereof shall be deemed are considered, as to each~~
24 ~~inmate, to be in the county in which the inmate is confined, and the courts of that~~
25 ~~county shall have jurisdiction of all crimes committed within the same. Every~~

1 ~~activity conducted under the jurisdiction of and by the institution under s. 301.046~~
2 ~~(1) wherever located is a precinct of the institution county.~~

3 (k) *Correctional institution; intensive sanctions program.* ~~For all purposes of~~
4 ~~discipline and judicial proceedings the~~ The correctional institution under s. 301.048
5 (4) (b) and its precincts thereof shall be deemed are considered, as to each inmate,
6 to be in the county in which the inmate is assigned, and ~~the courts of that county shall~~
7 have county's circuit court has jurisdiction of all crimes committed within the same.
8 ~~Every activity conducted under the jurisdiction of and by the institution under s.~~
9 ~~301.048 (4) (b) wherever located is a precinct of the institution county.~~

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

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

12 302.025 (title) **Service of process on prison officers, employees, or**
13 **inmates.**

14 (2) Except as provided in ~~par. (a) sub. (1)~~, service of process within any such
15 prison under s. 302.01 on any officer ~~or~~ employee, or inmate thereof of the prison
16 shall be made by the warden or superintendent or some person appointed by the
17 warden or superintendent to serve process.

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

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

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

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

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

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

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

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

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

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

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

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

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

9 **(1m)** Foreign owned or operated vehicles entering Wisconsin to have special
10 equipment or a body constructed or installed or for repair shall be exempt from the
11 registration requirements of this section.

12 (2) If the owner of any ~~such~~ vehicle exempted under sub. (1) or (1m) moves to
13 Wisconsin or if the vehicle is purchased by or leased to a Wisconsin resident, the
14 vehicle immediately becomes subject to the laws of this state providing for the
15 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).

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

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

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

19 551.02 (3) (intro.) "Broker-dealer" means any person engaged in the business
20 of effecting transactions in securities for the account of others or for the person's own
21 account. "Broker-dealer" does not include any of the following:

22 (a) An agent;

1 (b) An issuer;~~s.~~

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

4 (d) An executor, administrator, guardian, conservator, or pledgee;~~s.~~

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

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

9 (g) The investment board;~~or.~~

NOTE: Conforms punctuation and paragraph structure to current style.

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

11 560.01 (1) PURPOSES. The functions of the department are of an advocacy,
12 regulatory, consultative, advisory, informational, coordinative, and promotional
13 nature. Through research, planning, consultation, and through promotion of the
14 development and maximum wise use of the natural and human resources of the
15 state, it shall foster the growth and diversification of the economy of the state. It
16 shall serve as the central agency and clearinghouse for developmental activities
17 concerning the economy of the state. It shall make recommendations to the governor
18 for the purpose of guiding a coordinated and economically efficient development of
19 the state and shall seek closer cooperation and coordination between units of state
20 government, educational institutions, local governments, local planning agencies,
21 including regional planning commissions, and business and industry to foster and
22 encourage a pattern of community development and of state-local and business
23 relationships so that the economy of the state may continue to develop fully and meet
24 citizen and community needs. It shall make continuing studies of the problems

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

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

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

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

NOTE: Conforms capitalization to current style.

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

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

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

NOTE: Conforms capitalization to current style.

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

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

NOTE: Conforms capitalization to current style.

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

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

NOTE: Conforms capitalization to current style.

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

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

NOTE: Conforms capitalization to current style.

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

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

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

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

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

NOTE: Conforms capitalization and punctuation to current style.

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

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

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

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

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

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

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

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

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

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

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

8 **614.01 (1) (c) (intro.)** A "lodge system" exists ~~if and~~ only if all of the following
9 conditions are met:

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

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

17 **620.22 Permitted classes of investments.** (intro.) ~~The~~ Any of the following
18 classes of investments may be counted for the purposes specified in s. 620.21,
19 whether they the investments are made by the insurer alone or as a participant in
20 a partnership or joint venture:

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

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

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

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

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

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

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

21 (8) ~~Such~~ Any other investments as that the commissioner authorizes by rule;
22 and,

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

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

1 623.06 (2m) (a) 5. “Moody’s monthly average” means the corporate bond yield
2 monthly average (~~monthly average corporates~~), as published by Moody’s investors
3 ~~service, inc.~~ Investors Service, Inc.

