

2001 ASSEMBLY BILL 938

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

Analysis by the Legislative Reference Bureau

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

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

6 **SECTION 1.** 6.18 (form) of the statutes is amended to read:
7 **6.18** (form) This ~~blank~~ form shall be returned to the municipal clerk's office.
8 Application must be received in sufficient time for ballots to be mailed and returned
9 prior to any presidential election at which applicant wishes to vote. Complete all
10 statements in full.

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SECTION 1

1 APPLICATION FOR PRESIDENTIAL

2 ELECTOR'S ABSENT BALLOT

3 (To be voted at the Presidential Election

4 on November, (year)

5 I, hereby swear or affirm that I am a citizen of the United States, formerly
6 residing at in the ... ward aldermanic district (city, town, village) of, County
7 of for 10 days prior to leaving the State of Wisconsin. I, do solemnly swear or
8 affirm that I do not qualify to register or vote under the laws of the State of(State
9 you now reside in) where I am presently residing. A citizen must be a resident of:
10 State(Insert time) County(Insert time) City, Town or Village(Insert time),
11 in order to be eligible to register or vote therein. I further swear or affirm that my
12 legal residence was established in the State of(the State where you now reside)
13 on Month Day Year.

14 Signed

15 Address(Present address)

16(City)(State)

17 Subscribed and sworn to before me this day of (year)

18(Notary Public, or other officer authorized to administer oaths.)

19(County)

20 My Commission expires

21 MAIL BALLOT TO:

22 NAME

23 ADDRESS

24 CITY STATE ZIP CODE

ASSEMBLY BILL 938**SECTION 5**

1 7.10 (3) (a) The county clerk shall distribute the ballots to the municipal clerks
2 no later than 31 days before each September primary and general election and no
3 later than 22 days before each other primary and election. Election ~~blanks~~ forms
4 prepared by the board shall be distributed at the same time. If the board transmits
5 an amended certification under s. 7.08 (2) (a) or if the board or a court orders a ballot
6 error to be corrected under s. 5.06 (6) or 5.72 (3) after ballots have been distributed,
7 the county clerk shall distribute corrected ballots to the municipal clerks as soon as
8 possible.

NOTE: Replaces disfavored term.

9 **SECTION 6.** 7.22 (3) of the statutes is amended to read:

10 7.22 (3) The municipal board of election commissioners shall prepare and
11 furnish copies of all registrations, books, maps, instructions, and ~~blanks~~ forms
12 pertaining to the rules for registration and conducting elections for the use and
13 guidance of the election officials.

NOTE: Replaces disfavored term.

14 **SECTION 7.** 7.25 (6) (b) of the statutes is renumbered 7.25 (6) (b) 1. (intro.) and
15 amended to read:

16 7.25 (6) (b) 1. (intro.) Before opening the polls, they ~~the election officials~~ shall
17 ~~compare~~ do all of the following:

18 a. Compare the ballots on the machines with the sample ballots furnished by
19 the municipal clerk to ensure that the names, numbers, and letters ~~thereon~~ on the
20 machine ballots and sample ballots agree; ~~examine.~~

21 b. Examine the seal on each machine to see that it the seal has not been broken;
22 ~~and examine.~~

23 c. Examine the counter on each machine to see that each counter registers 000.

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1 2. If any counter on any machine does not register 000, the counter number and
2 the number showing on the counter shall be recorded, signed by all the election
3 officials, and a copy shall be conspicuously posted by the inspectors at the polling
4 place during polling hours.

NOTE: Subdivides long provision for improved readability and inserts specific references.

5 **SECTION 8.** 7.51 (5) of the statutes is renumbered 7.51 (5) (a) and amended to
6 read:

7 7.51 (5) (a) The inspectors shall make full and accurate return of the votes cast
8 for each candidate and proposition on tally sheet ~~blanks~~ forms provided by the
9 municipal clerk for the that purpose. Each tally sheet shall record the returns for
10 each office or referendum by ward, unless combined returns are authorized in
11 accordance with s. 5.15 (6) (b) in which case the tally sheet shall record the returns
12 for each group of combined wards. After recording the votes, the inspectors shall seal
13 in a carrier envelope outside the ballot bag or container one inspectors' statement
14 under sub. (4) (a), one tally sheet, and one poll or registration list for delivery to the
15 county clerk, unless the election relates only to municipal or school district offices or
16 referenda. The inspectors shall also similarly seal one inspectors' statement, one
17 tally sheet, and one poll or registration list for delivery to the municipal clerk. For
18 school district elections, except in 1st class cities, the inspectors shall similarly seal
19 one inspectors' statement, one tally sheet, and one poll or registration list for delivery
20 to the school district clerk. The inspectors shall immediately deliver all ballots,
21 statements, tally sheets, lists, and envelopes to the municipal clerk.

22 (b) The municipal clerk shall arrange for delivery of all ballots, statements,
23 tally sheets, lists, and envelopes relating to a school district election to the school

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1 district clerk. The municipal clerk shall deliver the ballots, statements, tally sheets,
2 lists, and envelopes for his or her municipality relating to any county, technical
3 college district, state, or national election to the county clerk by 2 p.m. on the day
4 following each such election. The person delivering the returns shall be paid out of
5 the municipal treasury. Each clerk receiving shall retain ballots, statements, tally
6 sheets, or envelopes ~~shall retain them~~ received by the clerk until destruction is
7 authorized under s. 7.23 (1).

NOTE: Subdivides long provision for improved readability, replaces disfavored terms, and inserts specific references.

8 **SECTION 9.** 7.60 (5) of the statutes is renumbered 7.60 (5) (a) and amended to
9 read:

10 **7.60 (5) (a)** Immediately following the canvass, the county clerk shall deliver
11 or send to the elections board, by 1st class mail, a certified copy of each statement of
12 the county board of canvassers for president and vice president; state officials;
13 senators and representatives in congress; state legislators; justice; court of appeals
14 judge; circuit judge; district attorney; and metropolitan sewerage commissioners,
15 if the commissioners are elected under s. 200.09 (11) (am). The statement shall
16 record the returns for each office or referendum by ward, unless combined returns
17 are authorized under s. 5.15 (6) (b) in which case the statement shall record the
18 returns for each group of combined wards. Following primaries the county clerk
19 shall enclose on ~~blanks~~ forms prescribed by the elections board the names, party or
20 principle designation, if any, and number of votes received by each candidate
21 recorded in the same manner. The county clerk shall deliver or transmit the certified
22 statement to the elections board no later than 7 days after each primary and no later
23 than 10 days after any other election. The board of canvassers shall deliver or

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1 transmit a certified copy of each statement for any technical college district
2 referendum to the secretary of the technical college district board.

3 (b) If the board of canvassers becomes aware of a material mistake in the
4 canvass of an election for state or national office or a statewide or technical college
5 district referendum prior to the close of business on the day the elections board
6 receives returns from the last county board of canvassers with respect to that
7 canvass, the board of canvassers may petition the elections board to reopen and
8 correct the canvass. The elections board shall direct the canvass to be reopened and
9 corrected if it determines that the public interest so requires. If the elections board
10 directs the canvass to be reopened, the board of canvassers shall reconvene and
11 transmit a certified corrected copy of the canvass statement to the elections board or
12 secretary of the technical college district board.

NOTE: Subdivides long provision for improved readability and replaces disfavored terms and unnecessary semicolons.

13 **SECTION 10.** 10.64 (2) (f) 2. of the statutes is amended to read:

14 10.64 (2) (f) 2. 22 days before the spring primary, the county clerk distributes
15 ballots and ~~blanks~~ forms prescribed by the board to the municipal clerks in the
16 county. See s. 7.10 (3) (a).

NOTE: Replaces disfavored term.

17 **SECTION 11.** 10.64 (4) (em) of the statutes is amended to read:

18 10.64 (4) (em) *22 days before election.* 22 days before the spring election, the
19 county clerk distributes ballots and ~~blanks~~ forms prescribed by the board to
20 municipal clerks in the county. See s. 7.10 (3) (a).

NOTE: Replaces disfavored term.

21 **SECTION 12.** 10.74 (4) (am) of the statutes is amended to read:

ASSEMBLY BILL 938**SECTION 12**

1 10.74 (4) (am) *31 days before primary.* 31 days before the September primary
2 is the latest county clerks may distribute primary ballots and election blanks forms
3 prescribed by the board to municipal clerks. See s. 7.10 (3) (a).

NOTE: Replaces disfavored term.

4 **SECTION 13.** 13.55 (3) of the statutes is renumbered 13.55 (3) (intro.) and
5 amended to read:

6 13.55 (3) NATIONAL CONFERENCE. (intro.) Each commissioner may attend the
7 annual meeting of the ~~conference of commissioners on uniform state laws;~~ National
8 Conference of Commissioners on Uniform State Laws and shall ~~examine~~ do all of the
9 following:

10 (a) Examine subjects on which uniformity of legislation is desirable; ~~ascertain.~~

11 (b) Ascertain the best methods to effect uniformity; ~~cooperate.~~

12 (c) Cooperate with commissioners in other states in the preparation of uniform
13 acts; ~~and prepare.~~

14 (d) Prepare bills adapting such uniform acts to the Wisconsin statutes, for
15 introduction in the legislature.

