

other than those nominated either at primary or by nomination papers, who threw away official ballots and had such unofficial ballots used as official ballots, may be prosecuted under either this section or the last provision of 348.24, Stats. 1927. 18 Atty. Gen. 239.

12.63 History: Ann. Stats. 1889 s. 23g; 1893 c. 228 s. 122; Stats. 1898 s. 4544c; 1925 c. 4; Stats. 1925 s. 348.233; 1955 c. 696 s. 226; Stats. 1955 s. 12.63.

12.64 History: Ann. Stats. 1889 s. 23g; 1893 c. 288 s. 123; Stats. 1898 s. 4544d; 1925 c. 4; Stats. 1925 s. 348.234; 1955 c. 696 s. 227; Stats. 1955 s. 12.64; 1959 c. 556.

A charge that a candidate was bribed at a convention constitutes electioneering and if made on election day by an election official or by others within 100 feet of the polls it is a violation of election laws. 10 Atty. Gen. 508.

One not an inspector of election who destroys a marked ballot should be prosecuted. 12 Atty. Gen. 410.

12.65 History: 1893 c. 288 s. 124; Stats. 1898 s. 4544e; 1925 c. 4; Stats. 1925 s. 348.235; 1955 c. 696 s. 228; Stats. 1955 s. 12.65.

Sec. 4544e, Stats. 1911, applies to elections at town meetings. 1 Atty. Gen. 209.

12.66 History: R. S. 1849 c. 13 s. 2; 1857 c. 85 ss. 21, 24, 25; R. S. 1858 c. 169 ss. 40, 42, 43, 45; 1864 c. 445 s. 14; 1877 c. 264 s. 14; R. S. 1878 s. 4545; Stats. 1898 s. 4545; 1925 c. 4; Stats. 1925 s. 348.24; 1955 c. 696 s. 231; Stats. 1955 s. 12.66; 1965 c. 666.

Legislative Council Note, 1965: Sub. (2) is a restatement of s. 6.44 (5). [Bill 755-A]

The words "any person not having all the qualifications of an elector" mean any person disqualified to vote from any of the causes fixed by the law, and referred to the condition at time his vote is received. Inspectors acting in a quasi-judicial capacity and discharging their duty in good faith are not criminally liable for errors of judgment or mistakes of law. *Byrne v. State*, 12 W 519.

Persons offering to vote and taking prescribed oath must be permitted to do so. Action lies against inspector for unlawfully refusing to receive vote, though without malice. *Gillespie v. Palmer*, 20 W 544.

12.67 History: 1857 c. 85 ss. 12, 20; R. S. 1858 c. 169 ss. 38, 39; R. S. 1878 s. 4546; Stats. 1898 s. 4546; 1925 c. 4; Stats. 1925 s. 348.25; 1955 c. 696 s. 233; Stats. 1955 s. 12.67.

12.68 History: R. S. 1858 c. 169 s. 48; R. S. 1878 s. 4548; Stats. 1898 s. 4548; 1925 c. 4; Stats. 1925 s. 348.26; 1955 c. 696 s. 234; Stats. 1955 s. 12.68; 1965 c. 666.

Legislative Council Note, 1965: Sub. (2) is a restatement of s. 11.18.

Sub. (3) is a restatement of s. 11.19. [Bill 755-A]

12.69 History: 1857 c. 85 s. 26; R. S. 1858 c. 7 s. 114; R. S. 1858 c. 169 s. 44; R. S. 1878 s. 4544; Stats. 1898 s. 4544; 1925 c. 4; Stats. 1925 s. 348.23; 1955 c. 696 s. 223; Stats. 1955 s. 12.69; 1965 c. 666.

Legislative Council Note, 1965: Sub. (2) is a restatement of s. 6.591.

Sub. (3) is a restatement of s. 6.592.

Sub. (4) is a restatement of s. 6.593, except the provisions for the inspectors delivering to the county clerk is deleted for uniformity in this bill.

Sub. (5) is a restatement of s. 11.20. [Bill 755-A]

Where the inspectors and clerks place on the poll list the name of a person not voting, and not a qualified elector, and certify that such list contains the names of persons voting and none others, they may be prosecuted under secs. 4544 or 4545, Stats. 1911. 1 Atty. Gen. 213.

12.70 History: 1911 c. 650; Stats. 1911 s. 94—38; 1915 c. 499 s. 31; Stats. 1915 s. 4543v; 1925 c. 4; Stats. 1925 s. 348.226; 1955 c. 696 s. 222; Stats. 1955 s. 12.70.

The principles of law relating to privilege in a civil action for libel are not changed by secs. 94—17 and 94—38, Stats. 1911; they add to the penalties which may follow the publication of false and libelous statements concerning candidates. *Putnam v. Browne*, 162 W 524, 155 NW 910.

12.71 History: 1909 c. 435; Stats. 1911 s. 4545a; 1925 c. 4; Stats. 1925 s. 348.241; 1955 c. 696 s. 232; Stats. 1955 s. 12.71.

12.75 History: R. S. 1849 c. 6 ss. 89, 95; R. S. 1858 c. 7 s. 101; R. S. 1878 s. 74; 1893 c. 288 s. 104; Stats. 1898 s. 94f; 1915 c. 383 s. 82; Stats. 1915 s. 6.74; 1965 c. 666 ss. 1, 16; Stats. 1965 s. 12.75.

