

State of Wisconsin



2009 Assembly Bill 570

Date of enactment: **March 15, 2010**

Date of publication*: **March 29, 2010**

2009 WISCONSIN ACT 177

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

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

SECTION 1. 14.47 of the statutes is amended to read:

14.47 Cashier in secretary of state's office bonded.

The cashier and assistant cashiers in the office of the secretary of state shall give bonds to the secretary of state in such sum and with such conditions as the secretary of state may prescribe, conditioned for the faithful discharge of their duties. ~~Said Those~~ bonds shall be furnished by a surety company authorized to do business in this state, and the cost ~~thereof shall of those bonds may~~ not exceed one-fourth of one ~~per-cent~~ percent per year on the amount of ~~said the~~ bond or obligation by ~~said the~~ surety 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.

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

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

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

24.32 (2) (a) 2. Depositing with the secretary of administration, for the use of the purchaser at the resale of the forfeited tract the amount paid by ~~the~~ the resale purchaser for the tract, together with ~~25%~~ 25 percent of the amount of the taxes, 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.

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

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

* Section 991.11, WISCONSIN STATUTES 2007-08: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

possession of the lands and for damages for the detention of the the lands.

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

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

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

NOTE: Makes spelling consistent with other statutes.

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

35.84 (figure)

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.

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

49.45 (6c) (a) 6m. "Intermediate facility" has the meaning given in s. 46.279 (1) (a) (b).

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

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

66.0309 (14) (a) For the purpose of providing funds to meet the expenses of a regional planning commission, the commission shall annually on or before October 1 prepare and approve a budget reflecting the cost of its operation and services to the local governmental units within the region. The amount of the budget charged to any local governmental unit shall be in the proportion of the equalized value for tax purposes of the land, buildings, and other improvements on the land of the local

governmental unit, within the region, to the total equalized value within the region. The amount charged to a local governmental unit shall not exceed .003 ~~per cent~~ percent of equalized value under its jurisdiction and within the region, unless the governing body of the unit expressly approves the amount in excess of that percentage. All tax or other revenues raised for a regional planning commission shall be forwarded by the treasurer of the local unit to the treasurer of the commission on written order of the treasurer of the commission.

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Corrects spelling.

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

70.82 Review of claims; payment. The statements and vouchers mentioned in s. 70.81 shall be promptly transmitted by the supervisor of equalization to the department of revenue, which shall have authority to review the ~~same statements and vouchers~~ and determine the number of days to be allowed. After such review and determination and after procuring any needed corrections therein said department shall endorse their approval of such statements and file the same and such vouchers in the office of the department of administration. Such claims shall thereupon be audited by the department of administration and paid out of the state treasury in like manner that other claims against the state are audited and paid. The amount so paid shall constitute an indebtedness of the district in which such reassessment was made to the state of Wisconsin, and such indebtedness with

interest thereon at 6 ~~per cent~~ percent per year shall be a special charge upon such district to be certified to and collected from such district in the then next levy and certification of state taxes and special charges, in like manner that other indebtedness of cities, towns, and villages to the state are certified and collected.

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

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

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

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

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

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

NOTE: Inserts preferred spelling for "percent."

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

94.39 (1) (a) The commonly accepted name of the kind or kind and variety of each agricultural seed component in excess of 5 ~~per cent~~ percent of the whole and the percentage by weight of each in order of its predominance. When more than one component is required to be named, the word "mixture" or "mixed" shall be shown conspicuously on the label. Seed components of 5 ~~per cent~~ percent or less may be named, if desired.

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

100.07 (3) Whenever petitions signed by more than 51 ~~per cent~~ percent of the producers of milk delivered to any such plant or in any such municipal milk shed shall be presented to the department asking for discontinuance of such auditing service, it shall promptly hold a public hearing to determine the sufficiency of such petitions, and if it shall appear that the required number of persons have so petitioned, the auditing service shall be ordered

discontinued. Plants and areas now being audited by the department shall continue to receive such service until an order of discontinuance is made as herein provided.

NOTE: Inserts preferred spelling for "percent."

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

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

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

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

139.01 (3) "Intoxicating liquors" includes all ardent, spirituous, distilled or vinous liquors, liquids, or compounds, whether medicated, proprietary, patented, or not, and by whatever name called, containing one-half of one ~~per cent~~ percent or more of alcohol by volume, which are fit for use for beverage purposes, but does not 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.

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Deletes repeated word.

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

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

NOTE: Inserts preferred spelling for "percent."

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

182.004 (10) The directors shall receive no compensation until the surplus fund of 2 ~~per cent~~ percent of the capital has been set aside, and until the dividends on

preferred stock have been paid, and at no time shall the compensation of directors exceed \$500 each per year.

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

185.93 (4) In any action brought in the right of an association by less than 3 ~~per cent~~ percent of the members or by holders of less than 3 ~~per cent~~ percent of any class of stock outstanding, the defendants may require the

plaintiff to give security for the reasonable expenses of defending such action, including attorney fees. The amount of such security may thereafter be increased or decreased in the discretion of the court upon showing that the security provided is or may be inadequate or is excessive.

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

192.36 (3) In case the railroad corporation fails to build or repair the fence within the required time, the owner or occupant of the adjoining land may build or repair the fence and recover from the railroad corporation the cost of building or repairing with interest at the rate of 4% 1 percent per month from the time that the fence shall have been built or repaired.

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.

