

SENATE BILL 284 (LRB -1627)

An Act relating to: affecting various provisions of the statutes to correct errors and reconcile conflicts (Corrections Bill).

2011

- 11-08. S. Introduced by LAW REVISION COMMITTEE.
- 11-08. S. Read first time and referred to committee on Judiciary, Utilities, Commerce, and Government Operations ..... 583

2012

- 01-25. S. Public hearing held.
- 02-01. S. Executive action taken.
- 02-02. S. Report passage recommended by committee on Judiciary, Utilities, Commerce, and Government Operations, Ayes 5, Noes 0 ..... 683
- 02-02. S. Available for scheduling.
- 02-13. S. Placed on calendar 2-14-2012 pursuant to Senate Rule 18(1) ..... 698
- 02-14. S. Read a second time ..... 705
- 02-14. S. Senate amendment 1 offered by Senators Taylor, Vinehout, Holperin, C. Larson, King, Shilling, T. Cullen, S. Coggs, Wirch, Miller, Lassa, Hansen, Carpenter, Erpenbach, Jauch and Risser (LRB a2325) ..... 705
- 02-14. S. Point of order that Senate amendment 1 not germane taken under advisement ..... 707
- 02-14. S. Placed at the foot of the 11th order of business on the calendar of 02-14-2012 ..... 705
- 02-14. S. Point of order that Senate amendment 1 not germane well taken ..... 707
- 02-14. S. Decision of the Chair stands as the judgement of the Senate, Ayes 17, Noes 16 ..... 708
- 02-14. S. Ordered to a third reading ..... 708
- 02-14. S. Rules suspended ..... 708
- 02-14. S. Read a third time and passed ..... 708
- 02-14. S. Ordered immediately messaged ..... 708
- 02-16. A. Received from Senate ..... 801
- 02-16. A. Read first time and referred to committee on Rules ..... 802
- 02-16. A. Placed on calendar 2-21-2012 by committee on Rules.
- 02-21. A. Read a second time.
- 02-21. A. Ordered to a third reading.
- 02-21. A. Rules suspended.
- 02-21. A. Read a third time and concurred in.
- 02-21. A. Ordered immediately messaged.
- 02-22. S. Received from Assembly concurred in.

SB

**2011  
ENROLLED BILL**

11en S B-284

**ADOPTED DOCUMENTS:**

**Orig**     **Engr**         **SubAmdt**     

11- 1627/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

2-22-12

Date

J. R. Miller

Enrolling Drafter



## 2011 SENATE BILL 284

November 8, 2011 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT relating to:** affecting various provisions of the statutes to correct errors  
2 and reconcile conflicts (Corrections Bill).

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### *Analysis by the Legislative Reference Bureau*

This correction bill was prepared by the Legislative Reference Bureau under s. 13.92 (1) (bm) 1. and 2. and (2) (i) and (L), stats. Specific changes are explained in the NOTES in the body of the bill.

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

3 **SECTION 1.** 15.107 (16) of the statutes is repealed.

NOTE: By its terms, s. 15.107 (16), creating the Wisconsin land council, does not apply after August 31, 2005.

4 **SECTION 2.** 16.023 of the statutes is repealed.

NOTE: By its terms, s. 16.023, which establishes the functions of the Wisconsin land council, does not apply after August 31, 2005.

5 **SECTION 3.** 16.753 (3) of the statutes is amended to read:

6 16.753 (3) An agency shall post the information under sub. (2) within 24 hours  
7 of the time of initial solicitation or commencement of negotiations, or the time that

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## SECTION 3

1 the information becomes available, if the information is not available at the time of  
 2 solicitation or commencement of negotiations, and shall maintain the posting until  
 3 at least 90 days following the time of award of the contract or placement of the order  
 4 or 90 days following the date of any change order, whichever is later. The agency  
 5 shall also post any change order to a listed order or contract. If an original order or  
 6 contract that did not involve a major expenditure, together with a change order,  
 7 aggregates to a contract or order that involves a major expenditure, the agency shall  
 8 post the information under sub. (1) (2) with respect to that order or contract.

NOTE: Corrects cross-reference consistent with the first sentence of the provision.  
 There is no information under sub. (1). Subsection (1) is the definition of "major  
 expenditure."

9 SECTION 4. 20.395 (3) (ck) of the statutes is repealed.

NOTE: Section 20.395 (3) (ck) provides:

20.395 (3) (ck) *West Canal Street reconstruction and extension, service funds.* From  
 the general fund, as a continuing appropriation, the amounts in the schedule for the grant  
 under s. 84.03 (3). All moneys transferred from the appropriation account under s. 20.505  
 (8) (hm) 21., 2001 stats., shall be credited to this appropriation account.

