

CHAPTER 10

AN ACT to repeal, renumber, amend, repeal and recreate 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 and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary, obsolete and unconstitutional provisions and reconciling conflicts.

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

SECTION 1. 4.04 (1) of the statutes is repealed.

SECTION 2. 5.17 (2) of the statutes is amended to read:

5.17 (2) If all the candidates for nomination for any one office voted for on any party ballot shall receive in the aggregate less than 5 per cent of such average vote so cast at such 2 last general elections, no person shall be deemed to be the party nominee for such office, but the person receiving the greatest number of votes at such primary as the candidate of such party for such office shall be deemed an independent candidate for such office, and his name shall be placed on the official ballot in the column of individual nominations and he shall be denominated in such column by the word "Independent" prefixed to the proper party designation. The provisions of this subsection shall not apply when all votes cast for an office *on any party ballot* are for write-in candidates.

SECTION 3. 5.18 (1st sentence) of the statutes is amended to read:

5.18 (1st sentence) Any person nominated to office may decline the nomination by delivering to the officer with whom his certificate of nomination or nomination paper is filed, * * * *within* one week after the last day on which nomination papers can be filed, or *within* one week after the primary election, a declination in writing signed and acknowledged by him.

SECTION 4. 5.39 (1) (a) (intro. par.) of the statutes is amended to read:

5.39 (1) (a) (intro. par.) An official ballot shall be printed and provided for use in each voting precinct in substantially the form provided herein * * *.

SECTION 5. 6.05 (9) of the statutes is repealed.

SECTION 6. 6.23 (16) (1st sentence) of the statutes is amended to read:

6.23 (16) (1st sentence) Ballots for judicial, school and city elections shall be printed upon the quality of white print paper * * * specified *in sub. (17) (b)*, and shall be of sufficient size to afford space for the names of the several candidates for any office in the column under the proper office designation.

SECTION 7. 14.71 (11) (d) of the statutes is repealed.

SECTION 8. 15.195 (1) and (2) of the statutes are repealed; and 15.195 (3) and (4) are renumbered 15.18 (1) (e) and (f) and amended to read:

15.18 (1) (e) All records, equipment and property maintained or used in the pre-audit divisions of the university, board of regents of state

colleges and the department of public welfare may be used when necessary by the department of budget and accounts to carry out its functions. In case of dispute arising under this * * * *paragraph*, determination shall be made by the governor.

(f) Office space, vault space or other space in the pre-audit divisions of the university, board of regents of state colleges and the department of public welfare, equivalent to that used in the discharge of the functions transferred * * * to the department of budget and accounts, are assigned to the department of budget and accounts for the discharge of such functions. * * *

SECTION 9. 15.50 (3) of the statutes is repealed.

SECTION 10. 15.60 (7) of the statutes is amended to read:

15.60 (7) Stationery and printing shall be purchased from the lowest bidder without regard to the amount of the purchase, except when the director of * * * *purchases* exercises the discretion vested in him by s. 15.66 (4).

SECTION 11. 15.64 (5) of the statutes is amended to read:

15.64 (5) To determine the form, style, quantity, and method of reproduction, when not specifically prescribed by law, of all materials offered by state departments and agencies for reproduction. Any state department or agency which objects to the determination made under this subsection may appeal the decision of the * * * director of * * * *purchases* to the governor.

SECTION 12. 15.65 of the statutes is repealed.

SECTION 13. 15.66 (4) (b) of the statutes is amended to read:

15.66 (4) (b) In deciding whether to use this discretion, the director shall take into consideration the availability of machines, equipment and personnel for such work in any agency; the maintenance of a uniform workload for employes of the bureau of * * * *purchases*; the urgency of the work; the relative cost of reproduction by the bureau as against the cost of outside work; the preference of the state agency ordering the work.

SECTION 14. 16.095 of the statutes is repealed.

SECTION 15. 17.035 (4) of the statutes is repealed.

SECTION 16. 17.10 (2) of the statutes is amended to read:

17.10 (2) County officers appointed by the county board, by that body, for cause * * *. All such removals may be made by an affirmative vote of two-thirds of the supervisors entitled to seats on such board. The county highway commissioner may also be removed by the state highway commission, for cause.

SECTION 17. 23.14 (6) of the statutes is amended by substituting "state of Wisconsin investment board" for "state annuity and investment board".

SECTION 18. 23.15 of the statutes is repealed.

SECTION 19. 25.36 (1) of the statutes is amended to read:

25.36 (1) All moneys heretofore or hereafter appropriated or transferred thereto by law constitute the veterans' housing trust fund which shall be used exclusively for veterans' housing and administered by the Wisconsin department of veterans' affairs. * * *

SECTION 20. 27.012 (2) of the statutes is amended to read:

27.012 (2) * * * *The conservation* commission is authorized to grant permission to remove or destroy any of the prehistoric or historic remains

enumerated in sub. (1) whenever it deems such removal or destruction necessary; and the commission or other state officer or officers having control under the laws of the state of the lands or properties upon which they, or any of them, are situated may grant to state, county, municipal or national educational institutions, or regularly organized archaeological or historical societies, permission to explore or investigate for educational or scientific purposes. The use of lands or properties belonging to the state for the purposes for which they were acquired shall not be restricted by the provisions of this section.

SECTION 21. 29.578 (15) of the statutes is amended by substituting "section" for "chapter".

SECTION 22. 29.63 (1) (b) of the statutes is amended to read:

29.63 (1) (b) For hunting, trapping *or* fishing * * * without a license duly issued, whenever a license therefor is required by * * * this chapter, by a fine of not more than \$100, or by imprisonment, not less than 30 days nor more than 6 months, or by both.

SECTION 23. 34.08 (4) of the statutes is repealed.

