

No. 701, A.]

[Published July 27, 1933.]

CHAPTER 461.

AN ACT to repeal subsection (7n) of section 20.49 and sections 20.58, 168.01 and 168.02; to renumber sections 82.025 and 85.04 to be sections 109.06 and 109.07; to create sections 20.055, 109.01 to 109.05, and 168.01; and to amend sections 109.06 and 109.07, and subsection (1) of section 168.03 of the statutes, relating to the consolidation of the oil inspection department, the traffic division of the highway commission, and the work of the automobile license inspectors of the office of the secretary of state in a state inspection bureau in the treasury department, and making an appropriation.

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

SECTION 1. Subsection (7n) of section 20.49, and sections 20.58, 168.01 and 168.02 of the statutes are repealed and the office of state supervisor of inspectors of illuminating oils is abolished.

SECTION 2. Sections 82.025 and 85.04 of the statutes are renumbered to be sections 109.06 and 109.07.

SECTION 3. Seven new sections are added to the statutes to read: 20.055 STATE INSPECTION BUREAU. There is appropriated from the general fund to state treasurer for the use of the state inspection bureau:

(1) Annually, beginning July 1, 1933, from the motor vehicle registration fees, as a first charge after payment of the administration expenses and refunds, thirty-five thousand dollars for the performance of the duties of the bureau in the enforcement of motor vehicle registration and traffic laws.

(2) Annually, beginning July 1, 1933, the fees received pursuant to section 168.16; but any unused balance of this appropriation at the end of any fiscal year shall revert to the general fund.

(3) Out of the appropriations made in subsections (1) and (2) there is allotted:

(a) To the state supervisor of inspectors, an annual salary of four thousand dollars.

(b) To the inspectors of the state inspection bureau, such salaries as may be fixed by the state supervisor of inspectors, with the approval of the state treasurer, within the salary ranges fixed pursuant to the state civil service law.

109.01 STATE INSPECTION BUREAU. There is created in the state treasury department, a state inspection bureau, in charge of the state supervisor of inspectors under the general direction of the state treasurer.

109.02 SUPERVISOR, APPOINTMENT, COMPENSATION. The state supervisor of inspectors shall be appointed by the governor for a term of four years ending on the first day of May of the fourth year following the beginning of the term. Such supervisor shall devote his entire time to the performance of his duties and shall not hold any other public position or office. Before assuming such office, such supervisor shall take and file the official oath and execute and file an official bond in the sum of five thousand dollars, with sureties as shall be approved by the state treasurer. The state treasurer may require any other employee of the state inspection bureau to furnish bond in such sum as he may deem necessary. The premium on all such bonds shall be paid from the appropriation to the state treasurer for the performance of the duties of state inspection bureau.

109.03 POWERS AND DUTIES OF STATE INSPECTION BUREAU. The state supervisor of inspectors and the state inspection bureau shall succeed to all powers and duties imposed by law, immediately prior to the taking effect of this section, upon the state supervisor of inspectors of illuminating oils and the oil inspection department, the traffic division of the highway commission, and the automobile license inspectors of the office of the secretary of state. The state inspection bureau shall also perform such other duties as the state treasurer may require or as may be prescribed by law.

109.04 RULES AND FORMS. The state supervisor of inspectors shall have power and authority to make and enforce such necessary rules and regulations, not inconsistent with law, as he may deem necessary for the discharge of all the powers and duties of the state inspection bureau. He shall also have authority to prescribe forms for all applications, notices and reports required by law to be made to the bureau or which are necessary in its work.

109.05 REPORTS. The state treasurer shall include in his biennial report to the governor a summary of the activities of the state inspection bureau during the biennium. He shall also make such special reports upon any phase of the work of the bureau as may be called for by the governor, the legislature or either house thereof.

168.01 USE OF TERMS. Whenever in this chapter or elsewhere in the statutes, the terms "supervisor of inspectors of illuminating oils", "supervisor of inspectors", and "supervisors" are used, these terms shall be understood and construed to apply to the state supervisor of inspectors. The term "deputy inspector of illuminating oils", "deputy inspector", "oil inspector" and "inspector", referring to the deputy inspectors of illuminating oils, shall be understood and construed to apply to the duly authorized inspectors of the state inspection bureau engaged in the work of the inspection of illuminating oils, either exclusively or as a part of other duties.