NOTE: Conforms capitalization to current style.

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

5 632.475 (3) (b) Moody’s corporate bond yield monthly average (~~monthly~~
6 ~~average corporates~~), as published by Moody’s ~~investors service, inc.~~ Investors
7 Service, Inc., or its successor, for the month ending 2 months before the rate is
8 applied. If such the monthly average is no longer published, a comparable average
9 shall be substituted by the commissioner by rule.

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

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

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

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

12 704.07 (2) (a) ~~Unless the repair was~~ Except for repairs made necessary by the
13 negligence of, or improper use of the premises by, the tenant, the landlord is under
14 has a duty to do all of the following:

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

17 2. Keep in a reasonable state of repair all equipment under the landlord’s
18 control necessary to supply services ~~which~~ that the landlord has expressly or
19 impliedly agreed to furnish to the tenant, such as heat, water, elevator, or air
20 conditioning;

21 3. Make all necessary structural repairs;

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

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

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

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

8 704.19 (7) (a) The day of giving or leaving under s. 704.21 (1) (a) and (2) (a) and
9 (b);~~s.~~

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

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

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

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

16 706.06 (2) Any public officer entitled by virtue of his or her office to administer
17 oaths, and any member in good standing of the ~~state bar~~ State Bar of Wisconsin, may
18 authenticate one or more of the signatures on an instrument relating to lands in this
19 state, by ~~indorsing~~ endorsing the instrument “Acknowledged”,~~s.~~ “Authenticated”, or
20 “Signatures Guaranteed”,~~s.~~ or other words to similar effect, adding the date of
21 authentication, his or her own signature, and his or her official or professional title.
22 ~~Such indorsement~~ The endorsement, unless expressly limited, shall operate as an

1 authentication of all signatures on the instrument; and shall constitute a
2 certification that each authenticated signature is the genuine signature of the
3 person represented; and, as to signatures made in a representative capacity, shall
4 constitute a certification that the signer purported, and was believed, to be such
5 representative.

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

6 SECTION 289. 707.49 (1) (d) 2. of the statutes is amended to read:

7 707.49 (1) (d) 2. An attorney who is a member of the state bar State Bar of
8 Wisconsin.

NOTE: Conforms capitalization to current style.

9 SECTION 290. 751.12 of the statutes is renumbered 751.12 (1) and amended to
10 read:

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

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

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

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

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

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

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

13 **753.26 Office and records to be kept at county seat.** Except in branches
14 Nos. 4, 5, and 7 of the circuit court for Rock ~~county~~ County, every circuit judge in this
15 state shall maintain in his or her office, at the county seat of the county in which the
16 judge holds office, all of the books, papers, and records of the court at the county seat
17 of the county in which the judge holds office, which. The office and the books, papers,
18 and records thereof of the circuit judge shall at all reasonable times be open to access
19 and inspection by any person having any business therewith with the books, papers,
20 and records of the court, except as otherwise provided by law. Originals of judgments
21 or orders made under circuit court jurisdiction of branches Nos. 4, 5, and 7 of the Rock
22 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.

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

2 753.35 (1) A circuit court may, subject to the approval of the chief judge of the
3 judicial administrative district, adopt and amend rules governing practice in that
4 court that are consistent with rules adopted under s. 751.12 and statutes relating to
5 pleading, practice, and procedure. The court shall file each adopted or amended rule
6 with the clerk of circuit court. Except for a rule adopted or amended as an emergency
7 rule, the court shall file an adopted or amended rule prior to the rule's effective date.
8 The clerk of circuit court shall send a copy of the filed adopted or amended rule to the
9 secretary of the local bar association in that circuit, the court administrator for that
10 judicial administrative district, the ~~state bar~~ State Bar of Wisconsin, the state law
11 library, and the office of the director of state courts. A person may submit to the court
12 written comments on a rule for the court's consideration in determining whether
13 revision of the rule is needed. The clerk of circuit court shall print and make
14 available to the public, at cost, all rules adopted or amended under this section.

