

CHAPTER 699

AN ACT to repeal, amend, repeal and recreate and reenact various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting and clarifying references, reconciling conflicts and repelling unintended repeals.

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

SECTION 1. 20.460 (1) (last sentence) of the statutes, as repealed and recreated by chapter 259 (Bill 77, A), Laws 1957, is amended to read:

20.460 (1) (last sentence) The commissioner of insurance shall bill for the costs of administering said funds, including payments for retirement * * *, social security and group life insurance contributions made pursuant to ss. 20.551 (9) * * *, (11), (14) and (15) in accordance with proper cost records maintained by said commissioner.

SECTION 2. 20.460 (71) and (72) of the statutes, as amended by chapter 512 (Bill 385, S), Laws 1957, are repealed, and 20.460 (71) and (72) of the statutes, as repealed and recreated by chapter 259 (Bill 77, A), Laws 1957 are reenacted.

SECTION 3. 30.05 (5) of the statutes is amended to read:

30.05 (5) SPECIAL ASSESSMENT. After the adoption of such plans, specifications and assessment district, the board of public works in cities having such a board, and where no such board exists, the officers performing the duties of such board, the county board of the county, supervisors of the town or village trustees, shall in the same manner and with like effect proceed to assess benefits and damages upon property in the assessment district as provided in * * * s. 66.60.

SECTION 4. 40.08 (1) (third sentence) of the statutes is amended to read:

40.08 (1) (third sentence) Notwithstanding the provisions of s. * * * 40.025 (4), orders by the county school committee issued under this subsection shall take effect upon being filed * * * as provided in s. 40.025

SECTION 5. 40.08 (3) (a) of the statutes is amended to read:

40.08 (3) (a) * * * Section 40.03 (6) * * * shall not apply to orders issued by the county school committees pursuant to this section.

SECTION 6. 40.53 (8) of the statutes, as amended by chapter 514, Laws 1957 (Bill 498, A) is amended to read:

40.53 (8) The location and extent of all public school bus routes for the transportation of pupils shall be determined by the school board of the district or the municipal board operating such routes * * * but no public high school bus route on which nonresident pupils are transported, shall be put into operation until a certificate of approval has been obtained from both the county school committee and the state superintendent and no state aids shall be granted any district or municipality which operates public high school bus routes not so approved. In case of disagreements on approval of bus routes the decision of the state superintendent shall control. Public school bus routes shall be established in such manner that transportation will be provided all students residing 2 miles or more from the nearest public school they are eligible to attend in the case of pupils

residing in the district and in the case of nonresident high school students living 2 miles or more from the school and in the area served by the approved bus route of that school, except for those students for whom board and lodging is provided. Upon receipt of a signed order from the state superintendent, the board shall discontinue any route specified by him.

SECTION 7. 40.87 (1) of the statutes is amended by substituting "40.025 (3)" for the reference to "40.065".

SECTION 8. 49.08 (1) (last sentence) of the statutes is amended to read:

49.08 (1) (last sentence) This section shall not apply to any person who * * * receives care for pulmonary tuberculosis as provided in * * * s. 50.04.

SECTION 9. 49.10 (4) of the statutes, as amended by chapters 155, 496 and 560, Laws 1957, is repealed and recreated to read:

49.10 (4) Every person (except as otherwise provided in this section) who continuously resides in any municipality one whole year without receipt of aid under this chapter gains a legal settlement therein; and every person who continuously resides in a county for one year without receipt of such aid who has not acquired legal settlement in a municipality acquires legal settlement in such county. Time spent by a person in any municipality while supported therein as a dependent person or while residing in a transient camp or while employed on any municipal, county, state or federal work relief project or program or as an inmate of any home, asylum or institution for the care of aged, neglected or dependent persons, maintained by any lodge, society or corporation, or of any state or United States institution for the care of veterans of the military and naval services, or while residing or while employed on any Indian reservation over which the state has no jurisdiction, shall not be included as part of the year necessary to acquire or lose a settlement. No legal settlement shall be lost, acquired or changed while a person is supported in whole or in part in any institution or foster home as a public charge or while residing in a licensed nursing home. The time spent by any person while residing on lands owned, operated or controlled by another municipality shall not be included as part of the year necessary to acquire a legal settlement in the town, city or village wherein such lands are located, but shall be included as part of the year necessary to acquire a legal settlement in such other municipality.

SECTION 10. 60.63 (6) of the statutes is amended by substituting "s. 66.60" for the reference to "section 62.16 of the statutes."

SECTION 11. 60.65 (1), (5) and (6) of the statutes are amended by substituting "s. 66.615" for the phrase "the provisions of section 61.43", and (6) is further amended by substituting "s. 66.615 (5)" for the words "the provisions of subsection (5) of said section."

SECTION 12. 66.068 (4) of the statutes is amended by deleting the words "notwithstanding the provisions of section 62.19."

SECTION 13. 66.29 (2) of the statutes, as amended by chapters 319, 346 and 560, Laws 1957, is repealed and recreated to read:

66.29 (2) Every municipality, board or public body upon all contracts subject to this section may, before delivering any form for bid proposals, plans and specifications pertaining thereto to any person, excepting materialmen, suppliers and others not intending to submit a direct bid, require such person to submit a full and complete statement sworn to before an

officer authorized by law to administer oaths, of financial ability, equipment, experience in the work prescribed in said public contract, and of such other matters as the municipality, board, public body or officer thereof may require for the protection and welfare of the public in the performance of any public contract; such statement shall be in writing on a standard form of a questionnaire as adopted for such use by the municipality, board or public body or officer thereof, to be furnished by such municipality, board, public body or officer thereof. Such statement shall be filed in the manner and place designated by the municipality, board, public body or such officer thereof. Such statements shall not be received less than 5 days prior to the time set for opening of bids. The contents of said statements shall be confidential and shall not be disclosed except upon the written order of such person furnishing the same, or for necessary use by the public body in qualifying such person, or in cases of action against, or by such person or municipality. The governing body of the municipality or such committee, board or employe as is charged with the duty of receiving bids and awarding contracts or to whom the governing body has delegated the power shall properly evaluate the sworn statements filed relative to financial ability, equipment and experience in the work prescribed and shall find the maker of such statement either qualified or unqualified. This subsection shall not apply to cities of the first class.

