

No. 626, S.]

[Published July 30, 1919.

## CHAPTER 671.

AN ACT to repeal expressly certain sections of the statutes that have been either superseded or repealed by implication; to repeal certain sections of the statutes that are duplicates of other sections; to strike out or remove obsolete and dead matter from certain sections of the statutes; to renumber and relocate certain sections of the statutes that have been improperly classified; to correct in certain sections of the statutes mistaken references to other sections; and to correct typographical errors, misprints, and other errors in certain sections of the statutes.

*The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Section 10.25 of the statutes is renumbered to be subsection (1) of said section 10.25 BOARD TO ACT AS CANNVASSING BOARD AND DESTROY BALLOTS.

SECTION 2. Section 10.25m of the statutes, created by chapter 336, laws of 1919, is renumbered to be subsection (2) of section 10.25 and is amended to read:

(10.25) (2) \* \* \* The provisions of section 6.60 \* \* \* relating to the return and destruction of ballots shall apply to local primaries and elections so far as applicable; \* \* \* and said board shall have the custody of such ballots and destroy them within the time and in the manner \* \* \* so provided. \* \* \*

SECTION 3. Section 17.23 of the statutes, created by chapter 141, laws of 1919, is renumbered to be section 4201m QUALIFICATIONS FOR OFFICE; BURDEN OF PROOF.

SECTION 4. Subsection (1) of section 17.25 of the statutes is amended by adding at the end thereof the following: "if such vacancy occurs twelve days or more prior to such meeting; otherwise at the annual town meeting held in the year next succeeding; but no election to fill a vacancy in such office shall be held at the time of holding the regular election for such office."

SECTION 5. Section 20.565 of the statutes is amended by striking therefrom the figures "1636—275" and by inserting in place thereof the figures "34.10."

SECTION 6. Section 29.13a of the statutes, created by chapter 344, laws of 1919, is renumbered to be section 29.575.

SECTION 7. Section 29.54 of the statutes, enacted by chapter 397, laws of 1919, is renumbered to be section 29.53.

SECTION 8. Section 36.225 of the statutes, enacted by chapter

421, laws of 1919, is renumbered to be subsections (3) and (4) of section 36.215, enacted by chapter 33, laws of 1919.

SECTION 9. Subsection (2) of section 39.04 of the statutes is amended by striking out the phrase "more than one hundred fifty teachers" and inserting in place thereof the phrase "one hundred fifty teachers or more."

SECTION 10. Section 1 of chapter 415, laws of 1919, is amended by inserting immediately after the section designation, "Section 1," the following matter: "Subsection (9) of section 39.07 of the statutes is amended to read: (39.07) (9)."

SECTION 10a. Subsection (1) of section 39.14 of the statutes is amended by striking out the phrase "provided for in subsection (2) of section 39.13, on the first Tuesday after their appointment and," and the phrase "immediately upon the passage of this act, and," and the word "thereafter" where it occurs in two places in said subsection.

SECTION 11. Subsection (4) of section 40.11 of the statutes is amended by inserting immediately after the word "person" in the sixteenth line the words "or from the state trust funds." Said subsection is further amended by inserting immediately after the word "bonds" in the twenty-first line the words "or certificates of indebtedness;" and said subsection is still further amended by inserting immediately after the word "loan" in the twenty-second line, the word "for" and after the word "bonds" in the same line the words: "or certificates of indebtedness."

SECTION 11a. Subsection (3) of section 25.01 of the statutes is amended by striking from the third line thereof the words "no other purpose" and by inserting in lieu of said words, the following: "other purposes authorized by law."

SECTION 12. Subsection (4) of section 42.08 is amended by striking therefrom the word and figures "460—1 to 460—20" and by inserting in lieu thereof the word and figures "42.01 to 42.18."

SECTION 13. Section 45.18a of the statutes, created by chapter 366 laws of 1919, is renumbered to be section 45.185.

SECTION 13a. Subsection (1) of section 46.03, of the statutes, created by chapter 328, laws of 1919, is amended by striking out the words "and dumb."

SECTION 14. Subsection (1) of section 63.15 of the statutes, enacted by chapter 226 of the laws of 1919 is amended to read:

(63.15) (1) Any city of the second or third class operating under this chapter may, by a vote of the electors therein, as here-in provided, increase the number of the members of the council in such cities from a mayor and two councilmen, to a mayor and

one councilman from each ward, the mayor to be elected at large and to be paid a salary *not exceeding three thousand dollars* per annum and the councilmen to be elected by the electors of the respective wards and each to be paid a salary *not exceeding fifty dollars* per month. The question of increasing the council as provided in this section and subject to the provisions hereof, shall, upon petition as hereinafter provided, be submitted to the electors. The question to be submitted, shall be substantially as follows: "Shall the council in the city of-----be increased from a mayor and two councilmen to a mayor and one councilman from each ward, in accordance with the provisions of section 63.15 of Wisconsin Statutes?"

SECTION 15. Chapter 652 laws of 1917, and section 560m of the statutes created by said chapter, are repealed.

SECTION 15a. Section 561jk of the statutes, created by chapter 332, laws of 1919, is renumbered to be subsection (9) of section 46.03; and subsection (30) of section 20.17 is amended by striking out the phrase "section 561jk" and inserting in place thereof the phrase "subsection (9) of section 46.03."

SECTION 15b. The section number of section 697—47b, created by chapter 459, laws of 1919, is stricken out; and subsections 1 and 2 of said section are renumbered to be, respectively subsections (6) and (7) of section 46.21.

SECTION 16. Section 772—2 of the statutes, as amended by chapter 121, laws of 1919, is consolidated with subsections (3) and (4) of section 16.31, as enacted by chapter 365, laws of 1919, and said section and subsections are revised to read:

(16.31) (3) Every person appointed a member of said commission shall take and file the official oath.

(4) Each member of the commission shall receive such salary as the county board shall determine, which shall not be less than two hundred dollars for service performed in any one year. Such compensation shall be paid by the county treasurer on the certificate of the chief examiner, countersigned by the county auditor, if any.

SECTION 17. Section 772—16 of the statutes, as amended by chapter 121, laws of 1919, is consolidated with section 16.44, as enacted by chapter 365, laws of 1919, and said sections are revised to read:

16.44 APPROPRIATION FOR COMMISSION. A sufficient sum shall be provided each year by the county board of supervisors of each county in which sections 16.31 to 16.44 inclusive, become operative to enable the commission created there-

under, to exercise the powers and perform the duties therein specified.

SECTION 18. Subsection 3 of section 925—112m, created by chapter 438, laws of 1919, is amended to read:

(Section 925—112m) 3. \* \* \* Such deputy shall take \* \* \* and file the \* \* \* *official oath* \* \* \* and \* \* \* *execute and file an official bond* \* \* \* in such amount and with such \* \* \* *sureties* as the common council of such city may direct.

SECTION 19. That part of section 35 of chapter 362 laws of 1919, which refers to subsection (6) of section 925—xx is amended to read: “the \* \* \* last sentence of subsection (6) of section 925—xx,”

SECTION 20. Sections 937f to 937t of the statutes, created by chapter 430, laws of 1919, are renumbered as follows:

Section 937f is renumbered to be section 937—1.

Section 937g is renumbered to be section 937—2.

Section 937h is renumbered to be section 937—3.

Section 937i is renumbered to be section 937—4.

Section 937j is renumbered to be section 937—5.

Section 937k is renumbered to be section 937—6.

Section 937l is renumbered to be section 937—7.

Section 937m is renumbered to be section 937—8.

Section 937n is renumbered to be section 937—9.

Section 937o is renumbered to be section 937—10.

Section 937p is renumbered to be section 937—11.

Section 937q is renumbered to be section 937—12.

Section 937r is renumbered to be section 937—13.

Section 937s is renumbered to be section 937—14.

Section 937t is renumbered to be section 937—15.

And each section so renumbered which contains as a part of its text any figures with a letter appended designating another of the sections so renumbered is amended by striking out such figures and appended letter and by inserting in place thereof the new number of the section designated by the figures and letter stricken out.

SECTION 21. Section 1172 of the statutes is amended by adding the letter “s” to the word “section” at the place where said word first appears therein.

SECTION 22. Subsection 3 of section 1368—4 of the statutes, created by chapter 446, laws of 1919, is amended to read:

(Section 1368—4) 3. Each member of the board \* \* \* shall take and \* \* \* *file the official oath.* \* \* \*

SECTION 23. Section 1480b is amended by striking therefrom

the phrase "sections 1212 and 1213" and inserting in place thereof the phrase "sections 1211—1, 1211—2 and 1211—3."

SECTION 24. Section 1798g, created by chapter 370, laws of 1919, is renumbered to be section 1819g.

SECTION 25. Section 1799b, created by chapter 392, laws of 1919, is renumbered to be section 1819h.

SECTION 26. Section 1799b, created by chapter 360, laws of 1919, is renumbered to be section 1819i.

SECTION 27. Section 1801n, created by chapter 549, laws of 1919, is renumbered to be section 1819j.

SECTION 27a. Section 1801n of the statutes, created by chapter 549, laws of 1919, is amended by striking out the figure "1" numbering the first paragraph of the section and by striking out the whole of subsection 2 thereof.

SECTION 28. Section 1808b of the statutes, created by chapter 547, laws of 1919, is renumbered to be section 1797m—95m.

SECTION 29. Subsection 1 of section 1747—155 of the statutes created by chapter 491, laws of 1919, is amended by striking therefrom the third sentence relating to filling of vacancies.

SECTION 30. Subsection 5 of section 1919m of the statutes is amended by striking out the section number "51.31" and inserting in place thereof the section number "1211—31."

SECTION 31. Subsection 3 of section 1926m is amended by striking out the section number "51.31" and inserting in place thereof the section number "1211—31."

