

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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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3 SECTION 1. 15.107 (16) of the statutes is repealed.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4 SECTION 2. 16.023 of the statutes is repealed.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

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9 **SECTION 4.** 20.395 (3) (ck) of the statutes is repealed.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 are amended to read:

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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

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)

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.** 20.455 (2) (ke) of the statutes is amended to read:

7 20.455 (2) (ke) *Drug enforcement intelligence operations.* The amounts in the
 8 schedule for drug enforcement tactical and strategic intelligence units. All moneys
 9 transferred from the appropriation account under s. ~~20.455 (2) par. (i) 9.~~ shall be
 10 credited to this appropriation account.

NOTE: Corrects citation form.

11 **SECTION 9.** 20.455 (2) (kp) of the statutes is amended to read:

12 20.455 (2) (kp) *Drug crimes enforcement; local grants.* The amounts in the
 13 schedule for grants to local multijurisdictional groups to enforce prohibitions related
 14 to controlled substances. All moneys transferred from the appropriation account
 15 under s. ~~20.455 (2) par. (i) 3.~~ shall be credited to this appropriation account.

NOTE: Corrects citation form.

16 **SECTION 10.** 20.931 (18) of the statutes is amended to read:

17 20.931 (18) This section shall be liberally construed and applied to promote the
 18 public interest and to effect the congressional intent in enacting 31 USC ~~3279~~ 3729
 19 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.

20 **SECTION 11.** 25.17 (1) (vm) of the statutes is amended to read:

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

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

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

3 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).

4 **SECTION 13.** 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.

5 **SECTION 14.** 29.307 (3) of the statutes is amended to read:

6 29.307 (3) ~~Subsection (2) and the~~ Any rules promulgated under ~~sub. (2) s.~~
7 29.307 (2), 2009 stats., do not apply after June 30, 2004.

 NOTE: See the previous section of this bill.

8 **SECTION 15.** 29.971 (11) of the statutes is amended to read:

9 29.971 (11) For hunting deer without the required approval, during the closed
10 season, with the aid of artificial light or with the aid of an aircraft, ~~except as provided~~
11 ~~in s. 29.307 (2),~~ for the snaring of or setting snares for deer, or for the possession or
12 control of a deer carcass in violation of s. 29.055 or 29.347, by a fine of not less than
13 \$1,000 nor more than \$2,000 or by imprisonment for not more than 6 months or both.
14 In addition, the court shall order the revocation of all approvals issued to the person
15 under this chapter and shall prohibit the issuance of any new approval under this
16 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.

17 **SECTION 16.** 45.20 (2) (a) 1. of the statutes, as affected by 2009 Wisconsin Act
18 302, is amended to read:

1 45.20 (2) (a) 1. The department shall administer a tuition reimbursement
 2 program for eligible veterans enrolling as undergraduates in any institution of
 3 higher education in this state, enrolling in a school that is approved under s. 45.03
 4 (11), enrolling in a proprietary school that is approved under s. 38.50, enrolling in a
 5 public or private high school, enrolling in a tribal school, as defined in s. ~~115.011~~
 6 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of nonresident tuition
 7 under s. 39.47.

NOTE: Inserts the correct cross-reference. There is no s. 115.011. "Tribal school" is defined in s. 115.001 (15m).

8 SECTION 17. 49.143 (3g) (a) 1. of the statutes is amended to read:

9 49.143 (3g) (a) 1. The placement of participants in Wisconsin works
 10 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.

11 SECTION 18. 49.147 (1) (intro.) and (c) of the statutes are consolidated,
 12 renumbered 49.147 (1) and amended to read: CS DEFINITION

13 49.147 (1) DEFINITIONS (intro.) In this section: (e) Unsubsidized, Works
 14 "unsubsidized employment" means employment for which the Wisconsin works
 15 agency provides no wage subsidy to the employer including self-employment and
 16 entrepreneurial activities.

NOTE: Section 49.147 (1) does not contain multiple paragraphs.

