

No. 30, S.]

[Published April 22, 1953.

CHAPTER 61.

AN ACT to repeal, renumber, amend, reenact, repeal and recreate and revise various provisions of the statutes and session laws for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of departments, officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary, obsolete and unconstitutional provisions, reconciling conflicts and repelling unintended repeals.

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

SECTION 1. Wherever in the statutes the term "state board of regents of normal schools", "board of regents of normal schools", "state board of normal regents", "board of normal regents", "state board of normal school regents", "board of normal school regents" or "normal regents" is used, the term "board of regents of state colleges" is substituted.

SECTION 2. Wherever in the statutes the term "teachers college", "teachers colleges", "state teachers college" or "state teachers colleges" is used, the term "state college" or "state colleges" is substituted.

SECTION 3. 5.35 (10) of the statutes is amended to read:

5.35 (10) Each committee and its officers shall have the powers usually exercised by such committees, and by the officers thereof, in so far as is consistent with this * * * chapter.

SECTION 4. The last sentence of 5.38 (1) (a) of the statutes is repealed.

SECTION 5. 14.42 (15) of the statutes is amended to read:

14.42 (15) The state treasurer, upon receipt of any money under * * * ss. 238.136 and 318.03, shall forthwith advertise the fact in the state paper by giving the name of the decedent, the time and place of his death, the amount paid into the treasury, the personal representative paying the same, the county in which the estate is probated, and that the money will be paid to the heirs or legatees without interest, on proof of ownership, if applied for within 7 years from the date of publication in the manner provided in s. 318.03. The cost of such advertising shall be charged to the appropriation for the treasury department.

SECTION 6. 14.42 (16) of the statutes is amended to read:

14.42 (16) The state treasurer shall render a statement annually to the state * * * of Wisconsin investment board of the * * * cost of services rendered to said board. Upon receipt of such statement, the * * * board shall certify the amount thereof to the director of budget and accounts to be paid into the general fund * * * out of the appropriation for the state * * * of Wisconsin investment board for the cost of making its investments.

SECTION 7. 14.681 (2) of the statutes is amended to read:

14.681 (2) The state treasurer is authorized to sell either at public or private sale any personal property turned over to him as an escheat * * *. The proceeds of any such sale shall become a part of the state school fund, and shall be subject to refund as specified by the provision of law pursuant to which the property escheated.

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SECTION 8. The last sentence of 14.86 (1) of the statutes is amended to read:

14.86 (1) (last sentence) The corporation may mortgage such interests in land and the building projects thereon to funds invested by the state * * * of Wisconsin investment board to secure loans of funds borrowed by it from the board * * *.

SECTION 9. The introductory paragraph of 15.77 of the statutes is amended to read:

15.77 (intro. par.) The state chief engineer shall exercise the powers and duties prescribed by * * * ss. 15.76 to 15.845:

SECTION 10. 16.275 (5) of the statutes is repealed and recreated to read:

16.275 (5) Any sick leave accumulated by state employes employed on the prevailing hourly rate of pay basis, through June 1947, and unused, may be used by them at any time subject to the rules and regulations of the bureau of personnel.

SECTION 11. 17.29 of the statutes is amended to read:

17.29 The provisions of this chapter supersede all contrary provisions in either the general law or in special acts, except the provisions of chs. 6 and 10 * * * relating to election officers appointed for the election precincts or polling places in the state * * * and the provisions of * * * ch. 21 relating to the military staff of the governor and to officers of the Wisconsin national guard * * * and to officers of the Wisconsin naval militia; and shall govern * * * all offices * * * whether created * * * by general law or special act, unless otherwise specially provided.

SECTION 12. 21.024 (6) (a) of the statutes is amended by substituting "section" for "act" in the second sentence; and 21.024 (8) (b) is amended by substituting "section" for "act" in the phrase "under this act".

SECTION 13. 21.024 (9), 45.51 (5), 97.39 (4) and 340.485 (19) of the statutes are repealed.

SECTION 14. 23.26 (2) of the statutes is amended to read:

23.26 (2) There is created a natural resources committee of state agencies consisting of the governor as chairman, ex officio; 2 members of the joint legislative council appointed by the chairman of the council; 2 representatives of the state conservation department appointed by the conservation commission; 2 representatives of the university of Wisconsin appointed by the president of the university; 2 representatives of the public service commission appointed by the public service commission; 2 representatives of the state department of agriculture appointed by the state board of agriculture; one representative of the state board of health appointed by the state board of health; one representative of the state planning * * * division appointed by the state * * * chief engineer; one representative of the attorney general's office appointed by the attorney general; one representative of the state department of taxation appointed by the commissioner of taxation; one representative of the highway commission appointed by the state highway commissioner and one representative of the state soil conservation committee appointed by the committee. Each such representative shall be a member of the staff of his respective board, commission, department, office or agency and, with the exception of the governor, shall continue in office at the pleasure of his appointing body.

SECTION 15. 24.09 (1) of the statutes is amended by deleting the colon at the end of the third line.

SECTION 16. 25.17 (1a) of the statutes is amended to read:

25.17 (1a) To invest any of the funds specified in sub. (1), except operating funds, in loans to the Wisconsin university building corporation, * * * Wisconsin state colleges building corporation or Stout institute building corporation secured by mortgages upon income-producing property or upon leasehold estates in improved real property for a term of years where 25 years or more of the term is unexpired.

SECTION 17. 27.11 (9a) of the statutes is amended by substituting "section" for "act".

SECTION 18. 29.345 of the statutes is renumbered 29.015.

SECTION 19. 29.628 of the statutes is renumbered 29.125.

SECTION 20. 35.94 (1) of the statutes is amended to read:

35.94 (1) All printing contracted for by this state under * * * this chapter, excepting * * * statutes relating to local and county government, statutes and annotations of the second class and printing of the fifth, sixth and seventh classes and such copyrighted or patented or printing specialties not available for production within this state, shall be printed in this state.

