

(2) Expenses necessarily incurred by the county in purchasing and providing books, forms and other supplies required in the administering of the dog license law shall be paid out of the said dog license fund. The amount remaining thereafter in said fund shall be available for and may be used as far as necessary for paying claims allowed by the county to the owners of domestic animals on account of damages done by dogs during the license year for which the taxes were paid. Any surplus in excess of \$1,000 or such greater sum as may be determined by the county board, which may remain from the dog license taxes of any license year shall on March 1 of the succeeding year belong and be credited and paid by the county treasurer to the towns, villages and cities of his county for their use in the proportion in which said towns, villages and cities shall have contributed and paid to the fund out of which said surplus arises. In cities having police pension funds the money so credited shall belong to such funds. In all other cases it shall be used as the governing body of the town, village or city shall determine.

Approved August 5, 1947.

No. 556, A.]

[Published August 13, 1947.

CHAPTER 524.

AN ACT to repeal 210.04 (5); to renumber 210.04 (6), (7) and (8) to be 210.04 (5), (6) and (7) respectively; to amend 210.01, 210.02, 210.03, 210.04 (1), (2), (3), (4) and (7) (as renumbered) of the statutes, relating to the "state insurance fund".

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

SECTION 1. 210.01, 210.02, 210.03 and 210.04 (1), (2), (3) and (4) of the statutes are amended to read:

210.01 No officer or agent of this state, and no person or persons having charge of any public buildings or property of the state, shall pay out any public moneys or funds on account of any insurance against loss by fire, windstorm * * * or any other * * * loss or damage from any cause to property, (excepting liability and property damage insurance; air craft in-

insurance; loss by explosion, rupture or bursting of steam boilers, steam pipes, steam turbines, steam engines, flywheels owned, operated or controlled by the state of Wisconsin or located in buildings owned or controlled by the state of Wisconsin; insurance against loss to live stock due to disease or accident but including fire and extended cover insurance on live stock; insurance on accounts, bills, currency, deeds, evidences of debt, money or securities;) or shall in any manner contract for or incur any indebtedness against the state on account of any such insurance upon any * * * property of any kind whatever belonging to the state or property for which the state of Wisconsin is legally liable except in the manner hereinafter provided.

210.02 STATE INSURANCE FUND; STATE PROPERTY. * * *

(1) The commissioner of insurance of the state shall provide for the insurance by the state of all state property and property for which the state of Wisconsin is liable subject to damage or destruction by fire, windstorm or any other loss or damage from any cause to property, (excepting public liability and property damage insurance; aircraft insurance; loss by explosion, rupture or bursting of steam boilers, steam pipes, steam turbines, steam engines, flywheels owned, operated or controlled by the state of Wisconsin or located in buildings owned or controlled by the state of Wisconsin; insurance against loss to live stock due to disease or accident but including fire and extended cover insurance on live stock; insurance on accounts, bills, currency, deeds, evidences of debt, money or securities;) for an amount equal to at least 90 per cent of the actual cash value of such property, except that the state capitol building shall not be insured for more than \$500,000 and the state historical library building for not more than \$200,000, in the following manner: * * * The person, persons or board having charge of any public property shall furnish the commissioner a list of all such property with its insurable value; the commissioner shall compute the premium based upon the rates fixed by actuarial or rating bureaus operating in this state. For this purpose, the commissioner is authorized to have the state insurance fund be a member or subscriber to said actuarial or rating bureaus. He shall then ascertain the amount of insurance in force upon all state property and provide for such additional insurance as is necessary to cover * * * at least 90 per cent of the * * * actual cash value of the property in the following manner: He shall certify to the state treasurer the amount of insurance upon such

property to be carried by the state and order the state treasurer to credit to an account which shall be kept by the *state* treasurer and known as the "state insurance fund" an amount equal to * * * *such percentage* of the premium as fixed by the commissioner of insurance *as the commissioner shall determine*, and the amount so credited by the state treasurer to the "state insurance fund" shall be debited by the state treasurer to that account which shall be kept upon his books with the proper officer, agent or board of trustees or regents which may have such * * * property in its charge, and the amount so debited by the state treasurer to said officer, agent or board shall be deducted by him from any funds which may be in his hands, or which may thereafter come into his hands and payable to said officer, agent or board of trustees or regents for the care and maintenance of such * * * property. The commissioner of insurance may with the approval of the governor purchase such reinsurance as may in the opinion of said commissioner be necessary to properly distribute the risk; provided no such reinsurance shall be effected when the net risk carried by the "state insurance fund" shall not equal or exceed \$100,000, nor where the rate for assuming a proportional amount of the risk shall exceed that received by the "state insurance fund". The commissioner of insurance shall collect such reinsurance upon any loss and pay the same into the "state insurance fund".