By its terms, s. 84.03 (3), providing for grants for a West Canal Street  
 reconstruction and extension project, does not apply after December 31, 2005, and it is  
 repealed by this bill.

10 SECTION 5. 20.395 (3) (cr) of the statutes is amended to read:

11 20.395 (3) (cr) *Southeast Wisconsin freeway rehabilitation, state funds.* As a  
 12 continuing appropriation, the amounts in the schedule for rehabilitation of  
 13 southeast Wisconsin freeways, including reconstruction and interim repair of the  
 14 Marquette interchange in Milwaukee County, ~~and for the grant under s. 84.03 (3) (a).~~  
 15 This paragraph does not apply to the installation, replacement, rehabilitation, or  
 16 maintenance of highway signs, traffic control signals, highway lighting, pavement  
 17 markings, or intelligent transportation systems, unless incidental to rehabilitation  
 18 of southeast Wisconsin freeways. No moneys may be encumbered from this  
 19 appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3) (c), any

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1 unencumbered balance in this appropriation account on July 1, 2011, shall be  
2 transferred to the appropriation account under par. (cq).

NOTE: By its terms, s. 84.03 (3), providing for grants for a West Canal Street reconstruction and extension project, does not apply after December 31, 2005, and it is repealed by this bill.

3 SECTION 6. 20.395 (3) (cy) of the statutes is amended to read:

4 20.395 (3) (cy) *Southeast Wisconsin freeway rehabilitation, federal funds.* All  
5 moneys received from the federal government for rehabilitation of southeast  
6 Wisconsin freeways, including reconstruction and interim repair of the Marquette  
7 interchange in Milwaukee County, ~~and for the grant under s. 84.03 (3) (a),~~ for such  
8 purposes. This paragraph does not apply to the installation, replacement,  
9 rehabilitation, or maintenance of highway signs, traffic control signals, highway  
10 lighting, pavement markings, or intelligent transportation systems, unless  
11 incidental to rehabilitation of southeast Wisconsin freeways. No moneys may be  
12 encumbered from this appropriation account after June 30, 2011. Notwithstanding  
13 s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1,  
14 2011, shall be transferred to the appropriation account under par. (cx).

NOTE: By its terms, s. 84.03 (3), providing for grants for a West Canal Street reconstruction and extension project, does not apply after December 31, 2005, and it is repealed by this bill.

15 SECTION 7. 20.435 (4) (jw) of the statutes, as affected by 2009 Wisconsin Act 28,  
16 section 357, is amended to read:

17 20.435 (4) (jw) *BadgerCare Plus, hospital assessment, and pharmacy benefits*  
18 *purchasing pool administrative costs.* All moneys received from payment of  
19 enrollment fees under the program under s. 49.45 (23), all moneys transferred under  
20 s. 50.38 (9), all moneys transferred from the appropriation account under par. (jz),  
21 and 10 percent of all moneys received from penalty assessments under s. 49.471 (9)

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1 (c), for administration of the program under s. 49.45 (23), to provide a portion of the  
2 state share of administrative costs for the BadgerCare Plus Medical Assistance  
3 program under s. 49.471, for administration of the hospital assessment under s.  
4 50.38, and to administer a contract with an entity to operate the pharmacy benefits  
5 purchasing pool under s. ~~146.65~~ 146.45.

NOTE: Inserts correct cross-reference. The pharmacy benefits purchasing pool is authorized under s. 146.45, as amended by 2009 Wis. Act 28. Section 146.65 governs distribution of moneys to rural health dental clinics.

6 SECTION 8. 20.931 (18) of the statutes is amended to read:

7 20.931 (18) This section shall be liberally construed and applied to promote the  
8 public interest and to effect the congressional intent in enacting 31 USC ~~3279~~ 3729  
9 to 3733, as reflected in the act and the legislative history of the act.

NOTE: Corrects cross-reference. There is no 31 USC 3279. The coverage of false claims in USC Title 31 begins at 31 USC 3729.

10 SECTION 9. 25.17 (1) (vm) of the statutes is amended to read:

11 25.17 (1) (vm) Tuition trust fund (s. 25.80);

NOTE: Makes punctuation consistent with the remaining paragraphs in s. 25.17 (1).

12 SECTION 10. 25.17 (1) (zd) of the statutes is amended to read:

13 25.17 (1) (zd) Worker's compensation operations fund (s. 102.75);

NOTE: Makes punctuation consistent with the remaining paragraphs in s. 25.17 (1).

