AN ACT to repeal, renumber, renumber and amend, amend, reenact, create and revise various provisions of the statutes and session laws for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of departments, officers and institutions, correcting references, renumbering for better location and arrangement, eliminating duplications and unnecessary provisions, 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. 5.15 (2) (a) of the statutes, as affected by chapter 4, laws of 1981, is amended to read:
5.15 (2) (a) No city electing its common council at large in which the total population is less than 1,000, and no village or town in which the total population according to the most recent federal-decadial census of population is less than 1,000 is required to be divided into wards under this subsection section, but any such city, village or town may divide itself into wards if the creation of wards facilitates the administration of elections and for this purpose may estimate resident population according to the best evidence as provided in par. (b) 7. No village or town located in a county having only one town is required to be divided into wards under this subsection section.

Note: Removes redundant material. "Population" is defined in s. 5.15 (1) (a), as renumbered by chapter 4, laws of 1981, section 2. Chapter 4, laws of 1981, inadvertently substituted "subsection" for "section" in the first sentence and continued the erroneous use in new language in the 2nd sentence. The requirement to divide into wards is in s. 5.15 (1) (a), stats., which is a part of this section, but not this subsection.

SECTION 2. 5.37 (4) of the statutes is amended by substituting "All candidates' names" for "All candidate's names".

Note: Corrects grammar.

SECTION 3. 7.53 (1) of the statutes is amended by substituting "the names of the persons declared by the inspectors to have won nomination or election" for "the persons' names declared to have won nomination or election by the inspectors".

Note: Improves wording.

SECTION 4. 8.25 (title) of the statutes is amended to read:
8.25 (title) Election of state and federal officers.

Note: The title is changed to reflect the content of the section more accurately. The section contains material in sub. (4) (b) which does not relate to the present title of "General elections".

SECTION 5. 10.68 (2) (c) of the statutes, as affected by chapter 354, laws of 1979, section 54, is renumbered 10.70 (2) (c), and 10.68 (2) (c), as shown in the 1977 and in the 1979-80 statutes, stands.

Note: Chapter 354, laws of 1979, section 54, erroneously renumbered s. 10.70 (2) (c) 1 to s. 10.68 (2) (c) instead of to s. 10.70 (2) (c).

SECTION 6. 11.31 (1) (g) (intro.) of the statutes is amended to read:
11.31 (1) (g) (intro.) In any jurisdiction or district, other than a judicial district or circuit, with a population of 500,000 or more according to the most recent federal census covering the entire jurisdiction or district:

Note: Provides clarifying punctuation. The phrase within the punctuation marks was added by chapter 328, laws of 1979.

SECTION 7. The amendments of 15.07 (1) (c) of the statutes by chapters 62 and 94, laws of 1981, were not repealed by chapter 96, laws of 1981. All amendments stand.

Note: There were no conflicts of substance.

SECTION 8. 15.251 (intro.) of the statutes, as affected by chapter 96, laws of 1981, section 66, is amended by substituting "subch. VII of ch. 40" for "subch. VIII of ch. 40".

Note: Corrects cross-reference. Subchapter IX of ch. 40, stats., was renumbered to subch. VII. There is no subch. VIII.


Note: There was no conflict of substance.

SECTION 10. 16.84 (9) of the statutes is amended to read:
16.84 (9) Prepare a Wisconsin state capitol guide book containing information regarding the state capitol, its buildings and grounds, to be sold as near cost as practicable.

NOTE: "Capitol" means the building.

SECTION 11. 20.002 (11) (c) 4 of the statutes, as created by chapter 20, laws of 1981, is amended by substituting "ch. 40" for "chs. 40, 41 and 42".

NOTE: Chapter 96, laws of 1981, repealed chapters 41 and 42 and consolidated the retirement programs into revised chapter 40.

SECTION 12. 20.435 (2) (hx) of the statutes, as created by chapter 20, laws of 1981, is amended by substituting "20.285 (1) (ia)" for "20.285 (2) (ia)".

NOTE: Section 20.435 (2) (hx), stats., deals with receipts of money for services for drivers. Section 20.285 (1) (ia), stats., also created by chapter 20, laws of 1981, deals with services for drivers associated with the state laboratory of hygiene. There is no s. 20.285 (2) (ia), stats.

SECTION 13. 20.505 (3) (a) of the statutes, as affected by chapter 20, laws of 1981, is amended by substituting "finance, for expenses of members of the interstate Indian commission under s. 14.80, and for state" for "finance, and for state".

NOTE: Under s. 14.80 (1), stats., expenses of members of the interstate Indian commission are paid from this appropriation.

SECTION 14. 20.525 (4) (title) of the statutes is amended to read:
20.525 (4) (title) ADVOCACY ACTIVITIES.

NOTE: Chapter 20, laws of 1981, deleted the ombudsman activities from sub. (4) without amending the title.

SECTION 15. 20.865 (1) (j) and (t) of the statutes, as affected by chapter 20, laws of 1981, are amended to read:

20.865 (1) (j) Employer fringe benefit costs; program revenues. From the appropriate program revenue and program revenue-service accounts, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies to pay the cost of state employer contributions under ch. 40, 108, subchs. II and IV of ch. 40, ch. 41 and ss. 42.40 (8), 42.46, 56.21 and 66.191, as determined under s. 20.928.

(t) Employer fringe benefit costs; segregated revenues. From the appropriated segregated funds, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies to pay the cost of state employer contributions under ch. 40, 108, subchs. II and IV of ch. 40, ch. 41 and ss. 42.40 (8), 42.46, 56.21 and 66.191, as determined under s. 20.928.

NOTE: Chapter 96, laws of 1981, repealed chapters 41 and 42, stats., and consolidated the retirement programs into revised chapter 40. See s. 20.865 (1) (d), as amended by chapter 96, laws of 1981, for a similar change. Also corrects typographical error.

