

CHAPTER 622

AN ACT to repeal, renumber, amend and reenact various provisions of the statutes and session laws for the purpose of correcting errors, clarifying language, correcting titles of departments and officers, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary and obsolete provisions, reconciling conflicts and repelling unintended repeals. (Revisor's Correction Bill)

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

SECTION 1. The amendment made to 12.09 (3) (intro. par.) of the statutes by chapter 449 (Bill 491, A), laws of 1961, was not repealed by chapter 502 (Bill 88, A), laws of 1961. Both amendments stand.

SECTION 2. 14.29 (10) of the statutes is amended by substituting "985.04 (2)" for the reference to "35.64".

SECTION 3. 16.85 (intro. par.) of the statutes is amended to read:

16.85 (intro. par.) The department of administration shall exercise the powers and duties prescribed by ss. 16.85 to * * * 16.91:

SECTION 4. 20.125 (7) of the statutes is repealed.

SECTION 5. 20.385 (20) (a) of the statutes is amended by substituting "s. 20.280 (72)" for the reference to "s. 20.280 (2)."

SECTION 6. 20.551 (73) of the statutes is amended by substituting "s. 20.130 (41)" for the reference to "s. 20.130 (2)."

SECTION 7. 20.670 (25) of the statutes, as created by chapter 591 (Bill 544, S), laws of 1961, is amended by substituting "51.38" for the reference to "51.37." The revisor shall show the change in printing the statutes.

SECTION 8. 20.670 (65) (c) of the statutes is amended to read:

20.670 (65) (c) Such sums as the state department of public welfare may from time to time with approval of board on government operations transfer from the appropriations made by * * * par. (a) * * * and all receipts from sales to its institutions and sales under s. 16.74 of obsolete supplies, materials and equipment salvaged under s. 56.01, to be used as a revolving appropriation to carry on the provisions of s. 56.01.

SECTION 9. 20.705 (42) and (43) of the statutes, as created by chapter 427 (Bill 616, A), laws of 1961, are renumbered to be 20.705 (44) and (45).

SECTION 10. Wherever a reference to 20.840 (93) is made in 20.840 (82) (a) of the statutes (as renumbered from 20.840 (93) (a) by chapter 513 (Bill 614, S), laws of 1961) the reference is changed to "sub. (82)." The revisor of statutes shall show the change in printing the statutes.

SECTION 11. The amendments made to 20.951 (5) of the statutes by chapter 191 (Bill 111, A), laws of 1961, are not repealed by chapter 439 (Bill 732, S), laws of 1961. Both amendments stand.

SECTION 12. 24.39 (4) (d) of the statutes, as created by chapter 535 (Bill 691, A), laws of 1961, is amended to read:

24.39 (4) (d) This * * * *subsection* applies only to Lake Michigan and Lake Superior, the Mississippi and St. Croix Rivers, the Fox River from Green Bay upstream to the point where it meets the Wolf River, and to the segments of all other bodies of water in which the U. S. Army Corps of Engineers provides and maintains commercial navigation channels.

SECTION 13. 25.30 of the statutes is amended by substituting "department of administration" for "director of budget and accounts."

SECTION 14. 27.30 (5) (intro. par.) of the statutes, as renumbered from 94.08 (intro. par.) by chapter 149 (Bill 567, A), laws of 1961, is amended by substituting "s. 20.365 (3)" for the reference to "s. 20.140 (28)."

SECTION 15. 30.19 of the statutes, as created by chapter 454 (Bill 110, S), laws of 1961, is renumbered 30.195.

SECTION 16. The amendment made to 32.05 (1) of the statutes by chapter 52 (Bill 226, S), laws of 1961, was not repealed by chapter 486 (Bill 622, S), laws of 1961. Both amendments stand.

SECTION 17. 32.05 (3) (f) of the statutes, as repealed and recreated by chapter 486 (Bill 622, S), laws of 1961, is repealed.

SECTION 18. 38.24 (1) (e) of the statutes is amended by substituting "department of administration" for "director of budget and accounts" in two places. The revisor shall show the change in printing the statutes.

SECTION 19. 39.06 (7) of the statutes, as created by chapter 382 (Bill 196, S), laws of 1961, is renumbered to be 39.06 (8).

SECTION 20. 40.025 (9) of the statutes, as created by chapter 375 (Bill 73, A), laws of 1961, is renumbered to be 40.025 (10).

SECTION 21. 41.15 (10) (aa) of the statutes, as created by chapter 585 (Bill 316, A), laws of 1961, is renumbered to be 41.15 (17) (aa).

SECTION 22. 42.49 (10) (g) of the statutes, as created by chapter 411 (Bill 355, A), laws of 1961, is renumbered to be 42.49 (10) (h).

SECTION 23. 45.37 (9a) of the statutes, as created by chapter 136 (Bill 108, A), laws of 1961, is renumbered to be 45.37 (9c).

SECTION 24. 49.26 (11) (a) of the statutes is amended by substituting "s. 253.34 (1)" for the reference to "s. 253.29 (2)".

