

Senate Bill 72

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**CHAPTER 26, LAWS OF 1967**

AN ACT to repeal, renumber, amend, reenact and create 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 references, renumbering for better location and arrangement, eliminating duplications and unnecessary and obsolete provisions, 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. 4.04 (1m) of the statutes is amended to read:

4.04 (1m) ~~Within 90 days after January 1, 1954, the common council of the city of Milwaukee shall recreate the said wards of the said city with the same numbers and same boundaries except exterior boundaries of exterior wards as affected by annexations to the said city, as provided in the ordinance adopted by the common council of said city November 24, 1950, which are the same wards with the same boundaries used by the legislature in the enactment of ch. 728, laws of 1951, and thereafter~~ Within 90 days after the result of each national federal census is known the common council of any city of the 1st class shall, by a three-fifths vote of all its members redistrict, readjust and change the boundaries of wards in each such city so that they shall be as nearly equal in population and compact in area as possible, and to that end such council may, by like vote, from time to time determine the number of wards, create new wards,

consolidate old wards, revise existing ward boundaries and number and re-number such wards as ~~may be~~ *are* established.

SECTION 2. 13.94 (intro.) of the statutes is amended to read:

13.94 (intro.) There is created a bureau to be known as the "Legislative Audit Bureau," headed by a chief known as the "State Auditor" outside the classified service. The ~~legislative audit division bureau~~ shall be strictly nonpartisan. Subject to s. 16.275 (6) (a) and (c), the state auditor or his designated employes shall at all times with or without notice have access to all state departments and to any books, records or other documents maintained by such agencies and relating to their expenditures, revenues, operations and structure. In the discharge of any duty imposed by law, the state auditor may subpoena witnesses, administer oaths and take testimony and cause the deposition of witnesses to be taken as prescribed for taking depositions in civil actions in circuit courts.

SECTION 3. 13.94 (3) (a), (c) and (e) of the statutes are amended to read:

13.94 (3) (a) Direct the immediate operations of the ~~state audit division bureau~~.

(c) Supervise all expenditures of the ~~state audit division bureau~~.

(e) Subject to the approval of the joint committee on legislative organization, attend such midwest and national meetings as will benefit the operation of ~~his division the bureau~~.

SECTION 4. 14.60, 14.61 and 14.62 of the statutes are repealed.

SECTION 5. 14.84 of the statutes is amended by substituting "s. 27.305" for the reference to "s. 27.30 (3) (c)."

SECTION 6. 15.95 of the statutes is repealed.

SECTION 7. 15.98 (1) (d) of the statutes is amended to read:

15.98 (1) (d) "School" means any person, located within or outside this state, maintaining, advertising or conducting any course or course of instruction for profit or a tuition charge; but in sub. (7) and ~~(9)~~ (8) "school" means any private trade, correspondence, business or technical school not excepted under sub. (9).

SECTION 8. 16.03 (1b) of the statutes is repealed.

SECTION 9. 16.275 (1) (L) and (m) and (3) of the statutes are repealed.

SECTION 10. 16.32 (6) of the statutes is repealed.

SECTION 11. 16.58 (5) of the statutes is amended by substituting "s. 20.125 (1) (h)" for the reference to "s. 20.125 (3) (g)."

SECTION 12. 16.80 (13) (a) of the statutes is amended to read:

16.80 (13) (a) The state historical society, as trustee for the state, shall be the ultimate depository of the archives of the state, and the committee may transfer to the said society such original records and reproductions as it deems proper and worthy of permanent ~~reproduction~~ *preservation*. The society may deposit in the regional depositories established under s. 44.10, title remaining with the society, the records of state agencies or their district or regional offices which are primarily created in the geographic area serviced by the depository, but the records of all central departments, offices, establishments and agencies shall remain in the main archives in the capital city under the society's immediate jurisdiction. Nothing in this subsection nor in s. 44.01 shall be construed to prevent the society's taking such steps for the safety of articles and materials entrusted to its care in library, museum or archives, including temporary removal to safer locations, as may be dictated by emergency conditions arising from a state of war, civil rebellion or other catastrophe.