SECTION 16. 20.928 (3) of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

20.928 (3) All compensation adjustments for state employees approved by the legislature shall take effect and be earned at the beginning of the pay period closest to July 1 or the date prescribed by law or by the appropriate authority. In the odd-numbered years, payments for such adjustments, including those to be paid from the appropriation under sub. s. 20.865 (1) (cm), (im) and (sm), may not be made prior to enactment of the biennial budget bill.

NOTE: Chapter 20, laws of 1981, renumbered s. 20.865 (6) to be s. 20.928 (3) without conforming this internal cross-reference.
SECTION 17. 29.427 (6) of the statutes is amended by substituting “shall attempt to kill the” for “shall attempt the kill the”.

NOTE: Drafting instructions for chapter 289, laws of 1979, show that the original handwritten instructions for s. 29.427 (6) were “to kill”, not “the kill”.

SECTION 18. 35.18 (3) of the statutes is amended to read:

35.18 (3) (title) NUMBERS AND TITLES OF CHAPTERS AND SECTIONS. All chapters and sections of Wisconsin statutes shall retain their present numbers and titles until changed by the revisor or by statute. Each section shall be designated by a mixed, decimal numbers number, the whole number corresponding to the chapter and the decimal to each the section’s place in the chapter, and the section. The numbers and titles of chapters and sections shall be printed in boldface type. Subsections Each subsection shall be designated by numbers a number, or by a number and a letter of the alphabet, enclosed in parentheses; and paragraphs, by letters. But subchapter, section, subsection and paragraph titles, and history notes constitute no part of the section. Each paragraph shall be designated by a letter or letters enclosed in parentheses. Each subdivision shall be designated by a number or by a number and a letter. Each paragraph of a subdivision shall be designated by a letter or letters.

NOTE: Conforms the language to the present format and organization of the statutes. The provision regarding titles and notes is deleted because it is substantially duplicated in s. 990.001 (6), stats., which is also amended by this bill.

SECTION 19. 36.25 (17) of the statutes is repealed.

NOTE: This repeals a provision which required the board of regents of the university of Wisconsin system to establish a study on wood alcohol and meth- ane and to report to the 1977 legislature.

SECTION 20. 38.04 (9) (title) of the statutes is amended to read:

38.04 (9) (title) TRAINING PROGRAM FOR FIRE FIGHTERS.

NOTE: Changes sex-oriented language.

SECTION 21. 38.04 (9) of the statutes is amended by substituting “council on fire service training” for “council on fire prevention training”.

NOTE: Reflects name change of council by chapter 154, laws of 1969, section 376.

SECTION 22. 39.32 (6) of the statutes is amended by substituting “s. 39.023, 1965 stats.,” for “s. 39.023”.

NOTE: Section 39.023 was repealed by chapter 92, laws of 1967, and last appeared in the 1965 statutes.

SECTION 23. 45.052 (2) of the statutes is amended by substituting “s. 45.057 (5), statutes of 1919 to 1943, is” for “s. 45.057 (5) is”.

NOTE: Section 45.052 (2), stats., confirms the existence of bodies organized under s. 45.057 (5), which first appeared in the 1919 statutes and last appeared in the 1943 statutes. See s. 45.052 (1).

SECTION 24. 48.06 (3) (title) of the statutes is created to read:

48.06 (3) (title) INTAKE SERVICES.

NOTE: All subsections in this section have titles except sub. (3).

SECTION 25. 48.065 (2) (c) of the statutes is repealed.

NOTE: This paragraph gives the juvenile court commissioner the power to “conduct appearances under s. 48.243 (3)”. The appearance under sub. (3) was to inform parties of basic rights. Chapter 300, laws of 1979, amended s. 48.243 (3) by eliminating the appearance and replacing it with verbal notification of basic rights.
SECTION 26. 49.19 (1) (d) of the statutes, as created by chapter 93, laws of 1981, is renumbered 49.19 (1) (e).

NOTE: Chapter 20, laws of 1981, section 819, amended s. 49.19 (1) (c) so as to renumber part of sub. (1) (c) to be sub. (1) (d).

SECTION 27. 49.47 (5) of the statutes is amended to read:

49.47 (5) INVESTIGATION BY DEPARTMENT. The department may make additional investigation of eligibility when:

(a) When there is reasonable ground for belief that an applicant may not be eligible, or that the beneficiary may have received benefits to which the beneficiary is not entitled; or upon

(b) Upon the request of the secretary of the U.S. department of health, education and welfare.

NOTE: Reflects name change and restructures subsection for clarity.

SECTION 28. 49.48 (2) (title) of the statutes is amended to read:

49.48 (2) (title) DUTIES OF DEPARTMENT.

NOTE: The current title “POWERS OF DEPARTMENT” does not reflect the content of the subsection.

SECTION 29. 51.45 (4) (n) of the statutes is amended to read:

51.45 (4) (n) Cooperate with the highway safety coordinator and department of transportation in establishing and conducting programs designed to deal with the problem of persons operating motor vehicles while intoxicated.

NOTE: Chapter 34, laws of 1979, sections 14, 19 to 24, and others, abolished the division of highway safety coordination and the office of highway safety coordinator. The program was transferred to the department of transportation and the secretary.

SECTION 30. 56.16 (title) of the statutes is amended to read:

56.16 (title) Milwaukee county house of correction.

NOTE: This amendment adds “county” to describe text more accurately.

SECTION 31. 56.16 (1) of the statutes is amended by substituting “population is 500,000 or more” for “population is 500,000”.

NOTE: Section 56.16 is entitled “Milwaukee house of correction”. The county board of any county whose population is 500,000 may establish this institution. This corrects the language to add “or more” since no county has a population of exactly 500,000.