NOTE: Conforms capitalization to current style.

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

16 753.35 (2) The chief judge of the judicial administrative district shall file a local
17 rule of trial court administration adopted or amended under SCR 70.34 with the
18 court administrator for the judicial administrative district. The chief judge of the
19 judicial administrative district shall file the local rule prior to the rule's effective
20 date. The court administrator for the judicial administrative district shall send a
21 copy of the filed adopted or amended rule to the clerks of circuit court in the judicial
22 administrative district, the secretaries of the local bar associations in the district, the
23 ~~state bar~~ State Bar of Wisconsin, the state law library, and the office of the director
24 of state courts. A person may submit to the chief judge of the judicial administrative

1 district written comments on a rule for the chief judge's consideration in determining
2 whether revision of the rule is needed. The clerks of circuit court in the judicial
3 administrative district shall print and make available to the public, at cost, all rules
4 adopted under SCR 70.34.

NOTE: Conforms capitalization to current style.

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

6 **753.35 (3)** ~~The state bar~~ State Bar of Wisconsin, the state law library, and the
7 clerks of court to whom copies of rules are sent under this section shall serve as
8 repositories of the rules sent to them under subs. (1) and (2).

NOTE: Conforms capitalization to current style.

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

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

1 supreme court, a form on which the certification must be made and a copy of this
2 section.

NOTE: Conforms capitalization to current style.

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

4 757.83 (1) (a) There is created a judicial commission of 9 members: 5
5 nonlawyers nominated by the governor and appointed with the advice and consent
6 of the senate; one trial judge of a court of record and one court of appeals judge
7 appointed by the supreme court; and 2 members of the ~~state bar~~ State Bar of
8 Wisconsin, who are not judges or court commissioners, appointed by the supreme
9 court. The commission shall elect one of its members as chairperson.

NOTE: Conforms capitalization to current style.

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

11 757.83 (4) **STAFF.** The judicial commission shall hire an executive director, and
12 may hire one staff member, in the unclassified service. The executive director shall
13 be a member of the ~~state bar~~ State Bar of Wisconsin and shall provide staff services
14 to the judicial commission and the judicial council.

NOTE: Conforms capitalization to current style.

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

16 758.13 (3) (b) The council may promulgate and modify rules for the conduct of
17 its proceedings in the exercise of its powers. The council may meet at such time and
18 place as it determines but at least once every 3 months. It shall meet upon call of the
19 chairperson or a call signed by 5 members of the council. ~~Nine~~ Eleven members shall
20 constitute a quorum.

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

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

1 779.32 (8) (a) 2. The person owing the commission or compensation pays an
2 amount equal to 125% of the commission or compensation owed into the trust
3 account of the broker or the trust account of any attorney who does not represent any
4 party to the dispute and who is in good standing with the ~~state bar~~ State Bar of
5 Wisconsin. The moneys shall be held in escrow until disbursed pursuant to the
6 written mutual agreement of the parties or pursuant to a court order.

NOTE: Conforms capitalization to current style.

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

8 788.04 (2) (a) One arbitrator shall be appointed by the court from a list of
9 attorneys with trial experience. The list shall be prepared and periodically revised
10 by the ~~state bar~~ State Bar of Wisconsin.

NOTE: Conforms capitalization to current style.

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

13 803.03 (2) (b) 1. (intro.) Any party joined pursuant to par. (a) may ~~1. participate~~
14 do any of the following:

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

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

18 c. Move for dismissal with or without prejudice.

