

No. 535, S.]

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CHAPTER 651

AN ACT to repeal 59.073 to 59.076, 59.081, 59.92 and 59.996; to renumber and amend 59.01, 59.04 (3), 59.07 (17) and (25), 59.08 (10), (18), (47) and (54), 59.69, 59.86, 59.865 and 59.87 (3a); to amend 59.02, 59.03, 59.04 (1), (2) and (4), 59.05 (1), (2) and (2m), 59.06, 59.15 and 59.87 (1) to (3) and (4) to (9); to repeal and recreate 59.07, 59.08, 59.67 and 59.68; and to create 59.001, 59.20 (13), 60.29 (42), 75.70, 83.035, 83.20, 83.21, 86.185 and 236.445 of the statutes, relating to the powers of counties and administration of county government.

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

SECTION 1. 59.001 of the statutes is created to read:

59.001 DEFINITIONS. In this chapter, unless the context clearly indicates to the contrary:

- (1) "Board" means the county board of supervisors.
- (2) "Clerk" means the county clerk.
- (3) "Municipality" includes cities, villages and towns.
- (4) "Treasurer" means the county treasurer.

SECTION 2. 59.01 of the statutes is renumbered 59.01 (1) and amended to read:

59.01 MUNICIPAL CORPORATION. (1) STATUS. Each county * * * in this state is a body corporate, empowered to sue and be sued, to * * * acquire and hold, lease or rent real and personal estate for public uses or purposes, including lands sold for taxes, to sell, lease and convey the same, including the authority to enter into leases or contracts with the state for a period of years for the uses and purposes specified in * * * s. 23.09 (7) (d), to make such contracts and to do such other acts as are necessary and proper to the exercise of the powers and privileges granted and the performance of the legal duties charged upon it * * *.

SECTION 3. 59.02 and 59.03 of the statutes are amended to read:

59.02 POWERS HOW EXERCISED; DIRECT LEGISLATION; QUORUM. (1) * * * The powers of a county as a body corporate can only be exercised by the * * * board thereof, or in pursuance of a resolution or ordinance adopted by * * * it.

(2) Ordinances and resolutions may be adopted by * * * a majority vote * * * of a quorum * * * or by such larger vote as may be required by law * * *. *Ordinances shall commence as follows: "The county board of supervisors of the county of ----- do ordain as follows."*

59.03 BOARDS; COMPOSITION; ELECTION; TERMS; SUBSTITUTES; COMPENSATION; COMPATIBILITY. The boards * * * of the several counties classified according to population * * * shall be composed of representatives from within the county elected and compensated as follows:

(1) MILWAUKEE COUNTY. In each county having a population of at least * * * 500,000:

(a) *Composition.* * * * A supervisor from each assembly district therein elected by the electors of said district.

(b) *Election; term.* * * * Supervisors shall be elected for terms of 4 years at the election to be held on the first Tuesday in April next preceding the expiration of their respective terms. * * *

(c) *Compensation.* Each * * * supervisor shall be paid * * * by the county * * * \$2,400 per annum, except the chairman of the board who shall be paid \$2,700, * * * but the compensation of * * * the supervisors and the chairman may be increased by ordinance * * * not to exceed \$1,200 per annum, and such ordinance shall * * * apply to present * * * and future incumbents.

(2) OTHER COUNTIES. In * * * counties containing less than * * * 500,000 population:

(a) *Composition.* * * * The * * * chairmen of the town boards * * *.

(b) *Same.* * * * A supervisor from each city ward or part of city ward in the county, * * * but each city with a population of * * * not over 800 shall have * * * only one supervisor unless * * * the city * * * is in more than one county, in which case * * * it shall be entitled to one supervisor in each county.

(c) *Same.* * * * A supervisor from every * * * village or part of * * * a village in the county.

(d) *Election; terms.* * * * A supervisor from a city * * * or village * * * shall be elected * * * at the * * * time that other city or village officers are elected.

(e) *Substitutes.* If * * * any town chairman * * * is unable to attend any meeting of the county board, either of the other * * * members of the town board, to be designated by themselves (and if they disagree they shall decide by lot), shall attend * * * the meeting * * * as a member of the county board, but he shall not * * * so act until the town clerk certifies to the county clerk that he was so designated * * *. In cities and villages a substitute for any supervisor may be appointed in such * * * case by the mayor or village president, and the city or village clerk shall certify * * * the designation to the county clerk.

(f) *Compensation.* Each supervisor shall be paid \$4 per day by the county for each day he attends a meeting of the board. However, any * * * board may, at its annual meeting, by two-thirds vote of all the members * * *, fix the compensation of the board members * * * to be next elected * * * at any sum not to exceed \$8 per day. Any * * * board may, in like manner, provide * * * additional compensation for the chairman * * *.

(g) *Mileage.* * * * Each supervisor shall, for each day he attends a meeting of the board, receive mileage for each mile traveled in going to and returning from the * * * meetings by the most usual traveled route at the rate established by the * * * board pursuant to s. 59.15 as the standard mileage allowance for all county employes and officers.

(h) *Limitation on compensation.* Except for services as a member of a committee as provided in s. 59.06 no supervisor shall be paid for more days' attendance on the * * * board in any * * * year than is set out in * * * this schedule: In counties * * * having a population of 20,000 or less, 20 days; more than 20,000 but less than 100,000, 25 days; more than 100,000 but less than * * * 500,000, 30 days.

(i) *Alternative compensation.* As an alternative method of compensation, in counties having a population of more than 25,000 the board may at its annual meeting, by a two-thirds vote of the members * * * entitled to a seat, fix the compensation of the * * * supervisors to be next elected * * * at an annual salary not to exceed \$900 * * * for all services for the county including all committee services, except the per diem allowance for services in acquiring highway rights of way set forth in s. 84.09 (4). The * * * board may, in like manner, allow * * * additional salary for the members of the highway committee and for the chairman of the board * * *. In addition to the * * * salary, the supervisors shall receive mileage as provided * * * in par. (g) for each day's attendance at board * * * or committee meetings.

(3) COMPATIBILITY. No county officer * * * or *his* deputy * * *, or undersheriff * * * is eligible to the office of supervisor, but a * * * supervisor may also be a member of the common council of * * * *his* city or of the board of trustees of * * * *his* village * * *.

SECTION 4. 59.04 (1), (2) and (4) of the statutes are amended to read:

59.04 MEETINGS; ADJOURNMENT; ABSENTEES. (1) (a) Every * * * board shall hold an annual meeting on the Tuesday * * * *after* the second Monday of November in each year at the county seat for the purpose of transacting business * * *. When that day falls on * * * *November 11* the annual meeting shall be held * * * the next succeeding day * * *. Any * * * board may by its rules establish an earlier date during October or November for such annual meeting and may * * * by * * * *rule* establish regular meeting dates throughout the year at which to transact general business * * *.

(b) *The* annual meeting may be adjourned by the * * * clerk, upon the written request of a majority of the * * * *supervisors*, to * * * a day * * * designated in * * * *the* request, but not less than one week nor more than 3 weeks from the * * * Tuesday * * * *after* the * * * *second* Monday of November. Upon such adjournment being made, * * * *the* clerk shall give each * * * *supervisor* written notice of the time to which the annual meeting has been adjourned.

* * * (c) *The* board, except in counties having a population of 500,000 or more, shall meet on the third Tuesday of *each* April * * * to organize and * * * *transact* business * * *. At * * * *this* meeting * * * *the* board may transact any * * * business permitted * * * at the annual meeting. * * * *The* meeting may be adjourned in the same manner as the annual meeting.

