

as created by 2003 Wisconsin Act 280

1 SECTION 94. 299.85 (7) (b) (intro.) of the statutes is amended to read:

2 299.85 (7) (b) (intro.) Notwithstanding par. (a), this state may at any time begin
3 a civil action to collect a forfeiture not limited in amount under par. (a) 2. or 4. for a
4 violation if any of the following apply applies:

NOTE: Corrects grammar.

5 SECTION 95. 301.45 (1g) (intro.) of the statutes is amended to read:

6 301.45 (1g) WHO IS COVERED. (intro.) Except as provided in ~~sub.~~ subs. (1m) and
7 (1p), a person shall comply with the reporting requirements under this section if he
8 or she meets one or more of the following criteria:

NOTE: 2003 Wis. Act 50 created s. 301.45 (1p) "Exception to registration
requirement; expungement of invasion of privacy adjudication or conviction," but the
exception was not added as an exception to the general rule, stated in s. 301.45 (1g), in
accordance with current drafting style.

9 SECTION 96. 343.12 (7) (c) 6. of the statutes is amended to read:

10 343.12 (7) (c) 6. Felony battery under s. 940.19 (2), (3), (4), (5), or (6).

NOTE: 2001 Wis. Act 109 repealed s. 940.19 (3).

11 SECTION 97. 343.16 (1) (b) 3. (intro.) of the statutes is amended to read:

12 343.16 (1) (b) 3. (intro.) At least annually, the department shall conduct an
13 on-site inspection of the 3rd-party tester to determine compliance with the contract
14 and with department and federal standards for testing applicants for commercial
15 driver licenses and with department standards for testing applicants for school bus
16 endorsements. At least annually, the department shall also evaluate testing given
17 by the ~~3rd-party~~ 3rd party by one of the following means:

NOTE: Corrects spelling.

18 SECTION 98. 401.202 of the statutes is amended to read:

19 401.202 Prima facie evidence by ~~third~~ 3rd party documents. A
20 document in due form purporting to be a bill of lading, policy or certificate of

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1 insurance, official weigher's or inspector's certificate, consular invoice, or any other
2 document authorized or required by the contract to be issued by a ~~third~~ 3rd party
3 shall be prima facie evidence of its own authenticity and genuineness and of the facts
4 stated in the document by the ~~third~~ 3rd party.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

5 **SECTION 99.** 402.107 (3) of the statutes is amended to read:

6 402.107 (3) The provisions of this section are subject to any ~~third party~~
7 3rd-party rights provided by the law relating to realty records, and the contract for
8 sale may be executed and recorded as a document transferring an interest in land
9 and shall then constitute notice to ~~third~~ 3rd parties of the buyer's rights under the
10 contract for sale.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

11 **SECTION 100.** 402.305 (1) (c) of the statutes is amended to read:

12 402.305 (1) (c) The price is to be fixed in terms of some agreed market or other
13 standard as set or recorded by a ~~third~~ 3rd person or agency and it is not so set or
14 recorded.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

15 **SECTION 101.** 402.312 (2) and (3) of the statutes are amended to read:

16 402.312 (2) A warranty under sub. (1) will be excluded or modified only by
17 specific language or by circumstances which give the buyer reason to know that the
18 person selling does not claim title in himself or herself or that the person selling is
19 purporting to sell only such right or title as the person selling or a ~~third~~ 3rd person
20 may have.

21 (3) Unless otherwise agreed a seller who is a merchant regularly dealing in
22 goods of the kind warrants that the goods shall be delivered free of the rightful claim

1 of any ~~third~~ 3rd person by way of infringement or the like but a buyer who furnishes
2 specifications to the seller must hold the seller harmless against any such claim
3 which arises out of compliance with the specifications.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

4 **SECTION 102.** 402.401 (intro.) of the statutes is amended to read:

5 **402.401 Passing of title; reservation for security; limited application**
6 **of this section.** (intro.) Each provision of this chapter with regard to the rights,

7 obligations, and remedies of the seller, the buyer, purchasers, or other ~~third~~ 3rd
8 parties applies irrespective of title to the goods except where the provision refers to
9 such title. Insofar as situations are not covered by the other provisions of this chapter
10 and matters concerning title become material the following rules apply:

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

11 **SECTION 103.** 402.503 (4) (b) of the statutes is amended to read:

12 402.503 (4) (b) Tender to the buyer of a nonnegotiable document of title or of
13 a written direction to the bailee to deliver is sufficient tender unless the buyer
14 seasonably objects, and receipt by the bailee of notification of the buyer's rights fixes
15 those rights as against the bailee and all ~~third~~ 3rd persons; but risk of loss of the
16 goods and of any failure by the bailee to honor the nonnegotiable document of title
17 or to obey the direction remains on the seller until the buyer has had a reasonable
18 time to present the document or direction, and a refusal by the bailee to honor the
19 document or to obey the direction defeats the tender.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

20 **SECTION 104.** 402.515 (2) of the statutes is amended to read:

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Handwritten scribbles and lines on the left margin.

③ Note: The revisor's note does not mention the addition of the comma that occurs in this section - OK? CTS

1 402.515 (2) The parties may agree to a ~~third~~ 3rd party inspection or survey to
2 determine the conformity or condition of the goods and may agree that the findings
3 shall be binding upon them in any subsequent litigation or adjustment.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

4 **SECTION 105.** 402.722 (intro.) and (1) of the statutes ^{are} ~~is~~ amended to read:

5 **402.722 Who can sue ~~third~~ 3rd parties for injury to goods.** (intro.) ^e Where
6 a ~~third~~ 3rd party so deals with goods which have been identified to a contract for sale
7 as to cause actionable injury to a party to that contract:

8 (1) A right of action against the ~~third~~ 3rd party is in either party to the contract
9 for sale who has title to or a security interest or a special property or an insurable
10 interest in the goods; and if the goods have been destroyed or converted a right of
11 action is also in the party who either bore the risk of loss under the contract for sale
12 or has since the injury assumed that risk as against the other [^] _^

NOTE: Makes spelling consistent with current style and the majority of statutes.

*** Note: I added the punctuation mark that was omitted at the end of sub.(1). CJS

13 **SECTION 106.** 407.502 (2) of the statutes is amended to read:

14 407.502 (2) Subject to s. 407.503, title and rights so acquired are not defeated
15 by any stoppage of the goods represented by the document or by surrender of such
16 goods by the bailee, and are not impaired even though the negotiation or any prior
17 negotiation constituted a breach of duty or even though any person has been
18 deprived of possession of the document by misrepresentation, fraud, accident,
19 mistake, duress, loss, theft or conversion, or even though a previous sale or other
20 transfer of the goods or document has been made to a ~~third~~ 3rd person.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

21 **SECTION 107.** 551.23 (19) (c) 1. (intro.) of the statutes is amended to read:

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1 551.23 (19) (c) 1. (intro.) Unless the cause for disqualification is waived under
 2 subd. 2., no exemption under par. (a) is available for the securities of an issuer unless
 3 the issuer did not know and in the exercise of reasonable care could not have known
 4 that any of the following ~~apply~~ applies to any of the persons described in 17 CFR
 5 230.262 (a), (b), or (c):

NOTE: Corrects grammar. ✓

6 **SECTION 108.** 560.768 (3) (a) (intro.) of the statutes is amended to read:

7 560.768 (3) (a) (intro.) The department may reduce a limit established under
 8 sub. (1) or (2) if the department determines that any of the following ~~apply~~ applies:

NOTE: Corrects grammar. ✓

9 **SECTION 109.** 560.78 (2) (intro.) of the statutes is amended to read:

10 560.78 (2) (intro.) Subsection (1) does not apply if, after a hearing, the
 11 department, or the local governing body under sub. (3) (a), determines that any of the
 12 following ~~apply~~ applies:

NOTE: Corrects grammar. ✓

13 **SECTION 110.** 605.24 (3) (title) of the statutes is amended to read:

14 605.24 (3) (title) RIGHT OVER AGAINST ~~THIRD~~ 3RD PERSONS. ✓

NOTE: Makes spelling consistent with current style and the majority of statutes.