SECTION 32. 59.031 (1) of the statutes is amended to read:

59.031 (1) ELECTION AND TERM OF OFFICE. In each county having a population of 500,000 or more, a county executive shall be elected for a term of 4 years at the election to be held on the first Tuesday in April of each year in which county supervisors are elected, and he shall take office on the first Monday in May following his the election. The county executive shall be elected from residents of the county at large by a majority vote of all qualified electors in the county voting in the election. The first election under this section in a county presently (1959) having a population of 500,000 or more shall be held on the first Tuesday in April 1960. In any county which hereafter attains such a population, such of 500,000 or more, the first election under this subsection shall be held on the first Tuesday in April in the year following the official announcement of the federal census.

NOTE: Clarifies and deletes material which no longer has application. “Population” is defined in s. 990.01 (29) to mean that shown by the most recent regular or special federal census.
CHAPTER 314

SECTION 33. 59.84 (2) (a) of the statutes, as affected by chapter 56, laws of 1981, is amended by substituting “(a) “Department” includes all” for “(a) “Department includes” all”.

Note: Corrects punctuation.

SECTION 34. 59.84 (3m) (title) of the statutes is created to read:

59.84 (3m) (title) ACCOUNTING AND BUDGETING PROCEDURE.

Note: Chapter 56, laws of 1981, created the subsection without a title in a section where all other subsections have titles.

SECTION 35. 66.076 (2) of the statutes is amended to read:

66.076 (2) Where payment in whole or in part is to be made by the issue and sale of mortgage bonds or mortgage certificates, such payments shall be made as is provided in s. 66.066, the provisions of which section as the same has been and from time to time may be amended or recreated s. 66.066 which are not inconsistent with this section are made a part of this section except as otherwise inconsistent herewith. The term “public utility” as used in said section as the same has been and from time to time may be amended or recreated s. 66.066 shall for this purpose include the sewerage system, accessories, equipment and other property, including land. Such The mortgage bonds or mortgage certificates shall not constitute a general indebtedness of the municipality but shall be secured only by the sewerage system and its revenue thereof, and the franchise herein provided for in this section.

Note: Section 990.001 (5) (b) provides that references to other sections of the statutes incorporate future changes in those sections unless specifically stated to the contrary.

SECTION 36. 66.191 (1) of the statutes, as affected by chapter 96, laws of 1981, is amended by substituting “under ch. 40” for “under ch. 40 shall”; “injured or contracts” for “injured or contract”; and “service is deemed” for “service shall be deemed”.

Note: The bill drafting file of chapter 96, laws of 1981, shows that the bill was derived from an earlier draft based on the 1977 statutes. Section 66.191 (1), 1977 stats., was repealed and recreated by chapter 221, laws of 1979. Consequently, chapter 96, laws of 1981, erroneously adds the word “shall” and shows the word “contract” instead of “contracts” and “shall be deemed” instead of “is deemed”.

SECTION 37. 66.25 (3) (a) of the statutes is amended by inserting a comma between “extension” and “operation”.

Note: Replaces missing comma.

SECTION 38. 66.365 of the statutes is amended by substituting “s. 147.23 (3)” for “s. 147.23 (4)”.

Note: There is no sub. (4) in s. 147.23. The drafting file of chapter 221, laws of 1979, which created subss. (2) and (3), indicates that what is now sub. (3) was originally drafted as sub. (4). It was eventually renumbered but the cross-reference in s. 66.365 was not conformed.

SECTION 39. 66.407 (8) of the statutes is amended by substituting “office of the secretary of state” for “department of state”.

Note: The reference to a constitutional office is conformed to s. 15.02 (1), stats.

SECTION 40. 66.521 (title) of the statutes is amended to read:

66.521 (title) Industrial development revenue bonding.

Note: The new title reflects the content of the section more accurately. The section currently shares the title “promotion of industry” with s. 66.52.
SECTION 41. 67.12 (12) (c) of the statutes is amended by substituting “outstanding permit payment” for “outstanding permits payment”.

Note: Corrects grammar.

SECTION 42. 70.375 (1) (ag) of the statutes, as created by chapter 86, laws of 1981, is amended by substituting “ores or minerals” for “ores of minerals”.

Note: Corrects an obvious error in the language. “Ores or minerals” is used several times in this definition and many times in surrounding language.

SECTION 43. If the veto of SECTION 1097a of chapter 20, laws of 1981, which creates s. 71.09 (12m), is upheld, s. 71.09 (13) (cm) of the statutes, as created by chapter 20, laws of 1981, is amended by substituting “sub. (7), (11) or (12)” for “sub. (7), (11), (12) or (12m)”.

Note: Deletes cross-reference made inaccurate by a partial veto.

SECTION 44. 71.11 (30) (title) of the statutes is created to read:

71.11 (30) (title) REFUSAL TO FILE; MANDAMUS.

Note: Section 71.11 (30) is renumbered from 71.11 (40m) by this bill. A title is created because the other subsections all have titles.

SECTION 45. 71.11 (40m) of the statutes, as created by chapter 20, laws of 1981, is renumbered 71.11 (30).

Note: This subsection is renumbered for better location. As created, it broke up a series of subsections relating to penalties.

SECTION 46. 71.11 (50) (title) of the statutes is created to read:

71.11 (50) (title) PAYMENTS.

Note: Chapter 20, laws of 1981, created sub. (50) without a title.

SECTION 47. 78.61 of the statutes, as created by chapter 20, laws of 1981, is amended by substituting “a general” for “an general”.

Note: Corrects grammar.

SECTION 48. 79.025 (title) of the statutes is created to read:


Note: Section 79.025 was created by chapter 93, laws of 1981, but is without a title as a result of a veto of the title and much of the contents of the section.

SECTION 49. 79.03 (5) of the statutes, as created by chapter 20, laws of 1981, is amended by substituting “70.996, 1979 stats.,” for “70.996”.