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

21 3. Except as provided in par. (bm), if the party joined chooses to have his or her
22 interest represented by the party who caused the joinder, the party joined shall sign
23 a written waiver of the right to participate ~~which~~ that shall express consent to be

1 bound by the judgment in the action. ~~Such~~ The waiver shall become binding when
2 filed with the court, but a party may withdraw the waiver upon timely motion to the
3 judge to whom the case has been assigned with notice to the other parties. A party
4 who represents the interest of another party and who obtains a judgment favorable
5 to ~~such~~ the other party may be awarded reasonable attorneys fees by the court.

6 4. If the party joined moves for dismissal without prejudice as to his or her
7 claim, the party shall demonstrate to the court that it would be unjust to require the
8 party to prosecute the claim with the principal claim. In determining whether to
9 grant the motion to dismiss, the court shall weigh the possible prejudice to the
10 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.

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

13 814.60 (2) (intro.) In addition to any fine imposed, a defendant shall be required
14 to pay any applicable of the following that applies:

15 (a) ~~Penalty~~ The penalty assessment imposed by s. 757.05₂.

16 (ag) ~~Jail~~ The jail assessment imposed by s. 302.46 (1)₂.

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

17 **SECTION 303.** 814.60 (2) (ai) of the statutes, as affected by 2001 Wisconsin Act
18 16, is amended to read:

19 814.60 (2) (ai) ~~Consumer~~ The consumer protection assessment imposed by s.
20 100.261.

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

21 ~~**SECTION 304.** 814.60 (2) (am) to (e) of the statutes are amended to read:~~

Insert
(10-20)

1 814.60 (2) (am) ~~Crime~~ The crime victim and witness assistance surcharge
2 imposed by s. 973.045.

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

5 (ap) ~~Deoxyribonucleic~~ The deoxyribonucleic acid analysis surcharge imposed
6 by s. 973.046.

7 (b) ~~Domestic~~ The domestic abuse assessment imposed by s. 971.37 (1m) (c) 1.
8 or 973.055.

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

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

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

12 (cn) ~~Drug~~ The drug abuse program improvement surcharge imposed by s.
13 961.41 (5).

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

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

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

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

17 **SECTION 305.** 814.60 (2) (eg) of the statutes, as created by 2001 Wisconsin Act
18 16, is amended to read:

19 814.60 (2) (eg) ~~Truck~~ The truck driver education assessment imposed by s.
20 349.04.

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

21 **SECTION 306.** 814.60 (2) (em) and (f) of the statutes are amended to read:

22 814.60 (2) (em) ~~Wild~~ The wild animal protection assessment imposed by s.
23 29.983.

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

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

2 **SECTION 307.** 840.10 (1) (b) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

5 **SECTION 308.** 893.36 (1) of the statutes is renumbered 893.36 (1m).

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

6 **SECTION 309.** 893.36 (2) of the statutes is amended to read:

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

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

11 **SECTION 310.** 893.36 (3) of the statutes, as affected by 2001 Wisconsin Act 10,
12 is renumbered 893.36 (1g).

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

13 **SECTION 311.** 938.23 (1) of the statutes is renumbered 938.23 (1m).

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

14 **SECTION 312.** 938.23 (6) of the statutes is renumbered 938.23 (1g) and amended
15 to read:

16 938.23 (1g) DEFINITION. ~~For the purposes of~~ In this section, "counsel" means
17 an attorney acting as adversary counsel who shall advance and protect the legal
18 rights of the party represented, and who may not act as guardian ad litem for any
19 party in the same proceeding.

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

1 **SECTION 313.** 938.357 (1) of the statutes is renumbered 938.357 (1) (a) and
2 amended to read:

3 938.357 (1) (a) The person or agency primarily responsible for implementing
4 the dispositional order or the district attorney may request a change in the
5 placement of the juvenile, whether or not the change requested is authorized in the
6 dispositional order, and shall cause written notice to be sent to the juvenile or the
7 juvenile's counsel or guardian ad litem, the parent, guardian, and legal custodian of
8 the juvenile, and any foster parent, treatment foster parent, or other physical
9 custodian described in s. 48.62 (2), ~~guardian and legal custodian of the juvenile~~. The
10 notice shall contain the name and address of the new placement, the reasons for the
11 change in placement, a statement describing why the new placement is preferable
12 to the present placement, and a statement of how the new placement satisfies
13 objectives of the treatment plan ordered by the court.

