

1975 Assembly Bill 431

Date published: October 29, 1975

**CHAPTER 94, Laws of 1975**  
**(Vetoed in Part)**

AN ACT to repeal ~~20.505 (5) (b),~~ 49.09, 103.01 (4), 103.02 (2) to (4), 111.32 (5) **Vetoed in Part**  
(d), 247.02 (7) and 264.02 (2); to renumber 264.02 (1); to renumber and amend 103.02 (1) and 103.04; to amend 6.10 (2), 7.08 (2) (a), 16.765 (1) and (2) (a), 21.025 (11m) (a), 21.35, 23.08, 40.11 (2) (b) 1, 41.14 (2) (c) (intro.), 42.242 (2a) (title), (a) (intro.) and 2, (b) and (c), 42.73 (7) (title), (a) (intro.) and 2 and (b), 45.37 (4) (b) and (c) 2 to 4, (5), (6) (intro.), (a), (e) and (f), (7) (intro.) and (c) and (15) (b), 46.10 (3), 49.08 (1), 49.19 (6), 51.06 (1), 51.19, 53.06, 53.41, 53.44, 54.30 (4), 56.08 (1) (b) and (c), 62.13 (4) (e), 63.08 (3), 63.25 (1) (a), 66.191 (2) (intro.), (a) and (b), 66.39 (13), 66.395 (2m), 66.40 (2m), 66.405 (2m), 66.43 (2m), 66.431 (3) (e) 2, 66.432 (1) and (2), 66.433 (3) (a) and (c) 1. b and (7) (b), 66.94 (28), 69.34 (2), 71.04 (5) (d) 7, 101.02 (15) (b), 101.14 (2) (d), 101.22 (1) and (1m) (b), 102.51 (6), 103.01 (title), (1), (2) and (3), 103.71 (2), 103.79 (2), 104.02, 104.03, 104.05, 104.06, 118.13, 118.20 (1) and (2), 132.01 (8), 134.58, 176.35, 188.13 (1), 206.49 (3), 218.01 (7b), 223.03 (6), 227.033, 234.29, 245.02, 246.15, 247.02 (6), 247.20, 251.72, 341.08 (6), 407.204 (1), 631.36 (9), 939.46 (2), 942.04 (1) (a) and (b), 945.01 (5), 945.07 (1), 979.02 and 990.001 (2); **Vetoed in Part**  
and to create 13.93 (1) (m), ~~14.017 (5) (a) (1),~~ 15.04 (7), ~~20.525 (6),~~ 101.225, 111.32 (5) (g) 3 and 4 and 942.04 (4) of the statutes, relating to eliminating **Vetoed in Part**  
from the statutes distinctions between persons based on sex, ~~creating a council on~~ **Vetoed in Part**  
the status of men and women, ~~abolishing the commission on the status of women,~~ **Vetoed in Part**  
making an appropriation, granting rule-making authority and providing penalties.

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

**SECTION 1. Legislative purpose.** Nothing in this act shall be construed as changing existing laws relating to abortion.

**SECTION 1m.** 6.10 (2) of the statutes is amended to read:

6.10 (2) When a married ~~man's~~ person's family resides at one place and ~~his~~ that person's business is conducted at another place, the former place establishes the residence. If the family place is temporary or for transient purposes, it is not the residence.

**SECTION 2.** 7.08 (2) (a) of the statutes is amended to read:

7.08 (2) (a) As soon as possible after the closing date for filing nomination papers or after the canvass of the primary vote, but no later than the deadlines established in s. 10.06 transmit to each county clerk a certified list of all candidates on file in its office for which electors in that county may vote. The list shall designate the

order of arrangement and contain each candidate's name in any combination of initials for the first and middle names, plus the last name, but no nicknames, abbreviations or titles; ~~his~~ the candidate's residence and post-office address; the office for which ~~he~~ the person is a candidate; and, the party or principle ~~he~~ the candidate represents, if any, in 5 words or less. Names of candidates nominated under s. 7.38 (3) or 8.35 shall be certified by the board upon filing of the necessary papers with it. Nothing in this paragraph precludes the use by a female candidate of ~~her maiden name or previous married name~~ a former legal surname as ~~her~~ a middle name as well as ~~her~~ the candidate's complete first name.

SECTION 3. 13.93 (1) (m) of the statutes is created to read:

13.93 (1) (m) Shall, whenever any statute is affected by any act of the legislature, and may, at the revisor's discretion, ensure that the statutory language does not discriminate on the basis of sex by making the following corrections, which shall have no substantive effect:

1. Delete any masculine or feminine pronoun or adjective, except where the statute clearly applies to one sex only, and replace it, if necessary, with terminology which does not discriminate on the basis of sex.
2. Replace words of male or female gender, such as man, wife and widow, with terms such as person, spouse and surviving spouse, except where the statute clearly applies to one sex only.
3. Make other corrections to remove from the statutes or to replace terminology which discriminates on the basis of sex.

~~SECTION 3g. 14.017 (5) of the statutes is created to read:~~

~~14.017 (5) COUNCIL ON THE STATUS OF MEN AND WOMEN. There is created in the executive office a council on the status of men and women consisting of an equal number of men and women to serve at the pleasure of the governor.~~

Vetoed  
in Part

~~SECTION 3m. 14.27 of the statutes is created to read:~~

~~14.27 Council on the status of men and women. The council on the status of men and women shall investigate the conditions and the quality of life of Wisconsin men and women with an overview to effect substantive changes that improve the status of men and women and enable them to participate fully in contemporary society. The council may employ such personnel as it deems necessary, within the limits of the appropriation under s. 20.525 (6) (a).~~

SECTION 4. 15.04 (7) of the statutes is created to read:

15.04 (7) DISCRIMINATION REVIEW. In order to determine whether there is any arbitrary discrimination on the basis of race, religion, national origin, sex or marital status, examine and assess the statutes under which the head has powers or regulatory responsibilities, the procedures by which those statutes are administered and the rules promulgated under those statutes. If the department or agency head finds any such discrimination, he or she shall take remedial action, including making recommendations to the appropriate executive, legislative or administrative authority.

SECTION 5. 16.765 (1) and (2) (a) of the statutes are amended to read:

16.765 (1) Contracting agencies of the state shall include in all contracts executed by them a provision obligating the contractor not to discriminate against any employe or applicant for employment because of sex, race, religion, color or national origin.

(2) (a) In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employe or applicant for employment because of sex, race, religion, color or national origin. ~~The aforesaid~~ This provision shall include, but not be limited to, the following: employment, upgrading, demotion or

transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available for employes and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

SECTION 5g. At the appropriate place in the schedule in section 20.005 of the statutes, insert the following amounts for the purposes indicated.

	1975-76	1976-77
20.525 Executive office		
(6) COUNCIL ON THE STATUS OF MEN AND WOMEN		
(a) General program operations	GRR A	0

Vetoed in Part

SECTION 5m. 20.505 (5) (b) of the statutes is repealed.

SECTION 5t. 20.525 (6) of the statutes is created to read:

20.525 (6) COUNCIL ON THE STATUS OF MEN AND WOMEN. (a) *General program operations*. The amounts in the schedule for the purposes of s. 14.27.

SECTION 6. 21.025 (11m) (a) of the statutes is amended to read:

21.025 (11m) (a) Officers and ~~enlisted men~~ enlistees of the "Wisconsin State Guard" who have served honorably therein for a period of at least one year and are active members of their respective units at the time of its demobilization shall, upon application to the unit commander, be permitted to retain the following items of the uniform: Belt, web waist; cap, field cotton; cap, field woolen; coat, woolen serge; insignia, collar gilt disc, "cross-rifle"; insignia, collar gilt disc, "WIS"; necktie, black; overcoat, short woolen O.D.; raincoat; shirt, cotton khaki; shirt, flannel O.D.; shoes, service; trousers, dress or skirt, cotton khaki; trousers, dress or skirt, woolen O.D.