14 SECTION 11. 29.307 (2) of the statutes is repealed.

NOTE: Section 29.307 (3) provides that s. 29.307 (2) does not apply after June 30, 2004.

15 SECTION 12. 29.307 (3) of the statutes is amended to read:

16 29.307 (3) ~~Subsection (2) and the~~ Any rules promulgated under ~~sub. (2) s.~~  
17 29.307 (2), 2009 stats., do not apply after June 30, 2004.

NOTE: See the previous section of this bill.

18 SECTION 13. 29.971 (11) of the statutes is amended to read:

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1           29.971 (11) For hunting deer without the required approval, during the closed  
2 season, with the aid of artificial light or with the aid of an aircraft, ~~except as provided~~  
3 ~~in s. 29.307 (2)~~, for the snaring of or setting snares for deer, or for the possession or  
4 control of a deer carcass in violation of s. 29.055 or 29.347, by a fine of not less than  
5 \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both.  
6 In addition, the court shall order the revocation of all approvals issued to the person  
7 under this chapter and shall prohibit the issuance of any new approval under this  
8 chapter to the person for 3 years.

NOTE: As provided in s. 29.307 (3), s. 29.307 (2) does not apply after June 30, 2004,  
and it is repealed by this bill.

9           **SECTION 14.** 49.143 (3g) (a) 1. of the statutes is amended to read:

10           49.143 (3g) (a) 1. The placement of participants in Wisconsin ~~works~~ Works  
11 employment positions into unsubsidized employment, as defined in s. 49.147 (1) (e).

NOTE: Section 49.147 (1) (intro.) and (c) are consolidated and renumbered s. 49.147  
(1) by this bill. Capitalizes name of program consistent with current style.

12           **SECTION 15.** 49.147 (1) (intro.) and (c) of the statutes are consolidated,  
13 renumbered 49.147 (1) and amended to read:

14           49.147 (1) ~~DEFINITIONS~~ DEFINITION. In this section: (e) ~~“Unsubsidized,~~  
15 “unsubsidized employment” means employment for which the Wisconsin ~~works~~  
16 Works agency provides no wage subsidy to the employer including self-employment  
17 and entrepreneurial activities.

NOTE: Section 49.147 (1) does not contain multiple paragraphs. Capitalizes name  
of program consistent with current style.

18           **SECTION 16.** 49.148 (1) (b) 1. of the statutes is amended to read:

19           49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a  
20 community service job under s. 49.147 (4), a monthly grant of \$673, paid by the  
21 Wisconsin ~~works~~ Works agency. For every hour that the participant misses work or

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## SECTION 16

1 education or training activities without good cause, the grant amount shall be  
2 reduced by \$5.15. Good cause shall be determined by the financial and employment  
3 planner in accordance with rules promulgated by the department. Good cause shall  
4 include required court appearances for a victim of domestic abuse. If a participant  
5 in a community service job under s. 49.147 (4) is required to work fewer than 30 hours  
6 per week because the participant has unsubsidized employment, as defined in s.  
7 49.147 (1) (e), the grant amount under this paragraph shall equal the amount  
8 specified under subd. 1m. minus \$5.15 for each hour that the participant misses work  
9 or education or training activities without good cause.

NOTE: Section 49.147 (1) (intro.) and (c) are consolidated and renumbered s. 49.147  
(1) by this bill. Capitalizes name of program consistent with current style.

10 SECTION 17. 49.148 (1m) (a) 1. of the statutes is amended to read:

11 49.148 (1m) (a) 1. A custodial parent of a child 12 weeks old or less who meets  
12 the eligibility requirements under s. 49.145 (2) and (3), unless another adult member  
13 of the custodial parent's Wisconsin Works group is participating in, or is eligible to  
14 participate in, a Wisconsin Works employment position or is employed in  
15 unsubsidized employment, as defined in s. 49.147 (1) (e).

NOTE: Section 49.147 (1) (intro.) and (c) are consolidated and renumbered s. 49.147  
(1) by this bill.

16 SECTION 18. 49.15 (3) (a) of the statutes is amended to read:

17 49.15 (3) (a) Unsubsidized employment, as defined in s. 49.147 (1) (e).

NOTE: Section 49.147 (1) (intro.) and (c) are consolidated and renumbered s. 49.147  
(1) by this bill.

18 SECTION 19. 49.77 (2) (a) 3. (intro.) and a. of the statutes are consolidated,  
19 renumbered 49.77 (2) (a) 3. and amended to read:

20 49.77 (2) (a) 3. Any needy person or couple residing in this state whose income,  
21 after deducting income excludable under federal Title XVI, is less than the combined



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1 benefit level available under federal Title XVI and this section, if ~~at least one of the~~  
2 ~~following requirements are met:~~ a. ~~The~~ the person or couple was eligible for a state  
3 supplement under this section based on the last federal eligibility determination  
4 prior to January 1, 1996, but was not eligible to receive a payment under federal Title  
5 XVI on that date.