SECTION 21. The third sentence of 37.02 (3) of the statutes is amended to read:

37.02 (3) (third sentence) The board of regents is authorized to enter into such leases or contracts with such corporation or corporations or with local units of government for the above purposes as they shall deem for the best interest of the state college.

SECTION 22. 37.31 (1) of the statutes is amended to read:

37.31 (1) All teachers in any state college shall be employed on probation and after successful probation for * * * 4 years, the employment shall be permanent, during efficiency and good behavior, provided, that the teachers having taught * * * 4 years or more in any such college shall be deemed to have served their term of probation. No teacher who has become permanently employed as herein provided, by reason of * * * 4 or more years of continuous service, shall be discharged except for cause upon written charges. Said charges shall after 10 days' written notice thereof to such teacher, and upon such teacher's written request, be investigated, heard and determined by the board of * * * regents of *state colleges*, whose action and decision in the matter shall be final. The term "teachers" as used in this section shall include all persons engaged in teaching as their principal occupation but shall not include the president or acting president of any state college.

SECTION 23. 41.01 (1) of the statutes is amended to read:

41.01 (1) Upon application by a district board of any school district, the board of education of any city or the county superintendent of any county upon authorization of the county board, the state superintendent may upon the basis of need and the availability of sufficient funds authorize such school district board, board of education or county to establish and maintain classes, special treatment and instructional centers for each of the various types of handicapped children, including special classes and instructional centers for mentally handicapped children having an intelligence quotient of 35 to 50 * * *.

SECTION 24. 41.15 (3) (a) of the statutes is amended to read:

41.15 (3) (a) Where school districts establish schools of vocational and adult education the board shall consist of the district school administrator and 6 other members, 3 employers, 3 representative employes who have no employing or discharging powers and who are not foremen * * * or superintendents, 2 of whom shall reside in unincorporated areas of the district, who shall serve without pay, and who shall be appointed by the district school board.

SECTION 25. The last sentence of 41.16 (2m) of the statutes is amended to read:

41.16 (2m) (last sentence) The taxes for purposes of vocational and adult education together with other funds provided for the same purposes shall be equal to the amount required by the local board of vocational and adult education but such taxes shall not exceed 2 mills on the dollar.

SECTION 26. 42.45 (2) of the statutes is amended by substituting "being furnished to the state retirement system administration board, or having been furnished to its predecessor" for "being furnished to the state annuity and investment board"; and 42.45 (3) is amended by substituting "being furnished to the state retirement system administration board, or having been furnished to its predecessor" for "being furnished, or having been furnished, to the state annuity and investment board."

SECTION 27. The introductory paragraph of 42.49 (3c) (a) of the statutes is renumbered 42.49 (3c) (intro. par.) and is amended by substituting "sub. (2)" for "section 42.49 (2)", by substituting "sub. (3)" for "section 42.49 (3)", and by substituting "state colleges" for "teachers colleges"; 42.49 (3c) (a) 1 is renumbered 42.49 (3c) (a) and is amended by substituting "sub. (3)" for "section 42.49 (3)" and by substituting "state colleges" for "teachers colleges"; 42.49 (3c) (a) 2 is renumbered 42.49 (3c) (b) and is amended by substituting "par. (a)" for "1. above" wherever that phrase occurs, and by substituting "state colleges" for "teachers colleges"; 42.49 (3c) (a) 3 is renumbered 42.49 (3c) (c); and 42.49 (3c) (a) 4 is renumbered 42.49 (3c) (d) and amended by substituting "par. (c)" for "3. immediately preceding".

SECTION 28. The last sentence of 42.51 (1) of the statutes is amended to read:

42.51 (1) (last sentence) In making such computation the board shall credit each teacher with time absent from his profession while serving as a soldier, sailor, marine or nurse in the armed forces of the United States during * * * World War I, upon proof of such service being furnished the board.

SECTION 29. 42.535 of the statutes is repealed.

SECTION 30. 44.02 (10) of the statutes is amended to read:

44.02 (10) To conduct a research center in American history for the benefit of the students and faculty of the state university as well as for members of the general public and to facilitate * * * the further understanding by the general public of the significance of the American experiment.

SECTION 31. The first sentence of 44.03 (6) of the statutes is amended to read:

44.03 (6) (first sentence) Custody of public records of county, village, town, school district or other governmental units may be accepted by any such auxiliary society

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* * * which has been designated a regional depository under s. 44.10, but title to such records shall remain with the state historical society.

SECTION 32. 44.07 (3) of the statutes is amended by deleting "(e)" in the reference to "20.16 (1) (e)".

SECTION 33. 44.10 of the statutes is amended by substituting "state colleges" for "state teachers' colleges" in the first sentence and by substituting "under s. 44.09" for "under this subsection" in the last sentence.

SECTION 34. 45.19 of the statutes is repealed.

SECTION 35. 46.17 (1) of the statutes is amended to read:

46.17 (1) The department shall fix reasonable standards and regulations for the design, construction, repair and maintenance of county homes, county infirmaries, county hospitals, houses of correction, workhouses, *reforestation camps maintained under s. 56.07*, jails and lockups, and juvenile detention homes, with respect to their adequacy and fitness for the needs which they are to serve.

SECTION 36. 49.172 (1) (e) of the statutes is amended by substituting "par." for "subsection" in the phrase "in subsection (d)".

SECTION 37. 49.18 (1) (a) of the statutes is amended to read:

49.18 (1) (a) Any needy person who is blind shall receive aid from the county of his residence as provided in this section. The amount granted shall be determined on the basis of need taking into consideration all income and resources as well as ordinary and special expenses incidental to blindness, except that as permitted or required for federal aid in making such determination of need the first \$50 of earned income shall be disregarded. The maximum aid per month shall not exceed * * * \$75.

