

(b); 1931 c. 67 s. 64; Stats. 1931 s. 41.57; 1933 c. 140 s. 3; 1947 c. 9; 1949 c. 500; 1949 c. 643 s. 24L; 1951 c. 672; 1955 c. 366; 1959 c. 659 s. 79; 1965 c. 433 s. 121; 1967 c. 92 s. 22; 1967 c. 291 s. 14; 1969 c. 154 s. 377; 1969 c. 276 s. 275; Stats. 1969 s. 38.57.

38.58 History: 1917 c. 364; 1917 c. 671 s. 38; Stats. 1917 s. 670 (20); 1919 c. 695 s. 38; Stats. 1919 s. 41.58; 1927 c. 425 s. 159; 1969 c. 276 s. 275; Stats. 1969 s. 38.58.

38.60 History: 1919 c. 364; Stats. 1919 s. 41.60; 1927 c. 425 s. 160; 1937 c. 349; 1943 c. 272; 1965 c. 292 s. 11 (3); 1965 c. 433; 1967 c. 92 s. 22; 1969 c. 276 ss. 275, 604 (3); 1969 c. 392 s. 84; Stats. 1969 s. 38.60.

CHAPTER 39.

Higher Educational Agencies and Compact for Education.

Editor's Note: To trace the histories of sections of old Ch. 39 see the conversion table printed ahead of Ch. 115. This reflects the 1967 revision of the chapter. A researcher should also check the histories printed under each section in the 1961, 1963 and 1965 editions of the statutes. For the histories prior to 1960 see Wis. Annotations, 1960 and the conversion table printed ahead of Ch. 39 in that volume.

39.01 History: 1967 c. 92; Stats. 1967 s. 39.01; 1969 c. 276.

Legislative Council Note, 1967: Like s. 39.024 (1). (Bill 353-S)

39.02 History: 1969 c. 276; Stats. 1969 s. 39.02.

39.03 History: 1967 c. 92; Stats. 1967 s. 39.03; 1969 c. 154; 1969 c. 276 ss. 594 (1), (2), (3), 602 (1), 603 (2), (3), 604 (2); 1969 c. 438.

Legislative Council Note, 1967: Restates s. 39.024 (3) with minor revisions and clarifications. (Bill 353-S)

39.04 History: 1967 c. 92, 313; Stats. 1967 s. 39.04; 1969 c. 276 s. 594 (1), (2).

Legislative Council Note, 1967: Restates s. 39.024 (2) (d) and (e) with minor revisions and clarifications. (Bill 353-S)

39.05 History: 1967 c. 92; 1967 c. 291 s. 14; Stats. 1967 s. 39.05; 1969 c. 276 ss. 264, 265, 594 (1), 603 (3).

Legislative Council Note, 1967: Like s. 39.024 (4). (Bill 353-S)

39.09 History: 1967 c. 349 ss. 5, 8 (3); Stats. 1967 s. 39.20 (4); 1969 c. 276 s. 268; Stats. 1969 s. 39.09.

39.11 History: 1945 c. 570; Stats. 1945 s. 43.60 (4); 1951 c. 319 s. 202; 1953 c. 360; 1967 c. 349 ss. 5, 8 (3); Stats. 1967 ss. 39.20 (3), 43.60 (4); 1969 c. 276 ss. 267, 289, 290, 594 (7); Stats. 1969 s. 39.11.

The state radio council has no power under 43.60, Stats. 1955, to lease or to make any other arrangements for the use of its facilities for private commercial purposes. 46 Atty. Gen. 41.

39.13 History: 1945 c. 570; Stats. 1945 s. 43.60 (5) (a) and (b); 1969 c. 276 s. 291; Stats. 1969 s. 39.13.

39.15 History: 1969 c. 3, 185; Stats. 1969 s. 39.15.

39.23 History: 1969 c. 465; Stats. 1969 s. 39.23.

39.26 History: 1969 c. 276; Stats. 1969 s. 39.26.

39.27 History: 1967 c. 92; Stats. 1967 s. 39.27; 1969 c. 276.

Legislative Council Note, 1967: Restates s. 39.023 (11) with minor revisions. (Bill 353-S)

39.28 History: 1967 c. 92; Stats. 1967 s. 39.28; 1969 c. 276 ss. 272, 595 (2).

Legislative Council Note, 1967: Restates s. 39.023 (3), (4), (8), (9) and (12) with minor revisions and clarifications. Restates s. 39.023 (3) in general terms because the omitted specific language merely repeats the requirements of P.L. 88-204 and is therefore unnecessary, and because the plan required by that act has been submitted. (Bill 353-S)