NOTE: Section 49.77 (2) (a) 3. does not contain multiple subdivision paragraphs.

6 SECTION 20. 64.26 (1) of the statutes is renumbered 64.26.

NOTE: Section 64.26 does not contain multiple subsections.

7 SECTION 21. 66.1001 (4) (b) 3. of the statutes is repealed.

NOTE: Section 66.1001 (4) (b) 3. requires distribution of certain comprehensive plans to "[t]he Wisconsin land council." By their terms, s. 15.107 (16), creating the Wisconsin land council, and s. 16.023, which establishes the functions of the Wisconsin land council, do not apply after August 31, 2005, and they are repealed by this bill.

8 SECTION 22. 73.03 (2) (a) of the statutes is renumbered 73.03 (2).

NOTE: Section 73.03 (2) does not contain multiple paragraphs.

9 SECTION 23. 84.013 (2) (b) of the statutes is amended to read:

10 84.013 (2) (b) Except as provided in ss. 84.014, ~~84.03 (3)~~, and 84.555, and  
11 subject to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall  
12 be funded from the appropriations under ss. 20.395 (3) (cq) to (cx) and 20.866 (2) (uur)  
13 and (uut).

NOTE: By its terms, s. 84.03 (3), providing for grants for a West Canal Street reconstruction and extension project, does not apply after December 31, 2005, and it is repealed by this bill.

14 SECTION 24. 84.03 (3) of the statutes is repealed.

NOTE: By its terms s. 84.03 (3), providing for grants for a West Canal Street reconstruction and extension project, does not apply after December 31, 2005.

15 SECTION 25. 86.31 (3s) of the statutes is repealed.

NOTE: By its terms s. 86.31 (3s), providing for grants for a West Canal Street reconstruction and extension project, does not apply after December 31, 2005.

16 SECTION 26. 93.06 (12) of the statutes is repealed.

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NOTE: By its terms, s. 93.06 (12), providing funds to organizations to seek the reform of federal agricultural policy for the benefit of agricultural producers in this state, does not apply after June 30, 2005.

1           **SECTION 27.** 101.14 (4) (b) 3. a. of the statutes is amended to read:

2           101.14 (4) (b) 3. a. Every residence hall and dormitory over 60 feet in height,  
3 the initial construction of which was begun before April 26, 2000, that is owned or  
4 operated by the board of regents of the University of Wisconsin System to contain an  
5 automatic fire sprinkler system on each floor by January 1, 2006, ~~except that those~~  
6 ~~rules shall not apply to Ogg Residence Hall at the University of Wisconsin-Madison~~  
7 ~~until January 1, 2008.~~

NOTE: The building that housed the original Ogg Residence Hall has been demolished.

8           **SECTION 28.** 102.11 (1) (intro.) of the statutes, as affected by 2009 Wisconsin  
9 Act 206, is amended to read:

10           102.11 (1) (intro.) The average weekly earnings for temporary disability,  
11 permanent total disability, or death benefits for injury in each calendar year on or  
12 after January 1, 1982, shall be not less than \$30 nor more than the wage rate that  
13 results in a maximum compensation rate of 110 percent of the state's average weekly  
14 earnings as determined under s. 108.05 as of June 30 of the previous year. The  
15 average weekly earnings for permanent partial disability shall be not less than \$30  
16 and, for permanent partial disability for injuries occurring on or after May 6 1, 2010,  
17 and before January 1, 2011, not more than \$438, resulting in a maximum  
18 compensation rate of \$292, and, for permanent partial disability for injuries  
19 occurring on or after January 1, 2011, not more than \$453, resulting in a maximum  
20 compensation rate of \$302. Between such limits the average weekly earnings shall  
21 be determined as follows:

NOTE: Corrects error in transcribing 2009 Wis. Act 206.

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1           SECTION 29. 102.44 (1) (am) of the statutes, as affected by 2009 Wisconsin Act  
2 206, is amended to read:

3           102.44 (1) (am) If the employee is receiving the maximum weekly benefits in  
4 effect at the time of the injury, the supplemental benefit for a week of disability  
5 occurring after May 6 1, 2010, shall be an amount that, when added to the regular  
6 benefit established for the case, shall equal \$582.

NOTE: Corrects error in transcribing 2009 Wis. Act 206.