SECTION 14. 75.07 of the statutes is amended to read:

75.07 (1) Each county treasurer shall, at least 6 and not more than 10 months before the expiration of the time limited for redeeming lands sold as aforesaid, cause to be published once a week for 2 successive weeks in a newspaper printed in the county in which said lands are located, a list of all unredeemed lands, specifying each tract or lot, the name of the person to whom assessed, if to any, and the amount of taxes, charges and interest, calculated to the last day of redemption, due on each parcel, together with a notice that unless such lands be redeemed on or before the day limited therefor, specifying the same, they will be conveyed to the purchaser; but it shall not be lawful for any such treasurer to publish any such list and notice in any newspaper in which the county treasurer is prohibited from publishing the * * * notice he is required by s. 74.33 to cause to be published. The county treasurer, for the purpose of such list, may condense such descriptions when such condensed description will reasonably describe the premises.

(2) Before publishing such list such treasurer shall carefully compare * * * *the same with his record of lands * * * on which the taxes have been returned as delinquent* and with such treasurer's list of the same lands in his book of sales, and if upon such examination there be found any omission or erroneous description in said list, such parcel of land in the description of which the omission or error shall occur shall not be advertised for redemption, but he shall cancel the certificate of sale of said parcel and shall readvertise and sell the same at the next ensuing sale of land for unpaid taxes; provided, however, that if the number of the descriptions in the lists of lands to be advertised for redemption by the county treasurer shall exceed three thousand, he shall then let by contract the publication of such list to the lowest bidder upon a notice, written or printed, to be delivered to and left with the publisher or one of the publishers of each newspaper printed as aforesaid, at least 10 days prior to the time at which such contract shall be let; and any county treasurer who shall wilfully refuse or neglect to perform any duty required by this section or who shall keep back and not report any unredeemed lands for the purpose of evading its provisions shall forfeit the full amount of the penalty of his official bond, one-half of which, when collected, shall be paid to the person prosecuting therefor and the residue into the treasury

of the county for the use of the school fund; provided further, that no county treasurer shall be liable to any penalty for causing such publication to be made in a weekly newspaper published in such county for the length of time hereinbefore named prior to the date of his notice, when by reason of accident or other cause more than one week has intervened between the dates of the actual issue of such newspaper to subscribers, if such delay at any one time shall not have exceeded 3 days; but every such newspaper, for the purpose of this section shall be deemed to have been regularly published once in each week as hereinbefore provided.

SECTION 15. 75.14 (2) of the statutes is amended to read:

75.14 (2) The county clerk shall not issue a deed of any parcel of land until by carefully comparing * * * the advertised list of the same for redemption with the treasurer's list of said lands in his book of sales he shall find that the description of such parcel of land so to be conveyed has been correctly and fully published, * * * in such advertised list of * * * redemptions; and if upon such examination the county clerk shall find any error or omission in any such advertised description he shall enter opposite the description of said land in his book of sales a statement of the fact of such error or omission * * *. *If the description of said land in the book of sales is in error, the county board shall cause such certificate to be canceled and direct the county treasurer to correct the description thereof and resell the same at the next ensuing sale of lands for unpaid taxes. If the error or omission is in only the advertised list of redemptions, the county treasurer shall correct and readvertise the same for redemption in the next such publication and the period of redemption shall be extended thereby an additional year.*

SECTION 16. 75.61 (1) (first sentence) of the statutes is amended to read:

75.61 TAX SALES. (1) ONE YEAR LIMITATION. Every action enumerated in * * * ss. 75.57 (Stats. 1955) and 66.635, and every action or proceeding to set aside any sale of lands for the nonpayment of taxes, or to cancel any tax certificate, or to restrain the issuing of any tax certificate, or tax deed, for any error or defect going to the validity of the assessment, and affecting the groundwork of such tax, or on account of any void or defective special assessment, shall be commenced within one year from the date of such tax sale, and not thereafter.

SECTION 17. 269.80 (3) of the statutes, as amended by chapter 48, Laws 1957, is amended by substituting "s. 319.04 (2)" for the reference to "s. 319.02 (5)."'

SECTION 18. 313.03 (7) of the statutes is amended to read:

313.03 (7) SUMMARY CLOSING OF PROBATE. Nothing in this chapter shall impede the summary procedure provided by s. 311.05 * * * or * * * 319.28 for closing small estates.

SECTION 19. 319.33 (10) (a) of the statutes as renumbered from 319.50 (10) (a) by chapter 468, Laws 1957, is amended to read:

319.33 (10) PETITIONS AND ACCOUNTS, NOTICES AND HEARINGS. (a) Every guardian shall file his accounts as required by ch. 319 and shall be excused from filing accounts in the case as provided by s. * * * 319.25 (3).

SECTION 20. 319.33 (12) of the statutes as renumbered from 319.50 (12) by chapter 468, Laws 1957, is amended to read:

319.33 (12) COMPENSATION OF GUARDIANS. Guardians shall be compensated as provided in s. * * * 319.24 (1).

Approved November 13, 1957.