




# State of Wisconsin


LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 02/15/2007 (Per: DAK)





 Appendix A ... Part 04 of 05

 The 2005 drafting file for LRB-3104

has been transferred to the drafting file for

**2007 LRB-1482**

 This cover sheet, the final request sheet, and the final version of the 2005 draft were copied on yellow paper, and returned to the original 2005 drafting file.

 The attached 2005 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.



D-NOTE

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ReGen ✓

REGENERATE

1 AN ACT to create 157.056 of the statutes; relating to: control of final disposition  
2 of certain human remains and providing a penalty

*Analysis by the Legislative Reference Bureau*

This bill is drafted in preliminary form. An analysis will be included in a subsequent version.

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

INSERT  
1-3

3 SECTION 1. ~~157.056~~ 154.30 of the statutes is created to read:

4 **157.056 Control of final disposition of certain human remains. (1)**

5 DEFINITIONS. (a) "Authorization for final disposition" means a written, signed  
6 document that is acknowledged before a notary public or is witnessed and that is  
7 voluntarily executed by a declarant under sub. (8), but is not limited in form or  
8 substance to that provided in sub. (8).

9 (b) "Credential" has the meaning given in s. 440.01 (2) (a).

154.30

1 (c) "Declarant" means an individual who executes an authorization for final  
2 disposition.

3 (d) "Estranged" means being physically and emotionally ~~separated~~ <sup>alienated</sup> for a period  
4 of time, at the time of the decedent's death, and clearly demonstrating an absence of  
5 due affection, trust, and regard.

\*\*\*NOTE: This definition, from the instructions, may be inapt, in part. Two people who are physically separate from each other and who dislike each other extremely may not be "emotionally separate" from each other; in fact, they may share the same emotion--hatred. It seems to me that the language about emotional separation is unnecessary given the requirement of a clear demonstration of an absence of due affection, trust, and regard.

6 (e) "Final disposition" means disposition of a decedent's remains, including any  
7 of the following:

- 8 1. Arrangements for a viewing.
- 9 2. A funeral ceremony, memorial service, graveside service, or other last rite.
- 10 3. A burial, cremation and burial, or other disposition, or donation of the  
11 decedent's body.

12 (f) "Health care provider" means any person who has a credential to provide  
13 health care.

14 (g) "Member of the clergy" has the meaning given in s. 765.002 (1).

15 (h) "Representative" means an individual specifically designated in an  
16 authorization for final disposition or, if that individual is unable or unwilling to carry  
17 out the declarant's decisions and preferences, a successor representative designated  
18 in the authorization for final disposition to do so.

19 (2) INDIVIDUALS WITH CONTROL OF FINAL DISPOSITION; ORDER. Except as provided  
20 in sub. (3), any of the following, as prioritized in the following order, who is at least  
21 18 years old and has not been adjudicated incompetent under ch. 880, may control  
22 final disposition, including the location, manner, and conditions of final disposition:

1 (a) A representative of the decedent acting under the decedent's authorization  
2 for final disposition that conveys to the representative the control of final disposition.

3 (b) The surviving spouse of the decedent.

4 (c) The surviving child of the decedent, unless more than one child of the  
5 decedent survives. In such an instance, the majority of the surviving children has  
6 control of the final disposition, except that fewer than the majority of the surviving  
7 children may control the final disposition if that minority has used reasonable efforts  
8 to notify all other surviving children and is not aware of opposition by the majority  
9 to the minority's intended final disposition.

10 (d) The surviving parent or parents of the decedent or a surviving parent who  
11 is available if the other surviving parent is unavailable after the available surviving  
12 parent has made reasonable efforts to locate him or her.

13 (e) The surviving sibling of the decedent, unless more than one sibling of the  
14 decedent survives. In such an instance, the majority of the surviving siblings has  
15 control of the final disposition, except that fewer than the majority of the surviving  
16 siblings may control the final disposition if that minority has used reasonable efforts  
17 to notify all other surviving siblings and is not aware of opposition by the majority  
18 to the minority's intended final disposition.

19 (f) In descending order, an individual in the class of the next degree of kinship  
20 specified in s. ~~852.01(1)~~ 990.001<sup>v</sup>(16)

\*\*\*\*NOTE: I would suggest that this order of kinship, which is for division of property if a decedent dies without making a will, is much more complex, less easy to understand, and appears to be less appropriate than the degrees of kinship specified in s. 990.001 (16), stats.; it also is confusing in relation to the order already set forth under pars. (a) to (e) of this subsection.

21 (g) The guardian of the person, if any, of the decedent.

he or she has made

1 (h) Any individual other than an individual specified under pars. (a) to (g) who  
2 is willing to control the final disposition and who attests in writing that a good-faith  
3 effort ~~has been made~~, to no avail, to contact the individuals under pars. (a) to (g).

INSERT  
4-3

\*\*\*NOTE: Is this individual supposed to make the good-faith effort? If this issue is not clarified, it is entirely uncertain who must perform this task.

4 (3) EXCEPTIONS. (a) All of the following are exceptions to any control conferred  
5 under sub. (2):

6 1. The disposition of any unrevoked anatomical gift made by the decedent  
7 under s. 157.06 (2) or made by an individual other than the decedent under s. 157.06  
8 (3) or (4).

9 2. Any power or duty of a coroner, medical examiner, or other physician licensed  
10 to perform autopsies with respect to the reporting of certain deaths, performance of  
11 autopsies, and inquests under ch. 979.

12 (b) None of the following is authorized under sub. (2) to control the final  
13 disposition:

Except as provided in sub. (2)(i);

14 1. An individual who is otherwise authorized to control final disposition under  
15 the order of priority of individuals specified in sub. (2) but who has been charged with  
16 any of the following in connection with the decedent's death and the charges are  
17 known to the funeral director or crematory authority, ~~unless the charges are~~  
18 ~~dismissed or the individual is found not guilty of the offense:~~ keep

\*\*\*NOTE: Is the "unless" clause realistic here, i.e., does final disposition of a body usually await a trial (with possible appeal) and a finding of not guilty?

- 19 a. First-degree intentional homicide under s. 940.01 (1).
- 20 b. First-degree reckless homicide under s. 940.02.
- 21 c. Second-degree intentional homicide under s. 940.05.
- 22 d. Second-degree reckless homicide under s. 940.06.