NOTE: Corrects name and subdivides provision for improved readability and
conformity with current style.

16 **SECTION 14.** 20.765 (3) (fa) of the statutes is amended to read:

17 20.765 (3) (fa) *Membership in national associations.* A sum sufficient to be
18 disbursed under s. 13.90 (4) for payment of the annual fees entitling the legislature
19 to membership in national organizations including, without limitation because of
20 enumeration, the national conference of state legislatures, the ~~national conference~~
21 ~~of the Commission~~ National Conference of Commissioners on Uniform State Laws
22 and the ~~national committee on uniform traffic laws and ordinances~~ National
23 Committee on Uniform Traffic Laws and Ordinances.

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NOTE: Corrects name and conforms capitalization to current style.

1 **SECTION 15.** 21.19 (4) of the statutes is amended to read:

2 21.19 (4) The adjutant general shall be the auditor of military accounts, and
3 all accounts or claims payable from the treasury of the state for military purposes
4 shall be regularly audited by the adjutant general before payment. The adjutant
5 general shall cause to be prepared and issued all necessary books, ~~blank books,~~
6 ~~blanks~~ and forms required by the adjutant general's office for the national guard.
7 All said of the books, ~~blank books,~~ ~~blanks~~ and forms shall be made to conform as
8 nearly as practicable to those in use in the United States army.

NOTE: Replaces disfavored terms.

9 **SECTION 16.** 21.36 (2) of the statutes is amended to read:

10 21.36 (2) The governor may make and publish rules, regulations, and orders
11 for the government of the national guard, not inconsistent with the law, and cause
12 the ~~same~~ rules, regulations, or orders, together with any related laws relating
13 thereto, to be printed and distributed in book form, or ~~otherwise~~ another form, in
14 such ~~numbers as~~ any number that the governor deems considers necessary, and the
15 The governor may provide for all books, ~~blank books,~~ and ~~blanks~~ forms that may be
16 necessary for the proper discharge of the duty of all officers. The governor may
17 delegate the authority under this subsection to the adjutant general by executive
18 order.

NOTE: Replaces disfavored terms, inserts specific references, and divides long sentence for improved readability.

19 **SECTION 17.** 26.12 (5) (a) of the statutes is amended to read:

20 26.12 (5) (a) No person may set any fire except for warming the person or
21 cooking food within the limits of any intensive forest protection area at any time of
22 the year except when the ground is snow-covered, unless written permission has

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1 been received in advance from a duly appointed fire warden. The department shall
2 prepare the necessary ~~blanks~~ forms for this purpose, shall promulgate rules for the
3 issuance of the permits, shall appoint, if necessary, in addition to the regular or
4 emergency fire wardens, others who shall be authorized to issue the permits, and
5 shall have jurisdiction over all other details concerned with or growing out of the
6 closed season on the setting of fire.

NOTE: Replaces disfavored term.

7 **SECTION 18.** 29.024 (5) (b) of the statutes is amended to read:

8 29.024 (5) (b) *Blanks Forms*. The department shall prepare, procure the
9 printing of, and supply all necessary ~~blanks~~ forms for applications and approvals
10 issued under this chapter and related applications for approvals.

NOTE: Replaces disfavored term.

11 **SECTION 19.** 29.229 (4) (a) of the statutes is amended to read:

12 29.229 (4) (a) The band shall prepare, procure the printing of, and supply all
13 necessary approval ~~blanks~~ forms and applications for approvals issued under this
14 section. Approval ~~blanks~~ forms and applications used under this section shall be
15 numbered consecutively, at the time of printing, in a separate series for each kind of
16 approval. Each license ~~blank~~ form issued under this section shall be provided with
17 a corresponding stub or carbon numbered with the serial number of the license. Each
18 requisition for the printing of such the approval ~~blanks~~ forms shall specify any serial
19 numbers to be printed on the ~~blanks~~ forms.

NOTE: Replaces disfavored terms.

20 **SECTION 20.** 29.331 (3) of the statutes is amended to read:

21 29.331 (3) REPORT. On or before June 1 annually, the licensee shall report to
22 the department, by affidavit, on ~~blanks~~ forms furnished by the department, the

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1 number of the licensee's license, the number and value of each variety of animals
2 taken during the previous 12 months ending May 1, and other information required
3 on the ~~blanks~~ forms furnished.

NOTE: Replaces disfavored term.

4 **SECTION 21.** 46.18 (8) of the statutes is amended to read:

5 46.18 (8) BOOKKEEPING. For the institutions listed in sub. (1), the department
6 of health and family services shall formulate a system of keeping the books, accounts,
7 and reports, and shall furnish ~~blanks~~ forms for reports, and reports shall be made
8 accordingly.

NOTE: Replaces disfavored term.

9 **SECTION 22.** 49.82 (1) of the statutes is amended to read:

10 49.82 (1) DEPARTMENTS TO ADVISE COUNTIES. The department of health and
11 family services and the department of workforce development shall advise all county
12 officers charged with the administration of requirements relating to public
13 assistance programs under this chapter and shall render all possible assistance in
14 securing compliance therewith, including the preparation of necessary ~~blanks~~ forms
15 and reports. The department of health and family services and the department of
16 workforce development shall also publish ~~such~~ any information ~~as it deems that~~
17 those departments consider advisable to acquaint persons entitled to public
18 assistance, and the public generally, with the laws governing public assistance under
19 this chapter.

NOTE: Replaces disfavored terms and corrects sentence agreement.

20 **SECTION 23.** 50.01 (2m) of the statutes is amended to read:

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1 50.01 **(2m)** “Nursing care” means nursing procedures, other than personal
2 care, that are permitted to be performed by a registered nurse under s. 441.01 (3) or
3 by a licensed practical nurse under s. ~~441.11~~ 441.001 (3) , directly on or to a resident.

NOTE: Section 441.11 is renumbered to s. 441.001 by this bill.

4 **SECTION 24.** 59.10 (5) of the statutes is amended to read:

5 59.10 **(5)** COUNTIES HAVING ONLY ONE TOWN. In all counties containing one town
6 only, the board shall consist of the members of the town board and one supervisor
7 from every ~~incorporated~~ village. A supervisor from an ~~incorporated~~ a village shall
8 be elected at the time the other village officers are elected. A majority of the members
9 shall constitute a quorum of the county board. Each supervisor shall receive
10 compensation and mileage as provided in sub. (3) (f) and (g). The chairperson of the
11 board elected under s. 59.12 (1) may be, but need not be, the same person who is
12 elected chairperson of the town board under s. 60.21 (3) (a).

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.

13 **SECTION 25.** 59.26 (1) (b) of the statutes is amended to read:

14 59.26 **(1)** (b) One for each assembly district in the county, except the district in
15 which the undersheriff resides, which contains an ~~incorporated~~ a village having less
16 than 1,000 inhabitants and does not contain a city or ~~incorporated~~ village having
17 more than 1,000 inhabitants.

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.

18 **SECTION 26.** 61.187 (1) of the statutes is amended to read:

19 61.187 **(1)** PROCEDURE. Whenever a petition conforming to the requirements
20 of s. 8.40, signed by at least one-third as many electors of any village as voted for
21 village officers at the next preceding election ~~therefor~~ for village officers in that
22 village, shall be presented to the village board, and filed as provided in s. 8.37,

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1 praying for dissolution of the village corporation, ~~such, the village~~ board shall submit
2 to the electors of such the village, ~~for determination by ballot in substantially the~~
3 ~~manner provided by ss. 5.64 (2) and 10.02, at a general election or at a special election~~
4 ~~called by them for that purpose~~, the question whether or not such the village
5 corporation shall be dissolved. The question shall be determined by ballot, in
6 substantially the manner provided by ss. 5.64 (2) and 10.02, at a general election or
7 at a special election called by the village board for that purpose.

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.
Inserts specific references and reorganizes text for improved readability.

8 **SECTION 27.** 61.187 (2) of the statutes is renumbered 61.187 (2) (a) and
9 amended to read:

10 61.187 (2) (a) If two-thirds of the ballots cast at such the election ~~on such~~
11 ~~proposition shall be for~~ under sub. (1) are in favor of dissolution such, the village
12 shall, at the expiration of 6 months from the date of such the election, cease to be an
13 incorporated a village.

