

1971 Senate Bill 930

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CHAPTER 228, Laws of 1971

AN ACT to repeal, renumber, amend, repeal and recreate, reenact 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 references, renumbering for better location and arrangement, eliminating duplications and unnecessary, obsolete and unconstitutional provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

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

SECTION 1. 1.10 of the statutes is repealed and recreated to read:

**1.10 STATE SONG AND STATE SYMBOLS.** The Wisconsin state song is "On, Wisconsin", music written by W. T. Purdy, the words to which are as follows: "On, Wisconsin! On, Wisconsin! Grand old badger state! We, thy loyal sons and daughters, Hail thee, good and great. On, Wisconsin! On, Wisconsin! Champion of the right, 'Forward', our motto — God will give thee might!". The state symbols are as follows: The mourning dove (*zenaidura macroura corolinensis linnaus*) is the symbol of peace; the Wisconsin state tree is the sugar maple (*acer saccharum*); the Wisconsin state flower is the wood violet (*viola papilionacea*); the Wisconsin state bird is the robin (*turdus migratorius*); the Wisconsin state fish is the muskellunge (*Esox masquinongy masquinongy Mitchell*); the Wisconsin state animal is the badger (*taxidea taxus*); the Wisconsin domestic animal is the dairy cow (*bos taurus*); the Wisconsin wildlife animal is the white-tailed deer (*odocoileus virginianus*); the Wisconsin state mineral is the galena (lead sulphide) and the Wisconsin state rock is the red granite. The Wisconsin Blue Book shall include the information contained in this section concerning the state song, tree, flower, bird, fish, animal, wildlife animal, mineral and rock.

SECTION 2. 15.281 (intro.) of the statutes is amended by inserting a cross reference to s. 59.07 (75).

SECTION 3. 15.341 (intro.) of the statutes is amended by inserting a cross reference to s. 59.96 (6).

SECTION 4. 15.821 (1) of the statutes is amended by inserting a cross reference to s. 215.03 (9).

SECTION 5. 20.292 (1) (u) of the statutes, as amended by chapter 154, laws of 1971, is amended by substituting 38.28 (2) (c) for the reference to 38.28 (2) (a).

SECTION 6. If 1971 Senate Bill 453 is enacted, 38.24 (4) (a) 3 of the statutes, as created by chapter 154, laws of 1971, is amended by substituting "18 years" for the words "21 years".

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SECTION 7. 39.29 of the statutes is created to read:

**39.29 STAFF.** An executive secretary shall be appointed outside the classified service by the board.

SECTION 8. If 39.29 of the statutes is amended by 1971 Assembly Bill 1477, the revisor shall consolidate the amendment made by that bill with 39.29 as created by the preceding section of this bill.

SECTION 9. 41.09 (8) of the statutes, as created by chapter 176, laws of 1971, is renumbered 41.09 (11).

SECTION 10. 59.07 (75) of the statutes is amended by substituting "department of local affairs and development" for "department of natural resources".

SECTION 11. If 1971 Senate Bill 453 is enacted, the amendments made by it in 66.054 (13) of the statutes are incorporated into 66.054 (13) (a) of the statutes as renumbered by chapter 115, laws of 1971, and 66.054 (13) (b) of the statutes,

SECTION 12. The amendment of 66.057 (2) of the statutes by chapter 174, laws of 1971, was not repealed by chapter 184, laws of 1971. Both amendments stand.

SECTION 13. 79.05 (2) (a) of the statutes, as created by chapter 125, laws of 1971, is repealed and 79.05 (2) (b) of the statutes, as created by chapter 125, laws of 1971, is renumbered 79.05 (2).

SECTION 14. 97.24 (2) (c) of the statutes, as amended by chapter 156, laws of 1971, is amended to read:

97.24 (2) (c) This section does not apply to incidental sales of milk directly to consumers at the farm where the milk is produced or to incidental sales of pasteurized milk and cream at ~~the~~ any dairy plant licensed under s. 97.20.