SECTION 38. 49.27 (2) of the statutes is amended to read:

49.27 (2) If a person eligible for or receiving old-age or any type of public assistance goes to another county to reside in a private tax-exempt, charitable, benevolent or fraternal institution or home for the aged, or a county home, or a municipal home, or a private nursing or convalescent home, and continues to be eligible for old-age assistance as defined in s. 49.20 (2) while therein residing, he shall receive such assistance, including care given under the provisions of s. 49.40, from the county from which he moved, or continue to receive his assistance from the county paying the same at the time he moved, respectively, unless he has a legal settlement under s. 49.11 in the county in which the institution or home is located, in which case such county shall make payment of such old-age assistance as he is eligible to receive. As used herein a private nursing or convalescent home means a place not public, admitting 3 or more unrelated persons for indefinite residence for the purpose of furnishing them board, room, laundry and care because of prolonged illness or defect or during recovery from injury or disease, including the procedures commonly employed in waiting on the sick, such as administration of medicines, preparation of diets, bedside care, application of dressings and bandages and treatments prescribed by a physician.

SECTION 39. 49.61 (2) (a) of the statutes is amended to read:

49.61 (2) (a) Who is more than 18 * * * years of age;

SECTION 40. 51.09 (1) of the statutes is amended to read:

51.09 (1) If it appears to any judge of a court of record, by an application of 3 reputable adult residents of the county, that a resident of the county or person temporarily residing therein is an inebriate or * * * addicted to the use of narcotic drugs or barbiturates and in need of confinement or treatment, the judge shall fix a time and place for hearing the application, on reasonable personal notice to the person in question, requiring him to appear at the hearing, and shall summarily hear the evidence. The judge may, in his discretion, cause notice to be given to such other persons as he deems advisable. The judge may, by attachment for the person, require the sheriff or other police officer to take the alleged inebriate or drug addict into custody, detain him pending the hearing (but not to exceed 3 days) and bring him before the judge at the hearing. The judge may require notice to be given to known relatives of the person. At such hearing if the judge finds that such person is an inebriate or a * * * drug addict, and requires confinement or treatment, or that it is necessary for the protection of himself or the public or his relatives that he be committed, he may be committed to the county hospital or to Winnebago or Mendota state hospital. At the hearing the judge shall determine the person's legal settlement, and the county of such settlement shall be liable over for his maintenance and treatment. The provisions against detaining patients in jails shall not apply to inebriates or drug addicts except in case of acute illness.

SECTION 41. The last sentence of 59.074 of the statutes is amended to read:

59.074 (last sentence) * * * County board regulations consistent herewith and existing on July 25, 1951 are * * * validated.

SECTION 42. 59.08 (22) of the statutes is amended to read:

59.08 (22) Any county may appropriate money to defray the expense of municipal commemorative or patriotic celebrations or observance or of state or national conventions of war veterans or of national conventions of fraternal associations * * *. Any county of a population of 500,000 or more * * * may appropriate money to defray the expense of group entertainment for children on Halloween by county or municipal agencies within the county or of state or national conventions of county officers or employes or associations thereof or * * * of bringing any of such conventions to such county.

SECTION 43. 59.15 (1) (e) of the statutes is repealed.

SECTION 44. The last sentence of 59.21 (8) (a) of the statutes is amended to read:

59.21 (8) (a) (last sentence) * * * County board provisions consistent herewith and existing on July 25, 1951 are * * * validated.

SECTION 45. 59.89 (2) of the statutes is amended to read:

59.89 (2) Two years after the filing of said report the clerk of any circuit, district, municipal, or other court of record holding or having in his possession any such moneys, securities, or funds, shall turn the same over to the county treasurer, unless sooner demanded by and turned over to the legal owner or owners thereof pursuant to order of the court in which such case, action or proceeding shall have been pending, and the county treasurer and his successors in office shall hold the same for a period of 6 years unless sooner demanded by and turned over to the legal owner or owners thereof * * *.

SECTION 46. 59.89 (4) of the statutes is repealed.

SECTION 47. 59.97 (3) (f) of the statutes is amended by inserting "to" between "as" and "the" in the 15th line of said paragraph; and 59.97 (4) is amended by substituting "(d)" for "(a)" in the reference to "(3) (a)".

SECTION 48. 59.99 (8) of the statutes is amended by substituting "section" for "act".

SECTION 49. 60.74 (1) (a) of the statutes is renumbered 60.74 (1) (a) and (am) and amended to read:

60.74 (1) (a) * * * In * * * a county which has not * * * adopted a county zoning ordinance as provided by s. 59.97 any town may by ordinance:

1. Regulate, restrict and determine the areas within which agriculture, forestry and recreation may be conducted, the location of roads, schools, trades and industries, the location, height, bulk, number of stories and size of buildings and other structures, the percentage of lot which may be occupied, size of yards, courts and other open spaces, the density and distribution of population, and the location of buildings designed for specified uses, and establish districts of such number, shape and area as may be necessary for such purposes * * *;

2. Establish set-back building lines * * *;

3. Regulate, restrict and determine the areas * * * in or along natural water-courses, channels, streams and creeks in which trades and industries, filling or dumping, erection of structures and the location of buildings may be prohibited or restricted * * *;

4. Adopt an official map or maps which will show * * * areas, outside the limits of incorporated villages and cities, * * * which the town board * * * deems best suited to carry out the purposes of this section * * *;

5. For each such district, impose regulations * * * designating the location, height, bulk, number of stories and size of buildings and other structures, percentage of lot which may be occupied, the size of yards, courts and other open spaces, * * * density and distribution of population, * * * the trades, industries or purposes that shall be included or subjected to special regulations and * * * the uses for which buildings may not be erected or altered * * *.

(am) A town board may not proceed as provided in this section * * * unless it petitions the county board, at any regular or special meeting to adopt a county zoning ordinance as provided by s. 59.97 * * *. If the county board * * * fails or * * * refuses at that meeting to direct its * * * zoning agency to proceed as provided by s. 59.97 * * *; or, * * * if such directions to proceed * * * are given * * * but the report of the * * * zoning agency and the tentative ordinance pursuant thereto * * * are not * * * presented to the county board within one year * * *; or if so presented * * * and the county board at its next meeting thereafter * * * fails to adopt the ordinance, a town board may proceed under this section. The provisions of this subsection shall be applicable in every respect to regulating and restricting trailer camps or tourist camps or both.