15 **SECTION 111.** 645.41 (3) of the statutes is amended to read:

16 645.41 (3) That the insurer is engaging in a systematic practice of reaching
 17 settlements with and obtaining releases from policyholders or ~~third party~~ 3rd-party
 18 claimants and then unreasonably delaying payment of or failing to pay the agreed
 19 upon settlements;

NOTE: Corrects spelling and makes word form consistent with current style and the majority of statutes. ✓

20 **SECTION 112.** 645.54 (3) (b) of the statutes is amended to read:

1 645.54 (3) (b) *When liens are superior.* A lien obtainable by legal or equitable
 2 proceedings could become superior to the rights of a transferee, or a purchaser could
 3 obtain rights superior to the rights of a transferee within the meaning of sub. (2), if
 4 such consequences would follow only from the lien or purchase itself, or from the lien
 5 or purchase followed by any step wholly within the control of the respective
 6 lienholder or purchaser, with or without the aid of ministerial action by public
 7 officials. Such a lien could not, however, become superior and such a purchase could
 8 not create superior rights for the purpose of sub. (2) through any acts subsequent to
 9 the obtaining of such a lien or subsequent to such a purchase which require the
 10 agreement or concurrence of any ~~third~~ 3rd party or which require any further judicial
 11 action, or ruling.

NOTE: Makes spelling consistent with current style and the majority of statutes.

12 **SECTION 113.** 645.62 (1) (a) 7. of the statutes is amended to read:
 13 645.62 (1) (a) 7. In the case of any ~~3rd party~~ 3rd-party claim based on a liability
 14 policy issued by the insurer, a conditional release of the insured pursuant to s. 645.64
 15 (1).

NOTE: Corrects spelling.

16 **SECTION 114.** 645.64 (title) and (1) of the statutes are amended to read:
 17 **645.64 (title) Special provisions for ~~third~~ 3rd party claims.** (1) THIRD
 18 PARTY'S CLAIM. Whenever any ~~third~~ 3rd party asserts a cause of action against an
 19 insured of an insurer in liquidation, the ~~third~~ 3rd party may file a claim with the
 20 liquidator. The filing of the claim shall release the insured's liability to the ~~third~~ 3rd
 21 party on that cause of action in the amount of the applicable policy limit, but the
 22 liquidator shall also insert in any form used for the filing of ~~third party~~ 3rd-party

1 claims appropriate language to constitute such a release. The release shall be void
2 if the insurance coverage is avoided by the liquidator.

NOTE: Corrects spelling and makes word form consistent with current style and the majority of statutes.

→ ~~***~~ NOTE: See my change to treatment of ~~the~~ section title. CJS

3 SECTION 115. 645.64 (4) of the statutes is amended to read:

4 645.64 (4) MULTIPLE CLAIMS. If several claims founded upon one policy are filed,
5 whether by ~~third~~ 3rd parties or as claims by the insured under this section, and the
6 aggregate allowed amount of the claims to which the same limit of liability in the
7 policy is applicable exceeds that limit, each claim as allowed shall be reduced in the
8 same proportion so that the total equals the policy limit. Claims by the insured shall
9 be evaluated as in sub. (3). If any insured's claim is subsequently reduced under sub.
10 (3), the amount thus freed shall be apportioned ratably among the claims ~~which~~ that
11 have been reduced under this subsection.

NOTE: Makes spelling consistent with current style and the majority of statutes.

~~NOTE: Should something be added to the revisor's note to address the change from "which" to "that" CJS~~

12 SECTION 116. 645.68 (3) of the statutes is amended to read:

13 645.68 (3) LOSS CLAIMS. All claims under policies for losses incurred, including
14 ~~third party~~ 3rd-party claims and federal, state, and local government claims, except
15 the first \$200 of losses otherwise payable to any claimant under this subsection other
16 than the federal government. All claims under life insurance and annuity policies,
17 whether for death proceeds, annuity proceeds, or investment values, shall be treated
18 as loss claims. Claims may not be cumulated by assignment to avoid application of
19 the \$200 deductible provision.

NOTE: Corrects spelling and makes word form consistent with current style and the majority of statutes.

20 SECTION 117. 645.72 (1) of the statutes is amended to read:

1 645.72 (1) PAYMENTS TO CREDITORS. Subject to ch. 646 and under the direction
 2 of the court, the liquidator shall pay dividends as promptly as possible to security
 3 funds under sub. (2) and to other creditors in a manner that will assure the proper
 4 recognition of priorities and a reasonable balance between the expeditious
 5 completion of the liquidation and the protection of unliquidated and undetermined
 6 claims, including ~~3rd party~~ 3rd-party claims. Distribution of assets in kind may be
 7 made at valuations set by agreement between the liquidator and the creditor and
 8 approved by the court.

NOTE: Corrects spelling.

9 **SECTION 118.** 646.13 (1) (b) of the statutes is amended to read:

10 646.13 (1) (b) Stand in the position of the insurer in the investigation,
 11 compromise, settlement, denial, and payment of claims under s. 646.31 and the
 12 defense of ~~3rd party~~ 3rd-party claims against insureds, subject to the limitations of
 13 s. 645.43. The fund shall consult and cooperate with the liquidator in carrying out
 14 these duties.

NOTE: Corrects spelling.

15 **SECTION 119.** 646.31 (2) (d) of the statutes is amended to read:

16 646.31 (2) (d) ~~Third party~~ Third-party claimants. A claim under a liability or
 17 workers' compensation insurance policy, if either the insured or the ~~3rd party~~
 18 3rd-party claimant was a resident of this state at the time of the insured event.

NOTE: Corrects spelling.

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19 **SECTION 120.** 700.215 (title) of the statutes is amended to read:

20 **700.215 (title) Exception for equitable rights of cotenants and ~~third~~ 3rd** ✓
 21 **persons.**

NOTE: Makes spelling consistent with current style and the majority of statutes.

22 **SECTION 121.** 700.40 (4) (intro.) of the statutes is amended to read:

1 700.40 (4) VALIDITY OF CONSERVATION EASEMENT. (intro.) A conservation
2 easement is valid even though any of the following ~~apply~~ applies:

NOTE: Corrects grammar.

3 **SECTION 122.** 701.19 (11) of the statutes is amended to read:

4 701.19 (11) PROTECTION OF ~~THIRD~~ 3RD PARTIES. With respect to a ~~third~~ 3rd person
5 dealing with a trustee or assisting a trustee in the conduct of a transaction, the
6 existence of trust power and its proper exercise by the trustee may be assumed
7 without inquiry. The ~~third~~ 3rd person is not bound to inquire whether the trustee
8 has power to act or is properly exercising the power; and a ~~third~~ 3rd person, without
9 actual knowledge that the trustee is exceeding the trustee's powers or improperly
10 exercising them, is fully protected in dealing with the trustee as if the trustee
11 possessed and properly exercised the powers the trustee purports to exercise. A ~~third~~
12 3rd person is not bound to assure the proper application of trust property paid or
13 delivered to the trustee.