(2) A special meeting of any * * * board shall be held:

(a) Upon a written request of a majority of the * * * *supervisors* * * * delivered to the * * * clerk, * * * specifying the time and place of * * * meeting. The time shall not be less than one week from the delivery of * * * *the* request * * *, except that in counties having a population of 500,000 or more the time shall not be less than 48 hours from *such* delivery * * *. Upon receiving * * * *the* request the * * * clerk shall forthwith mail to each * * * *supervisor* notice of the time and place of * * * *the* meeting. Any special meeting may be adjourned from time to time by a vote of a majority of all the * * * *supervisors*.

(b) For the purposes and in the manner prescribed in s. 31.06, with the right to adjourn * * * *the* special meeting from time to time by a vote of a majority of all the * * * *supervisors* entitled to a seat. The * * * clerk shall mail written notice of * * * *the* special meeting, specifying the time * * *, place and * * * purpose thereof, to each * * * *supervisor* not less than 2 weeks before the day set for such * * * meeting.

(4) * * * *The* board shall sit with open doors, and all persons conducting themselves in an orderly manner may attend. If any * * * *supervisor* absents himself from any meeting of the board without good cause or without being first excused by the board, the chairman * * * *may* issue a warrant requiring the sheriff or some constable * * * forthwith to arrest * * * *him* and bring him before the board. The expenses of * * * *the* arrest shall be deducted from the pay of * * * *the* member unless otherwise directed by the board. The board may punish its members for infraction of its rules by imposing * * * *the* penalty * * * provided therein.

SECTION 5. 59.04 (3) of the statutes is renumbered 59.02 (3) and amended to read:

59.02 (3) A majority of the supervisors entitled to a seat * * * on the * * * board shall constitute a quorum * * *. All questions shall be determined by a majority of the supervisors present unless otherwise provided.

SECTION 6. 59.05 (1), (2) and (2m) of the statutes are amended to read:

59.05 CHAIRMAN; VICE CHAIRMEN; POWERS AND DUTIES.

(1) The * * * board, at the first meeting after each regular election at which members * * * are elected for full terms, shall elect * * * a member chairman. * * * He shall perform all duties required of the chairman until the * * * board elects his successor. * * * He may administer oaths to persons required to be sworn concerning any matter submitted to the board or a committee thereof or * * * connected with their powers or duties. He shall countersign all ordinances of the * * * board, and shall preside at * * * meetings when present. When directed by ordinance * * * he shall countersign all county orders, transact all necessary * * * board business with * * * local and county officers, expedite all * * * measures * * * resolved upon by the * * * board and shall take care that all federal, state and local laws, rules and regulations pertaining to county government are * * * enforced.

(2) The board at the time of the election of chairman shall also elect * * * a member vice chairman for the same term, who, in case of the absence * * * or disability * * * of the chairman shall perform * * * his duties * * *.

(2m) The board at the time of the election of chairman may also elect * * * a member second vice chairman for the same term, who, in case of the absence * * * or disability * * * of the vice chairman, shall perform his duties.

SECTION 7. 59.06 of the statutes is amended to read:

59.06 COMMITTEES; APPOINTMENT; COMPENSATION. (1) * * * The board may, by resolution designating the purposes and prescribing the duties thereof and manner of reporting, authorize their chairman to appoint before June 1 in any year * * * committees from the members of the * * * board * * *, and the committees so appointed shall perform the duties and report as prescribed in such resolution.

(2) * * * Committeemen shall receive such compensation for their services as the * * * board * * * allows, not exceeding the per diem and mileage allowed to members of the * * * board and such committee members shall receive such compensation, mileage and reimbursement for other expenses as the * * * board * * * allows for their attendance at any school, institute or meeting which the * * * board directs * * * them to attend. No supervisor shall be allowed pay for committee service while the board is in session, nor for mileage except in connection with services performed within the time herein limited. The number of days for which compensation and mileage may be paid a committee member in any * * * year, except members of committees appointed to have charge of the erection of any county building, and except as otherwise provided by law, are limited as follows:

(a) In counties containing less than 25,000 population * * *, to 20 days * * *, not more than 10 * * * of which shall be for services on any one committee, except that the * * * board * * * may increase the number of committee meetings as provided in par. (b) * * * and similarly fix the compensation of the members * * * for * * * the additional meetings.

(b) In other counties, to 30 days * * * for services on * * * committees, except that the * * * board * * * may, by a two-thirds vote of the members present * * *, increase the number of days for which compensa-

tion and mileage may be paid * * * in any * * * year and fix the compensation for each additional day * * *.

SECTION 8. 59.07 (17) and (25) of the statutes are renumbered 59.871 and 59.872, respectively, and amended to read:

59.871 WORMS, INSECTS, WEEDS, ANIMAL DISEASES, APPROPRIATION. (1) * * * *The board may* appropriate money for the control of insect and worm pests, weeds, or plant or animal diseases within the county, and * * * select from * * * its * * * members a committee which, upon advice from the county agent that an emergency * * * exists because of the destruction which is being or may be wrought to farm lands, live stock or crops in the county by any such pests, may take * * * steps * * * necessary to suppress and control such pests. The * * * clerk shall within 10 days notify the state department of agriculture * * * of such appropriation and of the members of such committee. The state entomologist and said department shall co-operate with such committee in the * * * execution of * * * measures * * * necessary for the suppression and control of such pests.

(2) When such emergency exists the committee may * * * draw on the contingent fund, if available, * * * not to exceed \$5,000 which shall be disbursed upon certification of the committee for the purposes specified in * * * *sub. (1)* as they relate to worm or insect pests; the * * * treasurer shall pay the amounts so certified * * *. No disbursement shall be made by the committee unless the owner of the premises affected has requested the committee to take steps to suppress or control the pests or when steps have been undertaken by another authority.

59.872 FUNDS APPROPRIATED TO SOIL CONSERVATION DISTRICT. * * * *The board may* appropriate funds to a soil conservation district which includes lands * * * within the county, to be used by the supervisors of the district in the administration of district affairs and in controlling erosion within the district.

SECTION 9. 59.07 of the statutes is repealed and recreated to read:

59.07 GENERAL POWERS OF BOARD. The board of each county may exercise the following powers, which shall be broadly and liberally construed and limited only by express language:

(1) PROPERTY. (a) *How acquired; purposes.* Take and hold land sold for taxes and acquire, lease or rent property, real and personal, for public uses or purposes of any nature, including without limitation acquisitions for county buildings, airports, parks, recreation, highways, dam sites in parks, parkways and playgrounds, flowages, sewage and waste disposal for county institutions, lime pits for operation under s. 59.873, equipment for clearing and draining land and controlling weeds for operation under s. 59.874, ambulances and for transfer to the state for state parks and for the uses and purposes specified in s. 23.09 (7) (d).

(b) *Control; actions.* Make all orders concerning county property and may commence and maintain actions to protect the interests of the county.

(c) *Transfers.* Direct the clerk to lease, sell or convey or contract to sell or convey any county property, not donated and required to be held for a special purpose, on such terms as the board approves. In addition any county property may, by gift or otherwise, be leased, rented or transferred to the United States, the state, any other county within the state or any municipality or school district within the county. Oil, gas and mineral rights may be reserved and leased or transferred separately.

(d) *Buildings; maintenance.* Construct, maintain and operate all county buildings and structures including without limitation swimming

pools, stadiums, golf courses and other recreational facilities, dams in county lands and sewage disposal plants at county institutions, and if the buildings are insufficient, provide suitable rooms for county purposes.

(e) *Leases to conservation commission.* Lease lands owned by the county to the state conservation commission for game management purposes. Lands so leased shall not be eligible for entry under ch. 77. Of the rental paid by the state to the county for lands so leased 60 per cent shall be retained by the county and 40 per cent shall be paid by the county to the town in which said lands are located and of the amount received by the town, 50 per cent shall be paid by the town to the school district in which said lands are located. The amount so paid by a town to a joint school district shall be credited against the amount of taxes certified for assessment in that town by the clerk of the joint school district under s. 40.35 (8), and the assessment shall be reduced by such amount. In case any leased land is located in more than one town or school district the amounts paid to them shall be apportioned on the basis of area. This paragraph shall not affect the distribution of rental moneys received on leases executed before June 22, 1955.