Legislative Council Note, 1965: This section is a restatement of s. 6.74. [Bill 755-A]

The implication from sec. 74, R. S. 1878, is that service of process on election day upon one who is not an elector is good. *Weil v. Greier*, 61 W 414, 21 NW 246.

CHAPTER 13.

Legislative Branch.

Editor's Note: The table shows the sections of the 1963 Wisconsin Statutes (as amended through Chapter 532, Laws of 1965), from which the new sections of Chapter 13, as repealed and recreated by this draft, evolved. In some cases, the new sections are changed considerably from their predecessors.

CONVERSION TABLE

1965 Stats.	1963 Stats.
13.01	13.01
13.02	13.02
13.03	13.03
13.04	13.36
13.05	13.73
13.06	13.74
13.07	13.75
13.08	13.04
13.09	13.05
13.10	13.06
13.11	13.07
13.12	13.08
13.13	13.097
13.14	13.055
13.15	13.10
13.16	13.11

1965 Stats.	1963 Stats.
13.17	13.22
13.18	13.12
13.19	13.13
13.20	13.14
13.21	13.145
13.22	13.15
13.23	13.16
13.24	13.17
13.25	13.18
13.26	13.19
13.27	13.20
13.28	13.23
13.29	13.24
13.30	13.245
13.31	13.25
13.32	13.26
13.33	13.27
13.34	13.28
13.35	13.29
13.36	13.30
13.45 (1)	13.095 (1) to (3)
(2)	13.095 (4)
(3)	Ch. 428, Laws '65
(4), (5), (7)	extrapolated from new sections 13.47 to 13.53
(6)	13.09
13.47	13.057
13.48	13.351 and 1965 AB 531
13.49	13.353
13.50	13.40 (1) to (7)
13.51	13.40 (8) and (9)
13.52	13.44
13.53	245.33
13.54	14.75
13.55	14.76
13.56	227.041 and 1965 AB 835
13.60 to 13.72	remain unchanged
13.80	13.31
13.81	13.35 (generally)
13.82	13.35 (2), (3) and (4)
13.83 (1)	13.35 (6)
(2)	40.71 (1)
(3)	13.352
(4)	new
13.84	Ch. 406, Laws '65
13.90 (1) to (4)	13.32 (3) and 13.33 (3)
(5) and (6)	new
13.91	13.35 (parts)
13.92	13.33
13.93	13.32
13.94	15.21, 15.22 (1) to (7) and (8a) to (11) and 1965 AB 513

13.01 History: 1917 c. 634 s. 3; Stats. 1917 s. 13.01; 1965 c. 659.

13.02 History: R. S. 1849 c. 8 s. 1; R. S. 1858 c. 9 s. 1; R. S. 1878 s. 99; 1882 c. 153 s. 1; Ann. Stats. 1889 s. 99; Stats. 1898 s. 99; 1917 c. 634 s. 4; Stats. 1917 s. 13.02; 1965 c. 659; 1967 c. 187.

13.03 History: R. S. 1849 c. 8 ss. 5, 6; R. S. 1858 c. 9 ss. 5, 6; R. S. 1878 s. 100; Stats. 1898 s. 100; 1917 c. 634 s. 5; Stats. 1917 s. 13.03; 1931 c. 102; 1965 c. 659.

13.035 History: 1969 c. 199; Stats. 1969 s. 13.035.

13.04 History: 1947 c. 594; Stats. 1947 s. 13.36; 1965 c. 659; Stats. 1965 s. 13.04; 1967 c. 291 s. 12; Stats. 1967 ss. 13.04, 20.765 (1) (a) 1. a; 1969 c. 154 ss. 1t, 107m; Stats. 1969 s. 13.04.

As to appointment and salary of public service commissioner when member of legislature which enacted statutes is given appointment, see 52 Atty. Gen. 425.

13.05 History: 1911 c. 117; Stats. 1911 s. 4482m; 1925 c. 4; Stats. 1925 s. 346.30; 1955 c. 696 s. 176; Stats. 1955 s. 13.73; 1965 c. 659; Stats. 1965 s. 13.05.

13.06 History: 1911 c. 117; Stats. 1911 s. 4482n; 1925 c. 4; Stats. 1925 s. 346.31; 1955 c. 696 s. 177; Stats. 1955 s. 13.74; 1965 c. 659; Stats. 1965 s. 13.06.

13.07 History: 1911 c. 117; 1911 c. 664 s. 10; Stats. 1911 s. 4482o; 1925 c. 4; Stats. 1925 s. 346.32; 1955 c. 696 s. 178; Stats. 1955 s. 13.75; 1965 c. 659; Stats. 1965 s. 13.07.

13.08 History: 1868 c. 7 ss. 1, 20; 1873 c. 191; 1876 c. 345 ss. 1, 2; R. S. 1878 s. 110; Stats. 1898 s. 110; 1913 c. 772 s. 81; Stats. 1917 s. 13.04; 1965 c. 659; Stats. 1965 ss. 13.08, 20.765; 1969 c. 154, 331; Stats. 1969 s. 13.08.

13.09 History: 1857 c. 59 ss. 1-5; R. S. 1858 c. 9 ss. 18-22; 1876 c. 243 ss. 30, 31; R. S. 1878 s. 106; Stats. 1898 s. 106; 1911 c. 6; 1913 c. 618; 1917 c. 634 s. 7; Stats. 1917 s. 13.05; 1919 c. 328 s. 35; 1919 c. 389 s. 3; 1919 c. 628 s. 7; 1919 c. 679 s. 10; 1927 c. 15; 1953 c. 49; 1965 c. 659; Stats. 1965 s. 13.09.