SECTION 25. 51.37 of the statutes, as created by chapter 591 (Bill 544, S), laws of 1961, is renumbered 51.38. The revisor shall show the change in printing the statutes.

SECTION 26. 59.03 (1) (c) of the statutes, as amended by chapter 573 (Bill 31, A), laws of 1961, is amended by substituting "66.196" for the reference to "69.196."

SECTION 27. The amendments made to 59.96 (6) (j) of the statutes by chapter 486 (Bill 622, S), laws of 1961, were not repealed by chapter 544 (Bill 480, A), laws of 1961. Both amendments stand.

SECTION 28. 62.11 (4) (a) of the statutes is amended by substituting "985.06" for the reference to "62.10."

SECTION 29. The amendments made to 62.23 (7) (d) of the statutes by chapter 324 (Bill 396, S), laws of 1961, were not repealed by chapter 550 (Bill 640, A), laws of 1961. Both amendments stand.

SECTION 30. 64.31 (3) of the statutes is repealed.

SECTION 31. 66.04 (2) of the statutes, as amended by chapter 97 (Bill 265, S), laws of 1961, is repealed, but as amended by chapter 507 (Bill 332, S), laws of 1961, is reenacted.

SECTION 32. 66.28 of the statutes, as amended by chapter 163 (Bill 66, A), laws of 1961, is amended to read:

66.28 Cities, villages and counties may, at a public auction to be held once a year, dispose of any personal property which has been abandoned, or remained unclaimed for a period of 30 days after the taking of possession of the same by the city, village or county officers. All receipts from such sales, after deducting the necessary expenses of keeping such property and conducting such auction, * * * *shall be* paid into the city, village or county treasury.

SECTION 33. 66.99 (3) of the statutes is amended by substituting "66.902 (1b)" for the reference to "66.902 (1a)."

SECTION 34. The amendment made to 70.11 (2) of the statutes by chapter 58 (Bill 246, A), laws of 1961, was not repealed by chapter 383 (Bill 264, S), laws of 1961. Both amendments stand.

SECTION 35. 71.09 (6) (a) 6. and 7. of the statutes, as amended by chapter 466 (Bill 619, S), laws of 1961, are repealed.

SECTION 36. 71.09 (6) (b) 6. and 7. of the statutes are amended to read:

71.09 (6) (b) 6. A son or daughter of a brother or sister of the taxpayer *or of the taxpayer's spouse*.

7. A brother or sister of the father or mother of the taxpayer *or of the taxpayer's spouse*.

SECTION 37. 74.33 (2) (a) of the statutes, as amended by chapter 57 (Bill 207, A), laws of 1961, is amended by substituting "985.03" for the reference to "331.20."

SECTION 38. 75.521 (6) of the statutes is amended by substituting "985.03" for the reference to "331.20."

SECTION 39. 93.01 (15) of the statutes is amended to read:

93.01 (15) "Publish" means the same as in s. * * * 985.04 (2).

SECTION 40. 94.77 (1) of the statutes is repealed.

SECTION 41. 94.80 of the statutes, as amended by chapter 33 (Bill 50, S), laws of 1961, is amended by substituting "s. 20.140 (25) to (27)" for the reference to "s. 20.140 (25) to (28)."

SECTION 42. 95.51 of the statutes, as renumbered from 95.51 (4) by chapter 294 (Bill 350, A), laws of 1961, is renumbered 150.05 (4).

SECTION 43. 139.28 (last sentence) of the statutes is amended by substituting "department of administration" for "department of budget and accounts."

SECTION 44. The amendment of 139.50 (3) (e) of the statutes by chapter 251 (Bill 57, S), laws of 1961 was not repealed by chapter 427 (Bill 616, A), laws of 1961. Both amendments stand.

SECTION 45. 139.50 (3) (g) of the statutes, as created by chapter 251 (Bill 57, S), laws of 1961, is renumbered to be 139.50 (3) (h).

SECTION 46. 139.50 (26) of the statutes is amended by substituting "department of administration" for "secretary of state."

SECTION 47. 146.125 of the statutes, as amended by chapter 191, section 109 (Bill 111, A), laws of 1961, is amended by substituting "department of agriculture" for "board of health" and "department" for "board."

SECTION 48. 152.53 (4) of the statutes, as created by chapter 400 (Bill 371, S), laws of 1961, is amended to read:

152.53 (4) This section shall apply exclusively to a corporation or other organization organized, recognized or operated under s. * * * 152.51 or 152.52.

SECTION 49. 154.01 (2) of the statutes, as amended by chapter 546 (Bill 490, A), laws of 1961, is amended to read:

154.01 (2) No person shall practice podiatry, for compensation, directly or indirectly, or in the expectation thereof, or attempt to do so, or designate himself as a licensed podiatrist, or use the title "D.S.C.", "Dr.", or Doctor of Surgical Chiropody, or "Doctor of Podiatry", or "Doctor", or "foot doctor", or "foot specialist" or other title or letter indicating that he is a podiatrist, or otherwise directly or indirectly represent or hold himself out as such, unless registered by the state board of medical examiners * * *. This does not prohibit a physician and surgeon licensed under ch. 147 from treating the feet, nor a lawfully qualified nonresident podiatrist meeting licensed podiatrists in this state in consultation. This chapter shall not apply to the construction of and commerce in footwear or sundry products related thereto, including arch supports and similar mechanical appliances.