SECTION 7. 21.35 of the statutes is amended to read:

**21.35 Federal laws and regulations; no discrimination.** The organization, armament, equipment and discipline of the Wisconsin national guard shall be that prescribed by federal laws or regulations; and the governor may by order perfect such organization, armament, equipment and discipline, at any time, so as to comply with such laws and regulations insofar as they are consistent with the Wisconsin code of military justice. Notwithstanding any rule or regulation prescribed by the federal government or any officer or department thereof, no person, otherwise qualified, shall be denied membership in the Wisconsin national guard because of sex, color, race or creed and no member of the Wisconsin national guard shall be segregated within the Wisconsin national guard on the basis of sex, color, race or creed. Nothing in this section shall prohibit separate facilities for persons of different sexes with regard to dormitory accommodations, public toilets, showers, saunas and dressing rooms.

SECTION 8. 23.08 of the statutes is amended to read:

**23.08 Appraisers.** The board may select ~~men employed elsewhere in~~ employes of the department to appraise lands or perform other services in field and forest.

SECTION 9. 40.11 (2) (b) 1 of the statutes is amended to read:

40.11 (2) (b) 1. For the purposes of this subchapter the term retired employe shall include the surviving spouse of an employe who is currently covered by health insurance at the time of death of the employe, and the spouse shall have the same right of health insurance coverage as the deceased employe but without state contribution, under rules adopted by the board, ~~but such inclusion and right as to a widow shall terminate upon her remarriage.~~

SECTION 10. 41.14 (2) (c) (intro.) of the statutes is amended to read:

41.14 (2) (c) (intro.) Upon the death of a disability annuitant, the excess of the sum of the accumulated additional and normal credits of such annuitant which were

used at the time the annuity began to provide the disability annuity, over the sum of all annuity payments to which ~~he~~ the annuitant had become entitled prior to ~~his~~ death; but if the beneficiary to whom a death benefit is payable is a wife, spouse or minor child (including stepchild or legally adopted child) ~~or dependent husband~~, or a trust in which such beneficiary has a beneficial interest, the death benefit shall be as follows, if greater:

SECTION 11. 42.242 (2a) (title), (a) (intro.) and 2, (b) and (c) of the statutes are amended to read:

42.242 (2a) (title) BENEFICIARY OPTIONAL INTEGRATED ANNUITY. (a) (intro.) The ~~widow~~ beneficiary of any member of the combined group may with respect to an annuity payable under s. 42.50 which annuity is to begin prior to the ~~widow's~~ beneficiary's 62nd birthday, elect to take the actuarial equivalent thereof as:

2. A temporary annuity payable monthly and terminating at death or, with the payment due in the month in which the ~~widow~~ beneficiary attains age 62 whichever occurs earlier.

(b) It is the intent of this option that so far as is practicable the aforesaid life annuity and temporary annuity will be determined in such amounts that the ~~widow's~~ beneficiary's total anticipated monthly retirement benefits from this system and ~~her survivors benefit~~ survivor benefits from the federal OASDHI system will be the same both before and after attainment of age 62.

(c) The annuity payable under par. (a) 1 may at the option of the ~~widow~~ beneficiary be granted in any optional form permitted under s. 42.50.

SECTION 12. 42.73 (7) (title), (a) (intro.) and 2 and (b) of the statutes are amended to read:

42.73 (7) (title) BENEFICIARY OPTIONAL INTEGRATED ANNUITY. (a) (intro.) The ~~widow~~ beneficiary of any member of the combined group may with respect to an annuity payable under s. 42.75 (2) or under s. 42.76 (13), which annuity is to begin prior to the ~~widow's~~ beneficiary's 62nd birthday, elect to take the actuarial equivalent thereof as:

2. A temporary annuity payable monthly and terminating at death or with the payment due in the month in which the ~~widow~~ beneficiary attains age 62, whichever occurs earlier.

(b) It is the intent of this option that so far as is practicable the aforesaid life annuity and temporary annuity will be determined in such amounts that the ~~widow's~~ beneficiary's total anticipated monthly retirement benefits from this retirement fund and ~~her survivors benefit~~ survivor benefits from the federal OASDHI system will be the same both before and after the attainment of age 62.

SECTION 13. 45.37 (4) (b) and (c) 2 to 4, (5), (6) (intro.), (a), (e) and (f), (7) (intro.) and (c) and (15) (b) of the statutes are amended to read:

45.37 (4) (b) ~~Wives, widows and mothers~~ Spouses, surviving spouses and parents derive their eligibility from the eligibility of the veteran upon whose service it is based.

(c) 2. ~~Wives~~ Spouses of eligible veterans shall be given 2nd priority;

3. ~~Widows~~ Surviving spouses of eligible veterans shall be given 3rd priority;

4. ~~Mothers~~ Parents of eligible veterans shall be given 4th priority;

(5) (title) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A SPOUSE OF A VETERAN. A ~~wife~~ spouse of an eligible veteran is eligible only if ~~she~~ the spouse meets the requirements of sub. (2) (d) to (f) and if:

(a) ~~Her husband~~ The veteran is a member, or if not a member is institutionalized elsewhere because of physical or mental disability, and ~~she~~ the spouse had lived with such ~~husband~~ veteran not less than one year immediately before making application for membership.

(b) Separation from such ~~husband~~ spouse necessitated by reason of employment, hospitalization or because of a physical or mental disability of either ~~husband or wife~~ spouse shall not be taken to constitute an interruption of such one-year period.

(c) A ~~wife~~ spouse of an eligible veteran by virtue of a bona fide marriage invalidly entered into but validated prior to application for admission shall, for the purpose of this subsection and sub. (6), be considered married to such eligible veteran from the date such invalid marriage was entered into.

(6) (title) ADDITIONAL ELIGIBILITY REQUIREMENTS OF A SURVIVING SPOUSE. (intro.) The ~~widow~~ surviving spouse of a veteran who was a resident of this state at the time of ~~his~~ the veteran's death, is eligible if ~~she~~ the surviving spouse meets the requirements of sub. (2) (d) to (f) and if ~~she~~ the surviving spouse:

(a) Was married to and living with ~~her~~ the deceased veteran ~~husband~~ not less than one year immediately prior to the death of ~~her~~ the veteran ~~husband~~, or was married to the veteran at the time ~~he~~ the veteran entered the service and was widowed by the death of ~~her spouse~~ the veteran in the service or as a result of physical disability incurred during such service, or the period during which ~~she~~ the surviving spouse was married to and lived with ~~her spouse~~ the deceased veteran plus the period of ~~her~~ widowhood is one year or more, or if ~~she~~ the surviving spouse was married to and living with ~~her~~ the veteran ~~husband~~ less than one year and a child was born of the marriage; and

(e) Is unable adequately to care for himself or herself and lacks adequate means of support; and

(f) Has been a resident of this state for the 5 years immediately preceding the date of ~~her~~ application for membership.

(7) (title) ADDITIONAL ELIGIBILITY REQUIREMENTS OF PARENTS. (intro.) The ~~mother parent~~ of a veteran who was a resident of this state at the time of ~~his~~ the veteran's death or, the ~~mother parent~~ of a living veteran who is eligible for membership, is eligible if ~~she~~ the parent meets the requirements of sub. (2) (d) to (f) and if ~~she~~ the parent:

(c) Is physically disabled, unable adequately to care for himself or herself and lacks adequate means of support.

(15) (b) Burial shall be provided in the cemetery of the home for any ~~wife, widow or mother~~ spouse, surviving spouse or parent of a veteran where such ~~wife, widow or mother~~ person at the time of ~~her~~ death was a member of the home. Burial shall also be provided in the cemetery of the home for the ~~mother or widow~~ parent or surviving spouse of a veteran who is not a member ~~where she when~~, within 6 months after the veteran's burial in the cemetery of the home applies, application is made to the department for permission to be buried therein at ~~her~~ the person's own expense. The ~~widow~~ surviving spouse of the veteran shall have the privilege of selecting a lot next to ~~her husband~~ the veteran if available. Permission shall be given by the department for a period of one year from date of granting, but may be extended, on ~~her~~ request, for additional one-year periods.

