



2009 ASSEMBLY BILL 570

November 10, 2009 - Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Rules.

1 **AN ACT relating to:** amending and revising various provisions of the statutes for
2 the purpose of correcting errors and eliminating defects, anachronisms,
3 conflicts, and ambiguities (Correction Bill).

Analysis by the Legislative Reference Bureau

This correction bill, prepared by the Legislative Reference Bureau under s. 13.92 (1) (bm) 1. and (2) (L), stats., is explained in the NOTES in the body of the bill. In accordance with current drafting style, commas before the last item in a series are added throughout this bill. "Which" is replaced by "that" where grammatically correct. This bill is not intended to make any substantive changes.

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

4 **SECTION 1.** 14.47 of the statutes is amended to read:
5 **14.47 Cashier in secretary of state's office bonded.** The cashier and
6 assistant cashiers in the office of the secretary of state shall give bonds to the
7 secretary of state in such sum and with such conditions as the secretary of state may
8 prescribe, conditioned for the faithful discharge of their duties. Said Those bonds

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1 shall be furnished by a surety company authorized to do business in this state, and
2 the cost thereof shall of those bonds may not exceed one-fourth of one per-cent
3 percent per year on the amount of said the bond or obligation by said the surety
4 executed and shall be payable from the appropriation to the secretary of state.

NOTE: Inserts preferred spelling for “percent,” specific references, and a necessary comma.

5 **SECTION 2.** 18.05 (1) (a) of the statutes is amended to read:

6 18.05 (1) (a) Three-fourths of one per-cent percent of the aggregate value of all
7 taxable property in the state; or

NOTE: Inserts preferred spelling for “percent.”

8 **SECTION 3.** 18.05 (1) (b) (intro.) of the statutes is amended to read:

9 18.05 (1) (b) (intro.) Five per-cent percent of the aggregate value of all taxable
10 property in the state less the sum of:

NOTE: Inserts preferred spelling for “percent.”

11 **SECTION 4.** 20.485 (1) (gd) of the statutes is amended to read:

12 20.485 (1) (gd) *Veterans home cemetery operations.* All moneys received from
13 the estate of the decedents under s. 45.61 (5) for the burial of veterans and
14 non-veterans in a Wisconsin veterans cemetery under s. 45.61 (1), to be used for that
15 purpose.

NOTE: Inserts missing “s.” The change is printed in the 2007-08 statutes.

16 **SECTION 5.** 24.32 (2) (a) 2. of the statutes is amended to read:

17 24.32 (2) (a) 2. Depositing with the secretary of administration, for the use of
18 the purchaser at the resale of the forfeited tract the amount paid by ~~the~~ the resale
19 purchaser for the tract, together with ~~25%~~ 25 percent of the amount of the taxes,
20 interest, and costs, in addition to the purchase price.

NOTE: Deletes repeated word and replaces percent symbol consistent with current style. The repeated “the” is not printed in the 2007-08 statutes.

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1 **SECTION 6.** 24.37 of the statutes is amended to read:

2 **24.37 Ejectment.** If any person holds or continues in possession of any public
3 lands without written permission from the board, or contrary to the conditions or
4 covenants of any lease or written agreement, or after the lands have been forfeited
5 to the state, that person shall be liable to an action by the state or any purchaser from
6 the state for an unlawful detainer or other proper action to recover possession of the
7 lands and for damages for the detention of ~~the~~ the lands.

NOTE: Deletes repeated word. The change is printed in the 2007-08 statutes.

8 **SECTION 7.** 26.12 (4) of the statutes is amended to read:

9 26.12 (4) COUNTY COOPERATION. Each county included wholly or partially in a
10 forest protection area may appoint a committee to cooperate with the department
11 and to consider all matters relating to fire prevention, detection, and suppression in
12 the county, including the payment of fire fighters, the purchase of ~~fire-fighting~~ fire
13 fighting equipment, and all matters or details relating to or arising from the
14 prevention, detection, and suppression of forest fires.

NOTE: Makes spelling consistent with other statutes.

15 **SECTION 8.** 35.84 (figure) line 78. (title) of the statutes is amended to read:

16 35.84 (figure)

17 78. (title) Each county highway ~~commission~~ commissioner

NOTE: Prior to the repeal and recreation of s. 35.84 table by 1985 Act 29, the s. 35.84 table contained a line for county highway commissioners. The table as repealed and recreated contained a line for county highway commissions. There is no provision in the statutes, nor was there one in 1985, for county highway commissions. It appears the change from commissioners to commissions was unintended.

18 **SECTION 9.** 49.45 (6c) (a) 6m. of the statutes is amended to read:

19 49.45 (6c) (a) 6m. "Intermediate facility" has the meaning given in s. 46.279

20 (1) ~~(a)~~ (b).

ASSEMBLY BILL 570**SECTION 9**

NOTE: Corrects cross-reference. “Intermediate facility” is defined in s. 46.279 (1) (b).

1 **SECTION 10.** 62.071 (4) of the statutes is amended to read:

2 62.071 (4) If the vote at the school district referendum is negative, the
3 annexation proceedings on the original petition may continue in the same manner
4 as if less than 20 ~~per cent~~ percent of the district had been involved in the original
5 petition.