SECTION 13. 17.22 (2) (a) of the statutes is repealed.

SECTION 14. 20.140 (1) (g) of the statutes is amended by substituting "94.45 (3)" for the cross reference to "94.46."

SECTION 15. 20.530 (1) (a) 5. c of the statutes is amended to read:

20.530 (1) (a) 5. c. For each legislative day of any special session, or for each legislative day of any regular session lasting more than 6 months, \$30 in addition to the compensation under subd. 5. ~~a~~ b; and

SECTION 16. 20.530 (2) (c) of the statutes is amended by substituting "s. 13.56" for the reference to "s. 13.83 (5)."

SECTION 17. 20.530 (7) (intro.) of the statutes is amended by substituting "council for home and family" for the name "home and family council."

SECTION 18. 20.670 (8) (j) of the statutes is amended to read:

20.670 (8) (j) All moneys received from sales to institutions and sales under s. 16.74 of obsolete supplies, materials and equipment salvaged, to carry out s. 56.01.

SECTION 19. 23.09 (4) of the statutes is amended to read:

23.09 (4) The commission, after having fully qualified shall without delay meet ~~at the capitol in Madison,~~ and organize by electing a chairman and secretary. Four members of said ~~the~~ commission shall constitute a quorum for the transaction of business. Meetings may be called, by the chairman and shall be called on the request of any 2 members, and may be held as often as necessary, and at other places than the state capitol.

SECTION 20. 25.17 (2) (a), (b), (3) (a), (b), (ba), (bf), (bg), (c), (d), (e), (4), (7), (8), (9), (12) (intro.), (13), (61), (62) and (63) of the statutes are amended by deleting the first word "To" in each provision.

SECTION 21. 25.17 (51) of the statutes is amended to read:

25.17 (51) ~~To~~ Have the records and accounts of the board audited at least annually by the ~~department of state~~ legislative audit bureau.

SECTION 22. 27.065 (6) (L) of the statutes is amended to read:

27.065 (6) (L) The appeal given by ~~the last section par. (k)~~ from the report of the county highway commissioner or committee of the county board, as confirmed by the county board, shall be the only remedy of the owner of any parcel of land or any person interested therein, for the redress of any grievance he may have by the making of such improvement, or of the change of any established grade covered by said report, or of any assessment or tax levied on account thereof.

SECTION 23. 28.005 of the statutes is created to read:

28.005 DEFINITION. "Commission" when used in this chapter without other words of description or qualification means the state conservation commission.

SECTION 24. 29.01 (9) of the statutes is created to read:

29.01 (9) "Commission" when used in this chapter without other words of description or qualification means the state conservation commission.

SECTION 25. 36.07 of the statutes is amended to read:

36.07 The board of regents ~~are empowered and directed to fix and establish~~ shall fix the salaries of the janitors at the university so that ~~the same shall be~~ they are equivalent and equal to the salaries paid to janitors at the state capitol, and shall conform to the salary schedule for janitors established by the civil service commission pursuant to ch. 16. This section shall apply to employes doing janitor work in the Wisconsin general hospital and all other departments and divisions of the university regardless of the designation given to their positions.

SECTION 26. 36.165 (2) (last sent.) is amended to read:

36.165 (2) (last sent.) Out of funds appropriated to or otherwise received by them for such purposes the state scholarship committee may establish and grant scholarships to persons eligible for scholarships, subject to such rules and standards and the requirements of sub. (4) and ss. 36.161 and 37.11 (12) ~~and (13)~~.

SECTION 27. 36.34 (4) of the statutes is amended to read:

36.34 (4) To the extent that it is necessary to protect the public interests, actions, proceedings and authorizations by the state building commission, or the regents of the university, in carrying out the provisions of ss. ~~13.351 s. 13.48~~ (2) (d) and ~~36.34~~ *this section*, may be taken in executive session and made matters of public record after the sale, lease or purchase transactions are completed.

SECTION 28. 36.34 (6) of the statutes is repealed.