SECTION 14. 46.10 (3) of the statutes is amended to read:

46.10 (3) After investigation of the ability to pay of the patient or relative liable for such maintenance, the department shall make collection from the patient or the person who in the opinion of the department under all of the circumstances is best able to pay, giving due regard to relationship and the present needs of the person or of ~~his~~ the lawful dependents. However, the liability of relatives for maintenance shall be in the following order: first, the ~~husband or wife~~ spouse of the patient; then, in the case of a minor, the ~~father, and lastly the mother~~ parent or parents.

SECTION 15. 49.08 (1) of the statutes is amended to read:

49.08 (1) If any person at the time of receiving relief under this chapter or as an inmate of any county or municipal institution in which the state is not chargeable with all or a part of the inmate's maintenance or as a tuberculosis patient provided for in ch. 50 and s. 58.06(2), or at any time thereafter, is the owner of property, the authorities charged with the care of the dependent, or the board in charge of the institution, may sue for the value of the relief from such person or ~~his~~ the person's estate; but except as hereinafter provided the 10-year statute of limitations may be pleaded in defense in any such action to recover relief. Where the relief recipient is deceased, a claim may be filed against ~~his~~ the decedent's estate and the statute of limitations specified in s. 859.01 shall be exclusively applicable. The court may refuse to render judgment or allow the claim in any case where a parent, ~~wife~~ spouse, surviving spouse or child is dependent on such property for support, ~~provided that the~~. The court in rendering judgment shall take into account the current family budget requirement as fixed by the ~~United States~~ U.S. department of labor for such community or as fixed by the authorities of such community in charge of public assistance. The records kept by the municipality or institution are prima facie evidence of the value of the relief furnished. This section shall not apply to any person who receives care for pulmonary tuberculosis as provided in s. 50.04.

SECTION 16. 49.09 of the statutes is repealed.

SECTION 18. 49.19 (6) of the statutes is amended to read:

49.19 (6) The county agency may require the ~~mother~~ child's parent to do such remunerative work as in its judgment ~~she can do~~ be done without detriment to ~~her~~ the parent's health or the neglect of ~~her~~ the children or ~~her~~ the home; and may prescribe the hours during which the ~~mother~~ parent may be required to work outside of ~~her~~ the home.

SECTION 19. 51.06 (1) of the statutes is amended to read:

51.06 (1) The sheriff and such assistants as the court deems necessary shall execute the commitment; but if any competent relative or friend of any patient so requests, the commitment may be delivered to and executed by ~~him~~ that relative or friend. For such execution ~~he~~ the relative or friend shall be entitled to ~~his~~ necessary expenses, not exceeding the fees and expenses allowed to sheriffs. The officer, unless otherwise ordered by the court, shall on the day that a patient is adjudged mentally ill or infirm or deficient, deliver ~~him~~ the patient to the proper institution. Every ~~female~~ patient transported to a hospital shall be accompanied by a competent ~~woman~~ person of the same sex. The court shall prescribe the kind of transportation to be used. Whenever ordered by the court, the persons executing the commitment shall wear civilian clothes.

SECTION 20. 51.19 of the statutes is amended to read:

**51.19 Child born in hospital.** A child born in any state or county hospital or state colony and training school shall be promptly removed therefrom by ~~the mother's friends~~ a relative or friend of one of the child's parents, as defined in s. 48.02 (11), or by the department, unless it is in the best interest of the child and of the mother for the child to remain in the institution with the mother. The superintendent shall petition the juvenile court of the county in which the institution is located to make such removal, and until the child is removed the superintendent shall make suitable provision for its care and comfort, and charge all expenses to the department. The court shall notify the juvenile court of the county of ~~the mother's~~ each parent's legal settlement of the filing of such petition.

SECTION 21. 53.06 of the statutes is amended to read:

**53.06 Delivery of persons to prisons.** The sheriff shall deliver to the reception center designated by the department every person convicted in ~~his~~ the county and sentenced to the Wisconsin state prisons as soon as may be after sentence, together with a copy of the judgment of conviction. The warden or superintendent shall deliver to the sheriff a receipt acknowledging receipt of the prisoner, naming ~~him~~ the prisoner, which receipt the sheriff shall file in the office of the clerk who issued the copy of the judgment of conviction. When transporting or delivering a client to any of the Wisconsin home for women state prisons the sheriff shall be accompanied by an adult ~~woman~~ of the same sex as the client. If the sheriff and the client are of the same sex, this requirement shall be deemed satisfied and a third person shall not be required.

SECTION 22. 53.41 of the statutes is amended to read:

**53.41 (title) Care of prisoners.** Whenever there is a ~~female~~ prisoner in any jail there shall be ~~a matron~~ at least one person of the same sex on duty who is wholly responsible to the sheriff or keeper for the custody, cleanliness, food and care of such prisoner.

SECTION 23. 53.44 of the statutes is amended to read:

**53.44** (title) **Cooperation between counties regarding prisoners.** Two or more counties may agree pursuant to s. 66.30 for the ~~co-operative~~ cooperative use of the jails of any of them for the detention or imprisonment of ~~females~~ prisoners before, during, and after trial and for sharing the expense ~~thereof~~ without reference to s. 53.34. The sheriffs of such counties shall lodge ~~female~~ prisoners in any jail authorized by such agreement and shall indorse the commitment, if any, as provided in s. 53.35 in case detention or imprisonment is in the jail of another county. Only jails approved by the department for the detention of ~~female~~ prisoners may be used pursuant to such agreement. The sheriff of the county of arrest shall transport the prisoner to and from court and to any other institution whenever necessary.

SECTION 24. 54.30 (4) of the statutes is amended to read:

54.30 (4) (a) The department may establish forestry or soil conservation camps independently or in cooperation with the department of natural resources on such terms as may be agreed upon by the department and the department of natural resources. The ~~boys~~ persons housed in such camps may be required to labor on the buildings and grounds of such camps, on the making of forest roads for fire prevention or fire fighting, on forestation or reforestation of public lands, or on the making of fire trails and fire breaks, or in fire suppression, or in blister rust or pest control or in soil conservation, or to perform any other work or engage in any studies or activities prescribed or permitted by the department or any officer designated by it.

(b) The department may provide, in cooperation with the department of natural resources or otherwise, for the payment of wages to ~~the boys~~ persons for work they do while housed in such camps, the sums earned to be paid in reparation or to the person or to the parents or dependents of the ~~boy or to the boy~~ person in such manner and in such proportions as the department directs.

SECTION 25. 56.08 (1) (b) and (c) of the statutes are amended to read:

56.08 (1) (b) Working at ~~his~~ employment;

(c) Conducting ~~his own business or other~~ any self-employed occupation including, ~~in the case of a woman,~~ housekeeping and attending the needs of ~~her~~ the person's family;

SECTION 26. 62.13 (4) (e) of the statutes is amended to read:

62.13 (4) (e) The council of any city of the ~~second, third or fourth~~ 2nd, 3rd or 4th class may provide that ~~one or more~~ members of the police force shall be women of both sexes. The fire and police commission shall select each police ~~woman~~ officer from an eligible list.

SECTION 27. 63.08 (3) of the statutes is amended to read:

63.08 (3) The weights, if any, to be given to previous experience, training, age, ~~sex,~~ written or demonstration test, oral test, and the various other phases or elements of the examination to which the applicant may be subjected, shall be provided for in advance by the rules of the commission. The names of the persons passing the examination shall be placed on an eligible list in the order of their final grades in the examination. Certification shall then be made as provided in s. 63.05.

SECTION 28. 63.25 (1) (a) of the statutes is amended to read:

63.25 (1) (a) For open, competitive examinations and for other examinations by which to test applicants for office or for employment as to their practical fitness to discharge the duties of the positions which they desire to fill, which examinations shall be public and free to all persons with proper limitations as to citizenship, residence, age, health, ~~sex,~~ habits, and moral character.