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

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

NOTE: Subdivides provision for improved readability.

3 **SECTION 314.** 938.357 (2) of the statutes is amended to read:

4 938.357 (2) If emergency conditions necessitate an immediate change in the
5 placement of a juvenile placed outside the home, the person or agency primarily
6 responsible for implementing the dispositional order may remove the juvenile to a
7 new placement, whether or not authorized by the existing dispositional order,
8 without the prior notice provided in sub. (1) (a). The notice shall, however, be sent
9 within 48 hours after the emergency change in placement. Any party receiving
10 notice may demand a hearing under sub. (1) (b). In emergency situations, ~~the a~~
11 juvenile may be placed in a licensed public or private shelter care facility as a
12 transitional placement for not more than 20 days, as well as in any placement
13 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.

14 **SECTION 315.** 938.357 (2m) of the statutes is renumbered 938.357 (2m) (a) and
15 amended to read:

16 938.357 (2m) (a) The juvenile, the parent, guardian, or legal custodian of the
17 juvenile, or any person or agency primarily bound by the dispositional order, other
18 than the person or agency responsible for implementing the order, may request a
19 change in placement under this ~~subsection~~ paragraph. The request shall contain the
20 name and address of the place of the new placement requested and shall state what
21 new information is available ~~which~~ that affects the advisability of the current
22 placement. ~~This~~ The request shall be submitted to the court. In addition, the court
23 may propose a change in placement on its own motion.

1 **(b)** The court shall hold a hearing on the matter prior to ordering any change
2 in placement requested or proposed under ~~this subsection~~ par. (a) if the request
3 states that new information is available ~~which~~ that affects the advisability of the
4 current placement, unless written waivers of objection to the proposed change in
5 placement are signed by all parties entitled to receive notice under sub. (1) (a) and
6 the court approves. If a hearing is scheduled, the court shall notify the juvenile, the
7 parent, guardian, and legal custodian of the juvenile, any foster parent, treatment
8 foster parent, or other physical custodian described in s. 48.62 (2) of the juvenile, and
9 all parties who are bound by the dispositional order at least 3 days prior to the
10 hearing. A copy of the request or proposal for the change in placement shall be
11 attached to the notice. If all of the parties consent, the court may proceed
12 immediately with the hearing.

NOTE: Subdivides provision for improved readability.

13 **SECTION 316.** 938.357 (2r) of the statutes is amended to read:

14 **938.357 (2r)** If a hearing is held under sub. (1) (b) or (2m) (b) and the change
15 in placement would remove a juvenile from a foster home, treatment foster home, or
16 other placement with a physical custodian described in s. 48.62 (2), the court shall
17 give the foster parent, treatment foster parent, or other physical custodian described
18 in s. 48.62 (2) an opportunity to be heard at the hearing by permitting the foster
19 parent, treatment foster parent, or other physical custodian to make a written or oral
20 statement during the hearing or to submit a written statement prior to the hearing
21 relating to the juvenile and the requested change in placement. Any written or oral
22 statement made under this subsection shall be made under oath or affirmation. A
23 foster parent, treatment foster parent, or other physical custodian described in s.
24 48.62 (2) who receives notice of a hearing under sub. (1) (b) or (2m) (b) and an

1 opportunity to be heard under this subsection does not become a party to the
2 proceeding on which the hearing is held solely on the basis of receiving that notice
3 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.

