

No. 189, S.]

[Published August 10, 1929.]

CHAPTER 371.

AN ACT to amend subsection (1) of section 231.32 of the statutes, relating to the investment of trust funds in the stock of building and loan associations.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection (1) of section 231.32 of the statutes is amended to read: (231.32) (1) Every executor, guardian, or trustee, except where it is otherwise expressly directed by the will or instrument of trust, if any, may invest trust funds in bonds or interest bearing notes or obligations of the United States, and also in the bonds or interest bearing obligations of any state of the United States, except the states of Nevada and Wyoming, and except also the present territories of the United States (and such territories shall continue to be excepted after admission to statehood); in the bonds which are a direct obligation of any city, town, village, county or school district in the State of Wisconsin, and also in the bonds which are a direct obligation of any city in any other of the states included herein, having a population of not less than twenty-five thousand, and also in the bonds which are a direct obligation of any county in any other of the states included herein having a population of not less than thirty-five thousand; provided, that such city or county shall not have defaulted in the payment of any of its bonded indebtedness during ten years immediately preceding such investment, and provided further that the existing indebtedness of any such city or county be restricted under the laws of the state wherein it may be situated, to a sum in the aggregate not exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness; in the * * * stock of any building and loan association organized under the laws of this state; in the bonds of the federal or joint stock land banks authorized by the federal farm loan act approved July 17, 1916; in the mortgage bonds of any steam railway or railroad corporation in the United States owning and operating not less than five hundred miles of track, which has paid dividends upon its entire capital stock for ten years immediately preceding such investment; in mortgage bonds of any

public utility corporation * * * or any street railway corporation, operating in cities * * * with a population of ten thousand or over, * * * the gross earnings of which from operation of the property covered by the mortgage, securing such bonds for each of five fiscal years next preceding such investment, annually amount to at least six times the annual interest charges on all of its mortgage indebtedness ranking with or senior in lien to the bonds to be invested in, and the net earnings of which from operation of the property covered by the mortgage, for each of five fiscal years next preceding such investment, above operating expenses including depreciation, maintenance and taxes, annually amount to not less than one hundred thousand dollars, and are at least two and one-half times the annual interest charges on all of such mortgage indebtedness; provided, the corporation issuing such bonds shall not at any time within five fiscal years next preceding the time of making such investment have failed to pay when and as due the principal of and interest on any of its obligations, that such mortgage on such public utility or street railway shall have been outstanding at least five years, *and that the said public utility corporation or street railway corporation shall be subject to regulation by the railroad commission of Wisconsin, or by any similar commission established by the laws of any state or the United States*; and that the bonds outstanding thereunder, shall have been issued pursuant to authorization by the railroad commission of Wisconsin, and that the amount of such mortgage debt plus all existing prior mortgage indebtedness does not exceed two-thirds of the face amount of all outstanding stock and mortgage bonds issued by the corporation; and provided further that such public utility or street railway bonds shall be issued under a mortgage under which not less than five hundred thousand dollars principal amount is outstanding in one or more series, and shall be secured by a mortgage on property owned by such corporation, and shall consist of either (a) an underlying issue of bonds which shall be closed, or of which additional bonds may be issued solely for the purpose of pledge under a junior mortgage of such corporation which provides for the ultimate refunding of such underlying issues; (b) an issue of first mortgage bonds; or (c) an issue of bonds secured by a mortgage which provides for the ultimate retirement of all mortgage bonds prior in lien to those of such issue; in obligations secured, whether alone, or in combination with other obligations on a

parity therewith, by first real estate mortgages, or trust deeds, on improved farm property or improved urban property (other than public utility or street railway property except as herein provided) in this state and adjoining states, the amount of which mortgages, or trust deeds, does not exceed one-half of the actual value of the property covered thereby; and in promissory notes, which are amply secured by pledge of any of the bonds, real estate mortgages or securities in which investment is hereinbefore authorized.

SECTION 2. This act shall take effect upon passage and publication.

Approved August 8, 1929.

No. 377, S.]

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CHAPTER 372.

AN ACT to create subsection (11) of section 59.08 of the statutes, relating to group insurance for officers and employes of counties having a population of two hundred and fifty thousand or more.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new subsection is added to section 59.08 of the statutes to read: (59.08) (11) Provide, in counties having a population of two hundred and fifty thousand or more, for group insurance for officers and employes of such counties and to make the necessary rules and regulations therefor.

SECTION 2. This act shall take effect upon passage and publication.

Approved August 9, 1929.