13.095 History: 1969 c. 462; Stats. 1969 s. 13.095.

13.10 History: 1857 c. 59 ss. 1-5; R. S. 1858 c. 9 ss. 18-22; 1876 c. 243 ss. 30, 31; R. S. 1878 s. 106; Stats. 1898 s. 106; 1911 c. 6; 1913 c. 618; 1917 c. 634 s. 7; Stats. 1917 s. 13.06; 1965 c. 659; Stats. 1965 s. 13.10; 1967 c. 291; 1969 c. 154.

This section does not require an appropriation bill to be referred by each house to the finance committee; whether any reference is required is a question of legislative policy, and not of judicial determination. *State v. P. Lorillard Co.* 181 W 347, 193 NW 613.

13.11 History: 1857 c. 59 ss. 1-5; R. S. 1858 c. 9 ss. 18-22; 1876 c. 243 ss. 30, 31; R. S. 1878 s. 106; Stats. 1898 s. 106; 1911 c. 6; 1913 c. 618; 1917 c. 634 s. 7; Stats. 1917 s. 13.07; 1965 c. 659; Stats. 1965 s. 13.11.

13.121 History: Stats. 1967 s. 20.765; 1969 c. 154; Stats. 1969 s. 13.121.

13.123 History: Stats. 1967 s. 20.765; 1969 c. 154; 1969 c. 392 s. 85; Stats. 1969 s. 13.123.

A state legislator who files an affidavit stating he has established a temporary residence in Madison for a legislative session is entitled to room and board allowance even though he may have a 2nd reason for maintaining a temporary residence in Madison. 46 Atty. Gen. 116.

13.125 History: Stats. 1967 s. 20.785; 1969 c. 154; Stats. 1969 s. 13.125.

13.13 History: 1959 c. 324; Stats. 1959 s. 13.097; 1965 c. 659; Stats. 1965 s. 13.13.

13.14 History: Stats. 1967 s. 20.765; 1969 c. 154; Stats. 1969 s. 13.14.

13.15 History: 1878 c. 330; R. S. 1878 s. 111a; 1879 c. 194 s. 2; 1882 c. 314 s. 1; 1885 c. 408; 1889 c. 522 s. 1; Ann. Stats. 1889 s. 111a; 1895 c. 300; 1897 c. 359 s. 1; Stats. 1898 s. 111a; 1901 c. 3 s. 1; 1901 c. 412 ss. 1, 2; 1901 c. 438 ss. 1 to 9; 1903 c. 4 ss. 1 to 3; 1905 c. 4 ss. 1, 2; 1905 c. 515 s. 1; Supl. 1906 s. 111a; 1907 c. 550; 1909 c. 511; Stats. 1911 ss. 111a, 111g; 1913 c. 772 s. 81; 1917 c. 634 s. 10; Stats. 1917 s. 13.10; 1963 c. 199; 1965 c. 659; Stats. 1965 ss. 13.15, 20.765; 1969 c. 154; Stats. 1969 s. 13.15.

Subordinate legislative employes are not appointed for a fixed term, but the chief clerks and sergeants at arms receive a fixed salary for a stated period or term. 8 Atty. Gen. 186.

13.16 History: 1854 c. 97 s. 12; R. S. 1858 c. 9 ss. 14, 15; R. S. 1858 c. 10 s. 21; R. S. 1878 s. 108; Stats. 1898 s. 108; 1917 c. 634 s. 11; Stats. 1917 s. 13.11; 1957 c. 125; 1965 c. 659; Stats. 1965 s. 13.16.

13.17 History: 1876 c. 242; R. S. 1878 s. 109; 1878 c. 4; Ann. Stats. 1889 s. 109; 1895 c. 300 s. 3; Stats. 1898 s. 109; 1917 c. 634 s. 22; Stats. 1917 s. 13.22; 1965 c. 659; Stats. 1965 s. 13.17.

On legislative journals see notes to sec. 10, art. IV.

13.175 History: 1967 c. 194; Stats. 1967 s. 13.175.

13.18 History: 1907 c. 550; Stats. 1911 s. 111b; 1911 c. 609; 1913 c. 772 s. 81; 1917 c. 634 s. 12; Stats. 1917 s. 13.12; 1963 c. 199; 1965 c. 659; Stats. 1965 ss. 13.18, 20.765; 1969 c. 154; Stats. 1969 s. 13.18.

Editor's Note: In connection with this section see *Massing v. State*, 14 W 502.

13.19 History: R. S. 1849 c. 8 s. 2; R. S. 1858 c. 9 s. 2; R. S. 1878 s. 101; Stats. 1898 s. 101; 1917 c. 634 s. 13; Stats. 1917 s. 13.13; 1965 c. 659; Stats. 1965 s. 13.19.

13.20 History: 1878 c. 330; R. S. 1878 s. 111a; 1879 c. 194 s. 2; 1882 c. 314 s. 1; 1885 c. 408; 1889 c. 522 s. 1; Ann. Stats. 1889 s. 111a; 1895 c. 300; 1897 c. 359 s. 1; Stats. 1898 s. 111a; 1901 c. 3 s. 1; 1901 c. 412 ss. 1, 2; 1901 c. 438 ss. 1 to 9; 1903 c. 4 ss. 1 to 3; 1905 c. 4 ss. 1, 2; 1905 c. 515 s. 1; Supl. 1906 s. 111a; 1907 c. 550; 1909 c. 511; 1911 c. 609; Stats. 1911 ss. 111a, 111b, 111g; 1913 c. 772 s. 81; 1917 c. 634 s. 14; Stats. 1917 s. 13.14; 1943 c. 54; 1949 c. 3; 1951 c. 357; 1963 c. 199; 1965 c. 659; Stats. 1965 s. 13.20; 1967 c. 21, 81, 327; 1969 c. 154 ss. 16, 379; 1969 c. 276 s. 133.

