

1971 Senate Bill 865

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CHAPTER 211, Laws of 1971

AN ACT to repeal, renumber, amend, repeal and recreate, reenact and create various provisions of the statutes 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, obsolete and unconstitutional 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. 5.02 (6) (a) of the statutes is amended to read:

5.02 (6) (a) "Special primary" means the primary held 4 weeks before the special election except when the special election is held on the same day as the general election the special primary shall be held on the same day as the general primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary.

SECTION 2. 10.32 (1) (c), (2) (c), (3) (c), (4) (c) and (5) (b) of the statutes, as amended by chapter 40, laws of 1971, is amended to read:

10.32 (1) (c) Date for special primary. The date for the special primary is 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary. See ss. 5.02 (6) (a) and 8.50 (2) (b).

(2) (c) Date for special primary. The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary. See ss. 5.02 (6) (a) and 8.50 (2) (b).

(3) (c) Date for special primary. The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary. See ss. 5.02 (6) (a) and 8.50 (2) (b).

(4) (c) Date for special primary. The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary. See ss. 5.02 (6) (a) and 8.50 (2).

(5) (b) Date for special primary. The special primary shall be 4 weeks before the day of the special election except when the special election is held on the day of the general election the special primary shall be held on the day of the general primary or if the special election is held concurrently with the spring election, the primary shall be held concurrently with the spring primary. See ss. 5.02 (6) (a) and 8.50 (2) (b).]

SECTION 3. 10.32 (1) (g), (3) (e), (4) (g) and (5) (f) of the statutes are repealed.

SECTION 4. The amendment of 13.54 (1) of the statutes by chapter 24, laws of 1971, was not repealed by chapter 25, laws of 1971. Both amendments stand.

SECTION 5. 13.83 (1) of the statutes is amended to read:

13.83 (1) REMEDIAL LEGISLATION COMMITTEE. The council shall in each biennium create a committee of 3 legislators ~~of whom shall be a member of the council,~~ ~~or one of whom shall be a member of the council,~~ to be known as the committee on remedial legislation, which shall consider such minor substantive correctional measures proposed by the various agencies of state government as will improve the administration of their offices. The committee on remedial legislation shall meet at intervals when the legislature is not in actual session and invite the agencies of government to submit their proposals of desirable minor substantive correctional measures at such meetings. The committee shall introduce in the house in which the chairman is a member those proposals which they consider desirable minor substantive correctional measures. The title and authorship of each proposal shall indicate the agency requesting the change. The revisor of statutes shall serve as the nonvoting secretary of the committee on remedial legislation.

SECTION 6. 14.011 (intro.) of the statutes is amended by adding a reference to s. 144.21 (6) (b).

SECTION 7. 14.995 of the statutes is repealed.

SECTION 8. 15.09 (1) of the statutes is amended to read:

15.09 (1) SELECTION OF MEMBERS. Unless otherwise provided by law, the governor shall appoint the members of councils for terms prescribed by law. Fixed terms shall expire on July 1 and shall, if the term is for an even number of years, expire in an odd-numbered year ~~but the terms of members of the coordinating council for higher education shall expire on April 1.~~

SECTION 9. 15.099 of the statutes is amended by deleting references to ss. 15.641 and 15.881 and by inserting a reference to s. 15.571.

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SECTION 10. 15.101 (intro.) of the statutes is amended by deleting the reference to "38.57 (3)" and by substituting "38.86 (3)" for the reference to "38.44 (3)".

SECTION 11. 15.131 (intro.) of the statutes is amended by adding a reference to s. 15.195.

SECTION 12. 15.341 (intro.) of the statutes is amended by inserting a cross reference to s. 60.18 (15).

SECTION 13. The amendment of 15.347 (2) of the statutes by chapter 100, section 23, laws of 1971, was not repealed by chapter 164, laws of 1971. Both amendments stand.

SECTION 14. 15.377 (2) of the statutes is amended to read:

15.377 (2) COUNCIL ON LIBRARY DEVELOPMENT. There is created in the department of public instruction a council on library development consisting of the president of the university of Wisconsin, ~~the director of the board of regents of state universities,~~ the director of the board of vocational, technical and adult education and the director of the historical society, or their designees, and 7 persons, 3 to be professional librarians and 4 to be laymen, including at least one public library board member, with a demonstrated interest in library development, appointed for staggered 3-year terms.

SECTION 15. 15.461 (intro.) of the statutes, as amended by chapter 164, laws of 1971, is amended by substituting "ch. 85" for the reference to "ch. 79".

SECTION 16. 15.67 of the statutes, as amended by chapter 125, laws of 1971, is repealed and 15.67 of the statutes, as amended by chapter 100, laws of 1971, is reenacted.

SECTION 17. 15.671 of the statutes, as amended by chapter 40, section 93, laws of 1971, is amended by substituting "38.04 (7)" for the reference to "38.13 (11)".

SECTION 18. 15.911 (intro.) of the statutes is amended by deleting the references to ss. 37.29, 37.30 and 39.05 (2), by deleting the reference to s. 38.55 as inserted by chapter 40, section 93, laws of 1971, and by inserting references to ch. 37 and ss. 20.265, 20.920 and 44.14 (2).

SECTION 19. 15.941 (intro.) of the statutes is amended by deleting the reference to s. 39.03 (7).

SECTION 20. 15.941 (1) of the statutes, as renumbered from 15.371 (1) and amended by chapter 125, sections 16 and 522 (1), laws of 1971, is amended by substituting "38.51" for the reference to "38.26".