SECTION 29. 38.24 (2) (h) of the statutes is amended to read:

38.24 (2) (h) ~~“OASI”~~ *“OASDHI”* means federal old-age ~~and~~, survivors, *disability and health* insurance, as provided under Title II of the federal social security act.

SECTION 30. 41.19 (1) (a) and (2) of the statutes are amended by substituting “state director of vocational, technical and adult education” for the words “state director of vocational and adult education.”

SECTION 31. 41.71 (1) and (6) (i) of the statutes are amended by substituting “vocational rehabilitation administration” for the name “United States Office of Vocational Rehabilitation.”

SECTION 32. 41.71 (7) of the statutes is amended to read:

41.71 (7) Pursuant to rules, regulations and standards prescribed by the ~~state board of vocational and adult education~~, the board may provide maintenance cost during actual training to handicapped persons registered for rehabilitation services, except that no maintenance cost shall be provided to persons receiving maintenance cost under s. 102.61 of the ~~workmen’s compensation act~~.

SECTION 33. 41.71 (12) (d) of the statutes is amended to read:

41.71 (12) (d) When products are sold which are made by severely handicapped persons who are under the supervision of the ~~state board of vocational and adult education~~, the cost of the raw material furnished such persons for use in fabricating products may be deducted from receipts which are obtained from the sale of such products. Such material cost refunds will be deposited by the ~~state board of vocational and adult education~~ in the general fund of the state treasury and are appropriated therefrom to the ~~state board of vocational and adult education~~ to be used in purchasing raw materials for severely handicapped persons who are under the supervision of the ~~state board of vocational and adult education~~.

SECTION 34. 42.20 (7m) of the statutes is amended to read:

42.20 (7m) ~~“OASI”~~ *“OASDHI”* means federal old-age ~~and~~, survivors, *disability and health* insurance, as provided under Title II of the federal social security act.

SECTION 35. Wherever in sections 42.22 (7) to 42.54 the term “state teachers retirement board” is used, the word “board” may be substituted by the revisor in printing the statutes.

SECTION 36. 42.39 of the statutes is amended to read:

42.39 Every employer shall furnish to the ~~state teachers retirement board~~ such reports and ~~such~~ information as ~~said the board may require~~

requires, and the state superintendent of public instruction and the county, district and city superintendents shall give such aid and cooperation in furnishing or obtaining any such reports or information as may be required by ~~said the board~~.

SECTION 37. 42.52 of the statutes is amended to read:

42.52 The benefits payable to, or other right and interest of any member, beneficiary or distributee of any estate under ~~any provision of the state teachers retirement law~~ shall be exempt from any tax levied by the state or any subdivision thereof, and exempt from levy and sale, garnishment, attachment or any other process whatsoever, and shall be unassignable except as specifically provided herein. An annuitant may, however, direct the board to deduct premiums for group insurance carried under s. 66.919 and to pay such moneys into the general fund to the credit of s. 20.408 ~~(41)~~ (1) (u). Any member, beneficiary or distributee of any estate under ~~any provision of the state teachers retirement law~~ may waive, absolutely and without right of reconsideration or recovery, the right to, or the payment of all or any portion of, any benefit payable or to become payable under ~~any provision of the state teachers retirement law~~. The exemption from taxation contained herein shall not apply with respect to any tax on income.

SECTION 38. 43.11 (1) of the statutes is amended by substituting "director of vocational, technical and adult education" for the words "director of the board of vocational and adult education."

SECTION 39. 43.23 (3) of the statutes is repealed.

SECTION 40. 43.24 (3) of the statutes is amended to read:

43.24 (3) Before any bookbinding firm is placed on ~~said the~~ approved list, an agreement shall ~~have been be~~ entered into between such firm and the state superintendent as to prices to be charged for the rebinding of books as provided in this section, and such other matters as ~~said committee may deem the superintendent deems~~ essential to carrying out the intent thereof. Each such agreement shall contain a clause authorizing ~~said committee the superintendent~~ to drop the firm from ~~said the~~ approved list in case the terms of the agreement are not complied with by the firm in question.