Clerks who were appointed under mistake of law and who rendered services for the senate may be paid out of the contingent fund without the appointment being approved by the bureau of personnel. 24 Atty. Gen. 308.

13.21 History: 1949 c. 2; Stats. 1949 s. 13.145; 1959 c. 659; 1965 c. 659; Stats. 1965 s. 13.21.

13.22 History: 1860 c. 136; 1869 c. 58; 1870 c. 46; 1876 c. 345 ss. 8, 9; 1877 c. 18; 1878 c. 330; R. S. 1878 s. 112; 1882 c. 314 s. 2; 1883 c. 346;

1889 c. 522 s. 2; Ann. Stats. 1889 s. 112; 1895 c. 300 s. 4; Stats. 1898 s. 113; 1913 c. 772 s. 81; 1917 c. 634 s. 15; Stats. 1917 s. 13.15; 1959 c. 659 s. 79; 1965 c. 659; Stats. 1965 s. 13.22.

13.23 History: 1853 c. 41 s. 1; R. S. 1858 c. 9 s. 7; 1873 c. 191; R. S. 1878 s. 104; Stats. 1898 s. 104; 1917 c. 634 s. 16; Stats. 1917 s. 13.16; 1965 c. 659; Stats. 1965 s. 13.23; 1969 c. 170, 392.

On organization of the legislature see notes to sec. 7, art. IV.

For discussion of contested election to the legislature and compensation and oath of office of members, see 52 Atty. Gen. 17.

13.235 History: 1969 c. 170; Stats. 1969 s. 13.235.

13.24 History: 1853 c. 41 s. 2; R. S. 1858 c. 9 s. 8; R. S. 1878 s. 105; Stats. 1898 s. 105; 1917 c. 634 s. 17; Stats. 1917 s. 13.17; 1965 c. 659; Stats. 1965 s. 13.24; 1967 c. 276 s. 39.

Depositions under sec. 13.17, Stats. 1917, must be taken in conformity with sec. 4087, 8 Atty. Gen. 164.

13.25 History: 1901 c. 326; Supl. 1906 s. 104a; 1913 c. 772 s. 81; 1917 c. 634 s. 18; Stats. 1917 s. 13.18; 1965 c. 659; Stats. 1965 s. 13.25.

13.26 History: R. S. 1849 c. 8 s. 3; R. S. 1858 c. 9 s. 3; R. S. 1878 s. 102; Stats. 1898 s. 102; 1917 c. 634 s. 19; Stats. 1917 s. 13.19; 1965 c. 659; Stats. 1965 s. 13.26; 1969 c. 367.

See note to sec. 8, art. IV, citing *State ex rel. Groppi v. Leslie*, 44 W (2d) 282, 171 NW (2d) 192.

13.26 and 13.27, Stats. 1967, which were enacted shortly after the adoption of the state constitution, in the light of the law as it then existed, grant no power but promulgate regulations for its exercise. *State ex rel. Groppi v. Leslie*, 44 W (2d) 282, 171 NW (2d) 192.

13.27 History: R. S. 1849 c. 8 ss. 1, 4; 1858 c. 4 s. 2; R. S. 1858 c. 9 ss. 1, 4; R. S. 1878 ss. 103, 4503; Stats. 1898 ss. 103, 4503; 1917 c. 634 s. 20; Stats. 1917 ss. 13.20, 4503; 1925 c. 4; Stats. 1925 ss. 13.20, 346.56; 1955 c. 696 ss. 3, 189; Stats. 1955 s. 13.20; 1965 c. 659; Stats. 1965 s. 13.27.

Due process is satisfied when the courts are open to determine promptly any question concerning the merits of a contempt found to have been committed by summary process before a legislative body for contempt committed in its presence, as expressly provided by 13.27, Stats. 1967. *State ex rel. Groppi v. Leslie*, 44 W (2d) 282, 171 NW (2d) 192.

13.28 History: 1915 c. 406; 1915 c. 594 s. 4; 1915 c. 634 s. 1; Stats. 1915 s. 62.01 (9), (10); 1917 c. 634 s. 23; Stats. 1917 s. 13.23; 1965 c. 659; Stats. 1965 s. 13.28.

In a joint session of the legislature for interpellation of any appointive state officer, the lieutenant governor or president of the senate presides over the joint meeting, and the chief clerk of the assembly, assisted by the chief clerk of the senate, acts as clerk. No evidence can be introduced except answers of an officer to written and oral interrogatories as to matters included in the first subsection of this section, and except documentary evidence furnished in response to ques-

tions asked. Witnesses may not be examined and documents may not be offered which would tend to prove or disprove the answer given by the officer being questioned. No one can be examined except the officer being interpellated. The joint session has no power to decide facts. The officer cannot be questioned in nature of cross-examination. 24 Atty. Gen. 159.