Note: Chapter 20, laws of 1981, repealed s. 70.996. In s. 70.996 (1) (c), 1979 stats., the 1975 manufacturing machinery and equipment aid payment is defined. Furthermore, s. 70.996 (2), 1979 stats., authorizes the department of revenue to make the adjustments and corrections mentioned in s. 79.03 (5).

SECTION 50. 79.035 (title) of the statutes is created to read:

79.035 (title) Amount of payments; reductions.

Note: Section 79.035, stats., was created by chapter 93, laws of 1981, but a partial veto deleted its title and much of the contents of the section.

SECTION 51. 79.10 (2) (c) of the statutes, as affected by chapter 20, laws of 1981, is amended by substituting “1983,” for “1983”.

Note: Adds punctuation.

SECTION 52. 79.175 (title) of the statutes is amended to read:

79.175 (title) Property tax credit corrections.

Note: Changes the title to reflect the content of section.
SECTION 53. 83.013 (1) (a) of the statutes is amended by deleting “the state highway safety coordinator or a designated representative.”.

NOTE: Chapter 34, laws of 1979, sections 14, 19 to 24 and others, deleted the position of highway safety coordinator and transferred the safety program to the department of transportation. This deletes the coordinator from the traffic safety commission of each county. The secretary of transportation still names 3 representatives to each commission, including one representing highway safety.

SECTION 54. 83.013 (1) (c) of the statutes is amended by substituting “department of transportation” for “division of highway safety coordination”.

NOTE: Chapter 34, laws of 1979, sections 14, 19 to 24 and others, deleted the division of highway safety coordination and gave the duties to the secretary of transportation and the department.

SECTION 55. 84.18 (7) (title) and (8) (title) of the statutes are created to read:

84.18 (7) (title) RULES.
(8) (title) EXCEPTIONS.

NOTE: Chapter 20, laws of 1981, created this section with titles to all subsections except subs. (7) and (8).

SECTION 56. 84.40 (2) (intro.) of the statutes is amended by substituting “the department” for “the highway commission”.

NOTE: Chapter 29, laws of 1977, reorganized the department of transportation. In that act, the duties relating to highways formerly done by the highway commission were given to the department.

SECTION 57. 85.095 (2) (b) of the statutes is amended by substituting “department of development” for “department of business development”.

NOTE: See the Note following s. 91.05 (1) in this bill.

SECTION 58. 86.25 (1m) of the statutes is amended by substituting “the department” for “the highway commission”.

NOTE: Chapter 29, laws of 1977, generally gave the duties relating to highways to the department when it deleted the highway commission.

SECTION 59. 91.05 (1) of the statutes is amended by substituting “department of development” for “department of local affairs and development”.

NOTE: Chapter 361, laws of 1979, merged the department of local affairs and development and the department of business development into the new department of development. Section 115 of chapter 361, laws of 1979, transferred matters pending in the department of local affairs and development to the new department, except for matters relating to emergency government and weatherization. Requested by the department.

SECTION 60. 95.72 (7) (b) of the statutes, as created by chapter 66, laws of 1981, is amended by substituting “a farmer” for “farmers”.

NOTE: Improves grammar.

SECTION 61. 96.01 (intro.) of the statutes is amended to read:

96.01 Agricultural marketing act; definitions. (intro.) As used in this section chapter:

NOTE: Chapter 511, laws of 1957, created the agricultural marketing act as s. 100.32. Section 100.32 was substantially renumbered to be chapter 96, stats., by chapter 664, laws of 1961, without changing the reference to “section”.

SECTION 62. 97.42 (3) (d) of the statutes is amended by substituting “where examinations before and after slaughter are required” for “where antemortem and postmortem examinations are required”.

SECTION 63. 101.761 (3) of the statutes, as created by chapter 20, laws of 1981, is amended by substituting “to a particular” for “to particular”.

NOTE: Supplies missing article.

SECTION 64. 102.16 (1) of the statutes, as affected by chapter 92, laws of 1981, is amended by substituting “dependent under” for “department under”.

NOTE: Corrects a typographical error. The drafting record of chapter 92, laws of 1981, clearly shows that the instructions were “dependent under”.

SECTION 65. 102.17 (2m) of the statutes is amended by substituting “subpoena” for “subpoena duces tecum”.

NOTE: Chapter 110, laws of 1979, replaced “subpoena duces tecum” with “subpoena requiring the production of materials”. This is unnecessary in this subsection since the subsection is concerned with that point and the subpoena is on a form provided by the department.

SECTION 66. 115.30 (2) of the statutes is amended by substituting “6 and 18” for “7 and 18”.

NOTE: Chapter 39, laws of 1975, lowered the compulsory age of school attendance from 7 to 6, but failed to change the age in s. 115.30 (2) concerning reports to the department. Requested by the legal counsel of the department of public instruction.

SECTION 67. 115.30 (4) (intro.) of the statutes is amended by substituting “biennial report under s. 15.04 (1) (d)” for “annual report under s. 15.04 (1) (d)”.

NOTE: Section 15.04 (1) (d) requires that each head of an agency shall submit a biennial report, not an annual report. Chapter 154, laws of 1969, section 23m, changed the requirement from an annual to a biennial report. The department is currently filing a biennial report.

SECTION 68. 120.13 (11) (a) of the statutes is amended by substituting “local board of health, the department of health and social services,” for “local and state boards of health”.

NOTE: Chapter 366, laws of 1969, deleted references to the state board of health and replaced them with department of health and social services.

SECTION 69. 120.13 (11) (b) of the statutes is amended by substituting “local board of health and the department of health and social services” for “local and state boards of health”.

NOTE: See NOTE to the preceding section of this bill.

SECTION 70. 127.12 (1) (d) of the statutes is amended by substituting “proportionately” for “pro rata”.

NOTE: Chapter 110, laws of 1979, made this change in existing sections. This section was created later.