SECTION 29. 66.191 (2) (intro.), (a) and (b) of the statutes are amended to read:

66.191 (2) (intro.) If such injury or disease shall cause the death of such person, and ~~he~~ the person dies leaving surviving a widow spouse or an unmarried child under the age of 18 years, the department shall order monthly payments as follows:

(a) To the widow surviving spouse, unless ~~she shall have~~ the spouse had married the deceased after ~~he~~ the deceased sustained such injury or contracted such disease, one-third of the monthly salary being paid to the deceased in such service at the time of ~~his~~ his disability or death, until ~~she~~ the surviving spouse marries again.

(b) To the guardian of each such child, \$15 until ~~he~~ the child becomes 18 years of age; ~~provided that~~ but the total monthly payments ordered under this subsection shall not exceed 65 ~~per cent~~ % of the monthly salary being paid to the deceased in such service at the time of ~~his~~ his disability or death, and there shall be a pro rata reduction in the benefits paid hereunder, if necessary, in order to comply with such limitation. On or before January 15 in each year any widow person entitled to a benefit under this subsection shall file with the municipality which makes payments hereunder an affidavit stating that ~~she~~ the person has not married again. The monthly payment ordered to any widow person under this subsection shall begin in each calendar year only after such affidavit shall have been filed with the clerk of such municipality, and no payment shall be made for any month in such year prior to the one in which such affidavit was filed.

SECTION 30. 66.39 (13) of the statutes is amended to read:

66.39 (13) TENANT SELECTION, DISCRIMINATION. All tenants selected for veterans' housing projects shall be honorably discharged veterans of wars of the United States of America. Selection between veterans shall be made in accordance with rules and regulations promulgated and adopted by the department of veterans affairs which regulation said department is authorized to make and from time to time change as it deems proper. Such rules and regulations, however, shall give veterans of World War II preference over veterans of all other wars. Notwithstanding such rules and regulations or any law to the contrary a veteran shall not be entitled to or be granted any benefits under ~~sections ss.~~ 66.39 to 66.404 from a housing authority unless such veteran was at the time of ~~his~~ his induction into military service a resident of the state. Veterans otherwise entitled to any right, benefit, facility or privilege under this section shall not, with reference thereto, be denied them in any manner for any purpose nor be discriminated against because of sex, race, color, creed or national origin.

SECTION 31. 66.395 (2m) of the statutes is amended to read:

66.395 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility or privilege under this section shall not, with reference thereto, be denied them in any manner for any purpose nor be discriminated against because of sex, race, color, creed or national origin.

SECTION 32. 66.40 (2m) of the statutes is amended to read:

66.40 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility or privilege under ~~sections ss.~~ 66.40 to 66.404 shall not, with reference thereto, be denied them in any manner for any purpose nor be discriminated against because of sex, race, color, creed or national origin.

SECTION 33. 66.405 (2m) of the statutes is amended to read:

66.405 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility or privilege under ~~sections ss.~~ 66.405 to 66.425 shall not, with reference thereto, be denied them in any manner for any purpose nor be discriminated against

because of sex, race, color, creed or national origin.

SECTION 34. 66.43 (2m) of the statutes is amended to read:

66.43 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility or privilege under this section shall not, with reference thereto, be denied them in any manner for any purpose nor be discriminated against because of sex, race, color, creed or national origin.

SECTION 35. 66.431 (3) (e) 2 of the statutes is amended to read:

66.431 (3) (e) 2. Persons otherwise entitled to any right, benefit, facility or privilege under this section shall not, with reference thereto, be denied such right, benefit, facility or privilege in any manner for any purpose nor be discriminated against because of sex, race, color, creed or national origin.

SECTION 36. 66.432 (1) and (2) of the statutes are amended to read:

66.432 (1) DECLARATION OF POLICY. The right of all persons to have equal opportunities for housing regardless of their sex, race, color, religion, national origin or ancestry is a matter both of ~~state-wide~~ statewide concern under s. 101.22 and also of local interest under this section and s. 66.433. The enactment of s. 101.22 by the legislature shall not ~~pre-empt~~ preempt the subject matter of equal opportunities in housing from consideration by local governments, and shall not exempt cities, villages, towns and counties from their duty, nor deprive them of their right, to enact ordinances which prohibit discrimination in any type of housing solely on the basis of sex, race, color, religion, national origin or ancestry.

(2) ANTIDISCRIMINATION HOUSING ORDINANCES. Cities, villages and towns may enact ordinances prohibiting discrimination in the sale or rental of any type of housing within their respective boundaries solely on the basis of sex, race, color, religion, national origin or ancestry. Such an ordinance may be similar to s. 101.22 or may be more inclusive in its terms or in respect to the different types of housing subject to its provisions, but any such ordinance establishing a forfeiture as a penalty for violation shall not be less than the statutory forfeitures under s. 101.22. Counties may enact such ordinances under ss. 59.07 (11) and 66.433.

SECTION 37. 66.433 (3) (a) and (c) 1. b and (7) (b) of the statutes are amended to read:

66.433 (3) (a) The purpose of the commission is to study, analyze and recommend solutions for the major social, economic and cultural problems which affect people residing or working within the municipality including, without restriction because of enumeration, problems of the family, youth, education, the aging, juvenile delinquency, health and zoning standards, and discrimination in housing, employment and public accommodations and facilities on the basis of sex, class, race, religion or ethnic or minority status.

(c) 1. b. To ~~insure~~ ensure to all municipal residents, regardless of sex, race or color, the rights to possess equal housing accommodations and to enjoy equal employment opportunities.

(7) (b) The commission may be the official agency of the municipality to accept assistance from the community relations service of the U.S. department of justice under title X of the federal civil rights act of 1964 to provide assistance to communities in resolving disputes, disagreements or difficulties relating to discriminatory practices based on sex, race, color or national origin which may impair the rights of persons in the municipality under the constitution or laws of the United States or which affect or may affect interstate commerce.

SECTION 38. 66.94 (28) of the statutes is amended to read:

66.94 (28) SUPERVISION OF OFFICERS AND EMPLOYEES. The board shall classify all the officers, positions and grades of regular employment required, excepting that of the general manager, secretary, treasurer, general attorney, and chief engineer, with reference to the duties thereof and the compensation fixed therefor, and adopt rules governing appointments to any of such offices or positions on the basis of merit and efficiency. No discrimination shall be made in any appointment or promotion because of sex, race, creed, color, or political or religious affiliation. No officer or employe shall be discharged or demoted except for cause which is detrimental to the service. Any officer or employe who is discharged or demoted may file a complaint in writing with the board within 10 days after notice of ~~his~~ the person's discharge or demotion. If any employe is a member of a labor organization, the complaint may be filed by such organization for and in behalf of such employe. The board shall grant a hearing on such complaint within 30 days thereafter. The time and place of the hearing shall be fixed by the board and due notice thereof given to the complainant, the labor organization by or through which the complaint was filed and the general manager. The hearing shall be conducted by the board, or any member thereof or any officers' committee or employes' committee appointed by the board. The complainant may be represented by counsel. If the board finds, or approves a finding of the member or committee appointed, that the complainant has been unjustly discharged or demoted, ~~he~~ the complainant shall be restored to ~~his~~ the person's office or position with back pay. The decision of the board shall be final and not subject to review. The board may abolish any office or reduce the force of employes for lack of work or lack of funds, but in so doing the officer or employe with the shortest service record in ~~the~~ each class and grade ~~to which he belongs~~ shall be first released from service and shall be reinstated in order of seniority when additional force of employes is required.

SECTION 40. 71.04 (5) (d) 7 of the statutes is amended to read:

71.04 (5) (d) 7. Any ~~policemen~~ police officers' relief association organized under s. 213.11 or ~~firemen~~ firefighters' relief association organized under s. 213.10. Under this subdivision contributions include contributions and donations, and other funds raised through the activities of such associations for the relief of ~~widows~~ surviving spouses and orphans.

