

nonresident licensee to any point without the state in each period of seven days. Nonresident hook and line fishing licenses may be issued by the state conservation commission to any nonresident female over the age of sixteen years for the purpose of making shipment without the state, under the provisions of this section.

(c) \* \* \* *Fifteen* trout of any variety other than lake trout may be transported to any point within or without the state, when accompanied by the owner from the point of shipment to the point of destination.

(29.574) (4) The holder of any such license shall pay an \* \* \* *initial* license fee of five dollars. Such license shall expire on December thirty-first of each year, but may be renewed each year upon the payment by the licensee, of the renewal license fee of two dollars.

29.595 Upon complaint in writing by the owner or lessee of any lands, to the state conservation commission, that deer are causing damage therein the commission shall inquire into the matter; and if upon inspection, investigation, hearing, or otherwise, it shall appear to the satisfaction of the commission that the facts stated in each such complaint are true, it may capture or destroy such deer, and dispose of the same as provided in \* \* \* section \* \* \* 29.06.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 25, 1931.

No. 668, A.]

[Published June 27, 1931.

### CHAPTER 352.

AN ACT to repeal subsection (21) of section 69.28; to amend subsection (3) of section 48.01, subsection (5) of section 48.02, subsection (7) of section 48.07, paragraphs (c) and (d) of subsection (5) of section 48.33, subsection (1) of section 48.35, subsection (2) of section 48.36, subsections (2) and (4) of section 48.38, subsection (3) of section 48.39, section 48.47, subsection (2) of section 166.11, subsection (2) of section 166.18, and section 322.05; and to create section 69.60 and subsection (7) of section 322.04 of the statutes, relating to children and providing penalties.

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

SECTION 1. Subsection (21) of section 69.28 of the statutes is repealed.

SECTION 2. Subsection (3) of section 48.01, subsection (5) of section 48.02, subsection (7) of section 48.07, paragraphs (c) and (d) of subsection (5) of section 48.33, subsection (1) of section 48.35, subsection (2) of section 48.36, subsections (2) and (4) of section 48.38, subsection (3) of section 48.39, section 48.47, subsection (2) of section 166.11, subsection (2) of section 166.18, and section 322.05 of the statutes are amended to read: (48.01) (3) The findings of the juvenile court shall be entered in a book or books or deposited in a file to be kept for that purpose, and the clerk and stenographic reporter of the court so designated shall be respectively the clerk and reporter of such juvenile court, *except that in any county containing one or more cities of the first class, the clerk and assistants shall be appointed by the judge of the juvenile court, and such appointments shall be made according to the rules of the county civil service commission. Such clerk shall take and file the official oath and shall receive such salary as shall be fixed by the county board.* The reporter shall attend all sessions of said court, take down in shorthand the testimony taken and proceedings had at such sessions and promptly transcribe the same or parts thereof as directed by the judge, and forthwith file a copy with the clerk of such court, and shall also furnish such other copies as the judge shall order. Whenever the court shall enter an order committing a child to an institution or agency, a transcript of all of the evidence in the case, prepared by the reporter, shall be transmitted by the clerk of the court to such institution or agency, together with a supplementary statement prepared by the court or under its direction, based on information contained in the files of the court in relation to the child so committed, setting forth such facts therein as the court may deem suitable for the guidance of the institution or agency in properly caring for the child committed to its care. A copy of the birth certificate of such child or, if a birth certificate is not obtainable, other documentary evidence satisfactory to the court of the date of birth of such child shall be obtained for inclusion in the supplementary report. Unless the judge shall order otherwise or unless the person concerning whom the proceeding is in-

stituted demands a public hearing or trial, the hearing or trial of all matters relating to dependent, neglected or delinquent children shall be private, and all persons, except the officers of the court, the parties, their witnesses and counsel, shall be excluded therefrom; and the record thereof shall not be open to the public except upon the order of the judge. The court shall hear and determine all cases of children without a jury, unless a jury is demanded.

(48.02) (5) The probation officers appointed pursuant to this section shall constitute the probation department of the court. *Wherever there is a chief probation officer the probation department shall be under the supervision of the chief probation officer, who shall have the power to perform all the duties of the court, except those reserved to the judge, or to the court after filing of the petition.* A reasonable amount for postage, stationery and other necessary expenses shall be allowed to the probation department upon requisition therefor made to the county clerk.