1 e. Homicide resulting from negligent control of a vicious animal under s.  
2 940.07.

3 f. Homicide by the negligent operation or handling of a dangerous weapon,  
4 explosives, or fire under s. 940.08.

5 g. Homicide by intoxicated use of a vehicle or firearm under s. 940.09.

6 h. Homicide by the negligent operation of a vehicle under s. 940.10.

\*\*\*\*NOTE: This state does not have the crime of voluntary manslaughter, as Ohio  
apparently does; please review the crimes that I have specified instead. Please also note  
that several of these crimes apply to the death of an unborn child; is that what you intend?

7 2. An individual who is otherwise authorized to control final disposition under  
8 the order of priority of individuals specified in sub. (2) but who fails to exercise this  
9 authorization within 2 days after he or she is notified of the decedent's death or  
10 within 5 days after the decedent's death, whichever is later.

\*\*\*\*NOTE: Again, who is to perform the task of notifying individuals specified in sub.  
(2)?

11 3. The decedent's spouse, if an action under ch. 767 to terminate the marriage  
12 of the spouse and the decedent was pending at the time of the decedent's death.

13 4. An individual for whom a determination is made under by the probate court  
14 under par. (c) 2. b. that the individual and the decedent were estranged at the time  
15 of death.

*After the decedent's death,*  
*a*

16 (c) If the individuals specified in sub. (2) are unable to agree on the final  
17 disposition, the probate court that has jurisdiction for the county in which the  
18 decedent resided at the time of his or her death may designate an individual as most  
19 fit and appropriate to control the final disposition. All of the following apply to a  
20 designation made under this paragraph:

21 1. ~~A~~ petition regarding control of the final disposition ~~may~~ be filed with the  
22 probate court by any of the following:

*shall*

\*\*\*NOTE: Shouldn't "may" in this provision be "shall?" It appears to be the only way in which the issue is properly before the probate court, at least according to the instructions.

1 a. Before his or her death, the decedent or his or her legal representative.

2 b. After the decedent's death, a relative of the decedent; <sup># a. A</sup> an individual seeking <sup># b.</sup>  
3 control of the final disposition who claims a closer personal relationship to the  
4 decedent than the decedent's next of kin, who has lived with the decedent, and who  
5 was not in the employ of the decedent or the decedent's family; <sup># c.</sup> or if 2 or more  
6 individuals who are otherwise authorized to control the final disposition under the  
7 order of priority of individuals specified in sub. (2) cannot, by majority vote, decide  
8 concerning the final disposition, any of those individuals or the funeral director or  
9 crematory authority that possesses the decedent's remains.

\*\*\*NOTE: I do not understand this paragraph. Why would the decedent file a petition with the probate court rather than signing an authorization? Is this paragraph supposed to apply if any individual specified under sub. (2) disagrees, or only if an individual in a particular group under the order of priority disagrees with other members of that group? If the former, this paragraph seems to mean that a decedent's otherwise-valid authorization, or the order of priority of individuals, has no meaning if others disagree with it. If that is the case, what is the purpose of sub. (2)?

10 2. The probate court may consider all of the following:

11 a. The reasonableness and practicality of the proposed final disposition.

12 b. The degree of the personal relationship between the decedent and each of the  
13 individuals claiming the right of final disposition, including whether the decedent  
14 was estranged from any of the individuals.

15 c. Except as provided in subd. 3., the desires of the individual or individuals  
16 who are ready, able, and willing to pay the cost of the final disposition.

17 d. The convenience to and needs of other families and friends who wish to pay  
18 final respects to the decedent.

19 e. The express written desires of the decedent.

*family members, friends, and*

\*\*\*NOTE: What does this language mean? Is it referring to a will or to an authorization of the decedent? If so, wouldn't either of those documents take priority?

1 e 1. The degree to which any proposed final disposition would permit maximum  
2 participation by ~~all individuals~~ *others* who wish to pay final respects to the decedent.

\*\*\*NOTE: How is this provision different from d., above?

3 3. An individual's payment or agreement to pay for all or part of the costs of final  
4 disposition, or the fact that an individual is the personal representative of the  
5 decedent, does not, by itself, provide the individual any greater opportunity to  
6 control the final disposition than the individual otherwise has under this section.

7 (4) DECLINING TO EXERCISE CONTROL OR RESIGNING CONTROL. An individual who  
8 is otherwise authorized to control final disposition under the order of priority of  
9 individuals specified in sub. (2) or who is designated under sub. (3) (c) may accept the  
10 control, may decline to exercise the control, or may, after accepting the control, resign  
11 it.

12 (5) LIABILITY OF FUNERAL DIRECTOR OR CREMATORY AUTHORITY. (a) If inability to  
13 agree exists among any individuals, as specified in sub. (3) (c) (intro.), no funeral  
14 director or crematory authority is liable for his or her refusal to accept the decedent's  
15 remains, to inter or otherwise dispose of the decedent's remains, or to complete the  
16 arrangements for the final disposition unless specifically directed to do so under an  
17 order of the probate court or unless the individuals in disagreement present the  
18 funeral director or crematory authority with a written agreement, signed by the  
19 individuals, that specifies the final disposition.

20 (b) A funeral director or crematory authority that retains the remains of a  
21 decedent for final disposition before individuals specified in sub. (3) (c) (intro.) reach  
22 agreement or before the probate court makes a final decision under sub. (3) (c) may  
23 embalm or refrigerate and shelter the remains while awaiting the agreement or the



USA 7 ↓

sub. (3)(c) 1.

files a petition

1 probate court's decision and may add the cost of embalming or refrigeration and  
2 shelter, as appropriate, to the final disposition costs.

3 (c) If a funeral director or crematory authority ~~brings an action~~ under ~~this~~  
4 ~~subsection~~, the funeral director or crematory authority may add reasonable legal  
5 fees and ~~court~~ costs associated with ~~bringing a petition under sub. (3)(c) 1 to the cost~~  
6 ~~of final disposition.~~ the court's review of the

to the cost of final disposition

\*\*\*\*NOTE: This paragraph uses the language "brings an action under this subsection." Usually that language refers to a suit of some kind, but this subsection has no provision for a suit. Is it, instead, referring to bringing a petition under sub. (3)(c)?