NOTE: Inserts preferred spelling for “percent.”

6 **SECTION 11.** 62.15 (1a) of the statutes is amended to read:

7 62.15 (1a) ESCALATOR CLAUSES. Contracts may include escalator clauses
8 providing for additional charges for labor and materials if as a result of general
9 inflation the rates and prices of the same to the contractor increase during
10 performance of the contract. Such escalator provision shall be applicable to all
11 bidders and shall not exceed 15 ~~per cent~~ percent of the amount of the firm bid nor the
12 amount of the increase paid by the contractor. Each bid on a contract ~~which~~ that is
13 to include an escalator provision shall be accompanied by a schedule enumerating
14 the estimated rates and prices of items of labor and materials used in arriving at the
15 bid. Only as to such items as are enumerated shall an increased charge be allowed
16 the contractor.

NOTE: Inserts preferred spelling for “percent.”

17 **SECTION 12.** 62.15 (1c) of the statutes is amended to read:

18 62.15 (1c) INCREASED QUANTITY CLAUSES. Contracts may include clauses
19 providing for increasing the quantity of construction required in the original contract
20 by an amount not to exceed 15 ~~per cent~~ percent of the original contract price.

NOTE: Inserts preferred spelling for “percent.”

21 **SECTION 13.** 62.15 (4m) of the statutes is amended to read:

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1 62.15 (4m) SUBSTANTIAL COMPLIANCE. If any certified check or bid bond is in
2 substantial compliance with the minimum guaranty requirements of subs. (3) or (4),
3 the letting authority may, in its discretion, accept such check or bid bond and allow
4 such bidder 30 days to furnish such additional guaranty as may be required by said
5 authority. Substantial compliance hereunder may be found if said check or bond is
6 insufficient by not more than one-fourth of one ~~per-cent~~ percent of the bid.

NOTE: Inserts preferred spelling for “percent.”

7 **SECTION 14.** 64.31 (4) of the statutes is amended to read:

8 64.31 (4) The council may at any regular meeting increase or decrease the
9 salary of the members of the council, including the mayor, by an amount not to exceed
10 20 ~~per-cent~~ percent of the salary established prior to the commencement of the term
11 to which such increase or decrease is applicable.

NOTE: Inserts preferred spelling for “percent.”

12 **SECTION 15.** 65.90 (5) (b) of the statutes is amended to read:

13 65.90 (5) (b) A county board may authorize its standing finance committee to
14 transfer funds between budgeted items of an individual county office or department,
15 if such budgeted items have been separately appropriated, and to supplement the
16 appropriations for a particular office, department, or activity by transfers from the
17 contingent fund. Such committee transfers shall not exceed the amount set up in the
18 contingent fund as adopted in the annual budget, nor aggregate in the case of an
19 individual office, department, or activity in excess of 10 ~~per-cent~~ percent of the funds
20 originally provided for such office, department, or activity in such annual budget.
21 The publication provisions of par. (a) shall apply to all committee transfers from the
22 contingent fund.

NOTE: Inserts preferred spelling for “percent.”

ASSEMBLY BILL 570**SECTION 16**

1 **SECTION 16.** 66.0309 (14) (a) of the statutes is amended to read:

2 66.0309 (14) (a) For the purpose of providing funds to meet the expenses of a
3 regional planning commission, the commission shall annually on or before October
4 1 prepare and approve a budget reflecting the cost of its operation and services to the
5 local governmental units within the region. The amount of the budget charged to any
6 local governmental unit shall be in the proportion of the equalized value for tax
7 purposes of the land, buildings, and other improvements on the land of the local
8 governmental unit, within the region, to the total equalized value within the region.
9 The amount charged to a local governmental unit shall not exceed .003 per-cent
10 percent of equalized value under its jurisdiction and within the region, unless the
11 governing body of the unit expressly approves the amount in excess of that
12 percentage. All tax or other revenues raised for a regional planning commission shall
13 be forwarded by the treasurer of the local unit to the treasurer of the commission on
14 written order of the treasurer of the commission.

NOTE: Inserts preferred spelling for “percent.”

15 **SECTION 17.** 70.105 (3) (f) of the statutes is amended to read:

16 70.105 (3) (f) The land acquired by the owner and for which an assessment
17 freeze is sought shall not be less than 30,000 square feet in area or in the alternative,
18 the improvements or structures located on the land shall not be less than 200,000
19 cubic feet in volume. The period of the assessment freeze shall not exceed 5 years
20 from the year in which it is first granted. The maximum amount of the assessment
21 freeze allowed shall not be greater than 50 ~~per-cent~~ percent of the assessment of the
22 property acquired and for which an assessment freeze is sought ~~which~~ that would
23 have been made by the assessor or the commissioner of taxation, as the case may be,
24 had no assessment freeze been granted. In no event shall the assessment under such

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1 assessment freeze be less than the amount of the assessment of the property
2 conveyed under threat of condemnation or by condemnation.

NOTE: Inserts preferred spelling for "percent."

