

o'clock in the forenoon, the town boards of the said towns of Maple Grove, Chetek and Prairie Lake shall meet at the regular meeting place of the town of Chetek for the purpose of making a settlement between the said towns according to the provisions of this act; and at such meeting or at any adjourned or subsequent meeting held by said town boards, any three of the supervisors shall have full power and authority to send for any persons, books, papers and records necessarily involved in the settlement between said towns. The town clerk of the said town of Chetek shall act as the clerk of such joint meeting and the clerk of the town of Maple Grove and the town of Prairie Lake shall be present and assist. Sufficient duplicates or copies of all proceedings had shall be made in order that each town may have at least one copy for the use and information of such town clerk and town board thereof. Each town shall be chargeable with the expense and for the services and per diem of its own officers only.

SECTION 8. This act shall take effect upon passage and publication.

Approved September 6, 1929.

No. 322, A.]

[Published September 12, 1929.

CHAPTER 479.

AN ACT to repeal paragraph (a) of subsection (1) of section 20.60, sections 93.01 to 93.06, subsections (1), (2) and (3) of section 94.01, subsections (1), (2) and (4) of section 96.34, section 96.35, subsection (1) of section 97.17, section 98.01, sections 99.02 to 99.04 and 99.06, subsection (7) of section 125.02, section 129.10 and subsections (2) and (3) of section 175.02; to create section 93.01, subsection (3) of section 94.01 and sections 98.01, 99.02 to 99.04, 99.06, 99.071 to 99.075 and 129.10; and to amend subsection (1) of section 14.71, the introductory paragraph and subsection (1) of section 20.07, the introductory paragraph and subsection (1) of section 20.59, subsection (15) of section 93.07, subsections (4) and (5) of section 94.01, subsections (3) and (5) of section 96.34, section 97.02, subsection (3) of section 97.17, paragraph (d) of subsection (1) of section 99.31, subsection (1) of section 125.02, and subsection (1) of section 175.02 of the statutes, relating to the consolidation of the departments of agricul-

ture, the dairy and food commissioner, the department of markets, the state treasury agent, the state supervisor of inspectors of illuminating oils and the state humane agent in a new department of agriculture and markets, and making appropriations.

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

SECTION 1. Paragraph (a) of subsection (1) of section 20.60, sections 93.01 to 93.06, subsections (1), (2) and (3) of section 94.01, subsections (1), (2) and (4) of section 96.34, section 96.35, subsection (1) of section 97.17, section 98.01, sections 99.02 to 99.04 and 99.06, subsection (7) of section 125.02, section 129.10 and subsections (2) and (3) of section 175.02 are repealed, and the department of agriculture as now constituted, the state fair board, the live stock sanitary board, the board of veterinary examiners, the dairy and food commissioner, the department of markets, the state treasury agent and the state humane agent are abolished. All unincumbered balances in the appropriations to these departments, other than in revolving appropriations and in appropriations for equipment, permanent property and improvements, shall on the date of the taking effect of this act revert to the general fund. Balances in revolving appropriations and in appropriations for equipment, permanent property and improvements shall be transferred to the new department of agriculture and markets created in this act and shall continue to be available for the purposes for which these appropriations were made.

SECTION 2. A new section is added to the statutes, and a new subsection is added to section 94.01, and twelve new sections are added to the statutes to be numbered and to read: 93.01 Whenever in chapters 93 to 97 or elsewhere in the statutes the terms "department of agriculture" and "commissioner of agriculture," or the terms "department" and "commissioner" referring, respectively, to the department of agriculture and to the commissioner of agriculture, are used, these terms shall be understood and construed to apply to the department of agriculture and markets.

(94.01) (3) Whenever in this chapter or elsewhere in the statutes, the terms "live stock sanitary board," "members of the live stock sanitary board," "director of live stock sanitation" and "veterinary examiners" or the term "board", referring to

the live stock sanitary board, are used, said terms shall be understood and construed to refer to the department of agriculture and markets.

98.01 Whenever in this chapter or elsewhere in the statutes the terms "dairy and food commissioner" or "superintendent of weights and measures" or the term "commissioner" referring to the dairy and food commissioner are used, the said terms shall be understood and construed to refer to the department of agriculture and markets.

99.02 (1) There is created as one of the administrative departments of the state government a department of agriculture and markets in charge of three commissioners. Such commissioners shall be appointed by the governor by and with the advice and consent of the senate for initial terms expiring on the first Monday in February in the years 1931, 1933 and 1935, respectively. Thereafter as the several terms of the commissioners first appointed shall expire their successors shall be appointed for terms of six years and until their successors shall have been appointed and shall have qualified.

