

Senate Bill 665

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Chapter 625

AN ACT to repeal, renumber, amend, repeal and recreate, reenact, create and revise various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of departments and officers, correcting references, renumbering for better location and arrangement, eliminating unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals.

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

SECTION 1. 6.22 (2) (a) (last sentence) of the statutes is amended to read:

6.22 (2) (a) (last sentence) The fee for such publication shall be paid for by the square calculated as provided in s. 985.08.

SECTION 2. 20.125 (9) (a) of the statutes, as created by chapter 404, laws of 1965, is amended to read:

20.125 (9) (a) ~~On July 1, 1965, \$3,000~~ *Biennially, the amount in the schedule* to the joint study committee on civil service to carry out the provisions of s. 14.73.

SECTION 3. 20.140 (1) (g), as repealed and recreated by chapter 163, laws of 1965, and 20.140 (41), as amended by chapter 421, laws of 1965, of the statutes are consolidated, revised and renumbered to read:

20.140 (1) (g) *Related services.* All moneys received from such service fees as are authorized by law for the conduct of related services, including receipts for the testing and analysis of seed under s. 94.46.

SECTION 4. 20.140 (3) (c) of the statutes is repealed.

SECTION 5. 20.460 (1) (i), as revised by chapter 163, laws 1965, and 20.460 (44), as amended by chapter 461, laws of 1965, of the statutes are consolidated, revised and renumbered to read:

20.460 (1) (i) All moneys received under s. 200.13 (16m) for the preparation, printing and distribution of agents' qualification training manuals and the administration of the agents' licensing program and for the expenses of the insurance agents advisory board and the administration of s. 209.039.

SECTION 6. 20.558 of the statutes, as created by chapter 288, laws of 1965, is amended to read:

20.558 There is appropriated to the Mississippi river parkway planning ~~commission~~ *committee* for the following program:

(1) (a) The amounts in the schedule to pay the annual membership dues for the ~~commission~~ *committee* to the Mississippi river parkway ~~commission~~ *committee*, an interstate tourism promotional organization.

SECTION 7. 20.560 (9) (w) of the statutes, as created by chapter 232 and renumbered and amended by chapter 499, laws of 1965, is amended to read:

20.560 (9) (w) On January 1, 1966, and annually beginning July 1, 1966, 40 cents of each fee under ss. 341.25 (1) (a) and (2) (intro. par.) and 341.26 (3) (a) and (g), to be allocated to supplement the appropriations under subs. (2) ~~(w)~~ *(u)* and (3) ~~(am)~~ *(u)* in the ratio and on the dates determined necessary by the department with the concurrent approval of the commissioner of administration. The expenses of the governor's council on traffic law enforcement shall be charged to the appropriation made by this subsection.

SECTION 8. 20.650 (2) (c), as repealed and recreated by chapter 163, laws of 1965, and 20.650 (14), as amended by chapter 514, laws of 1965, of the statutes are consolidated, revised and renumbered to read:

20.650 (2) (c) The amounts in the schedule for payment of the legal tuition of children in foster homes attending school under s. 40.655 (1) (b).

SECTION 9. 27.012 (4) (c) of the statutes, as repealed and recreated by chapter 424, laws of 1965, is amended to read:

27.012 (4) (c) The director may waive ~~the provisions of sub. (3)~~ ~~(a)~~ *(b)* 7 in an emergency in which objects of archaeological interest are found in the course of construction or demolition work, or in other situations in which time is of the essence to save objects or gather data.

SECTION 10. 35.85 (2) (b) of the statutes, as created by chapter 455, laws of 1965, is amended to read:

35.85 (2) (b) Of every governor's message to the legislature and of every public document or circular printed at the expense of this state including, without limitation because of enumeration, the operating reports of the several departments and agencies of state government and reports publishing the results of studies by state departments and agencies, to every depository library under s. 43.14 the number of copies designated by the ~~Wisconsin library commission~~ *superintendent of public instruction*.

SECTION 11. 35.85 (6) of the statutes, as amended by chapter 455, laws of 1965, is amended to read:

35.85 (6) The ~~Wisconsin library commission~~ *superintendent of public instruction* shall receive for ~~its~~ *his* own use one copy of each document distributed under sub. (2) (b) and shall file with the director lists of public documents to be distributed to libraries designated as depositories of public documents under s. 43.14.

SECTION 12. 35.91 (1) of the statutes, as amended by chapter 249, laws of 1965, is amended by substituting "20.530 (3)" for the reference to "20.530 (24)".