SECTION 21. 16.275 (1) (h) of the statutes is amended to read:

16.275 (1) (h) Any absence of more than 30 days except military leave and absence due to injury or illness arising out of state employment and covered by the workmen's compensation act shall not be counted in computing years of continuous service under this subsection. Employees subject to par. (e) and ~~permanent part-time employees covered under par. (k)~~ shall be deemed to have completed one full year of service for each such seasonal or other part-time annual period of service in computing years of continuous service under this subsection.

SECTION 22. 17.07 (6) of the statutes is repealed.

SECTION 23. 20.235 (3) of the statutes, as created by chapter 44, laws of 1971, is renumbered 20.235 (4).

SECTION 24. 20.255 (1) (fd) of the statutes, as created by chapter 125, laws of 1971, is amended by substituting "38.86" for the reference to "38.44" and by substituting "38.76 to 38.88" for the reference to "38.36 to 38.46".

SECTION 25. 20.292 (2) (a) of the statutes, as created by chapter 125, laws of 1971, is amended by substituting "38.51" for the reference to "38.26".

SECTION 26. 20.292 (2) (g) of the statutes, as created by chapter 125, laws of 1971, is amended by substituting "38.51 (8)" for the reference to "38.26 (8)".

SECTION 27. 20.370 (7) (a) 1 to 4 of the statutes are reenacted as printed in the 1969 statutes.

SECTION 28. 20.395 (2) (vt) 2 of the statutes, as created by chapter 125, laws of 1971, is amended by substituting "20.525 (2) (q)" for the reference to "20.525 (2) (g)".

SECTION 29. 20.435 (1) (g), (h), (m) and (n), (4) (g) and (h), (5) (g) and (h) and (8) (f) and (h) of the statutes are repealed.

SECTION 30. 20.435 (8) (g), as printed in the 1969 statutes, is repealed.

SECTION 31. 20.445 (3) (u), (v) and (x) of the statutes are repealed.

SECTION 32. 20.445 (9) (u), (v) and (x) 9 of the statutes, as amended by chapter 125, s. 522 (1), laws of 1971, are amended by substituting "20.445 (1) and (2)" for the references to "20.455 (1) and (2)".

SECTION 33. 20.566 (5) (g) of the statutes, as renumbered from 20.505 (1) (h) and amended by chapter 108, laws of 1971, is renumbered 20.566 (5) (h).

SECTION 34. The amendments of 20.866 (2) (q), (r), (s) and (t) by chapter 100, section 23, laws of 1971, were not repealed by chapter 125, section 202, laws of 1971. Both amendments stand.

SECTION 35. 25.40 (1) (a) of the statutes is amended to read:

25.40 (1) (a) All collections of the department of transportation except sales taxes, and other revenues specified in ch. 218 and ~~an amount equal to that appropriated by s. 20.710 (2) (b),~~ which shall be paid into the general fund.

SECTION 36. 35.18 (1) of the statutes is amended to read:

35.18 (1) PUBLICATION. Biennially the revisor shall prepare and deliver to the department printer's copy for the Wisconsin statutes, which shall contain all the general statutes in force, all important joint resolutions adopted since the last preceding general session, an alphabetical index, and such other matter as the revisor deems desirable and practicable. ~~The printer's copy may be in 2 instalments; the first, consisting of the text of the statutes, shall be delivered to the printer immediately after the governor's approval of the last act of the general session, and the 2nd, consisting of the appendix and index, shall be delivered within 60~~

~~calendar days after the first. The department shall determine how many copies shall be printed. Within 90 calendar days proof of all type matter shall be submitted and delivery shall begin within 180 calendar days and be completed within 240 calendar days from receipt of first copy.~~

SECTION 37. 35.24 (2) (b) 1 of the statutes, as created by chapter 82, laws of 1971, is amended to read:

35.24 (2) (b) 1. Hard cover copies shall be used to fill the allotments under s. 35.84 (2) (a), (d), (f) and (g), (3) (b) and (c), (4) (b) and (d), (5) (a), (b), (c), (d), (e), (g), (h), (k) and (L), (6) (a), (d) and (e) and (8) (a) to ~~(k)~~ (L).

SECTION 38. 36.063 of the statutes is amended by substituting "educational communications board" for the term "educational communications division".

SECTION 39. 37.11 (5) of the statutes is amended to read:

37.11 (5) Prescribe the courses of study and the various books or works to be used in such courses and, upon completion of a curriculum for the bachelor of arts, bachelor of science, master of arts, master of science and specialist or professional degrees in education, may confer, ~~with the approval of the coordinating council for higher education,~~ degrees and award diplomas in testimony thereof as are usual in colleges and universities.

SECTION 40. 38.001 of the statutes is created to read:

38.001 MISSION. The board shall be responsible for the initiation, development, maintenance and supervision of programs with specific occupational orientations below the baccalaureate level, including terminal associate degrees, training of apprentices and adult education below the professional level.

SECTION 41. 38.01 (8) of the statutes, as created by chapter 154, laws of 1971, is amended to read:

38.01 (8) "Collegiate transfer program" means a state-wide, full-time program, ~~determined by the coordinating council for higher education~~ and designated and approved by the board, in which the credits earned may be transferable to a 4-year institution of higher education.

SECTION 42. 38.04 (3) of the statutes, as created by chapter 154, laws of 1971, is amended to read:

38.04 (3) The board shall appoint such staff as is necessary under the classified service. Three positions in addition to the director shall be filled outside the classified service.

SECTION 43. 38.04 (4) (a) of the statutes, as created by chapter 154, laws of 1971, is amended to read:

38.04 (4) (a) ~~Except as provided in par. (e), the~~ The qualifications of teachers and the courses of study offered in district schools shall be approved by the board.