(48.07) (7) (a) Whenever in the course of a proceeding instituted under sections 48.01 to 48.07 or otherwise, it shall appear to the court that the person or child welfare agency (other than a parent) having the care, control and custody of such child is not fitted therefor or that the parents of a child have abandoned such child or have substantially and continuously or repeatedly refused or being financially able have neglected to give such child parental care and protection, the court shall have jurisdiction to transfer the permanent care, control and custody of such child to some other person, agency or institution and in the exercise of such jurisdiction the court may terminate all rights of the parents with reference to such child, and also may appoint a guardian for the person of such child. \* \* \* Such transfer of the permanent care, control or custody of a child or termination of the rights of the parents with reference to a child shall be made only after a hearing before the court and the court shall cause notice of the time, place and purpose of such hearing to be served on the parents of the such child personally at least ten days prior to the date of hearing or if to the satisfaction of the court personal service cannot be obtained, then by publication thereof in a newspaper in the county once a week for three weeks prior to the date of hearing. In case of any minor parent the court shall appoint

guardian ad litem therefor in the manner provided for appointment of guardians ad litem in the county court.

*(b) If a child is abandoned or neglected by one parent only the rights of such parent with reference to such child may be terminated as provided in paragraph (a), without affecting the rights of the other parent.*

*(c) Transfer of the permanent care, control and custody of a child, and if it appear wise, also the termination of all the rights of the parents with reference to such child may be ordered by the court on consent of the parents of such child, or, in case of an illegitimate child, of the mother thereof, provided the court after a hearing finds such transfer or termination to be in the best interests of the child.*

(48.33) (5) (c) In cases in which all other conditions for granting aid shall be satisfied but in which the child does not have a legal settlement in the county in which application for aid is made, such aid may be granted in the discretion of the court, but only with the approval of the state board of control; *provided, however, that the person having the care of said child has lived in this state for a period of one year next preceding the application for such aid.* The entire amount paid from county funds as aid in such cases shall be recoverable from the state out of the appropriation made by subsection (13) of section 20.17. Such aid shall not operate to prevent the gaining of a legal settlement within the county, and shall be chargeable to the state only until the child shall have acquired such legal settlement *and in no event longer than one year from the date of the first payment.*

(d) The mother or stepmother must be without a husband; or the wife of a husband who is incapacitated for gainful work by mental or physical disability, likely to continue for at least one year in the opinion of a competent physician; or the wife of a husband who has been sentenced to a penal institution for a period of at least one year; or the wife of a husband who has continuously deserted her for one or more years, if the husband has been legally charged with abandonment for a period of one year; or such mother must be divorced from her husband *for a period of at least one year* and unable through use of the provisions of law to compel her former husband to support the child for whom aid is sought; *provided, however, that the divorce was granted in Wisconsin.*

(48.35) (1) The term "child welfare agency" as used in sections 48.35 to 48.42 is defined as any person, firm, association or corporation, and any private institution which receives for control, care and maintenance, with or without transfer of custody, for more than seventy-five days in any consecutive twelve months' period *at any one time* more than four children under twelve years of age unattended by their parents or guardians, but not counting, in the case of an individual, children related to such person, for the purpose of providing such children with care and maintenance or of placing them in foster homes whether for gain or otherwise. This term shall not apply to any boarding school which is essentially and primarily engaged in educational work. The term "related" as used in said sections is defined to include adoption or consanguinity within the sixth degree of kindred computed according to the civil law with the person referred to or his or her spouse.

(48.36) (2) Whenever a child welfare agency shall have been given the permanent care, custody and guardianship of any child pursuant to an order of a competent court and the rights of the parents of such child shall have been terminated by an order of a competent court, it may give consent to the adoption of such child pursuant to the statutes regulating adoption proceedings. It may also provide for the care of any such child as a member of a family otherwise than by adoption through a written agreement which shall clearly state the terms of the custody granted to the person or persons receiving the child and shall provide for the proper care, education and maintenance of such child during its minority. A permit as provided in section 48.38 shall be required of the person receiving any such child. Such child welfare agency shall keep and maintain careful supervision of all children so placed for care, *except of those children who have been legally adopted*, and its officers and agents shall visit all such homes and families as often as may be necessary to keep informed as to the condition and welfare of such children.

(48.38) (2) No person shall conduct or maintain a foster home without first having obtained a permit to do so from the state board of control or from a licensed child welfare agency designated to issue such permits by the state board of control. *Such permits shall not be issued for a longer period than one year.*

(4) Every foster home shall be under the supervision of the licensed child welfare agency, if any, which issued a permit to it and of the state board of control or of some person or agency designated by such board. *The board of control shall adopt and enforce rules and regulations for the conduct of all foster homes to which it shall issue permits directly.*

(48.39) (3) No license to a child welfare agency or permit to a foster home shall be revoked or renewal denied unless the holder of such license or permit shall have notice in writing of the grounds for such proposed revocation *or refusal of renewal*, a public hearing upon at least thirty days' written notice, and opportunity thereat to present testimony and to confront witnesses. Such notice shall be given by personal service thereof on the holder of such license or permit at the address in such license or permit specified. Such hearing shall be held in the county in which the applicant or licensee resides unless the holder of such license or permit shall consent to a hearing at some other place.

