

2005 ASSEMBLY BILL 201

1 **AN ACT** *to amend* 59.34 (title), 59.34 (1) (e), 59.34 (2) (title), 59.34 (2) (a), 59.34
2 (2) (b) 1., 59.35 (5) and 59.38 (1) of the statutes; **relating to:** the compatibility
3 of the offices of coroner or medical examiner, and certain emergency services
4 positions.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 59.34 (title) of the statutes is amended to read:

6 **59.34 (title) Coroner, medical examiner duties; coroner, medical**
7 **examiner compatibility.**

8 **SECTION 2.** 59.34 (1) (e) of the statutes is amended to read:

9 59.34 **(1)** (e) Act as coroner in a nearby another county when requested to do
10 so under sub. ~~(2)~~ (b).

ASSEMBLY BILL 201**SECTION 3**

1 **SECTION 3.** 59.34 (2) (title) of the statutes is amended to read:

2 59.34 **(2)** (title) CORONER, MEDICAL EXAMINER; COMPATIBILITY WITH OTHER OFFICES.

3 **SECTION 4.** 59.34 (2) (a) of the statutes is amended to read:

4 59.34 **(2)** (a) Notwithstanding s. 979.04 (3) and except as provided in par. (b),
5 any person holding office under sub. (1) may also serve as a ~~volunteer~~ an emergency
6 medical technician, first responder or ~~volunteer~~ fire fighter.

7 **SECTION 5.** 59.34 (2) (b) 1. of the statutes is amended to read:

8 59.34 **(2)** (b) 1. No person serving as a coroner ~~under sub. (1)~~ or medical
9 examiner, or deputy coroner or medical examiner's assistant, who also serves as a
10 ~~volunteer~~ an emergency medical technician, ~~volunteer~~ first responder, or a ~~volunteer~~
11 fire fighter may participate as a coroner or medical examiner, or deputy coroner or
12 medical examiner's assistant, in any case in which he or she may be required to
13 participate as ~~a~~ ~~volunteer~~ an emergency medical technician, ~~volunteer~~ first
14 responder, or ~~a~~ ~~volunteer~~ fire fighter. If an apparent or actual conflict of interest
15 arises between the person's duties as coroner or medical examiner and as ~~volunteer~~
16 emergency medical technician, ~~volunteer~~ first responder, or ~~volunteer~~ fire fighter,
17 the deputy coroner or medical examiner's assistant shall act as coroner or medical
18 examiner in the case in which the conflict exists. If an apparent or actual conflict of
19 interest arises between the person's duties as deputy coroner or medical examiner's
20 assistant and as emergency medical technician, first responder, or fire fighter, a
21 coroner or another deputy coroner, or a medical examiner or another medical
22 examiner's assistant shall act as coroner or medical examiner in the case in which
23 the conflict exists. If there is no coroner, deputy coroner, medical examiner, or
24 medical examiner's assistant available who may act without an apparent or actual
25 conflict of interest, the coroner or medical examiner shall request that the coroner,

ASSEMBLY BILL 201

1 medical examiner, deputy coroner, or a medical examiner's assistant in ~~a nearby~~
2 another county act as coroner or medical examiner in the case in which the conflict
3 exists. Any fees owed to or expenses incurred by the acting coroner or medical
4 examiner from the ~~nearby~~ other county shall be paid by the county that requested
5 the acting coroner's or medical examiner's services.

6 **SECTION 6.** 59.35 (5) of the statutes is amended to read:

7 59.35 (5) A person holding office under this section may also serve as a
8 volunteer emergency medical technician, a volunteer first responder, a volunteer fire
9 fighter or a chief, deputy chief or assistant chief of a fire department.

10 **SECTION 6m.** 59.38 (1) of the statutes is amended to read:

11 59.38 (1) MEDICAL EXAMINER, ASSISTANTS; SALARIES; FEES; REPORT. The medical
12 examiner and medical examiner's assistants authorized by the board shall be paid
13 semimonthly out of the county treasury of the proper county, for the performance of
14 all their official duties and in lieu of all other compensation, salaries to be fixed by
15 the board. The medical examiner and medical examiner's assistants shall collect for
16 all services performed, except in cases where the county is solely liable, all fees that
17 coroners are by law entitled to receive, and shall keep accurate books of account in
18 which shall be entered from day to day the items of services rendered, the titles of
19 the proceedings in which and the names of the persons for whom rendered, and the
20 fees charged and received, and shall, at the end of every 3 months, render to the board
21 and to the treasurer an accurate report or statement, verified by his or her oath, of
22 all fees and income collected by them or for them during the 3 months; and at the
23 same time they shall pay to the treasurer all fees and incomes collected by them, or
24 which they were entitled by law to charge or receive, not paid to the treasurer. The

ASSEMBLY BILL 201

SECTION 6m

1 medical examiner or a medical examiner's assistant shall act as coroner in ~~a nearby~~
2 another county when requested to do so under s. 59.34 (2) (b).

3 **SECTION 7. Initial applicability.**

4 (1) This act first applies to a case to which a coroner, deputy coroner, or medical
5 examiner is first called on the effective date of this subsection.

6 (END)