SECTION 44. 38.04 (4) (c) of the statutes, as created by chapter 154, laws of 1971, is repealed and recreated to read:

38.04 (4) (c) Collegiate transfer programs shall not comprise more than 25% of the credit hours offered in any vocational, technical and adult education district.

SECTION 45. 38.04 (7) (a) of the statutes, as created by chapter 154, laws of 1971, is repealed.

SECTION 46. 38.04 (10) and (11) of the statutes are created to read:

38.04 (10) ADDITIONAL FACILITIES. The board shall review and approve any proposals by district boards for additional facilities, which will house state-aided academic programs, prior to the letting of contracts to construct or incur debt for such facilities.

(11) UNIFORM ACCOUNTING SYSTEMS. The board shall establish a uniform accounting system for fiscal, enrollment, program and other data provided by the district boards as it deems necessary and shall require common use of the fiscal year for operations and data reporting.

SECTION 47. 38.16 (1) (first sentence) of the statutes, as created by chapter 154, laws of 1971, is amended to read:

38.16 (1) (first sentence) Annually on or before October 1, the district board may levy a tax, not exceeding ~~2 mills~~ 1.8 mills for 1972 and 1.7 mills thereafter on the full value of the taxable property of the district, for the purpose of making capital improvements, acquiring equipment and operating and maintaining the schools of the district, except that the ~~2 mill~~ mill limitation is not applicable to taxes levied for the purpose of paying principal and interest on valid bonds or notes now or hereafter outstanding as provided in s. 67.035.

SECTION 48. 38.24 (1) of the statutes, as created by chapter 154, laws of 1971, is amended to read:

38.24 (1) PROGRAM FEES. Annually, the board shall establish uniform fees, based on ~~20%~~ 25% of the state-wide average instructional costs of liberal arts collegiate transfer programs in district schools, which district boards shall charge residents of this state enrolled in such programs in their districts of residence. In like manner the board annually shall establish such fees, based on at least 25% of such costs in such programs, which district boards shall charge nonresidents of their district enrolled in such programs. If a district does not contain within its boundaries another public institution of higher education, a resident of that district who is enrolled in a collegiate transfer program in that district shall not be charged a fee under this subsection.

SECTION 49. 38.24 (2) of the statutes, as created by chapter 154, laws of 1971, is amended to read:

38.24 (2) TUITION CHARGES. For students who are nonresidents of the district, the district board shall establish tuition charges based on moneys collected under s. 38.16 for the current school year divided by a figure representing the full-time student equivalency of the district for that school year. Full-time student equivalency shall be determined in accordance with procedures established by the board. If a student is in a collegiate transfer program, the tuition charge determined for him under this subsection shall be reduced by the amount of his fee under sub. (1). Unless liability for his tuition charge exists or is assumed under sub. (4), a non-resident student is liable for the tuition charge under this subsection.

SECTION 50. 38.24 (4) (a) (intro.) and (5) of the statutes, as created by chapter 154, laws of 1971, are amended to read:

38.24 (4) (a) (intro.) The district board of the student's district of residence is liable for the ~~fee and~~ tuition charge by

the district of attendance for a nonresident student who is a resident of this state, but is not liable for the following:

(5) CLAIM FOR TUITION. Annually on or before August 1, the district board secretary shall send a verified statement to the district board secretary of each district which is liable for a fee or tuition charge under this section. For each student, the statement shall set forth his name, age and place of residence, date of enrollment in a district school and the instructional program of the student and the amounts due therefor under ~~sub. (1)~~ and sub. (2). The statement shall be filed as a claim against the district board of the student's district of residence and allowed as other claims are allowed.

SECTION 51. 38.26 of the statutes, as renumbered from 115.40 by chapter 125, section 448, laws of 1971, and 38.26 (10) of the statutes, as created by chapter 125, section 249, laws of 1971, are reenacted and renumbered 38.51.

SECTION 52. 38.28 (2) (b) and (d) of the statutes, as created by chapter 154, laws of 1971, are amended to read:

38.28 (2) (b) The state-wide operational cost shall be multiplied by ~~33%~~ 40% for the 1971-72 fiscal year and 55% thereafter to determine the aid per full-time equivalent student in collegiate transfer, associate degree and vocational diploma programs. One-half of the aid so determined shall be the aid per full-time equivalent student in vocational-adult programs. Such per-pupil aid for each program shall be multiplied by the number of full-time equivalent students enrolled in that program in the district to determine the state aid payable to the district board under this paragraph.

(d) The board may withhold or suspend in whole or in part payment of state aid under this subsection to any district board whose academic program or faculty does not meet minimum standards set by the board. The board may discontinue aids to those academic programs which are no longer necessary to meet needs within the state.

SECTION 53. Subchapter I (title) of chapter 39 of the statutes is repealed and recreated to read:

SUBCHAPTER I. EDUCATIONAL COMMUNICATIONS BOARD.

SECTION 54. 39.11 (intro.) of the statutes is amended by substituting "educational communications board" for the term "educational communications division".

SECTION 55. 39.11 (12) of the statutes is amended by substituting "educational communications board" for the term "coordinating council".

SECTION 56. 39.13 (title) and (1) of the statutes are amended to read:

39.13 (title) BOARD STAFF. (1) The educational communications board shall appoint ~~the administrator of the educational communications division an executive director~~ outside the classified service. ~~The administrator~~ He shall coordinate the activities and execute the program and orders of the ~~division~~ board, maintain liaison with the various federal and state agencies interested in the system of state radio and television broadcasting and exercise such further powers, functions and duties as the board prescribes.

SECTION 57. 39.28 (4) of the statutes, as created by chapter 125, laws of 1971, is amended by substituting "38.04 (7)" for the reference to "38.13 (11) and (12)".