(2) *Any policy insuring against loss by fire shall conform so far as practicable to the "Standard Policy" in section 203.01. Policies may be written on an annual or term basis at the option of the person, persons or board having charge of any public property.*

210.03 (1) (a) *In case of a loss under policies issued covering state property * * *, the commissioner of insurance shall within * * * a reasonable time ascertain and fix the amount of such damage and forthwith file with the state treasurer and the secretary of state a statement of the same.*

(b) *If in case of any loss or damage * * * of any * * * property owned by any county, city, village, town or school district or library board, insured in the state insurance fund, there shall arise any difference of opinion between the local authorities and the commissioner of insurance as to the amount of the loss or damage incurred, such loss or damage, upon the demand of the local authorities shall be determined by appraisal, the local authorities and the commissioner of insurance*

each selecting a competent and disinterested appraiser *and notifying the other of the appraiser selected within 20 days of such demand.* The appraisers shall first select a competent and disinterested umpire; and if they do not agree upon such umpire within 15 days, then *on request of the local authorities or the commissioner,* such umpire shall be selected by a judge of a court of record in * * * *the county in which the property covered is located.* The appraisers shall then appraise the loss and damage stating separately * * * *actual cash value and loss or damage to each item; and failing to agree, shall submit their differences only, to the umpire.* An award in writing, so itemized, of any 2 when filed with the commissioner of insurance shall determine the amount of * * * *actual cash value and loss or damage.* Each appraiser shall be paid by the party selecting him and other expenses of appraisal and umpire shall be paid by the parties equally.

(2) When the amount of loss has been fixed and determined by the commissioner of insurance and certified to the secretary of state, the secretary of state, *in the case of a loss on state property,* shall issue a warrant in the amount fixed by the * * * *commissioner of insurance as a transfer of the amount fixed as damages from the "state insurance fund" and credited to the * * * proper fund of the officer, state department of public welfare, * * * board of trustees, or other agents in whose control said buildings or property belongs, and to be disbursed by the state treasurer in such manner as other state funds for the use of said officer, board or agent are paid out, and any loss under a policy held by a county, city, village, town, school district, or library board in the "state insurance fund" shall be adjusted by the commissioner of insurance within a reasonable time and upon being determined, he shall certify such amount of loss to the secretary of state, who shall thereupon issue a warrant therefor on the "state insurance fund" payable to the treasurer of the county, city, village, town, school district or library board entitled to such damages; and if at the time of any such * * * loss * * *, there shall not be in the "state insurance fund" an amount equal to such * * * loss, the secretary of state shall notwithstanding this fact, draw his warrant payable from the general fund, and the state treasurer shall promptly pay such warrant out of any moneys in his hands in the manner above provided, and the commissioner shall thereafter from time to time order such reimbursement*

of the general fund from the "state insurance fund" as he shall deem proper, on which order the secretary of state shall issue his warrants for such transfer.

210.04 STATE INSURANCE FUND; *OTHER THAN STATE PROPERTY.* (1) No county, town or village board or common council, and no officer or agent of any county, city, town or village having charge of any * * * property of any county, city, town or village, and no city council, village, town, * * * school * * * or library board having charge of any * * * property of a school district * * *, or property of a library board shall contract for or pay out any money or funds for insurance, against fire or any other * * * loss or damage from any cause to * * * property, or in the use of or income from property, (excepting public liability and property damage insurance; aircraft insurance; loss by explosion, rupture or bursting of steam boilers, steam pipes, steam turbines, steam engines, flywheels owned, operated or controlled by the insured or located in buildings owned or controlled by the insured; insurance against loss to live stock due to disease or accident but including fire and extended coverage insurance on live stock; insurance on accounts, bills, currency, deeds, evidences of debt, money or securities;) on and after a vote of such board or council to insure under this section, except as may be certified by the commissioner of insurance to be necessary and except the insurance on such personal property as the governing board may by resolution determine to insure in insurance companies licensed to transact business in this state. A certified copy of each such resolution shall be filed with the commissioner of insurance. Policies may be extended to include property for which the said board or council is legally liable.