NOTE: Makes spelling consistent with current style and the majority of statutes.

14 **SECTION 123.** 702.05 (3) (title) of the statutes is amended to read:

15 702.05 (3) (title) CONSENT OF ~~THIRD~~ 3RD PERSONS.

NOTE: Makes spelling consistent with current style and the majority of statutes.

16 **SECTION 124.** 704.05 (5) (c) (title) of the statutes is amended to read:

17 704.05 (5) (c) (title) *Rights of ~~third~~ 3rd persons.*

NOTE: Makes spelling consistent with current style and the majority of statutes.

18 **SECTION 125.** 767.25 (4m) (e) 1. of the statutes is amended to read:

19 767.25 (4m) (e) 1. If a parent who has been ordered by a court to provide
20 coverage of the health care expenses of a child who is eligible for medical assistance
21 under subch. IV of ch. 49 receives payment from a 3rd party for the cost of services
22 provided to the child but does not pay the health care provider for the services or

1 reimburse the department or any other person who paid for the services on behalf
2 of the child, the department may obtain a judgment against the parent for the
3 amount of the ~~3rd party~~ 3rd-party payment. ✓

NOTE: Corrects spelling.

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4 **SECTION 126.** 802.01 (1) of the statutes is amended to read:

5 802.01 (1) PLEADINGS. There shall be a complaint and an answer; a reply to a
6 counterclaim denominated as such; an answer to a cross-claim, if the answer
7 contains a cross-claim; a ~~third-party~~ 3rd-party complaint, if a person who was not
8 an original party is summoned under s. 803.05, and a ~~third-party~~ 3rd-party answer,
9 if a ~~third-party~~ 3rd-party complaint is served. No other pleading shall be allowed,
10 except that the court may order a further pleading to a reply or to any answer.

NOTE: Makes spelling consistent with current style and the majority of statutes.

11 **SECTION 127.** 802.08 (1) of the statutes is amended to read:

12 802.08 (1) AVAILABILITY. A party may, within 8 months of the filing of a
13 summons and complaint or within the time set in a scheduling order under s. 802.10,
14 move for summary judgment on any claim, counterclaim, cross-claim, or ~~3rd party~~
15 3rd-party claim which is asserted by or against the party. Amendment of pleadings
16 is allowed as in cases where objection or defense is made by motion to dismiss.

NOTE: Corrects spelling.

17 **SECTION 128.** 803.02 (1) of the statutes is amended to read:

18 803.02 (1) A party asserting a claim to relief as an original claim, counterclaim,
19 cross-claim, or ~~3rd party~~ 3rd-party claim, may join, either as independent or as
20 alternate claims, as many claims, legal or equitable, as the party has against an
21 opposing party.

NOTE: Corrects spelling.

22 **SECTION 129.** 803.03 (2) (b) 3. of the statutes is amended to read:

1 803.03 (2) (b) 3. Except as provided in par. (bm), if the party joined chooses to
2 have his or her interest represented by the party who caused the joinder, the party
3 joined shall sign a written waiver of the right to participate that shall express
4 consent to be bound by the judgment in the action. The waiver shall become binding
5 when filed with the court, but a party may withdraw the waiver upon timely motion
6 to the judge to whom the case has been assigned with notice to the other parties. A
7 party who represents the interest of another party and who obtains a judgment
8 favorable to the other party may be awarded reasonable ~~attorneys~~ attorney fees by
9 the court.

NOTE: Makes spelling consistent with current style and the majority of statutes.

10 **SECTION 130.** 803.05 (1) of the statutes is amended to read:

11 803.05 (1) At any time after commencement of the action, a defending party,
12 as a ~~third-party~~ 3rd-party plaintiff, may cause a summons and complaint to be
13 served upon a person not a party to the action who is or may be liable to the defending
14 party for all or part of the plaintiff's claim against the defending party, or who is a
15 necessary party under s. 803.03. The ~~third-party~~ 3rd-party plaintiff need not obtain
16 leave to implead if he or she serves the ~~third-party~~ 3rd-party summons and
17 ~~third-party~~ 3rd-party complaint not later than 6 months after the summons and
18 complaint are filed or the time set in a scheduling order under s. 802.10; thereafter,
19 the ~~third-party~~ 3rd-party plaintiff must obtain leave on motion upon notice to all
20 parties to the action. The person served with the summons and ~~third-party~~
21 3rd-party complaint, hereinafter called the ~~third-party~~ 3rd-party defendant, shall
22 make defenses to the ~~third-party~~ 3rd-party plaintiff's claim as provided in s. 802.06
23 and counterclaims against the ~~third-party~~ 3rd-party plaintiff and cross-claims
24 against any other defendant as provided in s. 802.07. The ~~third-party~~ 3rd-party

1 defendant may assert against the plaintiff any defenses which the ~~third-party~~
 2 ~~3rd-party~~ plaintiff has to the plaintiff's claim. The ~~third-party~~ ~~3rd-party~~ defendant
 3 may also assert any claim against the plaintiff if the claim is based upon the same
 4 transaction, occurrence or series of transactions or occurrences as is the plaintiff's
 5 claim against the ~~third-party~~ ~~3rd-party~~ plaintiff. The plaintiff may assert any claim
 6 against the ~~third-party~~ ~~3rd-party~~ defendant if the claim is based upon the same
 7 transaction, occurrence or series of transactions or occurrences as is the plaintiff's
 8 claim against the ~~third-party~~ ~~3rd-party~~ plaintiff, and the ~~third-party~~ ~~3rd-party~~
 9 defendant thereupon shall assert defenses as provided in s. 802.06 and
 10 counterclaims and cross-claims as provided in s. 802.07.

NOTE: Makes spelling consistent with current style and the majority of statutes.

~~PLEASE NOTE THE REVISIONS DO NOT MENTION THE~~

11 **SECTION 131.** 804.05 (3) (b) 5. of the statutes is amended to read:
 12 804.05 (3) (b) 5. In this subsection, the terms "defendant" and "plaintiff"
 13 include officers, directors, and managing agents of corporate defendants and
 14 corporate plaintiffs, or other persons designated under sub. (2) (e), as appropriate.
 15 A defendant who asserts a counterclaim or a cross-claim shall not be considered a
 16 plaintiff within the meaning of this subsection, but a ~~3rd-party~~ ~~3rd-party~~ plaintiff
 17 under s. 803.05 (1) shall be so considered with respect to the ~~3rd-party~~ ~~3rd-party~~
 18 defendant.

NOTE: Corrects spelling.

~~PLEASE NOTE: The revisor's note does not mention the newly added~~
~~serial comma - OK. Would you want to mention serial commas in the~~
~~analysis? C-35~~

19 **SECTION 132.** 805.04 (3) of the statutes is amended to read:
 20 805.04 (3) COUNTERCLAIM, CROSS-CLAIM, AND ~~3RD-PARTY~~ ~~3RD-PARTY~~ CLAIM. This
 21 section applies to the voluntary dismissal of any counterclaim, cross-claim, or ~~3rd~~
 22 party ~~3rd-party~~ claim. A voluntary dismissal by the claimant alone shall be made

1 before a responsive pleading is served, or if there is none, before the introduction of
2 evidence at the trial or hearing.