14 (b) Within 6 months after the election under sub. (1), the village board shall
15 dispose of the village property and settle, audit, and allow all just claims against the
16 village. ~~It~~ The village board shall settle with the treasurer and other village officers,
17 and cause the assets of the village to be used in paying its the village's debts. If
18 ~~anything remains~~ any property or assets remain after paying such the village's debts
19 ~~it, the village board~~ may designate the manner in which the same remaining
20 property and assets shall be used. If there are not sufficient funds to pay the village's
21 debts ~~of, the village~~ the board may levy a tax to cover the deficiency, which shall be
22 collected as other taxes and be paid out by the town treasurer in payment of the
23 outstanding village orders or bonds; ~~and in case of such dissolution the,~~

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1 (c) ~~The territory embraced in~~ included within the village at the time of its
2 dissolution shall revert to and become a part of the town or towns from which it was
3 taken or in which it is then located. ~~Within 10 days after such~~

4 (d) ~~If, in accordance with par. (a), the results of the election, if resulting in favor~~
5 ~~of~~ under sub. (1) provide for dissolution, the village clerk shall, within 10 days after
6 the election, record the petition and determination ~~with~~ of the village board of
7 canvassers in the office of the register of deeds of the county or counties in which the
8 village is located and file with the secretary of state certified copies of the petition
9 and the determination of inspectors of election, ~~and~~. The village clerk shall also
10 record ~~the certificate by the village clerk showing the date when the dissolution takes~~
11 ~~effect with~~ in the office of the register of deeds a certificate by the village clerk
12 showing the date on which the dissolution takes effect and file with the secretary of
13 state 4 copies of the certificate. These documents shall be recorded and indexed by
14 the register of deeds. The index shall include the volume or reel number and the page
15 or image number of the original documents. The secretary of state shall forward 2
16 copies of the certificate to the department of transportation and one to the
17 department of revenue.

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.
Inserts specific references and cross-references, subdivides long provision, and
reorganizes text for improved readability.

18 **SECTION 28.** 61.25 (8) of the statutes is amended to read:

19 61.25 (8) To make ~~a tax roll~~ and deliver ~~the same~~ to the village treasurer; a tax
20 roll and to make and transmit to the county treasurer, on ~~blanks~~ forms provided by
21 the department of revenue, a statement showing the total amount of all taxes levied
22 therein in the village.

NOTE: Inserts specific references, replaces disfavored term, and reorganizes text
for improved readability.

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1 **SECTION 29.** 66.1211 (2) of the statutes is amended to read:

2 66.1211 (2) **ADVANCES TO HOUSING AUTHORITY.** When any housing authority
3 created for any city is authorized to transact business and exercise its powers, the
4 governing body of the city may immediately make an estimate of the amount of
5 money necessary for the administrative expenses and overhead of the housing
6 authority during the first year after the creation of the housing authority, and may
7 appropriate the amount to the authority out of any moneys in the city treasury not
8 appropriated to some other purposes. The moneys appropriated may be paid to the
9 authority as a donation. Any city, town, or ~~incorporated~~ village located in whole or
10 in part within the area of operation of a housing authority may lend or donate money
11 to the authority. The housing authority, when it has money available to ~~pay back~~
12 repay loans made under this subsection, shall make reimbursements for all loans
13 made to it.

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.
Inserts more specific term.

14 **SECTION 30.** 69.60 of the statutes is amended to read:

15 **69.60 Taxes and bonds.** The clerk of each town, city, and village shall
16 annually, at the time required by law to deliver the tax roll to the town, city, or village
17 treasurer, ~~make out~~ and transmit to the county treasurer, on ~~blanks~~ forms furnished
18 by the department of revenue, a statement showing the total amount of all taxes
19 levied ~~therein~~ by said the town, city, or village for the current year.

NOTE: Replaces disfavored term. Deletes “therein” as being unnecessary.

20 **SECTION 31.** 69.61 of the statutes is renumbered 69.61 (1) and amended to read:

21 69.61 (1) Annually, on or before the 3rd Monday of December, each city, village,
22 and town clerk shall make and file with the department of revenue a statement in
23 detail of all taxes levied in ~~each town, village and the clerk’s city, village, or town~~

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1 during the year, ~~shall be made and filed by the clerk thereof, with the department~~
2 of revenue. Any such clerk failing who fails to make the statement herein provided
3 for, and required under this section within the required time above provided, shall
4 be liable to the town, ~~village and city,~~ village, or town for all damages caused by the
5 delinquency.

6 **(2)** The department of revenue shall prepare and furnish the blanks to each
7 county clerk forms and instructions for such the statement, ~~as well as for the~~
8 ~~statement mentioned in s. 69.62~~ required under this section. The clerk of each county
9 shall, immediately upon receipt of the forms and instructions from the department
10 of revenue distribute the forms and instructions to the clerk of each city, village, and
11 town in the county, at the county's expense.

NOTE: Replaces disfavored terms, deletes unnecessary verbiage, and subdivides, reorders, and modifies text for improved readability and conformity with current style. The reference to the form in s. 69.62 is moved to that section and provisions for carrying out s. 69.61 contained in s. 69.62 are moved to s. 69.61 for more logical placement. See also the next section of this bill.

12 **SECTION 32.** 69.62 of the statutes is renumbered 69.62 (1) and amended to read:

13 69.62 **(1)** ~~The county clerk of each county shall, immediately upon the receipt~~
14 ~~from the department of revenue of the blanks and instructions necessary for carrying~~
15 ~~out s. 69.61, by town, village and city officers, distribute the same to such officers at~~
16 ~~the expense of the county, and shall annually~~ Annually, on or before November 30,
17 each county clerk shall ~~make out~~ and transmit to the department of revenue a
18 statement in detail of all county taxes levied on taxable property in the county during
19 the preceding year, and the purposes for which the ~~same~~ taxes were levied and
20 expended. Any county clerk failing to make the statement herein provided for, and
21 required under this section within the required time above provided, shall be liable
22 to the county for all damages caused by the delinquency.

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NOTE: Replaces disfavored terms. Provisions for carrying out s. 69.61 contained in s. 69.62 are moved to s. 69.61 for more logical placement. See also the previous and next section of this bill.

1 **SECTION 33.** 69.62 (2) of the statutes is created to read:

2 69.62 (2) The department of revenue shall prepare and furnish to the clerk of
3 each county forms and instructions for the statement required under this section.

NOTE: Moves the reference to the form under s. 69.62 in s. 69.61 to s. 69.62 for more logical placement. See also the previous two sections of this bill.

4 **SECTION 34.** 70.52 of the statutes is amended to read:

5 **70.52 Clerks to examine and correct rolls.** ~~Upon receiving such~~ Each city,
6 village, and town clerk upon receipt of the assessment roll ~~the said clerk~~ shall
7 carefully examine it the roll. The clerk shall correct all double assessments,
8 imperfect descriptions and other errors apparent upon the face of the roll, and strike
9 off all parcels of real property not liable to taxation. The clerk shall add to the roll
10 any parcel of real property or item of personal property omitted by the assessors and
11 immediately notify ~~them thereof; and such~~ the assessors of the omissions. The
12 assessors shall ~~forthwith~~ immediately view and value the ~~same~~ omitted property and
13 certify ~~such~~ the valuation to ~~said~~ the clerk, ~~who~~. The clerk shall enter it the valuation
14 upon the roll, and ~~such~~ the valuation shall be final. To enable ~~such~~ the clerk to
15 properly correct defective descriptions, the clerk may request aid, when necessary,
16 from the county surveyor, whose fees for the services rendered shall be paid by the
17 ~~town, city or village, or town.~~

NOTE: Replaces disfavored terms, inserts specific references and divides long sentences for improved readability.

18 **SECTION 35.** 70.53 of the statutes is renumbered 70.53 (1) (intro.) and amended
19 to read:

20 70.53 (1) (intro.) Upon the correction of the assessment roll ~~as provided in~~
21 under s. 70.52, the clerks each city, village, and town clerk shall prepare and, on or

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1 before the 2nd Monday in June, transmit to the department of revenue ~~a- all of the~~
2 following:

3 (a) A detailed statement of the aggregate of each of the several items of taxable
4 property specified in s. 70.30, ~~a-~~

5 (b) A detailed statement of each of the several classes of taxable real estate,
6 entering land and improvements separately, as prescribed in s. 70.32 (2), ~~the~~

7 (c) A detailed statement of the aggregate of all taxable property by elementary
8 and high school district and by technical college district, ~~and a-~~

9 (d) A detailed statement of the aggregate of each of the several items of exempt
10 real property as specified by the department of revenue, entering land and
11 improvements separately, ~~and~~

12 (2) The city, village, or town clerk shall make available to the department of
13 revenue at its request a copy of the corrected assessment roll from which the ~~detailed~~
14 statement is ~~statements required under sub. (1) are~~ prepared. Failure to comply
15 with this section subjects the taxation district to the penalty provisions under s.
16 73.03 (6). The department of revenue shall review and correct the ~~statement-~~
17 statements.

18 (3) Every county clerk shall, at the expense of the county, annually procure and
19 furnish to each ~~town, city and, village, and town~~ clerk ~~blanks forms for such the~~
20 statements ~~required under sub. (1),~~ the form of which shall be prescribed by the
21 department of revenue.

NOTE: Replaces disfavored terms, inserts specific references, puts words in proper order, and divides long provision for improved readability.