SECTION 41. 43.26 (1) (2nd sent.) of the statutes is amended to read:

43.26 (1) (2nd sent.) Upon their first appointment such members shall be divided as follows: the 9-member ~~committee board~~ into 3 equal classes, to serve 1, 2 and 3 years respectively, ; the 7-member ~~committee board~~ into 3 classes, 3 to serve for 3 years, 2 to serve for 2 years and 2 to serve for one year; the 5-member ~~committee board~~ into 3 classes, 2 to serve for 3 years, 2 to serve for 2 years and one to serve for one year, from July 1 in the year of their appointment in the case of towns, cities, ~~towns~~ and villages and from January 1 following their appointment in the case of counties, and thereafter each regular appointment shall be for a term of 3 years.

SECTION 42. 45:352 (8) of the statutes is amended by substituting "s. 13.56" for the reference to "s. 13.83 (5)."

SECTION 43. 46.045 of the statutes is repealed.

SECTION 44. 49.20 (2) of the statutes is amended by substituting "ss. 49.20 to 49.37" for the reference to "ss. 49.20 to 49.38."

SECTION 45. 49.50 (8) of the statutes is amended by substituting "49.20 to 49.37" for the reference to "49.20 to 49.40."

SECTION 46. 51.77 (4) of the statutes is amended to read:

51.77 (4) If the patient, guardian or any relative feels that the objections of other relatives or of the compact ~~administration administrator~~ raised under sub. (2) are not well-founded in preventing transfer, such

person may appeal the decision not to transfer to a competent court having jurisdiction which shall determine, on the basis of evidence by the interested parties and psychiatrists, psychologists and social workers who are acquainted with the case, whether transfer is in the best interests of the patient. The requirements of sub. (2) (c) shall apply to this subsection.

SECTION 47. 56.01 (1) (3rd sent.) of the statutes is amended to read:

56.01 (1) (3rd sent.) The term "manufacturing" includes reprocessing, repairing, salvaging, servicing and storing; and ~~obsolete~~ supplies, materials and equipment may be reconditioned for sale under s. 16.74.

SECTION 48. 59.07 (45) of the statutes is repealed.

SECTION 49. 60.065 (2) of the statutes is amended to read:

60.065 (2) A petition signed by a majority of the electors and a majority of the resident freeholders ~~and homesteaders~~ of such rural portion containing an accurate description of such urban area and showing the existence of facts that such urban area would be entitled to become a village upon procedure under ch. ~~61 66~~ and entitling such rural area to be organized as a new town and containing an accurate description of such rural area, the name of the town of which it forms a part, the names of the electors, and the proposed name of the new town verified by at least 3 signers, shall be presented to the circuit court, or the presiding judge thereof, of the county in which such territory is located, who shall thereupon by order fix the time and place for the hearing of the petition by the court, and direct that a copy of the petition and order be served upon the clerk of the town of which such territory forms a part, at least 20 days before the hearing, and that notice of such hearing be published in such territory as a class 3 notice, under ch. 985. A formal answer to the petition need not be filed. Section 60.05 (3) shall not apply to this section.

SECTION 50. 60.29 (22) of the statutes is amended to read:

60.29 (22) When an emergency arises within a town due to insect pests, weeds, or plant or animal diseases, and when it is the judgment of the board that the delay incident to calling a special town meeting would result in severe injury to the general welfare, to appropriate not to exceed \$100 from the town treasury for the control of such insect pests, weeds, or plant or animal diseases. The town clerk shall within 10 days notify the state department of agriculture at ~~the state capitol~~ *Madison* of such appropriation.

SECTION 51. 60.31 (1) (a) (last sents.) of the statutes are repealed.

SECTION 52. 66.12 (3) (a) of the statutes is amended to read:

66.12 (3) (a) In forfeiture actions for violations of ordinances ~~other than those provided in ss. 345.20 to 345.46~~ on default of appearance or on a plea of guilty or nolo contendere, the clerk's fee shall be not more than \$2, but if it is necessary to issue a warrant or summons or the action is tried as a contested matter, additional fees may be added, but the total fee shall not exceed \$3.50, except that a municipality need not advance clerk's fees, but shall be exempt from payment of such fees until defendant pays costs pursuant to this section. In forfeiture actions in which a municipality prevails, costs and disbursements shall be allowed to the municipality, subject only to such limitations as the court directs.