NOTE: Corrects spelling.

3 **SECTION 133.** 805.05 (2) of the statutes is amended to read:

4 805.05 (2) SEPARATE TRIALS. The court, in furtherance of convenience or to avoid
5 prejudice, or when separate trials will be conducive to expedition or economy, or
6 pursuant to s. 803.04 (2) (b), may order a separate trial of any claim, cross-claim,
7 counterclaim, or ~~3rd party~~ 3rd-party claim, or of any number of claims, always
8 preserving inviolate the right of trial in the mode to which the parties are entitled.

NOTE: Corrects spelling.

9 **SECTION 134.** 805.07 (2) (b) of the statutes is amended to read:

10 805.07 (2) (b) Notice of a ~~third-party~~ 3rd-party subpoena issued for discovery
11 purposes shall be provided to all parties at least 10 days before the scheduled
12 deposition in order to preserve their right to object. If a ~~third-party~~ 3rd-party
13 subpoena requests the production of books, papers, documents, or tangible things
14 that are within the scope of discovery under s. 804.01 (2) (a), those objects shall not
15 be provided before the time and date specified in the subpoena. The provisions under
16 this paragraph apply unless all of the parties otherwise agree.

NOTE: Makes spelling consistent with current style and the majority of statutes.

17 **SECTION 135.** 805.14 (9) of the statutes is amended to read:

18 805.14 (9) INVOLUNTARY DISMISSAL OF COUNTERCLAIM, CROSS-CLAIM, OR ~~3RD PARTY~~
19 3RD-PARTY CLAIM. This section applies to counterclaims, cross-claims, and ~~3rd party~~
20 3rd-party claims.

NOTE: Corrects spelling.

21 **SECTION 136.** 809.80 (3) (b) 2. of the statutes is amended to read:

1 809.80 (3) (b) 2. Delivered to a ~~third-party~~ 3rd-party commercial carrier for
2 delivery to the clerk within 3 calendar days.

NOTE: Makes spelling consistent with current style and the majority of statutes.

3 **SECTION 137.** 809.80 (4) (a) of the statutes is amended to read:

4 809.80 (4) (a) When a brief or appendix is filed by mail or commercial carrier
5 in accordance with s. 809.80 (3) (b), the attorney or person filing the document shall
6 append a certification or affidavit setting forth the date and manner by which the
7 document was mailed or delivered to a ~~third-party~~ 3rd-party commercial carrier.

NOTE: Makes spelling consistent with current style and the majority of statutes.

8 **SECTION 138.** 810.11 of the statutes is amended to read:

9 **810.11 (title) Claims of ~~third~~ 3rd parties; indemnity to officer.** If the
10 property taken is claimed by a 3rd person, the 3rd person may make application to
11 the judge or judicial officer under ss. 810.02 and 810.03 for an order directing that
12 the 3rd person be given delivery of the property so claimed. Any person having
13 possession of the property may move the court to vacate or modify the order directing
14 delivery to the ~~3rd party~~ 3rd-party claimant, or post bond in the same manner
15 provided for the defendant.

NOTE: Makes spelling consistent with current style and the majority of statutes.

16 **SECTION 139.** 822.07 (7) of the statutes is amended to read:

17 822.07 (7) If it appears to the court that it is clearly an inappropriate forum it
18 may require the party who commenced the proceedings to pay, in addition to the costs
19 of the proceedings in this state, necessary travel and other expenses, including
20 ~~attorneys'~~ attorney fees, incurred by other parties or their witnesses. Payment is to
21 be made to the clerk of the court for remittance to the proper party.

NOTE: Makes spelling consistent with current style and the majority of statutes.

22 **SECTION 140.** 822.08 (3) of the statutes is amended to read:

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1 822.08 (3) In appropriate cases a court dismissing a petition under this section
2 may charge the petitioner with necessary travel and other expenses, including
3 attorneys' attorney fees, incurred by other parties or their witnesses.

NOTE: Makes spelling consistent with current style and the majority of statutes.

4 **SECTION 141.** 822.15 (2) of the statutes is amended to read:

5 822.15 (2) A person violating a custody decree of another state which makes
6 it necessary to enforce the decree in this state may be required to pay necessary
7 travel and other expenses, including attorneys' attorney fees, incurred by the party
8 entitled to the custody or his or her witnesses.

NOTE: Makes spelling consistent with current style and the majority of statutes.

9 **SECTION 142.** 880.75 (2) of the statutes is amended to read:

10 880.75 (2) SECURITY TRANSACTIONS INVOLVING MINORS; LIABILITY. A bank, broker,
11 issuer, ~~third~~ 3rd party, or transfer agent incurs no liability by reason of his or her
12 treating a minor as having capacity to transfer a security, to receive or to empower
13 others to receive dividends, interest, principal, or other payments or distributions,
14 to vote or give consent in person or by proxy, or to make elections or exercise rights
15 relating to the security, unless prior to acting in the transaction the bank, broker,
16 issuer, ~~third~~ 3rd party, or transfer agent had received written notice in the office
17 acting in the transaction that the specific security is held by a minor or unless an
18 individual conducting the transaction for the bank, broker, issuer, ~~third~~ 3rd party,
19 or transfer agent had actual knowledge of the minority of the holder of the security.
20 Except as otherwise provided in this section, such a bank, broker, issuer, ~~third~~ 3rd
21 party, or transfer agent may assume without inquiry that the holder of a security is
22 not a minor.

NOTE: Makes spelling consistent with current style and the majority of statutes.

1 **SECTION 143.** 880.75 (3) of the statutes is amended to read:

2 880.75 (3) ACTS OF MINORS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE. A minor,
3 who has transferred a security, received or empowered others to receive dividends,
4 interest, principal, or other payments or distributions, voted or given consent in
5 person or by proxy, or made an election or exercised rights relating to the security,
6 has no right thereafter, as against a bank, broker, issuer, ~~third~~ 3rd party, or transfer
7 agent to disaffirm or avoid the transaction, unless prior to acting in the transaction
8 the bank, broker, issuer, ~~third~~ 3rd party, or transfer agent against whom the
9 transaction is sought to be disaffirmed or avoided had received notice in the office
10 acting in the transaction that the specific security is held by a minor or unless an
11 individual conducting the transaction for the bank, broker, issuer, ~~third~~ 3rd party,
12 or transfer agent had actual knowledge of the minority of the holder.

NOTE: Makes spelling consistent with current style and the majority of statutes.

13 **SECTION 144.** 880.76 (2) of the statutes is amended to read:

14 880.76 (2) SECURITY TRANSACTIONS INVOLVING INCOMPETENT OR SPENDTHRIFT;
15 LIABILITY. A bank, broker, issuer, ~~third~~ 3rd party, or transfer agent incurs no liability
16 by reason of his or her treating an incompetent or spendthrift as having capacity to
17 transfer a security, to receive or to empower others to receive dividends, interest,
18 principal, or other payments or distributions, to vote or give consent in person or by
19 proxy, or to make elections or exercise rights relating to the security, unless prior to
20 acting in the transaction the bank, broker, issuer, ~~third~~ 3rd party, or transfer agent
21 had received written notice in the office acting in the transaction that the specific
22 security is held by a person who has been adjudicated an incompetent or a
23 spendthrift or unless an individual conducting the transaction for the bank, broker,
24 issuer, ~~third~~ 3rd party, or transfer agent had actual knowledge that the holder of the

1 security is a person who has been adjudicated an incompetent or a spendthrift, or
2 actual knowledge of filing of lis pendens as provided in s. 880.215. Except as
3 otherwise provided in this section, such a bank, broker, issuer, ~~third~~ 3rd party, or
4 transfer agent may assume without inquiry that the holder of a security is not an
5 incompetent or spendthrift.

