

37.25. Courses or classes in which persons have been duly enrolled but in which no lesson has been submitted by any enrollee for 12 months next preceding the first day of July in any year shall be cancelled. Any unused moneys allotted to the university extension division for such incompleting courses shall revert to the appropriation provided for in section 20.41 (2) (ca).

(2) Eligibility to receive any of the benefits under (1) of this section shall be certified to the university extension division by the adjutant general.

SECTION 4. This act shall take effect July 1, 1943.

Approved June 28, 1943.

No. 605, A.]

[Published July 2, 1943.]

CHAPTER 411.

AN ACT to create 101.185 of the statutes, relating to actions on contracts by contractors failing to comply with orders and regulations of the industrial commission.

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

101.185 of the statutes is created to read:

101.185 NONCOMPLIANCE WITH ORDERS A DEFENSE TO ACTION ON CONTRACT. Proof by any person, firm, or corporation employing a contractor to construct, repair, alter or improve any building or structure, that such contractor in performing such work has failed to comply with any applicable order or regulation of the industrial commission promulgated under the provisions of section 101.10 shall constitute a defense to any action for payment by such contractor to the extent that it shall bar recovery for any part of the work which fails to comply. Advancements paid to the contractor for work which fails to comply as well as any reasonable amount expended to effectuate compliance with any applicable order or regulation may be recovered from such contractor by way of counterclaim or in a separate action. The provisions of this section shall not apply where plans or specifications were prepared by an architect or engineer licensed to do business in this state and the contract performed in accordance therewith.

Approved June 28, 1943.