SECTION 24. 35.015 (2) of the statutes is amended to read:

35.015 (2) Printing of classes 3 and 4 is exempt from the provisions of this chapter when the director of * * * *purchases* exercises the power vested in him by s. 15.66 (4).

SECTION 25. 35.02 (4) of the statutes is repealed.

SECTION 26. 35.035 (intro. par.) of the statutes is amended to read:
35.035 (intro. par.) The director of *purchases* may:

SECTION 27. 35.46 (2) (last sentence) of the statutes is repealed.

SECTION 28. 35.92 (2) of the statutes is amended to read:

35.92 (2) The cost of printing provided for in * * * s. 35.66 * * * shall be charged to the proper appropriation for the secretary of state.

SECTION 29. 35.94 (3) of the statutes is repealed.

SECTION 30. 37.31 (2) (last sentence) of the statutes is repealed.

SECTION 31. 41.13 (1) (next to last sentence) of the statutes is repealed.

SECTION 32. 43.19 (7) of the statutes is repealed.

SECTION 33. 43.32 of the statutes is repealed.

SECTION 34. 45.352 (1) of the statutes is amended to read:

45.352 (1) "Veteran" as used in this section and * * * s. 45.353 * * * has the same meaning as * * * in s. 45.35 (5a) and "department" means the Wisconsin department of veterans' affairs.

SECTION 35. 45.354 of the statutes is repealed.

SECTION 36. 45.37 (1a) of the statutes is repealed.

SECTION 37. 45.39 of the statutes is amended to read:

45.39 EDUCATIONAL AID FOR WORLD WAR I VETERANS.
(1) Any person discharged, * * * released or furloughed subsequent to April 7, 1917, upon honorable conditions, from any branch of the military or naval service of the United States, including all Red Cross and other nurses in military camps or hospitals who were a part of the military or naval forces of the United States in this country or overseas during * * * World War I, and who at the time of entering such service,

which must have been prior to November 12, 1918, was a resident of this state, and who was in the service at least 3 months, * * * who desires to continue his education in any * * * vocational * * * school of this state, * * * the county training or county agricultural schools, * * * the institute of technology, the state colleges, Stout Institute, * * * the university of Wisconsin, or in any other institution of learning in this state at which was organized an S.A.T.C., or in any other institution of * * * collegiate grade in the state not run for profit shall, under rules and regulations * * * prescribed by the Wisconsin department of veterans' affairs, be entitled to receive \$30 per month while in regular attendance as a student at any such institution, but not to exceed a total of \$1,080 for each veteran * * * in lieu of the soldier bonus provided for in ch. 667, * * * laws of 1919, except as hereinafter provided. The benefit of this section shall not accrue to any person for time spent while taking training in any student army training camp, nor to any person, who, though inducted into service did civilian work at civilian pay.

* * *

* * * (2) The * * * department * * * shall prescribe such rules as it * * * deems necessary * * * to carry out * * * this section, always meeting the expressed wishes of the applicant as far as possible.

* * * (3) Accompanying all applications * * * the applicant shall furnish satisfactory proof that * * * he comes within * * * this section.

* * * (4) Each school to which a student has been assigned by the department under * * * this section shall, upon admission of any such student or of notice that a student already registered is allowed the bonus, advise the department of the date of admission of this student to the school during the then present academic year, or during the following academic year, and it shall certify to * * * the department monthly, on a pay roll form to be * * * prescribed by the * * * department, the names of all students entitled to the bonus under * * * this section who * * * were in regular attendance at such institution the preceding month.

* * * (5) The acceptance of the bonus provided for in ch. 667, * * * laws of 1919, shall preclude any person from availing himself of the privileges of this section, unless he * * * returns to the state treasury the bonus received. Whenever any such person * * * has drawn his cash bonus under ch. 667, * * * laws of 1919, and is desirous of entering school under the benefits of the educational bonus law, but is not eligible to receive the benefits owing to the fact that he is financially unable to return * * * the cash bonus, the department * * * may allow * * * him the benefits commencing on the date of his assignment to school under * * * this section; with the further provision that the monthly benefits be withheld by the department until the amount withheld equals the amount received under ch. 667, laws of 1919.

* * * (6) The benefits provided in this section shall not be available to veterans after July 1, 1933, except only to veterans who enrolled prior to October 1, 1931, and who by July 1, 1933 * * * had completed at least 2 years of college work. * * *

* * * (7) The department may make all necessary investigations as to the eligibility of any applicant to the aid provided for in this section and its decision shall be final.

* * *

* * *

SECTION 38. 46.22 (2) (intro. par.) (2d sentence) of the statutes is amended to read:

46.22 (2) (intro. par.) (2d sentence) The members of such county board of public welfare shall be elected or appointed either from mem-

bers of * * * the county board of supervisors or from the county at large, or both, on the basis of knowledge and interest in public welfare and shall hold office for a term fixed by the county board of supervisors.

SECTION 39. 51.01 (3) of the statutes is amended to read:

51.01 (3) The department shall prescribe forms for the orderly administration of ch. 51 and furnish such forms to the county judges and to the several institutions. * * * A substantial compliance with prescribed forms is sufficient.

SECTION 40. 59.17 (14) (b) of the statutes is amended to read:

59.17 (14) (b) Except as otherwise provided, the county clerk shall receive and file the official oaths and bonds of all county officers and upon request shall certify under his signature and seal the official capacity and authority of any county officer so filing and charge therefor the statutory fee. * * * Upon the commencement of each term * * * every county clerk shall file his signature and the impression of his official seal in the office of the secretary of state.

SECTION 41. 59.51 (7) of the statutes is amended to read:

59.51 (7) Register, file and index as directed by law, all marriages contracted and deaths, births and * * * *fetal deaths* occurring in his county.