SECTION 32. Subsection 5 of section 1947 of the statutes is amended by striking out the section number "51.32" and by inserting in place thereof the section number "1211—35."

SECTION 33. Section 2024—77r of the statutes, enacted by chapter 382, laws of 1919, is renumbered to be section 2024—77rr.

SECTION 34. Section 2577 of the statutes is amended to read:

Section 2577. The first day of January, the twenty-second day of February, *the thirtieth day of May*, the fourth day of July, the twenty-fifth day of December, \* \* \* the day appointed by the governor as Labor day or by *the governor* \* \* \* or the president of the United States as a day of public thanksgiving in each year, \* \* \* *the day of holding the September primary election, and the day of holding the general election in November*, are legal holidays; and in every city of the first class *the afternoon of each day upon which a primary election is held for the nomination of candidates for city offices, is a half holiday.* \* \* \* Whenever any of said days shall fall on Sunday the succeeding Monday shall be the legal holiday. \* \* \* Appropriate special exercises may be

held in all schools for one-half day on February twelfth, and on February twenty-second.

SECTION 35. Subsection (3) of section 5.21 of the statutes and chapter 515, laws of 1911 are repealed.

SECTION 36. A new section of the statutes is created to be numbered section 4543q—1 and to read:

**PENALTY FOR REQUIRING EMPLOYEES TO WORK ON HALF HOLIDAYS IN CITIES OF THE FIRST CLASS.**  
Section 4543q—1. No employer of labor in any city of the first class shall ask or require any of his employes to do any manner of labor or work during the afternoon of any day on which a primary election is held in such city for the nomination of candidates for city offices, except works of necessity or charity. Every person violating this section or knowingly contributing to such violation shall be punished by a fine not exceeding twenty-five dollars.

SECTION 37. Section 4734l—a of the statutes, created by chapter 454, laws of 1919, is renumbered to be section 57.075; and subsection (30) of section 20.17, created by the same chapter is renumbered to be subsection (31) of section 20.17, and is amended by striking out the phrase “section 4734l—a of the statutes” and inserting in place thereof the phrase “section “57.075.”

SECTION 38. The matter in parentheses introducing the last paragraph of section 1 of chapter 171, laws of 1919, is amended to read:

“Chapter 549, 1909, sec. 27, created by chapter 594, 1917, sec. \* \* \* 13)”

SECTION 39. Section 20.1925 of the statutes, as enacted by chapter 322, laws of 1919, is renumbered to be section 20.193.

SECTION 40. Paragraph (g) of subsection (2) of section 20.38, created by chapter 477, laws of 1919, is renumbered to be paragraph (h) of said subsection, without in any respect affecting paragraph (g) of said subsection as created by chapter 445, laws of 1919.

SECTION 41. Paragraph (e) of subsection (8) of section 20.38, created by chapter 477, laws of 1919, is renumbered to be paragraph (j) of said subsection.

SECTION 42. Paragraph (e) of subsection (11) of section 20.38, created by chapter 477, laws of 1919, is renumbered to be paragraph (f) of said subsection, without in any respect affecting paragraph (e) of said subsection, as created by chapter 445, laws of 1919.

SECTION 43. Subsection (1) of section 29.09 is amended by

inserting the word "natural" immediately before the word "persons" in the second sentence of said subsection.

SECTION 44. Subsection (7) of section 29.18 is amended to read:

(29.18) (7) Raccoon:	Aug. 15 to Jan. 1	Five each day
(a) In Marathon county ...	Oct. 15 to Jan. 1	Five each day
(b) In all other counties ..	* * *	

SECTION 45. Subsection (19m) of section 29.18, created by chapter 340, laws of 1919 is repealed; and subsection (19) of said section is amended by adding in the first column the words "kingfisher, American bittern, blue heron".

SECTION 46. Subsection (3) of section 29.19 is amended by striking out the words "rock bass".

SECTION 47. Subsection (10) of section 20.20, created by chapter 507 of the laws of 1919, is renumbered to be subsection (11).

SECTION 48. Section 928a of the statutes created by chapter 495, laws of 1919, is repealed.

SECTION 49. Subdivision (d) of section 1087m—3 of the statutes as amended by chapter 435, laws of 1919, is further amended by striking out the word "tax" which immediately follows the word "income" where said last named word first appears and by inserting in lieu thereof the word "taxed".

SECTION 50. Subsection (5c) of section 1087m—10 of the statutes, created by chapter 419, laws of 1919, is amended by inserting immediately after the word "income" where that word appears the last time in the subsection, the word "tax".

SECTION 51. The first paragraph of subsection 1 of section 1941—64 of the statutes is amended by striking out the figures "1941—42" where they appear in the section and by inserting in lieu thereof the figures and word "1941x and 1941—61"; also by adding the word "inclusive" after the figures "1941—63".

SECTION 52. Section 1941—65 of the statutes is amended by striking out the figures "1941—42" and by inserting the figures and word "1941x and 1941—61" in place thereof.

SECTION 53. This act shall take effect upon passage and publication.

Approved July 25, 1919.