13.29 History: 1915 c. 406; 1915 c. 594 s. 4; 1915 c. 634 s. 1; 1915 c. 635 s. 10; Stats. 1915 s. 62.01 (11), (12); 1917 c. 634 s. 24; Stats. 1917 s. 13.24; 1965 c. 659; Stats. 1965 s. 13.29.

13.30 History: 1923 c. 146; Stats. 1923 s. 13.245; 1965 c. 659; Stats. 1965 s. 13.30.

13.31 History: 1858 c. 4 ss. 1, 10; R. S. 1878 s. 122; Stats. 1898 s. 122; 1917 c. 634 s. 25; Stats. 1917 s. 13.25; 1965 c. 659; Stats. 1965 s. 13.31.

On legislative power generally see notes to sec. 1, art. IV.

The report of investigators employed by a legislative committee, if made in good faith and without malice, may be read at a public hearing of such committee without subjecting either such investigators or members of the committee to liability in an action of libel or slander. 2 Atty. Gen. 782.

A witness refusing to appear or to testify may be attached by the court and committed until he testifies, under 325.12, Stats. 1931. 20 Atty. Gen. 765.

A committee created by one branch of the legislature cannot function beyond adjournment of the regular session; but such authorization may be given by concurrent action of both houses. 22 Atty. Gen. 345.

13.32 History: 1858 c. 4 s. 3; R. S. 1878 s. 123; Stats. 1898 s. 123; 1917 c. 634 s. 26; Stats. 1917 s. 13.26; 1965 c. 659; Stats. 1965 s. 13.32.

13.33 History: 1858 c. 4 ss. 4, 6, 7; R. S. 1878 s. 124; Stats. 1898 s. 124; 1917 c. 634 s. 27; Stats. 1917 s. 13.27; 1965 c. 659; Stats. 1965 s. 13.33.

13.34 History: 1858 c. 4 s. 5; R. S. 1878 s. 125; Stats. 1898 s. 125; 1917 c. 634 s. 28; Stats. 1917 s. 13.28; 1965 c. 659; Stats. 1965 s. 13.34.

13.35 History: 1858 c. 4 s. 8; R. S. 1878 s. 126; Stats. 1898 s. 126; 1917 c. 634 s. 29; Stats. 1917 s. 13.29; 1965 c. 659; Stats. 1965 s. 13.35.

13.36 History: 1858 c. 37; R. S. 1878 s. 127; Stats. 1898 s. 127; 1913 c. 772 s. 81; 1917 c. 634 s. 30; Stats. 1917 s. 13.30; 1947 c. 9 s. 31; 1959 c. 659 s. 79; 1965 c. 659; Stats. 1965 s. 13.36.

The amount of witness fees for attendance of a witness before the assembly is determined under this section. The mileage is computed by the "usually traveled route between such points." 16 Atty. Gen. 466.

13.45 History: 1917 c. 634 s. 9; Stats. 1917 s. 13.09; 1957 c. 59; Stats. 1957 ss. 13.09, 13.095; 1965 c. 659; Stats. 1965 s. 13.45; 1967 c. 158; 1967 c. 291 s. 14; 1969 c. 154 s. 377; 1969 c. 276 s. 605; 1969 c. 392 s. 86.

13.47 History: 1947 c. 525, 614; Stats. 1947 s. 13.057; 1957 c. 394; 1965 c. 66 s. 8; 1965 c. 249;

1965 c. 433 s. 121; 1965 c. 475, 659; Stats. 1965 s. 13.47; 1969 c. 392 s. 85.

13.48 History: 1949 c. 563; Stats. 1949 s. 13.351; 1951 c. 27, 711; 1953 c. 505, 561; 1955 c. 204, 328, 467, 499; 1957 c. 259, 463, 593, 672; 1959 c. 135 s. 2; 1959 c. 228, 325, 326, 659, 661; 1961 c. 226, 239, 268, 432, 436; 1963 c. 224, 316; 1963 c. 419 s. 3; 1965 c. 163; 1965 c. 433 s. 121; 1965 c. 659; Stats. 1965 s. 13.48; 1967 c. 291 s. 14; 1969 c. 22, 55; 1969 c. 154 s. 377; 1969 c. 276 ss. 2, 602 (1), 603 (1), (2); 1969 c. 392 s. 87 (15); 1969 c. 397.

A contract for an addition to an existing facility requires approval by the state building commission only if the new contract exceeds \$15,000, regardless of the prior cost of the facility. 47 Atty. Gen. 5.

13.482 History: 1949 c. 604; Stats. 1949 s. 14.86; 1953 c. 61 s. 8; 1955 c. 374; 1957 c. 620; 1959 c. 228 s. 68; 1959 c. 659 s. 81; 1961 c. 45; 1965 c. 591; 1965 c. 659 s. 24 (3); 1969 c. 276 ss. 61, 582 (17), 605; Stats. 1969 s. 13.482.

On private corporations see notes to sec. 31, art. IV; on credit of the state see notes to sec. 3, art. VIII; and on contracting state debts see notes to sec. 4, art. VIII.

Although its purposes are of a public character and it was incorporated by state officers, the Wisconsin state public building corporation is not an agency or instrumentality of the state, but is a private corporation organized for a public purpose. State ex rel. Thomson v. Giessel, 267 W 331, 65 NW (2d) 529.

13.484 History: 1965 c. 591; Stats. 1965 s. 14.87; 1969 c. 276 s. 61; Stats. 1969 s. 13.484.

13.486 History: 1953 c. 168; Stats. 1953 s. 14.88; 1957 c. 620; 1959 c. 228 s. 68; 1969 c. 276 ss. 61, 605; Stats. 1969 s. 13.486.