SECTION 53. 66.293 (2) of the statutes is amended to read:

66.293 (2) Whenever any city, *town*, village, ~~township~~, or county, school board, school district, sewer district, drainage district, commission, public or quasi-public corporation or any governmental unit, by ordinance, resolution, rule or bylaw, establishes a rate of wage scale to be paid to em-

ployes upon any highway, street or bridge construction by a contractor, ~~be he individual, co-partnership, or corporation,~~ and it is found upon due proof that the contractor is not paying or has failed to pay the wage scale established or is directly or indirectly, by a system of rebates or otherwise, violating the ordinance, rule, resolution or bylaws of the city, *town*, village, ~~township,~~ or county, school board, school district, sewer district, drainage district, commission, public or quasi-public corporation or any governmental unit, *the contractor* may be fined not to exceed \$500 for each offense.

SECTION 54. 66.293 (3) (b) of the statutes is amended to read:

66.293 (3) (b) In this subsection, "municipality" means any city, *town*, village, ~~town,~~ or county, common school district, high school district, unified school district, county-city hospital established under s. 66.47, sewerage commission organized under s. 144.07 (4), metropolitan sewerage district organized under s. 66.209 or any other unit of government, or any agency or instrumentality of 2 or more units of government in this state.

SECTION 55. 66.912 (1) (m) of the statutes is amended to read:

66.912 (1) (m) Have the accounts of this fund audited at least annually by the ~~department of administration~~ *legislative audit bureau*.

SECTION 56. 66.94 (39) of the statutes is amended to read:

66.94 (39) The board shall establish a fiscal operating year. At least 30 days prior to the beginning of the first full fiscal year after creation of the authority, and annually thereafter, the board shall cause to be prepared a tentative budget which shall include all operation and maintenance expense for the ensuing fiscal year. The tentative budget shall be considered by the board at a public meeting, held after publication in the district of a class 1 notice, under ch. 985, not less than 10 days prior to such meeting; subject to any revision and amendments as may be determined, *it* shall be adopted prior to the first day of the ensuing fiscal year as the budget for that year. No expenditures for operations and maintenance in excess of the budget shall be made during any fiscal year except by the affirmative vote of at least 5 members of the board. It shall not be necessary to include in the annual budget any statement of necessary expenditures for pensions or retirement annuities, for interest or principal payments on bonds, or for capital outlays, but ~~it shall be the duty of the board to make provision~~ *shall provide* for payment of same from appropriate funds.

SECTION 57. 67.01 (1) of the statutes is amended to read:

67.01 (1) "Municipality" includes a county, city, *town*, village, ~~town,~~ common school district, ~~consolidated district, state graded school district, free high school district,~~ union free high school district, unified school district, whether any such district is joint or otherwise, a board of education, a board of park commissioners, and any other public body empowered to borrow money and issue written obligations to repay the same out of public funds or revenues.

SECTION 58. 67.04 (6) (first sent.) of the statutes is amended by deleting the words "consolidated district, state graded school district, free high school district," and the word "free" in the term "union free high school district."

SECTION 59. 67.05 (2) (a) of the statutes is amended by deleting the words "consolidated district, state graded school district, free high school district," and the word "free" in the term "union free high school district."

SECTION 60. 67.12 (12) (a) of the statutes is reenacted to read:

67.12 (12) (a) In addition to the powers heretofore given, any county, city, village, town, school district or town sanitary district may borrow money for the acquisition of lands for public purposes, for permanent im-

provements of lands, for public work or improvement, and the enlargement or extension thereof, for the acquisition, development, remodeling, construction and equipment of land, buildings and facilities for regional projects, or for equipment or machinery or for general and current municipal expenses, or to provide financial assistance to blight elimination, slum clearance, redevelopment and urban renewal programs and projects under ss. 66.43, 66.431 and 66.435, and in the case of cities, towns and villages for the acquisition and development of industrial sites to the extent permitted by s. 66.52 (3); and also for the purpose of making improvements, additions, extensions or enlargements to an auditorium or to an arena operated in conjunction with or as a part of such auditorium provided for under ch. 43.