SECTION 42. 59.57 (1) (a) of the statutes is repealed and recreated to read:

59.57 (1) (a) For entering and recording the following forms of standard instruments as approved by the register of deeds association and filed in the approved form in the office of the secretary of state:

FEEES FOR RECORDING WISCONSIN LEGAL FORMS

Forms	Nature of Instrument	Fees
1 to 14	Warranty or quitclaim deed -----	\$1.50
15 to 32	Mortgage -----	2.00
33 to 36	Land contract -----	2.50
37 to 39	Assignment of land contract -----	1.00
40 to 48	Assignment of real estate mortgage -----	1.00
49 to 51	Partial release of mortgage -----	1.00
52 to 54	Partial payment mortgage receipt -----	1.00
55 to 60	Satisfaction of real estate mortgage -----	1.00

SECTION 43. 59.57 (7) of the statutes is amended to read:

59.57 (7) For a certified copy of the full record of any marriage, birth or death, * * * \$1; and for a short-form certificate, 25 cents, with the exceptions stated in ch. 69.

SECTION 44. 59.57 (11b) of the statutes is amended to read:

59.57 (11b) For registering any marriage, birth, * * * *fetal death* or death certificate, when recorded into regular bound volumes, or filed in special filing cases, securely locked, 25 cents to be paid by the county.

SECTION 45. 59.91 of the statutes remains in effect but need not be printed in the Wisconsin statutes.

SECTION 45a. 59.965 (5) (d) of the statutes is amended to read:

59.965 (5) (d) To acquire in the name of the county, after the county board has adopted an expressways project budget, by donation, purchase, * * * *condemnation* or otherwise, such tracts of land, including all improvements thereon, as it deems are necessary and required for expressway purposes; but no land so acquired shall be disposed of by

the county without the consent of the commission, and all moneys received for any such lands or any materials or improvements thereon, so disposed of, shall be credited to the proper expressway project as an abatement of expense. The commission may also, with the general approval of the county board and after the general plan of expressways has been adopted by the county board, as the same may be amended from time to time, acquire lands for the right of way of such expressways from time to time and upon such acquisition may maintain and rent out lands and improvements in such tract so acquired until the same are needed for actual expressway construction purposes. The owners of such lands at the time of such acquisition shall have the first right to enter into lease with the county until the lands are needed by the county for actual construction purposes. All rentals shall become part of the expressway funds. The commission in acquiring the right of way for expressway projects may acquire such right of way in fee simple or by easement for highway purposes as it may by order determine, and in the acquisition of such land and improvements, the commission, acting in the name of the county or the state or state highway commission, as the needs of the particular project may require, may proceed under ch. 32 or ss. 83.07, 83.08 and 84.09, and when proceeding under said sections, the commission shall have the same powers and duties as are vested by said statutes in the county highway committee or the state highway commission and the commission or the land owner or his mortgagee shall have the same right of appeal as is granted by said sections.

SECTION 46. 59.97 (11) of the statutes is repealed.

SECTION 47. 59.97 (12) of the statutes is amended to read:

59.97 (12) LIMITATION OF ACTIONS. A land owner, occupant or other person affected by a county zoning ordinance or amendment, * * * who claims that such ordinance or amendment is invalid because procedures prescribed by the statutes or the ordinance were not followed shall be forever barred unless the court action * * * is commenced within * * * 6 months after adoption * * *. Provided, * * * this subsection shall not apply unless there has been at least one publication of a notice of a zoning hearing in a local newspaper of general circulation and unless there has been held a public hearing on the ordinance or amendment at the time and place specified in such notice.

SECTION 48. 60.05 (3) of the statutes is amended to read:

60.05 (3) No town shall be divided so as to constitute or leave any town of less than 36 sections in area unless each such town after division has * * * 75 electors and real estate valued at the last preceding assessment at \$200,000 or more * * *.

SECTION 49. 62.24 (6) of the statutes is repealed.

SECTION 50. 66.067 (last sentence) of the statutes is amended to read:

66.067 (last sentence) Any indebtedness created pursuant to this section shall not be included in arriving at the constitutional * * * debt limitation.

SECTION 51. 66.195 of the statutes is repealed.

SECTION 52. 66.39 (10) of the statutes is repealed.

SECTION 53. 66.505 (8) (1st sentence) of the statutes is amended to read:

66.505 (8) (1st sentence) The board shall annually, prior to the time of the preparation of either the county or city budget under s. 65.90,

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prepare a budget of its anticipated receipts and expenditures for the ensuing fiscal year and determine the proportionate cost to the county * * * and the participating city pursuant to the terms of the ordinance.

SECTION 54. 68.12 of the statutes is repealed.

SECTION 55. 69.45 (3) of the statutes is amended to read:

69.45 (3) * * * *He* shall deliver the burial permit to the sexton or person in charge of the place of burial before interring the body, or attach the removal permit to the box containing the corpse, when shipped by any transportation company, to accompany the same to destination.

SECTION 56. 70.114 of the statutes is repealed.

SECTION 57. 70.32 (3) of the statutes is repealed.

SECTION 58. 71.01 (3) (d) of the statutes is repealed.

SECTION 59. 71.03 (4) of the statutes is repealed.

SECTION 60. 71.05 (5) of the statutes is repealed.

SECTION 61. 71.10 (5) (last sentence) of the statutes is repealed.

SECTION 62. 71.10 (6) (a) and (am) of the statutes are repealed.