13.488 History: 1955 c. 144; Stats. 1955 s. 14.89; 1957 c. 504; 1959 c. 228 s. 68; 1959 c. 659 s. 82; 1961 c. 45; 1965 c. 591; 1967 c. 43; 1969 c. 276 s. 61; Stats. 1969 s. 13.488.

On credit of the state see notes to sec. 3, art. VIII; and on contracting state debts see notes to sec. 4, art. VIII.

13.49 History: 1961 c. 686; Stats. 1961 s. 13.350; 1963 c. 343; Stats. 1963 s. 13.353; 1965 c. 659; Stats. 1965 s. 13.49; 1969 c. 154; 1969 c. 392 s. 85.

13.50 History: 1947 c. 376; Stats. 1947 s. 13.40 (1) to (7); 1957 c. 355; 1959 c. 395, 631, 659; 1965 c. 659; Stats. 1965 s. 13.50; 1969 c. 158.

13.51 History: 1947 c. 376; Stats. 1947 s. 13.40 (8), (9); 1957 c. 30, 355; 1959 c. 395, 631; 1965 c. 433 s. 121; 1965 c. 659; Stats. 1965 s. 13.51; 1967 c. 92 s. 22; 1969 c. 55; 1969 c. 158 ss. 2, 106; 1969 c. 392 s. 86.

13.52 History: 1963 c. 153; Stats. 1963 s. 13.44; 1965 c. 659; Stats. 1965 s. 13.52; 1969 c. 276 ss. 585 (2), 590 (2); 1969 c. 392 s. 86.

13.53 History: 1963 c. 569; Stats. 1963 s. 245.33; 1965 c. 59, 659; Stats. 1965 s. 13.53; 1967 c. 20; 1969 c. 366 s. 117 (3) (d).

13.54 History: 1937 c. 273; Stats. 1937 s. 14.75; 1951 c. 387; 1953 c. 62; 1963 c. 323; 1965

c. 433 s. 121; 1965 c. 659; Stats. 1965 s. 13.54; 1967 c. 43; 1967 c. 291 s. 14; 1969 c. 69, 154; 1969 c. 276 s. 605; 1969 c. 392 s. 85; 1969 c. 424 s. 26.

13.55 History: 1893 c. 83; 1895 c. 239; Stats. 1898 s. 127a; 1909 c. 230; 1911 c. 462; 1911 c. 664 s. 90; 1913 c. 772 s. 133; 1917 c. 634 s. 31; Stats. 1917 ss. 13.31, 13.32; 1919 c. 362 s. 32; Stats. 1931 s. 43.08 (3); 1941 c. 173; Stats. 1941 s. 14.76; 1957 c. 312; 1959 c. 135 s. 3; 1963 c. 149 s. 10; 1965 c. 659; Stats. 1965 s. 13.55.

13.56 History: 1955 c. 221 s. 13; Stats. 1955 s. 227.041; 1957 c. 426; 1959 c. 537; 1965 c. 659; Stats. 1965 s. 13.56; 1969 c. 392 s. 85.

13.57 History: 1969 c. 154; Stats. 1969 s. 13.57.

13.58 History: 1931 c. 67 s. 142; Stats. 1931 s. 14.72; 1933 c. 406 s. 1; 1949 c. 178, 181; 1959 c. 228 ss. 3, 4; 1959 c. 678; 1965 c. 249 s. 78; 1965 c. 433 s. 121; 1965 c. 443; 1967 c. 43; 1969 c. 276 ss. 53, 582 (17); 1969 c. 392 ss. 2, 85; Stats. 1969 s. 13.58.

Under 14.72 (2), Stats. 1953, the emergency board has no authority to grant an emergency appropriation to the department of agriculture for the purpose of brucellosis testing of Plan B herds under 95.26 (6) (a). 43 Atty. Gen. 202.

13.60 History: 1858 c. 145 ss. 1, 2; R. S. 1858 p. 957; R. S. 1878 s. 4482; Stats. 1898 s. 4482; 1925 c. 4; Stats. 1925 s. 346.19; 1955 c. 696 s. 162; Stats. 1955 s. 13.60; 1965 c. 659.

Sec. 4482, R. S. 1878, applies to corporations, and is aimed at the more effectual suppression of such acts and agreements designed to influence legislation as come within the condemnation of the common law; as a contract by which one railway company agrees not to make any effort to procure a land grant from the legislature, and to render to another company "all the reasonable and proper assistance which it may be able to give" in procuring such grant, upon the contingent consideration of receiving from the latter company a portion of the land. *Chippewa Valley & S. R. Co. v. Chicago, St. P., M. & O. R. Co.* 75 W 224, 44 NW 17.

13.61 History: 1947 c. 609; Stats. 1947 s. 346.20; 1955 c. 696 s. 163; Stats. 1955 s. 13.61; 1965 c. 659.

13.62 History: 1947 c. 609; Stats. 1947 s. 346.205; 1955 c. 696 s. 164; Stats. 1955 s. 13.62; 1957 c. 706; 1965 c. 66 s. 6; 1965 c. 433, 659.

As to the meaning of "engaging in practices which reflect discredit on the practice of lobbying or the legislature" in 13.62 (3), Stats. 1955, see 44 Atty. Gen. 174.