17 SECTION 19. 49.148 (1) (b) 1. of the statutes is amended to read:

18 49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a
 19 community service job under s. 49.147 (4), a monthly grant of \$673, paid by the
 20 Wisconsin works agency. For every hour that the participant misses work or
 21 education or training activities without good cause, the grant amount shall be
 22 reduced by \$5.15. Good cause shall be determined by the financial and employment

Capitalizes name of program consistent with current style ©

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1 planner in accordance with rules promulgated by the department. Good cause shall
2 include required court appearances for a victim of domestic abuse. If a participant
3 in a community service job under s. 49.147 (4) is required to work fewer than 30 hours
4 per week because the participant has unsubsidized employment, as defined in s.
5 49.147 (1) (e), the grant amount under this paragraph shall equal the amount
6 specified under subd. 1m. minus \$5.15 for each hour that the participant misses work
7 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*

8 **SECTION 20.** 49.148 (1m) (a) 1. of the statutes is amended to read:

9 49.148 (1m) (a) 1. A custodial parent of a child 12 weeks old or less who meets
10 the eligibility requirements under s. 49.145 (2) and (3), unless another adult member
11 of the custodial parent's Wisconsin Works group is participating in, or is eligible to
12 participate in, a Wisconsin Works employment position or is employed in
13 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.

14 **SECTION 21.** 49.15 (3) (a) of the statutes is amended to read:

15 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.

16 **SECTION 22.** 49.77 (2) (a) 3. (intro.) and a. of the statutes are consolidated,
17 renumbered 49.77 (2) (a) 3. and amended to read:

18 49.77 (2) (a) 3. Any needy person or couple residing in this state whose income,
19 after deducting income excludable under federal Title XVI, is less than the combined
20 benefit level available under federal Title XVI and this section, if ~~at least one of the~~
21 ~~following requirements are met:~~ a. ~~The~~ the person or couple was eligible for a state

1 supplement under this section based on the last federal eligibility determination
2 prior to January 1, 1996, but was not eligible to receive a payment under federal Title
3 XVI on that date.

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

4 **SECTION 23.** 64.26 (1) of the statutes is renumbered 64.26.

NOTE: Section 64.26 does not contain multiple subsections.

5 **SECTION 24.** 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.

6 **SECTION 25.** 73.03 (2) (a) of the statutes is renumbered 73.03 (2).

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

7 **SECTION 26.** 84.013 (2) (b) of the statutes is amended to read:

8 84.013 (2) (b) Except as provided in ss. 84.014, ~~84.03 (3)~~, and 84.555, and
9 subject to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall
10 be funded from the appropriations under ss. 20.395 (3) (cq) to (cx) and 20.866 (2) (uur)
11 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.

12 **SECTION 27.** 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.

13 **SECTION 28.** 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.

14 **SECTION 29.** 93.06 (12) of the statutes is repealed.

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.

15 **SECTION 30.** 101.14 (4) (b) 3. a. of the statutes is amended to read:

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

NOTE: The Ogg Residence Hall has been demolished.

7 **SECTION 31.** 102.11 (1) (intro.) of the statutes, as affected by 2009 Wisconsin
8 Act 206, is amended to read:

9 102.11 (1) (intro.) The average weekly earnings for temporary disability,
10 permanent total disability, or death benefits for injury in each calendar year on or
11 after January 1, 1982, shall be not less than \$30 nor more than the wage rate that
12 results in a maximum compensation rate of 110 percent of the state's average weekly
13 earnings as determined under s. 108.05 as of June 30 of the previous year. The
14 average weekly earnings for permanent partial disability shall be not less than \$30
15 and, for permanent partial disability for injuries occurring on or after May 6 1, 2010,
16 and before January 1, 2011, not more than \$438, resulting in a maximum
17 compensation rate of \$292, and, for permanent partial disability for injuries
18 occurring on or after January 1, 2011, not more than \$453, resulting in a maximum
19 compensation rate of \$302. Between such limits the average weekly earnings shall
20 be determined as follows:

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

21 **SECTION 32.** 102.44 (1) (am) of the statutes, as affected by 2009 Wisconsin Act
22 206, is amended to read:

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

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

5 **SECTION 33.** 102.44 (1) (b) of the statutes, as affected by 2009 Wisconsin Act
6 206, is amended to read:

7 102.44 (1) (b) If the employee is receiving a weekly benefit that is less than the
8 maximum benefit that was in effect on the date of the injury, the supplemental
9 benefit for a week of disability occurring after May 6 1, 2010, shall be an amount
10 sufficient to bring the total weekly benefits to the same proportion of \$582 as the
11 employee's weekly benefit bears to the maximum in effect on the date of injury.

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

12 **SECTION 34.** 106.25 (1) (intro.) and (a) (intro.) of the statutes are consolidated,
13 renumbered 106.25 (1) (intro.) and amended to read:

14 106.25 (1) ~~DEFINITIONS~~ (intro.) In this section: (a) ^(CS) DEFINITION "Public, "public
15 insurrection" means a civil disturbance in which a group or groups of persons are
16 simultaneously engaged in acts of violence against persons or property by the illegal
17 use of weapons, by burning, pillaging or looting or by committing any other illegal
18 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.

