

direct that its allotment for the next year under 20.49 (8), Stats. 1937, be turned over to the county in payment for such work done by a county. 26 Atty. Gen. 522.

A county highway committee may not set a uniform wage scale to be paid by all towns and villages in expending funds allotted. 27 Atty. Gen. 366.

An allotment should not be made to a city for roads over lands owned by a city outside its corporate limits, but to the town in which the lands are located. 27 Atty. Gen. 408.

The term "improvement" as used in 20.49 (8), Stats. 1937, includes grading, surfacing and straightening of curves on highways which are open and used for travel, but does not include purchase of right of way or any construction work on highways which have not been opened and used for travel. 28 Atty. Gen. 160.

Towns are entitled to obtain allotments for improvement of town roads over lands owned by the U. S. government in the Camp McCoy Military Reservation where the state has not ceded jurisdiction over the lands in question to the United States. Roads are "open and used for travel" when they are physically passable and used in fact for travel. 32 Atty. Gen. 191.

The state highway commission must consider a highway as public for purposes of distributing aids if the order establishing it is not open to collateral attack and is not set aside by direct attack. 33 Atty. Gen. 4.

See note to 990.01 (29), citing 41 Atty. Gen. 18.

86.315 History: 1969 c. 470; Stats. 1969 s. 86.315.

86.32 History: 1929 c. 528 s. 2; Stats. 1929 s. 84.10 (1); 1931 c. 22 s. 2; 1935 c. 30, 299, 540; 1943 c. 81; 1943 c. 334 s. 129; 1943 c. 491 s. 11; 1945 c. 391; 1953 c. 318 s. 23; Stats. 1953 s. 86.32; 1965 c. 432 s. 6; 1967 c. 291 s. 14; 1969 c. 154 s. 377; 1969 c. 500 s. 30 (2) (d).

The term "traffic regulation" as used in 84.10 (1) (b), Stats. 1935, includes upkeep and repair of traffic control signals such as speed signs, stop signs and stop and go lights. 25 Atty. Gen. 211.

Funds may not be used by municipalities for street lighting but may be used for the following purposes when actually performed on selected connecting streets: routine sweeping or cleaning of streets, including flushing or sprinkling with water; painting vehicle or pedestrian lane markings and restricted parking area designations; policing to prevent traffic violations or to apprehend traffic violators; policing for purpose of directing traffic. 30 Atty. Gen. 82.

Funds allotted by the state highway commission to cities for connecting streets may be used to retire bonds where the cost of construction for which the bonds were issued might properly have been paid from such funds in the first instance. 32 Atty. Gen. 345.

86.33 History: 1929 c. 528 s. 2; Stats. 1929 s. 84.10 (2); 1943 c. 334 s. 129; Stats. 1943 s. 84.10 (3); 1945 c. 391; Stats. 1945 s. 84.10 (2); 1953 c. 318 s. 23; Stats. 1953 s. 86.33; 1965 c. 432 s. 6; 1967 c. 291 s. 14; 1969 c. 154 s. 377; 1969 c. 500 s. 30 (2) (d).

86.331 History: 1943 c. 334 s. 129; Stats. 1943 s. 84.10 (6); 1945 c. 391; Stats. 1945 s. 84.10 (4); 1953 c. 318 s. 23; Stats. 1953 s. 86.331.

86.34 History: 1943 c. 148, 491; Stats. 1943 s. 86.24; 1947 c. 474; 1953 c. 318 s. 26, 27; 1953 c. 616 s. 10; 1953 c. 631 s. 57; Stats. 1953 s. 86.34; 1955 c. 10 s. 80, 81; 1963 c. 118; 1965 c. 432 s. 6; 1967 c. 291 s. 14; 1969 c. 154 s. 377; 1969 c. 500 s. 30 (2) (d), (e).

Moneys received in state disaster aid for damage to town bridges under 86.34, Stats. 1953, should be applied solely to the bridge damage and the remaining costs divided by the town and county pursuant to 81.38. Adjustments between the town and county should be made on this basis in cases where their respective shares have been appropriated prior to receiving disaster aid. The county may allow towns to pay their share on an instalment basis under contract pursuant to 59.08 (35). 43 Atty. Gen. 192.