39.29 History: 1967 c. 92; Stats. 1967 s. 39.29; 1969 c. 276 s. 595 (2); 1969 c. 392 s. 87 (17).

Legislative Council Note, 1967: Restates s. 39.023 (10) with minor clarifications. (Bill 353-S)

39.30 History: 1967 c. 92; Stats. 1967 s. 39.30; 1969 c. 154; 1969 c. 276 s. 595 (2); 1969 c. 336.

Legislative Council Note, 1967: Restates and rearranges s. 39.023 (5) with minor revisions and clarifications. (Bill 353-S)

39.31 History: 1967 c. 92; Stats. 1967 s. 39.31; 1969 c. 276 ss. 595 (2), 604 (2); 1969 c. 336.

Legislative Council Note, 1967: Restates s. 39.023 (6) with minor revisions and clarifications. (Bill 353-S)

39.32 History: 1967 c. 92; Stats. 1967 s. 39.32; 1969 c. 276 ss. 273, 274, 595 (2).

Legislative Council Note, 1967: Restates and rearranges s. 39.023 (7) with minor revisions and clarifications.

This chapter deletes present s. 39.35, relating to retirement payments to certain teachers, since the section is completely obsolete and no persons are receiving benefits under it. (Bill 353-S)

39.33 History: 1967 c. 313; Stats. 1967 s. 39.33; 1969 c. 154; 1969 c. 276 s. 595 (2).

39.34 History: 1967 c. 313, 341; Stats. 1967 s. 39.34; 1969 c. 276 s. 595 (2).

39.35 History: 1967 c. 333; Stats. 1967 s. 39.35; 1969 c. 154.

39.37 History: 1969 c. 154; Stats. 1969 s. 39.37.

39.75 History: 1965 c. 641; Stats. 1965 s. 39.75; 1967 c. 43.

39.76 History: 1965 c. 641; Stats. 1965 s.

39.76; 1967 c. 43; 1967 c. 291 s. 14; 1969 c. 55 s. 113; 1969 c. 154.

CHAPTER 40.

General Trust Funds for Public Employes.

40.01 History: 1969 c. 154; 1969 c. 331 ss. 7, 23; 1969 c. 392 ss. 20, 21; Stats. 1969 s. 40.01.

40.10 History: Stats. 1967 s. 66.919 (1), (3); 1969 c. 154 ss. 206, 377, 378; 1969 c. 158 ss. 19, 20, 21, 93, 95, 99; 1969 c. 331 ss. 8, 9; Stats. 1969 s. 40.10.

Editor's Note: For histories of 40.10 through 40.23 see 66.919 in Wis. Annotations, 1960 and also the history cited under 66.919 in the 1967 statutes.

40.11 History: Stats. 1967 s. 66.919 (4); 1969 c. 154 ss. 199, 378; 1969 c. 158 ss. 22, 23, 24, 96, 97, 107; 1969 c. 331 s. 10; Stats. 1969 s. 40.11.

40.12 History: Stats. 1967 s. 66.919 (5); 1969 c. 158 ss. 97, 107; 1969 c. 331 s. 11; Stats. 1969 s. 40.12.

40.13 History: Stats. 1967 s. 66.919 (6); 1969 c. 154 ss. 200, 201, 378; 1969 c. 158 ss. 97, 107; 1969 c. 331 ss. 12, 13; Stats. 1969 s. 40.13.

40.14 History: Stats. 1967 s. 66.919 (7); 1969 c. 158 ss. 97, 107; 1969 c. 245 ss. 12, 14 (2); Stats. 1969 s. 40.14.

40.145 History: Stats. 1967 s. 66.919 (7a); 1969 c. 158 ss. 97, 107; Stats. 1969 s. 40.145.

40.15 History: Stats. 1967 s. 66.919 (8); 1969 c. 154 ss. 203, 377, 378; 1969 c. 158 ss. 25, 97, 107; 1969 c. 331 s. 14; Stats. 1969 s. 40.15.

40.16 History: Stats. 1967 s. 66.919 (9); 1969 c. 154 ss. 204, 378; 1969 c. 158 ss. 25, 97, 107; 1969 c. 245 ss. 13, 14 (2); Stats. 1969 s. 40.16.