SECTION 61. 70.62 (1) of the statutes is amended to read:

70.62 (1) The county board shall also, at such meeting, determine by resolution the amount of taxes to be levied in their county for the year, ~~and also any taxes for postwar planning under s. 59.07 (15)~~, and also the amount to be raised by tax in each ~~city, town, and village and city~~ for the support of common schools for the ensuing year, in accordance with s. 59.07 (21).

SECTION 62. 71.09 (7) (j) of the statutes is amended to read:

71.09 (7) (j) Every claimant under this subsection shall supply to the department, in support of his claim, reasonable proof of age, rent paid, property taxes accrued, changes of homestead, household membership, household income, size and nature ~~or of property~~ claimed as the homestead and a statement that the property taxes accrued used for purposes of this section have been or will be paid by him and that there are no delinquent property taxes on the homestead.

SECTION 63. 71.12 (1) of the statutes is amended to read:

71.12 (1) Any person feeling aggrieved by a notice of additional assessment shall, within 30 days, after receipt thereof, make application to the department of taxation in case of corporations, or the assessor of incomes in the case of persons other than corporations, for abatement of the tax. The tax commissioner or the assessor of incomes shall grant or deny such application within 6 months after it is filed. Upon denial of said application for abatement, the taxpayer, if aggrieved thereby may appeal to the board of tax appeals by filing a petition with the clerk thereof as provided by law and the rules of practice promulgated by the board. If no application for abatement is made or if a petition is not filed with the board within the time provided in ~~this chapter s. 73.01~~, the assessment shall be final and conclusive.

SECTION 64. 73.02 (6) of the statutes is amended to read:

73.02 (6) The functions, powers and duties imposed by law upon ~~the tax commission or~~ the department of taxation may be exercised by the commissioner of taxation, by the head of the division having charge of the field within which the function, power or duty lies, or by any employe of ~~said the~~ division duly authorized by the commissioner.

SECTION 65. 73.03 (24) of the statutes is amended to read:

73.03 (24) To administer and enforce ~~those provisions of s. 66.054 and chs. 139 and 176 which prior to July 1, 1949, were administered and enforced by the state treasurer and the term "commissioner of taxation" shall be deemed substituted for the term "state treasurer" where such term appears in section 66.054 and chapter 139 and 176 except where the term "state treasurer" or "treasurer" is indicated or intended by the context to mean in his capacity as treasurer as provided in section 14.42.~~



SECTION 66. 73.03 (27) of the statutes is repealed.

SECTION 67. 80.02 (first sent.) of the statutes is amended to read:

80.02 (first sent.) When 6 or more resident freeholders ~~or homesteaders~~ ~~under the laws of the United States~~ wish to have a highway laid out, widened, altered or discontinued in their town, they may make application in writing to the supervisors of said town for that purpose.

SECTION 68. 80.11 (2) (first sent.) of the statutes is amended to read:

80.11 (2) (first sent.) The application therefor shall be in duplicate, addressed to the supervisors of both towns, and be signed by at least 6 resident freeholders ~~or applicants for homesteads~~ in each town; and be delivered to a supervisor or the clerk of each town.

SECTION 69. 101.31 (13) (b) of the statutes is amended to read:

101.31 (13) (b) Any gross negligence, incompetency or misconduct in the practice of architecture ~~or~~ as a registered architect or of professional engineering as a registered professional engineer, or in the professional activity of a holder of a certificate of record as engineer-in-training.