SECTION 50. 65.90 (5) (a) of the statutes is amended by substituting "tax" for "taxes" and by substituting "amounts" for "amount" in the first sentence.

SECTION 51. The last sentence of 66.054 (4) (a) 5 of the statutes is repealed.

SECTION 52. 66.054 (7) of the statutes is amended to read:

66.054 (7) Class "A" retailers' licenses shall be issued only to domestic corporations, to foreign corporations engaged in the manufacture of fermented malt beverages and licensed under ch. * * * 180 to do business in this state or to persons of good moral character who * * * are citizens of the United States and of the state of Wisconsin and * * * have resided in this state continuously for not less than one year prior to the date of the filing of application for said license. Said license shall authorize sales of fermented malt beverages only for consumption away from the premises where sold and in the original packages, containers, or bottles * * *. The license fee for a Class "A" license shall not exceed \$10 per year or fractional part thereof. Not more than 2 Class "A" licenses shall be issued in the state to any one corporation or person, and in each application for a Class "A" license the applicant shall state that he has not made application for more than one other Class "A" license for any other location in the state. No such license shall be issued to any person acting as agent for or in the employ of another.

SECTION 53. 66.903 (2) (a) 1 of the statutes is amended to read:

66.903 (2) (a) 1. Normal contributions of 5 per cent of each payment of earnings, excepting any part of such earnings in excess of \$350 per month or an equivalent for any other period, paid to any such employe by any participating municipality, provided, however, that the normal contribution rate on said earnings for such employes who are *justices of the supreme court, circuit judges, conservation wardens, state forest rangers, members of the state traffic patrol, policemen, including the chief and all other officers, and firemen, including the chief and all other officers*, shall be 7 per cent. Any county which shall be or become a participating municipality may certify to the Wisconsin retirement fund that any employe * * * who then is or may become a deputy sheriff or traffic policeman is engaged in a hazardous occupation and may require that after a date specified by it but not earlier than January 1, 1948, the normal contribution rate for such employe shall be 7 per cent and in such case such employes shall be included under and receive the benefits of s. 102.455; but no prior service credit may be granted to any such participating employe upon the basis of a 7 per cent contribution.

SECTION 54. 66.906 (2) (b) 2 of the statutes is amended to read:

66.906 (2) (b) 2. The annuity which can be provided, on the date such annuity begins, from the total accumulated municipality and prior service credits of the participant at such time; subject, however, to the limitation that in no event shall any annuity arising out of the total of the accumulated municipality and prior service credits exceed either of the following: * * * a. The amount which, when added to the annuity provided, on the date such annuity begins, from the accumulated normal credits of the participant at such time, will equal 50 per cent of the final rate of earnings of the participant, or * * * b. *in the case of employes other than supreme court justices and circuit judges*, the amount of the annuity which could have been provided at age 65 from the accumulations at age 65, or on the effective date of participation for participants who are over 65 on such date, assuming the participant as then exactly age 65, from the total municipality and prior service credits of the participant, assuming that the prior service credits of such participant had been accumulated on the basis of a contribution rate equal to the sum of the rates of normal and municipality credits as they were on the effective date of participation of such participant, *(except that this limitation shall be modified to include municipality credits equal to normal credits after attaining age 65 and prior to attaining age 70 for service rendered after December 31, 1951)*, or c. *in the case of supreme court justices and circuit judges*, the amount of the annuity which can be provided, on the date of retirement, from the total municipality and prior service credits of the employe at such date.

SECTION 55. 66.914 (1) of the statutes is amended to read:

66.914 (1) All money received by the board shall immediately be deposited with the state treasurer for the account of the fund. All disbursements shall be made only upon certification of the executive director pursuant to authorization by the board as properly recorded in the official minute books of the meetings of the board, except that disbursements for securities purchased and the payment of accrued interest thereon and for any other investments shall be made upon certification of the * * * state * * * of Wisconsin investment board.

SECTION 56. 66.917 (1) (a) of the statutes is amended to read:

66.917 (1) (a) Authorized and directed to deduct all normal and additional contributions from each payment * * * of earnings payable to each participating em-

ploye who is entitled to any earnings from the municipality. All such contributions shall be due and be deposited in the office of the board not later than the end of the month in which the earnings are paid.

SECTION 57. 66.92 (3) of the statutes is amended to read:

66.92 (3) The state department of veterans' affairs is authorized and directed to furnish any county, city, village, town or agency thereof with information and assistance to facilitate housing for veterans and servicemen and said department shall call upon the state planning * * * *division* for assistance in carrying out the purpose of this subsection. The state planning * * * *division* shall furnish such assistance when requested and the salaries and expenses therefor shall be paid out of the appropriation for the state department of veterans' affairs.

SECTION 58. 67.04 (6) of the statutes is amended to read:

67.04 (6) By any common school district, consolidated district, state graded school district, free high school district, union free high school district, whether any such district is joint or otherwise, or by any board of education, by whatever name designated, which is especially authorized to issue bonds: To purchase, erect or improve school buildings, * * * *teacherages or bus garages*, to acquire schoolhouse, * * * *teacherage or bus garage* sites or school playgrounds, to acquire sites and erect or enlarge buildings thereon for schools of vocational and adult education or for use by the local board of vocational and adult education and to equip such buildings with heat, light, ventilation or other necessary apparatus; to purchase school transportation vehicles; to refund indebtedness heretofore contracted; to construct at schools without the limits of cities and villages safety zones and necessary connecting ways or roads to the public highway required by s. 40.065; but no issue of bonds for purchasing a schoolhouse site, a teacherage site, or a school playground, or for purchasing or erecting a teacherage, or for purchasing school transportation vehicles, shall exceed \$25,000, except in counties containing a population of 150,000 or more, where the limit of indebtedness that may be incurred for the acquisition of a schoolhouse site or addition thereto, is any sum not in excess of an amount certified by the governing body of the town, village or city in which the site is situated as reasonable and necessary for that purpose; and provided that any school district whose territory consists of a city of the fourth class or of a city of the fourth class and a part of the whole of any adjoining town or towns may borrow and issue bonds therefor up to 5 per cent of its assessed valuation for the purpose of purchasing schoolhouse sites and the construction and equipment of schoolhouses.

