

CHAPTER 218

AN ACT to repeal, renumber, amend various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary and obsolete provisions and reconciling conflicts.

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

SECTION 1. 13.38 of the statutes is repealed.

SECTION 2. 13.46 of the statutes is repealed.

SECTION 3. 16.27 (1) of the statutes is amended to read:

16.27 (1) Neither the director of *finance* nor other fiscal officer of this state shall draw, sign or issue, or authorize the drawing, signing or issuing of any warrant on the treasurer or other disbursing officer of the state to pay any salary or compensation to any person in the service of the state unless an estimate, payroll or account for such salary or compensation, containing the names of every person to be paid, ~~shall bear~~ bears the certificate of the director of *personnel* that the persons named in such estimate, payroll, or account have been appointed, employed, reinstated or promoted as required by law and the rules established thereunder and that the salary or compensation is within the salary ranges fixed pursuant to s. 16.105.

SECTION 4. 20.930 (1) (a) (lines 9, 10, 11, 42 and 45) of the statutes are repealed.

SECTION 5. 20.959 of the statutes is renumbered 16.525.

SECTION 6. 53.18 (2) of the statutes is amended to read:

53.18 (2) Inmates of the Milwaukee county house of correction may be transferred to a state prison. If any county discontinues its ~~workhouse~~ ~~or~~ house of correction, inmates at the time of such discontinuance may be transferred to the state prison or to the county jail of the county as the commitment ~~may indicate~~ indicates.

SECTION 7. 66.058 (3) (c) (intro. par.) of the statutes is amended to read:

66.058 (3) (c) (intro. par.) In addition to the license fee provided for in pars. (a) and (b), each licensee ~~is required to~~ shall collect from each occupied mobile home occupying space or lots in his mobile *home* park in the city, town or village a monthly parking permit fee equal to actual cost of services furnished by the school district, which cost shall be determined by the school district administrator having jurisdiction and the cost of the municipal services which shall be determined by the governing body of the city, town or village and in both cases charged to the park every year payable monthly for maintenance, debt retirement, operation of schools and general administrative costs including, without limitation because of specific enumeration herein the following: fire protection, police protection, sewage disposal, garbage collection, and health services, in lieu of personal property tax. The amount of such parking permit fee that may be levied against each mobile home park shall be determined after a

public hearing as hereinafter provided. The monthly parking permit fee shall be paid by the licensee on or before the 10th of the month following the month for which such parking permit fee is due. ~~The licensee of a mobile home park or trailer camp shall not be required to collect~~ *No such fee shall be imposed* for any space occupied by a mobile home accompanied by an automobile, if said mobile home and automobile bear license plates issued by any other than this state, for an accumulating period not to exceed 60 days in any 12 months or if the occupants of the mobile home are nonresident tourists or vacationists. Exemption certificates in duplicate shall be accepted by the treasurer of the licensing authority from qualified nonresident tourists or vacationists in lieu of permit fees. When one or more persons occupying a mobile home are employed in this state, there shall be no exemption from the monthly parking permit fee.

SECTION 8. 66.9025 (7) of the statutes is amended to read:

66.9025 (7) Except as provided in this section all provisions of ss. 66.901 to 66.918 shall be applicable to national guard technicians with the exception of s. 66.901 (4) (a) ~~and (b)~~. For the purposes of these sections the adjutant general shall be the governing body for national guard technicians, *and shall be treated as a participating municipality, notwithstanding provisions of the s. 66.901 (2).*

SECTION 9. 66.909 (7) of the statutes, as renumbered from 66.909 (1) (dd) by Chapter 33, laws of 1965, is amended to read:

66.909 (7) A participant or annuitant may elect by written notice to the board that a death benefit payable to a minor beneficiary shall be paid pursuant to sub. ~~(5)~~ (6).

SECTION 10. 67.01 (7) of the statutes is repealed.