SECTION 13. 39.023 (1) (a) and (2) of the statutes are amended to read:

39.023 (1) (a) Five members shall be nominated by the co-ordinating committee ~~on~~ *for* higher education from the membership of such committee who shall represent the state institutions of higher ~~learning~~ *education*.

(2) The commission shall annually select a chairman and a secretary from its membership. The ~~committee~~ *commission* shall hold meetings at the call of the chairman at such time and place as the chairman determines. Special meetings may be called at the request of a majority of the ~~committee~~ *commission*. Members of the ~~committee~~ *commission* shall be compensated for their actual and necessary expenses.

SECTION 14. 40.025 (1) (c) of the statutes is amended to read:

40.025 (1) (c) Jurisdiction, when acquired as prescribed in ~~para. (a) and (b)~~, continues until the reorganization authority disposes of the matter before it, unless lost as provided in par. (d). When the making of a reorganization order is pending before a reorganization authority or such order has been made, any other reorganization proceeding or order made by that or any other reorganization authority, after jurisdiction has been acquired as provided in par. (a) ~~or (b)~~ and prior to the going into effect of an order made and filed pursuant thereto, pertaining to all or any part of the territory included in the order, is void.

SECTION 15. The amendment to 40.025 (2) (a) of the statutes by chapter 252, laws of 1965, is not repealed by chapter 388, laws of 1965. Both amendments stand.

SECTION 16. 40.08 (3) (b) of the statutes, as amended by chapter 388, laws of 1965, is amended to read:

40.08 (3) (b) If an order issued by the agency school committee ~~or by municipal boards~~ pursuant to this section is voided by a circuit court the nonoperating district designated in the order of the court shall arrange for the attendance of its pupils in the elementary grades of some other district or districts on a nonresident tuition basis and provide transportation to and from such school by the methods provided in s. 40.53

for all of its pupils who reside 2 miles or more from the school of such other district or districts that they attend, and may use such funds on hand as have been raised or appropriated for operation and maintenance or levy taxes to pay for such tuition and transportation, until a valid order has been issued. The agency school committee shall in such cases issue new orders within the succeeding year.

SECTION 17. 40.09 (2) (a) (last sentence) of the statutes, as amended by chapter 19, laws of 1965, is amended to read:

40.09 (2) (a) (last sentence) The elected candidate shall file statements of acceptance of office with the secretary of the ~~county~~ *agency* school committee of the ~~counties~~ *school district* concerned within 5 days after the election.

SECTION 18. 40.095 (2) of the statutes, as amended by chapter 388, laws of 1965, is amended to read:

40.095 (2) Except as to school districts organized under ch. 38, the agency school committee may, under s. 40.13, create or alter a unified school district for the operation of public schools in any territory containing more than 1,000 electors and containing a village or villages, a village or villages and surrounding territory, a city, a city or cities and surrounding territory, a city and village or villages, a city and village or villages and surrounding territory, or any territory containing not less than 1,000 electors. Section 40.807 (4a) is applicable to this section but other provisions of s. 40.807 shall not be applicable to unified school districts created pursuant to this subsection. All orders affecting unified school districts shall be made effective as provided in s. 40.025 (4). Failure of an agency school committee to *make an order* under this ~~section~~ *subsection* shall not be subject to s. 40.13 (3) and (4).

SECTION 19. 40.26 (5) of the statutes, as amended by chapter 388, laws of 1965, is amended to read:

40.26 (5) If the ~~municipal board or boards~~ *agency school committee* is satisfied that the territory comprising a newly created school district contains a population of 500 or more it may, upon creating the order for a new district, direct that a district board of 5 members be elected; the ~~state superintendent~~ *state appeal board*, acting under the authority of s. 40.13, may likewise in ~~his~~ *its* order creating a new district containing a population of 500 or more direct that a board of 5 members be elected. When a 5-member board is elected either at a district meeting or at an election held pursuant to this section, the 5 members shall be elected for terms as follows: The 2 candidates receiving the highest vote shall serve for a term expiring 2 years after the next annual meeting, the 2 receiving the next highest vote for a term expiring one year after the next annual meeting, and the candidate receiving the next highest number of votes for a term expiring the 4th Monday in July following. Thereafter each member shall be elected for a term of 3 years and shall serve until his successor is elected and qualifies. The board shall organize and elect officers as provided in sub. (4). The ~~municipal board or boards~~ *agency school committee* shall prepare a plan for allocating candidates to terms, as provided in sub. (3). In union high school districts the 3rd Monday in July shall apply.