NOTE: Makes spelling consistent with current style and the majority of statutes.

6 **SECTION 145.** 880.76 (3) of the statutes is amended to read:

7 **880.76 (3) ACTS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE.** An incompetent
8 or spendthrift, who has transferred a security, received or empowered others to
9 receive dividends, interest, principal, or other payments or distributions, voted or
10 given consent in person or by proxy, or made an election or exercised rights relating
11 to the security, has no right thereafter, as against a bank, broker, issuer, ~~third~~ 3rd
12 party, or transfer agent to disaffirm or avoid the transaction, unless prior to acting
13 in the transaction the bank, broker, issuer, ~~third~~ 3rd party, or transfer agent against
14 whom the transaction is sought to be disaffirmed or avoided had received notice in
15 the office acting in the transaction that the specific security is held by a person who
16 has been adjudicated an incompetent or a spendthrift or unless an individual
17 conducting the transaction for the bank, broker, issuer, ~~third~~ 3rd party, or transfer
18 agent had actual knowledge that the holder is a person who has been adjudicated an
19 incompetent or a spendthrift, or actual knowledge of filing of lis pendens as provided
20 in s. 880.215.

NOTE: Makes spelling consistent with current style and the majority of statutes.

21 **SECTION 146.** 880.86 (title) of the statutes is amended to read:

22 **880.86 (title) Exemption of ~~third~~ 3rd person from liability.**

NOTE: Makes spelling consistent with current style and the majority of statutes.

1 SECTION 147. 880.865 (title) of the statutes is amended to read:

2 880.865 (title) Liability to ~~third~~ 3rd person.

NOTE: Makes spelling consistent with current style and the majority of statutes.

3 SECTION 148. 895.58 (3) of the statutes is amended to read:

4 895.58 (3) Special waste, when used in a public works project, is exempt from
5 regulation as solid waste under ch. 289 if all of the applicable conditions included in
6 the list ~~complied~~ compiled under sub. (2) are met. ✓

NOTE: Corrects spelling. The change has been made in the printed volumes.

7 SECTION 149. 905.06 (4) of the statutes is amended to read:

8 905.06 (4) EXCEPTIONS. There is no privilege under this section concerning
9 observations or information that a member of the clergy, as defined in s. ~~49.981~~
10 48.981 (1) (cx), is required to report as suspected or threatened child abuse under s.
11 48.981 (2) (bm). ✓

NOTE: Inserts correct cross-reference. "Member of the clergy" is defined at s. 48.981 (1) (cx). ✓

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12 SECTION 150. 939.48 (4) of the statutes is amended to read:

13 939.48 (4) A person is privileged to defend a ~~third~~ 3rd person from real or apparent
14 unlawful interference by another under the same conditions and by the same means
15 as those under and by which the person is privileged to defend himself or herself from
16 real or apparent unlawful interference, provided that the person reasonably believes
17 that the facts are such that the ~~third~~ 3rd person would be privileged to act in
18 self-defense and that the person's intervention is necessary for the protection of the
19 ~~third~~ 3rd person.

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NOTE: Makes spelling consistent with current style and the majority of statutes.

20 ***** NOTE: I changed "third" to "3rd" in the first line of this subsection. CJS

INS P

1 942.01 (1) Whoever with intent to defame communicates any defamatory
2 matter to a ~~third~~ 3rd person without the consent of the person defamed is guilty of
3 a Class A misdemeanor.

4 **SECTION 152.** 943.212 (2) (b) 2. of the statutes is amended to read:

5 943.212 (2) (b) 2. Attorneys Attorney fees under s. 799.25 for actions
6 commenced under ch. 799.

NOTE: Makes spelling consistent with current style and the majority of statutes. ✓

7 **SECTION 153.** 973.195 (1r) (d) of the statutes is amended to read:

8 973.195 (1r) (d) If the sentence for which the inmate ~~seek's~~ seeks adjustment
9 is for an ~~offense~~ under s. 940.225 (2) or (3), 948.02 (2), or 948.08 and the district
10 attorney does not object to the petition within 10 days of receiving notice under par.
11 (c), the district attorney shall notify the the victim, as defined under s. 950.02 (4), of
12 the inmate's petition. The notice to the victim shall include information on the
13 sentence adjustment petition process under this subsection, including information
14 on how to object to the inmate's petition. If the victim objects to adjustment of the
15 inmate's sentence within 45 days of the date on which the district attorney received
16 notice under par. (c), the court shall deny the inmate's petition.

NOTE: Corrects spelling.

17 **SECTION 154.** 2003 Wisconsin Act 327, section 30, is amended by replacing
18 "196.204 (5) (ar) 2. of the statutes, as created by 2003 Wisconsin Act 278, is amended
19 to read:" with "196.204 (5) (ar) 2. (intro.) of the statutes, as created by 2003 Wisconsin
20 Act 278, is amended to read:".

NOTE: This provision only affected s. 196.204 (5) (ar) 2. (intro.).

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SECTION 1. 6.47 (5) (a) 1. of the statutes is amended to read:
6.47 (5) (a) 1. The clerk receives notification from a sheriff or chief of police under sub. (8) (10).
NOTE: There is no notification procedure under s. 6.47 (8). Section 6.47 (10) provides for notice from a sheriff or chief of police to a municipal clerk.

SECTION 2. 192.71 of the statutes is amended to read:
192.71 Lands may be sold; proceedings if terms of grant not complied with. Any railroad corporation upon which any lands granted to this state shall have been conferred to aid in the construction of any railroad may sell, assign and transfer the lands so conferred upon it or any portion thereof to any other railroad corporation which shall by law have the right to construct a railroad along and upon the line or any portion of the line upon which such lands are applicable under the grant of this state, upon such terms and conditions as it shall fix; provided, that the corporation receiving such lands shall be bound to construct the part of the line of railroad, to aid in the construction of which the lands were granted to this state, to which the assigned lands are applicable according to the terms of the grant by congress, and to comply fully with all conditions and requirements contained in the act in and by which the state conferred said lands upon said corporation. The terms and conditions of every such transfer shall be embodied in an agreement in writing, which shall be recorded with the department of financial institutions; and provided further, that no such transfer or assignment shall be of any force or effect until two-thirds of the full-paid stockholders of the corporation making the same shall have assented in writing thereto and until such assent shall have been filed with the

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1 department of financial institutions. Whenever any grant of lands shall have been
 2 or shall hereafter be made to any corporation to aid in the construction of a railroad
 3 upon condition that such road or any portion thereof shall be completed within the
 4 period of time or times fixed or limited by the act or acts making such grant or grants
 5 or by any act or acts amendatory thereof, and such corporation shall have failed or
 6 shall hereafter fail to complete such railroad or any part or portions thereof within
 7 the time or times fixed or limited by such act or acts, it shall be the duty of the
 8 attorney general of the state to immediately institute, if the legislature shall not
 9 have revoked said grant, proceedings against such corporation in the supreme court
 10 of the state to ascertain judicially the facts in the premises, and if it shall appear that
 11 such corporation has failed to complete its railway or any portion thereof within the
 12 time limited by said act or acts, or has otherwise committed a breach of the condition
 13 or conditions upon which said grant was conferred upon it, or of the requirements of
 14 said act, judgment shall be entered in behalf of the state forfeiting, vacating and
 15 setting aside such grant or grants and annulling all rights and interest of such
 16 corporation in and to all lands granted to it and not fully earned and restoring such
 17 lands to the state, and such corporation shall thereafter be barred and foreclosed of
 18 all rights and interests in or to the lands so adjudged to be forfeited and restored to
 19 the state, and of all right to in any manner thereafter acquire the same.