7           SECTION 30. 102.44 (1) (b) of the statutes, as affected by 2009 Wisconsin Act  
8 206, is amended to read:

9           102.44 (1) (b) If the employee is receiving a weekly benefit that is less than the  
10 maximum benefit that was in effect on the date of the injury, the supplemental  
11 benefit for a week of disability occurring after May 6 1, 2010, shall be an amount  
12 sufficient to bring the total weekly benefits to the same proportion of \$582 as the  
13 employee's weekly benefit bears to the maximum in effect on the date of injury.

NOTE: Corrects error in transcribing 2009 Wis. Act 206.

14           SECTION 31. 106.25 (1) (intro.) and (a) (intro.) of the statutes are consolidated,  
15 renumbered 106.25 (1) (intro.) and amended to read:

16           106.25 (1) ~~DEFINITIONS~~ DEFINITION. (intro.) In this section: ~~(a) "Public,~~ "public  
17 insurrection" means a civil disturbance in which a group or groups of persons are  
18 simultaneously engaged in acts of violence against persons or property by the illegal  
19 use of weapons, by burning, pillaging or looting or by committing any other illegal  
20 acts, and which is of such a magnitude as to result in any of the following:

NOTE: Section 106.25 (1) does not contain multiple paragraphs.

21           SECTION 32. 106.25 (1) (a) 1., 2. and 3. of the statutes are renumbered 106.25  
22 (1) (am), (b) and (c).

NOTE: See the previous section of this bill.

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## SECTION 33

1           **SECTION 33.** 145.07 (7) (a) of the statutes, as affected by 2009 Wisconsin Act  
2 291, is renumbered 145.07 (7).

**NOTE:** Section 145.07 (7) does not contain multiple paragraphs.

3           **SECTION 34.** 165.76 (1m) of the statutes, as created by 2009 Wisconsin Act 261,  
4 is amended to read:

5           **165.76 (1m)** If a person is required to provide a biological specimen under sub.  
6 (1) (a) to (g) and the department of justice does not have the data obtained from  
7 analysis of a biological specimen from the person that the department is required to  
8 maintain in the data bank under s. 165.77 (3), the department may require the  
9 person to provide a biological specimen, regardless of whether the person previously  
10 provided a biological specimen under this section or s. 51.20 (13) (cr), 938.34 (15),  
11 971.17 (1m) (a), 973.047, or ~~980.63~~ 980.063. The department of justice, the  
12 department of corrections, a district attorney, or a county sheriff, shall notify any  
13 person whom the department of justice requires to provide a biological specimen  
14 under this subsection.

**NOTE:** Inserts correct cross-reference. There is no s. 980.63. Section 980.063 provides deoxyribonucleic acid analysis requirements for sexually violent persons under ch. 980.

15           **SECTION 35.** 285.69 (2) (e) of the statutes is amended to read:

16           **285.69 (2) (e)** Beginning in 2001, the owner or operator of a stationary source  
17 for which an operation permit is required shall pay to the department an annual fee  
18 of \$ ~~.86~~ 86 cents per ton of actual emissions in the preceding year of all air  
19 contaminants on which the fee under par. (a) is based.

**NOTE:** Conforms provision to current style.

20           **SECTION 36.** 301.10 (2) of the statutes is renumbered 301.10.

**NOTE:** Section 301.10 does not contain multiple subsections.

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1 SECTION 37. 348.16 (1) (intro.) and (b) of the statutes are consolidated,  
2 renumbered 348.16 (1) and amended to read:

3 348.16 (1) In this section: ~~(b) "Class,~~ "class 'B' highway" includes those county  
4 trunk highways, town highways and city and village streets, or portions thereof,  
5 which have been designated as class "B" highways by the local authorities pursuant  
6 to s. 349.15.

NOTE: Section 348.16 (1) does not contain multiple paragraphs.

7 SECTION 38. 350.12 (1) of the statutes is amended to read:

8 350.12 (1) REGISTRATION REQUIREMENT. After January 1, 1970, no person shall  
9 operate, and no owner shall give permission for the operation of any snowmobile  
10 within this state unless the operation of the snowmobile complies with sub. (3) (a)  
11 ~~(intro.)~~ 1, or (5) (cm) or is exempt from registration. No political subdivision shall  
12 have authority to register or license snowmobiles.

NOTE: Section 350.12 (3) (a) (intro.) is renumbered s. 350.12 (3) (a) 1. by this bill.

13 SECTION 39. 350.12 (3) (a) (intro.) of the statutes is renumbered 350.12 (3) (a)  
14 1.

NOTE: This provision is not introductory to s. 350.12 (3) (a) 2. to 4. and is not constructed as an introductory paragraph.