(2) INSURANCE. (a) *Liability and property damage.* Provide public liability and property damage insurance, either in commercial companies or by self-insurance created by setting up an annual fund for such purpose or by a combination thereof, covering without exclusion because of enumeration, motor vehicles, malfeasance of professional employes, maintenance and operation of county highways, parks, parkways and airports and any other county activities involving the possibility of damage to the general public.

(b) *Fire and casualty.* Provide fire and casualty insurance for all county property.

(c) *Employe insurance.* Provide for hospital, surgical and group insurance for county officers and employes and for payment of premiums therefor.

(3) ACCOUNTS; SETTLEMENT. Examine and settle all accounts of the county and all claims, demands or causes of action against the county and issue county orders therefor. The board may delegate its power in regard to current accounts against the county to a standing committee where the amount does not exceed \$1,000.

(4) RETIREMENT; DISABILITY. In any county having a population of less than 500,000, by the affirmative vote of a majority of all supervisors entitled to a seat, elect:

(a) To be included in and subject to the Wisconsin retirement fund established by ss. 66.90 to 66.918.

(b) To provide that s. 102.455 (1) shall apply to such deputy sheriffs, undersheriffs or traffic policemen as the board designates.

(5) GENERAL AUTHORITY. Represent the county, have the management of the business and concerns of the county in all cases where no other provision is made, apportion and levy taxes and appropriate money to carry into effect any of its powers and duties.

(6) PUBLIC RECORDS. Prescribe the form and manner of keeping the records in any county office and the accounts of county officers.

(7) PURCHASING AGENT. Appoint a person or committee as county purchasing agent, and provide compensation for their services. Any county officer or supervisor may be the agent or a committee member. The purchasing agent shall provide all supplies and equipment for the various county offices and the board chairman shall promptly sign orders in payment therefor. The board may require that all purchases be made in the manner determined by it.

(8) **OFFICIAL SEALS.** Provide an official seal for the county and the county officers required to have one; and for the circuit and county courts, with such inscription and devices as said courts respectively require.

(10) **FEES, OFFICERS AND MAGISTRATES.** Fix the fees or compensation of officers and magistrates for services performed in all prosecutions for vagrancy or under the laws concerning tramps, intoxication in a public place, indecent exposure of the person or disorderly conduct, except when the prosecution for any such offense is brought under a city or village ordinance; and no greater compensation than is so fixed shall be recovered.

(11) **JOINT CO-OPERATION.** Join with the state, other counties or municipalities in a co-operative arrangement as provided by s. 66.30.

(12) **TRANSCRIPTS.** Procure transcripts or abstracts of the records of any other county affecting the title to real estate in such county, and such transcripts or abstracts shall be prima facie evidence of title except as provided in s. 235.47.

(13) **PAYMENTS IN LIEU OF TAX.** (a) *Institutions, state farms, airports.* Appropriate each year to any municipality and school district in which a county farm, hospital, charitable or penal institution or state hospital, charitable or penal institution or state-owned lands used for agricultural purposes or county or municipally-owned airport is located, an amount of money equal to the amount which would have been paid in municipal and school tax upon the lands without buildings, if such land were privately owned. The valuation of such lands (without buildings) and computation of the tax shall be made by the board. In making such computation lands on which courthouse or jail are located and unimproved county lands shall not be included.

(b) *County veterans' housing.* If a county has acquired land and erected thereon housing facilities for rent by honorably discharged United States veterans of any war and the land and housing facilities are exempt from general taxation, the board may appropriate money and pay to any school district or joint school district wherein the land and housing facilities are located a sum of money which shall be computed by obtaining the product of the following factors:

1. The tax rate for school district purposes of the school years for which payment is made.
2. The ratio of the assessed valuation to the equalized valuation of the municipality in which the school district lies, multiplied by the actual cost incurred by the county for the acquisition of the land and improvements thereon used for such purposes.

In case of a joint school district, computation shall be made on the basis of the valuation of the several municipalities in which such school district lies. If school buildings are inadequate to accommodate the additional school population resulting from the county veterans' housing program, and the school district cannot legally finance the necessary increased facilities, the board may appropriate money and grant assistance to the school district but the assistance shall be used solely to finance the purchase of land and the erection and equipment of the necessary additional facilities.

(14) **GRAVE MARKERS, VETERANS.** (a) Furnish upon the petition of 5 freeholders of any municipality in their county an appropriate metal marker for the grave of each soldier, sailor or marine who served with honor in the forces of the United States, buried within the municipality.

(b) The petitioners shall state in the petition the names of soldiers, sailors or marines buried in the municipality.

(15) **SHERIFF'S FAMILY PENSION.** Appropriate money to the family of any sheriff or his deputies killed while in the discharge of his official duties.

(16) **ZONING, BUILDING INSPECTOR.** For the enforcement of all laws, ordinances, rules and regulations enacted pursuant to s. 59.97, appoint a building inspector, define his duties and fix his term of office and compensation.

(17) **DONATIONS, GIFTS AND GRANTS.** Accept donations, gifts or grants for any public governmental purpose within the powers of the county.

(18) **AMUSEMENTS, REGULATION.** (a) Exercise outside of cities and villages all the powers conferred on cities to regulate dance halls, road-houses and other places of amusement.

(b) Enact ordinances to regulate, control, prohibit and license dance halls and pavilions, amusement parks, carnivals, street fairs, bathing beaches and other like places of amusement. Such ordinances shall provide for such license fees as shall yield as nearly as possible sufficient revenues for administering their provisions. Upon the passage of such an ordinance the board shall select a sufficient number of persons whose duty it shall be to supervise public dances according to assignments to be made by the board. Such persons while engaged in supervising public dances or places of amusement shall have the powers of deputy sheriffs, and shall make reports in writing of each dance visited to the clerk, and shall receive such compensation as the board determines. Their reports shall be filed by the clerk and embodied by him in a report to the board at each meeting thereof. The board shall immediately revoke the license of any dance hall proprietor or manager if there is allowed at any such dance presence of intoxicated persons, or of children of 17 years of age or under unaccompanied by their parent or lawful guardian, or if any of the ordinances are violated, and the board may enact an ordinance requiring the revocation of such dance hall license if the use of intoxicating liquor is permitted on the premises during the holding of a public dance. The chairman of the board, when the board is not in session, is authorized to issue licenses or to suspend the license of any person violating this law or any regulation adopted by the board; such issuance of licenses or the suspension of such license to be acted on by the board at its next meeting.

(c) Enact ordinances providing for a specified closing hour for places where soft drinks are sold.

(d) Ordinances enacted by a board under pars. (b) or (c) shall not apply to any city or village which by ordinance regulates and controls such places.

(19) **CELEBRATIONS AND CONVENTIONS.** Appropriate money to defray the expense of municipal commemorative or patriotic celebrations or observance, state or national conventions of war veterans, national conventions of fraternal associations, group entertainment for children on Halloween by county or municipal agencies within the county or of state or national conventions of county officers or employes or associations thereof or of bringing any of such conventions to the county.

(20) **CIVIL SERVICE SYSTEM.** Establish a civil service system of selection, tenure and status, and the system may be made applicable to all county personnel, except the members of the board, constitutional officers, members of boards and commissions and judges. The system may include also uniform provisions in respect to classification of positions and salary ranges, payroll certification, attendance, vacations, sick leave, competitive examinations, hours of work, tours of duty or assignments according to earned seniority, employe grievance procedure, disciplinary actions, lay-offs and separations for cause subject to approval of a civil service commission or the board. The board may request the assistance of the state bureau of personnel and pay therefor, pursuant to s. 16.055.