22 **SECTION 36.** 70.99 (13) (a) 1. of the statutes is amended to read:

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1 70.99 (13) (a) 1. The department of revenue shall prescribe the due dates, the
2 ~~blanks and forms,~~ and the format of information transmitted by the county assessor
3 to the department as to the assessment of property and ~~such~~ any other information
4 as ~~that~~ that may be needed in its ~~the department's~~ work as ~~well as the forms.~~ The
5 department of revenue shall also prescribe the form of assessment rolls, ~~blanks~~
6 forms, books, and returns required for the assessment and collection of general
7 property taxes by the county. The county shall submit material on or before the due
8 dates that the department prescribes and shall use all of the material that the
9 department prescribes.

NOTE: Replaces disfavored terms, inserts specific references, and divides long provision for improved readability.

10 **SECTION 37.** 71.55 (3) of the statutes is amended to read:

11 71.55 (3) FORMS TO BE PROVIDED BY DEPARTMENT. In administering this
12 subchapter, the department of revenue shall make available suitable forms with
13 instructions for claimants, including a form ~~which~~ that may be included with, or as
14 a part of, the individual income tax ~~blank form~~. In preparing homestead credit forms,
15 the department of revenue shall provide a space for identification of the county and
16 city, village or town in which the claimant resides.

NOTE: Replaces disfavored terms.

17 **SECTION 38.** 73.03 (5) of the statutes is amended to read:

18 73.03 (5) To collect annually from ~~all~~ town, city, village, county, and other public
19 officers information ~~as to~~ regarding the assessment of property, and ~~such~~ any other
20 information as ~~that~~ that may be ~~needed~~ necessary in the work of the department, in ~~such~~
21 the form and upon ~~such blanks as~~ forms that the department shall prescribe; ~~and it~~
22 ~~shall be the duty of all.~~ All public officers ~~so-called upon to fill out~~ shall properly

ASSEMBLY BILL 938**SECTION 38**

1 ~~complete and return promptly return~~ to the department all blanks so transmitted.
2 forms received from the department under this subsection.

3 ~~(5g)~~ To examine all town, village, city, and county records for such any purposes
4 as that are ~~deemed needful~~ considered necessary by the department.

5 ~~(5r)~~ To publish annually the information collected under subs. (5) and (5g),
6 with such any compilations, analyses, or recommendations as ~~may be deemed~~
7 needful that the department determines are necessary.

NOTE: Subdivides provision to make each individual direction a separate subsection, replaces disfavored terms, inserts specific references, and reorders text for more logical placement.

8 **SECTION 39.** 73.10 (2) (a) of the statutes is renumbered 73.10 (2) (a) 1. (intro.)
9 and amended to read:

10 73.10 **(2)** (a) 1. (intro.) The department shall collect annually from all town, city,
11 village, county, and other public officers, ~~information as to the~~ all of following:

12 a. Information regarding the collection of taxes, receipts from licenses, and
13 other sources,

14 b. Information regarding the expenditure of public funds for all purposes, and
15 such,

16 c. Any other information as that is needed considered necessary by the
17 department,

18 2. Information collected under subd. 1. shall be in such form and upon such
19 blanks as on forms prescribed by the department prescribes, including but not
20 limited to the that include any requirements under par. (b). All public officers so
21 called upon requested to provide information under subd. 1. shall fill out properly
22 complete and return promptly return to the department all blanks so forms
23 transmitted. to them by the department.

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1 3. The department shall examine all town, village, city, county, and other public
2 records ~~for such purposes as~~ that the department ~~deems~~ considers necessary. The
3 department shall publish annually the information collected under this paragraph,
4 with ~~such~~ any compilations, analyses, or recommendations ~~as are deemed that the~~
5 department determines are necessary. The department shall disseminate
6 information concerning local government accounting, auditing, and fiscal matters.

NOTE: Subdivides long provision for improved readability, replaces disfavored terms, inserts specific references, and reorders text for more logical placement.

7 **SECTION 40.** 73.10 (2) (b) of the statutes is renumbered 73.10 (2) (b) 1. (intro.)
8 and amended to read:

9 73.10 **(2)** (b) 1. (intro.) The department may require by rule that all of the
10 following:

11 a. That the information it needs under par. (a) be submitted as annual financial
12 statements, notes to the financial statements, and supporting schedules, ~~that~~,

13 b. That the statements, notes, and schedules under subd. 1. a. conform to
14 generally accepted accounting principles promulgated by the governmental
15 accounting standards board or its successor bodies ~~and that~~.

16 c. That the statements, notes, and schedules under subd. 1. a. be audited in
17 accordance with generally accepted auditing standards.

18 2. Notwithstanding s. 227.01 (13) (j), a rule promulgated under this paragraph
19 is subject to the requirements of ch. 227.

NOTE: Subdivides long provision for improved readability and adds a clarifying term and cross-references.

20 **SECTION 41.** 76.28 (7) of the statutes is amended to read:

21 76.28 **(7)** REPORTS STATEMENTS. Every light, heat, and power company shall, on
22 or before March 1 in each year, make and return to the department, in the form and

ASSEMBLY BILL 938**SECTION 41**

1 upon the ~~blanks forms that~~ the department prescribes, a true statement of the
2 operation of its the company's business during the preceding calendar year, including
3 provision of the “amount shown in the account plus leased property” for purposes of
4 the payment to municipalities and counties under s. 79.04. ~~That~~ The statement shall
5 be certified by the president and treasurer of the company or 2 of the company's
6 principal officers. For sufficient reason shown, the department may, upon written
7 request, allow any further time for making and filing the ~~report~~ statement that it
8 ~~deems~~ the department considers necessary but not to exceed 30 days. If any company
9 fails to file ~~that report~~ the statement within the time prescribed or as extended under
10 this subsection, the department shall add to the taxes due from that company \$25,
11 and no company may contest the imposition of that penalty in any action or
12 proceeding.

NOTE: Replaces disfavored terms and replaces “report” with “statement” for internal consistency.

13 **SECTION 42.** 76.48 (2) of the statutes is amended to read:

14 76.48 **(2)** Every electric cooperative shall on or before March 15 in each year
15 make and return to the department of revenue, in the form and upon the ~~blanks~~
16 forms that the department prescribes ~~and furnishes~~, a true statement of the gross
17 receipts from the operation of its the cooperative's business during the preceding
18 calendar year together with such other information that the department requires to
19 enforce this section. The statement shall be verified by the president and treasurer
20 of the electric cooperative making the return. Upon written request, the department
21 may grant an extension of ~~not to exceed 30 days within which to file~~ for filing the
22 return, not to exceed 30 days. If any electric cooperative fails to file the return within
23 the time prescribed by law, or as extended by the department, the department shall

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1 add to the taxes due from the electric cooperative \$25, and the electric cooperative
2 may not contest the imposition of that penalty in any action or proceeding.

NOTE: Replaces disfavored term.

3 **SECTION 43.** 86.03 (5) of the statutes is amended to read:

4 **86.03 (5) MUTILATION OF TREES.** It shall be unlawful for any person to injure,
5 mutilate, cut down, or destroy any shade tree growing on or within any street or
6 highway in any ~~incorporated~~ village in this state, unless express permission ~~so~~ to do
7 ~~be first~~ so has been granted by the village's board of trustees ~~of such village~~.

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.
A more specific term is inserted and text is reordered and modernized to improve
readability and conformity with current style.

8 **SECTION 44.** 93.07 (21) of the statutes is amended to read:

9 **93.07 (21) STATISTICS.** To compile at least once in 2 years statistics relating to
10 the dairy industry in this state, and for such that purpose may forward to the owner
11 or manager of any creamery, cheese factory, or condensary, or to any other person
12 dealing in or manufacturing dairy products, ~~blanks forms~~ forms calling for specific
13 information relating to such the dairy industry, ~~and in.~~ In the case of cheese
14 factories, the information called for shall ~~show~~ include the number of pounds each
15 of American, Swiss, limburger and brick cheese made in each factory. ~~These blanks~~
16 A person subject to this subsection shall, within 60 days from the receipt thereof, ~~be~~
17 ~~be filled out and returned~~ of the forms from the department, complete and return the
18 forms to the department ~~and all.~~ All questions thereon propounded and all
19 information required by such ~~blanks~~ the forms shall be answered and furnished, so
20 far as it is within the power of such the person completing the form to answer the
21 questions or furnish the same, ~~shall be answered and furnished information.~~ The
22 department may take other necessary steps to secure full and complete information

ASSEMBLY BILL 938**SECTION 44**

1 and statistics relating to the dairy industry, and to promote the welfare of ~~that the~~
2 dairy industry.

NOTE: Replaces disfavored terms and reorders text to improve readability.

3 **SECTION 45.** 93.23 (1) (a) 1. of the statutes is renumbered 93.23 (1) (a) 1. (intro.)
4 and amended to read:

5 93.23 (1) (a) 1. (intro.) To each county, and any such organized agricultural
6 society, association, or board in the state that complies with the requirements of this
7 section, 95% of the first \$8,000 actually paid in net premiums and 70% of all net
8 premiums paid in excess of \$8,000 at its annual fair upon livestock, articles of
9 production, educational exhibits, agricultural implements and tools, domestic
10 manufactures, mechanical implements, and productions; ~~but no one~~, subject to all
11 of the following:

12 a. No single premium ~~so~~ paid shall exceed the sum of \$35 to a single person,
13 or \$75 for any town or other group premium.