3 **SECTION 18.** 70.32 (2) (c) 1m. of the statutes is amended to read:

4 70.32 (2) (c) 1m. "Other," as it relates to par. (a) 7., means buildings and
5 improvements; including any residence for the farm operator's spouse, children,
6 parents, or grandparents; and the land necessary for the location and convenience
7 of those ~~building~~ buildings and improvements.

NOTE: Corrects spelling.

8 **SECTION 19.** 70.82 of the statutes is amended to read:

9 **70.82 Review of claims; payment.** The statements and vouchers mentioned
10 in s. 70.81 shall be promptly transmitted by the supervisor of equalization to the
11 department of revenue, which shall have authority to review the ~~same~~ statements
12 and vouchers and determine the number of days to be allowed. After such review and
13 determination and after procuring any needed corrections therein said department
14 shall endorse their approval of such statements and file the same and such vouchers
15 in the office of the department of administration. Such claims shall thereupon be
16 audited by the department of administration and paid out of the state treasury in like
17 manner that other claims against the state are audited and paid. The amount so paid
18 shall constitute an indebtedness of the district in which such reassessment was made
19 to the state of Wisconsin, and such indebtedness with interest thereon at 6 per cent
20 percent per year shall be a special charge upon such district to be certified to and
21 collected from such district in the then next levy and certification of state taxes and
22 special charges, in like manner that other indebtedness of cities, towns, and villages
23 to the state are certified and collected.

ASSEMBLY BILL 570**SECTION 19**

NOTE: Inserts preferred spelling for “percent” and inserts a specific reference.

1 **SECTION 20.** 77.07 (2) of the statutes is amended to read:

2 77.07 (2) PENALTY, COLLECTIONS. If any severance tax remain unpaid for 30 days
3 after it becomes due, there shall then be added a penalty of ~~10%~~ 10 percent, and such
4 tax and penalty shall thereafter draw interest at the rate of one ~~per cent~~ percent per
5 month until paid. At the expiration of said 30 days the department of natural
6 resources shall report to the attorney general any unpaid severance tax, adding said
7 penalty, and the attorney general shall thereupon proceed to collect the same with
8 penalty and interest by suit against the owner and by attachment or other legal
9 means to enforce the lien and by action on the bond mentioned in s. 77.06 (1), or by
10 any or all such means.

NOTE: Inserts preferred spelling for “percent” and replaces the percent symbol consistent with current style.

11 **SECTION 21.** 88.48 (2) of the statutes is amended to read:

12 88.48 (2) As assessments for costs levied against any city, village, or town
13 become due, the board shall certify the assessments to the clerk of the city, village,
14 or town, and the clerk shall place them upon the next tax roll. If the assessments
15 exceed one-fourth of one ~~per cent~~ percent of the assessed value of the property in the
16 city, village, or town for the last previous assessed valuation, the assessments shall
17 be paid in installments of one-fourth of one ~~per cent~~ percent of the valuation for each
18 year until paid unless the drainage board orders them paid in smaller amounts.

NOTE: Inserts preferred spelling for “percent.”

19 **SECTION 22.** 94.39 (1) (a) of the statutes is amended to read:

20 94.39 (1) (a) The commonly accepted name of the kind or kind and variety of
21 each agricultural seed component in excess of 5 ~~per cent~~ percent of the whole and the
22 percentage by weight of each in order of its predominance. When more than one

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1 component is required to be named, the word “mixture” or “mixed” shall be shown
2 conspicuously on the label. Seed components of 5 ~~per cent~~ percent or less may be
3 named, if desired.

NOTE: Inserts preferred spelling for “percent.”

4 **SECTION 23.** 94.41 (1) (f) of the statutes is amended to read:

5 94.41 (1) (f) Containing weed seeds in excess of one ~~per cent~~ percent by weight.

NOTE: Inserts preferred spelling for “percent.”

6 **SECTION 24.** 97.02 (14) (b) of the statutes is amended to read:

7 97.02 (14) (b) Bears or contains any alcohol in excess of one-half of one ~~per cent~~
8 percent by volume derived solely from the use of flavoring extracts; or

NOTE: Inserts preferred spelling for “percent.”

9 **SECTION 25.** 97.47 of the statutes is amended to read:

10 **97.47 Benzoic acid in foods.** No person shall sell, offer, or expose for sale or
11 have in possession with intent to sell for use or consumption in this state, any meat
12 products or dairy products, ~~which~~ that contain added benzoic acid or benzoates; or
13 any other article of food as defined in s. 97.01 ~~which~~ that contains added benzoic acid
14 or benzoates in excess of one-tenth of one ~~per cent~~ percent. The presence shall be
15 stated on the label. When in the preparation of food products for shipment they are
16 preserved by any external application of benzoic acid or benzoates in such a manner
17 that the preservative is necessarily removed mechanically, or by maceration in
18 water, or otherwise, and directions for the removal of said preservative shall be
19 printed on the covering or the package, this section shall be construed as applying
20 only when said products are ready for consumption.

NOTE: Inserts preferred spelling for “percent.”