19 **SECTION 35.** 106.25 (1) (a) 1., 2. and 3. of the statutes are renumbered 106.25
20 (1) (am), (b) and (c).

NOTE: See the previous section of this bill.

21 **SECTION 36.** 145.07 (7) (a) of the statutes, as affected by 2009 Wisconsin Act
22 291, is renumbered 145.07 (7).

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

1 **SECTION 37.** 165.76 (1m) of the statutes, as created by 2009 Wisconsin Act 261,
2 is amended to read:

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

13 **SECTION 38.** 285.69 (2) (e) of the statutes is amended to read:

14 **285.69 (2) (e)** Beginning in 2001, the owner or operator of a stationary source
15 for which an operation permit is required shall pay to the department an annual fee
16 of ~~\$.86~~ 86 cents per ton of actual emissions in the preceding year of all air
17 contaminants on which the fee under par. (a) is based.

NOTE: Conforms provision to current style.

18 **SECTION 39.** 301.10 (2) of the statutes is renumbered 301.10.

NOTE: Section 301.10 does not contain multiple subsections.

19 **SECTION 40.** 348.16 (1) (intro.) and (b) of the statutes are consolidated,
20 renumbered 348.16 (1) and amended to read:

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

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

5 **SECTION 41.** 350.12 (1) of the statutes is amended to read:

6 **350.12 (1) REGISTRATION REQUIREMENT.** After January 1, 1970, no person shall
 7 operate, and no owner shall give permission for the operation of any snowmobile
 8 within this state unless the operation of the snowmobile complies with sub. (3) (a)
 9 ~~(intro.)~~ 1 or (5) (cm) or is exempt from registration. No political subdivision shall
 10 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.

11 **SECTION 42.** 350.12 (3) (a) (intro.) of the statutes is renumbered 350.12 (3) (a)
 12 1.

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

13 **SECTION 43.** 401.204 of the statutes, as affected by 2009 Wisconsin Act 320, is
 14 amended to read:

15 **401.204 Value.** Except as otherwise provided in chs. 403, 404, and 405, ~~and~~
 16 406, a person gives value for rights if the person acquires them under any of the
 17 following circumstances:

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

18 **SECTION 44.** 401.301 (3) (f) of the statutes, as affected by 2009 Wisconsin Act
 19 320, is repealed.

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.

20 **SECTION 45.** 405.103 (3) of the statutes is amended to read:

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

8 **SECTION 46.** 408.103 (7) of the statutes, as created by 2009 Wisconsin Act 322,
9 is amended to read:

10 408.103 (7) A document of title, as defined in s. 401.201 ~~(15)~~ (2) (i), is not a
11 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.

12 **SECTION 47.** 423.201 (1) (a) of the statutes is amended to read:

13 423.201 (1) (a) Is initiated by face-to-face solicitation away from a regular
14 place of business of the merchant or by mail or telephone solicitation directed to the
15 particular customer; and

NOTE: Inserts necessary semicolon.

16 **SECTION 48.** 565.30 (5r) (b) of the statutes, as affected by 2009 Wisconsin Act
17 402, is amended to read:

18 565.30 (5r) (b) Subject to par. (c), if the administrator receives a notice under
19 s. 778.30 (2) (a), ~~800.09~~ 800.095 (1) (c), or 973.05 (5) (a) of the assignment of lottery
20 prizes under s. 778.30 (1) (c), ~~800.09~~ 800.095 (1) (c), or 973.05 (4) (c) and determines

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

NOTE: Inserts correct cross-reference.

16 **SECTION 49.** 623.06 (2) (intro.) of the statutes is amended to read:

17 623.06 (2) (intro.) Except as provided in subs. (2a) and (2m), the minimum
18 standard for the valuation of all such policies and contracts issued prior to the
19 effective date of this section [see sub. (8) and s. 632.43 (9)] shall be that provided by
20 the laws in effect immediately prior to such date. Except as provided in subs. (2a)
21 and (2m), the minimum standard for the valuation of all such policies and contracts
22 issued on or after the effective date of this section shall be the commissioners reserve
23 valuation methods defined in subs. (3) to (4m) and (7), with ~~3-1/2%~~ 3.5 percent
24 interest, or in the case of policies and contracts, other than annuity and pure

1 endowment contracts, issued on or after June 19, 1974, and prior to November 8,
2 1977, ~~4%~~ 4 percent interest, and for policies issued on or after November 8, 1977,
3 ~~4.5%~~ 4.5 percent interest and the following tables:

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

4 **SECTION 50.** 623.06 (2a) (a), (b), (c) and (d) of the statutes are amended to read:

5 623.06 **(2a)** (a) For individual annuity and pure endowment contracts issued
6 prior to November 8, 1977, excluding any disability and accidental death benefits in
7 such contracts—the 1971 individual annuity mortality table, or any modification of
8 this table approved by the commissioner, and ~~6%~~ 6 percent interest for single
9 premium immediate annuity contracts, and ~~4%~~ 4 percent interest for all other
10 individual annuity and pure endowment contracts.

