

CHAPTER 424

1386

1969 Assembly Bill 1196

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CHAPTER 424, LAWS OF 1969

AN ACT to repeal, renumber, amend, repeal and recreate and create various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting references, renumbering for better location and arrangement, eliminating unnecessary 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. 15.101 (intro.) of the statutes is repealed and recreated to read:

15.101 (intro.) The department of administration shall have the program responsibilities specified for the department under chs. 16 and 35, subch. V of ch. 111 and ss. 12.25 (2), 13.36, 13.48, 13.58, 13.93 (1m), 14.40 (6), 18.03 (3), 18.05 (3), 18.08 (4), 18.10 (3), 20.004, 20.904 (2), 20.906 (2), 20.907 (2), 20.910, 20.912 (2) and (3), 20.915 (1), 20.921 (3) (a), 21.13, 22.40 (4), 24.20, 25.06, 25.08, 25.09, 25.14, 25.40, 27.015, 36.10, 36.185 (5) (a), 37.07, 38.44 (3), 38.57 (3), 40.10, 40.42, 41.19 (2) (c), 41.21 (1a), 42.23, 42.46, 42.48, 44.06, 45.01, 46.09, 46.106 (2), (3) and (6), 49.173 (4), 49.45 (2) (a) 4, 49.50, 50.04 (9), 51.08 (6), 51.09 (5), 51.24 (2) and (9), 66.057 (1) and (2) (b), 70.60 (1), 70.82, 70.97, 71.13 (3) (g), 71.14, 74.27, 76.26, 76.29 (1), 76.38 (7), 76.39 (4) (d), 76.48 (8), 77.63 (1) and (1a) (b), 77.64, 78.69, 94.80, 95.25 (3), 114.065 (3), 139.12, 142.08, 157.55, 176.62, 194.51, 197.20, 210.03, 210.04 (5), 210.05 (12), (13) (a) and (c), 220.08 (14), 227.026 (3), 251.20, 253.07, 267.23, 285.04, 286.43, 341.12 (4), 345.08 and 863.39. In addition:

SECTION 2. 15.191 (intro.) of the statutes is repealed and recreated to read:

15.191 (intro.) The department of health and social services shall have the program responsibilities specified for the department under chs. 46 to 58, 69, 140, 141, 143, 145, 146, 156, 158 to 160 and 975 and ss. 13.53 (4) and (5), 14.06, 20.435, 20.916 (3), 20.920, 20.923 (3) (g), 25.31, 29.145 (1) and (1b), 30.71 (1), 32.02, 35.86, 36.217, 36.225, 36.227, 42.242 (4) (c), 42.245 (3) (c), 42.74 (1) (d), 42.78 (3) (c), 45.30, 59.68, 70.117, 97.24, 97.40, 101.40 to 101.43, 121.79 (1) (e), 139.13, 142.05 (4), 143.07 (5), 155.01, 161.03, 161.14, 161.19, 174.13, 176.05 (21) (f), 236.12, 247.24, 247.29 (3), 285.05, 292.45, 319.295, 341.12 (4), 343.09, 441.01, 701.10 (3), 859.07, 879.27, 887.23, 971.14 and 971.17. In addition:

SECTION 3. 15.251 (2) of the statutes, as amended by chapter 276, laws of 1969, is amended to read:

15.251 (2) DIVISION OF CRIMINAL INVESTIGATION. The division of criminal investigation shall have the program responsibilities specified for the division under *ch. 161*, subch. II of *ch. 165* and ~~ss.~~ ss. 176.05 (5) and 450.07.

SECTION 4. The amendment of 15.371 (intro.) of the statutes by chapter 38, laws of 1969, was not repealed by chapter 276, laws of 1969. Both amendments stand.

SECTION 5. 15.461 of the statutes is amended by deleting the reference to section 23.28.

SECTION 6. 15.761 of the statutes, as amended by chapters 144 and 276, laws of 1969, is amended to read:

15.761 The investment board shall have the program responsibilities specified for the board under ss. 14.58 (16), 16.40, ~~23.14 (6)~~, 25.14 to 25.19,

~~38.94, 41.04, 41.08 (1) (a), 41.12 (7) (b), 41.18, 41.33, 41.50, 41.51, 42.243, 42.65, 42.66, 66.904 (1) (a), 66.9065 (7) (b), 66.912 (1) (c), 66.914 (1), 67.04 (9), 70.115, 71.20 (4), 102.49 (8), 102.59 (4), 210.05 (2), 220.08 (15), 231.45 and 646.05 and 710.05.~~

SECTION 7. 20.370 (5) (ee) of the statutes, as created by chapters 152 and 154, laws of 1969, is repealed.