(21) **COMMON SCHOOL TAX.** (a) At or before the November meeting each year levy a tax upon the equalized valuation of the county for the

aid of the elementary schools of each school district of the county which has levied and placed on the tax rolls of the district for the previous year for the operation and maintenance of schools a tax of not less than 3 mills on the equalized valuation of the district for the year previous to the year of levy for elementary school purposes except where the district operates both elementary and secondary schools the minimum levy shall be 5 mills for both elementary and high school purposes. The county levy shall be sufficient to pay county aids to districts which qualify in an amount not less than \$350 per teacher unit operating in the county during the preceding year.

(b) If a school district lies in more than one county, then the county in which such elementary teachers during the preceding year are employed shall be reimbursed by any other county in which the school district lies for its share of such \$350 for the number of elementary teachers in the whole district in the ratio which the full valuation of the property of the school district lying in the other county bears to the full valuation of all the property in the district; the county superintendent of schools of the county paying the whole amount in the first instance, or the city superintendent of schools not under the jurisdiction of the county superintendent shall compute the number, including a fraction of a number, that will be derived from applying to the whole number of teachers the same ratio as the full valuation of the property of the school district lying in any other such county bears to the full valuation of all the property of the school district; he shall then multiply the same by 350 and certify the results in dollars, at the time of the other certification, as the amount to be reimbursed by the other county; the clerk of the county receiving such certification shall certify to the clerk of the other county the amount required to be reimbursed and the board of the other county shall levy a tax in such amount in the same manner and by the same method as the tax levied under par. (a); when the tax is collected it shall be remitted by the treasurer of such other county to the treasurer of the county entitled thereto. The term "full valuation" as used in this paragraph means the full valuation prescribed in s. 40.35 (8). Section 40.71 (5) relating to aid shall apply to any such other county which does not comply with this paragraph.

(22) TOWNS, ORGANIZATION, BOUNDARIES. Organize, name, vacate and change the boundaries and names of the towns in their respective counties, fix the time and place of holding the first town meeting, and make orders for the preservation of the records and papers of any vacated town. No town shall be vacated unless a majority of all the members of the board so decide. No board, except in the counties of Ashland, Barron, Bayfield, Burnett, Douglas, Juneau, Marathon, Oconto, Polk and Shawano, and except as provided in s. 60.05, shall organize any town that at the time of being organized does not contain at least 125 inhabitants, at least 25 of whom shall have been actual electors of this state and resident within the proposed new town for 6 months prior to the time the organization takes effect.

(23) WAR RECORDS. Appropriate money for the collection, publication or distribution of war records.

(24) FISH AND GAME. Establish, maintain and operate fish hatcheries and facilities for raising game birds.

(26) RECREATION. Create, promote and conduct and assist in creating, promoting and conducting recreational activities in the county which are conducive to the general health and welfare, and elect persons for such terms and salaries as may be determined, who shall exercise the powers and perform the duties given by the board. The board may provide for what purpose and in what manner moneys appropriated pursuant to this

subsection may be expended. Such persons may be designated "----- County Recreation Committee". At the annual meeting next after making the appropriation the board shall determine in what municipalities such activities were held and what other municipalities received benefits therefrom and determine the amount expended from the appropriation to make the programs or activities or benefits derived therefrom possible in each municipality and levy a tax upon the property of each municipality in accordance with such apportionment to reimburse the county for its expenditures, but no expenditure shall be made nor improvement ordered without the consent of the governing body of the municipality.

(27) COUNTY BOARDS ASSOCIATION. By a two-thirds vote, purchase membership in an association of county boards for the protection of county interests and the furtherance of better county government.

(28) PURCHASE OF PUBLICATIONS. Purchase publications dealing with governmental problems and furnish copies thereof to supervisors, officers and employes.

(29) SERVICE OFFICER. Appropriate funds for the execution of the duties of the county veterans' service officer and the county veterans' service commission.

(30) ADVERTISE COUNTY. Appropriate not to exceed \$5,000 in any year to advertise the advantages, attractions and resources of the county and to conserve, develop and improve the same. The county may co-operate with any private agency in this work.

(31) HISTORICAL SOCIETIES. Appropriate money to any local historical society incorporated under s. 44.03 located in the county for the purpose of collecting and preserving the records of the early pioneers, the life of the Indians, the experience of military men, and the salient historical features of the county.

(32) COUNTY HISTORIAN. Create the position of county historian. The historian shall collect and preserve the records of the Indians and the early pioneers, the experiences of military men and women and the records of their service; mark and compile data concerning places of historical interest in the county; and perform such other duties relating to the collection, preservation, compilation and publication of historical data as the board prescribes. The board may provide the historian with a fireproof safe or vault in which to keep papers and documents, with clerical assistance and such other needs as will enable him to adequately perform his duties. The board may require reports.

(33) PUBLIC MUSEUMS. In counties having a population of less than 500,000, appropriate money toward the maintenance of public museums in the county.

(34) HIGHWAY SAFETY. Appropriate money to citizens safety committees or to county safety commissions or councils for highway safety and patrol.

(35) DRAINAGE DISTRICT BONDS. Purchase drainage district bonds at market value or at a discount to salvage the equity of the county in the lands affected and to secure resumption of tax payments thereon and so permit the dissolution of the district.

(36) FIRE PROTECTION. Establish a fire department or, upon petition of two-thirds of the residents of any contiguous locality, pursuant to s. 60.29 (20) in so far as applicable, provide fire department service and protection for such residents as are otherwise unable to obtain service from a municipality as provided by s. 60.29 (20). The board shall determine the fee schedule to reimburse the fire departments and make rules and regulations for maintenance of service and equipment. An inspector may be appointed to inspect each fire department at least twice each year for proper maintenance. The contract may be terminated by either party

upon giving a 90-day written notice thereof. The board may levy a tax upon all the real and personal property in the contiguous locality to reimburse the county for the fees and costs expended.

(37) **SURPLUS COMMODITY PLANS.** Adopt and participate in any surplus commodity absorption plan in connection with furnishing relief to needy persons within any municipality in the county and appropriate money to carry out such plan.

(38) **SECONDHAND CAR DEALERS, JUNKING CARS.** License and regulate dealers in secondhand motor vehicles, wreckers of motor vehicles, or the conduct of motor vehicle junking. Such regulation shall not apply to any municipality which adopts an ordinance governing the same subject.

(39) **NURSING ASSOCIATIONS.** Appropriate money toward the support of organized and bona fide nursing associations in the county, such associations to have at least one qualified nurse.

(40) **VOCATIONAL AND ADULT EDUCATION SCHOOLS.** Appropriate money to local boards of vocational and adult education which render services to residents of the county. Supervisors from any city or village maintaining a school pursuant to s. 41.15 shall have no part in any determination under this subsection and no part of any expense incurred shall be levied against any property within the city or village.

(41) **AMBULANCES.** Purchase, equip, operate and maintain ambulances and contract for ambulance service for conveyance of the sick or injured and make reasonable charges for the use thereof.

(42) **RESCUE EQUIPMENT.** Appropriate money for the purchase of boats and other equipment necessary for the rescue of human beings and the recovery of human bodies from waters of which the county has jurisdiction under s. 2.04.

(43) **COUNTY PARK COMMISSION.** Except in counties of a population of 500,000 or more, fix the compensation of members of the county park commission for attendance at meetings at a rate not to exceed the compensation permitted supervisors.

(44) **CORPORATION COUNSEL.** In counties not containing a city of the first class, employ a corporation counsel, and fix his salary. His employment may be terminated at any time by a majority vote of all the members of the board. The duties of the corporation counsel shall be limited to civil matters and shall include giving legal opinions to the board and its committees and interpreting the powers and duties of the board and county officers. Whenever any of the powers and duties conferred upon the corporation counsel are concurrent with similar powers or duties conferred by law upon the district attorney, the district attorney's powers or duties shall cease to the extent that they are so conferred upon the corporation counsel and the district attorney shall be relieved of the responsibility for performing such powers or duties. Opinions of the corporation counsel on all such matters shall have the same force and effect as opinions of the district attorney. The corporation counsel may request the attorney general to consult and advise with him in the same manner as district attorneys as provided by s. 14.53 (3).