13.62 (3) (b), by reason of 13.66 (3), Stats. 1957, is effective only during sessions of the legislature and between the general election and commencement of the regular session. 47 Atty. Gen. 228.

"For hire" as used in 13.62 (2) means for compensation paid for services and excludes one who is only reimbursed for his expenses. 54 Atty. Gen. 118.

13.63 History: 1947 c. 609; Stats. 1947 s. 346.21; 1955 c. 696 s. 165; Stats. 1955 s. 13.63; 1965 c. 659; 1969 c. 154.

The person who complained to the district attorney need not be joined as a party in an action for the revocation of the license of a lobbyist. Under provisions in 13.63 (2), Stats. 1949, as to costs, a defendant is not prejudiced by failure to join the complainant as a party. *State v. Hoebel*, 256 W 549, 41 NW (2d) 865.

The duty of the secretary of state to pass on the qualifications of an applicant for a lobby license rests on statute and is not affected by pendency or nonpendency of criminal proceedings against applicant. 40 Atty. Gen. 3.

13.64 History: 1947 c. 609; Stats. 1947 s. 346.22; 1955 c. 696 s. 166; Stats. 1955 s. 13.64; 1965 c. 163, 659.

13.65 History: 1947 c. 609; Stats. 1947 s. 346.23; 1955 c. 696 s. 167; Stats. 1955 s. 13.65; 1965 c. 163, 659.

13.66 History: 1947 c. 609; Stats. 1947 s. 346.24; 1955 c. 696 s. 168; Stats. 1955 s. 13.66; 1965 c. 433, 659.

13.67 History: 1947 c. 609; Stats. 1947 s. 346.245; 1955 c. 696 s. 169; Stats. 1955 s. 13.67; 1957 c. 125; 1965 c. 433, 659.

If a thing of value is given to a friend of a legislator for the purpose of inducing the friend to use his efforts on the legislator on behalf of the lobbyist or his cause, such expenditure is made by the lobbyist "relative to his activities" as such, so that the failure to report it is a violation of the statutes relating to lobbying. *State v. Hoebel*, 256 W 549, 41 NW (2d) 865.

A lobbyist is not required to report items which may aid his work, in this case expenses for meals, travel, and hotel rooms for stenographers, but which are incurred and paid directly by his principal, in this case a city, which as such principal is itself required by 346.245, Stats. 1949, to file a report of expenditures at the end of the legislative session. *State v. Decker*, 258 W 177, 45 NW (2d) 98.

A lobbyist, who gives cards to legislators and others entitling the bearers to a quantity of a product manufactured by members of an incorporated association which is the lobbyist's principal, which cards are delivered to wholesalers in return for the product and are ultimately redeemed by the manufacturers from the wholesalers, is not required to report such transactions by 346.245, Stats. 1955. Whether the association is required by 346.25 to report the expenditures of its members in redeeming such cards depends upon whether or not the association either reimburses the manufacturers or gives credit on their membership dues. 44 Atty. Gen. 174.

While failure to file a statement or filing a false statement under 13.67 (1), Stats. 1957, is a criminal offense, a violation of 13.62 (3) (b) is not a criminal offense and the privilege against self-incrimination has no application. 47 Atty. Gen. 228.

13.68 History: 1947 c. 609; Stats. 1947 s. 346.25; 1955 c. 696 s. 170; Stats. 1955 s. 13.68; 1965 c. 433, 659.

See note to 13.67, citing 44 Atty. Gen. 174.

13.69 History: 1947 c. 609; Stats. 1947 s. 346.26; 1955 c. 696 s. 171; Stats. 1955 s. 13.69; 1965 c. 66 s. 8; 1965 c. 659.

The provision that it is the duty of the attorney general on information to bring prosecutions for the violation of the laws regulating lobbying imposes an additional duty on the attorney general, but does not give him exclusive authority, and does not deprive the district attorney, as prosecuting attorney in his county, of the right or duty to proceed in such case where information of a violation occurring within his county reaches him. State ex rel. Arthur v. Superior Court, 257 W 430, 43 NW (2d) 484.

13.70 History: 1947 c. 609, 614; Stats. 1947 ss. 346.27, 346.29; 1955 c. 696 ss. 172, 174; Stats. 1955 s. 13.70; 1965 c. 659.

13.71 History: 1947 c. 609; Stats. 1947 s. 346.28; 1955 c. 696 s. 173; Stats. 1955 s. 13.71; 1965 c. 659.

13.72 History: 1933 c. 309; Stats. 1933 s. 346.295; 1955 c. 696 s. 175; Stats. 1955 s. 13.72; 1965 c. 66 s. 6; 1965 c. 659.

13.80 History: 1963 c. 149; Stats. 1963 s. 13.31; 1965 c. 659; Stats. 1965 s. 13.80.

13.81 History: 1965 c. 659; Stats. 1965 s. 13.81; 1969 c. 154; 1969 c. 392 s. 85.

13.82 History: 1965 c. 659; Stats. 1965 s. 13.82; 1967 c. 43; 1967 c. 291 s. 14.

13.83 History: 1965 c. 659; Stats. 1965 s. 13.83; 1969 c. 276 ss. 3, 585 (1), 588 (1), 589 (1) (a), 590 (1); 1969 c. 366; 1969 c. 392 s. 85.

13.84 History: 1965 c. 406, 659; Stats. 1965 s. 13.84; 1969 c. 276; 1969 c. 392 s. 85.

Unfinished business in insurance regulation. Kimball, 1969 WLR 1019.