(2) Such commissioners shall devote their entire time to the performance of their duties and shall not hold any other public position or office, or hold stock or have any interest in any commission business, wholesale or retail produce business, cold storage, warehouse or transportation company, or serve on or under any committee of any political party or as manager of any political campaign for any candidate or party. Before assuming office each commissioner shall subscribe to the official oath and shall furnish a bond in such sum as the governor may require, conditioned upon the faithful performance of his duties.

(3) After the appointment of the first commissioners and in February of each odd-numbered year, the commissioners shall elect one of their number as chairman of the department for the ensuing biennium. In the event of a vacancy in the chairmanship, the commissioners shall elect a new chairman.

(4) Each commissioner shall receive an annual salary of five thousand dollars.

99.03 The principal office of the department of agriculture and markets shall be maintained in the state capitol at Madison, but, with the approval of the governor, other offices may be maintained elsewhere in the state as may be necessary for the efficient functioning of the department. Hearings, investigations

and meetings necessary to the carrying out of any of the duties of the department may be conducted anywhere within or without the state, as the commissioners may determine to be for the best interests of the state and the parties immediately concerned. Such hearings, investigations and meetings may be conducted by the commissioners sitting as a board, by a single commissioner or by an employe of the department designated by the commissioners.

99.04 The commissioners of agriculture and markets with the approval of the governor, may establish such bureaus and divisions within the department of agriculture and markets as they may deem necessary for the efficient and economical organization of the work of the department, and may require any employe to furnish bond in such sum as they deem advisable.

99.06 (1) The commissioners of agriculture and markets shall have power and authority to make and enforce such necessary rules and regulations, not inconsistent with law, as they may deem necessary for the discharge of all the powers and duties of the department. They shall also have authority to prescribe forms for all applications, notices and reports required by law to be made to the department or which are necessary in its work.

(2) The commissioners of agriculture and markets shall make a biennial report to the governor upon the work of the department. They shall also make such special reports upon any phase of the work of the department as may be called for by the governor, the legislature or either house thereof.

99.071 In addition to the powers and duties specified in the preceding section, the department of agriculture and markets shall succeed to all powers and duties imposed by law immediately prior to the taking effect of this section upon the prior department of agriculture and the commissioner of agriculture, the live stock sanitary board, the director of live stock sanitation, the board of veterinary examiners, the state entomologist and plant pathologist, the inspector of apiaries, the settlers' reclamation division, the division of rural planning, the dairy and food department and the dairy and food commissioner, the superintendent of weights and measures, the department of markets and the commissioner of markets, the treasury agent.

99.072 The department of agriculture and markets shall succeed to all of the property, documents, records, assets, liabilities

and obligations of the prior department of agriculture, the live stock sanitary board, the state fair board, the dairy and food commissioner, the department of markets, the state treasury agent and the state humane agent.

99.073 All standards, orders, rules and regulations in force immediately prior to the taking effect of this section of the prior department of agriculture, the live stock sanitary board, the dairy and food commissioner, the department of markets and the state treasury agent are continued as the standards, orders, rules and regulations of the new department of agriculture and markets, until revoked or modified by the commissioners of agriculture and markets as provided by law.

99.074 All petitions, hearings and other proceedings pending before the department of agriculture, the live stock sanitary board, the dairy and food commissioner, the department of markets, the state treasury agent and the state humane agent, and all actions, proceedings and investigations begun by any of said departments and officers and not completed at the time of the taking effect of this section shall remain in full force and effect notwithstanding the abolition of these departments and officers and may be completed by the department of agriculture and markets.

99.075 All employes of the prior department of agriculture, the dairy and food commissioner, the department of markets and the state treasury agent are continued as employes of the new department of agriculture and markets at the salaries received by them in the month of June, 1929, subject to the right of said department to make such changes in the manner provided by law in personnel, salaries, titles and duties as he may deem advisable.

129.10 Whenever in this chapter or elsewhere in the statutes the term "treasury agent" is used, said term shall be understood and construed to apply to the department of agriculture and markets.

SECTION 3. Subsection (1) of section 14.71, the introductory paragraph and subsection (1) of section 20.07, the introductory paragraph and subsection (1) of section 20.59, subsection (15) of section 93.07, subsections (4) and (5) of section 94.01, subsections (3) and (5) of section 96.34, section 97.02, subsection (3) of section 97.17, paragraph (d) of subsection (1) of section 99.31, subsection (1) of section 125.02 and subsection (1) of section 175.02 of the statutes are amended to read: (14.71) (1)