7 (d) This subsection may not be construed to require or otherwise impose a duty  
8 upon a funeral director or crematory authority to ~~bring an action~~ under ~~this~~  
9 ~~subsection~~, and a funeral director or crematory authority may not be held criminally  
10 or civilly liable for failing or omitting to ~~bring an action under this subsection.~~ file such a petition

file a petition

\*\*\*\*NOTE: Please see the \*\*\*\*Note under par. (c).

11 (e) In the absence of written notice to the contrary from an individual who  
12 claims control of the final disposition because of precedence under the order of  
13 priority of individuals specified under sub. (2), no funeral director or crematory  
14 authority, who relies in good faith on instructions concerning the final disposition  
15 from another individual who first claims control of the final disposition but has less  
16 precedence under the order of priority of individuals specified in sub. (2), and who  
17 acts or omits to act in accordance with these instructions, is civilly or criminally liable  
18 or may be found guilty of unprofessional conduct for the action or omission.

\*\*\*\*NOTE: Please review this provision carefully. I have combined s. 157.07 (4) and (5) of the proposed instructions.

19 (6) LIABILITY FOR COSTS OF FINAL DISPOSITION. (a) Liability for the reasonable  
20 costs of the final disposition is as follows:

21 1. From the decedent's estate, as specified under s. 859.25 (1).

*other than a funeral director or crematory authority*

1 2. From the individual or individuals exercising control of final disposition, for  
2 any claims remaining after payment is made under subd. 1., except as provided in  
3 par. (b).

\*\*\*\*NOTE: What if the individual exercising control, or who has been designated by the probate court to exercise control, is the funeral director or crematory authority?

4 (b) If an individual who first exercises control of final disposition subsequently  
5 resigns that control under sub. (4) before completion, any reasonable costs of the final  
6 disposition that are encumbered by the individual before resigning and that are not  
7 paid under par. (a) 1. are the liability of the individual.

\*\*\*\*NOTE: Please review this subsection carefully. I have combined s. 157.07 (6) and (7) of the proposed instructions.

8 (7) JURISDICTION. The probate court for the county in which the decedent last  
9 resided has exclusive jurisdiction over matters that arise under this section.

10 (8) AUTHORIZATION FOR FINAL DISPOSITION. (a) An individual who is of sound  
11 mind and has attained age 18 may voluntarily execute an authorization for final  
12 disposition, which shall take effect on the date of execution. An individual for whom  
13 an adjudication of incompetence and appointment of a guardian of the person is in  
14 effect under ch. 880 is presumed not to be of sound mind for purposes of this  
15 subsection.

16 (b) An authorization for final disposition may express the declarant's special  
17 directions, instructions concerning religious observances, and suggestions  
18 concerning the source of funds for any of the following:

- 19 1. Arrangements for a viewing.  
20 2. Funeral ceremony, memorial service, graveside service, or other last rite.  
21 3. Burial, cremation and burial, or other disposition, or donation of the  
22 declarant's body after death.

1 (c) An authorization for final disposition authorizes a representative and one  
2 or more named successor representatives to carry out the directions, instructions,  
3 and suggestions of the declarant, as expressed in the declarant's authorization for  
4 final disposition.

5 (d) An authorization for final disposition shall meet all of the following  
6 requirements:

7 1. List the name and last-known address, as of the date of execution of the  
8 authorization for final disposition, of each representative and each successor  
9 representative named, and be signed by each representative and each successor  
10 representative named.

\*\*\*\*NOTE: The instructions seem to require that the representative, successor representative, declarant, and witnesses all sign at the same time, which might be difficult and cumbersome to achieve.

11 2. Be signed and dated by the declarant. *with the signature* 10 ff  
12 ~~3. Be~~ witnessed by 2 witnesses who each have attained age 18 and who are not  
13 related by blood, marriage, or adoption to the declarant, or ~~be~~ acknowledged before  
14 a notary public. **INSERT 10-14**

15 (e) No health care provider, funeral director, crematory authority, employee of  
16 a funeral director or crematory authority, or member of the clergy may serve as a  
17 representative under the requirements of this subsection unless he or she is related  
18 to the declarant by blood, marriage, or adoption.

\*\*\*\*NOTE: I have specified "under the requirements of this subsection" for this provision because otherwise there is a conflict with both subs. (2) (h) and (3) (c) 1. b.

19 (f) *keep* An authorization for final disposition may be in the following form: **INSERT 10-19**

**AUTHORIZATION FOR FINAL DISPOSITION**

20 I, .... (print name and address), being of sound mind, willfully and voluntarily  
21 make known by this document my desire that, upon my death, the final disposition

1 of my remains be under the control of my representative under the requirements of  
 2 section <sup>154.30</sup> ~~157.056~~, Wisconsin statutes, and, with respect to that final disposition only,  
 3 I hereby appoint the representative and any successor representative named in this  
 4 document. All decisions made by my representative or any successor representative  
 5 with respect to the final disposition of my remains are binding.

\*\*\*NOTE: This statement does not require that the representative act in accordance with the declarant's desires expressed in the document.

6 Name of representative.....  
 7 Address.....  
 8 Telephone number.....

9 If my representative dies, becomes incapacitated, resigns, refuses to act, ceases  
 10 to be qualified, or cannot be located within the time necessary to control the final  
 11 disposition of my remains, I hereby appoint the following individuals, each to act  
 12 alone and successively, in the order specified, to serve as my successor  
 13 representative:

14 1. Name of first successor representative.....  
 15 Address.....  
 16 Telephone number.....  
 17 2. Name of second successor representative.....  
 18 Address.....  
 19 Telephone number.....

20 SUGGESTED SPECIAL DIRECTIONS.....  
 21 SUGGESTED INSTRUCTIONS CONCERNING RELIGIOUS  
 22 OBSERVANCES.....

1 SUGGESTED SOURCE OF FUNDS FOR IMPLEMENTING FINAL DISPOSITION DIRECTIONS AND  
2 INSTRUCTIONS.....

\*\*\*NOTE: All of these provisions are "suggested" only; what is intended by this? If it is intended that the directions, instructions, etc., are subject to reasonableness, it should say so. In addition, if the "suggested source of funds" is in conflict with s. 157.056 (6), this instruction could not be carried out, and it would be misleading to the declarant to think it could be.

3 This authorization becomes effective upon my death.

4 I hereby revoke any prior authorization for final disposition that I may have  
5 signed before the date that this document is signed.