13.85 History: 1967 c. 256; Stats. 1967 s. 13.85.

13.90 History: 1965 c. 659; Stats. 1965 s. 13.90; 1967 c. 43; 1969 c. 241.

13.905 History: 1965 c. 659; Stats. 1965 s. 13.905.

13.91 History: 1965 c. 659; Stats. 1965 s. 13.91.

13.92 History: 1963 c. 149; Stats. 1963 s. 13.33; 1965 c. 26; 1965 c. 66 s. 8; 1965 c. 249, 659; Stats. 1965 s. 13.92; 1967 c. 43; 1969 c. 67.

13.93 History: 1963 c. 149; Stats. 1963 s. 13.32; 1965 c. 66 s. 8; 1965 c. 249, 659; Stats. 1965 s. 13.93; 1967 c. 263; 1969 c. 276.

On construction of statutes see notes to various sections of ch. 990.

13.94 History: 1965 c. 659; Stats. 1965 s. 13.94; 1967 c. 26.

13.95 History: 1969 c. 154; Stats. 1969 s. 13.95.

CHAPTER 14.

Constitutional Offices and Interstate Bodies.

14.01 History: 1969 c. 276; Stats. 1969 s. 14.01.

14.011 History: 1969 c. 259 s. 26 (2); 1969 c. 276; 1969 c. 422; Stats. 1969 s. 14.011.

14.013 History: 1969 c. 276; Stats. 1969 s. 14.013.

14.015 History: 1969 c. 422; Stats. 1969 s. 14.015.

14.017 History: 1969 c. 276; Stats. 1969 s. 14.017.

14.019 History: 1969 c. 408; Stats. 1969 s. 14.019.

14.02 History: 1854 c. 71; R. S. 1858 c. 10 s. 8; R. S. 1878 s. 129; 1880 c. 257; Ann. Stats. 1889 s. 129; Stats. 1898 s. 129; 1913 c. 772 s. 42; 1915 c. 587; 1917 c. 14 s. 4; 1917 c. 622 s. 8; Stats. 1917 s. 14.09; 1943 c. 132; 1969 c. 276 s. 14; Stats. 1969 s. 14.02.

14.03 History: 1953 c. 533; Stats. 1953 s. 14.233; 1957 c. 160; 1959 c. 228 s. 2a; 1967 c. 291 s. 14; 1969 c. 276 s. 27; Stats. 1969 s. 14.03.

14.04 History: R. S. 1849 c. 9 s. 56; 1858 c. 131 ss. 1, 2; R. S. 1858 c. 10 ss. 92, 93; R. S. 1878 ss. 136, 137; Stats. 1898 ss. 136, 137; 1915 c. 621; 1917 c. 14 s. 3; 1917 c. 622 s. 15; Stats. 1917 s. 14.17; 1969 c. 276 s. 20; Stats. 1969 s. 14.04.

14.05 History: 1858 c. 131 ss. 1, 2; R. S. 1878 s. 136; 1895 c. 202 s. 8; Stats. 1898 s. 136; 1901 c. 403 s. 1; Supl. 1906 s. 562 a; 1913 c. 772 s. 15; 1917 c. 622 s. 13; Stats. 1917 s. 14.15; 1969 c. 276 s. 18; Stats. 1969 s. 14.05.

14.06 History: 1951 c. 653; Stats. 1951 s. 14.225; 1969 c. 276 ss. 25, 583 (1); 1969 c. 366 s. 117 (2) (a); Stats. 1969 s. 14.06.

14.07 History: 1854 c. 71; R. S. 1858 c. 10 s. 8; 1877 c. 116, 210; R. S. 1878 ss. 98, 129; 1880 c. 257; 1881 c. 280; Ann. Stats. 1889 ss. 98, 129; Stats. 1898 ss. 98, 129; 1913 c. 772 s. 42; 1915 c. 382 s. 8; 1915 c. 587; Stats. 1915 ss. 129, 129m; 1917 c. 622 ss. 8, 9; 1917 c. 677 s. 59; Stats. 1917 ss. 14.10, 14.11; 1969 c. 276 s. 15; Stats. 1969 s. 14.07.

14.08 History: R. S. 1849 c. 9 s. 1; R. S. 1858 c. 10 s. 1; R. S. 1878 s. 130; Stats. 1898 s. 130; 1917 c. 622 s. 16; Stats. 1917 s. 14.18; 1969 c. 276 s. 21; Stats. 1969 s. 14.08.

When a bill automatically becomes a law without the approval of the governor through expiration of the time limit, the words "Deposited without approval on (date received at office of secretary of state)" may be printed below the act instead of "approved on (date)." 12 Atty. Gen. 244.

14.11 History: R. S. 1849 c. 9 s. 2; R. S. 1858 c. 10 s. 2; R. S. 1878 s. 131; Stats. 1898 s. 131; 1907 c. 500; 1911 c. 268; 1913 c. 772 s. 6; 1917 c. 622 ss. 10, 11; Stats. 1917 ss. 14.12, 14.13; 1919 c. 628 s. 9; 1963 c. 544; 1965 c. 433 s. 121; 1967 c. 291 s. 14; 1967 c. 335; 1969 c. 276 s. 16; Stats. 1969 s. 14.11.

School land commissioners cannot employ counsel at the expense of the state in an action brought against them in the supreme court in their official character. But the governor might have done so, if he had deemed that the public interest required it. Orton v. State, 12 W 510.