

No. 671, S.]

[Published August 4, 1961.]

**CHAPTER 336**

AN ACT to amend, repeal and renumber various provisions of the statutes for the purpose of supplying omissions, clarifying language, correcting and clarifying references, renumbering for better location and arrangement, eliminating obsolete provisions and reconciling conflicts (Revisor's Correction Bill).

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

SECTION 1. 13.47 of the statutes is repealed.

SECTION 2. 13.55 of the statutes is repealed.

SECTION 3. 13.58 of the statutes is repealed.

SECTION 4. 23.26 (2) of the statutes is amended by substituting "state soil and water conservation committee" for "state soil conservation committee."

SECTION 5. 35.84 (line 35) (column E) of the statutes is amended to read:

35.84

E.

35. State library 60

SECTION 6. 59.872 of the statutes is amended by substituting "soil and water conservation district" for "soil conservation district."

SECTION 7. 60.18 (21) and (22) of the statutes are amended by substituting "soil and water conservation district" for "soil conservation district" wherever the term appears.

SECTION 8. 66.901 (5) (ij) of the statutes, as amended by chapter 11, laws of 1961, is renumbered 66.901 (5a).

SECTION 9. 66.9065 (9) (b) of the statutes is amended to read:

66.9065 (9) (b) The balance at the beginning of any year in the reserve for variable annuities granted account, as adjusted by transfers

thereto and payments therefrom, shall not be credited with interest as provided by s. 66.916 \* \* \* (2) (a) but shall be credited or debited, as the case may be, at the end of the year with net gain or loss at the rate of net gain or loss of the variable annuity division for the year.

SECTION 10. 71.14 (2a) (d) 2. of the statutes is repealed.

SECTION 11. The chapter title of Chapter 92 of the statutes is amended to read:

CHAPTER 92.

SOIL AND WATER CONSERVATION.

SECTION 12. 97.27 (2) of the statutes is amended to read:

97.27 (2) This section shall not be construed to prohibit the sale of dietary foods containing saccharin in containers labeled in accordance with s. 97.60, nor the use of sulphur dioxide or sulphites as antioxidants in the processing of potatoes or frozen apples provided such foods contain not more than 350 parts per million of SO<sub>2</sub>; nor the use of sulphur dioxide in molasses or in the processing of dried fruits in amounts no more than may be necessary in good manufacturing practice. Any person who refreezes or offers for sale any refrozen fruit containing sulphur dioxide or sulphites as antioxidants in not more than 350 parts per million, shall be \* \* \* *fined not less than \$100 nor more than \$500 or imprisoned not more than 3 months, or both, and for each subsequent offense shall be fined not less than \$500 nor more than \$1,000 or imprisoned not less than 6 months nor more than one year.* The department may promulgate rules limiting the quantity therein for any such dried fruit or molasses.

SECTION 13. 108.02 (15) of the statutes is amended to read:

108.02 (15) An employe's "weekly benefit rate" from a given employer means the amount determined in accordance with s. 108.05 \* \* \*.

SECTION 14. 236.13 (2) (b) of the statutes is amended to read:

236.13 (2) (b) Any city or village may require as a condition for accepting the dedication of public streets, alleys or other ways, or for permitting private streets, alleys or other public ways to be placed on the official map, that designated facilities shall have been previously provided without cost to the municipality, but which are constructed according to municipal specifications and under municipal inspection, such as, without limitation because of enumeration, sewerage, water mains and laterals, grading and improvement of streets, alleys, sidewalks and other public ways, street lighting or other facilities designated by the governing body, or that a specified portion of such costs shall be paid in advance as provided in s. 66.54 (3) \* \* \*.

SECTION 15. 270.07 (1) of the statutes is amended to read:

270.07 (1) An issue of fact in an action for the recovery of money only, or of real or personal property or for divorce *or legal separation* on the ground of adultery, must be tried by a jury except as otherwise provided in this chapter and except that equitable defenses or counterclaims are triable by the court. Every other issue must be tried by the court, but the court may order the whole issue or any specific question of fact involved therein to be tried by a jury; or may refer an issue as provided in s. 270.34.

SECTION 16. 295.03 of the statutes is amended to read:

295.03 When any order of the court or a judge shall have been made requiring the payment of costs or any other sum of money and proof by affidavit shall be made of the personal demand of such sum of money and

of a refusal to pay it the court or judge may issue a warrant to commit the person so disobeying to prison or a house of correction until such sum and costs and expenses of the proceedings shall be paid. Where an order of the court, or a judge, in an action for divorce or *legal separation*, requires the payment of a sum or sums of money, and personal service of such order has been made upon the defendant, no proof of personal demand of such sum of money and a refusal to pay shall be required before the defendant is punished as provided in this section.

SECTION 17. 336.14 (2) of the statutes is amended to read:

336.14 (2) Whenever a person is committed to jail because of refusal or failure to comply with any order of a court respecting the payment of alimony or suit money in a divorce or *legal separation* action, it shall not be necessary to advance to the jailer money to pay for the support of such person, but the county in which such commitment shall be made shall be liable to the jailer for the support of the prisoner during the time for which he may be imprisoned.

SECTION 18. 349.03 (1m) of the statutes is repealed.

SECTION 19. 990.001 (14) of the statutes is created to read:

990.001 (14) If a statute refers to a numerical series such as 1 to 10, the reference includes both the first and last number mentioned.

SECTION 20. Wherever the term "emergency board" is used in the following sections of the statutes, the term "board on government operations" is substituted: 20.530 (1) (c); 20.650 (31) (b); 20.953 (2); 20.979 (2) (a). The revisor of statutes shall show the change in printing the statutes.

Approved July 28, 1961.

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