15 SECTION 40. 401.204 of the statutes, as affected by 2009 Wisconsin Act 320, is  
16 amended to read:

17 401.204 Value. Except as otherwise provided in chs. 403, 404, and 405, ~~and~~  
18 406, a person gives value for rights if the person acquires them under any of the  
19 following circumstances:

NOTE: Chapter 406 was repealed by 2009 Wis. Act 110

20 SECTION 41. 401.301 (3) (f) of the statutes, as affected by 2009 Wisconsin Act  
21 320, is repealed.

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## SECTION 41

NOTE: The text of s. 401.301 (3) (f) is a cross-reference to s. 406.103, which was repealed by 2009 Wis. Act 110.

1           **SECTION 42.** 405.103 (3) of the statutes is amended to read:

2           405.103 (3) With the exception of this subsection, subs. (1) and (4), ss. 405.102  
3 (1) (i) and (j), 405.106 (4) and 405.114 (4), and except to the extent prohibited in ss.  
4 ~~401.102 (3)~~ 401.302 and 405.117 (4), the effect of this chapter may be varied by  
5 agreement or by a provision stated or incorporated by reference in an undertaking.  
6 A term in an agreement or undertaking generally excusing liability or generally  
7 limiting remedies for failure to perform obligations is not sufficient to vary  
8 obligations prescribed by this chapter.

NOTE: Section 401.102 (3), which provided for variation by agreement from the terms of the Uniform Commercial Code, chs. 401-411, was repealed by 2009 Wis. Act 320, which repealed and recreated chapter 401 in its entirety. Variation by agreement is now provided for in s. 401.302.

9           **SECTION 43.** 408.103 (7) of the statutes, as created by 2009 Wisconsin Act 322,  
10 is amended to read:

11           408.103 (7) A document of title, as defined in s. 401.201 ~~(15)~~ (2) (i), is not a  
12 financial asset unless s. 408.102 (1) (i) 1. c. applies.

NOTE: Inserts the correct cross-reference. Section 401.201 (15) was repealed and the definition of "document of title" was recreated as s. 401.201 (2) (i) by 2009 Wis. Act 320.

13           **SECTION 44.** 423.201 (1) (a) of the statutes is amended to read:

14           423.201 (1) (a) Is initiated by face-to-face solicitation away from a regular  
15 place of business of the merchant or by mail or telephone solicitation directed to the  
16 particular customer; and

NOTE: Inserts necessary semicolon.

17           **SECTION 45.** 565.30 (5r) (b) of the statutes, as affected by 2009 Wisconsin Act  
18 402, is amended to read:

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1           565.30 (5r) (b) Subject to par. (c), if the administrator receives a notice under  
2 s. 778.30 (2) (a), ~~800.09~~ 800.095 (1) (c), or 973.05 (5) (a) of the assignment of lottery  
3 prizes under s. 778.30 (1) (c), ~~800.09~~ 800.095 (1) (c), or 973.05 (4) (c) and determines  
4 that the person subject to the assignment is a winner or assignee of a lottery prize  
5 that is payable in installments, the administrator shall withhold the amount of the  
6 judgment that is the basis of the assignment from the next installment payment. The  
7 administrator shall submit the withheld amount to the court that issued the  
8 assignment. At the time of the submittal, the administrator shall charge the  
9 administrative expenses related to that withholding and submittal to the winner or  
10 assignee of the lottery prize and withhold those expenses from the balance of the  
11 installment payment. The administrator shall notify the winner or assignee of the  
12 reason that the amount is withheld from the installment payment. If the initial  
13 installment payment is insufficient to pay the judgment and administrative  
14 expenses, the administrator shall withhold and submit to the court an amount from  
15 any additional installment payments until the judgment and administrative  
16 expenses are paid in full and the assignment is no longer in effect. The  
17 administrative expenses received by the department shall be credited to the  
18 appropriation under s. 20.566 (1) (h).

NOTE: Inserts correct cross-reference.

19           **SECTION 46.** 623.06 (2) (intro.) of the statutes is amended to read:

20           623.06 (2) (intro.) Except as provided in subs. (2a) and (2m), the minimum  
21 standard for the valuation of all such policies and contracts issued prior to the  
22 effective date of this section [see sub. (8) and s. 632.43 (9)] shall be that provided by  
23 the laws in effect immediately prior to such date. Except as provided in subs. (2a)  
24 and (2m), the minimum standard for the valuation of all such policies and contracts

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## SECTION 46

1 issued on or after the effective date of this section shall be the commissioners reserve  
2 valuation methods defined in subs. (3) to (4m) and (7), with ~~3-1/2%~~ 3.5 percent  
3 interest, or in the case of policies and contracts, other than annuity and pure  
4 endowment contracts, issued on or after June 19, 1974, and prior to November 8,  
5 1977, ~~4%~~ 4 percent interest, and for policies issued on or after November 8, 1977,  
6 ~~4.5%~~ 4.5 percent interest and the following tables:

NOTE: Makes fraction and percent format consistent with current style.