(45) **POST-WAR PROJECTS.** (a) Appropriate money for post-war projects generally, without specific designation thereof. Any money raised under this subsection shall be placed in a separate account and used only for projects as provided in this subsection.

(b) No expenditure except for plans and specifications for proposed projects shall be made from such account except after:

1. Determination by a vote of the board that unemployment in existence in the county may be relieved by expenditures from the account, specifying the purpose and the amount necessary therefor;

2. Public hearings thereon under s. 65.90 or 59.84; and

3. Final approval by a two-thirds vote of all the board members after the hearings.

(c) Appropriations under this subsection shall not exceed in any calendar year a sum equal to the assessed valuation of the property of the county as determined by the department of taxation multiplied by one-half mill.

(d) All moneys raised by tax levy for the purposes of this subsection which are unappropriated for such purposes within 5 years after the termination of World War II as proclaimed by the Congress or President shall revert to the general fund of the county, unless the board acts to set a longer period, which shall not exceed an additional 5 years.

(46) POLICE POWERS OVER CERTAIN U. S. LANDS AND STRUCTURES. In counties wherein the United States has built a structure extending into a lake or river, the board may by ordinance regulate the use of such a structure by the public consistent with reasonable safety requirements, but nothing contained in the ordinance shall permit any interference with the operations of the United States, its agents, employes or representatives in connection with the structure, and provide that any person who violates the ordinance shall forfeit to the county not to exceed \$100 for each offense, plus costs, and in default of payment shall be imprisoned not more than 30 days. Arrests for violation of the ordinance may be made by the sheriff or by any peace officer of the municipality wherein the structure is located.

(47) CONTRACT WITH U. S. FOR CUSTODY OF FEDERAL PRISONERS. Empower the sheriff or superintendent of the house of correction to contract with the United States to keep in the county jail or house of correction any person legally committed under U. S. authority, but not for a term exceeding 18 months.

(49) BILLBOARD REGULATION. Regulate, by ordinance, the maintenance and construction of billboards and other similar structures on premises abutting on highways maintained by the county so as to promote the safety of public travel thereon. Such ordinances shall not apply within cities and villages which have adopted ordinances regulating the same subject matter.

(50) RIDING HORSES, REGULATION. Provide by ordinance for the regulation, control, prohibition and licensing of horses kept for the purpose of riding, whether by private owners for their own use or by commercial stables, riding academies or clubs for hire; for the licensing and regulation of owners of riding horses and the regulation, control, prohibition and licensing of commercial stables keeping horses for riding purposes for hire. The board may revoke the license of any owner of a horse kept for the purpose of riding for violation of such ordinance after the filing of charges and notice and hearing thereon. Such ordinance may provide that the chairman of the board, when the board is not in session, shall be authorized to issue such license or to suspend such license of any person violating such ordinance; such issuance of license or the suspension of such license to be acted on by the board at its next meeting. Such ordinance may impose a penalty of not to exceed \$100 for each violation or in default of payment thereof, imprisonment for not exceeding 30 days. Such ordinances shall not apply within cities and villages which have adopted ordinances regulating the same subject matter.

(51) BUILDING AND SANITARY CODES. Adopt building and sanitary codes, make necessary rules and regulations in relation thereto and provide for enforcement of such codes, rules and regulations by forfeiture or otherwise. Such codes, rules and regulations shall not apply within cities and villages which have adopted ordinances or codes concerning the same

subject matter. The cost of administering and enforcing such codes, rules and regulations shall be paid only from fees charged for permits issued under this subsection.

(52) MILWAUKEE COUNTY; SEWAGE, WASTE, REFUSE. In any county having a population of 500,000 or more:

(a) Provide for the transmission and disposal of sewage from any of the county buildings, and for such purpose may pay to the municipality in which said buildings are situated for the transmission and disposal of sewage, such proportion of the expense thereof, as certified under s. 59.96, to any such municipality; such proportionate expense to be determined by the ratio which the amount of sewage contributed by any such buildings may bear to the total amount of sewage contributed by any such municipality to such system; and such counties may provide and furnish meters to determine the amount of sewage so contributed.

(b) Engage in the function of the destruction or disposal of waste by providing and operating dumpage facilities; acquire lands by purchase, lease, donation or right of eminent domain within such county and use such lands as dumpage sites for depositing, salvaging, processing, burning or otherwise disposing of such waste except by inclosed incineration, and acquire land by purchase, lease or donation outside such county for said purposes where state and local regulations permit; maintain, control and operate dumpage sites; sell all salvageable waste materials and by-products; levy a tax to create a working capital fund to maintain and operate dumpage facilities; charge or assess reasonable fees to persons making use of such sites for the disposal of waste; make charges approximately commensurate with the cost of services rendered to any municipality using the county waste disposal facilities; contract with the several municipalities in such county for the collection and hauling of waste accumulating within such municipal units; contract with private collectors and transporters to receive and dispose of waste at dumpage sites; adopt and enforce ordinances, rules and regulations necessary for the orderly conduct of providing such dumpage facilities and services and provide forfeitures for the violation thereof. The charges for waste disposal services shall be determined by the board and shall include a reasonable charge for depreciation. In the determination of such charges, the board shall give full consideration to any fees directly collected for such service. Waste disposal charges shall be apportioned pursuant to s. 70.63 to the respective municipalities receiving such service. The depreciation charges shall create a reserve for future capital outlays for acquisition of dumping sites. Before acquiring in such county any site to be used for dumping, a public hearing shall be held following notice of such hearing by publication at least once each week for 3 successive weeks in the official newspaper of the county or, if there be none, a newspaper of general circulation in the county. The term "waste" as used in this paragraph includes, without restriction because of enumeration, garbage, ashes, municipal, domestic, industrial and commercial rubbish, waste or refuse material. The powers conferred by this paragraph are declared to be necessary to the preservation of the public health, welfare and convenience of the county.

(53) MILWAUKEE COUNTY; AIR POLLUTION REGULATION. In any county having a population of 500,000 or more, regulate by ordinance within the territorial limits of such county the ejection, discharge or emission into the open air of smoke, and solids, liquids, gases, fumes, acids, burning embers, sparks, cinders, soot, particulate wastes or dusts from any chimney, smokestack, vent, fuel-burning equipment, open fire, apparatus, device, mechanism, substance, material or premises; prescribe the maximum volatile matter content or other constituents of fuels used within the county in hand-fired or other fuel-burning equipment; prescribe fees

for the examination of plans, inspections, tests, issuance of permits, and certificates of operation; prescribe rules and standards in aid of such regulations; provide in such ordinance for an appeal board and an advisory board and prescribe the powers of each; prescribe penalties for violating such ordinance; provide for commencing actions to enjoin acts, threats of acts and the procuring or suffering of acts to be done in violation of such ordinance; and provide for a county department of air pollution regulation with necessary officers and assistants to perform any and all functions relating to enforcing such ordinance. Whenever the board enacts an ordinance pursuant to authority granted by this subsection, such ordinance shall supersede and nullify any municipal ordinance then in effect, as to all matters included within such county ordinance and such municipalities shall thereafter and while such county ordinance remains in effect have no power to enact ordinances as to the subject matter included within such county ordinance. Matters treated in this subsection are declared to be of state-wide concern.

(54) MILWAUKEE COUNTY; CITY-COUNTY CRIME COMMISSION. The board of any county having a population of 500,000 or more or the common council of any city of the first class however organized in such county, may appropriate money to defray in whole or in part the expenses of a city-county crime commission organized and functioning to determine methods of crime prevention in such county. All items of expense paid out of such appropriation shall be presented and paid on board vouchers as are claims against counties.