SECTION 57. 39.28 (4) of the statutes, as created by chapter 125, laws of 1971, is amended by substituting "38.04 (7)" for the reference to "38.13 (11) and (12)".

SECTION 58. 39.29 of the statutes is repealed.

SECTION 59. 39.36 (1) of the statutes, as created by chapter 44, laws of 1971, is amended to read:

39.36 CONTRACTS FOR DENTAL EDUCATION. (1) On or before July 1 of each year the higher ~~education~~ educational aids board shall initiate, investigate, formulate and certify to the department of administration for procurement a contract for dental educational services, in accordance with this section. Thereafter, the higher ~~education~~ educational aids board shall conduct a biennial analysis of the program and include an advisory report on its findings and recommendations in its reports under s. 15.04 (4). ~~The coordinating council for higher education shall conduct a biennial academic program analysis of contract programs authorized by this section.~~ The legislative audit bureau shall biennially post-audit expenditures under this section so as to assure the propriety of expenditures and compliance with legislative intent.

SECTION 60. 41.02 (12) (n) of the statutes is amended by substituting "ch. 38" for the reference to "38.155".

SECTION 61. 42.20 (17) and (22) of the statutes, as amended by chapter 100, sec. 23, laws of 1971, are amended to read:

42.20 (17) "State university" means any university under the control and management of the board of regents of the university of Wisconsin system under ch. 37.

(22) "University" means any college, school or department under the control and management of the board of regents of the university of Wisconsin system under ch. 36.

SECTION 62. 42.246 (1) (e) 2 of the statutes is repealed.

SECTION 63. 42.70 (2) (q) 1 of the statutes, as renumbered from 42.70 (2) (q) and amended by chapter 152, sections 5 and 38, laws of 1971, is amended by substituting "subd. 2" for the reference to "43.22" which was created by chapter 40, section 93, laws of 1971.

SECTION 64. 49.46 (3) of the statutes is repealed.

SECTION 65. The amendment of 51.08 (6) of the statutes by chapter 108, sections 5 and 6, laws of 1971, was not repealed by chapter 125, sections 348 and 523, laws of 1971. Both amendments stand.

SECTION 66. 51.24 (1) of the statutes is amended to read:

51.24 (1) Any county having a population of 500,000 or more may, pursuant to s. 46.17, establish and maintain a county mental health center. The county mental health center, north division (hereafter in this section referred to as "north division"), shall be a hospital devoted to the detention and care of drug addicts, inebriates and mentally ill persons whose mental illness is acute. Such hospital shall be governed pursuant to s. 46.21 and shall receive the aids and be subject to the charges under s. 51.24 (2) and (9). The county mental health center, south division, shall be a hospital for the treatment of chronic patients and shall be governed pursuant to s. 46.21 and shall receive the aids and be subject to the charges under s. 51.08, 51.25 and 51.26. ~~Section 46.165 shall apply to the~~ The county mental health center estab-

lished pursuant to this section is subject to rules adopted by the department concerning hospital standards.

SECTION 67. The amendment of 51.24 (2) of the statutes by chapter 108, sections 5 and 6, laws of 1971, was not repealed by chapter 125, sections 350 and 523, laws of 1971. Both amendments stand.

SECTION 68. 51.24 (4) of the statutes, as amended by chapter 125, laws of 1971, is amended to read:

51.24 (4) The expense of maintenance, care and treatment of a patient in the north division who has legal settlement in another county, shall first be charged to the state at the rate of 110% of the hospital's individual average per capita cost, for the fiscal year ending June 30 in which such care is furnished, and the state shall then charge back to the county of such patient's legal settlement an amount equal to one-half of the state-wide average per capita cost of maintenance, care and treatment of patients in county hospitals for the fiscal year in which such care is furnished, unless such hospital's individual average per capita cost for care provided during the 1971-72 fiscal year and thereafter exceeds the allowable per capita cost. If the individual average per capita cost of north division for the fiscal year 1971-72 and thereafter exceeds the allowable per capita cost, such costs shall be charged to the state at the rate of 110% of such hospital's individual average per capita cost, and the state shall charge back to the county of such patient's legal settlement an amount equal to one-half of the state-wide average per capita cost of maintenance, care and treatment in county hospitals for the fiscal year in which such care is furnished, plus the difference between the allowable per capita cost in north division and the individual average per capita cost in north division for the fiscal year in which such care is furnished.

SECTION 69. 51.25 of the statutes is amended to read:

51.25 COUNTY HOSPITALS. Any county having a population of less than 500,000 may establish a hospital or facilities for the detention and care of mentally ill persons, inebriates and drug addicts; and in connection therewith a hospital or facility for the care of cases afflicted with pulmonary tuberculosis. ~~Section 46.165 shall apply to county~~ County hospitals established pursuant to this section are subject to rules adopted by the department concerning hospital standards.

SECTION 70. 51.26 (1) (a) of the statutes is amended to read:

51.26 (1) (a) County hospitals which meet the minimum uniform standards established ~~pursuant to s. 46.165 by the department,~~ and which provide intensive treatment procedures approved by the secretary may, upon application to the secretary and in addition to the aid under s. 51.08 (2), (3) and (4), be granted state aid for such treatment of patients at the rate of 20% of the audited individual average per capita costs for the previous fiscal year, for the first 91 days of such treatment, 15% for the next 91 days, 10% for the next 91 days, and 5% for the next 91 days, provided that such additional grants-in-aid are limited to first admission of patients and patients readmitted after any absence, whether with or without authority, 30 consecutive days or more. For purposes of accumulating the 364 days, absence of a patient for less than 30 consecutive days shall not be deemed a change in the admission status of the patient. Reimbursement to county mental hospitals under this section shall commence for all patients admitted or readmitted after 30 days' absence, on or after the date the hospital is approved by the secretary. Approval by the secretary may be withdrawn by him at any time.