SECTION 59. 68.13 and 68.14 of the statutes are repealed.

SECTION 60. 71.02 (2) of the statutes is amended by substituting "chapter" for "act" in the phrase "as used in this act".

SECTION 61. The introductory paragraph of 71.03 (1) of the statutes is amended by substituting "chapter" for "act"; and 71.03 (3) (i) is amended by substituting "par." for "subdivision" in the first sentence and by substituting "July 29, 1939" for "the enactment of this subdivision" and by substituting "said date" for "the enactment hereof" in the third sentence.

SECTION 62. 71.035 (1) (d) of the statutes is amended by substituting "par." for "subsection" in the references to "subsection (a), (b) or (c)".

SECTION 63. 71.04 (2a) (e) of the statutes is amended to read:

71.04 (2a) (e) No deduction shall be allowed under this subsection on other *than* depreciable property.

SECTION 64. 71.11 (24) (b) of the statutes is amended by substituting "chapter" for "act"; and 71.11 (44) (b) is amended by substituting "subsection" for "section" wherever that word occurs.

SECTION 66. 71.14 (2) of the statutes is amended by substituting "commissioner of taxation" for "director of the department of taxation".

SECTION 67. The last sentence of 72.01 (5) of the statutes is amended by substituting "subsection" for "paragraph".

SECTION 68. 72.05 (1) of the statutes is amended by substituting "ss. 72.01 to 72.24" for "this act".

SECTION 69. 72.07 of the statutes is amended by substituting "ss. 72.01 to 72.24" for "this act".

SECTION 70. 72.24 of the statutes is amended to read:

72.24 DEFINITIONS. *As used in ss. 72.01 to 72.24:*

(1) The words "estate" and "property" * * * mean the real and personal property or the interest * * * *therein* of the testator, intestate, grantor, bargainor, vendor or donor passing or transferred to individual legatees, devisees, heirs, next * * * of

kin, grantees, donees, vendees or successors and * * * include all personal property within or without the state.

(2) The word "transfer" * * * includes the passing of property or any interest therein in possession or enjoyment, present or future, by inheritance, descent, devise, succession, bequest, grant, deed, bargain, sale, gift or appointment in the manner * * * prescribed in ss. 72.01 to 72.24.

(3) The word "decedent" * * * includes the testator, intestate, grantor, bargainor, vendor or donor.

(4) The words "county treasurer," "public administrator * * *" and "district attorney" * * * mean the treasurer, public administrator and district attorney of the county * * * whose county court * * * has jurisdiction as provided in s. 72.12.

(5) The words "intestate laws of this state" * * * include a husband's right as tenant by the courtesy, the statutory rights and allowances to a child, the dower, homestead and other statutory rights and allowances of a widow, and any other rights acquired by contract in lieu of dower.

SECTION 71. 74.03 (4) of the statutes is amended to read:

74.03 (4) DELINQUENT FIRST INSTALMENT; INTEREST. * * * *If the first instalment of the real estate taxes or special assessments so charged is not paid on or before January 31, the whole amount of such real estate taxes or special assessments shall become due and payable and shall be collected, together with unpaid personal property taxes, on or before the last day of February * * * by the town, city or village treasurer. All such taxes and assessments remaining unpaid on March 1 * * * are delinquent and shall be returned to the county treasurer as provided in s. 74.17. * * * Such taxes shall be collected by the county treasurer with interest at the rate of eight-tenths of one per cent per month or fraction thereof from January 1 next preceding.*

SECTION 72. 74.03 (5) (d) of the statutes is amended to read:

74.03 (5) (d) Out of the remaining general property taxes collected he shall first set aside and pay over to the county treasurer the full amount due on state trust fund loans of every character levied on the property in such town, city or village, unless the governing body thereof shall have extended such loans pursuant to s. 74.03 (5a). He shall next set aside and pay over to the * * * county treasurer the full amounts levied on the property of such town, city or village for high school tuition and high school transportation (or board and lodging in lieu thereof) in the order named. The town, city or village treasurer shall then pay to each school district treasurer such proportions of the school levy of such district as the balance of the general property taxes collected in such town, city or village bears to the total general property tax levy therein for all purposes included in the tax roll, exclusive of levies for state trust fund loans, * * * high school tuition and high school transportation. In cities operating schools pursuant to ss. 40.50 to 40.60 he shall retain such proportion levied for school purposes. He shall pay to the county treasurer a like proportion of the state taxes, state special charges, county school tax, other county taxes and county special charges, and shall retain a similar proportion for the town, city or village. The county treasurer shall remit such state trust fund loans, state taxes and state special charges to the state treasurer as provided in s. 74.26, and likewise remit such county school moneys as provided by law, and shall retain for the use of the metropolitan sewerage district an amount equal to the taxes levied pursuant to s. 59.96 (7), and credit the same to the proper metropolitan sewerage area accounts on or before March 20.

SECTION 73. 75.69 (2) of the statutes is amended by substituting "59.97 (5)" for "59.97 (2a)".

SECTION 74. 76.04 (1) of the statutes is amended by substituting "76.01 to 76.29" for "76.01 to 76.20 of this chapter".

SECTION 75. 83.015 (3) (a) and (b) of the statutes are amended to read:

83.015 (3) (a) Each county board, except in counties of a population of 500,000 or over, shall * * * provide for and require the county highway committee and department to use the system of cost accounting * * * devised * * * by the state auditor.