11 (b) For individual single premium immediate annuity contracts issued on or
12 after November 8, 1977, excluding any disability and accidental death benefits in
13 those contracts, the 1971 individual annuity mortality table or any individual
14 annuity mortality table adopted after 1980 by the National Association of Insurance
15 Commissioners, that is approved by rule adopted by the commissioner for use in
16 determining the minimum standard of valuation for those contracts or any
17 modification of either table approved by the commissioner, and ~~7.5%~~ 7.5 percent
18 interest. For other individual annuity and pure endowment contracts issued on or
19 after November 8, 1977, excluding any disability and accidental death benefits in
20 those contracts, the 1971 individual annuity mortality table or any individual
21 annuity mortality table adopted after 1980 by the National Association of Insurance
22 Commissioners, that is approved by rule adopted by the commissioner for use in
23 determining the minimum standard of valuation for those contracts, or any
24 modification of either table approved by the commissioner, and ~~5.5%~~ 5.5 percent

1 interest for single premium deferred annuity and pure endowment contracts and
2 ~~4.5%~~ 4.5 percent interest for all other individual annuity and pure endowment
3 contracts.

4 (c) For all annuities and pure endowments purchased prior to November 8,
5 1977, under group annuity and pure endowment contracts, excluding any disability
6 and accidental death benefits purchased under such contracts—the 1971 group
7 annuity mortality table, or any modification of this table approved by the
8 commissioner, and ~~6%~~ 6 percent interest.

9 (d) For all annuities and pure endowments purchased on or after November 8,
10 1977, under group annuity and pure endowment contracts, excluding any disability
11 and accidental death benefits in those contracts, the 1971 group annuity mortality
12 table or any group annuity mortality table adopted after 1980 by the National
13 Association of Insurance Commissioners, that is approved by rule adopted by the
14 commissioner for use in determining the minimum standard of valuation for those
15 annuities and pure endowments, or any modification of either table approved by the
16 commissioner, and ~~7.5%~~ 7.5 percent interest.

NOTE: Makes percent format consistent with current style.

17 **SECTION 51.** 623.06 (2m) (a) 3. of the statutes is amended to read:

18 623.06 (2m) (a) 3. “I” means the applicable calendar year valuation interest
19 rate determined under par. (c), rounded to the nearest ~~0.25%~~ 0.25 percent.

NOTE: Makes percent format consistent with current style.

20 **SECTION 52.** 623.06 (2m) (d) of the statutes is amended to read:

21 623.06 (2m) (d) Notwithstanding par. (c) 1., if the calendar year valuation
22 interest rate determined under par. (c) 1. differs from the corresponding actual rate
23 for similar policies issued in the immediately preceding calendar year by less than

1 0.5% 0.5 percent, the calendar year valuation interest rate for those policies is the
2 corresponding actual rate for the immediately preceding calendar year. For
3 purposes of this paragraph, the calendar year valuation interest rate for policies
4 issued in 1980 shall be determined using the reference interest rate for 1979 and
5 shall be determined under this paragraph for subsequent calendar years
6 notwithstanding s. 632.43 (6m).

NOTE: Makes percent format consistent with current style.

7 **SECTION 53.** 623.06 (3m) (b) 1. of the statutes is amended to read:
8 623.06 (**3m**) (b) 1. The value defined in sub. (3) (a) is reduced by ~~15%~~ 15 percent
9 of the amount of the excess premium.

NOTE: Makes percent format consistent with current style.

10 **SECTION 54.** 800.09 (3) (title) of the statutes, as created by 2009 Wisconsin Act
11 17, is repealed.