SECTION 71. 51.26 (4) of the statutes is amended to read:

51.26 (4) STANDARDS. ~~Section 46.165 shall apply to county~~ County institutions established under this section are subject to rules adopted by the department concerning hospital standards.

SECTION 72. 51.40 (2) (e) of the statutes, as renumbered from 51.40 (2) (d) and amended by chapter 125, laws of 1971, is amended to read:

51.40 (2) (e) Termination of eligibility for aid under s. 51.26 shall terminate eligibility for aid for the construction of mental health facilities, and failure to meet the requirements established for public medical institutions by rule of the department shall terminate eligibility for aid for the construction of public medical institutions. ~~Failure to meet the requirements established for mental health facilities established by rule of the department shall terminate eligibility for aid for the construction of mental health facilities.~~

SECTION 73. 51.40 (4) of the statutes, as amended by chapter 164, laws of 1971, is amended by substituting "it" for the words "that department".

SECTION 74. 59.03 (2) (bm) of the statutes is repealed.

SECTION 75. 59.07 (93) of the statutes, as created by chapter 48, laws of 1971, is renumbered 59.07 (96).

SECTION 76. 59.94 (2) of the statutes is amended to read:

59.94 (2) Any register of deeds who ~~shall fail~~ fails or ~~refuse~~ refuses to provide a registry book and make registrations therein, and file certificates, as provided in this section, or who ~~shall charge or collect charges or collects~~ more than ~~25 cents~~ \$1 for making any such registration, or filing such certificate, or who ~~shall knowingly register registers~~ a farm or estate under a name previously adopted and registered for some other farm or estate in such county, or any person who ~~shall use uses~~, by way of advertisement or otherwise, the name of any farm or estate registered as provided in this section, to designate or as the name of any farm or estate in such county other than the farm or estate for which such name was registered, unless such name was adopted for and used as the name of such other farm or estate prior to April 6, 1905, shall be ~~deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of~~ not less than \$5 nor more than \$25 or by imprisonment in the county jail for imprisoned not less than 10 nor more than 30 days, or ~~by both such fine and imprisonment.~~

SECTION 77. The amendment of 65.90 (1) of the statutes by chapter 40, laws of 1971, was not repealed by chapter 154, laws of 1971. Both amendments stand.

SECTION 78. 66.01 (8) of the statutes is amended to read:

66.01 (8) Every charter, charter amendment or charter ordinance enacted or approved by a vote of the electors shall control and prevail over any prior or subsequent act of the legislative body of the city or village. Whenever the electors of any city or village by a majority vote ~~shall have adopted or determined to continue to operate under either ch. 62 or 64, or shall have determined the method of selection of members of the governing board,~~ the question shall not again be submitted to the electors, nor action taken thereon within a period of 2 years. Any election to change or amend the charter of any city or village, other than a special elec-

tion as provided in s. 9.20 (4) shall be held at the time provided by statute for holding ~~regular city elections~~ the spring election.

SECTION 79. The amendment of 66.04 (2) of the statutes by chapter 41, section 12, laws of 1971, was not repealed by chapter 154, laws of 1971. Both amendments stand.

SECTION 80. The amendment of 66.19 (1) of the statutes by chapter 152, section 38, laws of 1971, was not repealed by chapter 154, laws of 1971. Both amendments stand.

SECTION 81. 66.30 (1) of the statutes, as amended by chapter 152, laws of 1971, is amended to read:

66.30 (1) In this section "municipality" means the state or any department or agency thereof, or any city, village, town, county, school district, public library system, sanitary district or regional planning commission.

SECTION 82. 67.05 (6m) (intro.) and (a) of the statutes are amended by substituting "38.16 (2)" for the reference to "38.155 (7)".

SECTION 83. 71.01 (3) (a) of the statutes, as amended by chapter 125, laws of 1971, is amended to read:

71.01 (3) (a) Income of mutual insurance companies exempt from federal income taxation pursuant to section 501 (c) (15) of the internal revenue code, town mutual insurance companies organized under or subject to ch. 202, foreign insurance companies, and domestic life insurance companies engaged exclusively in life insurance business, domestic insurance companies transacting business as defined in s. 201.04 (19), railroad corporations and sleeping car companies, of car line companies from operation of car line equipment as defined in s. 76.39, and corporations organized under ch. 185 which are bona fide cooperatives operated without pecuniary profit to any shareholder or member, or operated on a cooperative plan pursuant to which they determine and distribute their proceeds in substantial compliance with s. 185.45, and of all religious, scientific, educational, benevolent or other corporations or associations of individuals not organized or conducted for pecuniary profit. This paragraph does not apply to the income of mutual savings banks, mutual loan corporations, savings and loan associations or credit unions except credit unions the membership of which is limited to groups having a common bond of occupation, or association, or to groups within a well-defined neighborhood, community or rural district. Beginning with calendar year 1972 and thereafter, this paragraph shall not apply to the income of societies, organizations or corporations (including any division or agency of any such society, organization or corporation) operating plans of sickness care under ch. 148, hospital service under s. 182.032, dental care under s. 447.13, prepaid prescription plans under s. 450.13, or prepaid optometric service plans under s. 449.15. Tax on the income of such societies, organizations or corporations shall first be payable on or before March 15, 1973, and thereafter under s. 71.10 (1).