SECTION 4. Sections 109.06 and 109.07 (as renumbered), subsection (1) of section 125.02, and subsection (1) of section 168.03 of the statutes are amended to read: * * * 109.06

* * * ENFORCEMENT OF TRAFFIC LAWS. The * * * *state inspection bureau shall enforce* the provisions of * * * *chapter 85 regulating highway traffic and assist in enforcing chapter 194.* * * * *The inspectors in such bureau shall co-operate with local officers and may be equipped with devices for weighing motor vehicles, and may stop and weigh any motor vehicle which appears to weigh in excess of the amounts permitted by law. Such* * * * *inspectors may require the operator of any motor vehicle whose load is in excess of that allowed by law to reduce such load to conform to the law before permitting such motor vehicle to proceed.*

* * * 109.07 * * * ENFORCEMENT OF AUTOMOBILE REGISTRATION LAWS. It shall be the duty of * * * *inspectors* * * * *of the state inspection bureau to make such reasonable investigations as may be* * * * *necessary to discover violations of the statutes relative to the registration of motor vehicles, and when any such inspector shall discover any violation or alleged violation thereof he shall report the same to the secretary of state.* * * * *Such inspectors shall be charged with the duty of assisting police officers in detecting and punishing violations of said statutes.* * * * *Such inspectors shall have full authority to enter any garage, factory or other place where motor vehicles are stored or parked at any reasonable time to examine motor vehicles and license plates, and in the discharge of their duties shall have the powers of sheriffs.*

(168.03) (1) It shall be the duty of * * * *the state supervisor of inspectors to devote his entire time to the duties of said*

office and under the direction of the * * * *state treasurer* to oversee all deputy inspectors of illuminating oils, instruct them in the performance of their duties, see that they faithfully perform the duties of their office, keep a record of their reports to him, and to make a report to the governor on the first day of October in each year. He shall make rules and regulations for their guidance not inconsistent with the provisions of this chapter. The * * * *state treasurer* may appoint a sufficient number of deputy inspectors eligible under the provisions of chapter 363, laws of 1905, and amendments thereto to properly inspect all oils, gasoline, benzine, naphtha, and other like products of petroleum sold in this state for illuminating, heating, or power purposes. The inspection districts shall be defined by the * * * *state treasurer*.

SECTION 5. The state inspection bureau of the treasury department shall succeed to all of the property, documents, records, assets, liabilities and obligations of the oil inspection department, the traffic division of the highway commission, and of the secretary of state relating to the automobile license inspectors.

SECTION 6. All standards, orders, rules and regulations in force immediately prior to the taking effect of this section of the state supervisor of inspectors of illuminating oils and the oil inspection department are continued as the standards, orders, rules and regulations of the state treasurer and the state inspection bureau, until revoked or modified by the state treasurer as provided by law.

SECTION 7. All petitions, hearings and other proceedings pending before the oil inspection department, the highway commission in relation to its traffic department, and the secretary of state in relation to the duties of the automobile license inspectors and all actions, proceedings and investigations begun by any of said departments and not completed at the time of the taking effect of this section shall remain in full force and effect notwithstanding the abolition or transfer of these departments and may be completed by the state treasurer through the state inspection bureau.

SECTION 8. All employees now employed in the department and bureaus affected by this act shall be eligible to appointment in the bureau created hereunder and shall be given preference in such employment and appointment.

SECTION 9. This act shall take effect upon passage and publication.

Approved July 25, 1933.

No. 761, A.]

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CHAPTER 462.

AN ACT to create section 236.115 of the statutes, relating to the sale of platted lands in certain counties and providing a penalty. *The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. A new section is added to the statutes to be numbered and to read: 236.115 *Sale of platted lands in Milwaukee county.* (1) Whenever in any county of a population of five hundred thousand or more any subdivision or plat of land shall hereafter be laid out for the purpose of sale, and before any contract for the sale, or sale, or offer to sell said subdivision, or any part thereof is made, the subdivider or his agent shall cause to be recorded in the office of the register of deeds of the county in which any portion of said subdivision is located, a map or plat thereof in all respects in full compliance with the provisions of this chapter.

(2) It shall be unlawful for any subdivider to contract for the sale, sell, or offer to sell any subdivision or part thereof, until a plat thereof in full compliance with the provisions of this chapter has been duly recorded in the office of the register of deeds of the county in which any portion of said subdivision is located. It shall be unlawful for any person to sell or offer for sale any subdivision or any part thereof, by reference to any map or plat, unless such map or plat has been made, certified, endorsed, acknowledged, and recorded in all respects as provided in this chapter.

(3) Any sale contrary to the provisions of subsections (1) and (2) of this section shall be a misdemeanor, and any person, firm, or corporation, upon conviction thereof, shall be punished by a fine of not less than twenty-five and not more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. Nothing herein contained shall be deemed to bar any legal, equitable, or summary remedy to which any aggrieved municipality or other political subdivision or person, firm, or corporation may other-