NOTE: The first comma ^{inserted} ~~inserted~~ reinserts a comma contained in this provision as created by Chapter 160, Laws of 1872, as codified as section ~~1878~~ ^{that was} in the Revised Statutes of ~~1858~~ ^{was}, and as amended by Chapter 266, Laws of 1882, but dropped from Section 1858 without legislative action in the Annotated Statutes of 1898. The second comma inserted reinserts a comma contained in Chapter 160, Laws of 1872 ^{but was} by dropped from Chapter 266, Laws of 1882 without apparent reason.

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→ *** NOTE: I made some changes to the revisor's note. Please review. CJS

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2 **SECTION 1.** 66.0713 (3) of the statutes is amended to read:
3 **66.0713 (3) GENERAL OBLIGATION-LOCAL IMPROVEMENT BONDS.** For the purpose
4 of anticipating the collection of special assessments payable in installments as
5 provided in s. ~~66.0621~~ 66.0715 (3) and after the installments have been determined,
6 the governing body may issue general obligation-local improvement bonds under s.
7 67.16.

NOTE: Section 66.0715 relates to the payment of special assessments in installments. Section 66.0621 relates to revenue obligations and contains no provision relating to special assessments. 1999 Wisconsin Act 150 renumbered s. 66.0713 (3) from s. 66.54 (9) (a) and amended the above amended cross-reference from "this section" to s. 66.0621 (3). Act 150 also renumbered and amended s. 66.54 (10), changing the identical cross-reference to "special assessments payable in installments" from "this section" to s. 66.0715 (3). Prior to Act 150, special assessments payable in installments were provided for under s. 66.54 (7), which was renumbered to s. 66.0715 (3) by Act 150 and there is no indication that the cross-reference in the former 66.54 (9) should have been treated differently than that in s. 66.54 (10).

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8 **SECTION 2.** 67.16 (2) (a) of the statutes is amended to read:
9 **67.16 (2) (a)** For the purpose of anticipating the collection of special
10 assessments payable in installments under s. ~~66.0621~~ 66.0715 (3), the governing
11 body of a local governmental unit, after the installments have been determined, may
12 issue general obligation-local improvement bonds under this section.

NOTE: Section 66.0715 relates to the payment of special assessments in installments. Section 66.0621 relates to revenue obligations and contains no provision relating to special assessments. 1999 Wisconsin Act 150 renumbered s. 66.0713 (3) from s. 66.54 (9) (a) and amended a cross-reference from "special assessments payable in installments under this section" to "special assessments payable in installments under s. 66.0621 (3)." 1999 Wisconsin Act 150 also created s. 67.16 (2) (a) with language paralleling s. 66.54 (9) (a) and renumbered s. 66.54 (9) (b) and (c) to 67.16 (2) (b) and (c). Act 150 also renumbered and amended s. 66.54 (10), changing the identical cross-reference to "special assessments payable in installments" from "this section" to s. 66.0715 (3). Prior to Act 150, special assessments payable in installments were provided for under s. 66.54 (9)(a), which was renumbered to s. 66.0715 (3) by Act 150. There is no indication that the cross-reference in the former 66.54 (9) or the new s. 67.16 should have been treated differently than that in s. 66.54 (10).

66.54(7)

→ ~~***~~ NOTE: See my changes to the note: CJS

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SECTION 1. 15.105 (28) of the statutes is amended to read:

15.105 (28) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an information technology management board that is attached to the department of administration under s. 15.03. The board shall consist of the governor, the cochairpersons of the joint committee on information policy and technology or a member of the legislature from the same house as a cochairperson designated by that cochairperson, one member of the minority party in each house of the legislature, appointed in the same manner as members of standing committees are appointed, ~~the secretary of administration,~~ 2 heads of departments or independent agencies appointed to serve at the pleasure of the governor, 2 other members appointed to serve for 4-year terms, and the secretary of administration or his or her designee.

NOTE: 2003 Wis. Act 33 renumbered s. 15.215 (1) to s. 15.105 (28) and amended it by replacing "chief information officer" with "secretary of administration or his or her designee." The subsection already included the secretary of administration. "(Or his or her designee) is retained consistnet with the treatment of s. 15.07 (2) (L) by 2003 Act 33, which provides: "The governor shall serve as chairperson of the information technology management board and the secretary of administration or his or her designee shall serve as secretary of that board."

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④ ~~***~~ NOTE: See my change (2- veterans rather than veterans' to qualify a veterans-related noun). CJS

1 SECTION 3. The second 45.20 (3) (b) of the statutes, as created by 2005
2 Wisconsin Act 22, which is titled "Limitations," is renumbered 45.20 (3) (c).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 22 repealed and recreated all of ch. 45, which resulted in the creation of 2 provisions numbered s. 45.20 (3) (c).

3 SECTION 4. 86.03 (7) (title) of the statutes is created to read:

4 86.03 (7) (title) CUTTING OF VETERANS MEMORIAL TREES; PENALTY.

NOTE: All other subsections of s. 86.03 have titles.

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5 SECTION 5. 460.05 (1) (e) of the statutes, as created by 2005 Wisconsin Act 22,
6 is amended to read:

7 460.05 (1) (e) 1. Graduated from a school of massage therapy or bodywork
8 approved by the educational approval board under s. 39.90 or completed a training
9 program approved by the department under the rules promulgated under s. 460.04
10 (2) (b).

NOTE: Inserts missing article.

11 SECTION 6. 822.07 (3) (c) of the statutes is amended to read:

12 822.07 (3) (c) (c) If substantial evidence concerning the child's present or future
13 care, protection, training, and personal relationships is more readily available in
14 another state;

NOTE: Corrects punctuation.

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15 SECTION 7. 938.34 (4h) (a) of the statutes is amended to read:

16 938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated
17 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,
18 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), 943.32
19 (2), 948.02 (1), 948.025 (1), or 948.30 (2) or the juvenile is 10 years of age or over and
20 has been adjudicated delinquent for attempting or committing a violation of s. 940.01
21 or for committing a violation of s. 940.02 or 940.05.

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NOTE: Inserts missing "s"

SECTION 8. 205 Wisconsin Act 22, section 48 is amended by replacing "45.356 (9)

(a) and (b)" with "45.356 (9) (a) or (b)".

NOTE: Corrects stricken text.

SECTION 9. 205 Wisconsin Act 22, section 95 is amended by replacing "the

Wisconsin Veterans Home at King and the nursing care facility" with "the Wisconsin Veterans

Home at King or to the nursing care facility".