SECTION 63. 71.13 (3) (b) (3d sentence) of the statutes is amended to read:

71.13 (3) (b) (3d sentence) The clerk of circuit court shall accept, file and docket such warrant without prepayment of any fee, but * * * *he* shall submit a statement of * * * *the* proper fees semiannually to the department of taxation covering the * * * *periods* from January 1 * * * to and including June 30 and July 1 to and including December 31 * * *. *The* fees shall then be paid by the state * * * *as* provided by * * * *par.* (g), but the fees provided by s. 59.42 * * * (8) *for filing and docketing such warrants* shall be added to the amount of * * * *the* warrant and collected from the taxpayer when satisfaction or release is presented for entry * * *. In counties wherein the clerk is compensated otherwise than by salary * * * *the* fees may be paid by the state * * * *as* provided by * * * *par.* (g) and added to the amount of the warrant and collected as herein provided.

SECTION 64. 71.14 (1) (1st sentence) of the statutes is repealed.

SECTION 65. 71.17 of the statutes is repealed.

SECTION 66. 72.55 of the statutes is amended to read:

72.55 FILING U. S. RETURNS AND CERTIFICATE; DETERMINATION OF TAX; APPEAL. * * * The legal representative of the estate of any decedent who was a resident of this state at the time of his death and whose estate may be subject to the payment of a United States estate tax * * * *shall* file duplicates of the United States estate tax returns with the county court of the county in which such estate is being probated. He shall also file with such court a certificate or other evidence from the * * * internal revenue *service* showing the amount of the United States estate tax as computed by that * * * *service*. The county court shall hear all parties desiring to be heard with respect to the amount of state estate tax and shall enter an order determining such tax and the amount thereof so due and payable. Any person in interest aggrieved by such determination shall have the same right of rehearing and appeal as is provided for in the determination of inheritance taxes.

SECTION 67. 74.03 (8) (f) (3d sentence) of the statutes is amended to read:

74.03 (8) (f) (3d sentence) The county treasurer shall then pay to each town, city or village treasurer such proportions of the balances due on levies for school and for town, city or village purposes (including special assessments not returned in trust) as the balance of the general taxes and special assessments collected in such town, city or village bears to the total balance then due on all general levies and special assessments, except those referred to in pars. (b), (c) * * * and (d) * * *.

SECTION 69. 74.033 of the statutes is repealed.

SECTION 70. 75.01 (5) of the statutes is repealed.

SECTION 71. 75.03 (2) of the statutes is amended to read:

75.03 (2) The redemption of lands or any interest therein of minors, idiots or insane persons, which they acquired prior or subsequent to the date of sale of the lands and which lands were sold for nonpayment of taxes for 5 or more consecutive years, prior to or after such acquisition, shall be made in the manner provided in s. 75.01 * * *.

SECTION 72. 75.36 (8) of the statutes is amended by substituting "(7)" for "(6)" in the reference to "74.03 (6) (d)".

SECTION 73. 75.521 (12) of the statutes is amended by substituting "section" for "chapter"; and 75.521 (15) and (16) are amended to read:

75.521 (15) This * * * *section* shall become effective April 1, 1948.

(16) After the grace period allowed by the effective date of this * * * *section* as provided by sub. (15), this section shall be retroactive to include all tax sale certificates not outlawed by the statute of limitations, and the rights of any minor, incompetent or nonresident in any tax sale certificate of date prior to * * * *April 1, 1948* shall be governed by the provisions hereof.

SECTION 74. 76.385 of the statutes is repealed.

SECTION 75. 77.03 (last sentence) of the statutes is amended to read:

77.03 (last sentence) The owners * * * by such contract consent that the public may hunt and fish on said lands, subject to such regulations as the conservation commission may from time to time prescribe.

SECTION 76. 77.10 (4th sentence) of the statutes is amended to read:

77.10 (4th sentence) If at any time after 5 years the owner shall make use of the land for anything other than forestry * * * the conservation commission shall issue an order of withdrawal and the owner shall be liable for the tax and penalty provided in sub. (2).

SECTION 77. 80.24 and 80.25 of the statutes are amended by striking out "and (6)" in the reference in each section to "section 83.07 (5) and (6)".

SECTION 78. 85.01 (2a) (last sentence) of the statutes is amended to read:

85.01 (2a) (last sentence) This subsection shall not affect the interchange of trailers permitted under s. 85.05 * * * (5).

SECTION 79. 85.40 (3) (a) of the statutes is amended by substituting "(e)" for "(f)" in the reference to "subsection (1) (c) to (f)".

SECTION 80. 86.34 (1) of the statutes is amended to read:

86.34 (1) When any public highway, street, alley or bridge not on the state trunk highway system is damaged by flood * * *, the county

highway committee, or the governing body of the municipality having jurisdiction over the maintenance thereof, may adopt a petition for aid pursuant to this section and file a certified copy thereof with the state highway commission. To be eligible for aid such petition shall be filed not later than 2 months after the occurrence of the flood damage * * *. All such petitions shall state the dates on which the flood damage occurred and as nearly as practical state the location, nature and extent of the damage.

SECTION 81. 86.34 (2) (3d sentence) of the statutes is amended to read:

86.34 (2) (3d sentence) The amount of aid to be granted shall be the total of such estimates of repair or replacement to standards similar to those previously existing, plus one-half of the estimated increased cost of the reconstruction to a higher type or the improvement of any of the facilities, and less one-fourth of the last annual allotment (preceding the date of the commission's finding) to the county under * * * ss. 83.10 (1) and 20.49 (11) (b), in the case of county trunk highways, or less one-fourth of the last annual allotment to the town, village or city under * * * ss. 86.31 and 20.49 (11) (b), in the case of highways under their jurisdiction.