7 SECTION 47. 623.06 (2a) (a), (b), (c) and (d) of the statutes are amended to read:

8 623.06 (2a) (a) For individual annuity and pure endowment contracts issued  
9 prior to November 8, 1977, excluding any disability and accidental death benefits in  
10 such contracts—the 1971 individual annuity mortality table, or any modification of  
11 this table approved by the commissioner, and ~~6%~~ 6 percent interest for single  
12 premium immediate annuity contracts, and ~~4%~~ 4 percent interest for all other  
13 individual annuity and pure endowment contracts.

14 (b) For individual single premium immediate annuity contracts issued on or  
15 after November 8, 1977, excluding any disability and accidental death benefits in  
16 those contracts, the 1971 individual annuity mortality table or any individual  
17 annuity mortality table adopted after 1980 by the National Association of Insurance  
18 Commissioners, that is approved by rule adopted by the commissioner for use in  
19 determining the minimum standard of valuation for those contracts or any  
20 modification of either table approved by the commissioner, and ~~7.5%~~ 7.5 percent  
21 interest. For other individual annuity and pure endowment contracts issued on or  
22 after November 8, 1977, excluding any disability and accidental death benefits in  
23 those contracts, the 1971 individual annuity mortality table or any individual  
24 annuity mortality table adopted after 1980 by the National Association of Insurance



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1 Commissioners, that is approved by rule adopted by the commissioner for use in  
2 determining the minimum standard of valuation for those contracts, or any  
3 modification of either table approved by the commissioner, and ~~5.5%~~ 5.5 percent  
4 interest for single premium deferred annuity and pure endowment contracts and  
5 ~~4.5%~~ 4.5 percent interest for all other individual annuity and pure endowment  
6 contracts.

7 (c) For all annuities and pure endowments purchased prior to November 8,  
8 1977, under group annuity and pure endowment contracts, excluding any disability  
9 and accidental death benefits purchased under such contracts—the 1971 group  
10 annuity mortality table, or any modification of this table approved by the  
11 commissioner, and ~~6%~~ 6 percent interest.

12 (d) For all annuities and pure endowments purchased on or after November 8,  
13 1977, under group annuity and pure endowment contracts, excluding any disability  
14 and accidental death benefits in those contracts, the 1971 group annuity mortality  
15 table or any group annuity mortality table adopted after 1980 by the National  
16 Association of Insurance Commissioners, that is approved by rule adopted by the  
17 commissioner for use in determining the minimum standard of valuation for those  
18 annuities and pure endowments, or any modification of either table approved by the  
19 commissioner, and ~~7.5%~~ 7.5 percent interest.

NOTE: Makes percent format consistent with current style.

20 SECTION 48. 623.06 (2m) (a) 3. of the statutes is amended to read:

21 623.06 (2m) (a) 3. "I" means the applicable calendar year valuation interest  
22 rate determined under par. (c), rounded to the nearest ~~0.25%~~ 0.25 percent.

NOTE: Makes percent format consistent with current style.

23 SECTION 49. 623.06 (2m) (d) of the statutes is amended to read:

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## SECTION 49

1           623.06 (2m) (d) Notwithstanding par. (c) 1., if the calendar year valuation  
2 interest rate determined under par. (c) 1. differs from the corresponding actual rate  
3 for similar policies issued in the immediately preceding calendar year by less than  
4 ~~0.5%~~ 0.5 percent, the calendar year valuation interest rate for those policies is the  
5 corresponding actual rate for the immediately preceding calendar year. For  
6 purposes of this paragraph, the calendar year valuation interest rate for policies  
7 issued in 1980 shall be determined using the reference interest rate for 1979 and  
8 shall be determined under this paragraph for subsequent calendar years  
9 notwithstanding s. 632.43 (6m).

NOTE: Makes percent format consistent with current style.

10           SECTION 50. 623.06 (3m) (b) 1. of the statutes is amended to read:

11           623.06 (3m) (b) 1. The value defined in sub. (3) (a) is reduced by ~~15%~~ 15 percent  
12 of the amount of the excess premium.

NOTE: Makes percent format consistent with current style.

13           SECTION 51. 800.09 (3) (title) of the statutes, as created by 2009 Wisconsin Act  
14 17, is repealed.

NOTE: No other subsections in s. 800.09 have titles.

15           SECTION 52. 911.01 (4) (c) of the statutes, as affected by 2009 Wisconsin Acts  
16 214, 261 and 349, is amended to read:

17           911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or  
18 rendition; sentencing, granting, or revoking probation, modification of a sentence  
19 under s. 302.1135, adjustment of a bifurcated sentence under s. 973.195 (1r), release  
20 to extended supervision under s. 302.113 (2) (b) or 304.06 (1) or discharge under s.  
21 973.01 (4m); issuance of subpoenas or warrants under s. 968.375, arrest warrants,  
22 criminal summonses, and search warrants; hearings under s. 980.09 (2); proceedings

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1 under s. 971.14 (1r) (c); ~~or~~ proceedings with respect to pretrial release under ch. 969  
2 except where habeas corpus is utilized with respect to release on bail or as otherwise  
3 provided in ch. 969; ~~and~~ or proceedings under s. 165.76 (6) to compel provision of a  
4 biological specimen for deoxyribonucleic acid analysis.

NOTE: Deletes "or" and replaces "and" with "or" to correct list structure. Deletes unnecessary comma inserted by 2009 Wis. Act 214. See also SECTION 56 of this bill, corrections of obvious typographical errors under s. 35.17, stats.

5 **SECTION 53.** 941.29 (9) (b) of the statutes, as created by 2009 Wisconsin Act 258,  
6 is amended to read:

7 941.29 (9) (b) This section does not apply to a person specified in sub. (1) (em)  
8 if the order under s. ~~51.30~~ 51.20 (13) (cv) 1. is canceled under s. 51.20 (13) (cv) 1m.  
9 c., if the order under s. 51.45 (13) (i) 1. is canceled under s. 51.45 (13) (i) 2. c., if the  
10 order under s. 54.10 (3) (f) 1. is canceled under s. 54.10 (3) (f) 2. c., or if the order under  
11 s. 55.12 (10) (a) is canceled under s. 55.12 (10) (b) 3.

NOTE: Inserts correct cross-reference. There is no s. 51.30 (13) (cv) 1. Section 51.20 (13) (cv) 1m. c. provides for cancelling orders under s. 51.20 (13) (cv) 1.

12 **SECTION 54.** 973.045 (3) (b) of the statutes is renumbered 973.045 (3).

NOTE: Section 973.045 (3) does not contain multiple paragraphs.

13 **SECTION 55. Renumbering and cross-reference changes under s. 13.92**  
14 **(1) (bm) 2., stats.** Each statute listed in column A is renumbered to the statute  
15 number in column B, and cross-references to the renumbered statute are changed  
16 in the statutes listed in column C to agree with the renumbered statute, under  
17 section 13.92 (1) (bm) 2. of the statutes:

NOTE: Confirms renumbering and corresponding cross-reference changes under s. 13.92 (1) (bm) 2.

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<b>A</b> Statute Renumbered	<b>B</b> New Statute Number	<b>C</b>
449.03, as affected by 2005 Wis. Act 297	449.03 (2)	
767.707, as created by 2009 Wis. Act 321	769.707	

1           **SECTION 56. Corrections of obvious typographical errors under s. 35.17,**  
 2       **stats.** In the sections of the statutes listed in Column A, the text shown in Column  
 3       B was changed to the text shown in column C to correct obvious typographical errors  
 4       under s. 35.17 of the statutes:

NOTE: Confirms the correction of obvious typographical errors in the statutes under s. 35.17. The affected statutes are printed in the 2009-10 printed volumes as corrected.

<b>A</b> Statute Affected	<b>B</b> Erroneous text	<b>C</b> Corrected text
20.370 (6) (au)	Notwithstanding 20.001 (3) (a)	Notwithstanding s. 20.001 (3) (a)
48.415 (intro.), as affected by 2009 Wis. Act 94	jury t shall	jury shall
48.42 (1) (d), as affected by 2009 Wis. Act 94	Indian t Child	Indian Child
91.48 (2) (intro.), as affected by 2009 Wis. Act 28	March of 1 each	March 1 of each
287.17 (1) (p), as created by 2009 Wisconsin Act 50	cathode ray-tube	cathode-ray tube

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648.45 (7) (c), as created by 2009 Wisconsin Act 28	permittee's	permittee's
968.20 (1r) (a), as affected by 2009 Wis. Act 258	s. 51.20 (13) (cv) 1., 2007, stats.	s. 51.20 (13) (cv) 1., 2007 stats.

1

(END)