SECTION 41. 101.02 (15) (b) of the statutes is amended to read:

101.02 (15) (b) To administer and enforce, so far as not otherwise provided for in the statutes, the laws relating to child labor, laundries, stores, employment of ~~females~~, licensed occupations, school attendance, bakeries, employment offices, intelligence offices and bureaus, manufacture of cigars, sweatshops, corn shredders, wood-sawing machines, fire escapes and means of egress from buildings, scaffolds, hoists, ladders and other matters relating to the erection, repair, alteration or painting of buildings and structures, and all other laws protecting the life, health, safety and welfare of employes in employments and places of employment and frequenters of places of employment.

SECTION 42. 101.14 (2) (d) of the statutes is amended to read:

101.14 (2) (d) The chiefs of fire departments in every city of the 1st, 2nd and 3rd classes shall designate a sufficient number of ~~men~~ as inspectors to carry out this section.

SECTION 43. 101.22 (1) and (1m) (b) of the statutes are amended to read:

101.22 (1) INTENT. It is the intent of this ~~act~~ section to render unlawful discrimination in housing. It is the declared policy of this state that all persons shall have an equal opportunity for housing regardless of sex, 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. The legislature hereby extends the state law governing equal housing opportunities to cover single-family residences which are owner-occupied. The legislature finds that the sale and rental of single-family residences constitute a significant portion of the housing business in this state and should be regulated. 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.

(1m) (b) "Discriminate" and "discrimination" mean to segregate, separate, exclude or treat any person unequally only because of sex, race, color, religion, national origin or ancestry. It is intended that the factors set forth herein shall be the sole bases for prohibiting discrimination.

SECTION 44. 101.225 of the statutes is created to read:

**101.225 Discrimination in education prohibited.** No child may be excluded from or discriminated against in admission to any public school or in obtaining the advantages, privileges and courses of study of such public school on account of sex, race, religion or national origin.

SECTION 45. 102.51 (6) of the statutes is amended to read:

102.51 (6) Benefits accruing to a minor dependent child may be awarded to ~~the mother~~ either parent in the discretion of the department. Notwithstanding sub. (1) the department may reassign the death benefit, in accordance with their respective needs therefor as between a surviving spouse and children designated in s. 102.49.

SECTION 46. 103.01 (intro.), (1), (2) and (3) of the statutes are amended to read:

**103.01 (title) Hours of labor; definitions.** (intro.) ~~The following terms as used in sections In ss. 103.01 to 103.04, inclusive, shall be construed as follows 103.03:~~

(1) ~~The term "place~~ "Place of employment" ~~shall mean and include means~~ any means any manufactory, mechanical or mercantile establishment, beauty parlor, laundry, restaurant, confectionery store, or telegraph or telephone office or exchange, ~~or~~ any express or transportation establishment or any hotel.

(2) ~~The term "employment"~~ shall mean and include "Employment" means any trade, occupation or process of manufacture, or any method of carrying on such trade or occupation in which any female person may be engaged, or for any place of employment, ~~as herein defined~~.

(3) ~~The term "employer"~~ shall mean and include "Employer" means every person, firm, corporation, agent, manager, representative, or other person having control or custody of any employment or place of employment, ~~as herein defined~~.

SECTION 47. 103.01 (4) of the statutes is repealed.

SECTION 48. 103.02 (1) of the statutes is renumbered 103.02 and amended to read:

**103.02 (title) Hours of labor.** No ~~female shall person~~ person may be employed or be permitted to work in any place of employment or at any employment for such period ~~or periods~~ of time during any day, night or week, as ~~shall be is~~ dangerous or prejudicial to the person's life, health, safety or welfare ~~of such female~~. ~~It shall be the duty of the~~

~~The department and it shall have power, jurisdiction and authority to investigate, ascertain, determine and fix such reasonable classification, and to issue general or special orders promulgate rules fixing a period or periods of time, or hours of beginning and ending work during any day, night or week, which shall be necessary to protect the life, health, safety or welfare of any female person, or to carry out the purposes of ss. 103.01 to 103.04, inclusive, of the statutes 103.03. The department shall, by rule, classify such periods of time into periods to be paid for at regular rates and periods to be paid for at the rate of at least one and one-half times the regular rates. Such investigations, classifications and orders shall be made pursuant to the proceeding in ss. 101.01 to 101.25 which are hereby made a part hereof, so far as not inconsistent with ss. 103.01, 103.02 (1) and 103.04 to 103.03, and every order of the department shall have the same force and effect as the orders issued pursuant to under ss. 101.01 to 101.25 and the penalties therein shall apply to and be imposed for any violation of ss. 103.01, 103.02, and 103.04 to 103.03. Such orders shall be subject to review in the manner provided in ch. 227. Until such time as the department shall so investigate, ascertain, determine and fix, and shall issue general or special orders thereon, the periods of time specified in the attached schedule shall be deemed to be dangerous or prejudicial to the life, health, safety or welfare of females.~~

SCHEDULE.

~~At day work, more than nine hours in any one day, or more than fifty hours in any one week. Provided, that during emergency periods of not to exceed four weeks in any calendar year any female may be employed for not to exceed ten hours in any one day and not more than fifty-five hours in any one week, such excess time to be paid for at the rate of one and one-half times the regular rates.~~

~~At night work, more than eight hours in any one night, or more than forty-eight hours in any one week.~~

~~Day work is work done between six o'clock A.M., and eight o'clock P.M., of the same day; provided, that employment not more than one night in the week after eight o'clock P.M. shall not be considered night work.~~

~~Night work is work done between eight o'clock P.M. and six o'clock A.M. of the following day.~~

~~Less than one hour during each day or night for dinner or other meals.~~

SECTION 49. 103.02 (2) to (4) of the statutes are repealed.

SECTION 50. 103.04 of the statutes is renumbered 103.03 and amended to read:

103.03 The employment of any female person in any such employment or place of employment, as defined in ss. ~~103.01 and 103.02 (2) and (3)~~, at any time other than those of the posted permissible hours of labor, as ~~hereinbefore provided for~~, shall be prima facie evidence of a violation of this section. Every day for each female person employed, and every week for each female person employed, during which any employer ~~shall fail fails~~ to observe or to comply with any order of the department, or to perform any duty enjoined by ss. 103.01 to ~~103.04~~ 103.03, shall constitute a separate and distinct offense.

SECTION 51. 103.71 (2) of the statutes is amended to read:

103.71 (2) A permit shall not be issued authorizing the employment of any minor under 14 years of age at any time, except minors under 14 as provided in s. 103.78, minors 12 and over in school lunch programs, minors 12 years and over engaged in agricultural pursuits, minors 12 and over in street trades as provided in ss. 103.21 to 103.31, and ~~boys~~ minors 12 and over as caddies on golf courses.

SECTION 52. 103.79 (2) of the statutes is amended to read:

103.79 (2) The department may investigate and fix by general or special order reasonable regulations relative to the employment of ~~boys under 18 years of age~~ minors as caddies on golf courses. The regulations may include a waiver or modification of permit requirements for caddies. The investigations and orders shall be made pursuant to ss. 101.01 to 101.25, and every such order has the same force and effect as orders issued pursuant to ss. 101.01 to 101.25. The orders are subject to review as provided in ch. 227.

SECTION 53. 104.02 of the statutes is amended to read:

**104.02 Living-wage prescribed.** Every wage paid or agreed to be paid by any employer to any ~~woman or minor~~ employe, except as otherwise provided in ~~section s.~~ section s. 104.07, shall be not less than a living-wage.

SECTION 54. 104.03 of the statutes is amended to read:

**104.03 Definition of guilt.** Any employer paying, offering to pay, or agreeing to pay any ~~woman or minor~~ employe a wage lower or less in value than a living-wage ~~shall be deemed is~~ guilty of a violation of ~~sections ss.~~ ss. 104.01 to 104.12.