SECTION 71. 132.17 of the statutes is amended by substituting “this state” for “the state of Wisconsin”, “the division of emergency government in the department of administration” for “the office of emergency government” and “unless entitled” for “unless he shall be entitled”.

NOTE: This amendment reflects the creation of the division of emergency government by chapter 361, laws of 1979. It also makes language changes for style.

SECTION 72. 133.11 (1) of the statutes is amended by substituting “a subpoena requiring the production of materials” for “subpoena duces tecum”.

Underscored, stricken, and vetoed text may not be searchable.
If you do not see text of the Act, SCROLL DOWN.
CHAPTER 314

SECTION 73. 134.60 (title) of the statutes is amended to read:

134.60 (title) Cutting or transportation of evergreens.

NOTE: Chapter 342, laws of 1979, deleted the reference to “Christmas”, in the text, but did not do so in the title.

SECTION 74. 138.052 (2) (b) (intro.) of the statutes, as affected by chapters 45 and 100, laws of 1981, is amended by substituting “number of payment” for “number payment”.

NOTE: Adds the word “of” to improve grammar. The drafting file shows that the “of” was in early drafts of the bill, but was inadvertently dropped.

SECTION 75. 140.66 (3) of the statutes is amended to read:

140.66 (3) “The secretary” means the secretary of health education and welfare of the U.S. department of health and human services or his a delegate to administer the federal act.

NOTE: Implements name change of U.S. agency.

SECTION 76. 142.07 (1) (b) of the statutes is amended by deleting “Requests for the approval of room rates shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).”.

NOTE: Chapter 20, laws of 1981, renumbered and amended s. 13.101 (5) and (6) so that they no longer relate to requests for supplemental appropriations.

Chapter 20, laws of 1981, deleted similar language in ss. 16.543 (1), 39.28 (4), 46.22 (5m) (c), 49.19 (5) (a), 49.51 (3) (c), 51.42 (8) (j) and 102.75 (3).

SECTION 77. 145.07 (title) of the statutes is amended to read:

145.07 (title) Licenses; examinations.

NOTE: Chapter 60, laws of 1981, deleted the grandfather clauses from the section but did not change the title.

SECTION 78. 145.08 (1) (Lm) and (nm) of the statutes, as created by chapter 20, laws of 1981, are amended by substituting “the date of expiration” for “January 1”.

NOTE: Chapter 60, laws of 1981, section 11, makes this change in all the other paragraphs in this subsection.

SECTION 79. The amendment of 145.135 (1) of the statutes by chapter 34, laws of 1979, sections 993g and 993m, was not repealed by chapter 221, laws of 1979, section 646r. All amendments stand.

NOTE: This validates the action of the revisor under s. 13.93 (2) (c) in merging enactments of the 1979 legislature for the 1979-80 Wisconsin statutes. Chapter 221, laws of 1979, purported to take into account the amendments by chapter 34, laws of 1979, sections 993g and 993m, but failed to delete the words “domestic” and “treatment and disposal” in the first 2 sentences.

SECTION 80. 146.025 of the statutes is repealed.

NOTE: Section 15.197 (3p), concerning the council on infant health screening was repealed by chapter 160, laws of 1977, effective November 1, 1981. This section states the duties of the council.

SECTION 81. 146.60 (2) (a) of the statutes is amended by substituting “ss. 46.21 and 49.16” for “ss. 46.21, 49.16 and 142.05”.

NOTE: Section 146.60 (2) (a), stats., refers to hospitals established under s. 142.05, stats., which, however, does not relate to the establishment of hospitals.
CHAPTER 314

SECTION 82. 161.41 (1) (a) of the statutes is amended by substituting a semicolon for the colon following "both".

Note: This corrects an error in punctuation. Section 161.41 was created by chapter 219, laws of 1971, from the uniform controlled substances act. Section 161.41 (1) (a) is identical with the original act with the addition of penalties. The drafting record does not show any instruction to change the punctuation in par. (a). The error first shows between 2 drafts, both of which are designated LRB-0683/5.

SECTION 83. 165.75 (4) of the statutes is amended to read:
165.75 (4) The operation of the laboratory shall conform to the rules and policies established by the attorney general, who shall be advised by the investigation council.

Note: Chapter 34, laws of 1979, repealed s. 15.257 (1), which created the investigation council.

SECTION 84. 174.06 (1), (4) and (5) of the statutes are amended by substituting "district" for "district or county".

Note: Chapter 90, laws of 1973, deleted references to the county assessor but failed to delete the reference to county. This section requires the listing of dogs which is now done by each town, village and city within its assessment district. None of the listing officials have knowledge of the whole county.

SECTION 85. 182.60 of the statutes is repealed.

Note: This section authorized the Wisconsin federal surplus property development commission to create the Wisconsin federal surplus property development corporation. The commission was abolished by chapter 75, laws of 1967, sec. 6 (2) (b). The corporation was dissolved on March 3, 1978. The section is obsolete.

SECTION 86. 185.72 (3) (a) 2 of the statutes is amended by substituting "cooperative's" for "corporations".

Note: Chapter 418, laws of 1977, repealed and recreated s. 185.72 (3) (a), as created by chapter 29, laws of 1977. Nearly identical language was also used for business corporations in both acts. This amendment corrects the improper use of "corporation" in the involuntary dissolution statute for cooperatives.

SECTION 87. 185.72 (3) (a) 3 of the statutes is amended by substituting "cooperative" for "corporation".

Note: See the Note following s. 185.72 (3) (a) 2 in this bill.

SECTION 88. 221.04 (3) (title) of the statutes is amended to read:
221.04 (3) (title) MEMBERSHIP AND INVESTMENTS IN FEDERAL RESERVE BANK.

Note: Section 221.04 (3) (b), which was concerned with the national credit corporation, was repealed by chapter 245, laws of 1935, section 1.

SECTION 89. 221.04 (3) (a) of the statutes is renumbered 221.04 (3).