(55) HOUSING FACILITIES, MILWAUKEE COUNTY. In counties having a population of 500,000 or more, build, furnish and rent housing facilities to persons who have resided in such county continuously for more than 2 years and whose income is insufficient to meet the standard for such person's family as determined in the budget adopted by the board for the administration of public assistance in such county. Such counties may borrow money or accept grants from the federal government for or in aid of any project to build, furnish and rent such housing facilities, to take over any federal lands and to such ends enter into such contracts, mortgages, trust indentures, leases or other agreements as the federal government may require. It is the intent of this section to authorize such counties to do anything necessary to secure the financial aid and the cooperation of the federal government in any undertaking by the county authorized by this section.

(56) TRANSPORTATION OF HANDICAPPED CHILDREN; MILWAUKEE COUNTY. Authorize transportation of handicapped children by the county superintendent of schools under s. 39.105.

(57) INTERGOVERNMENTAL COMMITTEES; APPROPRIATION. In counties having a population of 500,000 or more, appropriate money to defray the expenses of any intergovernmental committee organized in the county with participation by the county board to study county wide governmental problems, and make recommendations thereon. All items of expense paid out of the appropriations shall be presented on vouchers signed by the chairman and secretary of the intergovernmental committee.

(60) WATERSHED PROTECTION AREAS. Appropriate money to assist in creating and developing watershed protection areas or projects beneficial to the county, which would include or benefit all or a portion of such county, and to pay all or part of said money to any agency of the federal or state government or to a soil conservation district, to be expended for such purposes, notwithstanding s. 92.04 (4) (d).

(61) UNIVERSITY EXTENSION CENTERS. Appropriate money in an amount not to exceed one-tenth of one per cent of the equalized valuation of the taxable property in the county as reported by the state department

of taxation for the construction, remodeling, expansion, acquisition or equipping of land, buildings and facilities for a university of Wisconsin extension center the operation of which in the county has been approved by the board of regents. No such appropriation shall be made for more than 2 years in any 10 years.

(62) PRINTING IN LOCAL TAX ROLLS, ETC. Provide for the printing in field books, assessment rolls and tax rolls for local municipal officials, the descriptions of properties and the names of the owners thereof, but no town, city or village shall be subject to any tax levied to effect these functions where such town, city or village provides its own printing for said functions.

(63) RADIO SERVICE FOR FIRE PROTECTION. Appropriate money for the purpose of providing radio service for fire protection in the county, in the manner prescribed by the county board.

(64) Enact ordinances to preserve the public peace and good order within the county.

SECTION 9a. 59.073 to 59.076 of the statutes are repealed.

SECTION 10. 59.08 (10), (18), (47) and (54) of the statutes are renumbered 59.876, 59.873, 59.874 and 59.875, respectively, and amended to read:

59.876 IMMIGRATION BOARD. (1) The * * * board * * * may create a * * * board of immigration * * * of from 3 to 5 members, one of whom shall be the county surveyor. Such board shall meet * * *, and its members shall receive such compensation and expenses and shall serve for such terms as the county board * * * determines.

(2) * * * *The immigration board * * * shall aid in promoting settlement of vacant agricultural lands in the county, and * * * protect prospective settlers from unfair practices * * *.*

(3) The county board may in any * * * year appropriate for the carrying out of the work of such board a sum not to exceed \$5,000.

59.873 LIME TO FARMERS. * * * *The board may manufacture * * * agricultural lime and sell and * * * distribute it at cost to farmers and * * * acquire lands for such purposes. * * **

59.874 LAND CLEARING AND WEED CONTROL. *The board may purchase or accept by gift or grant tractors, bulldozers and other equipment for clearing and draining land and controlling weeds on same, and for such purposes to operate or lease the same for work on private lands; * * * charge fees for such service and rental of such equipment on a cost basis. * * **

59.875 TESTING MILK AND SOIL. *The board may appropriate money and provide office and laboratory space for testing milk and soil * * * and * * * provide residents of the county with * * * reports of such tests.*

SECTION 11. 59.08 of the statutes is repealed and recreated to read:

59.08 PUBLIC WORK, HOW DONE. All public work, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed \$1,000 shall be let by contract to the lowest responsible bidder. The contract shall be let and entered into pursuant to s. 66.29, except that the board may by a three-fourths vote of all the members entitled to a seat provide that any class of public work or any part thereof may be done directly by the county without submitting the same for bids. This section shall not apply to high-

way contracts which the county highway committee is authorized by law to let or make.

SECTION 12. 59.081 of the statutes is repealed.

SECTION 13. 59.15 of the statutes is amended to read:

59.15 COMPENSATION, FEES, SALARIES AND TRAVELING EXPENSES OF OFFICIALS AND EMPLOYEES. (1) ELECTIVE OFFICIALS. (a) The * * * board shall, prior to the earliest time for filing nomination papers for any elective office to be voted on in the county * * * (other than * * * supervisors and circuit judges), which officer is paid in whole or part from the county treasury, establish the total annual compensation for services to be paid * * * him (exclusive of reimbursements for expenses out-of-pocket provided for in * * * sub. (3)). The annual compensation may be established by *resolution or ordinance*, on a basis of straight salary, fees, or part salary and part fees, and if the compensation established * * * is a salary, or part salary and part fees, * * * it shall be in lieu of all fees, *including per diem and other forms of compensation for services rendered*, except those specifically reserved to the officer * * * in such *resolution or ordinance*. The compensation established shall not be increased nor diminished during the officer's term and shall remain for ensuing terms unless changed by the * * * board * * *.

(am) *The board may provide additional compensation for any judge who in addition to his elective duties is acting as judge of a juvenile court, appointed or designated under s. 48.01 (2), as compensation for the additional services rendered by him.*

(b) Any officer authorized or required to collect fees appertaining to his office shall keep a complete record of all fees received in * * * the form * * * prescribed by the * * * board * * * and shall * * * file a record of the total annual receipts * * * in the * * * clerk's office within 20 days of the close of the calendar year or at such other times as the * * * board * * * requires. Any officer on a salary basis or part fees and part salary shall collect all fees authorized by law appertaining to his office and shall remit all * * * fees not specifically reserved to him by enumeration in the compensation established by the * * * board pursuant to par. (a) to the * * * treasurer at the end of each month unless a shorter period for remittance is otherwise provided * * *.

(2) APPOINTIVE OFFICIALS, DEPUTY OFFICERS AND EMPLOYEES. (a) * * * The * * * board * * * has the powers set forth in * * * this subsection and sub. (3) as to any office, board, commission, committee, position * * * or employe in county service (other than elective offices included under * * * sub. (1), * * * supervisors and circuit judges) created * * * under any * * * statute, the salary or compensation for which is paid in whole or in part by the county, and the jurisdiction and duties of which lie within the county or any portion thereof and the powers conferred by this section shall be in addition to all other grants of power and shall be limited only by express language.

(b) The * * * board * * * may abolish, create or re-establish any such office, board, commission, committee, position or employment, and * * * may transfer the functions, duties, responsibilities and privileges to any other * * * agency including a committee of the * * * board except as to boards of trustees of county institutions.

(c) The * * * board * * * may provide, fix or change the salary or compensation of any such office, board, commission, committee, position, employe or deputies to elective officers without regard to the tenure of the incumbent (except as provided in par. (d)) and also establish the number of employes in any department or office including deputies to elective officers, and may establish * * * regulations of employment for

any * * * *person* paid from the county treasury, but no action of the * * * board shall be contrary to or in derogation of the rules and regulations of the state department of public welfare pursuant to s. 49.50 (2) to (5) relating to employes administering old-age assistance, aid to dependent children, aid to the blind and aid to totally and permanently disabled persons or * * * ss. 16.31 to 16.44.