(b) Any variations, adjustments, corrections and revisions in the system * * * shall be made annually so as to be effective on January 1 of each year following the proposed change.

SECTION 76. The third sentence of 84.09 (3m) of the statutes is amended to read:

84.09 (3m) (third sentence) When so ordered, the board, commission or department * * * created or selected and the state highway commission shall appraise and agree on the maximum price, including damages, considered reasonable for the lands or interests to be so acquired.

SECTION 77. 85.01 (1e) of the statutes is repealed.

SECTION 78. 85.01 (6) (d) of the statutes is repealed.

SECTION 79. 85.01 (6) (e) 2 of the statutes is amended by substituting "subd." for "paragraph" in the phrase "under the provisions of paragraph 1".

SECTION 80. The last sentence of 85.08 (20) (e) of the statutes is amended to read: 85.08 (20) (e) (last sentence) Such reports and records may be accumulative beyond the period for which a license is granted but the commissioner * * *, in exercising the power of suspension granted him under sub. * * * (27) (b), shall consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of suspension.

SECTION 81. The last sentence of 85.08 (28) of the statutes is amended to read: 85.08 (28) (last sentence) * * * This subsection shall not apply to any operator whose license has been suspended pursuant to direction from any court as provided in sub. * * * (27) (a).

SECTION 82. 85.47 (3) and (4) and 85.48 (3) and (4) are repealed; and 85.48 (1) of the statutes is amended by deleting the words "Except as provided in subsection (3)," in the first sentence.

SECTION 83. 85.86 of the statutes is amended by substituting "chapter" for "act".

SECTION 84. 85.90 (4) of the statutes is repealed and 85.90 (1) to (3), as printed in the 1951 statutes, are reenacted.

SECTION 85. 85.91 (2a) of the statutes is amended by substituting "85.90" for "95.90".

SECTION 86. 87.01 (1) of the statutes is amended to read:

87.01 (1) * * * "Commission" means the public service commission of Wisconsin.

SECTION 87. 87.20 of the statutes is repealed.

SECTION 88. 93.21 (2) of the statutes is amended to read:

93.21 (2) Any person who obstructs *an officer or employe of the department* * * * in the performance of * * * *his* duty by refusing him entry to any place he is authorized to enter or by refusing to deliver to him a sample of any article of food, drink or drug made, sold, offered or exposed for sale by the person to whom request therefor is made, if the value thereof is tendered, shall be punished as in sub. (1).

SECTION 89. The first sentence of 94.64 (3) (a) of the statutes is amended to read:

94.64 (3) (a) (first sentence) Any commercial fertilizer sold in this state in bags, barrels * * * or other containers shall have placed on or affixed to the container the net weight and the data, in written or printed form, required by * * * *subds. (2) (a)* 1, 2, 3 and 4 * * * printed either * * * 1. on tags to be affixed to the end of the package midway between the ears or * * * 2. directly on the package in which case for bags containing 50 pounds or more the grade shall appear also on the end or side of the package in type that is plainly legible.

SECTION 90. 94.676 (3) and (7) of the statutes are amended to read:

94.676 (3) If the labeling bears any reference to registration under * * * *ss. 94.67 to 94.71*;

(7) If any * * * *word, statement or other information* required by or under the authority of * * * *ss. 94.67 to 94.71* to appear on the labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs or graphic matter in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

SECTION 91. The last sentence of 94.71 (2) of the statutes is amended by substituting "ss. 94.67 to 94.71" for "sections 94.67 and 94.71"; and 94.71 (3) is amended by substituting "ss. 94.67 to 94.71" for "this act".

SECTION 92. 95.24 (4) of the statutes is repealed.

SECTION 93. 95.69 of the statutes is amended to read:

95.69 Any person who shall violate any of the provisions of this chapter for which a specific penalty is not prescribed shall for the first offense, be fined not * * * *more than \$200* or imprisoned in the county jail not * * * *more than 6 months* or both; and for any subsequent offense fined not less than \$200 nor more than \$500, or imprisoned in the county jail not less than 30 days nor more than 6 months or both.

SECTION 94. 95.70 (1) (a) of the statutes is amended by deleting the parentheses in the next to the last line.

SECTION 95. 95.70 (4), as created by chapter 607, laws of 1951, is repealed, and 95.70 (4), as created by chapter 636, laws of 1951, and as printed in the 1951 statutes, is reenacted.

SECTION 96. 97.63, 97.69 and 97.70 of the statutes are amended by substituting "s. 97.72 (3)" for "subsection (4) of section 97.72".

SECTION 97. The title to chapter 99 of the statutes is amended to read:

CHAPTER 99
* * * COLD STORAGE * * *

SECTION 98. 102.42 (7) of the statutes is amended by substituting "par." for "item" in the reference to "item (b)".

SECTION 99. 103.10 of the statutes is amended to read:

103.10 PENALTIES ON EMPLOYERS FOR VIOLATIONS. Any person * * * who violates or fails to comply with * * * ss. 103.06 to 103.09 * * * shall * * * be fined not less than \$10 nor more than \$100 for each offense. Any corporation which by its agents, officers or servants * * * violates or fails to comply with * * * ss. 103.06 to 103.09 * * * shall be liable to the same penalty which may be recovered against such corporation in a civil action * * *.

SECTION 100. 110.095 (6) of the statutes is amended to read:

110.095 (6) The provisions of s. 218.01 (3) * * * (f) and (5) shall apply to this section, cabin trailer sales practices and the regulation of cabin trailer salesmen, so far as applicable.

SECTION 101. The introductory paragraph of 114.135 of the statutes is amended to read:

114.135 (intro. par.) It is declared to be in the public interest that the aerial approaches to any airport be maintained in a condition best suited to the safe operation of aircraft and to that end the bulk, height, location and use of any building or structure, or any other object, and the use of land may be regulated or any building, structure or other object may be removed. It is the legislative intent that this section shall not supersede * * * s. 59.97 (1) * * *, but that it shall be supplemental to such section.