4 **SECTION 317.** 938.357 (2v) of the statutes, as created by 2001 Wisconsin Act 16,
5 is amended to read:

6 938.357 (2v) If a hearing is held under sub. (1) (b) or (2m) (b) and the change
7 in placement would place the juvenile outside the home in a placement recommended
8 by the person or agency primarily responsible for implementing the dispositional
9 order, the change in placement order shall include a statement that the court
10 approves the placement recommended by the person or agency or, if the juvenile is
11 placed outside the home in a placement other than a placement recommended by that
12 person or agency, a statement that the court has given bona fide consideration to the
13 recommendations made by that person or agency and all parties relating to the
14 juvenile's placement.

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

15 **SECTION 318.** 938.357 (3) of the statutes is amended to read:

16 938.357 (3) Subject to ~~sub.~~ subs. (4) (b) and (c) and (5) (e), if the proposed change
17 in placement would involve placing a juvenile in a secured correctional facility, a
18 secured child caring institution, or a secured group home, notice shall be given as
19 provided in sub. (1) (a). A hearing shall be held, unless waived by the juvenile,
20 parent, guardian, and legal custodian, before the judge makes a decision on the
21 request. The juvenile shall be entitled to counsel at the hearing, and any party
22 opposing or favoring the proposed new placement may present relevant evidence and

1 cross-examine witnesses. The proposed new placement may be approved only if the
2 judge finds, on the record, that the conditions set forth in s. 938.34 (4m) have been
3 met.

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

4 **SECTION 319.** 938.357 (4) (b) 1. of the statutes is amended to read:

5 938.357 (4) (b) 1. If a juvenile whom the department has placed in a Type 2
6 secured correctional facility operated by a child welfare agency violates a condition
7 of his or her placement in the Type 2 secured correctional facility, the child welfare
8 agency operating the Type 2 secured correctional facility shall notify the department
9 and the department, after consulting with the child welfare agency, may place the
10 juvenile in a Type 1 secured correctional facility under the supervision of the
11 department without a hearing under sub. (1) (b).

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

12 **SECTION 320.** 938.357 (4) (b) 2. of the statutes, as affected by 2001 Wisconsin
13 Act 16, is amended to read:

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

1 in a Type 1 secured correctional facility under this subdivision, the county
2 department that has supervision over the juvenile shall reimburse the child welfare
3 agency operating the Type 2 child caring institution in which the juvenile was placed
4 at the rate established under s. 46.037, and that child welfare agency shall reimburse
5 the department at the rate specified in s. 301.26 (4) (d) 2. or 3., whichever is
6 applicable, for the cost of the juvenile's care while placed in a Type 1 secured
7 correctional facility.

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

8 **SECTION 321.** 938.357 (4) (c) 1. of the statutes is amended to read:

9 938.357 (4) (c) 1. If a juvenile is placed in a Type 2 secured correctional facility
10 operated by a child welfare agency under par. (a) and it appears that a less restrictive
11 placement would be appropriate for the juvenile, the department, after consulting
12 with the child welfare agency that is operating the Type 2 secured correctional
13 facility in which the juvenile is placed, may place the juvenile in a less restrictive
14 placement, and may return the juvenile to the Type 2 secured correctional facility
15 without a hearing under sub. (1) (b). The child welfare agency shall establish a rate
16 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.

17 **SECTION 322.** 938.357 (4) (c) 2. of the statutes is amended to read:

18 938.357 (4) (c) 2. If a juvenile is placed in a Type 2 child caring institution under
19 s. 938.34 (4d) and it appears that a less restrictive placement would be appropriate
20 for the juvenile, the child welfare agency operating the Type 2 child caring
21 institution shall notify the county department that has supervision over the juvenile
22 and, if the county department agrees to a change in placement under this

1 subdivision, the child welfare agency may place the juvenile in a less restrictive
2 placement. A child welfare agency may also, with the agreement of the county
3 department that has supervision over a juvenile who is placed in a less restrictive
4 placement under this subdivision, return the juvenile to the Type 2 child caring
5 institution without a hearing under sub. (1) (b). The child welfare agency shall
6 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.

7 **SECTION 323.** 938.357 (4) (d) of the statutes is amended to read:

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

1 written notice of the transfer to the parent, guardian, legal custodian, and
2 committing court.