(d) The * * * board * * * or any board, commission, committee * * * or any agency to which the * * * board or statutes has delegated the authority to manage and control any institution or department of the county government may * * * *contract* for the services of employes, setting up the hours, wages, duties and terms of employment for periods not to exceed 2 years.

(3) REIMBURSEMENT FOR EXPENSE. The * * * board may * * * provide for reimbursement to any elective officer, deputy officer, appointive officer or employe of any expense out-of-pocket incurred in the discharge of * * * *his* duty * * * in addition to * * * *his* salary or compensation * * *, including without limitation because of enumeration, traveling expenses within or without the county or state, and * * * the * * * board may establish standard allowances for *mileage*, room and meals, the purposes for which such allowances may be made, and determine the reasonableness and necessity for * * * such reimbursements, and also establish in advance a fair rate of compensation to be paid to the sheriff for the board and care of prisoners * * * in the county jail at county expense.

(4) INTERPRETATION. In the event of * * * conflict between * * * this section and any other * * * *statute*, this section to the extent of such conflict shall prevail.

SECTION 13a. 59.20 (13) of the statutes is created to read:

59.20 (13) If his county receives national forest income, make distribution thereof to the towns in the county wherein national forest lands are situated, each town to receive such proportion thereof as the area of national forest lands therein bears to the area of such lands in the entire county. Fifty per cent of the amount received by it shall be expended by the town exclusively for the benefit of roads therein and the remaining 50 per cent thereof shall be allotted by the town treasurer, in such equitable manner as the town board shall determine, to school districts in the town for school purposes.

SECTION 14. 59.67 and 59.68 of the statutes are repealed and re-created to read:

59.67 COUNTY PROPERTY. (1) HOW HELD. County property shall be held by the clerk in the name of the county. All property, real or personal, conveyed to the county or its inhabitants or to any person for the use of the county or its inhabitants is county property; such conveyances have the same effect as if made directly to the county by name.

(2) EFFECT OF TRANSFER. All deeds, contracts and agreements made on behalf of the county pursuant to the directions of the board under s. 59.07 (1), when signed and acknowledged by the clerk and the county seal attached, are valid and binding on the county to the extent of the terms of the instrument and the right, title and interest which the county has in the property.

59.68 COURTHOUSE AND JAIL; RESTRICTIONS. (1) Each county shall provide a courthouse, jail, fireproof offices and other necessary buildings at the county seat and keep them in good repair.

(2) No jail shall be constructed until the plans and specifications are approved by the state department of public welfare.

(3) When the courthouse from any cause becomes unsafe, inconvenient or unfit for holding court, the board shall provide some other convenient building at the county seat for that purpose temporarily, and this building shall then be deemed the courthouse for the time being.

(4) The construction of any courthouse shall be in accordance with plans and specifications accompanied by the certificate of the circuit judge in whose circuit the building is to be erected, to the effect that after consultation with competent experts he is advised and believes that the court rooms provided for will possess proper acoustical properties. The fee for this advice shall be paid by the county upon the judge's certificate.

(5) Repairs which amount substantially to a reconstruction of a courthouse shall be governed by the same restrictions, so far as practicable.

SECTION 15. 59.69 of the statutes is renumbered 59.69 (1) (intro. par.) and (a) to (f) and amended to read:

59.69 FAIRGROUNDS AND FAIRS. (1) ACQUISITION; USE. Land upon which to hold agricultural and industrial fairs and exhibitions may be acquired by county boards and improvements made thereon as follows:

(a) In counties containing less than 50,000 population, by gift, purchase or land contract, but the purchase price of the land shall not exceed \$8,000, and expenditures for the construction of * * * improvements on said land shall not exceed \$8,000, unless the expenditure in either case shall be first approved by the electors of the county as provided in * * * par. (c).

(b) In counties containing more than 50,000 and less than * * * 500,000 population, by gift, purchase or land contract, but the purchase price of the land shall not exceed \$1,000 for each 1,000 of population within the county, and expenditures for the construction of * * * improvements on said land shall not exceed \$1,000 for each 1,000 of population within the county, unless the expenditures in either case shall be first approved by the electors of the county as provided in * * * par. (c).

(c) *Sums in excess of those permitted under par. (a) or (b) may be expended, if the question whether such expenditure shall be made is submitted to a vote of the electors of the county and a majority of those voting approve the making of the expenditure. Such election shall be noticed and conducted, and the votes counted, canvassed and returned as provided in s. 67.14.*

(d) *The board may grant the use of fairgrounds acquired under par. (a) or (b) to agricultural and other societies of similar nature for agricultural and industrial fairs and exhibitions, and such other purposes as tend to promote the public welfare, and may receive donations of money, material or labor from any person * * * or municipality for the improvement or purchase of such land. All improvements made on such lands by societies using them may be removed by the societies at any time within 6 months after their right to use the land terminates, unless otherwise agreed in writing between the societies and the county at the time of the making of the improvements.*

(e) In counties containing more than * * * 500,000 population, by donation, purchase or condemnation, but not exceeding in value \$150,000, and the board may convey * * * or donate such lands so purchased or acquired or the use thereof to the state of Wisconsin or to agricultural and industrial societies for the purpose of holding thereon agricultural and industrial fairs and exhibitions, and may receive donations of money, material or labor from any person * * * or municipality for the improvement or purchase of such land. If at any time lands or the use thereof so conveyed * * * or donated shall be abandoned or no longer used for the purpose for which such lands or the use thereof were so conveyed * * *

or donated, the title to such lands shall revert to the county * * * ; and the commissioners of public lands, in the case of conveyances * * * or donations to the state, are authorized and directed to execute and deliver such proper deeds of conveyance as will revert the title to such lands in such county, and when such lands or the use thereof were conveyed * * * or donated to an agricultural and industrial society, such proper deeds or conveyance shall be executed and delivered by such society by its proper officers. However, the state may at any time within one year after title to any such lands * * * *reverts*, by proper conveyance in such county, remove any * * * structures erected thereon by or for the state subsequent to the acquisition of such lands by the state.

(f) The provisions of * * * *sub. (3)* shall in no way affect * * * *this subsection* and s. 27.05 (6).

SECTION 16. 59.86 and 59.865 of the statutes are renumbered 59.69 (2) and (3), respectively, and amended to read:

59.69 (2) AID TO FAIRS. The * * * board of any county having a population of 30,000 or more * * * may vote an amount not exceeding \$20,000 and in all other counties the * * * board may vote an amount not exceeding \$5,000 in the aggregate for all societies in the county in any * * * year to aid in the purchase of, or to make improvements upon the fairgrounds for any organized agricultural society, or to aid any organized agricultural society or any incorporated poultry association in any of its public exhibitions held or to be held; and any amount so voted shall be paid upon demand by the * * * treasurer to the treasurer of such organized agricultural society, who shall keep an accurate record of the expenditure thereof by such society, and file a verified copy of such record with the * * * clerk within one year after the receipt of such amount * * *.

(3) REFERENDUM ON COUNTY FAIR.. Whenever a majority of the electors upon a referendum in any county have approved thereof, the * * * board * * * may provide for and conduct county fairs and exhibitions and for such purpose may:

(a) Acquire by deed or lease real estate and make improvements thereon * * *.

(b) Appropriate * * * *funds* for the adequate equipment and the proper management and control of such fair or exhibition.

(c) Adopt rules and regulations for the * * * management and control of such property and of such fair or exhibition and for the appointment and salaries of persons necessary therefor. * * *

(d) The powers granted to counties under * * * *pars. (b) and (c)* may be exercised without another referendum vote * * * by the * * * board of any county which * * * *has* acquired or * * * *acquires* real estate for the purpose of conducting a county fair thereon, pursuant to a referendum vote of the electors * * *.