14 b. No fair, association, or board shall receive state aid unless its premium list,
15 entry fees, and charges conform to uniform premium lists and other rules established
16 under subd. 2., both as to premiums offered, amounts to be paid, entry fees to be
17 charged, and all other charges for exhibiting.

NOTE: As originally adopted in ch. 14 of the laws of 1917, “such organized agricultural society, association, or board” referred to a society, association, or board that complied with the conditions of that statute, as described in the introductory paragraph of that statute. The introductory language was recreated in ch. 67 of the laws of 1931 to read substantially the same as the current s. 93.23 (1) (intro.) and left the remaining “such” in s. 93.23 (1) (a) not referring to anything. That “such” is replaced here to reflect the intent of the provision as originally drafted. Disfavored terms are replaced, specific references are inserted, and the provision is subdivided for improved readability and conformity with current style.

18 **SECTION 46.** 93.23 (1) (e) of the statutes is amended to read:

19 93.23 (1) (e) Not later than 30 days after the close of the fair each year the
20 county clerk, or the person appointed ~~therefor~~ to file the statements under this

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1 paragraph by the county board, agricultural society, association, or board claiming
2 state aid, shall file with the department, on ~~blanks~~ forms provided by it the
3 department, an itemized statement verified on oath, showing net premiums actually
4 paid or to be paid at the preceding fair, which ~~premiums~~ must correspond with
5 uniform premium lists and other requirements under par. (a). ~~This report~~ The
6 statement shall also include a statement that at such the fair all gambling devices
7 whatsoever, the sale of intoxicating liquors, excepting fermented malt beverages,
8 and exhibitions of immoral character were prohibited and excluded from the
9 fairgrounds and all adjacent grounds under ~~their~~ the authority or control; ~~and on~~ of
10 the county board, agricultural society, association, or board claiming state aid. On
11 or before December 31 of the year in which the fair is held, the person filing the
12 statements under this paragraph shall furnish the department a statement of
13 receipts and disbursements, attendance, and such any other information as that the
14 department requires. Upon receipt of the required report, each fair shall be paid
15 100%, or the prorated percentage, of the aid due the preceding year.

NOTE: Replaces disfavored terms and inserts specific references.

16 **SECTION 47.** 93.23 (1) (j) of the statutes is renumbered 93.23 (1) (j) 1. and
17 amended to read:

18 93.23 (1) (j) 1. ~~To~~ Subject to subds. 2. to 5., to each county, and any such
19 organized agricultural society, association, or board in the state that complies with
20 the requirements of this section, for the purpose of encouraging and fostering the
21 breeding, development, and improvement of standard bred horses in this state, 50%
22 of each purse of \$400 and 50% of each purse of \$500 paid by it to the owners of the
23 successful contestants in a 2-year-old trot, 2-year-old pace, 3-year-old trot and
24 3-year-old pace.

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1 ~~2.~~ 2. Any ~~such~~ organization described in subd. 1. may stage any ~~or all of said the~~
2 events described in subd. 1. but shall not receive state aid for more than one each of
3 ~~said the~~ events described in subd. 1. in any calendar year.

4 ~~3.~~ 3. No colt shall be eligible to enter or start ~~therein~~ in any event described in
5 subd. 1. unless the colt is owned by one or more duly qualified electors of this state
6 or the colt has trained continuously within the state for not less than 60 days prior
7 to June 15 of the year in which the event is contested. No 2-year-old or 3-year-old
8 colt shall be eligible to enter or start ~~therein~~ in any event described in subd. 1., unless
9 the colt is owned, raised, and trained by one or more duly qualified electors of this
10 state, and unless it is the foal of a mare owned at the time of foaling by one or more
11 qualified electors of this state. ~~Required~~

12 ~~4.~~ 4. The required number of entries and starters in any event described in subd.1.
13 shall be 6 to enter and 4 to start. An owner may enter any number of colts but shall
14 not be allowed to start more than 2 colts in the same event. Entry fees for each colt
15 shall not exceed 2% of the purse and shall be payable on or before a closing date to
16 be fixed by the organization staging the event. The organization may, at its option,
17 increase ~~any such the~~ the purse and may also add the entrance money to the purse and
18 divide ~~such the~~ the added sums among the starters as it sees fit. Money divisions and
19 conditions other than those ~~herein~~ prescribed in this paragraph shall be uniform
20 throughout the state and shall be fixed annually for the next succeeding year by a
21 joint resolution adopted by the boards of directors of the Wisconsin breeders Breeders
22 ~~and harness horse association~~ Harness Horse Association and Wisconsin ~~association~~
23 Association of fairs Fairs, and certified to the department on or before December 31
24 in each year. If the boards of directors of ~~said associations~~ the Wisconsin Breeders
25 and Harness Horse Association and Wisconsin Association of Fairs fail in any year

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1 to adopt and certify ~~said~~ the resolution as ~~aforesaid~~, ~~then such~~ required under this
2 subdivision, ~~the~~ money divisions and conditions for the next succeeding year shall
3 be fixed by the department.

4 5. On or before December 31 in each year, the county clerk, or the person
5 ~~therefor~~ appointed to file the statement under this subdivision by the society,
6 association, or board claiming state aid, shall file with the department, on ~~blanks~~
7 forms provided by ~~it~~ the department, a statement, verified on oath, showing a true
8 and correct summary of the results of each colt event, the name and address of, and
9 the amount paid to, the owner of each colt, and that the event was ~~in all things~~
10 conducted as ~~herein~~ provided in this paragraph. Thereupon, state aid shall be
11 certified and paid as provided by par. (f).

NOTE: As originally adopted in ch. 14 of the laws of 1917, “such organized agricultural society, association, or board” referred to a society, association, or board that complied with the conditions of that statute, as described in the introductory paragraph of that statute. The introductory language was recreated in ch. 67 of the laws of 1931 to read substantially the same as the current s. 93.23 (1) (intro.) and left the remaining “such” in s. 93.23 (1) (a) not referring to anything. That “such” is replaced here to reflect the intent of the provision as originally drafted. Disfavored terms are replaced, specific references are inserted, and the provision is subdivided for improved readability and conformity with current style.

12 **SECTION 48.** 94.66 (3) of the statutes is amended to read:

13 94.66 (3) Application for license shall be made upon ~~blanks~~ forms furnished
14 upon request by the department and shall state the applicant’s name and business
15 address, the exact location of places of manufacture of the applicant’s products, a
16 description of the products ~~which~~ that are to be sold, and ~~such~~ any other information
17 as that the department ~~may require~~ requires. An application may be amended upon
18 written notice from the applicant.

NOTE: Replaces disfavored terms.

19 **SECTION 49.** 102.11 (1) (a) 2. of the statutes, as affected by 2001 Wisconsin Act
20 37, is renumbered 102.11 (1) (a) 2. b. and amended to read:

ASSEMBLY BILL 938**SECTION 49**

1 102.11 (1) (a) 2. b. If at the time of the injury the employee is working on part
2 time for the day, the employee's daily earnings shall be arrived at by dividing the
3 amount received, or to be received by the employee for such part-time service for the
4 day, by the number of hours and fractional hours of such the part-time service, and
5 multiplying the result by the number of hours of the normal full-time working day
6 established by the employer for the employment involved. ~~The words "part time for~~
7 ~~the day" shall apply to Saturday half days and all other days upon which the~~
8 ~~employee works less than normal full-time working hours.~~

NOTE: The stricken definition is moved to a separate provision, in accordance with current style, in the next section of this bill. Replaces disfavored terms.

9 **SECTION 50.** 102.11 (1) (a) 2. a. of the statutes is created to read:

10 102.11 (1) (a) 2. a. In this subdivision, "part time for the day" means Saturday
11 half days and any other day during which an employee works less than the normal
12 full-time working hours established by the employer.

NOTE: Moves definition to a separate provision consistent with current style, and adds "established by the employer," consistent with 2001 Wis. Act 37.

13 **SECTION 51.** 102.33 (1) of the statutes is amended to read:

14 102.33 (1) The department shall print and furnish free to any employer or
15 employee such any blank forms ~~as it shall deem requisite that the department~~
16 ~~considers necessary~~ to facilitate efficient administration of this chapter; it. The
17 department shall keep such any record books or records ~~as it shall deem required~~
18 ~~that the department considers necessary~~ for the proper and efficient administration
19 of this chapter.

NOTE: Replaces disfavored terms and inserts specific references.

20 **SECTION 52.** 103.25 (3) of the statutes is amended to read:

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1 103.25 (3) The form and requisites of street trade permits shall be the same as
2 those specified for child labor permits in s. 103.73, except as provided in sub. (3m)
3 and except that the permits may be issued on special street trade permit ~~blanks of~~
4 forms, in a form determined by the department. Each minor for whom a street trade
5 permit is issued shall be provided by the department or the permit officer issuing the
6 permit with a street trade identification card ~~of, in~~ in a form determined by the
7 department. ~~He or she~~ The minor shall carry the identification card while engaged
8 in street trade employment and shall not transfer it to any other person.

