

No. 22, S.]

[Published April 30, 1941.

CHAPTER 63.

AN ACT to amend chapter 15, laws of 1935, (section 71.50, statutes of 1939), section 3 (2) and (3); chapter 505, laws of 1935, (section 71.60, statutes of 1939), section 1 (1) (introductory paragraph) and section 3 (1); chapter 363, laws of 1933, (section 72.75, statutes of 1939), section 4 (1) (introductory paragraph); and 139.50 (2) (introductory paragraph) and (3) (d) and (e); and to create 71.03 (4a) and 71.04 (6a) of the statutes, relating to a continuation of certain taxes otherwise expiring in 1941, to provide revenue to pay state aids for old-age assistance, aid to dependent children, blind pensions, and other charitable aids, state school aids, and to operate the state government during the biennium 1941-1943.

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

SECTION 1. Subsection (4a) of section 71.03 of the statutes is created to read:

(71.03) (4a) The deduction for all United States income, excess or war profits and defense taxes shall be limited to a total amount not in excess of 10 per cent of the taxpayer's net income of the calendar or fiscal year as computed without the benefit of the deduction for said United States income, excess or war profits and defense taxes, and before the deductions of amounts permitted by subsection (7) of this section. In no event shall any taxpayer be permitted hereunder a total deduction in excess of the actual amount of United States income, excess or war profits and defense taxes paid, and otherwise deductible.

SECTION 1a. Subsection (6a) of section 71.04 of the statutes is created to read:

(71.04) (6a) The deduction for all United States income, excess or war profits and defense taxes shall be limited to a total amount not in excess of 3 per cent of the taxpayer's net income of the calendar or fiscal year as computed without the benefit of the deduction for said United States income, excess or war profits and defense taxes, and before the deductions of amounts permitted by subsection (7) of this section. In no

event shall any taxpayer be permitted hereunder a total deduction in excess of the actual amount of United States income, excess or war profits and defense taxes paid, and otherwise deductible.

SECTION 1b. The provisions of sections 1 and 1a of this act shall be applicable to income of 1941 or corresponding fiscal year and to subsequent years.

SECTION 1c. Subsections (2) and (3) of section 3 of chapter 15, laws of 1935, as last amended by chapter 14, special session laws of 1937 (section 71.50, statutes of 1939) are amended to read:

(71.50, Statutes of 1939) (Chapter 15, Laws of 1935) (Section 3) (2) In addition to the taxes imposed by * * * sections 72.01 to 72.24 and 72.50 to 72.61 of the statutes, an emergency tax for relief purposes is hereby imposed upon all transfers of property which are taxable under the provisions of said * * * sections and which are made subsequent to the enactment hereof and prior to July 1, * * * 1943 which said tax shall be equal to 30 per cent of the tax imposed by said * * * sections.

(3) The emergency tax upon transfers of property imposed in subsection (2) shall be administered, assessed, collected, and paid in the same manner, at the same time, and subject to the same regulations *that are applicable, respectively*, as provided for the administration, assessment, collection, and payment of the taxes imposed in chapter 72 of the statutes; provided, however, that the entire amount of said emergency tax shall be collected and paid into the general fund.

SECTION 2. The introductory paragraph of subsection (1) of section 1 of chapter 505, laws of 1935, as last amended by chapter 443, laws of 1939 (section 71.60, statutes of 1939) is amended to read:

(71.60, Statutes of 1939) (Chapter 505, Laws of 1935) (Section 1) (1) (Introductory paragraph) There is levied and there shall be assessed, collected, and paid, in addition to all other income taxes, a surtax upon the net incomes of all persons other than corporations, received in the calendar years 1935, 1936, 1937, 1938, 1939 * * *, 1940, 1941 and 1942 or corresponding fiscal years which tax shall be equal to 60 per cent of the normal income tax, after deducting the exemption pro-

vided by paragraph (c) of subsection (1) of this section, computed in accordance with the provisions of chapter 71, relating to normal income taxes on persons other than corporations with the following variations:

SECTION 3. Subsection (1) of section 3 of chapter 505, laws of 1935, as last amended by chapter 198, laws of 1939 (section 71.60, statutes of 1939) is amended to read:

(71.60, Statutes of 1939) (Chapter 505, Laws of 1935) (Section 3) (1) For the privilege of declaring and receiving dividends, out of income derived from property located and business transacted in this state, there is hereby imposed a tax equal to 3 per cent of the amount of such dividends declared and paid by all corporations (foreign and local), except those specified in paragraphs (d) and (g) of subsection (1) of section 71.05 of the statutes, after the passage and publication of this act and prior to July 1, * * * 1943. Such tax shall be deducted and withheld from such dividends payable to residents and nonresidents by the payor corporation.

SECTION 4. The introductory paragraph of subsection (1) of section 4 of chapter 363, laws of 1933, as last amended by chapter 14, laws of special session of 1937, (section 72.75, statutes of 1939) is amended to read:

(72.75, Statutes of 1939) (Chapter 363, Laws of 1933) (Section 4) (1) (Introductory paragraph) An emergency tax is imposed upon transfers of property, real, personal, or mixed, or any interests therein or income therefrom, in trust or otherwise, to any person, association, or corporation, which are made subsequent to the effective date of this act and prior to July 1, * * * 1943, in the following cases, except as hereinafter provided.

SECTION 5. The introductory paragraph of subsection (2) and paragraph (d) of subsection (3) of section 139.50 of the statutes are amended to read:

(139.50) (2) (Introductory paragraph) From and after September 20, 1939, and until June 30, * * * 1943, an occupational tax is assessed, imposed, and levied upon the sale, exchange, offering, or exposing for sale, having in possession with intent to sell, or removal for consumption or sale of tobacco products, or other disposition for any purpose whatsoever other than for shipment in interstate or foreign commerce.

Such tax is levied, and shall be collected at the following rates:

(3) (d) Manufacturers and wholesalers within or without this state and having permits from the state treasurer may purchase stamps at a discount of * * * 4 per cent and affix them in the manner prescribed by the state treasurer to containers of tobacco products to be sold in this state, in which case the recipient of such tobacco products within this state, from sources without this state, shall not be required to purchase and affix stamps thereto.

(e) In lieu of stamps the state treasurer may permit the use of meter machines and where used a * * * 4 per cent discount on the total tax due shall be allowed. Such machines shall be used under regulations prescribed by the state treasurer and a bond in a suitable amount to guarantee the payment of the tax may be required by such treasurer.

Approved April 28, 1941.

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CHAPTER 64.

AN ACT to create 215.07 (13) of the statutes, relating to building and loan associations.

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

Subsection (13) of section 215.07 of the statutes is created to read:

(215.07) (13) To act, whenever designated by the secretary of the treasury of the United States or by any other instrumentality of the United States, as agent for said secretary of the treasury or any other instrumentality of the United States making the designation and perform all duties as agent that may be required of them; provided, however, resolutions authorizing such action are adopted by their boards of directors.

Approved April 29, 1941.