

No. 640, S.]

[Published August 11, 1919.

CHAPTER 703.

AN ACT to repeal expressly certain sections of the statutes that have been either superseded or repealed by implication; to repeal certain sections of the statutes that are duplicates of other sections; to strike out or remove obsolete and dead matter from certain sections of the statutes; to renumber and relocate certain sections of the statutes that have been improperly classified; to correct in certain sections of the statutes mistaken references to other sections; and to correct typographical errors, misprints and other errors in certain sections of the statutes.

The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 6.24 of the statutes as amended by chapter 431, laws of 1919, is further amended by striking therefrom the word, figures and letter "section 663a" and inserting in place thereof the following matter: "subsection (5) of section 17.21."

SECTION 2. Paragraph (b) of subsection (1) of section 17.23 of the statutes, created by chapter 362, laws of 1919, is amended to read:

(17.23) (1) (b) In the office of any other elective officer, except the judge of a municipal court created by a special act with jurisdiction throughout the city only, and except as provided in section 10.44, by appointment by the mayor subject to confirmation by the council, except that in case of vacancies in the office of any such officer of a city of the first class who is authorized by law to have a deputy, such deputy shall perform the duties and be entitled to the emoluments of such office * * * *during the remainder of the term.* A person so appointed and confirmed shall hold office until his successor is elected and qualifies. His successor shall be elected as provided in paragraph (a).

SECTION 3. Subsection (8) of section 20.02 of the statutes, as last amended by chapter 387, laws of 1919, is amended by striking out the phrase "this act" and inserting in place thereof the phrase "chapter 22, laws of 1919."

SECTION 4. Subsection (7) of section 20.49 created by chapter 611, laws of 1919, is renumbered to be subsection (8) of said section.

SECTION 5. Subsection (1) of section 20.59 of the statutes, as amended by chapter 647, laws of 1919, is amended by striking

out the word "three" and inserting in place thereof the word "four", in order to preserve the amendment made by chapter 413, laws of 1919.

SECTION 6. Subsection (2) of section 20.62, of the statutes, created by chapter 355, laws of 1919, is renumbered to be paragraph (a) of subsection (2); and paragraph (d) of subsection (2) of section 20.62, created by chapter 389, laws of 1919, is renumbered to be paragraph (b) of said subsection (2).

SECTION 7. Subsection (4) of section 20.73 of the statutes, as amended by chapter 389, laws of 1919, is amended by striking out the figures "2074" and by inserting in place thereof the figures "20.74".

SECTION 8. Section 20.78 of the statutes as amended by chapter 649, laws of 1919, is amended by striking out the section number "145 (14.31)" and inserting in place thereof the section number "14.31", and by striking out the words "or school" in order to preserve the amendments of said section made by chapter 389, laws of 1919.

SECTION 9. Section 20.79 of the statutes, created by chapter 389, laws of 1919, is repealed; and section 14.58 of the statutes is amended by adding at the end thereof the following matter:

"A fiscal year ending in an even numbered calendar year may be designated as an even numbered fiscal year, and a fiscal year ending in an odd numbered calendar year may be designated as an odd numbered fiscal year".

SECTION 10. Section 20.795 of the statutes, as renumbered from section 20.79, created by chapter 355, laws of 1919, by chapter 628, laws of 1919, is renumbered to be section 20.79.

SECTION 11. Section 20.81 of the statutes, created by chapter 630, laws of 1919, is amended to read:

20.81 No department, board, commission, institution or officer of the state shall employ any attorney, or attorneys, * * * until such employment has been approved by the governor; and the compensation of such attorney or attorneys so employed * * * shall be charged to the appropriation for operation or administration of such department, board, commission, institution or officer.

SECTION 12. Section 21.085 of the statutes, created by chapter 452, laws of 1919, is renumbered to be subsection (3) of said section. Section 1 of said chapter 452 is renumbered to be subsection (1) of said section 21.085 and is amended to read:

(21.085) (1) * * * The service recognition board is hereby created to consist of the governor, the adjutant general

and * * * *a returned soldier to be appointed by the governor.*

And section 2 of said chapter 452 is renumbered to be subsection (2) of said section 21.085.

SECTION 13. Subsection (5) of section 20.03 of the statutes, created by chapter 452, laws of 1919, is amended by striking therefrom the figures "20.085" and inserting in place thereof the figures "21.085".

SECTION 14. Subsection (1) of section 29.09 of the statutes, as amended by chapter 696, laws of 1919, is amended by inserting the word "natural" before the word "persons" in the second sentence of said subsection.