6 I hereby agree that any funeral director or crematory authority that receives  
7 a copy of this document may act under it. Any modification or revocation of this  
8 document is not effective as to a funeral director or crematory authority until the  
9 funeral director or crematory authority receives actual notice of the modification or  
10 revocation. No funeral director or crematory authority may be liable because of  
11 reliance on a copy of this document.

12 The representative and any successor representative, by accepting  
13 appointment under this document, assume the powers and duties specified for a  
14 representative under section ~~157.056~~, Wisconsin statutes, including liability for the  
15 reasonable costs of the final disposition of my remains.

154.30

if the assets of my estate are insufficient to pay for these costs

\*\*\*NOTE: Note that this provision conflicts with sub. (6)(a).

16 Signed this .....day of .....

17 Signature of declarant.....

18 I hereby accept appointment as representative for the control of final  
19 disposition of the declarant's remains.

20 \* Signed this .....day of .....  
Signature of representative.....

1 I hereby accept appointment as successor representative for the control of final  
2 disposition of the declarant's remains.

3 *Signed this ..... day of .....*  
Signature of first successor representative.....

4 *Signed this ..... day of .....*  
Signature of second successor representative.....

5

6 I attest that the declarant signed or acknowledged this authorization for final  
7 disposition in my presence and that the declarant appears to be of sound mind and  
8 not subject to duress, fraud, or undue influence. I further attest that I am not the  
9 representative or the successor representative appointed under this document, that  
10 I am aged at least 18, and that I am not related to the declarant by blood, marriage,  
11 or adoption.

12 Witness (print name).....

13 Signature.....

14 Address.....

15 Date.....

16

17 Witness (print name).....

18 Signature.....

19 Address.....

20 Date.....

21

22 State of Wisconsin

23 County of .....

24 On (date)....., before me personally appeared

25 (name of declarant)....., known to me or

1 satisfactorily proven to be the individual whose name is specified in this document  
2 as the declarant and who has acknowledged that he or she executed the document  
3 for the purposes expressed in it. I attest that the declarant appears to be of sound  
4 mind and not subject to duress, fraud, or undue influence.

5 Notary public.....

6 My commission expires.....

7 (END)

INSERT 14-6

D-NOTE

**INSERT 1-3**

**SECTION 1.** 69.18 (4) (a) 1. of the statutes is renumbered 69.18 (4) (a) 1m.

**SECTION 2.** 69.18 (4) (a) 1g. of the statutes is created to read:

69.18 (4) (a) 1g. An individual specified under s. 154.30 (2) (i).

**SECTION 3.** 69.20 (2) (a) 2. of the statutes is amended to read:

69.20 (2) (a) 2. For a certificate of death, any of the persons specified under s. 69.18 (4) (a) 1- 1g. to 6. or an individual who is authorized in writing by one of the persons.

History: 1985 a. 315; 1993 a. 27; 1995 a. 27 s. 9145 (1); 1997 a. 27, 191; 2001 a. 16.

**SECTION 4.** Chapter 154 (title) of the statutes is repealed and recreated to read:

**CHAPTER 154**

**ADVANCE DIRECTIVES**

**SECTION 5.** Subchapter IV of chapter 154 [precedes 154.30] of the statutes is created to read:

**CHAPTER 154**

**SUBCHAPTER IV**

**AUTHORIZATION FOR FINAL DISPOSITION**

**INSERT 4-3**

(i) An individual specified in par. (b) 1. for whom charges under par. (b) 1. a. to d. are dismissed or who is found not guilty of the offense. Subject to s. 69.18 (4), the control of final disposition under this paragraph, with respect to a decedent for whom disposition has already been made of his or her remains, is limited, as appropriate, to any of the following:

- 1. a. A funeral ceremony, memorial service, graveside service, or other last rite.
- 2. b. Disinterment.



1        b. c. Reinterment, cremation and reinterment, or other disposition of the  
2        decedent's body. ✓

**INSERT 10-14**

3        *not* If the declarant is physically unable to sign an authorization for final  
4        disposition, the authorization shall be signed in the declarant's name by an  
5        individual at the declarant's express direction and in his or her presence; such a  
6        proxy signing shall take place or be acknowledged by the declarant in the presence  
7        of 2 witnesses or a notary public. ✓

**INSERT 10-19**

8        *not* The department shall prepare and provide copies of the authorization for final  
9        disposition form and accompanying information for distribution in quantities to  
10       funeral directors, crematory authorities, hospitals, nursing homes, county clerks,  
11       and local bar associations and individually to private persons. ✓ The department shall  
12       include, in information accompanying the authorization for final disposition form,  
13       at least the statutory definitions of terms used in the form, a statement explaining  
14       that valid witnesses acting in good faith are statutorily immune from civil or criminal  
15       liability, and an instruction to potential declarants to read and understand the  
16       information before completing the form. ✓ The department may charge a reasonable  
17       fee for the cost of preparation and distribution. ✓ The authorization for final  
18       disposition form distributed by the department shall be easy to read, in <sup>not less than</sup> type size no <sup>10-point</sup>  
19       smaller than 10-point, and in the following form: <sub>type</sub>

**INSERT 14-6**

20        (9) REVOCATION OF AUTHORIZATION FOR FINAL DISPOSITION. A declarant may  
21        revoke an authorization for final disposition at any time by any of the following  
22        methods:

1           (a) Cancelling, defacing, obliterating, burning, tearing, or otherwise destroying  
2 the authorization for final disposition or directing some other person to cancel,  
3 deface, obliterate, burn, tear, or otherwise destroy the authorization for final  
4 disposition in the presence of the declarant. ✓

5           (b) Revoking in writing the authorization for final disposition. The declarant  
6 shall sign and date any written revocation under this subsection. ✓

7           (c) Executing a subsequent authorization for final disposition. ✓

8           **(10) PENALTY.** Any person who intentionally conceals, cancels, defaces,  
9 obliterates, or damages the authorization for final disposition of another without the  
10 declarant's consent may be fined not more than \$500 or imprisoned not more than  
11 30 days or both. ✓

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

LRB-3104/P3dn  
DAK:lmk:pg

(date)

✓

To Representative Kerkman:

I am again providing this bill to you in preliminary form, since a number of changes have been made to it. ✓ Among other things, I have renumbered the provisions to be in ch. 154, stats., and I have added provisions concerning distribution of the form by the Department of Health and Family Services, ✓ revocation of the authorization, ✓ signing of the authorization by a proxy on behalf of the declarant, ✓ and a penalty. ✓ I did not add the option not to designate a representative, although I would be glad to do so if you desire it. The following issues arose during this redraft: ✓

1. I have modified s. 154.30 (3) (b) 1. ✓ Attorney Scott Gilligan, in reviewing the bill, indicated that, in certain rare instances, a person who is otherwise authorized to control final disposition except for charges of certain crimes may be acquitted of the charges and may "reacquire" control of final disposition and wish to have disinterment and reinterment performed. ✓ However, that circumstance implies that the decedent has already been buried; someone has had to assume control of final disposition to have that done. ✓ Please review my changed language of that subdivision and created s. 154.30 (2) (i). ✓ Please also note that this change has necessitated the renumbering of s. 69.18 (4) (a) 1., the creation of s. 69.18 (4) (a) 1g., and the amendment of s. 69.20 (2) (a) 2. Please review. ✓

★ 2. I continue to be concerned about s. 154.30 (2) (b) 2. ✓ Attorney Gilligan indicates that it is unnecessary to specify who is to notify the individual of the decedent's death. ✓ I'm not entirely sure that is correct, although I suppose a funeral director or crematory authority is motivated to notify the individual; however, I'm sure that there could be circumstances in which that might not happen. ✓ However, there is another problem: the two-day "clock" starts running *after* notification; if that notification can't be made for weeks (if, say, the authorized individual is on a lengthy trip or just can't be found), no disposition of the decedent's body can be made. Do you want to rethink the "whichever is later" provision? ✓

Please let me know if I may provide you with further assistance with regard to this draft. ✓

Debora A. Kennedy  
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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3104/P3dn  
DAK:lmk:rs

February 13, 2006

To Representative Kerkman:

I am again providing this bill to you in preliminary form, since a number of changes have been made to it. Among other things, I have renumbered the provisions to be in ch. 154, stats., and I have added provisions concerning distribution of the form by the Department of Health and Family Services, revocation of the authorization, signing of the authorization by a proxy on behalf of the declarant, and a penalty. I did not add the option not to designate a representative, although I would be glad to do so if you desire it. The following issues arose during this redraft:

1. I have modified s. 154.30 (3) (b) 1. Attorney Scott Gilligan, in reviewing the bill, indicated that, in certain rare instances, a person who is otherwise authorized to control final disposition except for charges of certain crimes may be acquitted of the charges and may "reacquire" control of final disposition and wish to have disinterment and reinterment performed. However, that circumstance implies that the decedent has already been buried; someone has had to assume control of final disposition to have that done. Please review my changed language of that subdivision and created s. 154.30 (2) (i). Please also note that this change has necessitated the renumbering of s. 69.18 (4) (a) 1., the creation of s. 69.18 (4) (a) 1g., and the amendment of s. 69.20 (2) (a) 2. Please review.
2. I continue to be concerned about s. 154.30 (3) (b) 2. Attorney Gilligan indicates that it is unnecessary to specify who is to notify the individual of the decedent's death. I'm not entirely sure that is correct, although I suppose a funeral director or crematory authority is motivated to notify the individual; however, I'm sure that there could be circumstances in which that might not happen. However, there is another problem: the two-day "clock" starts running *after* notification; if that notification can't be made for weeks (if, say, the authorized individual is on a lengthy trip or just can't be found), no disposition of the decedent's body can be made. Do you want to rethink the "whichever is later" provision?

Please let me know if I may provide you with further assistance with regard to this draft.

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: debora.kennedy@legis.state.wi.us

## Kennedy, Debora

---

**From:** Popp, Sarah  
**Sent:** Thursday, March 02, 2006 3:00 PM  
**To:** Kennedy, Debora  
**Subject:** FW: Scan from a Xerox WorkCentre Pro

**Attachments:** Scan001.PDF



Scan001.PDF (699  
KB)

Deborah

Attached are hopefully the final changes to LRB3104/P3.  
Please let me know if you have any questions.  
Thanks so much for your help.  
Sarah

*2/2/06 From Sarah: 3104/P3 p. 10 add  
cemetery authorities*

# Gilligan Law Offices

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February 20, 2006

**via Fax (414) 453-9860 and Regular Mail**

Mark Paget, Executive Director  
Wisconsin Funeral Directors Association  
2300 N. Mayfair Road, Suite 595  
Wauwatosa, Wisconsin 53226-1508

**RE:**

Dear Mark:

At your request, I reviewed the February 13, 2006 Drafter's Note from the Legislative Reference Bureau on the Control of Disposition Bill. In the Drafter's Note, Debora Kennedy, the Managing Attorney, explained that she had made two changes in the Control of Final Disposition Bill. You have asked us to take a look at those two changes and comment on them.

1. Reacquisition of Control of Final Disposition: In subdivision 154.30(3)(b)1., the Bill takes away the right to control final disposition from an individual who is arrested for specified classes of homicide. We had originally noted that the Bill may want to include a section to restore the control of final disposition to an individual who was later cleared of those charges. Ms. Kennedy has agreed to do that and created new subdivision 154.30(2)(i) to address the restoration of control of final disposition.

I am in full agreement with the language used by Ms. Kennedy on the restoration of control of final disposition. However, I disagree with where she has placed that language in the Bill. As noted above, she created a new subdivision (i) to section 154.30(2). However, please note that Section 154.30(2) is a priority list of who holds the right of disposition. As you can see in the introductory paragraph of 154.30(2) on page 3 of the Bill, the list of who controls the final disposition is in a priority order. Therefore, by creating new subdivision (i) and placing it at the end of the list, the impression is created that a person who has a restored control of final disposition is the last individual on the priority list. For example, if a husband were arrested for first degree intentional homicide and was later cleared of that charge, a question would arise as to whether the husband would be

## Gilligan Law Offices

Mark Paget  
February 20, 2006  
Page 2

restored to subdivision (2)(b), which covers the surviving spouse of the decedent, or subdivision (2)(i) which covers an individual cleared of a homicide charge.

To clear up this ambiguity, I would suggest re-designating the new subdivision 154.30(2)(i) as new subdivision 154.30(3)(c). I have created an insert A to show where the new language would be placed on page 6 of the draft Bill.