21 **SECTION 26.** 100.07 (1) of the statutes is amended to read:

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1 100.07 (1) Whenever petitions signed by more than 60 ~~per cent~~ percent of the
2 producers of milk delivered to any dairy plant or petitions signed by more than 60
3 ~~per cent~~ percent of the producers comprising any municipal milk shed shall be
4 presented to the department asking for the audit of payments to producers, the
5 department by investigation and public hearing shall determine the facts in support
6 of and against such petition and render its decision thereon. The department by
7 order shall define the plants and areas affected. All persons receiving from producers
8 in any such plant or area milk any part of which is used for fluid distribution shall
9 keep adequate records of all purchases and all usage or disposition of milk and shall
10 make reports thereof as prescribed by the department. The department shall have
11 free access to such records and shall after entry of such order audit the receipts and
12 usage or disposition of milk and cream at intervals sufficiently frequent to keep the
13 producers informed for bargaining purposes.

NOTE: Inserts preferred spelling for “percent.”

14 **SECTION 27.** 100.07 (3) of the statutes is amended to read:

15 100.07 (3) Whenever petitions signed by more than 51 ~~per cent~~ percent of the
16 producers of milk delivered to any such plant or in any such municipal milk shed
17 shall be presented to the department asking for discontinuance of such auditing
18 service, it shall promptly hold a public hearing to determine the sufficiency of such
19 petitions, and if it shall appear that the required number of persons have so
20 petitioned, the auditing service shall be ordered discontinued. Plants and areas now
21 being audited by the department shall continue to receive such service until an order
22 of discontinuance is made as herein provided.

NOTE: Inserts preferred spelling for “percent.”

23 **SECTION 28.** 100.186 (1) of the statutes is amended to read:

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1 100.186 (1) No person shall sell as and for “raw flaxseed oil” or “raw linseed oil”
2 any oil unless it is obtained from the seeds of the flax plant and unless it fulfills all
3 the requirements for linseed oil laid down in the U.S. Pharmacopoeia; or as and for
4 “boiled linseed oil” or “boiled flaxseed oil” any oil unless it has been prepared by
5 heating pure raw linseed oil with or without the addition of not to exceed ~~4%~~ 4 percent
6 of drier to a temperature not less than 225 degrees Fahrenheit. It is a violation of
7 this section if said boiled linseed oil does not conform to the following requirements:
8 First, its specific gravity at 60 degrees Fahrenheit must be not less than 935
9 thousandths and not greater than 945 thousandths; 2nd, its saponification value
10 (koettstorfer figure) must not be less than 186; 3rd, its iodine number must not be
11 less than 160; 4th, its acid value must not exceed 10; 5th, the volatile matter expelled
12 at 212 degrees Fahrenheit must not exceed ~~one-half of one per cent~~ percent; 6th, no
13 mineral or other foreign oil or free rosin shall be present, and the amount of
14 unsaponifiable matter as determined by standard methods shall not exceed ~~2.5%~~ 2.5
15 percent; 7th, the film left after flowing the oil over glass and allowing it to drain in
16 a vertical position must dry free from tackiness in not to exceed 20 hours, at a
17 temperature of about 70 degrees Fahrenheit.

NOTE: Inserts preferred spelling for “percent” and replaces percent symbol
consistent with current style.

18 **SECTION 29.** 102.44 (4) of the statutes is amended to read:

19 102.44 (4) Where the permanent disability is covered by ss. 102.52, 102.53, and
20 102.55, such sections shall govern; provided, that in no case shall the percentage of
21 permanent total disability be taken as more than 100 ~~per cent~~ percent.

NOTE: Inserts preferred spelling for “percent.”

22 **SECTION 30.** 105.07 (1) of the statutes is amended to read:

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1 105.07 (1) Each employment agent's license shall be renewed annually. The
2 license or renewal fee shall be one ~~per cent~~ percent of all fees, charges, commissions,
3 or other compensation actually received during the life of the license or renewal by
4 an employment agent for service as such but in no event less than \$50 nor more than
5 \$300. The original license and annual renewal fee for a branch office or each
6 additional place of business in the same community shall be \$150.

NOTE: Inserts preferred spelling for "percent."

7 **SECTION 31.** 108.19 (1) of the statutes is amended to read:

8 108.19 (1) Each employer subject to this chapter shall regularly contribute to
9 the administrative account at the rate of two-tenths of one ~~per cent~~ percent per year
10 on its payroll, except that the department may prescribe at the close of any fiscal year
11 such lower rates of contribution under this section, to apply to classes of employers
12 throughout the ensuing fiscal year, as will in the department's judgment adequately
13 finance the administration of this chapter, and as will in the department's judgment
14 fairly represent the relative cost of the services rendered by the department to each
15 such class.

NOTE: Inserts preferred spelling for "percent."

16 **SECTION 32.** 139.01 (3) of the statutes is amended to read:

17 139.01 (3) "Intoxicating liquors" includes all ardent, spirituous, distilled or
18 vinous liquors, liquids, or compounds, whether medicated, proprietary, patented, or
19 not, and by whatever name called, containing one-half of one ~~per cent~~ percent or
20 more of alcohol by volume, which are fit for use for beverage purposes, but does not
21 include "fermented malt beverages", as defined in s. 125.02.