SECTION 15. Subsections (4), (5), (6) and (7) of section 35.37 of the statutes as enacted by chapter 593, laws of 1919, are renumbered to be respectively subsections (5), (6), (7) and (8) of said section; and subsection (4) of section 35.37 of the statutes of 1917 is re-enacted. Said subsection (4) so renumbered to be subsection (5) is amended by inserting the word "be" in the introductory sentence thereof immediately before the word "bound." And said subsection (4) so renumbered is further amended by striking therefrom the following matter: "Reports of the state board of arbitration and conciliation, five hundred copies."

Subsection (1) of section 35.44 of the statutes, as enacted by said chapter 593, is amended by inserting therein the word "rata" between the words "pro" and "rate".

And subsection (14) of section 35.84 of the statutes, as enacted by said chapter 593, is amended by striking out the words "at the request of" and inserting in place thereof the word "to".

SECTION 16. Subsection (6) of section 59.90 of the statutes, created by chapter 695, laws of 1919, is renumbered to be subsection (7) of said section.

SECTION 17. Section 925—170, repealed by chapter 571 laws of 1919, is re-enacted to read: Section 925—170. Cities of the second, third and fourth classes may acquire lands for any of the purposes mentioned in the first section of this sub-chapter.

SECTION 18. Section 1299g—15 of the statutes, created by chapter 600, laws of 1919, is renumbered to be section 20.50, and amended to read:

20.50 HIGHWAY DISTRICTS. * * * There is appropriated from the general fund a sum sufficient to carry out the provisions of * * * *sections 1299g—1 to 1299g—14, inclusive.*

SECTION 19. Subsection 1 of section 1379—10m of the statutes, created by chapter 557, laws of 1919, is amended to read:

(Section 1379—10m) 1. Commissioners * * * shall take and * * * *file the official oath* * * * and * * * execute * * * *and file an official bond* in such sum as the court shall fix * * * which bond shall be approved by the court * * *.

SECTION 20. Paragraph (b) of subsection 15 of section 1379—17, created by chapter 557, laws of 1919, is amended by striking therefrom the words and figures “sections 1379—32 to 1379—39, inclusive, of the”, and by substituting the words and figures “chapter 32 of these”.

SECTION 21. Subsection (1) of section 1458—10 of the statutes, created by chapter 596, laws of 1919, is amended by striking out the seventh sentence thereof relating to the filling of vacancies.

SECTION 22. Section 1569—5 of the statutes, created by chapter 556, laws of 1919, is amended by striking therefrom all of the fourth sentence relating to the filling of vacancies.

SECTION 23. That sentence of section 1569—5 of the statutes, created by chapter 556, laws of 1919, which relates to an official oath and bond is amended to read:

(Section 1569—5) (Sentence) He shall take and * * * *file the official oath* * * * and *execute and file an official bond* * * * in the sum of twenty-five thousand dollars, which shall be approved by the governor.

SECTION 24. Section 1636—21 of the statutes, as amended by chapter 314, laws of 1919, is amended by striking out the word and figures “section 172—91” at the end of said section and by inserting in place thereof the words and figures “subsection (8) of section 20.43”.

SECTION 25. The last sentence of subsection 2 of section 2394—14 of the statutes is renumbered to be subsection (9) of section 20.57 and amended to read:

(20.57) (9) * * * Any fees received by the commission for * * * transcripts *furnished pursuant to subsection 2 of section 2394—14* shall be paid into the state treasury and * * * are * * * appropriated to the commission * * * for reporter and stenographic services.

SECTION 26. Sections 4202m and 4202s of the statutes are renumbered to be respectively, sections 1977—1 and 1977—2: section 4202p of the statutes, created by chapter 248, laws of 1919, is renumbered to be section 1977—3, and subsection 1 of section 1977a of the statutes is renumbered to be section 1977—4.

SECTION 27. Chapter 605 of the laws of 1919 is amended as follows:

By substituting the word "she" for the word "he" in the second sentence of section 2.

By amending section 6 to read:

(Section 6) Any person desiring to become a manager of a beauty parlor shop shall make an application for a manager's license, which application shall be accompanied by a fee of fifteen dollars. Upon approval of such application, the state board of health shall issue said manager's license, which shall entitle the holder to be the manager of a beauty parlor for * * * the period * * * ending December 31 next after the date of said license, such license may for good and sufficient reason be revoked by said board at any time. All such licenses issued by said board shall expire on January first next succeeding the date of issuance thereof; *but all licenses issued in the year 1919 shall expire on December 31, 1920.* All holders of any such license shall on or before January first in each year make application for renewal of such license for the subsequent year and shall accompany such application with a fee of ten dollars and upon receipt of such application and fee the state board of health shall issue a new license good for the ensuing year. If such application is not made by the date above named, the board may revoke the license.