NOTE: Corrects stricken text.

SECTION 10. 205 Wisconsin Act 22, section 98 is amended by replacing "in the

Wisconsin Veterans Home at King and the nursing care facility" with "in the Wisconsin Veterans

Home at King and in the nursing care facility".

NOTE: Corrects stricken text.

SECTION 11. 205 Wisconsin Act 22, section 102 is amended by replacing

"chiropractic examining board, and board of nursing" with "chiropractic examining board,

and board of nursing".

NOTE: The comma was inserted without being underscored. The change was intended.

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1 medical or protective placement facility. The person making placement shall prepare
 2 a statement at the time of detention providing specific factual information
 3 concerning the person's observations and the basis for emergency placement. The
 4 statement shall be filed with the director of the facility and shall also be filed with
 5 any petition under sub. (2). At the time of placement the individual shall be informed
 6 by the director of the facility or the director's designee, both orally and in writing, of
 7 his or her right to contact an attorney and a member of his or her immediate family
 8 and the right to have an attorney provided at public expense, as provided under s.
 9 967.06 and ch. 977, if the individual is a child or is indigent. The director or designee
 10 shall also provide the individual with a copy of the statement by the person making
 11 emergency placement.

NOTE: Inserts comma.

→ **** NOTE: I added a comma after the first word of this provision to set off the comma added in the bill. CJS*

SECTION 9. 75.63 (1) (a) 2. of the statutes is amended to read:

13 75.63 (1) (a) 2. All legal charges for assessing and collecting the taxes described
 14 in subd. 1, and interest thereon at the rate of 8% per year from the January 15 in each
 15 year during which the the lands were assessed, commencing with the January
 16 following the first assessment after the sale.

NOTE: Deletes repeated word.

SECTION 10. 101.9204 (1) (g) of the statutes is amended to read:

18 101.9204 (1) (g) If the manufactured home is a used manufactured home that
 19 was last previously titled in another jurisdiction, the applicant shall furnish any
 20 certificate of ownership issued by the other jurisdiction and a statement, in the form
 21 prescribed by the the department, pertaining to the title history and ownership of the
 22 manufactured home.

NOTE: Deletes repeated word.

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SECTION 1. 21.78 (4) of the statutes, as created by 2005 Wisconsin Act 22, is amended to read:

21.78 (4) If the leave of absence under sub. (1) is granted to an elected or appointed official or employee and the official or employee has begun service in the U.S. armed forces, a temporary vacancy exists and a successor may be appointed to fill the unexpired term of the official or employee, or until the official or employee returns and files an election to resume the office if the date of the filing is prior to the expiration of the term. The appointment shall be made in the manner provided for the filling of vacancies caused by death, resignation, or otherwise, except that no election need be held to fill a temporary vacancy. The appointee has all the powers, duties, liabilities, and responsibilities and shall be paid and receive the compensation and other benefits of the office or position, unless otherwise provided by the governing body. Within 40 days after the termination of service in the U.S. armed forces, the elected or appointed official or employee, upon filing with the clerk of the governmental unit, a statement under oath of termination and that the official or employee elects to resume the office or position, may resume the office or position for the remainder of the term for which elected or appointed. The person temporarily filling the vacancy shall cease to hold the office on the date of the filing.

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NOTE: Inserts missing article

SECTION 2. The second 45.20 (1) (a) 3. of the statutes, as created by 2005 Wisconsin Act 22, which defines "tuition," is renumbered 45.20 (1) (a) 4.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 22 repealed and recreated all of ch. 45, which resulted in the creation of 2 provisions numbered s. 45.20 (1) (a) 3.

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1 **SECTION 1.** 15.07 (2) (L) of the statutes is amended to read:
2 15.07 (2) (L) The governor shall serve as chairperson of the information
3 technology management board and the the secretary of administration or his or her
4 designee shall serve as secretary of that board.

NOTE: Deletes repeated word.

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5 **SECTION 2.** 19.36 (8) (a) 2. of the statutes is amended to read:
6 19.36 (8) (a) 2. "Law enforcement agency" has the the meaning given in s.
7 165.83 (1) (b), and includes the department of corrections.

NOTE: Deletes repeated word.

8 **SECTION 3.** 20.505 (1) (ge) of the statutes is amended to read:
9 20.505 (1) (ge) *High-voltage transmission line annual impact fee distributions.*
10 All moneys received from the payment of fees under the rules promulgated under s.
11 16.969 (2) (a) for distributions to te towns, villages and cities under s. 16.969 (3) (a).

NOTE: Deletes repeated word.

12 **SECTION 4.** 23.325 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
13 is amended to read:

14 23.325 (1) (a) Shall consult with the the department of transportation and the
15 state cartographer, and may consult with other potential users of the photographic
16 products resulting from the survey, to determine the scope and character of the
17 survey.

NOTE: Deletes repeated word.

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18 **SECTION 5.** 29.229 (2) (intro.) of the statutes is amended to read:
19 29.229 (2) AUTHORIZATION FOR ISSUANCE. (intro.) The band may issue one or
20 more types of fishing approvals that are equivalent to one or more of the the following

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1 types of approvals by authorizing the same types of fishing by the same persons and
2 in the same bodies of water:

NOTE: Deletes repeated word.

3 **SECTION 6.** 30.207 (1m) of the statutes is amended to read:

4 30.207 (1m) OPTIONAL AREA. In addition to the the Wolf River and Fox River
5 basin area, the secretary may designate another area of the state in which general
6 permits may be issued under this section. If the secretary designates an area under
7 this subsection, the secretary shall do so within 6 months after the effective date of
8 the first permit issued for the Wolf River and Fox River basin area.

NOTE: Deletes repeated word.

9 **SECTION 7.** 45.79 (13) of the statutes is amended to read:

10 45.79 (13) REPAYMENT OF LOAN. Any money appropriated or transferred by law
11 from the veterans mortgage loan repayment fund for purposes other than those
12 listed in sub. (7), other than moneys made temporarily available to other funds under
13 s. 20.002 (11), shall be repaid from the general fund with interest at a rate of 5% per
14 year from the the date of the appropriation or transfer to the date of repayment.

NOTE: Deletes repeated word.

15 **SECTION 8.** 55.06 (11) (a) of the statutes is amended to read:

16 55.06 (11) (a) If from personal observation of a sheriff, police officer, fire fighter,
17 guardian, if any, or ³ authorized representative of a board designated under s. 55.02
18 or an agency designated by it, it appears probable that an individual will suffer
19 irreparable injury or death or will present a substantial risk of serious physical harm
20 to others as a result of developmental disabilities, infirmities of aging, chronic
21 mental illness or other like incapacities if not immediately placed, the person making
22 the observation may take into custody and transport the individual to an appropriate

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1 SECTION 11. 103.56 (4) of the statutes is amended to read:

2 103.56 (4) A temporary restraining order issued under sub. (3) shall be effective
3 for no longer than 5 days and, at the expiration of the 5-day period, shall become void
4 and not subject to renewal or extension, except that if the hearing for a temporary
5 injunction s begins before the expiration of the the 5-day period the restraining order
6 may in the court's discretion be continued until a decision is reached on the issuance
7 of the temporary injunction.

NOTE: Deletes repeated word.

