

the time of the conveyance of any land to the state or as a consideration thereof, the state or any person, firm or corporation holding such land for the state leases or creates any beneficial interest equivalent to a lease of such land or a part thereof to or for the grantor, the exemption provided in this subsection shall not apply to such land or part thereof during the term of such lease or interest, unless such land or part thereof is used for public purposes; except that this provision shall not apply to any property already acquired or for acquisition of which negotiations were pending on July 29, 1933, and which shall be acquired prior to October 1, 1933, nor to any property acquired from any municipal corporation.

SECTION 2. 70.11 (1a) of the statutes is repealed.

Approved May 26, 1947.

No. 158, A.]

[Published May 29, 1947.

CHAPTER 183.

AN ACT to renumber 66.095 to be 85.095 and to amend 85.095, as renumbered, of the statutes, relating to the liability of the state and its political subdivisions for damages done by negligent operation of motor vehicles owned and operated by them in their respective businesses.

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

66.095 of the statutes is renumbered 85.095 and amended to read:

85.095 MOTOR VEHICLE ACCIDENTS, * * * STATE AND MUNICIPAL LIABILITY. (1) *As used in this section unless the context otherwise requires:*

(a) "Municipality" means the state, any county, city, village, town, school district (as enumerated in section 67.01 (1)), sewer district, drainage district, community centre, and without restriction because of failure of enumeration, any other political subdivision of the state.

(b) "Governing body" means the state legislature, county or town board, the legislative body of a city or village and the board of any district, centre or other municipality enumerated in paragraph (a).

(c) "Business" means any business whether governmental or proprietary.

(2) Any person, firm or corporation suffering any damage proximately resulting from the negligent operation of a motor vehicle owned and operated by any * * * municipality, and which damage is occasioned by the operation of such motor vehicle in the performance of * * * its business, may * * *, file a claim therefor against such * * * municipality and the * * * governing body thereof shall have the right to allow, compromise, settle and pay the same. * * *

(3) The manner and form of and the place for filing claims shall be:

(a) If against the state, as provided in section 14.38, with the secretary of state.

(b) If against any county, as provided in sections 59.76 and 59.77 (1), with the county clerk.

(c) If against any city, as provided in section 62.25, with the city clerk.

(d) If against any village, as provided in section 61.51, with the village clerk.

(e) If against any town, as provided in section 60.36, with the town clerk.

(f) If against any school district, as provided in section 40.18.

(g) If against any other municipality, the claim shall be filed with the person who performs the duties of a clerk or secretary and shall state the time and place of the accident and an itemized statement of the damages sought.

(4) Failure of the governing body to pass upon the claim within 60 days after presentation shall constitute a disallowance. Disallowance by the governing body shall bar any action founded on the claim unless brought within 6 months after disallowance. Actions against the state and payment of the amount recovered shall be as provided in sections 285.01 and 285.04. For the purposes of this section, judgments against other municipalities shall be certified, filed and collected as provided in section 66.09 whether named therein or not.

(5) If the allowance of claim is by or the judgment is against any municipality lying in more than one town, city, village or county, the governing body of the debtor municipality shall prorate the amount of the claim allowed or the judgment and so certify to the proper officials for tax levy, so that the taxable

property of the debtor municipality will equitably bear the amount of the claim or judgment.

(6) This section does not create any liability against a county for any act of the sheriff where such liability is prohibited by article VI, section 4 of the state constitution.

Approved May 26, 1947.

No. 202, A.]

[Published May 29, 1947.

CHAPTER 184.

AN ACT to repeal 69.33 (1a); to amend 69.33 (1); to repeal and recreate 69.33 (7) and (9); and to create 69.24 (1) (e) and 69.336 of the statutes, relating to adoption proceedings.

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

SECTION 1. 69.24 (1) (e) of the statutes is created to read:
69.24 (1) (e) The state registrar shall collect a filing fee of \$1 for new certificates filed in accordance with sections 69.33 and 69.336.

SECTION 2. 69.33 (1) of the statutes is amended to read:
69.33 (1) On being advised pursuant to section 322.05 of the adoption of any child whose birth has previously been registered or pursuant to section 245.36 of the legitimation of any child by the marriage of the parents, the state registrar of vital statistics shall file a new birth certificate filled out and signed by himself or his authorized representative. In this new certificate reference shall be made to this section by number only. In all other respects the certificate shall be the same as other birth certificates and shall contain nothing else to differentiate it therefrom. *In case such adopted child was born elsewhere in the United States, a new certificate may be filed as herein provided if the adoptive parent shall file with the state registrar a certified copy of the original birth certificate or satisfactory proof that the birth was not recorded. The place of birth may be given as the place where the adoption order was made and the date of birth shall be taken from the original certificate, or, in the absence thereof, from the adoption order.*

SECTION 3. 69.33 (1a) of the statutes is repealed.