SECTION 102. 115.09 (13) of the statutes is repealed, and 115.09 (3) (b) is amended to read:

115.09 (3) (b) Every license shall remain in force and effect until * * * suspended or revoked in accordance with * * * this section or surrendered by the licensee, and every licensee shall, on or before each December 10, pay to the commissioner the annual license fee for the next succeeding calendar year * * *.

SECTION 103. 140.05 (12) of the statutes is amended to read:

140.05 (12) The board may make transcripts of * * * its records for * * * governmental agencies upon their request and payment of the fees mutually agreed upon.

SECTION 104. The introductory paragraph of 140.13 of the statutes is amended by substituting "ss. 140.10 to 140.22" for "the act"; 140.13 (4), (5) and (6) and the introductory paragraph of 140.14 (1) are amended by substituting "ss. 140.10 to 140.22" for "this act".

SECTION 105. 147.17 (1) of the statutes is amended to read:

147.17 (1) If 6 members find the applicant for license qualified it shall issue a license to practice medicine * * * and surgery, * * * signed by the president and secretary and attested by the seal. A copy of the applicant's statement of familiarity with health laws and rules shall then be forwarded to the state board of health. The board may license without examination a person holding a license to practice medicine and surgery, or osteopathy and surgery, in another state, if in such state the requirements imposed are equivalent to those of this state, upon presentation of the license and a diploma from a reputable professional college approved and recognized by the board, or an honorably discharged surgeon of the army or navy, or of the federal public health service, upon filing of a sworn and authenticated copy of his discharge. *In lieu of its own examination, the board may accept, either in whole or in part, the certificate of the national board of medical examiners.* Fee for license with or without examination shall be fixed by the board at not less than the reciprocity fee in the state whose license the applicant presents, and in no case less than \$75. A person licensed before 1916 to practice osteopathy shall be licensed to practice surgery upon presenting satisfactory evidence of having completed a course in surgery at a reputable osteopathic college, requiring not less than 20 months' actual attendance, and the regular examination of the board in surgery, and being found qualified by 6 members. The board may deny the application of one not 21 years of age. No certificate of registration shall be considered equivalent to a license.

SECTION 106. 156.095 (3) is repealed and 156.095 (2) (a) of the statutes is amended to read:

156.095 (2) (a) Every registered apprentice, before being eligible to take the examination for a funeral director's or embalmer's license shall make report to the state board and committee, on blanks furnished for that purpose, showing, *if an apprentice funeral director*, that he has assisted a licensed funeral director in conducting at least 25 funerals and has assisted a licensed funeral director, under whom he is serving, in preparing, for

burial or disposition other than by embalming, at least 25 dead human bodies *or, if an apprentice embalmer, that he has assisted a licensed embalmer, under whom he is serving, in the embalming of at least 25 bodies*; and shall furnish such other information as the board or committee may require. Such reports must give the name of the deceased in each instance and the date and place where the funeral was held or other service performed and shall be certified as otherwise provided in ss. 156.01 to 156.16.

SECTION 107. 160.31 of the statutes is repealed and recreated to read:

160.31 HOTELKEEPER'S LIABILITY. (1) A hotelkeeper who complies with sub. (2) is not liable to a guest for loss of money, jewelry, precious metals or stones, personal ornaments or valuable papers which are not offered for safekeeping.

(2) To secure exemption from liability the hotelkeeper must (a) have doors on sleeping rooms equipped with locks or bolts; (b) offer, by notice printed in large plain English type and kept conspicuously posted in each such room, to receive valuable articles for safekeeping, and explain in such notice that the hotel is not liable for loss unless articles are tendered for safekeeping; (c) keep a safe or vault suitable for keeping such articles and receive them for safekeeping when tendered by a guest, except as provided in sub. (3).

(3) A hotelkeeper is liable for loss of articles accepted for safekeeping up to \$300. He need not receive for safekeeping property over \$300 in value. This subsection may be varied by written agreement between the parties.

SECTION 108. 176.10 of the statutes is repealed.

SECTION 109. 176.406 (4) of the statutes is repealed.

SECTION 110. 185.31 (a) to (h) of the statutes are renumbered 185.31 (1) to (8), and 185.31 (7), as renumbered, is amended to read:

185.31 (7) Have * * * *the participation* in each fiscal year of at least 25,000 students taking part in athletic programs or at least 50,000 students if others than those engaged in athletics are included. Any such interscholastic benefit plan may administer benefit plans for other groups which do not have the required minimum number, provided the funds of such other groups are segregated.

SECTION 111. 185.35 of the statutes is amended by substituting "ss. 185.30 to 185.35" for "this act".

SECTION 112. 192.45 of the statutes is renumbered to be 192.465.

SECTION 113. 194.36 (introductory paragraph), (4), (5) and (6) of the statutes are amended by substituting "chapter" for "act".

SECTION 114. 194.38 (5) of the statutes is renumbered 194.37 (5) and amended to read:

194.37 (5) At the beginning of each fiscal year the public service commission shall estimate the costs to be incurred from the appropriation made by * * * *s. 20.51 (1) to carry out its functions under ch. 194 and s. 76.54 (17) and shall certify such cost estimates to the director of budget and accounts who shall forthwith draw his warrant on the highway fund for such amount and deposit such proceeds in the general fund. The estimated cost of administering * * * ch. 194 and s. 76.54 (17) shall be adjusted to actual costs on the cash basis per the records of the department of budget and accounts as of June 30 following, and such adjustment shall be reflected in the fund transfer covering cost estimates for the ensuing year pursuant to this subsection.*

SECTION 115. 196.80 (6) of the statutes is amended to read:

196.80 (6) The enumeration of powers, duties and authority conferred by this * * * *section shall not be construed as limiting any powers * * * conferred upon the commission before June 27, 1935 by * * * statutes then existing.*

SECTION 116. 197.10 (4) of the statutes is amended by deleting the references "104.13 subsection (2)" and "197.07".