NOTE: Replaces disfavored terms and inserts specific reference.

9 **SECTION 53.** 103.73 (2) of the statutes is amended to read:

10 103.73 (2) The permits provided under s. 103.70 shall be issued upon ~~blanks~~
11 forms furnished by the department.

NOTE: Replaces disfavored term.

12 **SECTION 54.** 105.10 of the statutes is amended to read:

13 **105.10 Inquisition Department inquiries.** Any employment agent
14 receiving from the department any ~~blanks~~ forms calling for information required by
15 ~~it the department to carry into effect~~ administer this chapter and rules promulgated
16 ~~thereunder under this chapter, with directions to fill the same~~ complete the form,
17 shall cause the same form to be properly filled-out completed so as to answer fully
18 and correctly each question ~~and, The completed form shall be~~ returned to the
19 department at its office within the period fixed by the department.

NOTE: Replaces disfavored terms, modernizes title, subdivides long sentence, and
inserts specific references.

20 **SECTION 55.** 118.16 (3) of the statutes is amended to read:

21 118.16 (3) All private schools shall keep a record containing the information
22 required under ss. 115.30 (2) and 120.18. The record shall be open to the inspection

ASSEMBLY BILL 938**SECTION 55**

1 of school attendance officers at all reasonable times. When called upon by any school
2 attendance officer, the school shall furnish, on blanks forms supplied by the school
3 attendance officer, such the information required under ss. 115.30 (2) and 120.18 in
4 regard to any child between the ages of 6 and 18 who is a resident of the school district
5 or who claims or is claimed to be in attendance at the school.

NOTE: Replaces disfavored terms and inserts specific reference.

6 **SECTION 56.** 132.16 (1) (intro.) of the statutes is created to read:

7 132.16 (1) (intro.) In this section:

8 **SECTION 57.** 132.16 (1) of the statutes is renumbered 132.16 (1) (a) and
9 amended to read:

10 132.16 (1) (a) Any “Organization” means any association, lodge, order,
11 fraternal society, beneficial association, or fraternal and beneficial society or
12 association;_i historical, military, or veterans’ organization;_i labor union;_i
13 foundation;_i federation;_i or any other society, organization,_i or association, degree,
14 branch, subordinate lodge, or auxiliary thereof, whether incorporated or
15 unincorporated, the principles and activities of which are not repugnant to the
16 constitution and laws of the United States or of this state, ~~may register, in the office~~
17 ~~of the secretary of state, a facsimile, duplicate, or description of its.~~

18 (b) “Identifying information” means an organization’s name, badge, motto,
19 button, decoration, charm, emblem, rosette or other insignia, and.

20 (1m) Any organization may register, in the office of the secretary of state, a
21 facsimile, duplicate, or description of any of the organization’s identifying
22 information and may, by reregistration, alter or cancel the same organization’s
23 identifying information.

24 **SECTION 58.** 132.16 (2) to (8) of the statutes are amended to read:

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1 132.16 (2) Application for such registration, ~~alteration, or cancellation, or~~
2 ~~reregistration under sub. (1m)~~ shall be made by the organization's chief officer or
3 ~~officers of said association, lodge, order, fraternal society, beneficial association, or~~
4 ~~fraternal and beneficial society or associations, historical, military, or veterans'~~
5 ~~organization, labor union, foundation, federation, or any other society, organization,~~
6 ~~or association, degree, branch, subordinate lodge, or auxiliary thereof, upon blanks~~
7 ~~to be forms~~ provided by the secretary of state; ~~and such.~~ The registration shall be for
8 the use, benefit, and on behalf of ~~all associations, degrees, branches, subordinate~~
9 ~~lodges, and auxiliaries of said association, lodge, order, fraternal society, beneficial~~
10 ~~association, or fraternal and beneficial society or association, historical, military, or~~
11 ~~veterans' organization, labor union, foundation, federation, or any other society,~~
12 ~~organization, or association, degree, branch, subordinate lodge, or auxiliary thereof,~~
13 the organization and the organization's current and future individual members and
14 those hereafter to become members thereof, throughout this state.

15 (3) The secretary of state shall keep a properly indexed file of such registration
16 all registrations under this section, which shall also show any altered or canceled
17 registration alterations or cancelations by reregistration.

18 (4) No registration or reregistration shall be granted, ~~or alteration permitted,~~
19 ~~to any association, lodge, order, fraternal society, beneficial association, or fraternal~~
20 ~~and beneficial society or association, historical, military, or veterans' organization,~~
21 ~~labor union, foundation, federation, or any other society, organization, or association,~~
22 ~~degree, branch, subordinate lodge, or auxiliary thereof, having a name, badge, motto,~~
23 ~~button, decoration, charm, emblem, rosette, or other insignia, for any identifying~~
24 information similar to, ~~imitating, or so nearly resembling as to be calculated to~~
25 ~~deceive, any other name, badge, button, decoration, charm, emblem, rosette, or other~~

ASSEMBLY BILL 938**SECTION 58**

1 ~~insignia whatsoever, identifying information already registered pursuant to the~~
2 ~~provisions of under this section.~~

3 (5) ~~Upon granting registration as aforesaid under this section, the secretary~~
4 ~~of state shall issue his or her certificate to the petitioners, setting forth the fact of~~
5 ~~such the registration.~~

6 (6) ~~The fees of the secretary of state for registration, alteration, and~~
7 ~~cancellation of insignia or reregistration under this section, searches made by the~~
8 ~~secretary of state, and certificates issued by the secretary of state, pursuant to under~~
9 ~~this section, shall be the same as provided by law for similar services. The fees~~
10 ~~collected under this section shall be paid by the secretary of state into the state~~
11 ~~treasury.~~

12 (7) ~~Any person who shall wilfully wear, exhibit, display, print, or use, willfully~~
13 ~~wears, exhibits, displays, prints, or uses for any purpose, the badge, motto, button,~~
14 ~~decoration, charm, emblem, rosette, or other insignia any identifying information of~~
15 ~~any such association or organization, herein mentioned, duly registered hereunder~~
16 ~~under this section, unless he or she shall be is entitled to use and wear the same do~~
17 ~~so under the organizations' constitution and bylaws, rules, and regulations of such~~
18 ~~association and organization, shall be, is guilty of a misdemeanor, and, upon~~
19 ~~conviction, shall be punished punishable by a fine not exceeding \$100, and, in default~~
20 ~~of payment, may be committed to jail for a period of not to exceed 60 days.~~

21 (8) ~~The provisions of this This section shall does not apply to any fraternal~~
22 ~~society whose membership shall be is composed of students attending any public or~~
23 ~~private school in the state.~~

NOTE: Replaces long, repeated descriptive material with definitions, replaces references to "alterations" or "cancellations" with reregistration" for internal consistency,

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replaces disfavored terms, changes the passive to the active voice, and generally modernizes language to improve readability and conformity with current style.

1 **SECTION 59.** 136.05 of the statutes is amended to read:

2 **136.05 Delivery.** Any goods ordered for purchase or videotape ordered for
3 rental by a customer pursuant to a future service contract shall be delivered to the
4 customer within 3 months after being ordered, or within 15 days of the time specified
5 on the order, whichever is later. If the videotape or goods are not delivered in a timely
6 manner, the customer's down payment, if any, shall be refunded within 3 business
7 days of written demand. The right of a customer to demand a refund in the event that
8 the delivery date is not met and the right to specify a delivery date shall be
9 conspicuously disclosed on each order ~~blank~~ form. An extra copy of the order ~~blank~~
10 form shall be provided to the customer at the time of ordering.

NOTE: Replaces disfavored term.

11 **SECTION 60.** 138.09 (3) (f) of the statutes is amended to read:

12 138.09 **(3)** (f) Every licensee shall make an annual report to the division for
13 each calendar year on or before March 15 of the following year. ~~Such~~ The report shall
14 cover business transacted by the licensee under the provisions of this section and
15 shall give ~~such~~ all reasonable and relevant information as ~~that~~ the division may
16 require. ~~Such~~ The reports shall be made upon ~~blanks~~ forms furnished by the division
17 and shall be signed and verified by the oath or affirmation of the licensee if an
18 individual, one of the partners if a partnership, a member or manager if a limited
19 liability company or an officer of the corporation or association if a corporation or
20 association. Any licensee operating under this section shall keep the records
21 affecting loans made pursuant to this section separate and distinct from the records
22 of any other business of ~~such~~ the licensee.

NOTE: Replaces disfavored term.

ASSEMBLY BILL 938**SECTION 61**

1 **SECTION 61.** 157.065 (3m) (c) of the statutes is amended to read:

2 157.065 **(3m)** (c) Notwithstanding pars. (a) and (d), any cemetery established
3 before April 30, 1887, in ~~an incorporated~~ a village and located within 100 feet of the
4 village limits may extend to the village limits with the consent of the village board.