SECTION 55. 104.04 of the statutes is amended to read:

**104.04 Classifications; department's authority.** ~~It shall be the duty of the department and it shall have power, jurisdiction and authority to~~ The department shall investigate, ascertain, determine and fix such reasonable classifications, and to shall impose general or special orders, determining the living-wage, and ~~to shall~~ carry out the purposes of ss. 104.01 to 104.12. Such investigations, classifications, and orders shall be made pursuant to the proceeding in ss. 101.01 to 101.25, which are hereby made a part hereof, so far as not inconsistent with ss. 104.01 to 104.12; and every order of the department shall have the same force and effect as the orders issued pursuant to said ss. 101.01 to 101.25, and the penalties therein shall apply to and be imposed for any violation of ss. 104.01 to 104.12. The department may not establish a different minimum wage for men and women. Said orders shall be subject to review in the manner provided in ch. 227.

SECTION 56. 104.05 of the statutes is amended to read:

**104.05 Complaints; investigation.** The department shall, within 20 days after the filing of a verified complaint of any person setting forth that the wages paid to any ~~woman or minor~~ employe in any occupation are not sufficient to enable ~~such~~ the employe to maintain himself or herself under conditions consistent with his or her welfare, investigate and determine whether there is reasonable cause to believe that the wage paid to any ~~woman or minor~~ employe is not a living-wage.

SECTION 57. 104.06 of the statutes is amended to read:

**104.06 Wage council; determination.** If, upon investigation, the department finds that there is reasonable cause to believe that the wages paid to any ~~woman or minor~~ employe are not a living-wage, it shall appoint a wage council, selected so as fairly to represent employers, employes and the public, to assist in its investigations and determinations. The living-wage so determined upon shall be the living-wage for all ~~women and minor~~ employes, within the same class as established by the classification of the department.

SECTION 59. 111.32 (5) (d) of the statutes is repealed.

SECTION 60. 111.32 (5) (g) 1 of the statutes is amended to read:

111.32 (5) (g) 1. For an employer, labor organization, licensing agency or person, on the basis of sex where sex is not a bona fide occupational qualification, to refuse to hire, employ, admit or license, or to bar or to terminate from employment or licensing ~~such any individual, or;~~

1m. For an employer, labor organization, licensing agency or person, on the basis of sex where sex is not a bona fide occupational qualification, to discriminate against such any individual in promotion, compensation paid for equal or substantially similar work, or in terms, conditions or privileges of employment or licensing;

SECTION 61. 111.32 (5) (g) 3 and 4 of the statutes are created to read:

111.32 (5) (g) 3. For an employer, licensing agency, employment agency, or any publisher to print or circulate or cause to be printed or circulated any employment advertisement offering or requesting employment, publicizing employment opportunities or offering to help persons secure employment which is classified on the basis of sex, or which implies or expresses any preference, limitation, specification or discrimination based on sex, unless sex is a bona fide occupational qualification for the particular job involved.

4. For the purposes of this paragraph, sex is a bona fide occupational qualification where all of the members of one sex are physically incapable of performing the essential duties required by a job, or where the essence of the employer's business operation would be undermined if employees were not hired exclusively from one sex.

SECTION 62. 111.33 of the statutes is amended to read:

**111.33 Department to administer.** This subchapter shall be administered by the department of industry, labor and human relations. The department may make, amend and rescind such rules and regulations as are necessary to carry out this subchapter. The department may, by a commissioner or such agents or agencies as it designates, conduct in any part of this state any proceeding, hearing, investigation or inquiry necessary to the performance of its functions. The department shall preserve the anonymity of any employe who is the aggrieved party in a complaint of discrimination in promotion, compensation or terms and conditions of employment against his or her present employer until a determination as to probable cause has been made, unless the department determines that such anonymity will substantially impede the investigation.

SECTION 62m. 118.13 of the statutes is amended to read:

**118.13 Pupil discrimination prohibited.** No person may be excluded from or discriminated against in admission to any public school or in obtaining the advantages, privileges and courses of study of such public school on account of his sex, race, religion, nationality or color or national origin. No separate school or department may be maintained for any person on account of his sex, race, religion, nationality or color or national origin. Any member of a school board who votes to exclude from any public school any child on account of his sex, race, religion, nationality or color or national origin may be fined not more than \$100 or imprisoned not less than 30 days nor more than 6 months or both. The superintendent may promulgate rules necessary to carry out the purposes of this section.

SECTION 63. 118.20 (1) and (2) of the statutes are amended to read:

118.20 (1) No discrimination because of sex, except where sex is a bona fide occupational qualification as defined in s. 111.32 (5) (g) 4, race, nationality or political or religious affiliation may be practiced in the employment of teachers or administrative personnel in public schools or in the their assignment or reassignment of teachers to particular school buildings within a school district. No questions of any

nature or form relative to sex, except where sex is a bona fide occupational qualification as defined in s. 111.32 (5) (g) 4, race, nationality or political or religious affiliation may be asked applicants for teaching or administrative positions in the public schools either by public school officials or employees or by teachers agencies or placement bureaus.

(2) The state superintendent or ~~his designee~~ a person designated by the superintendent may receive and investigate complaints charging discrimination in employment, assignment or reassignment of teachers or administrative personnel in the public schools and the superintendent or ~~his~~ designee may hold hearings, subpoena witnesses and take testimony to effectuate the purposes of this section.

SECTION 64. 132.01 (8) of the statutes is amended to read:

132.01 (8) Any person, firm, copartnership, corporation, association or union of ~~working men~~ who claims a right to the use of subject matter conflicting with any registration by another, may bring action against such other in the circuit court for the county in which such other resides, or in the circuit court for Dane county, and in any such action the right to the use and registration of such subject matter shall be determined as between the parties, and registration shall be granted or withheld or ~~cancelled canceled~~ by the secretary of state in accordance with the final judgment in any such action. Nonuser for a period of at least 2 years continuing to the date of commencement of any action in which abandonment is in issue shall be prima facie evidence of abandonment to the extent of such nonuser.

SECTION 65. 134.58 of the statutes is amended to read:

**134.58 Use of unauthorized persons as officers.** Any person who, ~~for himself individually, in concert with another~~ or as agent or officer of any firm, joint-stock company or corporation, ~~shall use or employ or aid uses, employs, aids or assist assists~~ in employing any body of armed men persons to act as ~~militiamen, policemen militia, police~~ or peace officers for the protection of persons or property or for the suppression of strikes, ~~whether such armed men be employes of detective agencies, so called, or otherwise, they~~ not being authorized by the laws of this state to so act in such capacity, shall be ~~punished by fine not exceeding fined not more than \$1,000 or by imprisonment in the state prison imprisoned~~ not less than one year nor more than 3 years, or ~~by both such fine and imprisonment.~~

SECTION 66. 176.35 of the statutes is amended to read:

176.35 Any person or ~~persons~~ who ~~shall be~~ is injured in person, property, or means of support by, or in consequence of, the intoxication of any minor or habitual drunkard shall have a right of action jointly or severally ~~in his, her, or their name~~ against any person or ~~persons~~ who ~~have~~ has been notified or requested in writing, by the officers authorized by law to forbid the sale or giving away of intoxicating liquors to such minor or habitual drunkard, or by the ~~husband, wife spouse~~, parents, relatives, guardian or persons having the care or custody of such minor or habitual drunkard, not to sell or give intoxicating liquors to ~~him the minor or habitual drunkard~~, and who, notwithstanding such notice or request, ~~shall knowingly sell sells or give gives~~ away intoxicating liquors, thereby causing the intoxication of such minor or drunkard; and the person so selling or giving away such liquors or drinks shall be liable for all damages resulting therefrom. A married ~~woman person~~ shall have the same right to bring such suit and to control the same as a ~~feme sole single person~~, and all damages so recovered shall belong to ~~her and her separate property the person bringing the suit.~~

SECTION 67. 188.13 (1) of the statutes is amended to read:

188.13 (1) Any Red Arrow Club, composed exclusively of persons who were members of the 32nd Division at any time during World War I or ~~male~~ members who served in the 32nd Division of the United States Army at any time in the period from



October 10, 1940, to the termination of World War II as proclaimed by the President or the Congress, organized in this state, shall have full corporate power to transact business in this state and to take over the assets and liabilities of the existing clubs in this state, upon filing with the secretary of state a statement of its intent so to do, and a full and complete list of its duly elected officers, and shall by so doing become a body corporate. No filing fee shall be charged by the secretary of state for so doing.