86.35 History: 1931 c. 22 s. 3; 1931 c. 445; Stats. 1931 s. 20.49 (2); 1933 c. 387; 1937 c. 199; 1953 c. 318 s. 6; 1953 c. 320 s. 1; 1953 c. 636; Stats. 1953 s. 86.35; 1957 c. 260 s. 20 to 22; 1965 c. 432 s. 6; 1967 c. 291 s. 14; 1969 c. 154 s. 377; 1969 c. 500 s. 30 (3) (d), (g).

Appropriations under 20.49 (2) (a), Stats. 1937, are to be expended by various municipalities in construction, improvement and repair of highways. 27 Atty. Gen. 527.

CHAPTER 87.

Flood Control.

87.01 History: 1931 c. 481; Stats. 1931 s. 79.01; 1943 c. 490; Stats. 1943 s. 87.01; 1953 c. 61 s. 86; 1965 c. 614 s. 57 (2g); 1969 c. 276 s. 588 (6).

87.02 History: 1931 c. 481; Stats. 1931 s. 79.02; 1943 c. 490; Stats. 1943 s. 87.02; 1965 c. 614 s. 57 (2g); 1969 c. 276 s. 588 (6).

On taking private property for public use see notes to sec. 13, art. I; on internal improvements see notes to sec. 10, art. VIII; and on navigable waters see notes to sec. 1, art. IX, and notes to sec. 30.10.

87.03 History: 1931 c. 481; Stats. 1931 s. 79.03; 1943 c. 490; Stats. 1943 s. 87.03; 1965 c. 614 s. 57 (2g).

87.04 History: 1931 c. 481; Stats. 1931 s. 79.04; 1943 c. 490; Stats. 1943 s. 87.04; 1957 c. 523; 1965 c. 252; 1965 c. 614 s. 57 (2g).

87.05 History: 1931 c. 481; Stats. 1931 s. 79.05; 1943 c. 490; Stats. 1943 s. 87.05; 1963 c. 305; 1965 c. 614 s. 57 (2g).

87.06 History: 1931 c. 481; Stats. 1931 s. 79.06; 1943 c. 375 s. 15; 1943 c. 490; Stats. 1943 s. 87.06; 1945 c. 511.

87.07 History: 1931 c. 481; Stats. 1931 s. 79.07; 1943 c. 375 s. 16; 1943 c. 490; Stats. 1943 s. 87.07; 1945 c. 511; 1963 c. 305, 474; 1965 c. 252; 1965 c. 614 s. 57 (2g).

87.075 History: 1965 c. 481; 1965 c. 614 s. 57 (2g); Stats. 1965 s. 87.075.

87.076 History: 1965 c. 481; Stats. 1965 s. 87.076.

87.08 History: 1931 c. 481; Stats. 1931 s. 79.08; 1943 c. 375 s. 17; 1943 c. 490; Stats. 1943 s. 87.08; 1965 c. 614 s. 57 (2g).

87.085 History: 1963 c. 305; Stats. 1963 s. 87.085.

87.09 History: 1931 c. 481; Stats. 1931 s. 79.09; 1943 c. 490; Stats. 1943 s. 87.09; 1965 c. 614 s. 57 (2g).

87.095 History: 1965 c. 481; 1965 c. 614 s. 57 (2g); Stats. 1965 s. 87.095.

87.10 History: 1931 c. 481; Stats. 1931 s. 79.10; 1943 c. 490; Stats. 1943 s. 87.10; 1963 c. 305; 1965 c. 614 s. 57 (2g).

87.11 History: 1931 c. 481; Stats. 1931 s. 79.11; 1943 c. 490; Stats. 1943 s. 87.11; 1965 c. 614 s. 57 (2g).

87.12 History: 1931 c. 481; Stats. 1931 s. 79.12; 1937 c. 425; 1943 c. 490; Stats. 1943 s. 87.12; 1965 c. 481; 1965 c. 614 s. 57 (2g).