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.

5 **SECTION 62.** 174.07 (2) (title), (b) and (c) of the statutes are amended to read:

6 174.07 **(2)** (title) PROVISION AND DISTRIBUTION OF ~~BLANKS~~ FORMS AND TAGS.

7 (b) The county clerks shall distribute tags and license ~~blanks~~ forms to the
8 collecting officials in proper amounts together with blank license receipts.

9 (c) The department shall provide and the clerk shall distribute triplicate or
10 quadruplicate copy license ~~blanks~~ forms to any collecting official who makes such a
11 request.

NOTE: Replaces disfavored term.

12 **SECTION 63.** 174.07 (3) of the statutes is amended to read:

13 174.07 **(3)** FILING AND ACCOUNTING. (a) *Copies.* A collecting official shall, at the
14 time of issuing a license, make a complete duplicate upon the stub portion of the
15 license ~~blank form~~ before delivering the license. A copy of each license shall be kept
16 in a file maintained by the collecting official. In counties having a population of
17 500,000 or more, the collecting official shall send immediately to the county clerk or
18 whatever agency the county board may direct an additional copy of the license.

19 (b) *Return of tags and licenses.* The collecting official shall annually by
20 December 31 return to the county clerk all unused tags of the current license year,
21 together with license books and all duplicate licenses of the current year. The county
22 clerk shall carefully check the returned tags, duplicate licenses, and license ~~blanks~~
23 forms to ascertain whether all tags and license ~~blanks~~ which forms that were

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1 furnished by the county clerk have been accounted for, and to enable the county clerk
2 to do that the county clerk shall charge each collecting official with all tags and ~~blank~~
3 ~~licenses~~ license forms furnished or delivered and credit those returned. In case of
4 discrepancy, the county clerk shall notify the department.

5 (c) *Reimbursement.* The collecting official may retain 25 cents, or a greater
6 amount established by the county board by ordinance or resolution, for each license
7 issued as compensation for the service, if the collecting official is not a full-time,
8 salaried municipal employee. If the collecting official is a full-time, salaried
9 municipal employee, this compensation shall be paid into the treasury of the town,
10 village, or city.

NOTE: Replaces disfavored terms and adds specific references and commas.

11 **SECTION 64.** 180.1921 (2) of the statutes, as affected by 2001 Wisconsin Act 16,
12 is amended to read:

13 180.1921 (2) The report shall show the address of this service corporation's
14 principal office and the name and post-office address of each shareholder, director,
15 and officer of the service corporation and shall certify that, with the exceptions
16 permitted in ss. 180.1903 (1m) and 180.1913, each shareholder, director, and officer
17 is licensed, certified, registered, or otherwise legally authorized to render the same
18 professional or other personal service in this state or is a health care professional.
19 The service corporation shall prepare the report on forms prescribed and furnished
20 by the department, and the report shall contain no fiscal or other information except
21 that expressly called for by this section. The department shall forward report ~~blanks~~
22 forms by 1st class mail to every service corporation in good standing, at least 60 days
23 before the date on which the service corporation is required by this section to file an
24 annual report.

ASSEMBLY BILL 938**SECTION 64**

NOTE: Replaces disfavored term.

1 **SECTION 65.** 185.48 (2) of the statutes is amended to read:

2 185.48 **(2)** The annual report shall be made on forms furnished by the
3 department, and the information therein contained shall be given as of the date of
4 the execution of the report. The department shall forward by 1st class mail report
5 ~~blanks forms~~ forms to each cooperative in good standing not later than 60 days prior to the
6 date on which the cooperative is required to file an annual report under this chapter.

NOTE: Replaces disfavored term.

7 **SECTION 66.** 186.21 (4) of the statutes is amended to read:

8 186.21 **(4)** MATERIALS. The office of credit unions shall provide application
9 ~~blanks forms,~~ model bylaws, and other materials to help in the organization, efficient
10 functioning and expansion of credit unions.

NOTE: Replaces disfavored term.

11 **SECTION 67.** 194.01 (8) of the statutes is amended to read:

12 194.01 **(8)** ~~The term “municipality”~~ “Municipality” means a town ~~or an~~
13 ~~incorporated,~~ village, or city.

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.

14 **SECTION 68.** 195.03 (8) of the statutes is amended to read:

15 195.03 **(8)** QUESTIONNAIRES, ANSWERS COMPULSORY. The office shall prepare
16 ~~blanks forms~~ forms for the purpose of obtaining the information which it may deem
17 necessary or useful to the proper exercise of its functions, which shall conform as
18 nearly as practicable to the forms prescribed by the interstate commerce
19 commission, and shall furnish ~~such blanks~~ the forms to railroads, and every railroad
20 receiving ~~such blanks,~~ the forms shall cause the same forms to be properly filled out
21 completed and verified under oath by its proper officer and returned to the office
22 within the time fixed by the office.

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NOTE: Replaces disfavored terms.

1 **SECTION 69.** 198.01 (5) of the statutes is amended to read:

2 198.01 (5) “Municipality” means any town, city, or ~~incorporated~~ village.

NOTE: By definition, under s. 990.01 (45), village means an incorporated village.

3 **SECTION 70.** 255.06 (1) (d) of the statutes, as affected by 2001 Wisconsin Act 16,
4 is amended to read:

5 255.06 (1) (d) “Nurse practitioner” means a registered nurse licensed under ch.
6 441 or in a party state, as defined in s. 441.50 (2) (j), whose practice of professional
7 nursing under s. ~~441.11~~ 441.001 (4) includes performance of delegated medical
8 services under the supervision of a physician, dentist, or podiatrist.

NOTE: Section 441.11 is renumbered to s. 441.001 by this bill.

9 **SECTION 71.** 280.15 (1) (b) of the statutes is amended to read:

10 280.15 (1) (b) *Application.* A person who seeks to register as a well driller or
11 pump installer shall apply to the department for registration of each place of
12 business or retail outlet he or she operates as a well driller, pump installer or both,
13 upon ~~blanks~~ forms prepared by the department for this purpose. The application
14 shall be accompanied by a permit fee for each place of business or retail outlet
15 included in the application.

NOTE: Replaces disfavored term.

16 **SECTION 72.** 441.001 (intro.) of the statutes is created to read:

17 **441.001 Definitions.** (intro.) In this subchapter:

NOTE: Accommodates the renumbering of definitions in s. 441.11 to the beginning
of the subchapter. See the treatment of s. 441.11 by this bill.

18 **SECTION 73.** 441.06 (3) of the statutes is amended to read:

19 441.06 (3) A registered nurse practicing for compensation shall, on or before
20 the applicable renewal date specified under s. 440.08 (2) (a), submit to the board on

ASSEMBLY BILL 938**SECTION 73**

1 furnished ~~blanks~~ forms a statement giving name, residence, and other facts as that
2 the board requires, with the applicable renewal fee specified under s. 440.08 (2) (a).

NOTE: Replaces disfavored terms.

3 **SECTION 74.** 441.10 (3) (b) of the statutes is amended to read:

4 441.10 (3) (b) On or before the applicable renewal date specified under s. 440.08
5 (2) (a), a licensed practical nurse practicing for compensation shall submit to the
6 board, on ~~blanks~~ forms furnished by the department, an application for license
7 renewal, together with a statement giving name, residence, nature and extent of
8 practice as a licensed practical nurse during the prior year and prior unreported
9 years, and other facts bearing upon current competency as that the board requires,
10 accompanied by the applicable license renewal fee specified under s. 440.08 (2) (a).

NOTE: Replaces disfavored terms.

11 **SECTION 75.** 441.11 (title) of the statutes is repealed.

NOTE: Accommodates the renumbering of definitions in s. 441.11 to the beginning
of the subchapter. See the next four sections of this bill.

12 **SECTION 76.** 441.11 (1) of the statutes is renumbered 441.001 (1) and amended
13 to read:

14 441.001 (1) ~~FOR—COMPENSATION~~ COMPENSATION. ~~Wherever the term~~
15 ~~“compensation” is used in this subchapter it shall include~~ “Compensation” includes
16 indirect compensation as well as, direct compensation, and also the expectation
17 thereof of compensation, whether actually received or not.

18 **SECTION 77.** 441.11 (2) of the statutes is renumbered 441.001 (2) and amended
19 to read:

20 441.001 (2) ~~NURSE AND NURSING.~~ Except as provided under s. 441.08, ~~wherever~~
21 the term “nurse” is “nurse,” when used in this subchapter without modification or

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1 amplification ~~it shall mean, means~~ only a registered nurse. Wherever the term
2 “nursing” is used in this subchapter

3 **(2m)** “Nursing.” when used without modification or amplification ~~it shall mean~~
4 ~~the practice of, means~~ professional nursing as specified in sub. (4).

5 **SECTION 78.** 441.11 (3) (title) of the statutes is renumbered 441.001 (3) (title)
6 and amended to read:

7 441.001 **(3)** (title) ~~PRACTICE OF PRACTICAL~~ PRACTICAL NURSING.