SECTION 82. 92.04 (1) (a) and (3) of the statutes are amended to read:

92.04 (1) (a) There is established, to serve as an agency of the state, and to perform the functions conferred upon it in this chapter, a state soil conservation committee. The committee * * * *consists* of the following members: The director of agricultural extension, or at his designation the assistant or associate director * * * and the director of the state agricultural experiment station, or at his designation the assistant or associate director * * * *who* shall be ex officio members, and 3 practical farmers to be appointed by the governor for terms of 3 years each * * *. The members of * * * *the* committee shall hold office until their successors are appointed and qualified. The farmer members *only* * * * shall receive \$10 per day for each day necessarily spent in the performance of their duties. All members * * * shall be reimbursed for their actual and necessary expenses, *including traveling expenses*, incurred in the performance of their duties. The committee shall keep a record of its official actions, shall adopt a seal, which seal shall be judicially noticed, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as it * * * *deems* necessary for the execution of its functions under this chapter.

(3) The committee shall designate its chairman and secretary and may from time to time change such designation. A majority of the committee shall constitute a quorum. * * * The committee shall provide for the execution of surety bonds for employes and officers who shall be intrusted with funds or property, the cost of such bonds to be paid for by the committee; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations and orders issued or adopted by it; and may provide for an annual audit of the accounts of receipts and disbursements.

SECTION 83. 94.035 of the statutes is repealed.

SECTION 84. 94.375 of the statutes is renumbered 29.544.

SECTION 85. 94.71 (1) of the statutes is amended by substituting "94.67" for "94.68" in the reference to "94.68 to 94.71".

SECTION 86. 95.10 (7) of the statutes is repealed.

SECTION 87. 95.65 (3) of the statutes is repealed.

SECTION 88. 95.70 (3) of the statutes is repealed; and 95.70 (1) (a), (b) and (c) are renumbered 95.70 (1), (2) and (3) and amended to read:

95.70 LIVE STOCK DEALERS' AND TRUCKERS' LICENSES.

(1) DEFINITIONS. In this * * * section * * *:

(a) "Live stock dealer" means any * * * person engaged in the business of buying or exchanging cattle or swine from or with producers or other dealers for resale and * * * includes cattle sales organizations. * * * "Live stock dealer" * * * does not include the owner or operator of a farm who purchases only to establish, or make necessary additions to, a herd as a part of his usual farming operations and who does not hold himself out as a dealer in cattle or swine, nor * * * does this section apply to the purchase and sale of cattle or swine made under state or federal supervision at any public stockyard or stockyard adjacent to and a part of a meat packing plant.

(b) "Live stock trucker" means any person engaged in the business of transporting cattle or swine for hire by any conveyance whatsoever.

(2) LICENSE REQUIREMENT, FEES. * * * No person shall engage as a live stock dealer or live stock trucker without * * * a license. Each license shall expire June 30 next following its issuance. Application shall be made upon forms provided by the department * * *. An application for a live stock dealer's license shall be accompanied by a fee of \$10. An application for a live stock trucker's license shall be accompanied by a fee of \$1. The license shall bear the name of the licensee and his business address. No dealer or agency or trucker whose license has been revoked may be issued another license within one year of the revocation.

(3) RULES AND REGULATIONS. The department pursuant to s. 93.18 may make reasonable rules and regulations governing conduct of the business of live stock dealers and live stock truckers. * * * It may require persons so engaged to make and preserve records of their business and to make reports thereof to the department.

SECTION 89. 97.035 (4) of the statutes is repealed.

SECTION 90. 97.04 (1) (f) of the statutes is amended to read:

97.04 (1) (f) "Ice cream factory" means any dairy plant in which there is manufactured for commercial purposes any variety of ice cream * * * or other frozen dessert as defined by the department under s. 97.022.

SECTION 91. 97.27 (2) of the statutes is amended to read:

97.27 (2) This section shall not be construed to prohibit the sale of * * * dietary foods containing saccharin in containers * * * in accordance with s. 97.60.

SECTION 92. 97.67 (6) of the statutes is repealed; and 97.67 (1) to (5) are amended to read:

97.67 LINSEED OIL, WHITE LEAD, ZINC OXIDE, TURPENTINE; STANDARDS; SALE. (1) No person * * * shall sell * * * as and for "raw flaxseed oil" or "raw linseed oil" any oil unless * * * it is obtained from the seeds of the flax plant and unless * * * it fulfills all the requirements for linseed oil laid down in the * * * United States Pharmacopoeia; or as and for "boiled linseed oil" or "boiled flaxseed oil" any oil unless * * * it has been prepared by heating pure raw linseed oil with or without the addition of not to exceed 4 per cent of drier to a temperature not less than 225 degrees Fahrenheit. * * * It is a violation of this section if said boiled linseed oil does not conform to the following requirements: First, its specific gravity at 60 degrees Fahrenheit must be not less than 935 thousandths and not greater than 945 thousandths; second, its saponification value (koettstorfer figure) must not be less than 186; third, its iodine

number must not be less than 160; fourth, its acid value must not exceed 10; fifth, the volatile matter expelled at 212 degrees Fahrenheit must not exceed one-half of one per cent; sixth, no mineral or other foreign oil or free rosin shall be present, and the amount of unsaponifiable matter as determined by standard methods shall not exceed two and five-tenths per cent; seventh, the film left after flowing the oil over glass and allowing it to drain in a vertical position must dry free from tackiness in not to exceed 20 hours, at a temperature of about 70 degrees Fahrenheit.

(2) Nor shall any person * * * sell * * * any raw or boiled linseed oil * * * *except* under its true name, and *unless* each tank car, tank, barrel, keg, can or vessel of such oil has distinctly and durably * * * marked thereon * * * in ordinary bold-faced capital letters, not * * * *smaller than 60-point type*, the words, "Pure Linseed Oil—Raw" or "Linseed Oil—Boiled," * * * and the name and address of the manufacturer * * *.