SECTION 20. 40.26 (7) of the statutes is amended to read:

40.26 (7) If ~~a county~~ *an agency* school committee in its order creating a school district designates a board of 5, 7 or 9 members, it shall prepare a plan for allocating candidates for terms as specified in sub. (3).

SECTION 21. 40.27 (11) of the statutes is amended to read:

40.27 (11) In a newly created school district, for which no school board exists, proceedings to choose officers by election from the beginning of such school district may be initiated under this section by petition to the ~~county~~ *agency* school committee. For the purposes of such initial election only, the ~~county~~ *agency* school committee shall perform functions assigned to the school board and the secretary of the ~~county~~ *agency* school committee shall perform functions assigned to the clerk under this section. All expenses of such election shall be paid by the school district for which such election is held.

(a) When a new common, union or unified school district is created by reorganization authority the procedure set forth in sub. (2) may be used except that the petition requesting an election shall be filed with the ~~county~~ *agency* school committee secretary with whom the order of reorganization is filed. Declaration of candidacy shall also be filed with the ~~county~~ *agency* school committee secretary. Such person shall then perform the duties that are assigned to the district clerk in this section. In performing his duty, the secretary may proceed according to s. 40.025 (6) in obtaining assistance for the actual conduct of the election.

SECTION 22. 40.87 (2) (last sentence) of the statutes is amended to read:

40.87 (2) (last sentence) The clerk shall report to the state ~~and county~~ superintendent the facts required by s. 40.74, excepting sub. (1) (a).

SECTION 23. 41.155 (3) (b) (1st sentence) of the statutes, as repealed and recreated by chapter 292, laws of 1965, is amended by substituting "municipality" for "municipal".

SECTION 24. 43.12 (4) (d) of the statutes, as affected by chapters 18 and 150, laws of 1965, is amended by substituting "director" for "commission".

SECTION 25. 43.14 of the statutes, as amended by chapters 18, 150 and 455, laws of 1965, is repealed and recreated to read:

43.14 DEPOSITORIES OF PUBLIC DOCUMENTS. The director shall ascertain which public libraries in this state, including the libraries of public or private colleges, can suitably care for and advantageously use copies of the public documents printed at the expense of this state including printing under ss. 35.28 and 35.29. The director shall designate such libraries as depositories of state documents. The director shall furnish lists of such depositories to the department of administration, to govern the distribution under s. 35.85 (2) (b). Such lists shall show, for each depository library, the number of copies of each printed state document it is to receive.

SECTION 26. 46.064 of the statutes is amended by substituting "s. 20.670 (2) (a)" for the reference to "s. 20.670 (31)".

SECTION 27. The amendments made to 49.19 (5) of the statutes by chapters 138 and 157, laws of 1965, were not repealed by chapter 450, laws of 1965. All amendments stand.

SECTION 28. 59.42 (4) of the statutes, as amended by chapter 379, laws of 1965, is amended to read:

59.42 (4) On filing of a foreign judgment under s. ~~270.76~~ *270.96*, \$5.

SECTION 29. 59.51 (11) (1st sentence) of the statutes is amended to read:

59.51 (11) (1st sentence) File, indorse, enter and index all *bills of sale not pertaining to security interests and all documents pertaining to security interests in personal property, crops or fixtures which are required or authorized by law to be filed with him.*

SECTION 30. 59.57 (6) (1st sentence) of the statutes is amended to read:

59.57 (6) (1st sentence) For filing and entering each *bill of sale not pertaining to a security interest and each document pertaining to security interests in personal property, crops or fixtures which is required or authorized by law to be filed with him, including those required to be filed with him pursuant to ss. 409.403 to 409.406, §1.*

SECTION 31. The amendment to 60.315 (1) (a) of the statutes by chapter 252, laws of 1965, is not repealed by chapter 307, laws of 1965. Both amendments stand.

SECTION 32. The amendment to 66.918 (1) (a) of the statutes by chapter 433, laws of 1965, was not repealed by chapter 470, laws of 1965. Both amendments stand.

SECTION 33. 71.10 (3) (d) of the statutes, as created by chapter 163, laws of 1965, is amended to read:

71.10 (3) (d) If an individual is deceased, the return of such individual required under sub. ~~(1)~~ (2) shall be made by his executor, administrator or other person charged with the property of such decedent. If an individual is unable to make a return required under sub. ~~(1)~~ (2) the return of such individual shall be made by the guardian, custodian or other person charged with the care of the person or property of such individual.