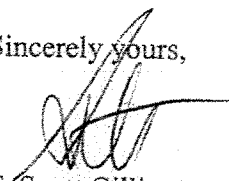
2. Disqualification of Missing Relative. Section 154.30(3)(b)2. takes away the control of final disposition from an individual who fails to exercise the control within two days after being notified of the decedent's death or within five (5) days after the decedent's death, whichever is later. As Ms. Kennedy points out, the "whichever is later" provision could create a significant problem if an individual cannot be located.

To address Ms. Kennedy's concerns, I would suggest that we create a new disqualification to address relatives who cannot be located after reasonable effort to do so. I have drafted a new subdivision 3 to disqualify an individual who cannot be located after reasonable efforts to do so. The "reasonable efforts" language would be consistent with subdivisions 154.30(2)(c) and (e).

Ms. Kennedy also raised the concern regarding who has the obligation to notify the individual with the control of the final disposition about the death. That obligation will fall upon the funeral director or any other business or individual who is arranging the final disposition. Under law, it is an actionable tort to interfere with the right of disposition. Therefore, if a funeral director or other business or individual arranges a disposition without the input of the person holding the right of final disposition, they can be sued for violation of that right. For that reason, it is always incumbent on the funeral director to ensure they are dealing with the person holding the control of final disposition.

Mark, if you have any questions regarding the changes we have made, please give me a call.

Sincerely yours,



T. Scott Gilligan

TSG/lab  
Enclosure

PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION

1 AN ACT *to renumber* 69.18 (4) (a) 1.; *to amend* 69.20 (2) (a) 2.; *to repeal and*  
2 *recreate* chapter 154 (title); and *to create* 69.18 (4) (a) 1g. and subchapter IV  
3 of chapter 154 [precedes 154.30] of the statutes; **relating to:** control of final  
4 disposition of certain human remains and providing a penalty.

---

*Analysis by the Legislative Reference Bureau*

This bill is drafted in preliminary form. An analysis will be included in a subsequent version.

---

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

5 SECTION 1. 69.18 (4) (a) 1. of the statutes is renumbered 69.18 (4) (a) 1m.

6 SECTION 2. 69.18 (4) (a) 1g. of the statutes is created to read:  
7 69.18 (4) (a) 1g. An individual specified under s. 154.30 (2) (i).

8 SECTION 3. 69.20 (2) (a) 2. of the statutes is amended to read:





1           2. A funeral ceremony, memorial service, graveside service, or other last rite.

2           3. A burial, cremation and burial, or other disposition, or donation of the  
3 decedent's body.

4           (f) "Health care provider" means any person who has a credential to provide  
5 health care.

6           (g) "Member of the clergy" has the meaning given in s. 765.002 (1).

7           (h) "Representative" means an individual specifically designated in an  
8 authorization for final disposition or, if that individual is unable or unwilling to carry  
9 out the declarant's decisions and preferences, a successor representative designated  
10 in the authorization for final disposition to do so.

11           (2) INDIVIDUALS WITH CONTROL OF FINAL DISPOSITION; ORDER. Except as provided  
12 in sub. (3), any of the following, as prioritized in the following order, who is at least  
13 18 years old and has not been adjudicated incompetent under ch. 880, may control  
14 final disposition, including the location, manner, and conditions of final disposition:

15           (a) A representative of the decedent acting under the decedent's authorization  
16 for final disposition that conveys to the representative the control of final disposition.

17           (b) The surviving spouse of the decedent.

18           (c) The surviving child of the decedent, unless more than one child of the  
19 decedent survives. In such an instance, the majority of the surviving children has  
20 control of the final disposition, except that fewer than the majority of the surviving  
21 children may control the final disposition if that minority has used reasonable efforts  
22 to notify all other surviving children and is not aware of opposition by the majority  
23 to the minority's intended final disposition.

1 (d) The surviving parent or parents of the decedent or a surviving parent who  
2 is available if the other surviving parent is unavailable after the available surviving  
3 parent has made reasonable efforts to locate him or her.

4 (e) The surviving sibling of the decedent, unless more than one sibling of the  
5 decedent survives. In such an instance, the majority of the surviving siblings has  
6 control of the final disposition, except that fewer than the majority of the surviving  
7 siblings may control the final disposition if that minority has used reasonable efforts  
8 to notify all other surviving siblings and is not aware of opposition by the majority  
9 to the minority's intended final disposition.

10 (f) In descending order, an individual in the class of the next degree of kinship  
11 specified in s. 990.001 (16).

12 (g) The guardian of the person, if any, of the decedent.

13 (h) Any individual other than an individual specified under pars. (a) to (g) who  
14 is willing to control the final disposition and who attests in writing that he or she has  
15 made a good-faith effort, to no avail, to contact the individuals under pars. (a) to (g).

16 ~~(i) An individual specified in sub. (3) (b) 1. for whom charges under sub. (3) (b)  
17 1. a. to d. are dismissed or who is found not guilty of the offense. Subject to s. 69.18  
18 (4), the control of final disposition under this paragraph, with respect to a decedent  
19 for whom disposition has already been made of his or her remains, is limited, as  
20 appropriate, to any of the following:~~

- 21 1. A funeral ceremony, memorial service, graveside service, or other last rite.
- 22 2. Disinterment.
- 23 3. Reinterment, cremation and reinterment, or other disposition of the  
24 decedent's body.

1 (3) EXCEPTIONS. (a) All of the following are exceptions to any control conferred  
2 under sub. (2):

3 1. The disposition of any unrevoked anatomical gift made by the decedent  
4 under s. 157.06 (2) or made by an individual other than the decedent under s. 157.06  
5 (3) or (4).

6 2. Any power or duty of a coroner, medical examiner, or other physician licensed  
7 to perform autopsies with respect to the reporting of certain deaths, performance of  
8 autopsies, and inquests under ch. 979.

9 (b) None of the following is authorized under sub. (2) to control the final  
10 disposition:

11 1. Except as provided in sub. (2) (i), an individual who is otherwise authorized  
12 to control final disposition under the order of priority of individuals specified in sub.  
13 (2) but who has been charged with any of the following in connection with the  
14 decedent's death and the charges are known to the funeral director or crematory  
15 authority:

16 a. First-degree intentional homicide under s. 940.01 (1).

17 b. First-degree reckless homicide under s. 940.02.

18 c. Second-degree intentional homicide under s. 940.05.

19 d. Second-degree reckless homicide under s. 940.06.

20 ~~2. An individual who is otherwise authorized to control final disposition under~~  
21 ~~the order of priority of individuals specified in sub. (2) but who fails to exercise this~~  
22 ~~authorization within 2 days after he or she is notified of the decedent's death or~~  
23 ~~within 5 days after the decedent's death, whichever is later.~~

24 4.8. The decedent's spouse, if an action under ch. 767 to terminate the marriage  
25 of the spouse and the decedent was pending at the time of the decedent's death.

3. An individual who is otherwise authorized to control final disposition under the order of priority of individuals specified in sub. (2) but who cannot be located after reasonable efforts to do so.

1        5. An individual for whom a determination is made under by the probate court  
2        under par. (c) 2. b. that the individual and the decedent were estranged at the time  
3        of death.

\_\_\_\_\_ (c) INSERT A (next page)

4        (d) If the individuals specified in sub. (2) are unable to agree on the final  
5        disposition, the probate court that has jurisdiction for the county in which the  
6        decedent resided at the time of his or her death may designate an individual as most  
7        fit and appropriate to control the final disposition. All of the following apply to a  
8        designation made under this paragraph:

9        1. After the decedent's death, a petition regarding control of the final  
10       disposition shall be filed with the probate court by any of the following:

11       a. A relative of the decedent.

12       b. An individual seeking control of the final disposition who claims a closer  
13       personal relationship to the decedent than the decedent's next of kin, who has lived  
14       with the decedent, and who was not in the employ of the decedent or the decedent's  
15       family.

16       c. If 2 or more individuals who are otherwise authorized to control the final  
17       disposition under the order of priority of individuals specified in sub. (2) cannot, by  
18       majority vote, decide concerning the final disposition, any of those individuals or the  
19       funeral director or crematory authority that possesses the decedent's remains.

20       2. The probate court may consider all of the following:

21       a. The reasonableness and practicality of the proposed final disposition.

22       b. The degree of the personal relationship between the decedent and each of the  
23       individuals claiming the right of final disposition, including whether the decedent  
24       was estranged from any of the individuals.

INSERT A

(c) If an individual specified in sub. (3) (b) 1. has the charges under sub. (3) (b) 1. a. to d. dismissed or is found not guilty of the offense, control of final disposition shall be restored to such individual. Subject to s. 69.18 (4), the control of final disposition under this paragraph, with respect to a decedent for whom disposition has already been made of his or her remains, is limited, as appropriate, to any of the following:

1. A funeral ceremony, memorial service, graveside service, or other last rite.
2. Disinterment.
3. Reinterment, cremation and reinterment, or other disposition of the decedent's body.

*in the order of priority specified  
in sub. (3) (b) 1.*

1 c. Except as provided in subd. 3., the desires of the individual or individuals  
2 who are ready, able, and willing to pay the cost of the final disposition.

3 d. The express written desires of the decedent.

4 e. The degree to which any proposed final disposition would permit maximum  
5 participation by family members, friends, and others who wish to pay final respects  
6 to the decedent.

7 3. An individual's payment or agreement to pay for all or part of the costs of final  
8 disposition, or the fact that an individual is the personal representative of the  
9 decedent, does not, by itself, provide the individual any greater opportunity to  
10 control the final disposition than the individual otherwise has under this section.

11 (4) DECLINING TO EXERCISE CONTROL OR RESIGNING CONTROL. An individual who  
12 is otherwise authorized to control final disposition under the order of priority of  
13 individuals specified in sub. (2) or who is designated under sub. (3) (c) may accept the  
14 control, may decline to exercise the control, or may, after accepting the control, resign  
15 it.

16 (5) LIABILITY OF FUNERAL DIRECTOR OR CREMATORY AUTHORITY. (a) If inability to  
17 agree exists among any individuals, as specified in sub. (3) (c) (intro.), no funeral  
18 director or crematory authority is liable for his or her refusal to accept the decedent's  
19 remains, to inter or otherwise dispose of the decedent's remains, or to complete the  
20 ~~arrangements for the final disposition unless specifically directed to do so under an~~  
21 order of the probate court or unless the individuals in disagreement present the  
22 funeral director or crematory authority with a written agreement, signed by the  
23 individuals, that specifies the final disposition.

24 (b) A funeral director or crematory authority that retains the remains of a  
25 decedent for final disposition before individuals specified in sub. (3) (c) (intro.) reach

1 agreement or before the probate court makes a final decision under sub. (3) (c) may  
2 embalm or refrigerate and shelter the remains while awaiting the agreement or the  
3 probate court's decision and may add the cost of embalming or refrigeration and  
4 shelter, as appropriate, to the final disposition costs.

5 (c) If a funeral director or crematory authority files a petition under sub. (3) (c)  
6 1., the funeral director or crematory authority may add to the cost of final disposition  
7 reasonable legal fees and costs associated with the court's review of the petition.

8 (d) This subsection may not be construed to require or otherwise impose a duty  
9 upon a funeral director or crematory authority to file a petition under sub. (3) (c) 1.,  
10 and a funeral director or crematory authority may not be held criminally or civilly  
11 liable for failing or omitting to file the petition.

12 (e) In the absence of written notice to the contrary from an individual who  
13 claims control of the final disposition because of precedence under the order of  
14 priority of individuals specified under sub. (2), no funeral director or crematory  
15 authority, who relies in good faith on instructions concerning the final disposition  
16 from another individual who first claims control of the final disposition but has less  
17 precedence under the order of priority of individuals specified in sub. (2), and who  
18 acts or omits to act in accordance with these instructions, is civilly or criminally liable  
19 or may be found guilty of unprofessional conduct for the action or omission.

20 ~~(6) LIABILITY FOR COSTS OF FINAL DISPOSITION. (a) Liability for the reasonable~~  
21 costs of the final disposition is as follows:

22 1. From the decedent's estate, as specified under s. 859.25 (1).

23 2. Except as provided in par. (b), from the individual or individuals other than  
24 a funeral director or crematory authority exercising control of final disposition, for  
25 any claims remaining after payment is made under subd. 1.