(2) After such decision by such board or council, the clerk thereof shall report to the commissioner of insurance each policy of insurance which shall then be in force upon any property of * * * the county, city * * *, village, town or * * * school district whether under the control of such board or council or any other board, officer or agent, stating the property covered by such policy, the date of the issue and the expiration thereof, the amount and rate of insurance and premium thereon.

(3) After such decision by such board or council, the insurance on all property of any such county, city, town, village * * * school district or library board shall be provided for, and adjustment of losses made by the commissioner of insurance,

in the manner provided by sections 210.02 and 210.03 for the insurance of property of the state, except that the premium shall be certified by the commissioner to the clerk of the town, village, city, county * * * school district or library board. Upon receipt of such certification of premium due, the amount of the premium so certified shall on or before 60 days from the date of such certification or on or before 60 days from effective date of policy or endorsement, whichever is the later, be paid into the state treasury for the benefit of the "state insurance fund", in default of which the same shall become a special charge against such town, village, city * * * county or school district, and be included in the next apportionment or certification of state taxes and charged and collected as other special charges are collected, with interest at the rate of * * * 5 per cent per annum from the above specified date * * *. In case of installment method of payment or deferring of payment as prescribed in section 74.26, interest shall be computed from effective date of policy or endorsement or date of certification, whichever is the later, to March 22 of year following certification as a state special charge. If any board or council shall so order, the amount of insurance upon the whole or any part of the property under its control shall be fixed at such per cent or sum less than the 90 per cent specified in section 210.02 as may be fixed by such board or council and insurance may be written on an annual or term basis at the option of said board or council. * * * All policies now in force in the "state insurance fund" may be continued as if written subsequent to the effective date of this amendment (1947).

(4) Provided, that policies in force on said date of the passage of a resolution to insure in the "state insurance fund", shall remain in force until * * * expiration or cancellation as provided in such policies; and that said clerk shall give notice to the commissioner of each such * * * cancellation, and the state insurance hereby provided for shall take effect from such * * * cancellation.

SECTION 2. 210.04 (5) of the statutes is repealed.

SECTION 3. 210.04 (6), (7) and (8) of the statutes are renumbered 210.04 (5), (6) and (7) respectively.

SECTION 4. 210.04 (7) (as renumbered) of the statutes is amended to read:

210.04 (7) Any county, city, village, town, school district

or library board may terminate its insurance in the "state insurance fund" by a majority vote of its board or council, and upon certifying such action to the commissioner of insurance, the insurance remaining in force in that fund shall terminate upon expiration of the policy contract *except that said board or council may order the insurance canceled on a date other than the expiration date of said insurance. In case of removal or sale of property, said board or council may request the commissioner of insurance to cancel the insurance on said property without terminating its entire insurance in the "state insurance fund"*.

Approved August 5, 1947.

No. 173, S.]
Corrected Copy]

[Published August 19, 1947.

CHAPTER 525.

AN ACT to amend 20.01 (1) (c) and to create 13.057 and 20.01 (1) (cm) of the statutes, relating to an interim committee to visit all state institutions between regular sessions of the legislature and to make reports thereof to the legislature, and making an appropriation.

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

SECTION 1. 13.057 of the statutes is created to read:

13.057 COMMITTEE TO VISIT STATE INSTITUTIONS. (1) A committee consisting of 3 senators and 4 assemblymen, the members of which shall be appointed as are committees in each house, is hereby created. It shall be the duty of this committee to visit state institutions either in groups or individually. The committee shall inspect buildings, equipment, lands and management of the institutions, it shall have access to all parts of the institutions and to all inmates thereof; it shall make such examination as it may see fit of any condition found, and report in writing to the legislature such suggestions as to the needs of any institution as it may deem proper. The members of the committee shall be reimbursed their expenses as provided in section 20.01 (1) (cm). The committee shall elect one of its members as chairman and one as secretary. It shall be the duty