SECTION 84. 71.043 of the statutes, as created by chapter 125, laws of 1971, is amended to read:

71.043 REDUCTION OF TAX. The tax imposed upon or measured by corporation net income of the taxable year 1972 and subsequent taxable years pursuant to s. 71.01 (1) or (2) may be reduced by an amount equal to so much of the sales and use tax under ch. 77 paid by the corporation in such taxable year on fuel and ~~electricity~~ electricity consumed in manufacturing tangible personal property in this state as was paid on fuel and electricity costs in excess of 2% of the cost of manufacturing within this state as determined pursuant

to s. 71.07 (2) (b), 1969 ~~stats.~~ Such deduction may not exceed 50% of the tax computed without such reduction. For purposes of this subsection "sales and use tax under ch. 77 paid by the corporation" includes use taxes paid directly by the corporation and also sales and use taxes paid by the corporation's supplier and passed on to the corporation whether separately stated on the invoice or included in the total price; and the term "manufacturing" has the meaning designated in s. 77.51 (27).

SECTION 85. The revisor shall incorporate the amendment of 16.58 (4) and (5) of the statutes by chapter 154, laws of 1971, into 73.10 (5) and (6) as renumbered and amended by chapters 108 and 125, laws of 1971.

SECTION 86. 73.10 (6) of the statutes, as renumbered from 16.58 (5) by chapter 108, laws of 1971, and as amended by chapter 108, s. 6, is amended by substituting "20.566 (5) (h)" for the reference to "20.566 (5) (g)".

SECTION 87. 77.53 (8) of the statutes is amended to read:

77.53 (8) Any person violating sub. (3) ~~;~~ ~~(6)~~ or (7) is guilty of a misdemeanor.

SECTION 88. 87.11 (3) of the statutes is amended to read:

87.11 (3) If, after the letting of the contracts and during the progress of the work, it ~~shall develop~~ develops that the cost of completing the work exceeds the amount available therefor, the flood control board ~~shall have power to~~ may borrow temporarily the amounts required for completing the work, upon promissory notes executed by the board, payable with interest on or before the 15th day of March next ensuing; and each town, village and city containing property found by the department to be benefited by the improvement shall upon certification of the flood control board as to the amount to be raised by such town, village or city to repay such temporary loan, include in its next general tax levy the amount so certified. Such certification by the flood control board shall require each such town, village and city to raise the same proportion of the sum required to pay the temporary loan as ~~to~~ the total amount previously contributed by such town, village or city pursuant to s. 87.10 (1) (c) ~~shall bear~~ bears to the total amount contributed by all of such towns, villages and cities thereunder. If, by reason of the deferred collection of special assessments as authorized in s. 87.10 (1) (a), funds shall be required by the board before they are actually available, the board may borrow such funds upon its promissory notes payable with interest on or before March 15 of the year in which such deferred instalments ~~shall~~ become due, and shall repay such loan out of the proceeds of such instalments.

SECTION 89. 95.26 (3) of the statutes, as repealed and recreated by chapter 125, laws of 1971, is amended by substituting "s. 95.46 (2)" for the reference to "s. 95.47".

SECTION 90. The amendment of 97.20 (1) (i) of the statutes by chapter 125, laws of 1971, was not repealed by chapter 156, laws of 1971. Both amendments stand.

SECTION 91. 101.27 (2) (a) of the statutes, as renumbered from 146.19 by chapter 164, laws of 1971, is amended by substituting "department" for "board".

SECTION 92. 108.04 (16) (a) 2 of the statutes, as created by chapter 53, laws of 1971, is amended by substituting "38.02" for the reference to "38.15 or 38.155".

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SECTION 93. 108.18 (1) (a) and (5m) of the statutes are amended to read:

108.18 (1) (a) Each employer shall pay contributions to the fund for each calendar year at whatever rate on his payroll for that year duly applies to him pursuant to this section ~~and s. 108.02 (8) (d).~~

(5m) LIMITATION, COMPUTATION. The one per cent limit of sub. (5) shall be computed from the employer's experience rate assigned to him under subs. (4), (5) and (6) ~~before applying sub. (10) or s. 108.02 (8) (d).~~

SECTION 94. 115.29 (1) of the statutes is amended to read:

115.29 (1) DESIGNATE REPRESENTATIVE. Designate the deputy state superintendent or another employe of the department as his representative on any body on which the state superintendent is required to serve, except the board of regents of the university of Wisconsin, ~~the coordinating council for higher education and the board of regents of state universities system.~~

SECTION 95. The amendment of 121.15 of the statutes by chapter 125, section 522 (1), laws of 1971, was not repealed by chapter 154, laws of 1971. Both amendments stand.

SECTION 96. 139.03 (2a) and (2b) of the statutes are repealed.

SECTION 97. 139.03 (2m) (intro.) and (2n) (intro.) of the statutes, as created by chapter 125, laws of 1971, are amended to read:

139.03 (2m) (intro.) The rate of such tax effective November 5, 1971, and thereafter, is \$2.60 per wine gallon on intoxicating liquor containing 0.5% or more of alcohol by volume, and is computed in accordance with the following table:

(2n) (intro.) The rate of such tax effective November 5, 1971, and thereafter, is 19.5 cents per wine gallon on wine containing 14% or less of alcohol by volume, and 39 cents per wine gallon on wine containing more than 14% of alcohol by volume, but not in excess of 21% of alcohol by volume, and is computed in accordance with the following table:

SECTION 98. 140.07 (4) (g) of the statutes is repealed.

SECTION 99. 140.27 (3) of the statutes is repealed.

SECTION 100. 144.30 (10) and (11) of the statutes, as created by chapter 130, laws of 1971, are renumbered 144.30 (11) and (12).

SECTION 101. 155.02 (3) and (4) of the statutes are amended by substituting "medical college of Wisconsin, inc." for the term "Marquette university".

SECTION 102. 165.70 (1) (b) of the statutes, as repealed and recreated by chapter 40, laws of 1969, is amended by deleting the reference to s. 947.05.

SECTION 103. 176.26 to 176.29 of the statutes are repealed.

SECTION 104. 181.77 of the statutes, as created by chapter 84, laws of 1971, is renumbered 181.78.

SECTION 105. 210.02 (3) (e) of the statutes, as created by chapter 125, laws of 1971, is amended to read:

210.02 (3) (e) The exemption of an activity from the payment of premiums pursuant to this section shall in no way ~~effect~~ affect the coverage of that activity's property by the state insurance fund.

SECTION 106. The amendment and renumbering of 210.03 (3) by chapter 125, laws of 1971, was not repealed by chapter 154, laws of 1971. Both acts stand and the revisor shall incorporate the changes by chapter 154 into 210.03 (3) and (4) (a) as amended and renumbered by chapter 125.

SECTION 107. 217.09 (4) of the statutes is amended to read:

217.09 (4) The office shall revoke or suspend only the authorization to operate at the location with respect to which grounds for revocation or suspension apply, but if the office finds that such grounds for revocation or suspension apply to more than one location operated by such licensee ~~;~~ → then the office shall revoke or suspend all of the authorizations of the licensee to which such grounds apply.

SECTION 108. 229.12 (1) (a) and (b) of the statutes, as renumbered from 43.36 (1) (a) and (b) by chapter 152, laws of 1971, are amended by substituting "229.11" for the reference to "43.35".

SECTION 109. 247.24 (2) of the statutes, as renumbered by chapter 157, laws of 1971, is amended to read:

247.24 (2) Whenever the welfare of any such child will be promoted thereby, the court granting such judgment shall always have the power to change the care and custody of any such child, either by giving it to or taking it from such parent, relative or agency, provided that no order changing the custody of any child shall be entered until after notice of such application has been given the parents of such child, if they can be found, and also to the relative or agency that then has the custody of such child. The award of custody of a child under this section shall give to the custodian: a) the power and duty to authorize necessary medical, surgical, hospital, dental, institutional or psychiatric care for such child where there is no existing guardian for the child appointed under ch. 48 or 880; and b) the right to give or withhold consent for such child to marry under s. 245.02 (2), in addition to the consent of the parents or guardian of such child required therein.

SECTION 110. 252.075 (2) of the statutes, as amended by ch. 125, laws of 1971, is amended to read:

252.075 (2) The retired justices and judges serving temporarily as circuit judges shall receive a per diem of \$80 and while serving outside the county in which they reside shall also receive actual and necessary expenses incurred in the discharge of judicial duties. This per diem compensation is not subject to s. 41.11 (12) ~~(e)~~ but in no event shall the combined amount of this compensation and any other judicial compensation together with retirement annuities under the Wisconsin retirement fund, the Milwaukee county retirement fund and other state, county, municipal, or other Wisconsin governmental retirement funds, social security or other federal retirement funds received by ~~a retired supreme court justice or circuit judge so serving him~~ during any one calendar year exceed compensation paid by the state and the counties to any circuit judge. This compensation shall be paid from the appropriation under s. 20.625 (1).

SECTION 111. 253.195 of the statutes, as amended by ch. 125, laws of 1971, is amended to read:

253.195 Any person who has served 4 or more years as a county judge, and who was not defeated at the most recent time he sought reelection but is no longer a county judge, may serve temporarily on appointment by the chief justice of the supreme court or by any associate justice designated by the supreme court, acting through the administrative director of courts, as a judge of any circuit or county court. He shall receive from the state a per diem of \$80 for each day on which he actually serves and, while serving outside the county in which he resides, his actual and necessary expenses. This per diem compensation is not subject to s. 41.11 (12) ~~(e)~~ but in no event shall the combined amount of this compensation and any other judicial compensation together with retirement annuities under the Wisconsin retirement fund, the Milwaukee county retirement fund and other state, county, municipal, or other Wisconsin governmental retirement fund, social security or other federal retirement funds received by ~~a retired supreme court justice or circuit judge~~ ~~so~~ servng him during any one calendar year exceed compensation paid by the state and the counties to any circuit judge. This compensation shall be paid from the appropriations provided in s. 20.625 (1).

SECTION 112. 256.48 of the statutes, as repealed and recreated by supreme court order dated March 31, 1971, is amended by substituting "880.04" for the reference to "319.04".

SECTION 113. The amendment of 274.26 of the statutes by chapter 51, laws of 1971, was not repealed by chapter 154, laws of 1971. Both amendments stand.

SECTION 114. 319.13 (1) and (2) (a) of the statutes, as amended by chapter 35, laws of 1971, and as renumbered to be 880.13 (1) and (2) (a) by chapter 41, laws of 1971, are amended by substituting "880.33 (9)" for the references to "319.33 (9)".

SECTION 115. 323.30 of the statutes is repealed.

SECTION 116. 340.01 (22) and (46) of the statutes, as amended by chapter 100, sec. 23, laws of 1971, are amended to read:

340.01 (22) "Highway" means all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel. It includes those roads or driveways in the state, county or municipal parks and in state forests which have been opened to the use of the public for the purpose of vehicular travel and roads or driveways upon the grounds of institutions under the jurisdiction of the board of regents of the university of Wisconsin system under ch. 37, but does not include private roads or driveways as defined in sub. (46).

(46) "Private road or driveway" is every way or place in private ownership and used for vehicular travel only by the owner and those having express or implied permission from the owner and every road or driveway upon the grounds of public institutions other than those under the jurisdiction of the board of regents of the university of Wisconsin system under ch. 37.