NOTE: Inserts preferred spelling for "percent." Removes quotation marks and adds
comma consistent with current style.

22 **SECTION 33.** 139.04 (3) of the statutes is amended to read:

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1 139.04 **(3)** Manufacture or sale of any beverage containing less than one-half
2 of one ~~per cent~~ percent of alcohol by volume.

NOTE: Inserts preferred spelling for "percent."

3 **SECTION 34.** 157.06 (24m) (b) 2. (intro.) of the statutes is amended to read:

4 157.06 **(24m)** (b) 2. (intro.) Any agreement under subd. 1. is subject to review
5 and approval by all of ~~the~~ the following:

NOTE: Deletes repeated word.

6 **SECTION 35.** 182.004 (7) of the statutes is amended to read:

7 182.004 **(7)** Stock shall be sold upon such terms and conditions as may be
8 provided in the articles or bylaws of the corporation. Sections 180.0623 and 180.0640
9 shall not apply to corporations organized under this section, but no dividends shall
10 be declared until a surplus fund shall have been created equal to 2 ~~per cent~~ percent
11 of the paid-in preferred stock and paid-in common stock, nor shall any dividends
12 ever be declared which will impair the capital or such surplus, and no dividend
13 exceeding 5 ~~per cent~~ percent per year shall be paid except to a tenant stockholder.
14 There shall also be annually set aside 10 ~~per cent~~ percent of the year's profits for the
15 purpose of retiring preferred stock.

NOTE: Inserts preferred spelling for "percent."

16 **SECTION 36.** 182.004 (10) of the statutes is amended to read:

17 182.004 **(10)** The directors shall receive no compensation until the surplus fund
18 of 2 ~~per cent~~ percent of the capital has been set aside, and until the dividends on
19 preferred stock have been paid, and at no time shall the compensation of directors
20 exceed \$500 each per year.

NOTE: Inserts preferred spelling for "percent."

21 **SECTION 37.** 182.202 of the statutes is amended to read:

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1 **182.202 Mutual telecommunications company; quorum; proxies.** At
2 any meeting of the stockholders of a farmers' mutual telecommunications company,
3 members representing 20 ~~per cent~~ percent of the outstanding stock, shall constitute
4 a quorum. Any member may hold and vote the proxy of not exceeding 3 stockholders.

NOTE: Inserts preferred spelling for "percent."

5 **SECTION 38.** 182.219 of the statutes is amended to read:

6 **182.219 Mutual telecommunications company; dividends.** No dividend
7 in excess of 7 ~~per cent~~ percent of its capital shall be paid in any year by any farmers'
8 mutual telecommunications company.

NOTE: Inserts preferred spelling for "percent."

9 **SECTION 39.** 185.09 of the statutes is amended to read:

10 **185.09 Promotion expense; limitation.** No cooperative funds may be used,
11 nor any stock issued, in payment of any promotion expenses in excess of 5 ~~per cent~~
12 percent of the paid-up capital stock or membership fees.

NOTE: Inserts preferred spelling for "percent."

13 **SECTION 40.** 185.41 (3) of the statutes is amended to read:

14 185.41 (3) Such contract may require liquidated damages to be paid by the
15 member in the event of a breach of the contract. Liquidated damages may be either
16 a percentage of the value of the products, goods, or services, or a specific sum, but
17 neither may be more than 30 ~~per cent~~ percent of the value of the products, goods, or
18 services, subject to the breach. Where a specific sum is provided as liquidated
19 damages, but such sum exceeds 30 ~~per cent~~ percent of the value of the products,
20 goods, or services which are the subject of the breach, then the contract shall be
21 construed as providing an amount equal to 30 ~~per cent~~ percent.

NOTE: Inserts preferred spelling for "percent."

22 **SECTION 41.** 185.45 (2) (a) of the statutes is amended to read:

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1 185.45 (2) (a) An amount not to exceed 5 ~~per cent~~ percent thereof may be set
2 aside as an educational fund to be used in teaching or promoting cooperative
3 organization or principles. Such funds shall for all purposes except the computation
4 of net proceeds be deemed an expense of operation of the cooperative.

NOTE: Inserts preferred spelling for "percent."

5 **SECTION 42.** 185.93 (4) of the statutes is amended to read:

6 185.93 (4) In any action brought in the right of an association by less than 3
7 ~~per cent~~ percent of the members or by holders of less than 3 ~~per cent~~ percent of any
8 class of stock outstanding, the defendants may require the plaintiff to give security
9 for the reasonable expenses of defending such action, including attorney fees. The
10 amount of such security may thereafter be increased or decreased in the discretion
11 of the court upon showing that the security provided is or may be inadequate or is
12 excessive.

NOTE: Inserts preferred spelling for "percent."

13 **SECTION 43.** 185.982 (3) of the statutes is amended to read:

14 185.982 (3) Promotional expenses of any such associations, including
15 promotional expense for building or investment purposes, shall be limited to 5 ~~per~~
16 ~~cent~~ percent as provided in s. 185.09.

