

No. 377, A.]

[Published July 10, 1943.]

CHAPTER 485.

AN ACT to amend 241.13 (1) of the statutes, relating to the foreclosure of chattel mortgages.

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

241.13 (1) of the statutes is amended to read:

241.13 (1) No private or public sale of any personal property taken by virtue of any chattel mortgage, lease or other instrument intended as security, except instruments covered by chapter 122, shall be made unless at least 10 days before such sale the mortgagee or his agent shall serve upon the owner of the equity of redemption in such property so taken, if he resides within the county, a written notice of such proposed sale served either as a circuit court summons is served, or served by mailing to him by registered mail; nor shall any property during such time be removed from the county where it was situated when taken; and during such period such property shall be subject to redemption by payment of the mortgage debt, and the actual and necessary costs and expenses of taking and keeping it incurred at the time of making redemption. *If the mortgagee intends to sue for a deficiency judgment in the event that the proceeds from the sale of the property covered by the mortgage are insufficient to satisfy the debt secured thereby, he shall so state in the notice given as specified in this subsection. Failure to so state shall bar the mortgagee from recovering such a judgment.*

Approved July 8, 1943.

No. 642, A.]

[Published July 10, 1943.]

CHAPTER 486.

AN ACT to amend 7.04 (1) and 7.05 and to create 7.01 (5) of the statutes, relating to elections to fill vacancies in the office of governor and lieutenant governor.

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

SECTION 1. 7.01 (5) of the statutes is created to read:

7.01 (5) If, during a vacancy in the office of governor, a vacancy shall occur in the office of lieutenant governor not more

than 4 months nor less than 70 days before a general election, such vacancy in the office of governor and lieutenant governor shall be filled at such election. If, during a vacancy in the office of governor, a vacancy shall occur in the office of lieutenant governor less than 70 days before a general election, such vacancy in the office of governor and lieutenant governor may be filled at a special election. If, during a vacancy in the office of governor, a vacancy shall occur in the office of lieutenant governor more than 4 months before a general election, such vacancy in the office of governor and lieutenant governor shall be filled at a special election to be held within 65 days after such vacancy occurs in the office of lieutenant governor.

SECTION 2. 7.04 (1) of the statutes is amended to read:

7.04 (1) All special elections for county officers shall be ordered by the county clerk, except that a special election for county clerk shall be ordered and noticed by the sheriff in the manner required of such clerk in other cases. The officer who orders such an election shall give notice in the manner hereinafter provided. All other special elections shall be ordered by the governor *except that a special election for governor shall be ordered by the attorney general in the manner required of the governor in other cases, so far as applicable.*

SECTION 3. 7.05 of the statutes is amended to read:

7.05 The secretary of state shall cause a copy of each notice of election issued by him, and of each order made by the governor *or attorney general* for a special election, to be published in the official state paper once in each week from the date of such notice or order until the election to which it shall refer; and on receipt of such order shall cause a copy thereof forthwith to be transmitted to the county clerk of the county, or in case of a vacancy in a district embracing more than one county, then to the county clerk of each county any part of which is in such district. The county clerk, on receiving or on countersigning any order for a special election, shall forthwith give notice of such election in the manner provided for giving notices of general elections. Every town, village and ward officer or inspector of election, who shall receive any such notice, shall forthwith give notice thereof in the manner required of him in case of a general election. At the time of making the certificate required by section 6.19, or at the time of the publication of the notice required by this section,

the secretary of state shall transmit to each county clerk a form of notice to be used by him under section 6.22, and also a form of the ballot to be used by him.

Approved July 8, 1943.

No. 60, S.]

[Published July 10, 1943.

CHAPTER 487.

AN ACT to amend 40.34 (1) and (1m) and to create 40.34 (1a) of the statutes, relating to the transportation of school children. *The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 40.34 (1) and (1m) of the statutes are amended to read:

40.34 (1) The school district meeting may authorize the board to provide transportation for all the children of school age residing in the district *and enrolled in the elementary grades.* * * *. The board * * * *may* provide transportation to and from school for all school children residing in the district and over 2½ miles from the schoolhouse, in case of a common school and 4 miles in case of a union high school, *on its own order, by any of the following methods:*

- (a) *By contract with a common carrier;*
- (b) *By contract with the parent or guardian of the children to be transported or with other parties;*
- (c) *By contract with another school district;*
- (d) *By joint contract between 2 or more school districts and a third party, the third party being either an individual or a common carrier;*
- (e) *By the purchase and operation of a district owned vehicle operated by a competent driver employed by the school board in the name of the district;*
- (f) *By contract with a taxi company or companies.*

And if it fails to provide such transportation the parents may provide suitable transportation for their children, and shall be paid therefor by the district, at the rate of *not less than* twenty cents per day for the first child and ten cents per day for each additional child transported. * * *