SECTION 34. 71.14 (3) of the statutes, as amended by chapters 114 and 378, laws of 1965, is repealed and recreated to read:

71.14 (3) Whenever income has been attributed to an erroneous situs under sub. (1) (b) 3, (c) 1, (2) (a), (2a) (b) 3, (c) 1 or their predecessor income tax allocation statute, such portion of the tax collections allocated erroneously shall be reallocated to the county, town, village or city entitled thereto; but no such reallocation shall be made except on the written approval of the department of taxation. Such claim must be made within 4 years after the end of the calendar year in which such collection was erroneously allocated except that claims for erroneous allocation of taxes of corporations and persons other than corporations during the period July 1, 1959, to June 30, 1961, may be made within 5 years of erroneous August 15 allocations and within 5 years of the following August 15 in the case of erroneous May 15 allocations. If the amount of the claim is approved by the department such amount shall be deducted from the county, town, village or city's next apportionment, or next apportionments, and paid to the county, town, village or city entitled thereto.

SECTION 35. 71.14 (4a) of the statutes is amended to read:

71.14 (4a) Whenever a municipality files a claim under sub. (3) within the period of time expressed therein, it is not necessary for any such county to file a similar claim. If the amount of the municipality's claim is approved by the department, the department shall thereafter make a similar adjustment as between respective counties. ~~If after notice~~

~~by the department the claim is not paid by the county which erroneously received it, such amount shall be deducted from its next apportionment and paid to the county entitled thereto.~~

SECTION 36. 73.02 (7) of the statutes, as created by chapter 472, laws of 1965, and as renumbered 73.02 (8) by the revisor, is amended by changing the reference to "20.800 (1)" to be "20.800".

SECTION 37. 101.60 (7) of the statutes is created to read:

101.60 (7) It is the intent of this section to render unlawful discrimination in housing where the sale, rental or lease of the housing constitutes a business. It is the declared policy of this state that all persons shall have an equal opportunity for housing regardless of race, color, religion, national origin or ancestry and it is the duty of the local units of government to assist in the orderly prevention or removal of all discrimination in housing through the powers granted under s. 66.433. This section shall be deemed an exercise of the police powers of the state for the protection of the welfare, health, peace, dignity and human rights of the people of this state.

SECTION 38. The amendment of 111.32 (5) (a) of the statutes by chapter 230, laws of 1965, was not repealed by chapter 439, laws of 1965. Both amendments stand.

SECTION 39. 139.36 of the statutes, as created by chapter 67, laws of 1965, is amended by substituting "20.703" for the reference to "20.703 (41)".

SECTION 40. 176.01 (8) of the statutes, as amended by chapter 465, laws of 1965, is amended by substituting "176.05 (4a)" for the reference to "176.05 (4) (a)".

SECTION 41. The amendment to 176.62 (2) (c) by chapter 252, laws of 1965, is not repealed by chapter 334, laws of 1965. Both amendments stand.

SECTION 42. 208.04 of the statutes is amended to read:

208.04 A domestic mutual benefit society having more than 500 members, and which limits its membership to employes of a designated employer, shall in lieu of the ~~report~~ reports required by ~~section ss. 201.50 and 208.31~~, file, annually, with the commissioner a verified report showing the number and amount of liabilities paid during the year; the total income, from what source derived and the disposition thereof; the salaries paid to officers; the number of members at the beginning and the end of the year; and the amount and character of its assets.

SECTION 43. 245.10 (1) (3rd sentence) of the statutes, as repealed and recreated by chapter 480, laws of 1965, is amended to read:

245.10 (1) (3rd sentence) The court, within 5 days after such permission is sought *by verified petition* in a special proceeding, shall direct a court hearing to be held in the matter to allow said person to submit proof of his compliance with such prior court obligation.

SECTION 44. 247.37 (1) (b) of the statutes, as created by chapter 480, laws of 1965, is amended to read:

247.37 (1) (b) When a judgment of divorce is granted, the written judgment of divorce shall state, in a separate paragraph, that where either party to the marriage being so dissolved is obligated under such judgment or by other judgment or court order to support any minor issue of the marriage not in his custody, he is prohibited by s. 245.10 from marry-

ing again in this state or elsewhere after such judgment becomes ~~effective~~
final unless permission to marry is granted by order of either the court
of this state which granted such judgment or support order, or the court
having divorce jurisdiction in the county of this state where such minor
issue resides or where the marriage license application is made.

SECTION 45. The amendment to 289.41 (1) of the statutes by chapter
36, laws of 1965, is not repealed by chapter 334, laws of 1965. Both amend-
ments stand.

Approved July 4, 1966.