SECTION 11. 67.03 (1) (intro. par.) of the statutes is amended to read:

67.03 (1) (intro. par.) Except as provided in s. 67.01 ~~(7)~~ and (8), municipalities may borrow money and issue municipal obligations therefor only for the purposes and by the procedure specified in this chapter. The aggregate amount of indebtedness, including existing indebtedness, of any municipality shall not exceed 5% of the value of the taxable property located therein as equalized for state purposes except as follows:

SECTION 12. 67.05 (6a) (f) of the statutes is repealed.

SECTION 13. 67.05 (6b) (a) of the statutes is amended to read:

67.05 (6b) (a) Subsection (6a) (b), *and (e)* ~~and (f)~~ shall apply.

SECTION 14. 67.11 (6) of the statutes is repealed.

SECTION 15. 71.05 (16) (i) of the statutes is repealed.

SECTION 16. 71.05 (17) (d) 5 and 6 of the statutes are amended to read:

71.05 (17) (d) 5. In the case of an estate, any amount apportioned to an heir, legatee or devisee under sub. (16) ~~(g)~~ (h) shall not be taken into account in applying par. (b) ~~of this subsection~~ to "property to which this subsection applies" of such heir, legatee or devisee not held by such estate.

6. In applying sub. (16) ~~(f)~~ (g) the adjustment under s. 71.03 (1) (g) resulting by reason of an election made under this subsection with respect to any "property to which this subsection applies" shall be made before any other deduction allowed by sub. (16) (a) is computed.

SECTION 17. 72.01 (9) of the statutes is amended to read:

72.01 (9) Personal property of a nonresident decedent made taxable under this chapter, except tangible personal property having an actual situs in this state, shall not be subject to the tax so imposed if a like exemption was allowed at the time of death of such decedent by the laws of the state, territory or district of the decedent's residence in favor of residents of this state, ~~provided that~~ *but this section subsection shall not apply unless a tax is imposed on the transfer of said property by the laws of the state, territory or district of residence.*

SECTION 18. 108.16 (14) of the statutes, as created by Chapter 1, laws of 1965, is repealed.

SECTION 18m. 139.34 (5) of the statutes, as created by chapter 67, laws of 1965, is amended to read:

139.34 (5) The ownership and operation of a retail outlet shall not preclude a person from receiving a permit as a distributor or jobber. ~~At least 75 per cent of his sales of cigarettes shall be at wholesale to other retailers or other permittees. Each such permittee shall maintain and operate a truck delivery service to retailers. No permit shall be issued to a person who owns or operates such a retail outlet unless a substantial part of his sales of cigarettes are at wholesale.~~

SECTION 18n. 139.38 (2) of the statutes, as created by chapter 67, laws of 1965, is amended to read:

139.38 (2) Every permittee shall *render a true and correct invoice of every sale of cigarettes at wholesale and shall on or before the 15th day of each calendar month make a verified report to the commissioner of all cigarettes purchased, sold, received, warehoused or withdrawn during the preceding calendar month.*

SECTION 19. 201.74 (1) (c) of the statutes is amended to read:

201.74 (1) (c) A certificate from the secretary of state, ~~in the event it be if it is~~ a nonprofit corporation, that it has complied with the corporation laws of this state; ~~in the event that it be if it is~~ a corporation the stock of which has been or is being sold to the general public, a certificate from the ~~public service commission~~ *department of securities* that it has complied with the requirements of the securities law of this state.

SECTION 20. 204.46 (2) of the statutes is amended to read:

204.46 (2) Every advisory organization shall file with the commissioner (a) a copy of its constitution, its articles ~~of~~ agreement or association or its certificate of incorporation and of its bylaws, rules and regulations governing its activities, (b) a list of its members, (c) the name and address of a resident of this state upon whom notices or orders of the commissioner or process issued at his direction may be served, and (d) an agreement that the commissioner may examine such advisory organization in accordance with ~~the provisions of s. 204.48.~~ *Every advisory organization shall pay the fees required by s. 200.13.*

Approved August 18, 1965.