(3) Linseed oil compounds designed to take the place of raw or boiled linseed oil, whether sold * * * under invented proprietary names or titles, or otherwise, shall bear conspicuously upon the containing receptacle in which the same is * * * sold, in ordinary bold-faced capital letters not * * * *smaller than 60-point type*, the word "Compound," followed immediately with the true distinctive names of the actual ingredients in the order of their greater preponderance, in the English language, in plain legible type of the same style, not * * * *smaller than 36-point type*, in continuous list with no intervening matter of any kind and shall also bear the name and address of the manufacturer.

(4) * * * *No person * * * shall sell:*

(a) As and for dry white lead any substance other than basic carbonate of lead or basic sulphate of lead; * * *

(b) As and for white lead in oil, any product other than basic carbonate of lead ground in pure linseed oil or basic sulphate of lead ground in pure linseed oil; * * *

(c) Any basic carbonate of lead ground in linseed oil, unless each * * * receptacle containing * * * *it* has distinctly and durably * * * marked thereon the words, "white lead, basic carbonate, in oil," and the name and address of the manufacturer or jobber * * *;

(d) Any basic sulphate of lead ground in linseed oil, unless each * * * receptacle containing * * * *it* has distinctly and durably * * * marked thereon the words "white lead, basic sulphate, in oil," and the name and address of the manufacturer or jobber * * *;

(e) As and for dry oxide of zinc, or zinc oxide, or zinc white, any substance other than commercially pure oxide of zinc; * * *

(f) As and for oxide of zinc in oil, or zinc oxide in oil, or zinc white in oil, any product other than commercially pure oxide of zinc ground in pure linseed oil; * * *

(g) Any oxide of zinc ground in linseed oil, unless each * * * receptacle * * * containing the same has distinctly and durably * * * marked thereon the words "oxide of zinc in oil * * *" or "zinc oxide in oil * * *" or "zinc white in oil * * *" and the name and address of the manufacturer or jobber * * *.

(5) * * * *No person * * * shall sell:*

(a) As and for turpentine, spirits of turpentine or oil of turpentine, any article except pure oil of turpentine distilled from the natural gum, dip or scrape of pine trees and unmixed with kerosene or other mineral oil or other foreign substance; * * *

(b) As and for wood turpentine or wood spirits of turpentine any article except the distillates and spirits prepared directly from or by the

distillation of the wood of pine trees, and unmixed with kerosene or other mineral oil or other foreign substance; * * *

(c) Any oil of turpentine or wood spirits of turpentine * * * *except* under its true name, and *unless* each tank car, tank, barrel, keg, can or vessel of such oil has distinctly and durably * * * marked thereon * * * in ordinary bold-faced capital letters, not * * * *smaller than 60-point type*, the words "Oil of Turpentine" or "Wood Spirits of Turpentine" * * * and the name and address of the manufacturer or jobber * * *.

SECTION 93. 97.68 of the statutes is repealed.

SECTION 94. 97.69 of the statutes is repealed.

SECTION 95. 97.70 of the statutes is repealed.

SECTION 96. 97.73 (1) of the statutes is amended to read:

97.73 (1) DEFINITION. As used in this section, * * * "antifreeze" includes all substances and preparations intended for use as the cooling medium, or to be added to the cooling liquid, in the cooling system of internal combustion engines in order to prevent freezing of the cooling liquid or to lower its freezing point.

* * *

* * *

SECTION 97. 101.31 (6) (f) and (h) of the statutes are repealed; and 101.31 (6) (i) is amended to read:

101.31 (6) (i) Written or written and oral examinations will be required of every applicant * * * *for registration as an architect or a professional engineer* except an applicant who meets the requirements of par. (b) 3 * * *.

SECTION 98. 101.31 (12) (b), (e) and (j) (3d sentence) are amended to read:

101.31 (12) (b) The registration fee for architects or professional engineers who do not hold a certificate of record as engineer-in-training shall be * * * \$20 * * *, one-half of which shall accompany the application and the other half of which shall be paid upon issuance of the certificate of registration. If the board denies the application, the amount deposited with the application shall be retained by the board as an examination fee.

(e) The registration fee for architects and for professional engineers who hold an unexpired certificate of registration, or similar authority, issued by the proper authority in any country, state or territory outside of this state shall be * * * \$20 * * *, one-half of which shall accompany the application and the other half of which shall be paid upon issuance of the certificate of registration. If the board denies the application, the amount deposited with the application shall be retained by the board as an examination fee.

(j) (3d sentence) Renewal may be effected at any time during the month of July by the payment of a fee of \$10 * * *.

SECTION 99. 103.02 (1) (3d sentence) of the statutes is amended to read:

103.02 (1) (3d sentence) Such investigations, classifications and orders shall be made pursuant to the proceeding in ss. 101.01 to 101.28 which are hereby made a part hereof, so far as not inconsistent with * * * ss. 103.01, 103.02 (1), 103.03 * * * and 103.04, and every order of the commission shall have the same force and effect as the orders issued pursuant to ss. 101.01 to 101.28 and the penalties therein shall apply to and be imposed for any violation of ss. 103.01, 103.02, 103.03 and 103.04.

SECTION 100. 106.01 (11) of the statutes is repealed.

SECTION 101. 110.03, 110.04, 110.05, 110.06 (2) and 110.08 of the statutes are repealed.

SECTION 102. 110.07 (3) of the statutes is repealed; and 110.07 (4) is amended to read:

110.07 (4) Any of the 15 additional traffic officers provided for in sub. (3) of the statutes of 1949 for the biennium 1949-1951 and employed for the biennium 1951-1953 under proper budget authority but not classified as traffic officers and who, on July 1, 1953, are in the state service, shall receive all the benefits of the civil service classification of traffic officers for the biennium 1951-1953.

SECTION 103. 110.16 (1) of the statutes is repealed; and 110.16 (2) is amended to read:

110.16 (2) The *motor vehicle* department shall superintend and enforce the collection of all license fees required to be paid to the state under ch. 129, or under any act relating to truckers, hawkers, peddlers, transient merchants or showmen.

SECTION 104. 111.16 of the statutes is repealed.

SECTION 105. 114.20 (5) of the statutes is amended to read:

114.20 (5) This section shall not apply to aircraft included within the provisions of s. 76.02 * * * (5a).

SECTION 106. 118.61 of the statutes is amended by substituting "chs. 116 to 118" for "this act".

SECTION 107. 119.35 (5) of the statutes is amended by substituting "chapter" for "act".

SECTION 108. 122.01 (3) of the statutes is amended by substituting "chapter" for "act."

SECTION 109. 125.03 (1) of the statutes is amended to read:

125.03 (1) There is created a * * * "Wisconsin board of examiners in watchmaking" whose duties it shall be to carry out the provisions of ss. 125.01 to 125.09 and to promote the education and training of watchmakers. * * * The board shall consist of 5 members, appointed by the governor * * *. All persons so appointed shall have been residents of this state and actually engaged in watchmaking, as defined in s. 125.01, for at least 5 years immediately preceding the time of their appointment. Each member of * * * the board shall hold office for 5 years and until his successor shall be appointed and qualifies * * *. Each * * * member of the board, before entering upon * * * his duties, shall * * * take and file the official oath. The board shall have a common seal.

SECTION 110. 126.80 of the statutes is repealed.

SECTION 111. 139.50 (23a) of the statutes is repealed.

SECTION 112. 140.06 of the statutes is repealed.

SECTION 113. 140.07 (1) (last 2 sentences) of the statutes are repealed.

SECTION 114. 140.07 (4) (f) of the statutes is amended to read:

140.07 (4) (f) Promote efficient registration of marriages, births, * * * fetal deaths and deaths.

SECTION 115. 145.03 (1) of the statutes is amended by deleting the words "within 30 days after the taking effect of this chapter".

SECTION 116. 145.07 (1) of the statutes is repealed; and 145.07 (2) and (3) are renumbered 145.07 (1) and (2).

SECTION 117. 146.12 (14) and (15) of the statutes are repealed.

SECTION 118. 146.20 and 146.21 of the statutes are renumbered 151.10 and 151.11; and 146.22 is renumbered 151.12 and is amended by substituting "151.10 or 151.11" for the reference to "146.20 or 146.21".

SECTION 119. 146.30 (1) (d) of the statutes is repealed; and 146.30 (4) is amended to read:

146.30 (4) The board is empowered to register, license, inspect and regulate nursing homes as provided in this section * * *.

SECTION 120. 147.23 (2) (3d sentence) and (5) of the statutes are repealed.

SECTION 121. 149.01 (1) (b) of the statutes is repealed.

SECTION 122. 149.015 of the statutes is amended to read:

149.015 The state department of nurses shall consist of the director of nursing education and department employes. The department shall be provided with office rooms and with necessary furniture, stationery, blanks, books, periodicals, printing, and other supplies * * *.

SECTION 123. 149.03 (last sentence) of the statutes is repealed.

SECTION 124. 149.041 of the statutes is amended to read:

149.041 The board shall appoint a committee of examiners for trained practical nurses to consist of one registered nurse, 3 licensed trained practical nurses, one faculty member of an accredited school for practical nurses who is a registered nurse, the director of the department who shall act as secretary, and a person licensed to practice medicine and surgery in this state. With the exception of the director, none of those appointed shall be members of the committee of examiners for nurses created under s. 149.03. * * * Each term shall be for 3 years and until a successor has been appointed and qualified. Committee members shall be reimbursed for the actual and necessary expenses and shall receive \$8 for each day engaged.

SECTION 125. 151.05 (2) of the statutes is amended to read:

151.05 (2) * * * Each member and officer of the board * * * shall investigate and institute actions for violations of this chapter, * * * ch. 161 * * * and * * * s. 351.235 and the district attorney shall promptly prosecute upon notice from any source.

SECTION 126. 152.02 (1) (3d sentence) of the statutes is amended by substituting "chapter" for "act" in the phrase "within the meaning of this act".

SECTION 127. 153.05 (1m) of the statutes is repealed.

SECTION 128. 176.05 (1b) of the statutes is amended to read:

176.05 (1b) The restrictions and limitations imposed in subs. (3), (9) and (13) * * * shall apply to manufacturers, *wholesalers* and rectifiers and the permits issued by the commissioner of taxation.

SECTION 129. 176.90 (9) of the statutes is amended to read:

176.90 (9) A written record shall be kept by every officer and district attorney of reports made by or to him under sub. (2). On the first day of * * * *January, April, July and October in each year* each district attorney * * * shall report in writing to the governor the name, address and office, if any, of each person who has reported to him knowledge of

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gambling devices under * * * sub. (2). He shall also set out the disposition of such reports * * *, the status of all cases instituted thereon * * * and the status of cases not shown by any prior report to be finally determined.

SECTION 130. 182.31 (2), (4) and (5), 182.32, 182.33 (4) (a) and (7), 182.34 (2), (5), (6), (8), (9) and (10), 182.35 (1), 182.38, 182.46 and 182.48 of the statutes are amended by substituting "ss. 182.30 to 182.48" for "this act" wherever those words occur.

SECTION 131. 182.41 of the statutes is amended by substituting "ss. 182.30 to 182.48" for "this chapter".

SECTION 132. 185.26 (1) (1st sentence) of the statutes is amended to read:

185.26 (1) (1st sentence) No sickness care plan or contract issued thereunder by such co-operative association shall interfere with the manner or mode of the practice of medicine or dentistry, the relationship of physician or dentist and patient, nor the responsibility of physician or dentist to patient.

SECTION 133. 189.18 (7) of the statutes is amended to read:

189.18 (7) Except as otherwise provided in this section or * * * s. 189.11 * * * this chapter shall not be construed to create any new civil liabilities or to impair or limit any rights or remedies existing at common law or under any other chapter * * * for misrepresentation, fraud or other actionable conduct in the sale of securities in this state.

SECTION 134. 189.32 and 189.33 of the statutes are repealed.

SECTION 135. 194.04 (5a) of the statutes is created to read:

194.04 (5a) COLLECTION OF FEES. The motor vehicle department shall collect all fees prescribed by this section except filing fees, which shall be collected by the public service commission.

SECTION 136. 194.37 (2) and (4) of the statutes are repealed; and 194.37 (1) is amended to read:

194.37 (1) * * * The commissioner of the motor vehicle department shall * * * enforce the orders of the *public service commission relating to the provisions of this chapter*.

SECTION 137. 194.51 (last sentence) of the statutes is repealed.

SECTION 138. 197.10 (4) of the statutes is amended by deleting the reference to "195.08 (6)".

SECTION 139. 198.12 (3) of the statutes is amended to read:

198.12 (3) SUBJECT TO WORKMEN'S COMPENSATION ACT. From the time when any district shall first operate any utility, it shall be held to be an employer, subject to * * * *ch. 102*.

SECTION 140. 200.01 (3) of the statutes is repealed.

SECTION 141. 201.53 (5) of the statutes is amended to read:

201.53 (5) Any agent may pay the whole or any part of his commission to * * * an insurance agent for writing the kind of insurance for which such commissions are paid * * * or a nonresident insurance agent licensed to transact business in this state * * *. Except as aforesaid, no agent shall pay any part of his commission to any person.

SECTION 142. 202.01 (2) (b) of the statutes is repealed.

SECTION 143. 202.22 of the statutes is repealed.

SECTION 144. 203.32 (4) (i) (last 2 sentences) are repealed.

SECTION 145. 203.32 (15) (a) of the statutes is amended to read:

203.32 (15) (a) Any person * * * who * * * *violates* any * * * *provision* of this section shall be * * * *fined* not more than \$50 for each such violation, but if such violation is held to be wilful, such person * * * shall be * * * *fined* not less than \$50 nor more than \$500.

SECTION 146. 215.50 (7) of the statutes is repealed.

SECTION 147. 218.02 (2) (a) of the statutes is amended to read:

218.02 (2) (a) Each adjustment service company, within 30 days of * * * the beginning of such business * * *, shall apply to the commissioner of banks for a license to engage in such business. Application for a separate license for each office of a company to be operated under * * * this section shall be made to the commissioner in writing, under oath, in a form to be prescribed by the commissioner. The commissioner may issue more than one license to the same licensee.

SECTION 148. 220.02 (3) and (4), 220.04 (6) (a), (b) and (c), the title to chapter 222, 222.01 (intro. par.), (1) and (5), 222.02 (intro. par.), 222.021, 222.022, 222.023 and 222.12 (5) of the statutes are amended by substituting "mutual savings bank" or "mutual savings banks" for "savings bank" or "savings banks" wherever those terms occur.

SECTION 149. 220.02 (5) of the statutes is repealed.

SECTION 150. 220.023 (2) and (3) of the statutes are repealed; and 220.023 (1) is renumbered 220.023.

SECTION 151. 220.192 (2) of the statutes is repealed and 220.192 (1) is renumbered 220.192.

SECTION 152. 220.25 (3a) of the statutes is repealed.

SECTION 153. 221.121 of the statutes is repealed.

SECTION 154. 221.54 of the statutes is repealed.

SECTION 155. 222.025 of the statutes is repealed.

SECTION 156. 224.01 of the statutes is amended to read:

224.01 DEFINITIONS. *As used in chs. 220 to 224:*

(1) *Unless the context requires otherwise, the term "bank" * * * means any * * * banking institution * * * incorporated under the laws of this state * * *.*

(2) *The term "mutual savings bank" * * * means any corporation organized pursuant to the * * * laws of this state for the organization of savings banks and savings societies * * *.*

(3) *The term "lawful money" * * * means all * * * forms of money issued by * * * or under the authority of the United States as a circulating medium, and * * * includes any form of certificate * * * declared to be lawful money by any law of the United States.*

SECTION 157. 224.04 of the statutes is repealed.

SECTION 158. 241.10 (5) and (6) of the statutes are repealed.

SECTION 159. 247.22 (5) of the statutes is repealed.

SECTION 160. 281.30 (3) of the statutes is amended to read:

281.30 (3) The court may enter a judgment releasing said area from the effect of any restrictive deed provision, restrictive covenant or agreement contained whether the same appears in the deed to the area or

block involved or in the deed to other lands or lots. No costs shall be allowed or taxed against the defendants in such action.

SECTION 161. 304.21 (6) of the statutes is repealed.

SECTION 162. 313.03 (7) of the statutes is amended to read:

313.03 (7) Nothing in this chapter shall impede the summary procedure provided by s. 311.05, *311.055 or 319.32 (1)* for * * * *closing* small estates.

SECTION 163. 330.19 (9) of the statutes is amended to read:

330.19 (9) An action upon a claim, whether arising on contract or otherwise, against a decedent or against his estate, unless probate of his estate in this state shall have been commenced within 6 years after his death. * * *

Approved March 16, 1955.