

2009–10 Wisconsin Statutes Addenda and Errata:

The treatments indicated in notes **throughout the statutes** that refer to an effective date “stated in the notice provided by the secretary of children and families and published in the Wisconsin Administrative Register under s. 48.62 (9)” took effect January 1, 2011 as indicated by the required notice of the secretary of children and families.

Section 20.395 (5) (eh), Wis. Stats. 2009–10, is incorrect as printed. It contains an incorrect cross–reference and should read as follows:

20.395 (5) (eh) *Motorcycle safety program supplement, state funds.* From the general fund, all moneys received under s. 341.14 (6r) (b) 14m., for activities under the Type 1 motorcycle, moped, and motor bicycle safety program under s. 85.30 limited to evaluation of basic rider education courses, conducting public workshops, rallies, and programs related to Type 1 motorcycle safety and training, and making grants for providing motorcycle riding courses.

NOTE: The cross–reference to s. 341.14 (6r) (b) 14m. was changed from s. 341.14 (6r) (b) 14. by the legislative reference bureau under s. 13.92 (1) (bm) 2. to reflect the renumbering under s. 13.92 (1) (bm) 2. of s. 341.14 (6r) (b) 14., as created by 2009 Wis. Act 226, to s. 341.14 (6r) (b) 14m.

Section 25.40 (1) (a) 29., Wis. Stats. 2009–10, is incorrect as printed. It contains an incorrect cross–reference and should read as follows:

25.40 (1) (a) 29. Moneys received under s. 341.14 (6r) (b) 14m. that are deposited into the general fund and credited to the appropriation account under s. 20.395 (5) (eh).

NOTE: The cross–reference to s. 341.14 (6r) (b) 14m. was changed from s. 341.14 (6r) (b) 14. by the legislative reference bureau under s. 13.92 (1) (bm) 2. to reflect the renumbering under s. 13.92 (1) (bm) 2. of s. 341.14 (6r) (b) 14., as created by 2009 Wis. Act 226, to s. 341.14 (6r) (b) 14m.

Section 48.355 (2) (b) 6., Wis. Stats. 2009–10, is incorrect as printed. The wrong comma was shown in brackets. It should read as follows:

48.355 (2) (b) 6. If the child is placed outside the home, a finding that continued placement of the child in his or her home would be contrary to the welfare of the child, a finding as to whether the county department, the department, in a county having a population of 500,000 or more, or the agency primarily responsible for providing services under a court order has made reasonable efforts to prevent the removal of the child from the home, while assuring that the child’s health and safety are the paramount concerns, unless the court finds that any of the circumstances specified in sub. (2d) (b) 1. to 5. applies, and, if a permanency plan has previously been prepared for the child, a finding as to whether the county department, department, or agency has made reasonable efforts to achieve the goal of the child’s permanency plan[,] including, if appropriate, through an out–of–state placement. The court shall make the findings specified in this subdivision on a case–by–case basis based on circumstances specific to the child and shall document or reference the specific information on which those findings are based in the court order{,}. A court order that merely references this subdivision without documenting or referencing that

specific information in the court order or an amended court order that retroactively corrects an earlier court order that does not comply with this subdivision is not sufficient to comply with this subdivision.

NOTE: Subd. 6. is shown as affected by 2 acts of the 2009 Wisconsin legislature and as merged by the legislative reference bureau under s. 13.92 (2) (i). The comma in square brackets was removed by 2009 Wis. Act 185, but its reinsertion is required. The comma in curly brackets was inserted by 2009 Wis. Act 79, but is unnecessary. Corrective legislation is pending.

Section 48.38 (5) (c) 7., Wis. Stats. 2009–10, is incorrect as printed. The wrong comma was shown in brackets. It should read as follows:

48.38 (5) (c) 7. Whether reasonable efforts were made by the agency to achieve the goal of the permanency plan[,] including, if appropriate, through an out-of-state placement{, }.

NOTE: Subd. 7. is shown as affected by 2 acts of the 2009 Wisconsin legislature and as merged by the legislative reference bureau under s. 13.92 (2) (i). The comma in square brackets was removed by 2009 Wis. Act 185, but its reinsertion is required. The comma in curly brackets was inserted by 2009 Wis. Act 79, but is unnecessary. Corrective legislation is pending.

Section 48.64 (note), Wis. Stats. 2009–10, is incorrect as printed. The paragraph in the note that begins “(a) Any decision” should begin “(4) Orders affecting the head of a home or the children. (a) Any decision”.

The treatments indicated in the notes to **sections 49.147 (3)**, Wis. Stats. 2009–10, took effect October 1, 2010, as indicated by the notice published by the department of children and families under 2009 Wisconsin Act 333, section 20 (2).

Sections 102.11 (1) (intro.) and 102.44 (1) (am) and (b), Wis. Stats. 2009–10, are incorrect as printed. The May 6 date printed, should have been May 1. The affected statutes should read as follows:

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

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

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

The **Chapter 243 Table of Contents**, Wis. Stats. 2009–10, is incorrect as printed. Sections 243.07 and 243.10 were repealed.

Sections 256.01 (7) and (8), Wis. Stats. 2009–10, are incorrect as printed. They contain an incorrect cross–reference and should read as follows:

256.01 (7) “Emergency medical technician — intermediate” means an individual who is licensed by the department as an emergency medical technician — intermediate under s. 256.15 (5).