48.47 PENALTIES. \* \* \* Any person, firm, association or corporation found guilty of violating any of the provisions of sections \* \* \* 48.42 to 48.45 \* \* \* shall be punished by a fine of not less than ten nor more than five hundred dollars, or by imprisonment in the county jail for not more than one year, and said term of imprisonment in case of an association or corporation may be imposed upon its officers who participated in said violation.

(166.11) (2) All of the foregoing matters shall be ascertained and fixed by the court and shall be inserted in the judgment, together with an order directed to the clerk of the court to file with the state registrar of vital statistics a certified copy of all judgments determining the paternity of the child, *and a report showing the name, date, and place of birth of the child and the name, color, residence, age, birthplace and occupation of the father of the child.* Judgments entered upon agreement of the parties shall conform to the above unless the parties are unable to agree as to the paternity of the child, when such adjudication may be omitted.

(166.18) (2) If upon the adoption of the child into another family there remain in the hands of the trustee unexpended funds received pursuant to the judgment, the trustee shall hold the funds until the child reaches \* \* \* *majority* when the same

shall be paid over to him. When upon the death of the child, and after payment of funeral expenses, unexpended funds remain in the hands of the trustee, such funds shall be paid over to the mother of the child; *provided, that in case the child shall have been adopted, the unexpended funds in the hands of the trustee shall become a part of the child's estate subject to the inheritance rights of the adoptive parents.*

322.05 ORDER OF ADOPTION; CHANGE OF NAME. If, after the hearing and the written consent of the persons whose consent to adoption is necessary, the court shall be satisfied that the facts stated in the petition are true, that the petitioners are of good moral character and of reputable standing in the community and of ability properly to maintain and educate the child sought to be adopted, that the best interests of such child would be promoted by adoption, that such child is suitable for adoption, and that all legal requirements relative to adoption have been complied with, then the court shall make an order that from and after the date thereof such child shall be deemed to all legal intents and purposes the child of the petitioners. In such order the name of the child may be changed to that of the parents by adoption. Such order shall set forth all jurisdictional facts. *After entry of such order the clerk of the court shall promptly report to the state registrar of vital statistics full information as to the prior name, date and place of birth, and natural parents of the child and the name, address and occupation of the parents by adoption, the new name of the child, if any, and the date of the order of adoption and the court issuing the same.*

SECTION 2. A new section is added to the statutes, and a new subsection is added to section 322.04 to read:

69.60 BIRTH CERTIFICATES; ADDITION ON ADOPTION. On being advised pursuant to section 322.05 of the adoption of any child whose birth shall previously have been registered, the state registrar of vital statistics shall add to the birth certificate the new name of the child, if any, the name and address of the parents by adoption, the court issuing the order, and the date thereof. Such additions shall be reported by the state registrar to the register of deeds who shall record the same on his copy of the birth certificate, and both the state registrar and the register of deeds shall index the certificate so that it can readily be located under the new name.

(322.04) (7) If the parents of a child to be adopted who is eighteen but less than twenty-one years of age shall have abandoned such child the court wherein the adoption proceedings are pending may terminate all rights of the parents with reference to such child, after notice and a hearing as provided in paragraph (a) of subsection (7) of section 48.07 for the termination of parental rights in the juvenile court.

SECTION 3. This act shall take effect upon passage and publication.

Approved June 25, 1931.

No. 780, A.]

[Published June 27, 1931.

### CHAPTER 353.

AN ACT to amend subsection (2) of section 5.27 and section 10.52 of the statutes, relating to ballots for town elections.

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

SECTION 1. Subsection (2) of section 5.27 and section 10.52 of the statutes are amended to read: (5.27) (2) Or such candidate may be nominated by nomination papers signed by electors of such town or village equal in number to ten per cent of all the votes cast in such town or village for all candidates for governor at the last preceding general election. Such nomination papers shall conform to the provisions of subsections (2) and (5) of section 5.26, and shall be filed in the office of the town or village clerk at least fifteen days before the election.

10.52 (1) At every annual town meeting there shall be an election by ballot of all town officers except the superintendent or superintendents of highways. *Such ballot shall be in substantially the form provided herein and annexed hereto.*

#### OFFICIAL TOWN BALLOT

To vote for a person whose name is printed on the ballot, make a cross (X) in the square after the name of the person for whom you desire to vote. To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose.