

No. 559, S.]

[Published August 20, 1947.]

CHAPTER 534.

AN ACT to amend and repeal various provisions of the statutes, for the purpose of correcting errors, supplying omissions, clarifying language, harmonizing conflicts and deleting obsolete provisions.

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

SECTION 1. 6.32 (4) (g) (introductory paragraph) is amended to read:

6.32 (4) (g) (introductory paragraph) Within 5 days after the appointment and confirmation of inspectors of election, clerks of election and ballot clerks in cities, *towns* or villages, the clerk of each city, town or village shall transmit a notice thereof to each such appointee. Such inspectors of election, clerks of election and ballot clerks shall, within 10 days after the mailing of such notice, file with the clerk of such city, *town* or village an oath of office substantially in the following form:

SECTION 2. 14.29 (10), (11) and (12) are amended by striking out the word "To" at the beginning of each subsection.

SECTION 3. The last sentence of 15.55 (1), as renumbered by chapter 9, laws of 1947, is repealed.

SECTION 4. 40.78 is amended to read:

40.78 SCHOOL BOARD ELECTION, SECOND CLASS CITIES. Whenever any city of the second class * * * *has* by referendum as provided for in this chapter, voted to adopt the elective system of selecting and appointing members of the board of education, a special election for members of such board shall be held within 30 days at a date to be determined by the city council * * *. A call for such special election shall be issued by the council in accordance with * * * law. The members of the board of education chosen in such special election shall take office on the second Monday following such election. The 2 persons receiving the highest number of votes shall hold office until their successors elected 3 years after the preceding spring election * * * have qualified; and the 2 persons receiving the next highest number of votes shall hold office until their successors elected 2 years after the preceding spring election

* * * have qualified; and the 3 persons receiving the next highest number of votes shall hold office until their successors elected one year after the preceding spring election * * * have qualified.

SECTION 5. 40.90, as amended by chapter 31, laws of 1947, is amended by striking out the word "rural" in the reference to "a county rural normal school".

SECTION 6. 42.61 (4), as amended by chapter 71, laws of 1947, is amended to read:

42.61 (4) Persons who have become members of the state employes' retirement system shall not thereafter lose their status as members while they remain in the state service on any basis, including leaves of absence, except as provided in subsection (1) (a), (b), (c), (d), (e) and (g). Employes who are absent from the state service on military leave under section 16.276, and who left positions in which they would have become members had they continued in such positions, shall be deemed to be members of the state employes' retirement system. Any such employe *who has re-entered or who re-enters* state service as provided in section 16.276 shall be permitted, under rules and regulations of the state annuity and investment board to make a single sum deposit to his credit in the employes' savings fund of such retirement system equal to the sum of the deposits which he would have been required to make under said system for any period after June 30, 1943 that said employe was on military leave. In computing such sum it will be assumed that he would have received any normal increase in salary applicable to his classification had he remained in the state service.

SECTION 7. 45.40 is amended by inserting the word "of" after "veterans" in the 6th line, in the phrase "sick and disabled veterans World Wars I and II".

SECTION 7a. 49.06 of the statutes (as amended by Chapter 282, Laws of 1947) is amended to read:

49.06 No person shall be denied relief on the ground that he has an equity in the home in which he lives or a cash or loan value not in excess of \$300 in a policy of insurance. No applicant for relief shall be required to assign such equity or insurance policy as a condition for receiving relief. Where persons are not in fact dependent, as defined by this chapter, but who, if they converted their limited holdings, real or personal, would,

by reason of a fallen market or by reason of economic or other conditions, be required to suffer a substantial loss, then and in that event such persons shall be permitted, by proper assignments to the county or municipality, to render themselves qualified to receive relief. The county or *municipal* agency may sell, lease or transfer the property, or defend and prosecute all actions concerning it, and pay all just claims against it, and do all other things necessary for the protection, preservation and management of the property.

SECTION 8. 61.23 (2) is amended to read:

61.23 (2) The regular term of office of village president and trustees *and supervisor* shall commence on the third Tuesday of April * * * *in the year of* their election. The regular terms of other officers shall commence on May 1 succeeding their election unless otherwise provided by ordinance or statute.

SECTION 9. 67.04 (5) (b) is amended to read:

67.04 (5) (b) To purchase or build a town hall *or other building for the use of the town as provided in section 60.18 (9)*.

SECTION 10. 70.11 (89) is repealed.

SECTION 11. 74.205 is repealed.

SECTION 12. 76.375 is repealed.

SECTION 12a. 85.02 (1) (c) of the statutes is amended to read:

85.02 (1) (c) The motor vehicle department shall issue a certificate of registration to an applicant for the sale of motor vehicles at retail only if he owns or leases a permanent building wherein there are facilities to display * * * *and* repair functional and nonfunctional parts of * * * automobiles and where replacement parts, repair tools and equipment to service automobiles are kept, and at which place of business shall be kept and maintained the books, records and files necessary to conduct the business, and such place shall not mean residence, tents or temporary stands. An approved service contract with an established repair shop having the above repair facilities and the requirement for replacement parts, repair tools and equipment to service automobiles shall serve in lieu of an applicant's repair facilities and the requirement for replacement parts, repair tools and equipment to service automobiles, provided that such service connection is within reasonable distance from the applicant's place of business, and provided further that such service con-

nection guarantees in writing the making of the repairs or replacements ordered by the dealer.

SECTION 13. 136.12 (3) is amended to read:

136.12 (3) Every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper court of any county of the state in which a cause of action may arise or in which the plaintiff resides, by the service of any process or pleading authorized by the laws of this state, on the board, any member thereof or any duly authorized employe, said consent stipulating and agreeing that such service of such process or pleading shall be taken and held in all courts to be as valid and binding as if due service had been made upon said applicant in this state. Said consent shall be duly acknowledged, and if made by a corporation, shall be authenticated by the seal of such corporation.

SECTION 14. 223.07 and the first sentence of 223.08 are repealed.

SECTION 15. 289.70 (2) (last sentence) is amended by inserting the word "against" after "assessed" in the clause "shall be assessed the vacant lots or owners thereof."

SECTION 16. The name of the building and loan advisory committee is changed to savings and loan advisory committee. The revisor of statutes is directed to make the necessary substitutions in the statutes. The present members of said board shall continue to hold their office for the term for which they were appointed.

Approved August 18, 1947.

No. 560, S.]

[Published August 20, 1947.

CHAPTER 535.

AN ACT to create 318.061 of the statutes, relating to the distribution of small legacies and shares without the appointment of a guardian.

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

318.061 of the statutes is created to read:

318.061 LEGACY OR DISTRIBUTIVE SHARE OF MINOR, WHEN GUARDIAN NOT NEEDED; OTHER