

No. 493, A.]

[Published June 3, 1941.]

CHAPTER 170.

AN ACT to amend 51.12 (3), 51.23 (1) and 51.234 (1) of the statutes, relating to the parole and transfer of inmates at the Central State Hospital for the Insane.

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

SECTION 1. Subsection (3) of section 51.12 of the statutes is amended to read:

(51.12) (3) Whenever, by a fair trial, it shall have become reasonably certain that any patient in either state hospital is incurably insane, and such patient is retained to the exclusion of others whose cases are of a more hopeful character, the * * * department may transfer him to some county asylum authorized by law to receive such patients. *The department may, with the approval of the committing court, transfer to any county asylum, any inmate of the central state hospital, committed under section 357.11 or 357.13, whose mental condition is believed to be chronic or incurable and who in their opinion could be properly cared for in a county asylum.*

SECTION 2. Subsection (1) of section 51.23 of the statutes is amended to read:

(51.23) (1) The provisions of all statutes relating to state hospitals for the insane, except subsection (1), (2), (4), (5), and (6) of section 51.12 * * * are applicable to the central state hospital. * * * *Section 51.13 and subsection (3) of section 52.03 are applicable only for inmates whose prison term or sentence has expired.*

SECTION 3. Subsection (1) of section 51.234 of the statutes is amended to read:

(51.234) PAROLES FROM CENTRAL * * * STATE HOSPITAL.

(1) Whenever in the judgment of the superintendent of the central state hospital * * * any inmate found to be *insane* or feeble-minded and committed under the provisions of sections 357.11 and 357.13, and who has not made such recovery as would warrant his return to the court as provided in said sections but who is in a condition to be paroled under supervision, said superintendent shall report the name of such inmate,

with a statement of his reasons for his judgment that such inmate should be paroled, to the court which committed such inmate and to the * * * *department of public welfare*. If the court does not file objection to the parole of such inmate within 60 days of the date of said report the superintendent may parole such inmate to a relative, legal guardian or other person. In the designation of a paroled guardian the person selected shall, where possible, be of the same religious faith as the parents of such inmate. At any time during such parole, upon evidence satisfactory to said superintendent or to the * * * *department of public welfare*, such inmate shall be returned to the central state hospital * * *. Every such parole guardian shall report the physical, moral and mental condition of the inmate to such superintendent, either in person or in writing, as often and as fully as may be required by the rules and regulations of the * * * *department of public welfare*, and in case of failure so to report on request the inmate shall be returned to the central state hospital. * * * At all times during the parole the inmate shall be accessible to said superintendent or any agent he may designate. The central state hospital * * * shall not be liable in any manner for such patient while on parole. Such liability shall devolve upon the parole guardian of said inmate.

SECTION 4. This act shall take effect upon passage and publication.

Approved May 28, 1941.

No. 550, A.]

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CHAPTER 171.

AN ACT to create 66.52 of the statutes, relating to the protection of the rights of city and village personnel entering the federal armed forces.

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

SECTION 1. Section 66.52 of the statutes is created to read:

66.52 (1) The governing body of any city or village may grant a leave of absence to any employe or officer who is inducted into the armed forces of the federal government pursuant to legislation enacted by the 76th or 77th Congress of the United States of America.