40.17 History: Stats. 1967 s. 66.919 (10); 1969 c. 158 ss. 25, 97; 1969 c. 331 s. 15; Stats. 1969 s. 40.17.

40.18 History: Stats. 1967 s. 66.919 (11); 1969 c. 55; 1969 c. 158 ss. 25, 97; Stats. 1969 s. 40.18.

40.19 History: Stats. 1967 s. 66.919 (12), (12a), (14); 1969 c. 158 ss. 97, 99, 107; Stats. 1969 s. 40.19.

40.20 History: Stats. 1967 s. 66.919 (15); 1969 c. 158 ss. 25, 99, 107; 1969 c. 326 ss. 2, 3; 1969 c. 331 ss. 16, 17, 18; Stats. 1969 s. 40.20.

The reasoning applied in construing 66.902 (1c), Stats. 1955, is equally applicable to the construction of 66.919 (15) (cc). 55 Atty. Gen. 207.

40.21 History: Stats. 1967 s. 66.919 (21); 1969 c. 158 ss. 99, 107; Stats. 1969 s. 40.21.

40.22 History: Stats. 1967 s. 66.919 (25); 1969 c. 154 s. 377; 1969 c. 158 ss. 25, 99; Stats. 1969 s. 40.22.

40.23 History: Stats. 1967 s. 66.919 (16); 1969 c. 158 ss. 99, 107; Stats. 1969 s. 40.23.

40.24 History: 1969 c. 154 ss. 205, 378; 1969 c. 331 s. 19; Stats. 1969 s. 40.24.

40.25 History: 1969 c. 154 ss. 205, 378; 1969 c. 331 s. 19; Stats. 1969 s. 40.25.

40.26 History: 1969 c. 154 ss. 205, 378; 1969 c. 331 s. 19; 1969 c. 392 s. 22; Stats. 1969 s. 40.26.

40.40 History: 1969 c. 158 s. 27; Stats. 1969 s. 40.40.

Editor's Note: Prior to the enactment of ch. 158, Laws 1969, the subject of social security coverage for public employes was governed by 66.99, Stats. 1967.

40.41 History: 1969 c. 158 s. 27; 1969 c. 331 s. 20; Stats. 1969 s. 40.41.

40.42 History: 1969 c. 154 ss. 207, 208, 209, 378; 1969 c. 158 s. 27; 1969 c. 331 ss. 21, 22; Stats. 1969 s. 40.42.

40.43 History: 1969 c. 158 s. 27; Stats. 1969 s. 40.43.

CHAPTER 41.

Public Employes Retirement (Except Teachers).

41.01 History: 1943 c. 175; Stats. 1943 s. 66.90 (1), (2); 1947 c. 206, 362; Stats. 1947 s. 66.90; 1957 c. 381; 1969 c. 158 ss. 84, 107; Stats. 1969 s. 41.01.

41.02 History: 1943 c. 175; Stats. 1943 s. 66.90 (3); 1945 c. 156, 486; 1947 c. 99, 206, 362, 556; Stats. 1947 s. 66.901; 1949 c. 434, 502; 1951 c. 475, 667, 722; 1953 c. 246; 1955 c. 9, 41; 1957 c. 60 ss. 8 to 11; 1957 c. 126, 331, 381, 387, 388, 528, 533, 610, 617; 1957 c. 672 ss. 47 to 50; 1957 c. 695; 1959 c. 228 ss. 62, 69; 1959 c. 251, 271, 446, 619, 631; 1959 c. 659 s. 63; 1961 c. 11, 281, 336, 642; 1963 c. 20; 1965 c. 33, 241, 251, 407, 581; 1967 c. 316, 355; 1969 c. 10; 1969 c. 154 ss. 185, 378; 1969 c. 158 ss. 30, 31, 32, 85, 86, 104, 107; 1969 c. 326 ss. 1, 3; 1969 c. 331 ss. 24 to 27; 1969 c. 392 s. 86; 1969 c. 424 s. 26; Stats. 1969 s. 41.02.

A policeman in a city of the fourth class which becomes a participating municipality under the Wisconsin municipal retirement fund, who otherwise qualifies as an employe, is not excluded from said fund unless such policeman is then included in the policeman's pension fund created by ordinance passed pursuant to 62.13 (9)(e), Stats. 1943. 32 Atty. Gen. 448.

An elected county official who is included within the Wisconsin municipal retirement fund at his own request cannot later withdraw therefrom. 35 Atty. Gen. 21.

For interpretation of chs. 206 and 556, Laws 1947, as they apply to policemen and firemen outside of cities of the first class, see 36 Atty. Gen. 489.

Persons who became employes of the water department of the city of Madison after January 1, 1944 and who were otherwise eligible to become participating employes under the Wisconsin municipal retirement fund (now the Wisconsin retirement fund), should have been included as participating employes thereunder. Employes of such department who were included under the retirement system of such department on January 1, 1944, were excluded as participating employes under the