Note: Chapter 469, laws of 1935, repealed paragraphs (c) and (d). Paragraph (b) was repealed by chapter 245, laws of 1935.

SECTION 90. 236.26 of the statutes is amended by substituting "recorded, the" for "recorded the".

Note: Adds missing comma.

SECTION 91. 343.085 (1) of the statutes, as amended by chapter 306, laws of 1979, effective January 1, 1982, is amended as of the same date by substituting "issuance of the original" for "issuance the original". 
NOTE: Replaces “of” which was incorrectly removed by chapter 306, laws of 1979.

SECTION 92. 343.305 (9) (b) 1 of the statutes, as created by chapter 20, laws of 1981, section 1568q, is amended effective May 1, 1982, by substituting “convictions under s. 346.63 (1)” for “convictions under s. 343.63 (1)” and “s. 346.63 (2)” for “s. 343.63 (2)”.

NOTE: This corrects a cross-reference error which should be to s. 346.63, concerning operating under the influence of an intoxicant. This section has prohibitions which can result in convictions. Section 343.63 is concerned with examination of applicants for instructor’s licenses, cannot result in convictions and is not related to s. 343.305, concerning refusal to submit to chemical tests. The changes in chapter 20, laws of 1981, to s. 343.305, were part of major changes in the laws concerning operating under the influence. The correct citation is given in several places in the same section. Requested by the department of transportation.

SECTION 93. 343.305 (9) (b) 2 of the statutes, as created by chapter 20, laws of 1981, section 1568q, is amended effective May 1, 1982, by substituting “operator’s privilege” for “operator’s license”.

NOTE: This amendment will make the wording consistent with the language in the remainder of the section. Requested by the department of transportation.

SECTION 94. 343.305 (9) (d) of the statutes, as created by chapter 20, laws of 1981, section 1568q, is amended effective May 1, 1982, by substituting “the person is” for “the persons is”.

NOTE: Corrects a typographical error.

SECTION 95. 343.72 (5) of the statutes is amended by substituting “within 1,500 feet of a department office” for “within 1,500 feet of any motor vehicle department office”.

NOTE: Chapter 500, laws of 1969, removed references to the motor vehicle department which had earlier been replaced by the department of transportation created by chapter 327, laws of 1967.

SECTION 96. 346.655 of the statutes, as created by chapter 20, 1981, is amended by substituting “s. 20.435 (2) (hx)” for “s. 20.435 (2) (hz)”.

NOTE: Section 20.435 (2) (hx), stats., provides that all moneys received under s. 346.655, stats., shall be credited to the appropriation under s. 20.435 (2) (hx), stats.

SECTION 97. 346.70 (1) of the statutes, as shown in the 1979-80 Wisconsin statutes, is amended by substituting “more or total damage” for “more total damage”.

NOTE: Replaces the word “or” which was improperly deleted in entry of chapter 99, laws of 1979.

SECTION 98. 422.202 (2m) (b) of the statutes, as created by chapter 45, laws of 1981, is amended by substituting “except that no charge” for “except that no change”.

NOTE: Corrects a typographical error. The instructions for the Conference Substitute Amendment to 1981 Senate Bill 558 clearly show the word to be “charge”.

SECTION 99. 440.15 of the statutes is repealed.

NOTE: This section, which was created by chapter 34, laws of 1979, states in the text that it does not apply after December 31, 1979.

SECTION 100. 441.11 (5) (title) of the statutes is created to read: 441.11 (5) (title) EXCEPTIONS.

NOTE: All subsections in this section have titles except sub. (5).
CHAPTER 314

SECTION 101. Chapter 443 (title) of the statutes is amended to read:

CHAPTER 443
EXAMINING BOARD OF ARCHITECTS AND,
PROFESSIONAL ENGINEERS, DESIGNERS AND
LAND SURVEYORS

NOTE: Designers and land surveyors were brought into the examining board
by chapter 446, laws of 1969.

SECTION 102. 452.10 (1) of the statutes, as created by chapter 94, laws of 1981, is
amended by substituting “an application” for “application”.

NOTE: Improve grammar.

SECTION 103. 456.09 (1) (e) of the statutes is amended by substituting “violate”
for “violates”.

NOTE: Corrects grammar.

SECTION 104. 551.23 (15) (intro.) of the statutes, as shown by chapter 53, laws of
1981, is amended by substituting “a notice identifying” for “notice identifying”.

NOTE: Corrects a typographical error.

SECTION 105. 551.68 of the statutes is repealed.

NOTE: This repeals a transitional section that was applicable when the Uni-
form Securities Act went into effect in 1970. Approved by the commissioner of
securities.

SECTION 106. 551.69 of the statutes is repealed.

NOTE: This section gives the 1970 effective date of the adoption of the Uni-
form Securities Act. The date is no longer necessary.

SECTION 107. 553.27 (10) of the statutes, as affected by chapter 54, laws of
1981, is amended by substituting “in an action” for “in action”.

NOTE: Improves the grammar of the subsection.

SECTION 108. 553.77 of the statutes is repealed.

NOTE: This repeals a savings clause which was a transitional provision in
chapter 241, laws of 1971, which created this chapter. It is now unnecessary.
Requested by the commissioner of securities.

SECTION 109. 560.06 (1) (f) 2 of the statutes, as affected by chapter 21, laws of
1981, is amended by substituting “servicing such loans” for “serving such loans”.

NOTE: The drafting record shows no attempt to change the word. This re-
tains the word “servicing” as shown in the 1979-80 Wisconsin Statutes.

SECTION 110. 601.31 (1) (s) of the statutes, as created by chapter 20, laws of 1981,
is reenacted.

NOTE: Chapter 20, laws of 1981, repealed and recreated s. 601.31 (1) (s) as
a completely new paragraph concerning a different subject. Chapter 38, laws of
1981, repealed s. 601.31 (1) (s) without reference to chapter 20, laws of 1981.
This reenacts the paragraph.