By amending section 8 to read:

(Section 8) No person shall be licensed as a manager of any beauty parlor shop unless such person shall have an education equivalent to the eighth grade in the public schools, *and shall have passed the examination provided for in this act, except as otherwise provided in section 11.*

By amending the first sentence of section 11 to read:

(Section 11, first sentence) Any person now actually engaged as manager of or as an operator in a beauty parlor shop and who has been so engaged *in this state* continuously * * * since January 1, 1919, may be licensed as hereinbefore provided without examination, providing application for such license is made on or before * * * January 1, 1920.

SECTION 28. Section 30 of chapter 702, laws of 1919 is repealed.

SECTION 29. Section 68a of chapter 702, laws of 1919, is repealed.

SECTION 30. Section 68b of chapter 702, laws of 1919, is repealed.

SECTION 31. Subsection (3) of section 20.60 of the statutes, as last amended by chapter 649, laws of 1919, is amended by incorporating the amendment thereof made by chapter 573, laws

of 1919, namely, by striking out the figures "1917" and inserting in place thereof the figures "1919".

SECTION 32. Paragraphs (a), (b) and (c) of subsection (2) of section 20.26 of the statutes as last amended by chapter 649, laws of 1919, are again amended by incorporating the amendments of said paragraphs made by chapter 602, laws of 1919, as follows:

(20.26) (2) (a) On or before the first day of August next after each school year the school board applying for such aid shall report to the state superintendent under oath that the district has maintained a graded school during such school year in compliance with section 40.41 of the statutes, *or a junior high school in compliance with section 40.635 of the statutes, or both, as the case may be.*

(b) If, in the judgment of the state superintendent, such graded school *or junior high school* has been maintained as prescribed in sections 40.41 and 40.635 respectively, he shall fix the amount accruing to the district pursuant to paragraph (c) and certify the same to the secretary of state.

(c) The amount of state aid for each graded school *or junior high school* shall be computed upon the following basis: For a graded school of the first class, three hundred dollars; for a graded school of the second class two hundred dollars; *for a junior high school, one-half the cost of instruction not to exceed five hundred dollars;* for a graded school of either class *or a junior high school* in which special instruction in agriculture and other industrial subjects, as may be prescribed by the state superintendent, shall have been offered and presented in an efficient manner by a competent teacher and approved by the state superintendent, an additional one hundred dollars. *Provided a district receiving aid on account of a junior high school may also receive aid for a state graded school if such school shall have been maintained in accordance with the provisions of the statutes and the requirements of the state superintendent.*

SECTION 33. Section 925—205a of the statutes, created by section 69 of chapter 691, laws of 1919, is renumbered to be section 925—207a.

SECTION 34. Subsection (2) of section 32.20 of the statutes, created by chapter 702, laws of 1919, is amended to read:

32.20 (2) Any condemnation proceedings authorized under any local or special law of the state, *except those applicable to cities of the first class* shall be conducted under the procedure provided in this chapter.

SECTION 35. Subsection (9) of section 46.03 of the statutes, renumbered by section 15a of chapter 671, laws of 1919, from section 561jk which was created by chapter 332, laws of 1919, is again renumbered to be subsection (10) of said section 46.03.

SECTION 36. Section 20.78 of the statutes, as amended by chapter 389, laws of 1919, is amended by inserting a comma immediately after the figures "14.31" and by inserting immediately after such comma the figures "14.32".

SECTION 37. Subsection (2) of section 35.31 of the statutes, as amended by chapter 549, laws of 1919, is further amended by inserting the words "stone or" immediately before the words "metal plate".

SECTION 38. The first paragraph of subsection 1 of section 1941—64 of the statutes is amended as follows:

First. By repealing section 51 of chapter 671, laws of 1919, and re-enacting said paragraph as the same was amended by section 13 of chapter 425, laws of 1919.

Second. By striking out the section number "1941—62" and by substituting in place thereof the section number "1941—61".

SECTION 39. Section 1941—65 of the statutes as amended by section 14 of chapter 425, laws of 1919, is further amended by striking out the section number "1941—62" and substituting in place thereof the section number "1941—61".

SECTION 40. Section 5.275 of the statutes, created by chapter 566, laws 1919, is renumbered to be section 52.265.

SECTION 41. Subsection (13), (1917), of section 38.01 of the statutes is repealed; and subsection (13) of section 38.01 of the statutes repealed by section 12 of chapter 679, laws of 1919, is re-enacted and amended by striking therefrom the words "the state board of industrial education" and by inserting in lieu thereof the words "the state board of vocational education".

SECTION 42. This act shall take effect upon passage and publication.

Approved July 30, 1919.