87.13 History: 1931 c. 481; Stats. 1931 s. 79.13; 1943 c. 490; Stats. 1943 s. 87.13.

87.14 History: 1931 c. 481; Stats. 1931 s. 79.14; 1937 c. 425; 1943 c. 490; Stats. 1943 s. 87.14; 1965 c. 614 s. 57 (2g); 1969 c. 276 s. 588 (6).

87.15 History: 1931 c. 481; Stats. 1931 s. 79.15; 1943 c. 490; Stats. 1943 s. 87.15; 1965 c. 614 s. 57 (2g).

87.16 History: 1931 c. 481; Stats. 1931 s. 79.16; 1943 c. 490; Stats. 1943 s. 87.16; 1965 c. 614 s. 57 (2g).

87.17 History: 1931 c. 481; Stats. 1931 s. 79.17; 1943 c. 490; Stats. 1943 s. 87.17.

87.18 History: 1937 c. 425; Stats. 1937 s. 79.18; 1943 c. 490; Stats. 1943 s. 87.18; 1965 c. 614 s. 57 (2g); 1969 c. 276 s. 588 (6).

87.30 History: 1965 c. 614; Stats. 1965 s. 87.30.

CHAPTER 88.

Drainage of Lands.

Editor's Note: This table has been designed to assist in tracing the sections of former chs. 88 and 89, repealed by c. 572, Laws 1963, into the sections of new ch. 88. Except where the word "none" has been used to indicate that the repealed provision has no counterpart in new ch. 88, the table does not show specifically what happened to the law embodied in a particular repealed provision. In most cases the law embodied in former chs. 88 and 89 was consolidated and restated without change, in some cases it was substantially changed, and in a few cases a basically new approach was taken. The notes appended to the sections of the bill will be helpful in showing specifically what changes are made in present law.

CONVERSION TABLE

<i>Stats. 1961</i>	<i>Stats. 1963</i>
88.01	None

<i>Stats. 1961</i>	<i>Stats. 1963</i>
88.02 (1)	88.01 (1)
(2)	88.01 (2)
(3)	88.01 (7)
(4)	88.01 (4)
(5)	88.01 (11)
(6)	88.01 (5)
(7)	88.01 (6)
(8)	88.01 (8)
(9)	88.01 (10)
(10)	88.01 (11)
(11)	88.01 (12)
(12)	88.01 (9)
88.03 (1)	88.05 (1)
(2)	88.05 (3)
(3)	88.05 (5)
(3a)	88.05 (3) (b) 3., (6) and (7)
(4)	88.05 (8)
(5)	88.34 (9)
(6)	88.03 (2)
(7)	88.07 (1)
(8) (1st sentence)	88.07 (2)
(2nd sentence)	88.07 (5)
(9)	88.07 (3)
(10)	88.07 (5)
(11)	88.07 (5)
88.04 (1)	88.17 (1)
(2)	88.17 (2), 17.10, 17.22
(3)	88.17 (3)
(4)	88.17 (4)
(5)	88.17 (6)
(6)	88.17 (5), 88.15
(7)	88.17 (6)
(8)	88.19
(9)	88.17 (8)
(10)	88.17 (7), (8)
(11)	88.54 (1)
88.05 (1)	88.27 (1), 88.28
(2)	88.29 (1)
88.06 (1)	88.29 (2)
(2)	88.29 (3)
(3)	88.29 (4)
(4)	88.29 (5)
(5)	88.29 (6)
(6)	88.29 (3), 88.32
(7)	88.30
(8)	88.30 (2)
(9)	88.34 (1)
(10)	88.34 (2)
88.07 (1)	88.34 (3)
(2)	88.34 (4), (5)
(3)	88.34 (6)
88.075	88.33, 88.81
88.08 (1)	88.35 (1), (2), (4), (6), (7)
(2)	88.35 (6)
(3)	88.35 (5)
(4)	88.36 (1)
88.09	88.36 (2), (4), (5), 88.62 (1)
88.10 (1)	88.40 (1), (2)
(2)	88.41 (1), (2)
(3)	88.41 (2) (b)
(4)	88.41 (4)
(5)	88.23
88.105	88.46
88.11	88.73, 88.77
88.115	88.22 (1), 88.06
88.117	88.80
88.12	88.54 (2)