

No. 650, S.]

[Published July 3, 1917.]

CHAPTER 556

AN ACT to repeal subsections 1 and 1a of section 1317m—5, and to create subsections 1 and 1a of section 1317m—5, of the statutes, relating to the distribution of state aid for highways within the various counties and providing for the apportionment of the cost of state aid highway construction.

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

SECTION 1. Subsections 1 and 1a of section 1317m—5, of the statutes, are repealed.

SECTION 2. Two new subsections are added to section 1317m—5, of the statutes, to read: (Section 1317m—5) 1. (a) The county boards are given authority to construct or improve, or aid in constructing or improving any road or bridge within the county. In case the county board shall determine that any portion of the county system of prospective state highways shall be constructed by the county and state, upon county initiative, the county shall, subject to the provisions of subsection 1a of this section, contribute not less than sixty per cent and the state not more than forty per cent of the cost thereof. Except in counties having a population of one hundred and fifty thousand or more, fifty per cent of the money allotted to the county under the provisions of section 1317m—8, for construction in the calendar year 1918, and thereafter, shall be expended, together with the necessary county funds and the local funds, if any are assessed by the county board, in construction on the state trunk highway system in said county, until such system shall have been completed in said county.

(b) Except in counties having a population of one hundred thousand or more, the remaining fifty per cent allotted to the county under the provisions of section 1317m—8 for construction in any calendar year shall be available, together with the necessary county funds and the necessary town, village or city funds, for the construction under the provisions of sections 1317m—1 to 1317m—15, inclusive, of portions of the county system of prospective state highways lying in towns, villages and cities not directly benefited or served by any improvement made on the state trunk line system in the county in the same calendar year. The state aid available shall be divided between the said towns, villages and cities in the proportion of their valuation as equalized by the county board, except that not more than two thousand dollars shall be allotted to any governmental unit in any one year. The county board shall make available from the

county for work in each town, village and city an amount not less than the amount available for each from the state highway appropriation and shall assess and collect, in accordance with the provisions of subsection 1a of this section, from each town, village and city to which a county and state allotment is made, an amount not to exceed the amount of county funds allotted to said town, village or city, and not less than the state aid allotted to said town, village or city.

(c) The location of all work provided for in accordance with the provisions of paragraph (b) of this subsection shall be as determined by the county board. Only one improvement shall be made in any town, village or city under the provisions of paragraph (b) of this subsection in any one year, unless it shall be necessary to build a bridge more than six feet in span on the prospective state highway system in said town, village or city or unless the funds available are sufficient to more than complete an improvement lying between two sections already built or to more than complete a road to the town, village or city limits.

(d) The location of work upon the state trunk highway system to be performed in accordance with the provisions of this subsection shall be as fixed by the county board, with due reference to the work to be performed on said system in the same year under the provisions of sections 1312 to 1317, inclusive, and the county board shall make available for each separate piece of work on said trunk system a sum not less than three thousand dollars, such sum to include the funds made available from the state, county and local governmental units, provided that a sum less than three thousand dollars may be made available for the improvement of a bridge or for completely connecting two road improvements already made.

(e) Funds voted in the calendar year 1917 for the improvement of any road or bridge by any town, village or city for work to be performed in the calendar year 1918, under the provisions of sections 1317m—1 to 1317m—15, inclusive, shall receive county or county and state aid in proportions fixed by the county board of each county at the November, 1917, session. Provided that the expenditures shall be so selected and located by the county board that not less than fifty per centum of the state aid allotted to the county for 1918, together with the necessary county and local funds shall be expended in 1918 on the state trunk highway system. If the funds voted by the towns, villages and cities for improvements to be made in 1918 upon the state trunk highway system are not equal to fifty per cent of the state aid allotted to

any county for 1918, the county board shall make the necessary appropriations in accordance with the provisions of paragraph (a) of this subsection so that not less than fifty per cent of the state aid available, together with the county and local funds, shall be expended on the state trunk highway system. Any county board may at the November, 1917, session distribute the state aid available for the county for work in 1918 either in accordance with the provisions of paragraphs (a), (b), (c), (d) and (f) of this subsection or in accordance with the provisions of paragraphs (e) and (f) of this subsection.

(f) Whenever there shall be in any county a town or towns which have issued or have voted to issue bonds under the provisions of section 1317m—13, prior to July 1, 1917, the county board shall set aside from the portion of state highway allotment available for use in towns, villages and cities a proper amount to apply in repayment to the town of the state's share of the cost of improvements made or to be made with the bond issue, until such bond issue shall have been retired. The amount so set aside to any town shall not be less than the average amount paid to said town to apply on said bond issue during the years 1913 to 1917, inclusive. Where no state aid payments have been made on any bond issue, there shall be set aside from the portion of the allotment of state aid to that county made available for use in towns, villages and cities an amount which the county board believes to be just and adequate. Provided that any town which has issued supplementary town bonds anticipating state aid shall not receive in any year an amount less than the face of the said supplementary bonds retired in that year.

(g) Any road or street in any city or village heretofore or hereafter constructed under the provisions of sections 1317m—1 to 1317m—15, inclusive, of the statutes, shall be maintained by the city or village in which it lies, except that when such road is a surfaced stone or gravel road, the county shall oil or tar, or cause to be oiled or tarred, the portion of such road built with county and state funds.

1a. The county board may by resolution provide that a portion not to exceed forty per centum of the county's share of the cost of any improvement determined upon in accordance with the provisions of subsection 1 of this section shall be assessed as a special benefit against any town, village or city in which said improvement may lie, and the amount of said special benefit may be levied by the county board as a special charge against such town, village or city, and the county clerk shall certify such sum to the town, village or city clerk who shall put the same in the

next tax levy and the same shall be collected and paid into the county treasury by the officials of the town, village or city, just as all other county taxes are levied, collected and paid in. A portion or all of the special charge levied against any town, village or city by the county board may be paid by subscription or donation. Any sums of money levied upon or received from towns, villages, cities, subscribers or donors shall be paid into the county treasury prior to the commencement of the improvement and shall be dedicated for use in such improvement.

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

Approved June 29, 1917.

No. 527, S.]

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CHAPTER 557

AN ACT to renumber certain scattered sections of the statutes relating to parks, boulevards, pleasure drives and playgrounds in cities and villages so that they will become a part of new chapter 27 relating to those subjects, and to remove from the statutes sections 1787a to 1787o, both inclusive, without repealing or impairing the force or effect of the session laws from which said sections were derived.

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

SECTION 1. Certain sections of the statutes are renumbered as follows:

SECTION 926—17 is renumbered to be subsection (1) of new section 27.08.

Section 926—18 is renumbered to be subsection (2) of new section 27.08.

Section 926—19 is renumbered to be subsection (3) of new section 27.08.

Section 926—20 is renumbered to be subsection (4) of new section 27.08.

Section 959—9 is renumbered to be subsection (1) of new section 27.09.

Section 959—10 is renumbered to be subsection (2) of new section 27.09.

Section 959—11 is renumbered to be subsection (3) of new section 27.09.

Section 959—12 is renumbered to be subsection (4) of new section 27.09.

Section 959—13 is renumbered to be subsection (5) of new section 27.09.