SECTION 50. 154.06 (1) of the statutes, as amended by chapter 546 (Bill 490, A), laws of 1961, is amended to read:

154.06 (1) Any person practicing or holding himself out as practicing podiatry, not being registered, * * * shall be fined, for a first offense, not less than \$50 nor more than \$100, and for a subsequent offense not less than \$100 nor more than \$250, or imprisoned not less than 6 months, or both.

SECTION 51. The amendment made to 174.05 of the statutes by chapter 165 (Bill 121, A), laws of 1961, was not repealed by chapter 381 (Bill 172, S), laws of 1961. Both amendments stand.

SECTION 52. The amendment of 176.05 (21) (a) of the statutes by chapter 368 (485, S), laws of 1961, was not repealed by chapter 402 (47, S), laws of 1961. Both amendments stand.

SECTION 53. 176.62 (2) (c) of the statutes is amended to read:

176.62 (2) (c) Any personal property, other than intoxicating liquor or fermented malt beverages, seized pursuant to sub. (1) and fit for sale, shall be turned over to the department of taxation for disposition and shall be disposed of by the * * * *department of administration* at public auction to the highest bidder at a time and place stated in a notice of sale which shall describe the property to be sold and be subscribed by the * * * *department of administration*. The place of sale shall be in a conveniently accessible place in the county where the property was taken. A copy of the notice shall be published once each week for 2 successive weeks before the time of sale in the official state newspaper and in a newspaper having general circulation in the area where the property is to be sold and shall be posted in a conspicuous place in the court house or on the courthouse grounds in such county at least 10 days before the sale. The department of taxation shall serve a copy of the notice of sale at least 2 weeks before the date thereof on all persons who are or may be owners or holders of

lien contracts on all or part of the property, according to information received by the department of taxation. Any confiscated chattel worth in excess of \$100 shall be sold separately, and the balance of the confiscated chattels shall be sold in bulk or piecemeal in the discretion of the * * * *department of administration*. The net proceeds from such sale less all costs of seizure, storage and sale shall be turned over to the state treasurer. No motor vehicle or motor boat confiscated pursuant to this section shall be sold within a period of 30 days after date of seizure.

SECTION 54. 218.01 (2a) (d) of the statutes, as renumbered from 341.54 (4) by chapter 560 (Bill 145, S), laws of 1961, is amended to read:

218.01 (2a) (d) Any dealer, distributor, manufacturer or transporter who fails to comply with the requirements of this * * * *subsection* may be fined not more than \$200 or imprisoned not more than 6 months or both.

SECTION 55. 235.39 of the statutes is amended to read:

235.39 A certificate of the acknowledgment of any conveyance or of the proof of the execution thereof before a court of record or justice of the peace, signed by the clerk of such court or by the justice before whom the same was taken * * * shall entitle such conveyance with the certificates aforesaid to be recorded in the office of the register of deeds of every county in which any of the lands lie.

SECTION 56. 256.51 of the statutes is repealed as of the first Monday in January, 1962.

SECTION 57. 263.12 of the statutes, as amended by chapter 33 (Bill 50, S), laws of 1961, is amended to read:

263.12 Except as provided in s. 262.16 * * *, if not interposed by demurrer or answer, the defendant waives the objections to the complaint except the objection to the jurisdiction over the subject matter, but such waiver shall not preclude any challenge to the sufficiency of the evidence to establish a cause of action.

SECTION 58. 269.57 (5) of the statutes, as created by chapter 327 (Bill 508, S), laws of 1961, is repealed, and 269.57 (5) as created by chapter 488 (Bill 325, S), laws of 1961, shall remain in effect.

SECTION 59. 304.14 of the statutes is amended by substituting "985.12" for the reference to "328.19."

SECTION 60. 305.16 of the statutes is amended by substituting "985.12" for the reference to "328.19."

SECTION 61. 319.26 (2) (d) of the statutes is amended to read:

319.26 (2) (d) When a ward dies (unless the estate can be settled as provided by s. * * * 319.28).

SECTION 62. 326.27 (2) of the statutes is amended to read:

326.27 (2) The said judge shall thereupon cause notice to be given of the time and place appointed for taking the deposition to all persons mentioned as interested; which notice shall be given * * * *as* prescribed by s. * * * 326.12 (4).

SECTION 63. The amendments made to 346.50 (2) of the statutes by chapter 20 (Bill 260, A), laws of 1961, were not repealed by chapter 401 (Bill 650, S), laws of 1961. Both amendments stand.

SECTION 64. In Chapter 260, Laws 1961, the reference to "20.670 (65) (b)" is changed to "20.670 (65) (a)."

Approved January 9, 1962.