

No. 719, S.]

[Published February 18, 1960.

CHAPTER 664

AN ACT to repeal and amend various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of officers, correcting references, reconciling conflicts and repelling unintended repeals. (Revisor's correction bill).

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

SECTION 1. 20.125 (3) of the statutes, as created by chapter 228 (623, S), laws of 1959, is repealed.

SECTION 2. The amendments made to 20.280 (72b) of the statutes by chapter 228 (623, S), laws of 1959, are not repealed by chapter 547 (946, A). Both amendments stand.

SECTION 3. 20.480 (2) of the statutes is repealed.

SECTION 4. 20.850 (3) of the statutes, as repealed and recreated by chapter 135 (106, A), laws of 1959, is amended by substituting for the phrase "group life insurance contributions" the phrase "group life and health insurance contributions".

SECTION 5. 22.03 (intro. par.) of the statutes, as created by chapter 551, laws of 1959, is amended by substituting "16.80" for the reference to "15.65".

SECTION 6. 29.107 (1) of the statutes is amended by substituting "227" for "27".

SECTION 7. 29.22 (2) of the statutes, as amended by chapter 28 (70, A), laws of 1959 is repealed, and 29.22 (2) of the statutes, as amended by chapter 124 (555, A), laws of 1959, is reenacted.

SECTION 8. 66.919 (7) of the statutes, as created by chapter 211 (549, A), laws of 1959, is amended by substituting "148.03" for "148.01 (3)".

SECTION 9. 66.919 (15) (b) of the statutes, as created by chapter 412 (712, A), laws of 1959, is amended by substituting "(12)" for "(7) (c)".

SECTION 10. 71.11 (21) (g) of the statutes, as repealed and recreated by chapter 489 (941, A), laws of 1959, is amended by substituting a reference to "(bm)" for "(b)".

SECTION 11. 107.05 (2) and (10) of the statutes, as created by chapter 238 (68, A), laws of 1959, are amended to read:

107.05 (2) When surface streams or lakes are involved, the person engaged in or preparing to engage in mining or processing ore, shall apply to the public service commission for a permit to conduct or convey, to the same or another watershed, waters from the lands upon which it is engaged in mining operations. The application shall be in the form contemplated by s. * * * 30.18 (3) (a) for applications under that section, but the provisions thereof relating to the time for completion of structures shall not apply to applications under this section. Public hearing on the application shall be set by the commission and notice of such hearing shall be given in accordance with those provisions of s. * * * 30.18 (4) which shall be specified by the commission. The provisions of s. * * * 30.18 which relate to approval of plans for structures by the commission and to the entry of lands for making surveys shall apply to applications under this section. In addition to the notice requirements of s. * * * 30.18 (4) specified by the commission, the applicant also shall cause notice of the hearing on the application to be published in the official state paper once a week for 3 successive weeks. After due publication of such notice in the official state paper, no permit issued at the conclusion of such hearing shall be held invalid upon the ground that any other provisions relating to the giving of notice have not been complied with and no person shall bring any action or maintain any proceeding to attack the permit or for damages except an action for inverse condemnation for damages suffered as a result of the exercise of the permit. The person engaged in or preparing to engage in mining or processing ore may include in such application, or in a separate application, a request for a permit to divert waters from any surface water upon which he is riparian or to use and consume said waters and underground waters in his ore processing operations on any land owned or leased by him on the same procedure and subject to the same conditions including without limitation the right to control, store, dam or impound said waters in connection therewith.

(10) Penalties for violations of this section shall be the same as for violations of s. * * * 30.18.

SECTION 12. 167.10 (4) of the statutes is amended to read:

167.10 (4) Nothing in this section shall be construed to prohibit any resident wholesaler, dealer or jobber from selling fireworks other than those prohibited by sub. (6) at wholesale, but only when the same are

shipped or delivered directly outside of the state of Wisconsin or to an organization, *agricultural producer* or group granted a permit under sub. (2).

SECTION 13. 236.15 (1) (f) of the statutes is amended by substituting "director of the planning function in the department of resource development" for "director of regional planning".

SECTION 14. 236.15 (1) (g) of the statutes is amended by substituting "director of the planning function in the department of resource development" for "state director of regional planning".

SECTION 15. 236.20 (2) (L) of the statutes is amended by substituting "director of the planning function in the department of resource development" for "director of regional planning".

SECTION 16. 253.015 of the statutes, as created by chapter 259 (598, S), laws of 1959, is not repealed by chapter 315 (282, S). It shall take effect and remain in effect as provided in section 42 of chapter 259.

SECTION 17. 341.49 (2) (a) of the statutes, as amended by ch. 220, Laws 1959, is amended to read:

341.49 (2) (a) A dealer or distributor need not file a contract, franchise or certificate of appointment if the manufacturer on direct dealerships or distributor on indirect dealerships or importer on direct dealerships by whom he was appointed utilizes the identical basic franchise or contract for all its dealers or distributors in Wisconsin and has filed with the department one such franchise or contract together with a list of authorized dealers or distributors. Such manufacturer, *distributor or importer* shall notify the department immediately of the appointment of any additional dealers or distributors, of any revisions of or additions to the basic franchise or contract on file, or of any individual dealer or distributor supplements to such franchise or contract. Such manufacturer * * *, distributor * * * or importer * * * shall notify the department of the discontinuation or cancellation of the franchise or contract of any of its dealers or distributors at least 60 days before the effective date thereof together with the specific grounds for cancellation of the franchise or contract, if canceled. Franchises, contracts, and appointments are deemed to be continuing unless the manufacturer, *distributor or importer* has notified the department of the discontinuation or cancellation of the franchise or contract of any of its dealers or distributors, and annual renewal of certifications filed as provided in this subsection is not necessary.

Approved February 11, 1960.