SECTION 117. 350.12 (5) (a) of the statutes is amended to read:

350.12 (5) (a) The owner of the snowmobile shall attach the registration number ~~{to}~~ to the snowmobile in a prominent place, and shall maintain such decal or sticker in a legible condition at all times. Numbers shall be not less than 3 inches in height and not less than one-fourth of an inch wide and in sharp contrast to the background to which applied. Numbers to be applied on both sides of the cowling of the snowmobile.

SECTION 118. 448.03 (3) of the statutes, as amended by chapter 153, laws of 1971, is amended by substituting "medical college of Wisconsin, inc. or any of its predecessors" for "Marquette university school of medicine" in 2 places.

SECTION 119. 706.05 (2) (b) and (7) of the statutes are amended to read:

706.05 (2) (b) Contain a form of authentication authorized by s. ~~706.06, 706.065~~ or 706.07;

(7) A duly recorded certificate signed by or on behalf of the holder of record of any mortgage or other security interest in lands, and authenticated as provided by s. 706.06, ~~706.065~~ or 706.07 identifying the mortgage or other interest and stating that the same has been paid or satisfied in whole or in part, shall be sufficient to satisfy such mortgage or other interest of record.

SECTION 120. 706.06 (1) of the statutes is amended to read:

706.06 (1) Any instrument may be acknowledged, or its execution otherwise authenticated by its signators, as provided by the laws of this state; or as provided in this section ~~or~~ s. ~~706.065~~ or 706.07.

SECTION 121. 710.10 (3) of the statutes is amended to read:

710.10 (3) A possessor of property which has been sold upon foreclosure of a mortgage ~~under ss. 816.51 to 816.73~~, if his rights were extinguished by the foreclosure.

SECTION 122. 893.23 (1) of the statutes, as amended by chapter 40, s. 93, laws of 1971, and as renumbered by chapter 117, laws of 1971, is amended to read:

893.23 WITHIN 30 DAYS. (4) Within 30 days:

(1) An action to contest the validity of any municipal bond which has been certified by the attorney general, as provided in s. 165.015 (3), for other than constitutional reasons, must be commenced within 30 days after the recording of such certificate as provided by s. 67.025. An action to contest the validity of any state bond for other than constitutional reasons must be commenced within 30 days after the adoption of the authorizing resolution for such state bonds.

SECTION 123. 992.11 of the statutes is repealed.

SECTION 124. Wherever in the following sections of the statutes the words "department of administration" or "state auditor" appear, the words "department of revenue" are substituted: 50.06 (1), (5) and (10), 51.27 (2) (b), 65.90 (6), 66.042 (2) and 83.015 (3)(a).

SECTION 125. Wherever in the following sections of the statutes, as amended by chapter 41, section 12, the reference to "Titles XXIX and XLII-B" appear, they are amended to change the reference to "Title XLII-B": 253.21 (1) (a), 253.26, 253.30 (1), 253.32 (2) and (3), 253.33 (1) (a) and 262.02 (3).

SECTION 126. In the sections listed below in Column A, the cross references shown in Column B are changed to the cross references shown in Column C:

A	B	C
20.255 (1) (r) (as cr. by ch. 125, laws of 1971)	43.19	43.70

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22.16 (1)	this subchapter	ss.22.16 to 22.22
(6) (d)	this chapter	ss.22.16 to 22.22
(8) (c)	this subchapter	ss.22.16 to 22.22
(9) (d)	this chapter	ss.22.16 to 22.22
22.30	this subchapter	ss.22.30 to 22.76
22.31 (intro.)	this subchapter	ss.22.30 to 22.76
22.32 (2)	this subchapter	ss.22.30 to 22.76
23.31	20.866 (2) (p)	20.866 (2) (tp)
29.05 (1)	942.22	941.22
32.26 (5) (as cr. by ch. 125, laws of 1971)	32.25 (3) (d)	32.25 (2) (d)
39.32 (6) (as cr. by ch. 85, laws of 1971)	20.235 (1) (e)	20.235 (1) (fa)
43.24 (3) (as cr. by ch. 152, laws of 1971)	20.255 (4) (b)	20.255 (1) (fi)
49.26 (3) (c)	867.05	867.01
93.23 (1) (intro.) (as ren. from 22.40 (4) by ch. 125)	20.545 (1) (d)	20.115 (4) (b)
(1) (i) (as ren. from 22.40 (4) (i) by ch. 125)	sub. (5)	sub. (2)
(2) and (7) (as ren. from 22.40 (5) and (10) by ch. 125)	sub. (4)	sub. (1)
119.47 (1)	43.50	120.61
	43.50 (3)	120.61 (3)
247.23 (1) (as am. by ch. 149, laws of 1971)	ch. 319	ch. 880
253.13 (1) and (2)	ch. 322	ch. 882
272.18 (26)	22.40 (4)	93.23 (1)
440.81 (3)	22.40 (4)	93.23 (1)
440.85 (2)	22.40 (4)	93.23 (1)
459.10 (intro.)	459.04 or 459.05	459.05 or 459.06
646.03 (2) (f)	646.22 (1)	646.22
704.09 (2)	704.23 (5)	704.25 (5)
706.02 (1) (g)	706.10	706.09
857.10	862.09	862.11
879.26	862.09	862.11

SECTION 251. SECTIONS 10, 17, 20, 24, 25, 26, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 57, 60, 82 and 92 of this act shall take effect July 1, 1972.

SECTION 252. RECONCILIATION WITH PENDING LEGISLATION. If Senate Bill 856 is enacted into law, the deletion of the last sentence of section 38.24 (1) of the statutes by SECTION 48 of this act shall not take effect.