

No. 50, A.]

[Published June 13, 1931.

CHAPTER 239.

AN ACT to amend subsection (2) of section 49.20, subsection (1) of section 49.23, section 49.26, and subsection (2) of section 49.37; and to create subsection (4) of section 49.37 of the statutes, relating to old-age assistance.

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

SECTION 1. Subsection (2) of section 49.20, subsection (1) of section 49.23, section 49.26 and subsection (2) of section 49.37 of the statutes are amended to read: (49.20) (2) *Until July 1, 1933*, the provisions of sections 49.20 and 49.39 shall apply only to such counties whose county boards have made an appropriation to carry out these provisions, *but thereafter shall apply to all counties.*

(49.23) (1) While or during the time he is an inmate of and receives the necessities of life from any charitable institution maintained by the state or any of the political subdivisions of the state, or *is an inmate* of a private charitable, benevolent or fraternal institution or home for the aged; *provided that application for old-age assistance may be made while the applicant is an inmate of a county home, but if assistance is granted it shall not begin until he ceases to be an inmate of such home.*

49.26 (1) If the county judge deems it necessary, he may require as a condition to the grant of a certificate, that all or any part of the property of an applicant for old-age assistance be transferred to the * * * *county court, except that in counties having a population of five hundred thousand and having a manager of county institutions such property shall be transferred to such manager of county institutions.* Such property shall be managed by the * * * *county court or said manager of county institutions, * * * who shall pay the net income to the person or persons entitled thereto.* The * * * *county judge or said manager of county institutions* shall have power to sell, lease or transfer such property, or defend and prosecute all suits concerning it, and to pay all just claims against it, and to do all other things necessary for the protection, preservation and management of the property.

(2) If in the event that the old-age assistance is discontinued during the lifetime of the beneficiary the property thus transferred

to the * * * *county court or said manager of county institutions* exceeds the total amount paid with simple interest at three per cent annually, the remainder of such property shall be returned to the beneficiary; and in the event of his death such remainder shall be considered as the property of the beneficiary for proper administration proceedings. The * * * *county judge or said manager of county institutions* shall execute and deliver all necessary instruments to give effect to this subsection.

(3) The * * * *district attorney* at the request of the * * * *county judge or said manager of county institutions* shall take the necessary proceedings and represent * * * *the county court or said manager of county institutions* in respect to any matters arising under this section.

(49.37) (2) *The county board of each county may cause each city, town and village * * * to reimburse the county for all amounts of money paid in old-age assistance to its residents, less the amounts received by the county from the state pursuant to subsection (3) of this section. The county clerk shall make a report to the county board at its annual November meeting showing in detail the amounts which under this subsection are chargeable to each city, town and village, and the county board at such meeting shall determine if such amount shall be so charged, and then determine the amount to be raised and paid by each such city, town and village to reimburse the county. The county clerk shall charge the amount so determined to such city, town or village and shall certify the same to the city, town or village clerk. Each city, town or village shall annually levy a tax sufficient to meet such charges, which shall be collected as are other taxes and paid into the county treasury.*

SECTION 2. A new subsection is added to section 49.37 of the statutes to read: (49.37) (4) When necessary, the county board shall annually levy a tax sufficient for the payment of old-age assistance to residents of the county who meet all qualifications for assistance but do not have a legal settlement in any city, village or town. Such tax levy shall be paid into a "county-at-large old-age assistance fund" and no part of the payments made to such persons shall be charged to any city, village or town, but the county shall be entitled to partial reimbursement from the state as in other cases.

SECTION 3. This act shall take effect January 1, 1932.

Approved June 12, 1931.

No. 132, S.]

[Published June 15, 1931.

CHAPTER 240.

AN ACT to amend paragraphs (c) and (d) of subsection (10) of section 62.13 of the statutes, relating to firemen's pension funds. *The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Paragraphs (c) and (d) of subsection (10) of section 62.13 of the statutes are amended to read: (62.13) (10) (c) * * * *Such portion of the income in any year which shall not be required to be disbursed in that year under paragraph (e) of this subsection, shall be retained as a permanent fund, and there after when the amount in said fund shall be one hundred fifty thousand dollars, only the income therefrom, with the other revenues of said fund, shall be available for the payment of pensions. The council may then diminish the amount paid into said fund from taxation of fire insurance companies or agents, but to such extent only as will leave sufficient income to the said fund to meet the pension requirements.*

(d) *Should the income to be available in any year for the payment of pensions be less than the amount required for that year, the city treasurer shall on the first day of August pay into said fund from income tax receipts an amount equal to the deficiency. Temporary withdrawals may be made from the permanent fund to meet current disbursements when no other funds are available, but such withdrawals shall be replaced as soon as other funds can be obtained.*

SECTION 2. This act shall take effect upon passage and publication.

Approved June 13, 1931.