8 **SECTION 79.** 441.11 (3) of the statutes is renumbered 441.001 (3) (a) and
9 amended to read:

10 441.001 **(3)** (a) ~~The practice of practical nursing under this subchapter~~
11 “Practical nursing” means the performance for compensation of any simple acts in
12 the care of convalescent, subacutely or chronically ill, injured or infirm persons, or
13 of any act or procedure in the care of the more acutely ill, injured or infirm under the
14 specific direction of a nurse, physician, podiatrist licensed under ch. 448, dentist
15 licensed under ch. 447 or optometrist licensed under ch. 449, or under an order of a
16 person who is licensed to practice medicine, podiatry, dentistry or optometry in
17 another state if that person prepared the order after examining the patient in that
18 other state and directs that the order be carried out in this state. ~~A simple~~

19 **(b)** In par. (a), “simple act” means an act is one that to which all of the following
20 apply:

21 1. The act does not require any substantial nursing skill, knowledge, or
22 training, or the application of nursing principles based on biological, physical, or
23 social sciences, or the understanding of cause and effect in ~~such acts and~~ the act.

24 2. The act is one that is of a nature of those approved by the board for the
25 curriculum of schools for licensed practical nurses.

ASSEMBLY BILL 938**SECTION 80**

1 **SECTION 80.** 441.11 (4) of the statutes is renumbered 441.001 (4) (intro.) and
2 amended to read:

3 441.001 (4) ~~PRACTICE OF PROFESSIONAL~~ PROFESSIONAL NURSING. (intro.) ~~The~~
4 ~~practice of professional nursing within the terms of this subchapter~~ “Professional
5 nursing” means the performance for compensation of any act in the observation or
6 care of the ill, injured, or infirm, or for the maintenance of health or prevention of
7 illness of others, ~~which act~~ that requires substantial nursing skill, knowledge, or
8 training, or application of nursing principles based on biological, physical, and social
9 sciences, ~~such as the~~. Professional nursing includes any of the following:

10 (a) ~~The~~ observation and recording of symptoms and reactions, ~~the~~

11 (b) ~~The~~ execution of procedures and techniques in the treatment of the sick
12 under the general or special supervision or direction of a physician, podiatrist
13 licensed under ch. 448, dentist licensed under ch. 447 or optometrist licensed under
14 ch. 449, or under an order of a person who is licensed to practice medicine, podiatry,
15 dentistry or optometry in another state if ~~that~~ the person making the order prepared
16 the order after examining the patient in that other state and directs that the order
17 be carried out in this state, ~~and the~~

18 (c) ~~The~~ execution of general nursing procedures and techniques.

19 (d) Except as provided in s. 50.04 (2) (b), ~~the practice of professional nursing~~
20 ~~includes~~ the supervision of a patient and the supervision and direction of licensed
21 practical nurses and less skilled assistants.

NOTE: Moves definition section to the beginning of the subchapter, modifies language, and modifies language for improved readability and conformity with current style. The defined terms are changed to reflect the actual terms used in ch. 441. 1981 Wis. Act 317 added the phrase, “Except as provided in s. 50.04 (2) (b), the practice of professional nursing includes”, in sub. (4) to exclude activity under that provision from the definition of professional nursing. The amendment of sub. (4) applies the phrase “professional nursing includes” to all of the examples under the subsection for consistency and to avoid possible confusion.

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1 **SECTION 81.** 441.15 (3) (b) of the statutes, as affected by 2001 Wisconsin Act 52,
2 is amended to read:

3 441.15 **(3)** (b) On or before the applicable renewal date specified under s. 440.08
4 (2) (a), a person issued a license under par. (a) and practicing nurse–midwifery shall
5 submit to the board on furnished ~~blanks~~ forms a statement giving his or her name,
6 residence, and other information that the board requires by rule, with the applicable
7 renewal fee specified under s. 440.08 (2) (a). If applicable, the person shall also
8 submit evidence satisfactory to the board that he or she has in effect the malpractice
9 liability insurance required under the rules promulgated under sub. (5) (b).

NOTE: Replaces disfavored term.

10 **SECTION 82.** 445.08 (4) of the statutes is renumbered 445.08 (4) (intro.) and
11 amended to read:

12 445.08 **(4)** (intro.) Applications for the examination at a time and place to be
13 arranged and conducted by the examining board for a reciprocal funeral director’s
14 license shall be in writing and verified on a ~~blank~~ form to be furnished by the
15 examining board, and shall be accompanied by ~~such proof~~ all of the following:

16 (a) Proof of compliance with the requirements for a reciprocal funeral director’s
17 license ~~and with such~~.

18 (b) ~~Any~~ other information as that the examining board requires ~~and shall be~~
19 accompanied by ~~the~~.

20 (c) ~~The~~ examination fee for each application.

NOTE: Replaces disfavored term and subdivides provision for improved readability
and conformity with current style.

21 **SECTION 83.** 765.20 (title) of the statutes is amended to read:

22 **765.20** (title) **Records and blanks forms.**

NOTE: Replaces disfavored term.

ASSEMBLY BILL 938**SECTION 84**

1 **SECTION 84.** 859.07 (2) of the statutes is renumbered 859.07 (2) (a) 1. and
2 amended to read:

3 859.07 (2) (a) 1. ~~If the The decedent was at the time of death or at any time prior~~
4 ~~thereto a patient or inmate of any state or county hospital or institution or any~~
5 ~~person.~~

6 2. The decedent was responsible for any obligation owing to the state or a
7 county under s. 46.03 (18), 46.10, 48.36, 301.03 (18), 301.12, or 938.36 ~~or if the,~~

8 3. The decedent or the decedent's spouse of the decedent ever received the
9 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
10 long-term community support services funded under s. 46.27 (7), or aid under s.
11 49.68, 49.683, or 49.685, ~~the personal representative shall send.~~

12 (b) The notice under par. (a) shall comply with all of the following:

13 1. The notice shall be in writing of the date set under s. 859.01 on forms
14 provided by the applicable department or county clerk.

15 2. The notice shall be sent by registered or certified mail to the department of
16 health and family services or the department of corrections, as applicable, and the
17 county clerk of the applicable county not less than 30 days before the date set under
18 s. 859.01, upon such blanks and containing such information as the applicable
19 department or county clerk may provide. The applicable county is the county of
20 residence, as defined in s. 49.001 (6).

NOTE: Reorders text and subdivides provision for improved readability. Replaces disfavored terms. See the previous section of this bill.

21 **SECTION 85.** 859.07 (2) (a) (intro.) of the statutes is created to read:

22 859.07 (2) (a) (intro.) The personal representative shall provide notice of the
23 date set under s. 859.01 to the department of health and family services or the

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1 department of corrections, as applicable, and to the county clerk of the decedent's
2 county of residence, as defined in s. 49.001 (6) if, at any time prior to or at the time
3 of the decedent's death, any of the following applied:

NOTE: Text is moved to an introductory subdivision from the latter part of s. 859.07
(2) for improved readability and conformity with current style. See the previous section
of this bill.

4 **SECTION 86.** 945.01 (5) (b) 2. of the statutes is amended to read:

5 945.01 (5) (b) 2. In any game, drawing, contest, sweepstakes, or other
6 promotion, none of the following ~~shall constitute~~ constitutes consideration under this
7 subsection:

8 a. ~~To listen to or watch~~ Listening to or watching a television or radio program.

9 b. ~~To fill~~ Filling out a coupon or entry ~~blank which form that~~ form that is received through
10 the mail or published in a newspaper or magazine, if facsimiles thereof of the coupon
11 or entry form or handwritten and other informal entries are acceptable or if no
12 purchase is required.

13 c. ~~To furnish~~ Furnishing proof of purchase if the proof required does not consist
14 of more than the container of any product as packaged by the manufacturer, or a part
15 thereof of the container, or a facsimile of either.

16 d. ~~To send~~ Sending the coupon or entry ~~blank form~~ form and proof of purchase by
17 mail to a designated address.

18 e. ~~To fill~~ Filling out a coupon or entry ~~blank form~~ form obtained and deposited on the
19 premises of a bona fide trade fair or trade show defined as an exhibition by 5 or more
20 competitors of goods, wares, or merchandise at a location other than a retail
21 establishment or shopping center or other place where goods and services are
22 customarily sold; but if an admission fee is charged to such the exhibition all facilities

ASSEMBLY BILL 938**SECTION 86**

1 for obtaining and depositing coupons or entry ~~blanks~~ forms shall be outside the area
2 for which an admission fee is required.

3 f. ~~To visit~~ Visiting a mercantile establishment or other place without being
4 required to make a purchase or pay an admittance fee.

5 g. ~~To use~~ Using a chance promotion exempt under s. 100.16 (2).

NOTE: Replaces disfavored terms and corrects sentence agreement.

6 **SECTION 87. Effective dates.** This act takes effect on the day after publication,
7 except as follows:

8 (1) The treatment of section 441.15 (3) (b) of the statutes takes effect on
9 November 1, 2002.

10 (END)