SECTION 68. 206.49 (3) of the statutes is amended to read:

206.49 (3) All benefits in policies of burial insurance shall be payable in cash to the beneficiary. No person, ~~firm, corporation or association~~ engaged in the business of providing for the payment of the funeral, burial or other expenses of deceased members, or certificate holders therein or engaged in the business of providing any other kind of insurance shall contract to pay or pay such insurance or its benefits or any part of either to any official undertaker or to any designated undertaker or undertaking concern or to any particular ~~tradesman or business man~~ person so engaged in the trade or business, so as to deprive the representative or family of the deceased from, or in any way to control them in, procuring and purchasing such supplies and services, in the open market with the advantages of competition, unless expressly authorized by the laws of this state and all laws regulating such insurance or applicable thereto have been complied with.

SECTION 69. 218.01 (7b) of the statutes is amended to read:

218.01 (7b) PURCHASE OF MOTOR VEHICLE BY MINOR. No minor shall purchase any motor vehicle unless ~~he~~ the minor, at the time of purchase, submits to the seller a statement verified before a person authorized to administer oaths and made and signed by ~~the purchaser's father if he has custody of the applicant; or if the father does not have custody, then by the mother if she has custody; either parent of the purchaser, if such parent has custody of the minor or, if neither parent has custody, then by the person or guardian having such custody, setting forth that the purchaser has the consent of such person or guardian to purchase such the vehicle. The signature on such the statement shall not impute any liability for the purchase price of the motor vehicle to such the consenting person or guardian. Such The statement shall not adversely affect any other arrangement for the assumption of liability for the purchase price which the consenting person or guardian may make. The signed statement shall accompany the application for a certificate of title and shall be filed by the division with such the application. Failure to obtain such the consent or to forward it with the application for a certificate of title, shall not void the contract of sale of a motor vehicle in the hands of an innocent holder, without notice, for value and in the ordinary course of business. Any person who sells a motor vehicle to a minor with knowledge of such fact without procuring such a statement may be fined not more than \$200 or imprisoned not more than 6 months or both.~~

SECTION 70. 223.03 (6) of the statutes is amended to read:

223.03 (6) Any such corporation shall have power, in and by its corporate name, to take, receive, hold, pay for, reconvey, and dispose of any effects and property, real or personal, which may be granted, committed, transferred, or conveyed to it with its consent, upon any terms, or upon any trust or trusts at any time, by any person ~~or persons~~, including married ~~women~~ persons and minors, bodies corporate, or any court, including the courts of the United States, and to administer, fulfill, and discharge the duties of such trust ~~or trusts~~ for such remuneration as may be agreed upon. Nothing herein shall be held or construed to give minors or married ~~women~~ persons any other or different power or right than they now have as to transferring or disposing of any of their property or effects, personal or real.

SECTION 71. 227.033 of the statutes is amended to read:

**227.033 Discrimination by rule prohibited.** No rule, either in its terms or in its application, shall discriminate for or against any person by reason of ~~his~~ sex, race, creed, color, national origin, or ancestry. Every person affected by a rule shall be entitled to the same benefits and subject to the same obligations as any other person under the same or similar circumstances.

SECTION 72. 234.29 of the statutes is amended to read:

**234.29 Equality of occupancy and employment.** The authority shall require that occupancy of housing projects assisted under this chapter be open to all regardless of sex, race, religion or creed, and that contractors and subcontractors engaged in the construction of housing projects, shall provide an equal opportunity for employment, without discrimination as to sex, race, religion or creed.

SECTION 73. 245.02 of the statutes is amended to read:

**245.02 Marriageable age; who may contract.** (1) Every ~~male~~ person who has attained the full age of 18 years ~~and every female person who has attained the full age of 16 years shall be capable in law of contracting marriage~~ may marry if otherwise competent.

(2) ~~If either of the contracting parties a person is under the age of 18 years if a male, or between the age of 16 and 18 years if a female, no, a license shall~~ may be issued ~~without with the written consent of his or her the person's parents or, guardian and any relative who is appointed as, custodian under s. 247.23 (1) or 247.24, or of the parent having the actual care, custody and control of said party, the person. The written consent must be given before the county clerk under oath, or certified under the hand of such parents, guardian or custodian as aforesaid, in writing and properly verified by affidavit (or affirmation) before a notary public or other official authorized by law to take affidavits, which certificate. The written consent shall be filed of record in the office of said with the county clerk at the time of application for said a license. If there is no guardian, parent or custodian having the actual care, custody and control of said party, or if the custodian is an agency or department, then the judge of the court having probate jurisdiction in the county where the application is pending may the written consent may be given, after notice to any agency or department appointed as custodian and hearing upon proper cause shown, make an order allowing the marriage of said party, but in by the following court:~~

(a) In counties with less than 500,000 population, by the court having probate jurisdiction.

(b) In counties having a population of 500,000 or more the application shall be made to, by the family court under s. 252.017 (1).

SECTION 75. 246.15 of the statutes is amended to read:

**246.15 (title) Equal rights.** Women and men shall have the same rights and privileges under the law ~~as men~~ in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects. The various courts, executive and administrative officers shall construe the statutes ~~where the masculine gender is used to include the feminine gender unless such construction will deny to females the special protection and privileges which they now enjoy for the general welfare so that words importing one gender extend and may be applied to any gender consistent with the manifest intent of the legislature.~~ The courts, executive and administrative officers shall make all necessary rules and provisions to carry out the intent and purpose of this section.

SECTION 76. 247.02 (6) of the statutes is amended to read:

247.02 (6) At the suit of ~~the wife or her~~ either spouse or the spouse's parent or the guardian of her person when ~~she~~ the spouse was under the age of 16 years at the time of the marriage, unless such marriage is validated by compliance with ch. 245.

SECTION 77. 247.02 (7) of the statutes is repealed.

SECTION 78. 247.20 of the statutes is amended to read:

**247.20 (title) Name of spouse.** The court, upon granting a divorce ~~in which alimony jurisdiction is terminated, may, shall~~ allow the wife either spouse, upon request, to resume her maiden name or the name of a former deceased husband, or the name of a husband of a former marriage of which there are children in her custody, unless there are children of the current marriage as to whom the parental rights of the wife have not been terminated a former legal surname, if any.

SECTION 79. 251.72 of the statutes is amended to read:

**Rule 251.72 Rule (Allowances in actions affecting marriage).** (1) In actions affecting marriage pending in this court, no allowance for suit money, counsel fees or disbursements in this court, nor for temporary alimony or maintenance of ~~the wife~~ either spouse or the children during the pendency of the appeal will be made in this court.

(2) Such allowances, if made at all, shall be made by the proper trial court upon motion made and decided after the entry of the order or judgment appealed from and prior to the return of the record to this court, provided, that if such allowance ~~be~~ is ordered before the appeal is taken such order shall be conditioned upon the taking of the appeal and shall be without effect unless and until the appeal ~~be~~ is perfected.

SECTION 80. 341.08 (6) of the statutes is amended to read:

341.08 (6) If the applicant for a certificate of registration is under 18 years of age, the application shall be accompanied by a statement made and signed by either of the applicant's father if he has custody of the applicant; or if the father does not have custody, then by the mother if she has custody parents, if such parent has custody of the minor; or if neither parent has custody, then by the person ~~or guardian~~ having such custody, stating that the applicant has the signer's consent ~~of such person or guardian~~ to register ~~such the~~ vehicle in the applicant's name. The signature on ~~such the~~ statement shall not impute any liability for the negligence or misconduct of the applicant while operating such motor vehicle on the highways. Any person who violates this section may be required to forfeit not more than \$200.

SECTION 81. 407.204 (1) of the statutes is amended to read:

407.204 (1) A ~~warehouseman~~ warehouse keeper is liable for damages for loss of or injury to the goods caused by ~~his~~ failure to exercise such care in regard to them as a reasonably careful ~~man~~ person would exercise under like circumstances but unless otherwise agreed ~~he~~ the warehouse keeper is not liable for damages which could not have been avoided by the exercise of such care.