256.01 (8) “Emergency medical technician — paramedic” means an individual who is specially trained in emergency cardiac, trauma and other lifesaving or emergency procedures in a training program or course of instruction prescribed by the department and who is examined and licensed as an emergency medical technician — paramedic under s. 256.15 (5).

Section 343.50 (3) (Note) is incorrect as printed. 2007 Wis. Act 27 was incorrectly referenced. The note should read as follows:

Note: Sub. (3) is affected eff. the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under section 85.515 (2) (b) of the statutes by 2007 Wis. Acts 20 and 106, as merged by 2009 Wis. Act 180, to read:

Section 767.707, Wis. Stats. 2009–10, as created by 2009 Wis. Act 321 as a part of Subchapter II of Chapter 769 and printed in Chapter 769, is renumbered 769.707 by the Legislative Reference Bureau under s. 13.92 (1) (bm) 2., stats.

Section 938.355 (2) (b) 6., Wis. Stats. 2009–10, is incorrect as printed. The wrong comma was shown in brackets. It should read as follows:

938.355 (2) (b) 6. If the juvenile is placed outside the home, a finding that continued placement of the juvenile in his or her home would be contrary to the welfare of the juvenile or, if the juvenile has been adjudicated delinquent and is placed outside the home under s. 938.34 (3) (a), (c),

(cm), or (d) or (4d), a finding that the juvenile’s current residence will not safeguard the welfare of the juvenile or the community due to the serious nature of the act for which the juvenile was adjudicated delinquent. The court order shall also contain a finding as to whether the county department or the agency primarily responsible for providing services under a court order has made reasonable efforts to prevent the removal of the juvenile from the home, while assuring that the juvenile’s health and safety are the paramount concerns, unless the court finds that any of the circumstances under sub. (2d) (b) 1. to 4. applies, and, if a permanency plan has previously been prepared for the juvenile, a finding as to whether the county department or agency has made reasonable efforts to achieve the goal of the juvenile’s permanency plan[,] including, if appropriate, through an out-of-state placement{,}. The court shall make the findings specified in this subdivision on a case-by-case basis based on circumstances specific to the juvenile and shall document or reference the specific information on which those findings are based in the court order. A court order that merely references this subdivision without documenting or referencing that specific information in the court order or an amended court order that retroactively corrects an earlier court order that does not comply with this subdivision is not sufficient to comply with this subdivision.

NOTE: Subd. 6. is shown as affected by 2 acts of the 2009 Wisconsin legislature and as merged by the legislative reference bureau under s. 13.92 (2) (i). The comma in square brackets was removed by 2009 Wis. Act 185, but its reinsertion is required. The comma in curly brackets was inserted by 2009 Wis. Act 79, but is unnecessary. Corrective legislation is pending.

Section 938.365 (2m) (a) 1., Wis. Stats. 2009–10, is incorrect as printed. The wrong comma was shown in brackets. It should read as follows:

938.365 (2m) (a) 1. Any party may present evidence relevant to the issue of extension. If the juvenile is placed outside of his or her home, the person or agency primarily responsible for providing services to the juvenile shall present as evidence specific information showing that the person or agency has made reasonable efforts to achieve the goal of the juvenile’s permanency plan[,] including, if appropriate, through an out-of-state placement{,}. If an Indian juvenile is placed outside the home of his or her parent or Indian custodian under s. 938.13 (4), (6), (6m), or (7), the person or agency primarily responsible for providing services to the Indian juvenile shall also present as evidence specific information showing that active efforts under s. 938.028 (4) (d) 2. have been made to prevent the breakup of the Indian juvenile’s family and that those efforts have proved unsuccessful.

NOTE: Subd. 1. is shown as affected by 3 acts of the 2009 Wisconsin legislature and as merged by the legislative reference bureau under s. 13.92 (2) (i). The comma in square brackets was removed by 2009 Wis. Act 185, but its reinsertion is required. The comma in curly brackets was inserted by 2009 Wis. Act 79, but is unnecessary. Corrective legislation is pending.

Section 938.38 (5) (c) 7., Wis. Stats. 2009–10, is incorrect as printed. The wrong comma was shown in brackets. It should read as follows:

938.38 (5) (c) 7. Whether reasonable efforts were made by the agency to achieve the goal of the permanency plan[,] including, if appropriate, through an out-of-state placement{,}.

NOTE: Subd. 7. is shown as affected by 2 acts of the 2009 Wisconsin legislature and as merged by the legislative reference bureau under s. 13.92 (2) (i). The comma in square brackets was removed by 2009 Wis. Act 185, but its reinsertion is required. The comma in curly brackets was inserted by 2009 Wis. Act 79, but is unnecessary. Corrective legislation is pending.

Section 941.29 (9) (b), Wis. Stats. 2009–10, is incorrect as printed. The wrong citation was shown in brackets. It should read as follows:

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

NOTE: The correct cross-reference is shown in brackets. Corrective legislation is pending.

Section 973.047 (1f), Wis. Stats. 2009–10, is incorrect as printed. 2009 Act 202 added “(1) (b)” to the existing cross-reference to s. 948.10, which change was not included in the printed volumes. It should read as follows:

973.047 (1f) If a court imposes a sentence or places a person on probation for a felony conviction or for a conviction for a violation of s. 165.765 (1), 940.225 (3m), 944.20, or 948.10 (1) (b), the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.