SECTION 70. 103.49 (1) of the statutes is reenacted to read:

103.49 (1). Any contract hereafter made for the erection, construction, remodeling or repairing of any public building or for any other project of public works, except contracts for the construction or maintenance of public highways and bridges, to which the state, any department thereof or any public building corporation is a party shall contain a stipulation that no laborer, workman or mechanic employed directly upon the site of the work by the contractor or by any subcontractor, agent or other person, doing or contracting to do all or a part of the work, shall be permitted to work a greater number of hours per day or per calendar week than the prevailing hours of labor determined pursuant to this section, except that any such laborer, workman or mechanic may be permitted or required to work more than such prevailing number of hours per day and per calendar week if he is paid for all hours in excess of the prevailing hours at a rate of at least 1½ times his hourly basic rate of pay; nor shall he be paid less than the prevailing wage rate in the same or most similar trade or occupation in the area wherein such building or project of public works is situated; nor shall this section apply to wage rates and hours of employment of laborers, workmen or mechanics engaged in the processing or manufacture of materials or products or to the delivery thereof by or for commercial establishments which have a fixed place of business from which they regularly supply such processed or manufactured materials or products; except that this section shall apply to laborers, workmen or mechanics who deliver mineral aggregate such as sand, gravel or stone which is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle. The prevailing wage rates, prevailing hours of labor, and hourly basic rates of pay determined pursuant to this section shall be set forth specifically in the contract.

SECTION 71. 108.161 (10) of the statutes is amended to read:

108.161 (10) Any realty acquired hereunder shall be ~~excluded from the 2 per cent not be included in the computation of the building fund computation specified in depreciation reserve under s. 13.48 (3).~~

SECTION 72. 136.05 (4) of the statutes is repealed.

SECTION 73. 139.43 of the statutes is amended to read:

139.43 ~~This section~~ Sections 139.30 to 139.44 shall be construed as an enactment of state-wide concern for the purpose of providing a uniform regulation of the sale of ~~tobacco products~~ *cigarettes*.

SECTION 74. 139.44 (4) of the statutes is amended to read:

139.44 (4) Any person who refuses to permit the examination or inspection authorized in s. ~~139.38~~ 139.39 (2) shall *may* be fined not more than \$500 or imprisoned not more than 90 days or both. Such refusal shall be cause for immediate suspension or revocation of permit by the commissioner.

SECTION 75. 140.04 of the statutes is amended to read:

140.04 ~~(1)~~ Suitable ~~apartments~~ offices equipped with fireproof vaults shall be provided in the capitol by the department administration for the state board of health. The official printing of the board shall be furnished as provided in ss. 20.125 and 35.03. The board may supply to local health officers and others on request quarantine signs, placards, record books and other uniform blanks and other publications and materials.

SECTION 76. 198.06 (2) (1st par.) of the statutes is amended to read:

198.06 (2) (1st par.) The ballot for said election shall be in such form and shall contain such instructions and shall be of ~~such~~ the size and color as are required by ss. 5.51 and 5.64 for the referendum ballot, except that there shall appear thereon the following:

SECTION 77. 200.03 (1) of the statutes is repealed.

SECTION 78. 200.03 (2) of the statutes is amended to read:

200.03 (2) ~~He~~ The commissioner shall enforce the laws relating to insurance and shall exercise such supervision and control over insurance companies and insurance agents doing business in this state as the law requires; and to that end he may make reasonable rules for their enforcement; and he may, by himself or by designation of his subordinates and other persons, conduct investigations, examinations and hearings, and administer oaths and take testimony.

SECTION 79. 220.035 (4) of the statutes is amended to read:

220.035 (4) The ~~said~~ board shall have an office in the quarters of the banking department in the state capitol. ~~Said~~ The board shall choose a secretary, who shall keep a record of the meetings of ~~said~~ the board and of all hearings, decisions, orders and determinations of the board. The board may make reasonable rules and regulations not inconsistent with law as to the time of meetings, time of hearings, notice of hearings and manner of conducting same and of deciding the matters presented. The board may direct that hearings and testimony be taken by any member of the board or by an examiner designated by the board.

SECTION 80. 220.29 (2) of the statutes is amended to read:

220.29 (2) Nothing in any law of this state shall in any manner ~~what~~ ~~soever~~ affect the validity of, or render void or voidable, the payment, certification or acceptance of a check or other negotiable instrument or any transaction by a bank because done or performed on any election day, city, county, state or national, or on February 12, February 22, October 12 and November 11 in each year or on the succeeding Monday whenever any such day shall fall falls on a Sunday; ~~nothing herein shall be construed to compel any bank to keep open for the transaction of business on any legal holiday.~~

SECTION 81. 236.20 (2) (i) of the statutes is amended to read:

236.20 (2) (i) A north point properly located thereon identified as referenced to a magnetic, true or other identifiable meridian.