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8 SECTION 12. 108.09 (4) (c) of the statutes is amended to read:

9 108.09 (4) (c) *Late appeal.* If a party files an appeal which is not timely, an
10 appeal tribunal shall review the appellant's written reasons for filing the late appeal.
11 If those reasons, when taken as true and construed most favorably to the appellant,
12 do not constitute a reason beyond the appellant's control, the appeal tribunal may
13 dismiss the appeal without a hearing and issue a decision accordingly. Otherwise,
14 the department may schedule a hearing concerning the question of whether the the
15 appeal was filed late for a reason that was beyond the appellant's control. The
16 department may also provisionally schedule a hearing concerning any matter in the
17 determination being appealed. After hearing testimony on the late appeal question,
18 the appeal tribunal shall issue a decision which makes ultimate findings of fact and
19 conclusions of law concerning whether the the appellant's appeal was filed late for
20 a reason that was beyond the appellant's control and which, in accordance with those
21 findings and conclusions, either dismisses the appeal or determines that the appeal
22 was filed late for a reason that was beyond the appellant's control. If the appeal is
23 not dismissed, the same or another appeal tribunal established by the department



1 for this purpose, after conducting a hearing, shall then issue a decision under sub.
 2 (3) (b) concerning any matter in the determination.

NOTE: Deletes repeated word.

3 **SECTION 13.** 108.16 (8) (b) 2. of the statutes is amended to read:

4 108.16 (8) (b) 2. The transfer included at least 25% of the transferor's total
 5 business as measured by comparing the payroll experience assignable to the the
 6 portion of the business transferred with the transferor's total payroll experience for
 7 the last 4 completed quarters immediately preceding the date of the transfer.

NOTE: Deletes repeated word.

8 **SECTION 14.** ~~281.36~~ (2) (b) 2. of the statutes is amended to read:

9 281.36 (2) (b) 2. For purposes of subd. 1., the department shall initially
 10 determine whether a complete application has been submitted and, no later than 30
 11 days after the application is submitted, notify the applicant in writing about the
 12 initial determination of completeness. If the department determines that the
 13 application is incomplete, the notice shall state the reason for the determination and
 14 the specific items of information necessary to make the application complete. An
 15 applicant may supplement and resubmit an application that the department has
 16 determined to be incomplete. There is no limit on the number of times that an
 17 applicant may resubmit an application that the department has determined to be
 18 incomplete under this subdivision. The department may not demand items of
 19 information that are not specified in the notice as a condition for determining
 20 whether the application is complete unless both the department and the applicant
 21 agree or unless the applicant makes material additions or alterations to the project
 22 for which the the application has been submitted.

NOTE: Deletes repeated word.

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SECTION 15. 299.83 (5) (c) 1. b. of the statutes is amended to read:

299.83 (5) (c) 1. b. Determined by the department to be appropriate to the nature, scale, and environmental impacts of the applicant's operations related to ~~to~~ each covered facility or activity.

NOTE: Deletes repeated word.

SECTION 16. 346.70 (4) (i) 1. of the statutes is amended to read:

346.70 (4) (i) 1. As soon as practicable, contact the diplomatic security command center of the office of foreign missions, diplomatic motor vehicle office, within the ~~the~~ federal department of state, to verify the status and immunity, if any, of the driver claiming diplomatic immunity.

NOTE: Deletes repeated word.

SECTION 17. 404.203 of the statutes is amended to read:

404.203 Effect of instructions. Subject to ~~to~~ s. 403.420 concerning conversion of instruments and to s. 403.206 concerning restrictive endorsements, only a collecting bank's transferor can give instructions that affect the bank or constitute notice to it and a collecting bank is not liable to prior parties for any action taken pursuant to the instructions or in accordance with any agreement with its transferor.

NOTE: Deletes repeated word.

SECTION 18. 646.35 (8) (d) (intro.) of the statutes is amended to read:

646.35 (8) (d) (intro.) If the fund transfers its obligations to another insurer and the fund and other insurer agree, unless the ~~the~~ fund has previously expressly determined in writing that it will not exercise an election under par. (b), the other insurer succeeds to the rights and obligations of the fund under pars. (b) and (c),

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1 regardless of whether the fund has exercised an election under par. (b). If the other
2 insurer succeeds to the fund's rights and obligations under pars. (b) and (c):

NOTE: Deletes repeated word.

3 SECTION 19. 778.30 (2) (a) 1. of the statutes is amended to read:

4 778.30 (2) (a) 1. Upon entry of the assignment under sub. (1) (b), unless the
5 court finds that income withholding is likely to cause the defendant irreparable
6 harm, the clerk of circuit court shall provide notice of the assignment by regular mail
7 to the last-known address of the person from whom the defendant receives or will
8 receive money. If the clerk of circuit court does not receive the money from the person
9 notified, the the clerk of circuit court shall provide notice of the assignment to any
10 other person from whom the defendant receives or will receive money. Notice of an
11 assignment under sub. (1) (b) shall inform the intended recipient that, if a prior
12 assignment under sub. (1) (b) has been received relating to the same defendant, the
13 recipient is required to notify the clerk of circuit court that sent the subsequent notice
14 of assignment that another assignment has already been received. A notice of
15 assignment shall include a form permitting the recipient to designate on the form
16 that another assignment has already been received.

NOTE: Deletes repeated word.

17 SECTION 20. 940.25 (1m) (a) of the statutes is amended to read:

18 940.25 (1m) (a) A person may be charged with and a prosecutor may proceed
19 upon an information based upon a violation of any combination of sub. (1) (a), (am),
20 or (b); any any combination of sub. (1) (a), (am), or (bm); any combination of sub. (1)
21 (c), (cm), or (d); any combination of or sub. (1) (c), (cm), or (e) for acts arising out of
22 the same incident or occurrence.

NOTE: Deletes repeated word.

→ *** NOTE: I think ~~that~~ that "any combination of or"
should be changed to "~~any~~ or any combination of". As
written, the sentence is not quite right. CJS

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1 **SECTION 21.** 973.195 (1r) (d) of the statutes is amended to read:
 2 973.195 (1r) (d) If the sentence for which the inmate ~~seek's~~ seeks adjustment
 3 is for an offense under s. 940.225 (2) or (3), 948.02 (2), or 948.08 and the district
 4 attorney does not object to the petition within 10 days of receiving notice under par.
 5 (c), the district attorney shall notify the ~~the~~ victim, as defined under s. 950.02 (4), of
 6 the inmate's petition. The notice to the victim shall include information on the
 7 sentence adjustment petition process under this subsection, including information
 8 on how to object to the inmate's petition. If the victim objects to adjustment of the
 9 inmate's sentence within 45 days of the date on which the district attorney received
 10 notice under par. (c), the court shall deny the inmate's petition.

NOTE: Deletes repeated word and corrects spelling.

11 **SECTION 22.** 980.101 (3) of the statutes is amended to read:
 12 980.101 (3) An appeal may be taken from an ~~an~~ order entered under sub. (2)
 13 as from a final judgment.

NOTE: Deletes repeated word.

14 **SECTION 23. Effective date.**
 15 (1) The treatment of sections ~~23.325~~^{23.325} (1) (a) of the statutes takes effect on July
 16 1, 2005.

17 → ~~AAAA~~ NOTE: Effective date provision can be removed since July 1 has passed - OK? ~~ITMS~~
 If it is retained, it has to be put into proper format (I will take care of this). CJS

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