SECTION 8. 20.505 (4) (a) and (b) of the statutes are amended by substituting "adjudication" for "determination".

SECTION 9. 20.545 (1) (ad) of the statutes is created to read:

20.545 (1) (ad) *Community services projects.* Biennially, the amounts in the schedule for community services projects.

SECTION 10. 23.28 of the statutes, as renumbered from 23.99 by chapter 276, laws of 1969, is repealed.

SECTION 11. 23.30 of the statutes, as renumbered from 46.70 and amended by chapter 276, laws of 1969, is repealed.

SECTION 12. 23.31 of the statutes, as created by chapter 353, laws of 1969, is amended to read:

23.31 (1) To provide and develop recreational facilities within this state, the natural resources board, with the approval of the governor, subject to the limits of s. ~~20.370 (7) (q)~~ 20.866 (2) (p) may direct that state debt be contracted for providing recreation resources facilities or making additions and improvements to existing recreation resources facilities as set forth in sub. (2) and subject to the limits set therein. Said debt shall be contracted for in the manner and form as the legislature hereafter prescribes. It is the intent of the legislature that state debt not to exceed \$56,055,000 in the 12-year period from 1969 to 1981 may be incurred for the comprehensive provision of outdoor recreation facilities as provided by s. 23.30.

SECTION 13. 44.02 (13) of the statutes, as created by chapter 353, laws of 1969, is renumbered 44.02 (20).

SECTION 14. 48.47 of the statutes, as amended by chapter 216, laws of 1969, is amended, effective on the effective date of the revised probate code (Title XLII), by substituting "s. 879.27" for the reference to "s. 324.01".

SECTION 15. 49.195 (1) of the statutes, as created by chapter 154, laws of 1969, is amended, effective on the effective date of the revised probate code (Title XLII), by substituting "s. 859.01" for the reference to "s. 313.08".

SECTION 16. 49.45 (8) (a) of the statutes, as repealed and recreated by chapter 154, laws of 1969, is amended, effective on the effective date of the revised probate code (Title XLII), by substituting "s. 859.01" for the reference to "s. 313.08".

SECTION 17. 139.32 (5) of the statutes is amended to read:

139.32 (5) Manufacturers and distributors having a permit from the commissioner may purchase stamps at a discount of 2.4%. ~~No part of this discount shall be charged against that part of the taxes imposed and appropriated to the state recreation committee under s. 20.370 (7).~~

SECTION 18. 139.36 of the statutes, as amended by chapter 276, laws of 1969, is amended to read:

139.36 The secretary shall refund to any purchaser the money paid for any stamps returned unfit for use or otherwise unused or which have been affixed to packages which are unsalable. He shall prescribe by rule the proof required to obtain such refund. The permittee shall pay the expenses of determining the amount of such refund. ~~Refunds of taxes collected and paid into the general fund and appropriated to the state recreation committee under s. 20.370 (7) shall be charge against that appropriation.~~

CHAPTER 424

1388

SECTION 19. 203.32 (14) of the statutes, as amended by chapter 337, laws of 1969, is repealed.

SECTION 20. 204.50 of the statutes, as amended by chapter 337, laws of 1969, is repealed.

SECTION 21. 208.38 of the statutes, as amended by chapter 337, laws of 1969, is amended to read:

208.38 Any person who knowingly or wilfully makes any false or fraudulent statement or representation in or with reference to any application for membership or in or with reference to any documentary or other proof for the purpose of obtaining membership in or benefit from any such corporation, society, order or association, for himself ~~for~~ or any other person, shall be fined not less than \$100 nor more than \$1,000, or imprisoned in the county jail not less than 3 months nor more than one year, or both; and any certificate of membership or policy so secured shall be absolutely void.

SECTION 22. 853.17 (2) of the statutes, as created by chapter 339, laws of 1969, is amended, effective July 1, 1971, by substituting "s. 701.09" for the reference to "s. 231.49".