1 (b) If an individual who first exercises control of final disposition subsequently  
2 resigns that control under sub. (4) before completion, any reasonable costs of the final  
3 disposition that are encumbered by the individual before resigning and that are not  
4 paid under par. (a) 1. are the liability of the individual.

5 (7) JURISDICTION. The probate court for the county in which the decedent last  
6 resided has exclusive jurisdiction over matters that arise under this section.

7 (8) AUTHORIZATION FOR FINAL DISPOSITION. (a) An individual who is of sound  
8 mind and has attained age 18 may voluntarily execute an authorization for final  
9 disposition, which shall take effect on the date of execution. An individual for whom  
10 an adjudication of incompetence and appointment of a guardian of the person is in  
11 effect under ch. 880 is presumed not to be of sound mind for purposes of this  
12 subsection.

13 (b) An authorization for final disposition may express the declarant's special  
14 directions, instructions concerning religious observances, and suggestions  
15 concerning the source of funds for any of the following:

- 16 1. Arrangements for a viewing.
- 17 2. Funeral ceremony, memorial service, graveside service, or other last rite.
- 18 3. Burial, cremation and burial, or other disposition, or donation of the  
19 declarant's body after death.

20 ~~(c) An authorization for final disposition authorizes a representative and one~~  
21 or more named successor representatives to carry out the directions, instructions,  
22 and suggestions of the declarant, as expressed in the declarant's authorization for  
23 final disposition.

24 (d) An authorization for final disposition shall meet all of the following  
25 requirements:

1           1. List the name and last-known address, as of the date of execution of the  
2 authorization for final disposition, of each representative and each successor  
3 representative named, and be signed by each representative and each successor  
4 representative named.

5           2. Be signed and dated by the declarant, with the signature witnessed by 2  
6 witnesses who each have attained age 18 and who are not related by blood, marriage,  
7 or adoption to the declarant, or acknowledged before a notary public. If the declarant  
8 is physically unable to sign an authorization for final disposition, the authorization  
9 shall be signed in the declarant's name by an individual at the declarant's express  
10 direction and in his or her presence; such a proxy signing shall take place or be  
11 acknowledged by the declarant in the presence of 2 witnesses or a notary public.

12           (e) No health care provider, funeral director, crematory authority, employee of  
13 a funeral director or crematory authority, or member of the clergy may serve as a  
14 representative under the requirements of this subsection unless he or she is related  
15 to the declarant by blood, marriage, or adoption.

16           (f) The department shall prepare and provide copies of the authorization for  
17 final disposition form and accompanying information for distribution in quantities  
18 to funeral directors, crematory authorities, hospitals, nursing homes, county clerks,  
19 and local bar associations and individually to private persons. The department shall  
20 ~~include, in information accompanying the authorization for final disposition form,~~  
21 at least the statutory definitions of terms used in the form, a statement explaining  
22 that valid witnesses acting in good faith are statutorily immune from civil or criminal  
23 liability, and an instruction to potential declarants to read and understand the  
24 information before completing the form. The department may charge a reasonable  
25 fee for the cost of preparation and distribution. The authorization for final

1 disposition form distributed by the department shall be easy to read, in not less than  
2 10-point type, and in the following form:

**AUTHORIZATION FOR FINAL DISPOSITION**

3 I, .... (print name and address), being of sound mind, willfully and voluntarily  
4 make known by this document my desire that, upon my death, the final disposition  
5 of my remains be under the control of my representative under the requirements of  
6 section 154.30, Wisconsin statutes, and, with respect to that final disposition only,  
7 I hereby appoint the representative and any successor representative named in this  
8 document. All decisions made by my representative or any successor representative  
9 with respect to the final disposition of my remains are binding.

10 Name of representative.....

11 Address.....

12 Telephone number.....

13 If my representative dies, becomes incapacitated, resigns, refuses to act, ceases  
14 to be qualified, or cannot be located within the time necessary to control the final  
15 disposition of my remains, I hereby appoint the following individuals, each to act  
16 alone and successively, in the order specified, to serve as my successor  
17 representative:

18 1. Name of first successor representative.....

19 Address.....

20 Telephone number.....

21 2. Name of second successor representative.....

22 Address.....

23 Telephone number.....

24 SUGGESTED SPECIAL DIRECTIONS.....

1           SUGGESTED                   INSTRUCTIONS                   CONCERNING                   RELIGIOUS

2   OBSERVANCES.....

3           SUGGESTED SOURCE OF FUNDS FOR IMPLEMENTING FINAL DISPOSITION DIRECTIONS AND  
4   INSTRUCTIONS.....

5           This authorization becomes effective upon my death.

6           I hereby revoke any prior authorization for final disposition that I may have  
7   signed before the date that this document is signed.

8           I hereby agree that any funeral director or crematory authority that receives  
9   a copy of this document may act under it. Any modification or revocation of this  
10   document is not effective as to a funeral director or crematory authority until the  
11   funeral director or crematory authority receives actual notice of the modification or  
12   revocation. No funeral director or crematory authority may be liable because of  
13   reliance on a copy of this document.

14          The representative and any successor representative, by accepting  
15   appointment under this document, assume the powers and duties specified for a  
16   representative under section 154.30, Wisconsin statutes, including liability for the  
17   reasonable costs of the final disposition of my remains, if the assets of my estate are  
18   insufficient to pay for these costs.

19          Signed this .....day of .....

20          Signature of declarant.....

21          I hereby accept appointment as representative for the control of final  
22   disposition of the declarant's remains.

23          Signed this .....day of .....

24          Signature of representative.....

1 I hereby accept appointment as successor representative for the control of final  
2 disposition of the declarant's remains.

3 Signed this .....day of .....

4 Signature of first successor representative.....

5 Signed this .....day of .....

6 Signature of second successor representative.....

7

8 I attest that the declarant signed or acknowledged this authorization for final  
9 disposition in my presence and that the declarant appears to be of sound mind and  
10 not subject to duress, fraud, or undue influence. I further attest that I am not the  
11 representative or the successor representative appointed under this document, that  
12 I am aged at least 18, and that I am not related to the declarant by blood, marriage,  
13 or adoption.

14 Witness (print name).....

15 Signature.....

16 Address.....

17 Date.....

18

19 Witness (print name).....

20 ~~Signature.....~~

21 Address.....

22 Date.....

23

24 State of Wisconsin

25 County of .....