NOTE: Inserts preferred spelling for "percent."

17 **SECTION 44.** 192.36 (3) of the statutes is amended to read:

18 192.36 (3) In case the railroad corporation fails to build or repair the fence
19 within the required time,⁷ the owner or occupant of the adjoining land may build or
20 repair the fence and recover from the railroad corporation the cost of building or
21 repairing with interest at the rate of ~~1%~~ 1 percent per month from the time that the
22 fence shall have been built or repaired.

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NOTE: Deletes repeated comma inserted by 1997 Wis. Act 254 and replaces percent symbol consistent with current style. The repeated comma is not printed in the 2007–08 statutes.

1 **SECTION 45.** 198.14 (4) of the statutes is amended to read:

2 198.14 (4) PURCHASES, SALES, CONVEYANCES. To lease, purchase, sell, convey and
3 mortgage the property of the district and to authorize and order all instruments,
4 contracts, deeds or mortgages to be executed on behalf of the district by the
5 chairperson of the board and the clerk of the district, except that the sale or lease of
6 any public utility equipment in excess of 10 ~~per cent~~ percent of the book value of the
7 utility property of the district shall be made as nearly as may be in accordance with
8 s. 66.0817, except that the commission shall have no power to determine whether the
9 interests of the district and the residents thereof will be best served by the sale or
10 lease nor to fix the price and terms thereof other than to furnish the clerk of said
11 district with its written recommendations thereon within 90 days.

NOTE: Inserts preferred spelling for “percent.”

12 **SECTION 46.** 218.22 (3) (L) of the statutes is amended to read:

13 218.22 (3) (L) Having charged interest in excess of 15 ~~per cent~~ percent per year.

NOTE: Inserts preferred spelling for “percent.”

14 **SECTION 47.** 218.32 (3) (L) of the statutes is amended to read:

15 218.32 (3) (L) Having charged interest in excess of 15 ~~per cent~~ percent per year.

NOTE: Inserts preferred spelling for “percent.”

16 **SECTION 48.** 220.08 (15) of the statutes is amended to read:

17 220.08 (15) Whenever the division, with a view of restoring the solvency of any
18 bank of which the division has taken charge pursuant to law, shall approve a
19 reorganization plan entered into between the depositors and unsecured creditors of
20 such bank and the bank or reorganizers thereof, which represent 80 ~~per cent~~ percent
21 of the amount of deposits and unsecured claims of such banks, then and in such case

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1 all other depositors and unsecured creditors shall be held to be subject to such
2 agreement to the same extent and with the same effect as if they had joined in the
3 execution thereof, and their claims shall be treated in all respects as if they had
4 joined in the execution of such articles or reorganization plan in the event of
5 restoration of such bank to solvency, and the reopening of the same for business. The
6 investment board and the governing board of any county, city, village, town, drainage
7 district, power district, school district, sewer district, or other governmental
8 subdivision, or any commission, committee, board, or officer thereof, having any
9 funds on deposit at the time of the closing of the bank are authorized to join in any
10 reorganization plan, if, in the judgment of such investment board or other governing
11 board, the reorganization plan is in the best interests of all persons concerned. All
12 deposits made in any state bank subsequent to June 3, 1927 shall be subject to the
13 conditions hereof.

NOTE: Inserts preferred spelling for "percent."

14 **SECTION 49.** 225.03 of the statutes is amended to read:

15 **225.03 Capital stock.** At least 25 ~~per cent~~ percent of the capital stock
16 authorized in the articles of incorporation shall be paid into the treasury of the
17 corporation in cash before the corporation shall be authorized to transact any
18 business other than such as relates to its organization. At least a majority of the
19 common stock shall at all times be held by residents of this state or by persons, firms
20 or corporations engaged in doing business therein. Common stock shall at all times
21 be held by stockholder members who have their residences or principal places of
22 business in not less than 36 counties in this state.

NOTE: Inserts preferred spelling for "percent."

23 **SECTION 50.** 225.04 of the statutes is amended to read:

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1 **225.04 Directors.** The corporate powers of any such corporation shall be
2 exercised by a board of directors. The number of directors and their term of office
3 shall be determined in a manner prescribed in the bylaws. At no time shall there be
4 less than 5 directors. The initial board of directors shall consist of the incorporators
5 and they shall serve until the first annual meeting. The first annual meeting shall
6 occur at a date to be fixed by the board of directors as soon as reasonably possible after
7 a minimum of 25 ~~per cent~~ percent of the capital stock of the corporation is paid into
8 its treasury and a minimum of 10 stockholder members of the corporation have
9 qualified as provided in s. 225.05; and such annual meeting and subsequent annual
10 meetings shall be called and the directors shall be elected in the manner provided
11 in the bylaws.

NOTE: Inserts preferred spelling for “percent.”

12 **SECTION 51.** 225.06 of the statutes is amended to read:

13 **225.06 Finance.** Any such corporation shall set apart as a surplus not less
14 than 10 ~~per cent~~ percent of its net earnings each year until such surplus, with any
15 unimpaired surplus paid in, shall amount to one-half of the capital stock. The
16 surplus shall be kept to secure against losses and contingencies, and whenever it
17 becomes impaired it shall be reimbursed in the manner provided for its
18 accumulation.