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

3 **SECTION 324.** 938.357 (5) (a) of the statutes is amended to read:

4 938.357 (5) (a) The department or a county department, whichever has been
5 designated as a juvenile's aftercare provider under s. 938.34 (4n), may revoke the
6 aftercare status of that juvenile. Revocation of aftercare supervision shall not
7 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.

8 **SECTION 325.** 970.03 (12) (c) of the statutes is amended to read:

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

NOTE: Conforms capitalization to current style.

15 **SECTION 326.** 973.013 (3) of the statutes is amended to read:

16 973.013 (3) Female persons convicted of a felony may be committed to the
17 Taycheedah ~~correctional institution~~ Correctional Institution unless they are subject
18 to sub. (3m).

NOTE: Conforms capitalization to current style.

19 **SECTION 327.** 977.05 (1) of the statutes is amended to read:

20 977.05 (1) APPOINTMENT. The board shall appoint a state public defender, who
21 shall be a member of the ~~state bar~~ State Bar of Wisconsin. The state public defender

1 shall serve for a period of 5 years and shall continue until a successor is appointed,
2 except that at the conclusion of the 5-year term of the state public defender in office
3 as of July 1, 1980, the state public defender shall be appointed to serve at the pleasure
4 of the board. He or she shall devote full time to the performance of duties as state
5 public defender.

NOTE: Conforms capitalization to current style.

6 **SECTION 328.** 977.05 (5) (a) of the statutes is amended to read:

7 977.05 (5) (a) Delegate the legal representation of any person to any member
8 of the ~~state bar~~ State Bar of Wisconsin certified under s. 977.08.

NOTE: Conforms capitalization to current style.

9 **SECTION 329. Terminology changes.**

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

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

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

16 (4) Wherever “instalment,” “instalments,” or “instalment’s” appears in the
17 statutes, “installment,” “installments,” or “installment’s” is substituted.

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

NOTE: Inserts preferred spellings.

20 **SECTION 330. Effective dates.** This act takes effect on the day after
21 publication except as follows:

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LEGISLATIVE REFERENCE BUREAU

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~~Cathlene. Replace the corresponding treatments in 3698~~

SECTION 1. 48.981 (2) of the statutes, as affected by 2001 Wisconsin Acts 38, 59, and 70, is renumbered 48.981 (2) (a) (intro.) and amended to read:

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

(b) A court-appointed special advocate ~~having~~ who has reasonable cause to suspect that a child seen in the course of ~~the court-appointed special advocate's~~ activities under s. 48.236 (3) has been abused or neglected or ~~having~~ who has reason

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to believe that a child seen in the course of those activities has been threatened with abuse and neglect and that abuse or neglect of the child will occur shall, except as provided in sub. (2m), report as provided in sub. (3).

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

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

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

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

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

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

2. A coroner.

3. A medical examiner.

4. A nurse.

5. A dentist.

6. A chiropractor.

7. An optometrist.

8. An acupuncturist.

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

10. A social worker.

11. A marriage and family therapist.

12. A professional counselor.

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

14. A school teacher.

15. A school administrator

16. A school counselor.

17. A mediator under s. 767.11.

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

19. A day care provider.

20. An alcohol or other drug abuse counselor.

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

22. A physical therapist.

22m. A physical therapist assistant.

23. An occupational therapist.

24. A dietitian.

25. A speech-language pathologist.

26. An audiologist.

27. An emergency medical technician.

28. A first responder.

29. A police or law enforcement officer.

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

SECTION 3. 115.31 (1) (b) of the statutes, as affected by 2001 Wisconsin Act 57,

is amended to read:

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

NOTE: Conforms capitalization to current style.

SECTION 4. 814.60 (2) (am) to (d) of the statutes are amended to read:

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

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

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

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

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

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

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

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

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

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

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

SECTION 5. 814.60 (2) (e), as affected by 2001 Wisconsin Act 56 is amended to read.

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

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

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