SECTION 82. 631.36 (9) of the statutes is amended to read:

631.36 (9) **PROHIBITED CANCELLATION AND NONRENEWAL.** No insurer ~~shall~~ may cancel or refuse to renew an automobile liability insurance policy solely because of the sex, age, residence, race, color, creed, national origin, ancestry or occupation of anyone who is an insured.

SECTION 83. 939.46 (2) of the statutes is amended to read:

939.46 (2) It is no defense to a prosecution of a married ~~woman~~ person that the alleged crime was committed by command of ~~her husband~~ the spouse nor is there any presumption of coercion when a crime is committed by a married ~~woman~~ person in the presence of ~~her husband~~. ~~Married women shall be judged according to the standard set out in sub. (1) the spouse.~~

SECTION 84. 942.04 (1) (a) and (b) of the statutes are amended to read:

942.04 (1) (a) Denies to another or charges another a higher price than the regular rate for the full and equal enjoyment of any public place of accommodation or amusement because of ~~his sex~~, race, color, creed, national origin or ancestry; ~~or~~

(b) Directly or indirectly publishes, circulates, displays or mails any written communication which ~~he~~ the communicator knows is to the effect that any of the facilities of any public place of accommodation or amusement will be denied to any person by reason of ~~his sex~~, race, color, creed, national origin or ancestry or that the patronage of a person is unwelcome, objectionable, or unacceptable for any of those reasons; or

SECTION 85. 942.04 (4) of the statutes is created to read:

942.04 (4) Nothing in this section shall prohibit separate dormitories at higher educational institutions or separate public toilets, showers, saunas and dressing rooms for persons of different sexes.

SECTION 86. 945.01 (5) of the statutes is amended to read:

945.01 (5) BOOKMAKING. "Bookmaking" means the receiving, recording or forwarding of a bet or offer to bet on any contest of skill, speed, strength or endurance of ~~man or beast~~ persons or animals.

SECTION 87. 945.07 (1) of the statutes is amended to read:

945.07 (1) Any participant in, or any owner, employer, coach or trainer of a participant in, any contest of skill, speed, strength or endurance of ~~man, machine~~ persons, machines or ~~beast~~ animals at which admission is charged, who makes a bet upon any opponent in such contest may be fined not more than \$1,000 or imprisoned not more than one year in county jail or both.

SECTION 88. 979.02 of the statutes is amended to read:

**979.02 Jury to be called, when.** ~~Whenever any~~ Any coroner or deputy coroner who holds an inquest, ~~he~~ may dispense with the summoning of a coroner's jury and personally conduct the inquest ~~himself~~ and render a verdict therein the same as a coroner's jury would do; or ~~he~~ the coroner or deputy coroner shall issue a precept to the sheriff or any constable forthwith to summon a jury of 6 ~~good and lawful men~~ residents of the county to appear ~~before him~~ at the time and place specified in the precept, which precept shall be in substance as follows:

THE STATE OF WISCONSIN, to the sheriff or any constable of the county of ...:

You are hereby required immediately to summon 6 good and lawful ~~men~~ residents of the county of ..., to appear forthwith before me at ..., in the town of ..., to inquire how and by what means the person known as .... ~~came to his death~~ died.

Given under my hand this .... day ..., 19...

.... .., Coroner.

SECTION 89. 990.001 (2) of the statutes is amended to read:

990.001 (2) GENDER. Words importing one gender extend and may be applied to any gender. Any person who by statute, rule or ordinance is designated a chairman, alderman or other similar title may use another equivalent title such as, in the case of a chairman, "chair", "chairperson", "chairwoman" or other such appropriate title.

SECTION 90. **Use of nondiscriminatory terminology.** It is the legislature's intent that the statutes of this state be written to reflect the equal status before the law of men and women. It is the policy of the legislature that the creation of new statutes and the revision of existing statutes incorporate the use of nondiscriminatory terminology in all statutory language. Section 990.001 (2) of the statutes shall continue in effect and shall apply to any statute including any word which imports one gender only.

SECTION 91. **Change of terminology.** (1) Wherever the term "enlisted men" or "enlisted man" appears in the following sections of the statutes, the term "enlistees" or "enlistee" is substituted: 21.025 (2) (c) and (10), 21.17, 21.32, 21.33, 21.48 (1), 21.59 and 21.60.

(2) Wherever the term "military men" appears in the following section of the statutes, the term "persons in the military" is substituted: 59.07 (31).

(3) Wherever the term "wife" or "wife or husband" appears in the following sections of the statutes, the term "spouse" is substituted: 41.22 (2), 41.52 (2), 45.16, 45.35 (5m) (c) and (8), 63.63 (1) (c), 72.12, 236.21 (2) (a), 247.265, 272.18 (30), 272.19 (1), 859.49 and 895.04 (2).

(4) Wherever the term "wives" appears in the following sections of the statutes, the term "spouses" is substituted: 45.10 and 45.185.

(5) Wherever the term "widow" appears in the following sections of the statutes, the term "surviving spouse" is substituted: 41.15 (4) (c), 45.16, 45.35 (8), 45.351, 45.53 (7), 61.65 (6) and (7), 62.13 (9) (c) 2, 63.63 (1) (c), 71.08 (4), 178.04 (4), 272.18 (21) and 272.56.

(6) Wherever the term "widows" appears in the following sections of the statutes, the term "surviving spouses" is substituted: 45.10, 45.185, 62.135 (1), 63.60 (1), 63.61 (8) (j) and 178.21 (3) (e).

(7) Wherever the term "mother" appears in the following sections of the statutes, the term "parent" is substituted: 45.351.

(8) In the following sections of the statutes, in the phrase "know all men by these presents:", delete the word "men": 75.16, 187.01 (2), 187.05 (3), 187.10 (2), 187.13 (1) and 187.14 (4) (b).

(9) In the following sections of the statutes, delete "men" and substitute "persons": 29.33 (2) (a) 1, 66.94 (6), 80.48 (3), 101.15 (2) (a), 140.05 (9), 192.265, 201.59 (3), 211.14 (1), 213.01 (2), 229.24 (4) (b), 289.31, 880.19 (2) (a) and 994.35.

(10) In the following sections of the statutes, delete "man" and substitute "persons": 70.11 (20), 93.01 (16), 94.67 (8) and (10) (b), 94.676 (5), 94.69 (1) and (2), 94.70 (1) (e), 95.72 (1) (a), 97.01 (2) (a), 97.52, 99.06, 100.37 (1) (b) and (c), 140.77 (1) and 450.06 (1), (2) and (3).

(11) In the following sections of the statutes, delete "man" and substitute "member": 29.574 (3), 29.575 (4), 29.576 (4), 29.577 (3m), 29.58 (4) and 165.85 (3) (d).

(12) In the following sections of the statutes, delete "man" and substitute "person": 66.94 (27), 255.11, 256.29 (1), 407.309 (1), 447.07 (5), 880.64 (5), 881.01 and 908.045 (4).

(13) In the following sections of the statutes, delete “husband” and substitute “spouse”: 6.33 (2) (figure), 70.19 (1) and 859.49.

(14) In the following section of the statutes, delete “ex-serviceman’s” and substitute “veterans”: 66.054 (8) (b).

(15) In the following sections of the statutes, delete “father” and substitute “parent”: 6.33 (2) (figure), 69.30 (2) and 142.03 (3) (c).

(16) In the following sections of the statutes, delete “woman” and substitute “person”: 706.07 (6) and 706.09 (1) (e).

(17) In the following section of the statutes, delete “females” and substitute “workers”: 103.16.

**Vetoed in Part** SECTION 92. ~~Appropriation transfer. The unencumbered balances in section 20.505 (5) (b) of the statutes on the effective date of this act shall be transferred to the appropriation under section 20.525 (6) (a) of the statutes as created by this act.~~

~~SECTION 93. The commission on the status of women established by executive order is abolished.~~

---