SECTION 23. 853.23 of the statutes, as created by chapter 339, laws of 1969, is amended, effective July 1, 1971, by substituting "ss. 702.01 (1), 702.01 (4) and 702.09 (1) (b)" for references to "ss. 232.01 (1), 232.01 (4) and 232.09 (1) (b)", respectively.

SECTION 24. 861.05 (2) of the statutes, as created by chapter 339, laws of 1969, is amended, effective July 1, 1971, by substituting "s. 702.01 (5)" for the reference to "s. 232.01 (5)".

SECTION 25. 945.02 (3) of the statutes, as amended by chapter 252, laws of 1969, is amended to read:

945.02 (3) Conducts a lottery, or with intent to conduct a lottery, possesses facilities to do so; ~~or~~.

SECTION 26. In the statutory sections listed in column "A" below, the cross references in column "B" are changed to the references shown in column "C".

A Statute sections	B Old cross references	C New cross references
13.54 (3) (as cr. by ch. 69).....	14.77 (2) and (3).....	14.76 (2) and (3)
20.370 (4) (a) (as cr. by ch. 154).....	23.09 (7) (L).....	23.09 (2) (L)
20.545 (1) (d) (as cr. by ch. 154).....	27.30 (5).....	22.40 (4)
22.42 (as cr. by ch. 276).....	20.545 (2) (h).....	20.545 (1) (h)
37.31 (1) (c) (as am. by ch. 233).....	42.20 (14).....	42.20 (21)
41.02 (12) (n) (as cr. by ch. 326).....	41.155.....	38.155
119.04 (as cr. by ch. 45).....	41.175.....	38.175
120.48 (1) (as am. by ch. 91).....	14.90.....	66.77
161.19 (2) (as am. by ch. 141).....	ch. 151.....	ch. 450
165.70 (1) (b) (as am. by ch. 252).....	151.07.....	450.07
(1) (d) (as am. by ch. 252).....	200.03 (11).....	165.51
(2) (as am. by ch. 252).....	200.19 to 200.25.....	165.55
(2) (as am. by ch. 252).....	200.19 to 200.25.....	165.55
447.07 (6) (f) (as renumbered).....	152.02 (2).....	447.02 (2)
551.02 (3) (g) (as cr. by ch. 71).....	ch. 136.....	ch. 452

SECTION 27. In the sections listed in Column "A" below, all as affected by chapter 353, laws of 1969, the cross references to the sections listed in Column "B" are changed to the references listed in Column "C":

A Statute sections	B Old cross references	C New cross references
16.08 (2) (j)	23.30	23.09 (23)
20.245 (1) (d)	44.02 (13)	44.02 (20)
20.370 (1) (d)	23.09 (7) (d)	23.09 (2) (d)
	3 and (16)	(3) and (10)
(1) (f)	23.09 (7) (m)	23.09 (2) (m)
(1) (fm)	23.09 (15)	23.09 (9)
(1) (fn)	23.09 (20)	23.09 (21)
20.370 (2) (d)	23.09 (7) (d)	23.09 (2) (d)
	1 and (16)	1 and (10)
(2) (e)	23.09 (17)	23.09 (11)
(3) (d)	23.09 (7) (d)	23.09 (2) (d)
	2 and (16)	2 and (10)
(3) (e)	23.09 (19)	23.09 (20)
(7) (a) (intro.)	20.395 (3) (a)	20.395 (2) (b)
(7) (a) 1	23.09 (19)	23.09 (20)
23.09 (24)	sub. (17) (c), (d) and (e)	sub. (11) (c), (d) and (e)
70.113 (1)	23.09 (7) (d)	23.09 (2)
	1 or 3	(d) 1 or 3
(2) (a)	23.09 (7) (d)	23.09 (2) (d)
144.21 (6) (b)	20.866 (2) (tp)	20.866 (2) (tm)
and 1		

SECTION 28. If Senate Bill 354 is enacted into law, the repeal and re-creation of section 15.191 (intro.) of the statutes by SECTION 2 of this bill shall supersede the amendment thereof by Senate Bill 354.

SECTION 29. SECTIONS 5, 10 to 13, 17, 18 and 27 of this bill are to become effective only if Assembly Bill 416 becomes law [NOTE: became chapter 353, laws of 1969]. If any part of Assembly Bill 416 is vetoed by the Governor, any of the above sections which are based on that part shall not become effective unless the veto is overridden.

Approved February 11, 1970.