SECTION 111. 601.415 (intro.) of the statutes is amended by substituting “chs. 600
to 646” for “this code”.

NOTE: Chapter 89, laws of 1979, replaced internal references to codes with
the chapters involved.

SECTION 112. 604.02 (1) (b) of the statutes is amended by substituting a period for
“; and”.

Underscored, stricken, and vetoed text may not be searchable.
If you do not see text of the Act, SCROLL DOWN.
NOTE: Chapter 20, laws of 1981, repealed s. 604.02 (1) (c) without amending par. (b), which now ends the section.

SECTION 113. 611.76 (11) of the statutes is amended by substituting "office of the commissioner of securities" for "department of securities".

NOTE: Corrects reference.

SECTION 114. 616.07 (2) of the statutes is amended to read:

616.07 (2) TERMINATION. A license certificate issued under sub. (1) remains in force until it is revoked after a hearing for a substantial violation of the insurance code chs. 600 to 646.

NOTE: Section 616.07 (1) speaks about issuing the "certificate of authority". There is no reference to a "license". Chapter 89, laws of 1979, changed references to the "code" to the actual chapters covered.

SECTION 115. 618.02 (1) of the statutes is amended by substituting "Directly procured" for "Independently procured".

NOTE: Section 618.02 (1), stats., refers to insurance procured under s. 618.42, stats. Sections 600.01 (1) (b) 6 and 600.03 (15m), stats., refer to insurance "directly procured" under s. 618.42, stats. This change makes the statutes consistent. Requested by the commissioner of insurance.

SECTION 116. 618.42 (title) and (1) (title) of the statutes are amended to read:

618.42 (title) Direct procurement of insurance.

1) (title) PERMITTED DIRECT PROCUREMENT.

NOTE: The section deals with the direct procurement of insurance, except sub. (3) (a), which deals with the placement of insurance.


NOTE: There is no conflict of substance.

SECTION 118. 619.18 (title) of the statutes is amended to read:

619.18 (title) Chapters 600 to 645 applicable.

NOTE: Conforms title to the text.

SECTION 119. 628.02 (1) (b) 6 of the statutes is amended by substituting "loss;" for "loss; or".

NOTE: Chapter 38, laws of 1981, created subd. 8 without changing the previous series of subdvisions.

SECTION 120. 628.02 (1) (b) 7 of the statutes is amended by substituting "indirect; or" for "indirect."

NOTE: Reflects addition of subd. 8 to the paragraph.

SECTION 121. 630.10 of the statutes is amended by substituting "under chs. 600 to 646" for "under any part of this code".

NOTE: Changes the reference to the actual chapters of the insurance laws.

SECTION 122. 632.78 (5) of the statutes, as created by chapter 85, laws of 1981, is renumbered 632.895 (6).

NOTE: Chapter 39, laws of 1981, renumbered most of s. 632.78 to be s. 632.895.

SECTION 123. 632.78 (5) of the statutes, as created by chapter 99, laws of 1981, is renumbered 632.895 (7).
CHAPTER 314

NOTE: Chapter 39, laws of 1981, renumbered the mandatory coverages to be s. 632.895.

SECTION 124. 632.89 (3) of the statutes, as affected by chapter 39, laws of 1981, is amended by substituting “subject to ch. 613” for “subject ch. 613”.

NOTE: Corrects grammar.

SECTION 125. 632.895 (4) of the statutes, as renumbered from 632.91 of the statutes by chapter 39, laws of 1981, section 20, is renumbered 632.895 (5), and 632.895 (5) (b), as renumbered, is amended by deleting “Notification is not furnished.”.

NOTE: Subsection (4) is renumbered because chapter 39, laws of 1981, sections 4 and 20 renumbered 2 different subsections to be s. 632.895 (4). This amendment corrects a typographical error. Subsection (5) (b) was renumbered from s. 632.91 (2), which did not contain the deleted sentence. The drafting instructions do not give an instruction to add this language, but it was included, without being underscored, in the first draft.

SECTION 126. 765.05 of the statutes, as affected by chapter 20, laws of 1981, is amended to read:

765.05 Marriage license; by whom issued. No person may be joined in marriage within this state until a marriage license has been obtained for that purpose from the county clerk of the county in which one of the parties has resided for at least 30 days immediately prior to making application therefor. If both parties are nonresidents of the state, the marriage license may be obtained from the county clerk of the county where the marriage ceremony is to be performed. If one of the persons is a nonresident of the county where the marriage license is to issue, the nonresident’s part of the application may be completed and sworn to (or affirmed) before the person authorized to accept such applications in the county and state in which the nonresident resides. Your marriage license will be issued to you under the provisions of chapter 765 of the Wisconsin statutes. For your information and advice, section 765.001 includes the following provision:

NOTE: The stricken language was shown as stricken in Assembly Amendment 18 to Senate Amendment 125 to 1981 Assembly Bill 66, which passed, but was not in the final enrolled bill that passed.

SECTION 127. 767.455 (5) of the statutes is amended by substituting a period for the comma following “you have been sued”.

NOTE: Corrects punctuation.

SECTION 128. 776.37 (title) of the statutes is amended to read:

776.37 (title) Attorney general to bring action to annul; refusal.

NOTE: The title is amended to represent the section more clearly and to remove a personal pronoun.

SECTION 129. 807.01 (4) of the statutes is amended by substituting “by a party” for “by the party” and “at the annual rate of 12%” for “at the rate of 12% per annum”.

NOTE: The substitution of “a” for “the” corrects a typographical error in enrolling. Chapter 110, laws of 1979, replaced “annum” in a large number of sections.

SECTION 130. 808.04 (2) (a) of the statutes is amended by substituting “accounts), 186.29 (5)” for “accounts), 182.60 (10) (b) (special economic improvement districts), 186.29 (5)”.