SECTION 15. 101.01 (intro.) of the statutes is renumbered 101.01 (2) (intro.) and amended to read:

101.01 (2) (intro.) The following terms as used in ~~sections ss. 101.01 to 101.29 of the statutes~~ 101.25, shall be construed as follows:

SECTION 16. 101.02 (15) (a) of the statutes, as renumbered from 101.09 of the statutes by chapter 185, laws of 1971, is amended to read:

101.02 (15) (a) The department ~~is vested with the power and jurisdiction to have~~ has such supervision of every employment, place of employment and public building in this state as ~~may be~~ is necessary adequately to enforce and administer all laws and all lawful orders requiring such employment, place of employment or public building to be safe, and requiring the protection of the life, health, safety and welfare of every employe in such employment or place of employment and every frequenter of such place of employment, and the safety of the public or tenants in any such public building; provided, however, that ~~the provisions of this section paragraph~~ shall not apply to rural school buildings.

SECTION 17. 101.13 (1) of the statutes, as renumbered from 101.306 of the statutes by chapter 185, laws of 1971, is amended to read:

101.13 (1) The department shall by rule, provide minimum requirements to facilitate the use of public buildings by physically handicapped persons where traffic might reasonably be expected by such persons; ~~the department to hold its first public hearings under this section within 60 days after July 4, 1963.~~

SECTION 18. 101.14 (1) (a) of the statutes, as renumbered from 101.10 (5a) of the statutes by chapter 185, laws of 1971, is amended to read:

101.14 (1) (a) ~~To~~ The department may make reasonable orders for the repair or removal of any building or other structure which for want of repair or by reason of age or dilapidated condition or for any other cause is especially liable to fire, and which is so situated as to endanger other buildings or property and for the repair or removal of any combustible or explosive material or inflammable conditions, dangerous to the safety of any building or premises or the occupants thereof or endangering or hindering firemen in case of fire.

SECTION 19. 101.17 of the statutes, as renumbered from 101.30 of the statutes and as amended by chapter 185, section 7, laws of 1971, is amended to read:

101.17 No machine, mechanical device, or steam boiler shall be installed or used in this state which does not fully comply with the requirements of the laws of this state enacted for the safety of employes and frequenters in places of employment and public buildings and with the orders of the department adopted and published in conformity with ss. 101.01 to ~~101.28~~ 101.25. Any person, ~~firm, or corporation,~~ violating this ~~act~~ section shall be subject to the forfeitures provided in s. 101.02 (12) and (13).

SECTION 20. 101.18 of the statutes, as renumbered from 101.10 (16) of the statutes by chapter 185, laws of 1971, is amended to read:

101.18 ~~To~~ The department shall ascertain, fix and order such reasonable standards, rules or regulations for the erection, construction, repair and maintenance of electric fences as shall render them safe.

SECTION 21. 101.19 of the statutes, as printed in the 1969 statutes, is renumbered 101.03.

SECTION 22. 101.21 of the statutes, as renumbered from 101.10 (14) of the statutes by chapter 185, laws of 1971, is amended to read:

101.21 ~~To~~ The department shall investigate and attempt equitably to adjust controversies between employers and employes as to alleged wage claims and to enforce s. 103.39. In pursuance of this duty, it may take an assignment in trust for the assigning employe of any wage claim deemed to be valid in the opinion of the department and not exceeding \$500, such assignment to run to the department. The department may sue the employer on any wage claim so assigned and s. 103.39 (3) shall apply. The department may join in a single proceeding any number of wage claims against the same employer, but the court may order separate trials or hearings. In such cases the taxable costs recovered shall be paid into the general fund.

SECTION 23. 101.211 of the statutes, as renumbered from 101.10 (5f) of the statutes by chapter 185, laws of 1971, is amended to read:

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101.211 ~~To~~ The department may require a suitable space in which lunches may be eaten in any place of employment if found by the commission to be reasonably necessary for the protection of the life, health, safety and welfare of employes therein.

SECTION 24. 101.221 (2) of the statutes, as renumbered from 101.61 (2) of the statutes by chapter 185, laws of 1971, is amended by substituting "ss. 101.22 to 101.222" for "this subchapter".