SECTION 117. 198.21 of the statutes is amended to read:

198.21 Any provision of this chapter may be altered, amended or repealed at any time by the legislature, but no amendment or alteration thereof shall ever be enacted which shall release any district organized thereunder from any liability which it shall incur for the acquisition of property or for obtaining funds for the purposes of the district. The guarantees of this section shall be deemed and held to inhere in and become part of every contract authorized by * * * *this chapter* and entered into by any district thereunder.

SECTION 118. 204.31 (3) (a) 2. am. of the statutes is amended by substituting "(3) (a) 2. a." for "(3) 2. a."; and 204.31 (3) (f) 1., (4) (c) and (5) are amended by substituting "section" for "act".

SECTION 119. 214.25 (2) of the statutes is repealed.

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SECTION 120. 215.20 (17) (a) and (b) and (18) (a) and (b) of the statutes are amended to read:

- 215.20 (17) (a) The state * * * of Wisconsin investment board;
(b) Any of the funds whose investments are supervised by the state * * * of Wisconsin investment board;
(18) (a) The state * * * of Wisconsin investment board;
(b) Any of the funds whose investments are supervised by the state * * * of Wisconsin investment board;

SECTION 121. 218.04 (6) (b) of the statutes is amended to read:

218.04 (6) (b) Every licensee applying for a renewal of his license shall, on or before the first day of June, pay in advance to the commissioner the annual license fee * * *.

SECTION 122. 219.05 (1) of the statutes is amended by substituting "town" for "township".

SECTION 123. 220.12 of the statutes is amended by substituting "the banking laws" for "this act".

SECTION 124. 234.26 of the statutes is repealed.

SECTION 125. 236.06 (1) (h) of the statutes is amended to read:

236.06 (1) (h) For lands lying in towns the state director of regional planning * * *.

SECTION 126. 241.145 (4) of the statutes is amended by substituting "section" for "act".

SECTION 127. The last sentence of 246.11 of the statutes is amended to read:

246.11 (last sentence) The provisions of this * * * section shall apply to all insurance on lives, whether effected before or after * * * March 18, 1903, but shall not apply to assignments thereof * * * made before said date.

SECTION 128. 247.40 of the statutes is renumbered 247.22.

SECTION 129. Section 250a of chapter 319, laws of 1951, is repealed; and 251.18, as amended by ch. 392, laws of 1951, and as printed in the 1951 statutes, is reenacted.

SECTION 130. 253.33 (2) of the statutes is amended to read:

253.33 (2) Such reporter shall be paid by the county for his services such * * * compensation as the county board shall * * * direct.

SECTION 131. 256.28 (11) and (15) of the statutes are amended to read:

256.28 (11) The defendant may move to strike out matter, make more certain, demur or answer, as in other cases, and may file an affidavit of prejudice as provided in * * * sub. (12).

(15) The reasonable costs of disbarment proceedings conducted under the usual practice, other than that specially provided for in this section * * *, shall be taxed, paid, adjudged and collected in the same manner as herein prescribed.

SECTION 132. 318.02 of the statutes is amended to read:

318.02 In all cases mentioned in * * * ss. 237.01 (7), 238.136 and 318.03 (1) and (2) * * * the county court having jurisdiction * * * of the matter shall notify the attorney-general of the interest or probable interest of the state * * * immediately after the * * * court learns of such interest; and the attorney general shall appear for and protect the interests of the state therein.

SECTION 133. 324.06, 324.07 and 324.08 of the statutes are repealed.

SECTION 134. 324.16 of the statutes is amended to read:

324.16 Writs of error to obtain a review by the supreme court of proceedings of the county court * * * shall be allowed, and taken in accordance with * * * ch. 274, relating to writs of error.

SECTION 135. 324.17 (1) of the statutes is amended to read:

324.17 (1) * * * Jury trials may be had in county court in all appealable cases in which a jury trial may be had of similar issues in circuit courts.

SECTION 136. 326.01 (3) of the statutes is amended to read:

326.01 (3) In every instance where an officer in the armed forces is authorized by s. 235.19 (11) to take an acknowledgment, he may administer an oath.

SECTION 137. 327.29 (1) of the statutes is amended by deleting "44.08" in the reference to "sections 44.08, 44.09, 59.716 and 59.717".

SECTION 138. 330.18 (5) of the statutes is amended to read:

330.18 (5) An action for the recovery of damages for flowing lands when such lands shall have been flowed by reason of the construction or maintenance of any flooding dam or other dams constructed, used or maintained for the purpose of facilitating the driving

or handling of saw logs on the Chippewa, Menomonee, or Eau Claire rivers or any tributary of either of them * * *.

SECTION 139. The next to the last sentence of 330.19 (5) of the statutes is amended to read:

330.19 (5) (next to last sentence) No such notice shall be deemed insufficient or invalid solely because of any inaccuracy or failure therein in stating the description of the injuries, the manner in which they were received or the grounds on which the claim is made, provided it * * * *appears* that there was no intention on the part of the person giving the notice to mislead the other party and that such party was not in fact misled thereby * * *.

SECTION 140. 330.21 (5) of the statutes is amended to read:

330.21 (5) Any action to recover unpaid salary, wages or other compensation for personal services, except fees for professional services * * *.

SECTION 141. 330.22 (5) of the statutes is repealed.

SECTION 142. The last sentence of 366.14 of the statutes is amended to read:

366.14 (last sentence) The compensation * * * of constables and witnesses at such inquest shall be the same as is allowed for like services in justice court, * * * and the compensation of jurors shall be the same as that provided for jurors under s. 255.31.

SECTION 143. Chapter 90, laws of 1929, chapter 284, laws of 1931, and chapter 301, laws of 1935, are repealed.

SECTION 144. Chapter 494, laws of 1951, is repealed.

Approved April 16, 1953.