NOTE: Inserts preferred spelling for “percent.”

19 **SECTION 52.** 340.01 (6) of the statutes is amended to read:

20 340.01 (6) “Business district” means the territory contiguous to a highway
21 when 50 ~~per cent~~ percent or more of the frontage thereon for a distance of 300 feet
22 or more is occupied by buildings in use for business.

NOTE: Inserts the preferred spelling for “percent.”

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1 **SECTION 53.** 347.45 (2) (c) (intro.) of the statutes is amended to read:

2 347.45 (2) (c) (intro.) A pneumatic tire may have embedded in it wire or wire
3 coils for improving traction on ice and snow, but such tire shall be so constructed that
4 the ~~per cent~~ percentage of wire or wire coils in contact with the roadway does not
5 exceed, after the first 1,000 miles of use or operation, ~~5%~~ 5 percent of the total tire
6 area in contact with the roadway. During the first 1,000 miles of use or operation of
7 any such tire the wire or wire coils in contact with the roadway shall not exceed ~~20%~~
8 20 percent of the total tire area in contact with the roadway. Tires equipped with
9 tungsten carbide studs shall be limited in usage and design as follows:

NOTE: Inserts "percentage" to correct grammar, inserts the preferred spelling for
"percent," and replaces percent symbols consistent with current style.

10 **SECTION 54.** 348.16 (2) of the statutes is amended to read:

11 348.16 (2) Except as provided in sub. (3) and s. 348.175 and subject to any
12 modifications made by a city of the first class pursuant to s. 349.15 (3), no person,
13 without a permit therefor, shall operate on a class "B" highway any vehicle or
14 combination of vehicles imposing wheel, axle, group of axles, or gross weight on the
15 highway exceeding 60 ~~per cent~~ percent of the weights authorized in s. 348.15 (3).

NOTE: Inserts preferred spelling for "percent."

16 **SECTION 55.** 402.603 (2) of the statutes is amended to read:

17 402.603 (2) When the buyer sells goods under sub. (1), the buyer is entitled to
18 reimbursement from the seller or out of the proceeds for reasonable expenses of
19 caring for and selling them, and if the expenses include no selling commission then
20 to such commission as is usual in the trade or if there is none to a reasonable sum
21 not exceeding 10 ~~per cent~~ percent of the gross proceeds.

NOTE: Inserts preferred spelling for "percent."

22 **SECTION 56.** 402.718 (2) (b) of the statutes is amended to read:

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1 402.718 (2) (b) In the absence of such terms, ~~20 per cent~~ percent of the value
2 of the total performance for which the buyer is obligated under the contract or \$500,
3 whichever is smaller.

NOTE: Inserts preferred spelling for “percent.”

4 **SECTION 57.** 422.201 (2) (b) 1. of the statutes is amended to read:

5 422.201 (2) (b) 1. ~~Eighteen per cent~~ percent per year on that part of the unpaid
6 balance of the amount financed which is \$500 or less; and

NOTE: Inserts preferred spelling for “percent.”

7 **SECTION 58.** 422.201 (2) (b) 2. of the statutes is amended to read:

8 422.201 (2) (b) 2. ~~Twelve per cent~~ percent per year on that part of the unpaid
9 balance of the amount financed which is more than \$500.

NOTE: Inserts preferred spelling for “percent.”

10 **SECTION 59.** 611.34 of the statutes is amended to read:

11 **611.34 Corporate repurchase of shares.** No stock corporation may
12 repurchase any of its own shares within 5 years after initial issuance of the certificate
13 of authority, except pursuant to a plan for the repurchase which has been approved
14 by the commissioner. After 5 years a stock corporation may repurchase its own
15 shares under ss. 180.0631, 180.0640, and 180.1708 (2), but within 10 days after the
16 end of any month in which it purchases more than one ~~per cent~~ percent of any class
17 of its outstanding shares the corporation shall report the price and the names of the
18 registered shareholders from whom the shares are acquired and of any other persons
19 beneficially interested, so far as the latter are known to the corporation. The
20 corporation shall make a like report within 10 days after the end of any 3-month
21 period in which it purchases more than ~~2%~~ 2 percent of any class of its outstanding

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1 shares or within 10 days after the end of any 12-month period in which it purchases
2 more than ~~5%~~ 5 percent of any class of its outstanding shares.

NOTE: Inserts preferred spelling for "percent" and replaces percent symbols consistent with current style.

3 **SECTION 60.** 618.41 (9) (a) of the statutes is amended to read:

4 618.41 (9) (a) *Required information.* Every new or renewal insurance policy
5 procured and delivered under this section shall bear the name and address of the
6 insurance agent or broker who procured it and, except for ocean marine insurance,
7 shall have stamped or affixed upon it the following: "This insurance contract is with
8 an insurer which has not obtained a certificate of authority to transact a regular
9 insurance business in the state of Wisconsin, and is issued and delivered as a surplus
10 line coverage pursuant to s. 618.41 of the Wisconsin Statutes. Section 618.43 (1),
11 Wisconsin Statutes, requires payment by the policyholder of ~~3%~~ 3 percent tax on
12 gross premium". Every ocean marine insurance policy shall have stamped or affixed
13 upon it the above statement except that the tax shall be one-half of one ~~per cent~~
14 percent on gross premium.