SECTION 25. 101.23 (1) and (3) of the statutes, as renumbered from 101.10 (9) and (11) of the statutes by chapter 185, laws of 1971, are amended to read:

101.23 (1) ~~To~~ The department shall establish and conduct free employment agencies, ~~to~~ license and supervise the work of private employment offices, ~~to~~ do all in its power to bring together employes seeking employes and working people seeking employment, ~~to~~ make known the opportunities for self-employment in this state, ~~to~~ aid in procuring employment for the blind adults of the state, ~~to~~ aid in inducing minors to undertake promising skilled employments, ~~to~~ provide industrial or agricultural training for vagrants and other persons unsuited for ordinary employments, and ~~to~~ encourage wage earners to insure themselves against distress from unemployment. It shall investigate the extent and causes of unemployment in ~~the~~ this state of ~~Wisconsin~~ and the remedies therefor in this and other countries, and it shall devise and adopt the most efficient means within its power to avoid unemployment, to provide employment, and to prevent distress from involuntary idleness.

(3) ~~To~~ The department may rent, furnish and equip, except as provided in sub. ~~(9a)~~ (2), such offices as may be needed in cities for the conduct of its affairs. All payments arising under this section shall be charged against the proper appropriation for the department.

SECTION 26. 101.24 of the statutes, as renumbered from 101.10 (8) of the statutes and amended by chapter 185, sections 1 and 5, laws of 1971, is amended to read:

**101.24 LABOR DISPUTES.** ~~To~~ The department shall do all in its power to promote the voluntary arbitration, mediation and conciliation of disputes between employers and employes, and to avoid the necessity of resorting to lockouts, boycotts, blacklists, discriminations and legal proceedings in matters of employment. In pursuance of this duty it may appoint temporary boards of arbitration, provide necessary expenses of such boards, order reasonable compensation not exceeding ~~five dollars~~ \$5 per day for each member engaged in such arbitration, prescribe rules of procedure for such arbitration boards, conduct investigations and hearings, publish reports and advertisements, and ~~may~~ do all other things convenient and necessary to accomplish the purposes directed in ss. 101.01 to 101.25. The department shall designate a deputy to be known as chief mediator and may detail other deputies from time to time to act as his assistants, for the purpose of executing these provisions. Deputies may act on temporary boards without extra compensation.

SECTION 27. 101.25 of the statutes, as renumbered from 101.10 (17) of the statutes by chapter 185, laws of 1971, is amended to read:

**101.25 VETERANS JOB TRAINING.** ~~To cooperate~~ The department shall cooperate with the federal veterans administration in the performance of functions prescribed in U. S. Public Law 679 and any acts amendatory thereof or supplementary thereto. The commission ~~is authorized~~ may with the approval of the governor ~~to~~ take all necessary steps in the making of leases or other contracts with the fed-

eral government in the adoption and execution of plans, methods, and agreements to effectuate said Public Law 679.

SECTION 28. 101.27 of the statutes, as renumbered from 146.19 of the statutes by chapter 164, laws of 1971, and as amended by chapters 164 and \_\_\_\_\_ (Senate Bill 865), laws of 1971, is renumbered 101.20, but if Assembly Bill 774, 1971 session, is enacted, 101.27 of the statutes as above referred to is repealed and 146.19 of the statutes, as affected by Assembly Bill 774, 1971 session, is renumbered 101.20.

SECTION 29. The amendment of 114.01 of the statutes by chapter 164, section 84, laws of 1971, was not repealed by chapter 192, laws of 1971. Both amendments stand.

SECTION 30. The amendment of 114.35 of the statutes by chapter 125, laws of 1971, was not repealed by chapter 192, laws of 1971. Both amendments stand.

SECTION 31. If 1971 Senate Bill 453 is enacted, 146.33 of the statutes is amended to read:

**146.33 (title) BLOOD DONORS.** Any ~~minor 18 years of age or over adult~~ may donate blood in any voluntary and noncompensatory blood program ~~without obtaining parental consent.~~

SECTION 32. 156.095 (2) (a) of the statutes is repealed.