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

220.08 (15) Whenever the division, with a view of restoring the solvency of any bank of which the division has taken charge pursuant to law, shall approve a reorganization plan entered into between the depositors and unsecured creditors of such bank and the bank or reorganizers thereof, which represent 80 ~~per cent~~ percent of the amount of deposits and unsecured claims of such banks, then and in such case all other depositors and unsecured creditors shall be held to be subject to such agreement to the same extent and with the same effect as if they had joined in the execution thereof, and their claims shall be treated in all respects as if they had joined in the execution of such articles or reorganization plan in the event of restoration of such bank to solvency, and the reopening of the same for business. The investment board and the governing board of any county, city, village, town, drainage district, power district, school district, sewer district, or other governmental subdivision, or any commission, committee, board, or officer thereof, having any funds on deposit at the time of the closing of the bank are authorized to join in any reorganization plan, if, in the judgment of such investment board or other governing board, the reorganization plan is in the best interests of all persons concerned. All deposits made in any state bank subsequent to June 3, 1927 shall be subject to the conditions hereof.

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

225.04 Directors. The corporate powers of any such corporation shall be exercised by a board of directors. The number of directors and their term of office shall be determined in a manner prescribed in the bylaws. At no time shall there be less than 5 directors. The initial board of directors shall consist of the incorporators and they shall serve until the first annual meeting. The first annual meeting shall occur at a date to be fixed by the board of directors as soon as reasonably possible after a minimum of 25 ~~per cent~~ percent of the capital stock of the corporation is paid into its treasury and a minimum of 10 stockholder members of the corporation have qualified as pro-

vided in s. 225.05; and such annual meeting and subsequent annual meetings shall be called and the directors shall be elected in the manner provided in the bylaws.

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts the preferred spelling for "percent."

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

347.45 (2) (c) (intro.) A pneumatic tire may have embedded in it wire or wire coils for improving traction on ice and snow, but such tire shall be so constructed that the ~~per-cent~~ percentage of wire or wire coils in contact with the roadway does not exceed, after the first 1,000 miles of use or operation, 5% 5 percent of the total tire area in contact with the roadway. During the first 1,000 miles of use or operation of any such tire the wire or wire coils in contact with the roadway shall not exceed 20% 20 percent of the total tire area in contact with the roadway. Tires equipped with 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.

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

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

NOTE: Inserts preferred spelling for "percent."

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

402.603 (2) When the buyer sells goods under sub. (1), the buyer is entitled to reimbursement from the seller or out of the proceeds for reasonable expenses of caring for and selling them, and if the expenses include no selling commission then to such commission as is usual in

the trade or if there is none to a reasonable sum not exceeding 10 ~~per-cent~~ percent of the gross proceeds.

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."

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

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

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

618.41 (9) (a) *Required information.* Every new or renewal insurance policy procured and delivered under this section shall bear the name and address of the insurance agent or broker who procured it and, except for ocean marine insurance, shall have stamped or affixed upon it the following: "This insurance contract is with an insurer which has not obtained a certificate of authority to transact a regular insurance business in the state of Wisconsin, and is issued and delivered as a surplus line

coverage pursuant to s. 618.41 of the Wisconsin Statutes. Section 618.43 (1), Wisconsin Statutes, requires payment by the policyholder of ~~3%~~ 3 percent tax on gross premium². Every ocean marine insurance policy shall have stamped or affixed upon it the above statement except that the tax shall be one-half of one ~~per-cent~~ per-cent 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.

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

632.43 (6) (a) Except as otherwise provided in par. (b) or (c), all adjusted premiums and present values referred to in this section shall for all policies of ordinary insurance be calculated on the basis of the commissioners 1941 standard ordinary mortality table, except that for any category of ordinary insurance issued on female risks adjusted premiums and present values may be calculated according to an age not more than 3 years younger than the actual age of the insured, and such calculations for all policies of industrial insurance shall be made on the basis of the 1941 standard industrial mortality table. All calculations shall be made on the basis of the rate of interest, not exceeding ~~3-1/2 per-cent~~ 3.5 percent per year, specified in the policy for calculating cash surrender values and paid-up nonforfeiture benefits; provided, that in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may not be more than 130 ~~per-cent~~ percent of the rates of mortality according to such applicable table. For insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the commissioner.

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

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

632.43 (6) (c) In the case of industrial policies issued on or after the operative date of this paragraph as defined herein, all adjusted premiums and present values referred to in this section shall be calculated on the basis of the commissioners 1961 standard industrial mortality table and the rate of interest, not exceeding ~~3-1/2 per-cent~~ 3.5 percent per year, specified in the policy for calculating cash surrender values and paid-up nonforfeiture benefits; provided, that in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may be not more than those shown

in the commissioners 1961 industrial extended term insurance table, and for insurance issued on a substandard basis, the calculations of any such adjusted premiums and present values may be based on such other table of mortality as is specified by the company and approved by the commissioner. After May 19, 1963, any company may file with the commissioner a written notice of its election to comply with this paragraph after a specified date before January 1, 1968. After the filing of such notice, then upon such specified date ~~€~~ (which shall be the operative date of this paragraph for such company), this paragraph shall become operative with respect to the industrial policies thereafter issued by such company. If a company makes no such election, the operative date of this paragraph for such company shall be January 1, 1968.

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

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

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

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

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

813.28 (2) (b) By then deducting for the insurance fund provided in s. 813.31 a sum equal to 5 ~~per-cent~~ percent of the total value of the property remaining, including amounts paid to the receivership estate from policies of insurance on the absentee's life;

NOTE: Inserts preferred spelling for "percent."

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

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

NOTE: Inserts preferred spelling for "percent."