NOTE: This bill repeals s. 182.60 (10) (b), stats., because it is obsolete.

SECTION 131. 840.02 (title) of the statutes is amended to read:

840.02 (title) Chapters applicable.
NOTE: Chapter 89, laws of 1979, eliminated references to “Title” within the section. This changes the section title to correspond.

SECTION 132. 844.05 (1) of the statutes is amended by substituting “the purchaser takes” for “he takes” and “doing any of” for “doing either of”.

NOTE: Removes masculine pronoun and corrects grammatical error.

SECTION 133. 880.251 (title) of the statutes is amended to read:

880.251 (title) Removal of guardian.

NOTE: Sections 880.251 and 880.252 have the same title. This title is changed to reflect more accurately the contents of the section.

SECTION 134. 893.18 (2) (c) of the statutes is amended by substituting “less than life” for “less than his natural life”.

NOTE: Deletes unnecessary words.

SECTION 135. 893.26 (4) (b) of the statutes is amended by substituting a semicolon for the colon following “inclosure”.

NOTE: Corrects punctuation.

SECTION 136. 895.46 (1) (d) and (e) of the statutes are renumbered laws of 1979, chapter 74, sections 3 and 4, respectively, and sections 3 (intro.) and 2 and 4, as renumbered, are amended to read:

(Laws of 1979, chapter 74) Section 3. (intro.) The legislative council shall study the provisions of par. section 895.46 (1) (b) and (c) of the statutes and hold public hearings and collect information relating to payments for judgments against county sheriffs. The council shall evaluate the provisions considering the following information:

(2) The number and amounts of judgments being made under par. section 895.46 (1) (b) of the statutes.

Section 4. The legislative council shall conduct the study under par. (d) SECTION 3 and make findings and recommendations, including proposed legislation if appropriate, to the legislature when it convenes in 1983.

NOTE: Removes material from the statutes providing for a one-time study by the legislative council.

SECTION 137. 940.09 (1) (intro.) of the statutes, as created by chapter 20, laws of 1981, effective May 1, 1982, is amended as of that date to read:

940.09 (1) (intro.) Any person who does either of the following is guilty of a Class D felony:

NOTE: Corrects grammatical error.

SECTION 138. 949.06 (1) a, b, c, d and e of the statutes, as created by chapter 20, laws of 1981, are renumbered 949.06 (1) (a), (b), (c), (d) and (e), respectively.

NOTE: Corrects numbering to conform with statutory system.

SECTION 139. 949.06 (4) (a) of the statutes, as created by chapter 20, laws of 1981, is amended by substituting “is prosecuted” for “in prosecuted”.

NOTE: Corrects a typographical error. The drafting instructions show that the word should be “is”.

SECTION 140. 990.001 (6) of the statutes is amended to read:

990.001 (6) (title) Statute titles and history notes. The titles to subchapters, sections, subsections and paragraphs and subdivisions of the statutes and history notes are not part of the statutes.
CHAPTER 314

NOTE: Conforms the language to the present statutory organization. The provision regarding history notes is relocated from s. 35.18 (3), stats., which is also amended by this bill.

SECTION 141. Laws of 1977, chapter 133, section 38 is amended to read:

(Laws of 1977, chapter 133) Section 38. Application to Virgin Islands. The treatment of section 108.02 (5) (dm) (intro.) and 1, (dn) (intro.) and (do) 2 of the statutes by this act shall apply with respect to employment beginning January 1 of the year following the year in which the U.S. secretary of labor approves the unemployment compensation law of the Virgin Islands under section 3304 (a) of the internal revenue code of 1954, 1978. The treatment of section 108.141 (1) (j) 3 of the statutes by this act shall take effect on the day after the day on which the U.S. secretary of labor approves the unemployment compensation law of the Virgin Islands under section 3304 (a) of the internal revenue code of 1954 January 1, 1978.

NOTE: The U.S. secretary of labor approved the unemployment compensation law of the Virgin Islands under section 3304 (a) of the internal revenue code of 1954 on December 31, 1977.


NOTE: Corrects a typographical error.

SECTION 143. Laws of 1981, chapter 20, section 2204 (51) (n) is amended by substituting “2201 (20) (f)” for “2201 (20) (t)”.

NOTE: Section 2204 (51) (n) relates to drunk driving. Section 2201 (20) (f) of chapter 20, laws of 1981, relates to a program responsibility of the department of health and social services relating to the establishment of a drunk driver treatment program. There is no s. 2201 (20) (t) in chapter 20, laws of 1981.

SECTION 144. Terminology changes.

(1) Wherever the term “the juvenile court” appears in the following section of the statutes, the term “the court assigned to exercise jurisdiction under ch. 48” is substituted: 51.35 (3) (a), (b) and (c).

NOTE: Chapter 449, laws of 1977, changed the name of the juvenile court.

(2) Wherever the term “the insurance code” appears in the following section of the statutes, the term “chs. 600 to 646” is substituted: 616.09 (1) (a) 1 and (2) (a).

(3) Wherever the term “U.S. department of health, education and welfare” appears in the following sections of the statutes, the term “U.S. department of health and human services” is substituted: 49.177 (1), 49.47 (8), 51.61 (1) (j), 95.21 (2) (b), 140.90 (1) (e) and 231.01 (2).

(4) Wherever the term “secretary of health, education and welfare” appears in the following section of the statutes, the term “secretary of the U.S. department of health and human services” is substituted: 46.03 (28).

SECTION 145. Program responsibility changes. In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

(1) DEPARTMENT OF ADMINISTRATION.

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<tr>
<th>Statute Sections</th>
<th>References Deleted</th>
<th>References Inserted</th>
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<td>15.101 (intro.)</td>
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(25) INDUSTRY, LABOR AND HUMAN RELATIONS.

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<td>70.111 (18)</td>
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(32) JUSTICE.
**SECTION 146. Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

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