SECTION 33. 176.05 (5) (7th sentence) of the statutes is amended to read:

176.05 (5) (7th sentence) If any licensee or license applicant dies or becomes bankrupt or makes an assignment for the benefit of creditors during any license year or at any time after filing the application for a license and a license is granted to such applicant, the administrator, executor, receiver or trustee, or, if no administrator is appointed, the surviving husband or wife of such deceased licensee may continue ~~to or~~ sell said business, and, if he sells the same, may assign or transfer such license and all rights and privileges of the licensee thereunder if the transferee or assignee is acceptable to the licensing authorities, and secures their consent thereto, and fully complies with the requirements of law applicable to original applicants, provided that the administrator so appointed must be a citizen of the United States; and provided that the surviving husband or wife of the deceased is an American citizen.

SECTION 34. If 1971 Senate Bill 453 is enacted, 218.01 (7b) of the statutes is amended by deleting the words "under 18 years of age" and "under the age of 18".

SECTION 35. If 1971 Senate Bill 453 is enacted, 238.01 and 238.05 of the statutes, as amended by that act, are repealed.

SECTION 36. If 1971 Senate Bill 453 is enacted, the changes made by it in substituting "18" for "21" in 319.01 (2), 319.175, 319.32, 319.61 (1) and (11), 319.64 (4) and 319.67 (4) of the statutes shall be made in the parallel sections of chapter 880 of the statutes as renumbered by chapter 41, section 8, laws of 1971, and in 880.175 as amended by chapter 171, laws of 1971 and renumbered by this bill.

SECTION 37. 319.175 of the statutes, as repealed and recreated by chapter 171, laws of 1971, is renumbered 880.175, and 880.175 of the statutes, as renumbered from the former 319.175 by chapter 41, section 8, laws of 1971, is repealed.

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SECTION 38. 450.18 of the statutes is repealed.

SECTION 39. 703.12 (1) of the statutes is amended to read:

703.12 (1) Description of the land as provided in s. 703.11 ; or the post-office address of the property, including in either case the volume and page, or the reel and image, and date of recording of the declaration.

SECTION 40. If 1971 Senate Bill 453 is enacted, 706.03 (4) of the statutes is amended to read:

706.03 (4) Conveyances by minors and incompetents are effective only if executed by an authorized guardian on behalf of such minor or incompetent ; ~~except that a married minor at least 18 years of age may effectively convey and contract to convey on his own behalf.~~

SECTION 41. If 1971 Senate Bill 453 is enacted, 943.35 (1) and (2) of the statutes is amended by deleting the words "under 18 years of age".

SECTION 42. Wherever in the following sections of the statutes, all as renumbered by chapter 185, laws of 1971, the name "department of industry, labor and human relations" appears, the word "department" is substituted: 101.02 (2), 101.12 (1) (intro.), 101.13 (2) (b), 101.19 (1) (intro.), 101.22 (3) and 101.23 (2) and (5).

SECTION 43. In sections 101.17 (as renumbered from 101.30 by chapter 185, laws of 1971), 103.02 (1), 103.25 (2), 103.79 (2), 103.85 (4), 104.04, 105.15 and 106.01 (9) of the statutes the reference to "ss. 101.01 to 101.28" is changed to "ss. 101.01 to 101.25".

SECTION 44. In the sections of the statutes listed in Column A, the cross references shown in Column B are changed to the cross references shown in Column C:

A	B	C
Statute Section	Old cross reference	New cross reference
15.221 (1)	101.62	101.222
15.251 (intro.)	146.19 (2) (f)	101.20 (2)
20.445 (9) (u)	101.37	101.23 (4) to (6)
101.01 (2) (b) (as ren. by ch. 185, laws of 1971)	sub. (1)	par. (a)
101.13 (3) (as ren. by ch. 185, laws of 1971)	sub. (1) (a)	sub. (2) (a)
101.15 (2) (c) (as ren. by ch. 185, laws of 1971)	sub. (2)	par. (b)
103.01 (4)	101.01 and 101.02	101.01
103.64 (1)	101.01 and 101.02	101.01
111.07 (2) (b)	101.21	101.02 (14) (c)
146.085	101.01 (8)	101.02 (2) (h)
156.045 (1) (g)	156.06	156.05
205.05 (3)	101.13 to 101.26	101.02 (5) to (14)
241.09	101.10 (14)	101.21