SECTION 82. 240.10 (1) of the statutes is amended to read:

240.10 (1) Every contract to pay a commission to a real estate agent or broker or to any other person for selling or buying real estate shall be

void unless such contract or note or memorandum thereof describing such real estate, expressing the price for which the same may be sold or purchased, the commission to be paid and the period during which the agent or broker shall procure a buyer or seller ~~or tenant~~, be in writing and be subscribed by the person agreeing to pay such commission.

SECTION 83. 245.15 of the statutes is amended to read:

245.15 Each county clerk shall receive as a fee for each license granted the sum of \$4, of which \$3 shall become a part of the funds of the county, and \$1 shall be paid into the state treasury as reimbursement toward the appropriation made by s. ~~20.435~~ 20.530 (7) to carry out the functions of the *council for home and family advisory committee*. The clerk shall also receive a standard notary fee of 50 cents for each license granted which may be retained by him if operating on a fee or part fee basis, but which otherwise shall become part of the funds of the county.

SECTION 84. 252.19 (last sent.) of the statutes is repealed.

SECTION 85. 253.02 (3) of the statutes is repealed.

SECTION 86. 268.23 (1) (b) of the statutes is amended by substituting "50 states" for the reference to "48 states."

SECTION 87. 274.33 (2) of the statutes is amended to read:

274.33 (2) A final order affecting a substantial right:

(a) Made in special proceedings, without regard to whether the proceedings involve new or old rights, remedies or proceedings and whether or not the right to appeal is given by the statutes which created the right, remedy or proceedings; or

(b) Made upon a summary application in an action after judgment.

SECTION 88. 288.195 (1) of the statutes is amended to read:

288.195 (1) In forfeiture actions for violations of ordinances, ~~other than those provided in ss. 345.20 to 345.46~~ on default of appearance or on a plea of guilty or nolo contendere, the clerk's fee shall be not more than \$2, but if it is necessary to issue a warrant or summons or the action is tried as a contested matter, additional fees may be added, but the total fee shall not exceed \$3.50, except that a municipality need not advance such fees, but shall be exempt from payment of fees until the defendant pays costs pursuant to this section.

SECTION 89. 289.16 of the statutes is renumbered 289.539.

SECTION 90. 342.27 of the statutes is repealed.

SECTION 91. 343.06 (3) of the statutes, as repealed and recreated by ch. 232, laws of 1965, effective September 1, 1967, is amended by substituting "state board of vocational, technical and adult education" for the name "state board of vocational and adult education."

SECTION 92. 991.04, 991.05, 991.06 and 991.11 of the statutes are repealed.

SECTION 93. Wherever the words "state board of vocational and adult education" appear in the following sections of the statutes, the words "state board of vocational, technical and adult education" are substituted: 15.98 (6) (b) 2, 37.11 (14), 43.11 (1) and 43.60 (2).

SECTION 94. Wherever in chapters 26, 28 and 29 of the statutes, the words "conservation commission," "state conservation commission," "state conservation commission of Wisconsin," "conservation commission of Wisconsin," or "Wisconsin conservation commission" are used, the word "commission" is substituted.

SECTION 95. Wherever in the statutes the letters "ss." appear following the words "*State of Wisconsin* County}" or words of similar import relating to venue they are deleted.

SECTION 96. Chapter 259, laws of 1959, section 44 is amended to read:

(Chapter 259, laws of 1959) Section 44. The ~~state auditor~~ *department of administration* shall annually audit the books of Menominee county and *the town of Menominee town* in Menominee county through the fiscal period ending December 31, 1968, and shall charge the costs of said audit to such county and town, respectively, pursuant to section ~~15.22 (12)~~ ~~(e)~~ 16.58 (5) of the statutes.

Approved May 5, 1967.