

1971 Senate Bill 943

Date published:  
July 26, 1972

**CHAPTER 336, Laws of 1971**

AN ACT to renumber, amend, repeal and recreate, reenact and create various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting references, renumbering for better location and arrangement, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

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

SECTION 1. 4.07 (1) (a) of the statutes, as created by chapter 304, laws of 1971, is amended by substituting "E. Plankinton avenue" for the name "E. Plankinton street".

SECTION 2. 4.31 (1) (a) of the statutes, as created by chapter 304, laws of 1971 (1972 Spec. Sess. Senate Bill 1), is amended to read:

4.31 (1) (a) That part of the county of Chippewa consisting of the ~~town~~ city of Stanley.

SECTION 3. 4.34 and 4.35 of the statutes, as created by chapter 304, laws of 1971 (1972 Spec. Sess. Senate Bill 1), are renumbered 4.003 and 4.004.

SECTION 4. 5.60 (1) (b) of the statutes, as renumbered and amended by chapter 304, laws of 1971, is amended to read:

5.60 (1) (b) The secretary of state shall certify the candidates' names and designate the official ballot arrangement ~~in each assembly district~~ for candidates for supreme court justice, circuit court judge when the circuit comprises more than one county and state superintendent. The arrangement of names of all candidates on the ballot whose nomination papers are filed with the secretary of state shall be determined by the secretary of state by the drawing of lots on the day following the deadline for filing nomination papers.

SECTION 5. 5.60 (2) of the statutes is amended to read:

5.60 (2) COUNTY SUPERVISORS. There shall be a separate ballot for county supervisors. The county clerk shall arrange the names of all candidates whose nomination papers are filed with the county clerk by use of alphabetical rotation under sub. (1) (b) 2. ~~The ballot shall be in substantially the same form as annexed ballots "F3" or "F4" using the same method as that used by the secretary of state under sub. (1) (b).~~ There shall be no party designation.

SECTION 6. 5.60 (5) (a) and (6) of the statutes, both as affected by chapter 304, laws of 1971, are amended to read:

5.60 (5) (a) The offices to be filled shall be arranged on the official ballot in the order they are named in the statutes creating them. ~~The candidates shall be arranged alphabetically within each office designation.~~ Where there is more than one ~~precinct ward~~, candidates shall be arranged by using the same method as that used by the secretary of state under sub. (1) (b). Sufficient space shall be left under each office for write-in candidates.

(6) There shall be a separate ballot giving the names of all candidates for town offices, except the superintendent of highways, in substantially the same form as annexed Ballot 6A or 6B. Ballot 6A is for the election of one supervisor and 6B is for the election of the 2 supervisors jointly. On Ballot 6B all supervisor candidates shall be listed together and the voting instructions shall state "Vote for Two". Towns now electing their supervisors jointly shall continue to do so until the method outlined for Ballot 6A is adopted at the annual town meeting. ~~Candidates~~ The names of candidates whose nomination papers are filed at the town level shall be arranged by using the same method as that used by the secretary of state under sub. (1) (b).

SECTION 7. 5.62 (4) (a) and (b) of the statutes, as amended by chapter 304, laws of 1971, are repealed and recreated to read:

5.62 (4) (a) Within a county the county clerk shall arrange the names of all candidates filing nomination papers with his office using the same method as that used by the secretary of state under s. 5.60 (1) (b).

(b) The county board of election commissioners in counties having a population of 500,000 or more shall prepare the official primary ballot. The commissioners shall arrange the names of all candidates for each office whose nomination papers are filed at the county level, using the same method as that used by the secretary of state under s. 5.60 (1) (b).

SECTION 8. 6.35 (4) of the statutes, as created by chapter 249, laws of 1971, is amended by substituting "wards" for "precincts".

CHAPTER 336

1306

SECTION 9. 7.30 (2) (b) of the statutes, as amended by chapters 242 and 304, section 29 (1), laws of 1971, is amended by substituting "ward" for "precinct".

SECTION 10. 8.17 (3) (a) of the statutes is amended by substituting "ward, aldermanic district" for the words "precinct, ward".

SECTION 11. 8.17 (5) (h) of the statutes, as amended by chapter 304, section 29 (2), is amended to read:

8.17 (5) (h) The county committee may appoint a committeeman for any ward, ~~ward aldermanic district~~ or village in which none was elected.

SECTION 12. 9.01 (1) (am) of the statutes, as created by chapter 251, laws of 1971, is amended by substituting "ward" for "precinct" wherever the word appears.

SECTION 13. 10.16 (5) (c) 3 of the statutes is amended by substituting "wards" for "precincts".

SECTION 14. 16.086 (3) (a) of the statutes, as renumbered from 16.105 (2) (a) of the statutes and amended by chapter 270, laws of 1971, is amended to read:

16.086 (3) COMPENSATION PLAN; ESTABLISHMENT AND REVISION. (a) Submission to the board. The director shall submit to the board his proposal for any required changes in the compensation plan which may include across the board or equity pay adjustments for positions in the classified service. The proposal shall be based upon experience in recruiting for the service, data collected as to rates of pay for comparable work in other public services and in commercial and industrial establishments, recommendations of state departments and any special studies carried on as to the need for any changes in the compensation plan to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living, the findings of the biennial wage and benefit survey conducted pursuant to par. (am) and the state's employment policies.

SECTION 15. 16.086 (3) (am) of the statutes is created to read:

16.086 (3) (am) Immediately after the organization of the joint committee on employment relations in each regular session of the legislature, the director shall report to the committee the findings of a comparative biennial state-wide wage and benefit survey conducted by the director of public and private employers in major metropolitan areas. Such report shall contain comparisons of local public employe and private industry salary levels in the areas surveyed. In preparing this report, the director may direct political subdivisions of the state to prepare such salary and benefit information as he deems necessary.

SECTION 16. 16.22 (1) (d) of the statutes, as created by chapter 270, section 58, laws of 1971, is amended by substituting "s. 16.28 (1)" for the reference to "s. 16.28".

SECTION 17. 20.370 (8) (em) of the statutes, as created by chapter 330, laws of 1971, is renumbered 20.370 (7) (em).

SECTION 18. The amendment of 20.866 (1) (u) of the statutes by chapter 215, laws of 1971, was not repealed by chapter 330, laws of 1971. Both amendments stand, except that the reference to "20.370 (8) (em)" inserted by chapter 330, laws of 1971, is changed to "20.370 (7) (em)".

SECTION 19. The amendment of 20.866 (2) (tp) of the statutes by chapters 125 and 215, laws of 1971, were not repealed by chapter 330, laws of 1971. Both amendments stand and the amount appropriated is as stated in chapter 125, laws of 1971, increased by the amount provided in chapter 330, section 4, laws of 1971.

SECTION 20. 20.921 (1) (b) of the statutes, as amended by chapter 270, laws of 1971, is amended by substituting "s. 111.84 (1) (f)" for the reference to "s. 111.84 (2) (f)".

SECTION 21. 29.66 (1) of the statutes, as amended by chapter 304, section 29 (2), laws of 1971, is amended by substituting "precinct" for "ward".

SECTION 22. 36.31 (6) of the statutes, as amended by chapter 213, laws of 1971, is amended by substituting "21" for "18".

SECTION 23. 40.146 (6) of the statutes, as created by chapter 125, laws of 1971, is amended by substituting "16.30 (2)" for the reference to "16.275 (2)".

SECTION 24. 40.16 (3) of the statutes, as amended by chapter 125, laws of 1971, is amended by substituting "16.30 (2) and (2m)" for the reference to "16.275 (2) and (3)".

SECTION 24m. 41.09 (12) of the statutes is created to read:

41.09 (12) Any former employe of the Wisconsin state agencies building corporation who reimburses the fund as provided in s. 41.02 (14) shall receive creditable service for the period of employment covered by such reimbursement.

SECTION 25. 43.24 (3) of the statutes, as created by chapter 152, laws of 1971, and as amended by chapter 211, section 126, laws of 1971, is amended to read:

43.24 (3) Annually, the division shall review the reports and proposed service plans submitted by the public library systems under s. 43.17 (5) for conformity with this chapter and such rules and standards as are applicable. Upon approval, the division shall certify to the department of administration, the amount to which each system is entitled under this section, prorating the amounts to be paid to each system if the appropriation under s. 20.255 (1) (fi) is insufficient to pay the full amount to which each is entitled. Annually on or before ~~August~~ December 1, the department of administration shall pay each system the certified amount from the appropriation under s. 20.255 (1) (fi). The division may reduce state aid payments when any system or any participant thereof fails to meet the requirements of sub. (2).

SECTION 26. 61.189 (1) of the statutes, as amended by chapter 304, laws of 1971, is amended to read:

61.189 (1) Whenever the resident population of any village shall exceed 1,000 as shown by the last federal census or by a census as herein provided for, such village may become a city of the fourth class, and the trustees of such village may at a regular meeting, by a two-thirds vote of the members thereof, by resolution, so determine. Such resolution shall observe the requirements of s. 5.15 (intro.) to (2) for wards, and shall fix the number and boundary of the wards aldermanic districts into which such city shall be divided and fix the time for holding the first city election, which shall not be less than 20 days from the date of such resolution, and shall therein name 3 inspectors and one clerk of election for each ward aldermanic district.

CHAPTER 336

1308

SECTION 27. 62.08 (1) of the statutes, as amended by chapter 304, laws of 1971, is amended by substituting "aldermanic district" for "ward".

SECTION 28. 111.70 (4) (b) of the statutes, as created by chapter 124, laws of 1971, is reenacted.

SECTION 29. 111.93 (1) of the statutes, as created by chapter 270, laws of 1971, is amended by substituting "s. 16.05 (1) (e)" for the reference to "s. 16.24".

SECTION 30. 118.01 (2) of the statutes, as amended by chapter 219, laws of 1971, is amended to read:

118.01 (2) PHYSIOLOGY AND HYGIENE. Physiology and hygiene, sanitation, the effects of controlled substances under ch. 161 and alcohol upon the human system, symptoms of disease and the proper care of the body shall be taught in either the 6th, 7th or 8th grade, but no pupil shall be required to take such instruction if his parents file with the teacher a written objection thereto. Instruction in physiology and hygiene shall be offered in every high school.

SECTION 31. 119.22 (1) of the statutes, as amended by chapters 219 and 307, laws of 1971, is amended to read:

119.22 (1) ELEMENTARY SCHOOLS. Courses in reading, writing, spelling, English, grammar and composition, geography, arithmetic, elements of agriculture and conservation of natural resources, history and civil government of the United States and of Wisconsin, physical education, sanitation, physiology and hygiene, the effects of controlled substances under ch. 161 and alcohol upon the human system, symptoms of disease, proper care of the body and such other subjects as the board determines shall be included in the course of study in elementary schools. If his parent files with the teacher written objection thereto, no pupil is required to take instruction in physiology and hygiene, in the effects of controlled substances and alcohol and in symptoms of disease.

SECTION 32. 139.03 (2m) (tax table, second column, second item) of the statutes, as created by chapter 125, laws of 1971, is amended to read:

More than 2 to and including 4 ~~to and~~

SECTION 33. 161.32 (2) (d) of the statutes is created to read:

161.32 (2) (d) Any person exempted under federal law, or for whom federal registration requirements have been waived.

SECTION 34. 161.475 of the statutes, as created by chapter 219, laws of 1971, is amended to read:

**161.475 TREATMENT OPTION.** Whenever any person pleads guilty to or is found guilty of possession of a controlled substance under s. 161.41 (2r) or (3), the court may, upon request of such person and with the consent of a treatment facility with special inpatient or outpatient programs for the treatment of drug dependent persons, allow the person to enter such treatment programs voluntarily for purposes of treatment and rehabilitation. Treatment shall be for the period the treatment facility feels is necessary and required, but shall not exceed the maximum sentence allowable unless the person consents to such continued treatment. At the end of such necessary and required treatment, with the consent of the court, the person may be released from sentence. If treatment efforts are ineffective or the person ceases to cooperate with treatment reha-

1309

CHAPTER 336

bilitation efforts, the person may be remanded to the court for completion of sentencing.

SECTION 35. 161.54 (3) of the statutes, as created by chapter 219, laws of 1971, is amended by substituting "s. 161.335 (2)" for the reference to "sub. (3)".

SECTION 36. 346.43 (3) of the statutes, as amended by chapter 278, laws of 1971, is amended to read:

346.43 (3) Any person violating s. 346.41 may be required to forfeit not less than \$25 nor more than \$200 ~~or imprisoned not more than 6 months or both~~ for the first offense and may be required to forfeit not less than \$50 nor more than \$500 for the 2nd or subsequent conviction within a year.

SECTION 37. Wherever the figure "21" appears in the following sections of the statutes, the figure "18" is substituted: 6.02, 6.05, 6.15 (2) (a) (affidavit form) and (3) (a) (affidavit form), 6.22 (6), 6.33 (1) and (2) (affidavit form), 6.50 (2) (d), 6.92 (4) and 6.94.