Except as expressly provided by law, the governor, secretary of state, state treasurer, attorney-general, state superintendent, commissioner of insurance, state fire marshal, superintendent of public property, railroad commission, * * * industrial commission, adjutant general, state board of control, grain and warehouse commission, civil service commission, tax commission, commissioner of public lands, state conservation commission, supervisor of inspectors of illuminating oils, * * * commissioner of banking, printing board, free library commission, state chief engineer, * * * *department of agriculture and markets*, board of public affairs, geological and natural history survey, state board of health, state highway commission, state board of medical examiners, state board of dental examiners, state board of pharmacy, Wisconsin real estate brokers board, state board of vocational education and state athletic commission are each authorized to appoint such deputies, assistants, experts, clerks, stenographers, or other employes as shall be necessary for the execution of their functions, and to designate the titles, prescribe the duties, and fix the compensation of such subordinates, but these powers shall be exercised subject to the state civil service law, unless the position filled by any such subordinate has been expressly exempted from the operation of chapter 16 and subject, also, to the approval of such other officer or body as may be prescribed by law.

(20.07) (Introductory paragraph) There is appropriated from the general fund to the * * * *department of agriculture and markets*:

(1) Annually, beginning July 1, 1921, six thousand dollars, for the execution of * * * its functions * * * under chapter 129.

(20.59) (Introductory paragraph) There is appropriated from the general fund to the * * * *department of agriculture and markets* for the performance of its duties under chapters 98 and 125:

(1) Annually, beginning July 1, 1921, one hundred thousand dollars, for the execution of * * * its functions. * * *

(93.07) (15) * * * *To receive and examine, prior to their transmission to the director of the budget, the biennial request for state aid of county agricultural societies, intercounty fair associations, and other agricultural associations holding fairs, the Wisconsin Horticultural Society, the Wisconsin Agri-*

cultural Experiment Association, the Wisconsin Cranberry Growers Association, The Wisconsin Live Stock Breeders Association, poultry associations receiving state aid, the Wisconsin State Dairymen's Association, the Southern Wisconsin Dairymen and Cheesemakers Association, the Wisconsin Potato Growers Association, and other similar societies and associations receiving state aid; *to transmit and make recommendation upon these requests to the director of the budget and the governor; and to advise as to the manner of expending and accounting for state moneys appropriated to all such societies and organizations.*

(94.01) * * * (1) It shall be the duty of the * * * *department of agriculture and markets* to protect the health of domestic animals of the state; to determine and employ the most efficient and practical means for the prevention, suppression, control and eradication of communicable diseases among domestic animals, and for these purposes it may establish, maintain, enforce and regulate such quarantine and such other measures relating to the movement and care of animals and their products, the disinfection of suspected localities and articles, and the disposition of animals, as the board may deem necessary; and to adopt from time to time all necessary regulations.

* * * (2) When any emergency shall arise or when any action is necessary which is not provided for by existing regulations and the board is not in session, * * * the commissioners of * * * *the department of agriculture and markets* may make such orders as will meet the emergency and take such action as the situation demands.

(96.34) * * * (1) It shall be * * * *the duty* * * * *of the department of agriculture and markets* to strictly enforce the laws relating to the inspection of nurseries and orchards; the control of insect pests and plant diseases, and the examination of insecticides and fungicides; and to * * * suggest methods of insect control * * *.

* * * (2) * * * *The commissioners and duly authorized employees of the department of agriculture and markets* shall have free access, within reasonable hours, to any field, orchard, garden, packing ground, building, cellar, freight or express office, warehouse, car, vessel, or other place, which it may be necessary or desirable for him to enter in performing his duties.

97.02 * * * The * * * *department of agriculture and markets* shall administer the provisions of sections 97.01 to 97.15, and is vested with all necessary power therefor.

(97.17) (3) It shall be the duty of the * * * *department of agriculture and markets*: (a) To stimulate interest and disseminate information in the various counties along lines of rural planning; (b) to co-operate with county rural planning committees in carrying out their several duties as provided by subsection (5) of this section; (c) to co-operate with the director of immigration in planning land settlement and colonization projects.

(99.31) (1) (d) "Commissioner" means *the commissioners of the department of agriculture and markets*.

(125.02) (1) The * * * *department of agriculture and markets* shall * * * *perform all of the duties of the state superintendent of weights and measures*.

(175.02) * * * The * * * *department of agriculture and markets* shall superintend and assist in the organization of humane societies in the several counties and shall administer and enforce the laws relating to humane education and the prevention of cruelty to animals *and for this purpose each commissioner and the duly authorized employes of the department when engaged in this work shall have the powers of a police officer and constable*.

SECTION 4. It is the intent of this act to consolidate the department of agriculture, the dairy and food commission, the department of markets, the state treasury agent and the state humane agent in a new department of agriculture and markets in charge of three commissioners, without change in the duties, powers and functions of the departments and officers which are abolished herein or any proceedings pending before them or begun by them and not completed, and all provisions of this act and of the statutes shall be construed to effect this purpose.

SECTION 5. This act shall take effect upon passage and publication.

Approved September 10, 1929.