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

12 **SECTION 55.** 911.01 (4) (c) of the statutes, as affected by 2009 Wisconsin Acts
13 214, 261^e and 349, is amended to read:

14 (c) *Miscellaneous proceedings.* Proceedings for extradition or rendition;
15 sentencing, granting, or revoking probation, modification of a sentence under s.
16 302.1135, adjustment of a bifurcated sentence under s. 973.195 (1r), release to
17 extended supervision under s. 302.113 (2) (b) or 304.06 (1) or discharge under s.
18 973.01 (4m); issuance of subpoenas or warrants under s. 968.375, arrest warrants,
19 criminal summonses, and search warrants; hearings under s. 980.09 (2); proceedings
20 under s. 971.14 (1r) (c); ~~or~~ proceedings with respect to pretrial release under ch. 969
21 except where habeas corpus is utilized with respect to release on bail or as otherwise

1 provided in ch. 969; and or proceedings under s. 165.76 (6) to compel provision of a
2 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 59 of this bill, corrections of obvious typographical errors under s. 35.17, stats.

3 **SECTION 56.** 941.29 (9) (b) of the statutes, as created by 2009 Wisconsin Act 258,
4 is amended to read:

5 941.29 (9) (b) This section does not apply to a person specified in sub. (1) (em)
6 if the order under s. ~~51.30~~ 51.20 (13) (cv) 1. is canceled under s. 51.20 (13) (cv) 1m.
7 c., if the order under s. 51.45 (13) (i) 1. is canceled under s. 51.45 (13) (i) 2. c., if the
8 order under s. 54.10 (3) (f) 1. is canceled under s. 54.10 (3) (f) 2. c., or if the order under
9 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.

10 **SECTION 57.** 973.045 (3) (b) of the statutes is renumbered 973.045 (3).

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

11 **SECTION 58. Renumbering and cross-reference changes under s. 13.92**
12 **(1) (bm) 2., stats.** Each statute listed in column A is renumbered to the statute
13 number in column B, and cross-references to the renumbered statute are changed
14 in the statutes listed in column C to agree with the renumbered statute, under
15 section 13.92 (1) (bm) 2. of the statutes:

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

48.42 (1)(d) as affected by 2009 Wis. Act 94 Indian t Child Indian Child

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

move

1 **SECTION 59. 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.

A Statute Affected	B Erroneous text	C Corrected text
48.415 (intro.), as affected by 2009 Wis. Act 94	jury t shall	jury shall
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.
287.17 (1) (p), as created by 2009 Wisconsin Act 50	cathode ray-tube	cathode-ray tube
648.45 (7) (c), as created by 2009 Wisconsin Act 28	permittee's	permittee's

[add row]

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← material moved from p. 20 (red arrow)

material moved from p. 20 (blue arrow)

<move to page 19>

91.48 (2) (intro.), as affected by 2009 Wis. Act 28	March of 1 each	March 1 of each
20.370 (6) (au)	Notwithstanding 20.001 (3) (a)	Notwithstanding s. 20.001 (3) (a)

1

(END)



2011 BILL

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

INSERT
A

Analysis by the Legislative Reference Bureau

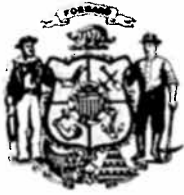
This correction bill was prepared by the Legislative Reference Bureau under s. 13.92 (1) (bm) 1. and 2. and (2) (i) and (L), stats. Specific changes are explained in the NOTES in the body of the bill.

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

3 SECTION 1. The treatment of 15.08 (1m) (b) of the statutes by 2009 Wisconsin
4 Act 106 is not repealed by 2009 Wisconsin Act 149. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 15.08 (1m) (b) reads:

(b) The public members of the chiropractic examining board, the dentistry examining board, the hearing and speech examining board, the medical examining board, the physical therapy examining board, perfusionists examining council, respiratory care practitioners examining council and council on physician assistants, the board of nursing, the nursing home administrator examining board, the veterinary examining board, the optometry examining board, the pharmacy examining board, the marriage and family therapy, professional counseling, and social work examining board, the psychology examining board, and the radiography examining board shall not be



TODAY 9:00 AM

State of Wisconsin
2011 - 2012 LEGISLATURE



rmNr

LRB-1627/P3

BJH:ej:sjf

1

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisor's Bill
Do NOT Gen Cat
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no change
except slash
number

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

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.

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

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

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)

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:

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

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

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.

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 these~~
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.

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.

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.

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.

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:

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

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

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:

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

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.

A Statute Renumbered	B New Statute Number	C
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.

A Statute Affected	B Erroneous text	C 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

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)

Barman, Mike

From: Rose, Laura
Sent: Thursday, November 03, 2011 1:47 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-1627/1 Topic: Revisor's correction bill

Please Jacket LRB 11-1627/1 for the SENATE.