NOTE: Inserts preferred spelling for "percent" and replaces percent symbols consistent with current style. The quotation mark is moved for consistency with current style.

15 **SECTION 61.** 632.43 (6) (a) of the statutes is amended to read:

16 632.43 (6) (a) Except as otherwise provided in par. (b) or (c), all adjusted
17 premiums and present values referred to in this section shall for all policies of
18 ordinary insurance be calculated on the basis of the commissioners 1941 standard
19 ordinary mortality table, except that for any category of ordinary insurance issued
20 on female risks adjusted premiums and present values may be calculated according
21 to an age not more than 3 years younger than the actual age of the insured, and such
22 calculations for all policies of industrial insurance shall be made on the basis of the

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1 1941 standard industrial mortality table. All calculations shall be made on the basis
2 of the rate of interest, not exceeding ~~3 1/2 per cent~~ 3.5 percent per year, specified in
3 the policy for calculating cash surrender values and paid-up nonforfeiture benefits;
4 provided, that in calculating the present value of any paid-up term insurance with
5 accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates
6 of mortality assumed may not be more than 130 ~~per cent~~ percent of the rates of
7 mortality according to such applicable table. For insurance issued on a substandard
8 basis, the calculation of any such adjusted premiums and present values may be
9 based on such other table of mortality as may be specified by the company and
10 approved by the commissioner.

NOTE: Inserts preferred spelling for “percent.” A fraction is replaced with a decimal consistent with current style.

11 **SECTION 62.** 632.43 (6) (c) of the statutes is amended to read:

12 632.43 (6) (c) In the case of industrial policies issued on or after the operative
13 date of this paragraph as defined herein, all adjusted premiums and present values
14 referred to in this section shall be calculated on the basis of the commissioners 1961
15 standard industrial mortality table and the rate of interest, not exceeding ~~3 1/2 per~~
16 ~~cent~~ 3.5 percent per year, specified in the policy for calculating cash surrender values
17 and paid-up nonforfeiture benefits; provided, that in calculating the present value
18 of any paid-up term insurance with accompanying pure endowment, if any, offered
19 as a nonforfeiture benefit, the rates of mortality assumed may be not more than those
20 shown in the commissioners 1961 industrial extended term insurance table, and for
21 insurance issued on a substandard basis, the calculations of any such adjusted
22 premiums and present values may be based on such other table of mortality as is
23 specified by the company and approved by the commissioner. After May 19, 1963,

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1 any company may file with the commissioner a written notice of its election to comply
2 with this paragraph after a specified date before January 1, 1968. After the filing
3 of such notice, then upon such specified date (, which shall be the operative date of
4 this paragraph for such company), this paragraph shall become operative with
5 respect to the industrial policies thereafter issued by such company. If a company
6 makes no such election, the operative date of this paragraph for such company shall
7 be January 1, 1968.

NOTE: Inserts preferred spelling for "percent." Replaces parentheses and a fraction consistent with current style.

8 **SECTION 63.** 705.04 (2g) of the statutes, as affected by 2007 Wisconsin Act 20,
9 section 9121 (6) (a), is amended to read:

10 705.04 (2g) Notwithstanding subs. (1) and (2), the department of health
11 services may collect, from funds of a decedent that are held by the decedent
12 immediately before death in a joint account or a P.O.D. account, an amount equal to
13 the medical assistance that is recoverable under s. 49.496 (3) (a), an amount equal
14 to aid under s. 49.68, 49.683 or 49.685 that is recoverable under s. 49.682 (2) (a), an
15 amount equal to long-term community support services under s. 46.27 that is
16 recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf of the decedent or
17 the decedent's spouse or an amount equal to the family care benefit under s. 46.286
18 that is recoverable under rules promulgated under s. 46.286 (7) and that was paid
19 on behalf of the decedent or the decedent's spouse.

NOTE: Inserts missing "s." The change is printed in the 2007-08 statutes.

20 **SECTION 64.** 813.28 (2) (b) of the statutes is amended to read:

21 813.28 (2) (b) By then deducting for the insurance fund provided in s. 813.31
22 a sum equal to 5 ~~per-cent~~ percent of the total value of the property remaining,

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SECTION 64

1 including amounts paid to the receivership estate from policies of insurance on the
2 absentee's life;

NOTE: Inserts preferred spelling for "percent."

3 **SECTION 65.** 985.08 (3) of the statutes is amended to read:

4 985.08 (3) The publisher may increase rates allowed by this section up to 15
5 per cent for each 4,000 of circulation or fraction thereof above 8,000 of circulation,
6 based on previous year-end circulation figures, but not to exceed an additional
7 increase of 75 ~~per cent~~ percent.

NOTE: Inserts preferred spelling for "percent."

8 (END)