SECTION 17. 59.87 (1) to (3) and (4) to (9) of the statutes are amended to read:

59.87 AGRICULTURAL REPRESENTATIVES. (1) * * * *To aid agricultural development* * * *, any * * * board * * * *may* establish and maintain an agricultural representative in accordance with * * * this section.

(2) Such agricultural representative under the direction and supervision of the special committee on agriculture shall:

(a) Advise and consult with individuals in reference to farming methods.

(b) Aid in the development and improvement of agriculture and country life conditions.

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- (c) Offer courses of instruction to young people and adults.
- (d) Aid in the formation of co-operative enterprises.
- (e) Promote better business methods among farmers.
- (f) * * * *Assist* in the development of agricultural teaching in the schools of the county.
- (g) Do other work designed to promote the agricultural or rural development of the county, including the supervision of dairy and herd improvement work, soil testing and land clearing.
- (h) Keep in touch with all agencies in the state and elsewhere that will enable him to utilize the most improved knowledge in the furtherance of his work.

(i) Make an annual report of his activities to the * * * board.

(3) For the partial maintenance of agricultural development of * * * *the* county under the supervision of * * * *the* agricultural representative, and for * * * other extension work as is provided for in an act of congress approved May 8, 1914, entitled "an act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of an act of congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States department of agriculture," * * * the * * * board * * * *may* raise * * *, for periods of not less than 2 years each, * * * moneys * * * sufficient to cover the share of the county in such work. In no * * * *county* shall the amount appropriated * * * for this work be less than \$1,000 annually. * * * *The* money shall be disbursed by the * * * treasurer only upon orders of the * * * clerk which * * * have been approved by the special committee on agriculture.

(4) To supplement the funds provided by the county for * * * agricultural development, state aid, in the sum of \$1,500 annually, shall be given to each county in which the * * * board has made the required appropriation, and in which a county agricultural representative has been established. Such state aid shall be expended under the direction of the board of regents of the university of Wisconsin.

(6) Immediately after the * * * board has * * * *established* the position of county agricultural representative and has provided the necessary money for the share of the county therefor, the * * * clerk shall send the application of such county to the dean of the college of agriculture for the appointment * * * of * * * *a* county agricultural representative. All applications * * * shall be so made prior to December 10 of each year, or as soon thereafter as possible. The board of regents shall select as soon as possible a * * * qualified person to serve in each county in the capacity of county agricultural representative.

(7) * * * The county * * * *normal* school board of any county in which an agricultural representative is established * * * *may co-operate* with the regents of the university * * * *in* the use of the county agricultural representative in connection with the agricultural instruction given in said county * * * *normal* school, subject to such rules and conditions as * * * *are* agreed upon between said county * * * *normal* school board and the regents * * *.

(8) In * * * *a* county where the work of the county agricultural representative is not connected with the county * * * *normal* school, the county superintendent of schools * * * shall co-operate with the county agricultural representative in * * * *order* to further * * * this work in * * * *the* county.

(9) The special committee on agriculture shall consist of the chairman of the * * * board * * *, the county superintendent * * * of schools, and 3 practical farmers * * *, appointed by the * * * board * * *, one of

whom shall be a * * * *supervisor*. In those counties that have county agricultural schools, the 2 boards shall work * * * as one board, provided that in counties having a population of * * * 500,000 or more, the county agricultural representative shall be appointed pursuant to s. 46.21, and the power and duties of his office shall be exercised in connection with and as a department of the county school of agriculture. * * * *The* members of the special committee on agriculture, except the county * * * superintendents of schools * * *, shall receive as compensation and expenses the amounts and allowances * * * determined under * * * s. 59.15.

SECTION 18. 59.87 (3a) of the statutes is renumbered 59.87 (10) and amended to read:

59.87 (10) * * * The * * * board may raise * * * moneys for the employment of a county recreation director. Such moneys will be disbursed by the * * * treasurer on orders from the * * * clerk which * * * have been approved by the special committee on agriculture, and shall not be expended * * * for any other purposes, and are to be used for such director's salary and the necessary expenses. Such recreation director may be employed on a full-time or part-time basis or may be a full-time employe as provided elsewhere in this section, who may be directed to devote a portion of his time to recreation work. The duties of the * * * director shall be to promote, organize and supervise recreation activities. * * * *He* shall work under the supervision of the special committee on agriculture, * * * submit an annual report * * * to the * * * board, * * * co-operate with existing units of government, agencies and organizations in the promotion, organization and supervision of recreation activities, and * * * organize institutes and provide for the training of volunteer leaders to conduct recreation programs. The special committee on agriculture may appoint an advisory committee from among citizens and organizations interested in recreation to assist * * * in selecting the county recreation director and in setting up a county recreation program. Supervisors from any city or village providing a municipal recreation program shall have no part in any determination under this section, and no part of any expense incurred under this section shall be levied against any property in such city or village.

SECTION 19. 59.92 of the statutes is repealed.

SECTION 19d. 59.99 (9) of the statutes is amended to read:

59.99 (9) In counties having a population of less than 500,000, the concurring vote of 2 members of the board, and in counties having a population of 500,000 or more, the concurring vote of * * * *a majority* of the board, shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.

SECTION 19g. 59.996 of the statutes is repealed.

SECTION 19m. 60.29 (42) of the statutes is created to read:

60.29 (42) DISTRIBUTION OF FOREST CROP INCOME. A town board may distribute the amount of national forest income allotted to a joint school district by crediting and applying the allotted amount upon and in reduction of the proportion of the taxes of such school district certified to the town clerk of such town.

SECTION 20. 75.70 of the statutes is created to read:

75.70 DELINQUENT TAX LANDS AND TAXES. (1) DEEDS TO MUNICIPALITIES. The county board may authorize the county clerk to deed county-owned lands to towns, cities or villages having an excess of de-

linquent real estate taxes to their credit in exchange for such part of the interest of the town, city or village for one or more years as may be agreed upon by the county board and the governing body of the town, city or village. The lands so conveyed shall be valued at not less than the face value of the certificates covering them.

(2) PURCHASE OF TAXES. The county board may, by a two-thirds vote, authorize the county to purchase and assume such delinquent taxes, tax certificates and interest thereon from any town, city or village, exclusive of the penalty provided by s. 74.03, as exceed the sum then due the county from the town, city or village for unpaid county taxes.

SECTION 21. 83.035 of the statutes is created to read:

83.035 STREETS AND HIGHWAYS, CONSTRUCTION. Any county board may provide by ordinance that the county may, through its highway committee or other designated county official or officials, enter into contracts with cities, villages and towns within the county borders to enable the county to construct and maintain streets and highways in such municipalities.

SECTION 22. 83.20 and 83.21 of the statutes are created to read:

83.20 HIGHWAYS, LIGHTING. Any county may provide for lighting of improved highways maintained by the county or the construction of which has been aided by the county or state, and of bridges located thereon.

83.21 MILWAUKEE COUNTY, SIDEWALKS. Counties having a population of 500,000 or over may build sidewalks outside the corporate limits of any city or village in such county.

SECTION 23. 86.185 of the statutes is created to read:

86.185 POPULOUS COUNTIES; POWER OVER STATE AND COUNTY TRUNK HIGHWAYS. Counties having a population of at least 150,000 may exercise any corresponding power conferred upon cities in the widening or improving and maintaining of state trunk or county trunk highways, the constructing or laying of water pipes, sewers and all other public service facilities therein, and in the levying of special assessments and issuing of assessment certificates and special improvement bonds.

SECTION 24. 236.445 of the statutes is created to read:

236.445 DISCONTINUANCE OF STREETS BY COUNTY BOARD. Any county board may alter or discontinue any street, slip or alley in any recorded plat in any town in such county, not within any city or village, in the same manner and with like effect as provided in s. 66.296.

Approved November 18, 1955.