

No. 963, A.]

[Published June 30, 1911.]

CHAPTER 485.

AN ACT to create sections 1021b—1 to 1021b—31, inclusive, of the statutes, creating an industrial commission, transferring to such commission the powers and duties of the commissioner of labor and the bureau of labor and industrial statistics, and superseding the industrial accident board created by chapter 50, of the laws of 1911, and granting such commission certain other powers, and providing for safe and hygienic conditions, and making an appropriation therefor; and repealing subsection 18, of section 170, and sections 926—161, 926—162, 926—163, 926—164, 926—165, 926—166, 926—168, 926—170, 926—171, 1021e, 1021f, 1021i, 1021j, 1021k, 1021l, 1729b, 1729c, 1729d, 1729e, 1729f, 1729g, 1729h, 1729i, 1729j and 1021c, of the statutes.

(Am. 1911, ch. 664, s. 105.)

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

SECTION 1. There are added to the statutes thirty-one new sections to read: Section 1021b—1. The following terms as used in sections 1021b—1 to 1021b—32 of the statutes, shall be construed as follows:

(Am. 1911, ch. 664, s. 105.)

(1) The phrase "place of employment" shall mean and include every place, whether indoors or out or underground and the premises appurtenant thereto where either temporary or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on, and where any person is directly or indirectly, employed by another for direct or indirect gain or profit, but shall not include any place where persons are employed in private domestic service or agricultural pursuits which do not involve the use of mechanical power.

(2) The term "employment" shall mean and include any trade, occupation or process of manufacture, or any method of carrying on such trade, occupation, or process of manufacture in which any person may be engaged, except in such private domestic service or agricultural pursuits as do not involve the use of mechanical power.

(3) The term "employer" shall mean and include every person, firm, corporation, agent, manager, representative or other person having control or custody of any employment, place of employment or of any employe.

(4) The term "employee" shall mean and include every person who may be required or directed by any employer, in consideration of direct or indirect gain or profit, to engage in any employment, or to go or work or be at any time in any place of employment.

(5) The term "frequenter" shall mean and include every person, other than an employe, who may go in or be in a place of employment under circumstances which render him other than a trespasser.

(6) The term "deputy" shall mean and include any person employed by the industrial commission designated as such deputy by the commission, who shall possess special, technical, scientific, managerial or personal abilities or qualities in matters within the jurisdiction of the industrial commission, and who may be engaged in the performance of duties under the direction of the commission, calling for the exercise of such abilities or qualities.

(7) The term "order" shall mean and include any decision, rule, regulation, direction, requirement or standard of the commission, or any other determination arrived at or decision made by such commission.

(8) The term "general order" shall mean and include such order as applies generally throughout the state to all persons, employments or places of employment, or all persons, employments, or places of employment of a class under the jurisdiction of the commission. All other orders of the commission shall be considered special orders.

(9) The term "local order" shall mean and include any ordinance, order, rule or determination of any common council, board of aldermen, board of trustees, or the village board, of any village or city, or the board of health of any municipality, or an order or direction of any official of such municipality, upon any matter over which the industrial commission has jurisdiction.

(10) The term "welfare" shall mean and include comfort, decency and moral well-being.

(11) The term "safe" and "safety" as applied to an employment or a place of employment shall mean such freedom from danger to the life, health or safety of employes or frequenters as the nature of the employment will reasonably permit.

Section 1021b--2. There is hereby created a board which shall be known as the "Industrial Commission of Wisconsin." Within thirty days after the passage of this act the governor,

by and with the advice and consent of the senate, shall appoint a member who shall serve two years, another who shall serve four years, and another who shall serve six years. Thereafter each member shall be appointed and confirmed for terms of six years each. Vacancies shall be filled in the same manner for unexpired terms. Each member of the board, before entering upon the duties of his office, shall take the oath prescribed by the constitution. A majority of the board shall constitute a quorum for the exercise of the powers or authority conferred upon it. In case of a vacancy the remaining two members of the board shall exercise all the powers and authority of the board until such vacancy is filled. Each member of the board shall receive an annual salary of five thousand dollars, and actual expenses necessarily incurred in the performance of his duties, which shall be in full for all services performed under this act and under the provisions of chapter 50, of the laws of 1911. This board shall supersede and perform all of the duties of the industrial accident board provided in chapter 50, of the laws of 1911.

(Am. 1911, ch. 664, s. 105.)

Section 1021b—3. Within thirty days after the passage and publication of this act, such commission shall meet at the state capitol and organize in the manner provided for the organization of the industrial accident board in section 2394—13 of the statutes. A majority of said commissioners shall constitute a quorum to transact business. No vacancy shall impair the right of the remaining commissioners to exercise all the powers of the commission.

Section 1021b—4. The commission shall keep its office at the capitol and shall be provided by the superintendent of public property with suitable rooms, necessary furniture, stationery books, periodicals, maps, instruments and other necessary supplies. The commission may, however, hold sessions at any place other than the capitol when the convenience of the commission and the parties interested so requires.

Section 1021b—5. The commissioners and employes of the commission shall be entitled to receive from the state their actual necessary expenses while traveling on the business of the commission, either within or without the state of Wisconsin. Such expenditure shall be presented in an account verified by the person who incurred the expenses, approved by the chairman of the commission and shall be audited and paid as are the expenses of employes and members of other state commissions.

Section 1021b—6. The commission shall be known collectively as the "Industrial Commission of Wisconsin" and in that name may sue and be sued. It shall have a seal for the authentication of its orders and proceedings, upon which shall be inscribed the words "INDUSTRIAL COMMISSION—WISCONSIN—SEAL."

Section 1021b—7. When public interest requires, the employes of either the industrial commission or those of the industrial accident board may be required to perform service in whole or in part for either such board or commission.

Section 1021b—8. Every employer shall furnish employment which shall be safe for the employes therein and shall furnish a place of employment which shall be safe for employes therein and for frequenters thereof and shall furnish and use safety devices and safeguards, and shall adopt and use methods and processes reasonably adequate to render such employment and place of employment safe, and shall do every other thing reasonably necessary to protect the life, health, safety and welfare of such employes and frequenters.

Section 1021b—9. 1. No employer shall require, permit or suffer any employe to go or be in any employment or place of employment which is not safe, and no such employer shall fail to furnish, provide and use safety devices and safeguards, or fail to adopt and use methods and processes reasonably adequate to render such employment and place of employment safe, and no such employer shall fail or neglect to do every other thing reasonably necessary to protect the life, health, safety or welfare of such employes and frequenters; and no such employer or other person shall hereafter construct or occupy or maintain any place of employment that is not safe.

(Am. 1911, ch. 64, s. 105.)

2. No employe shall remove, displace, damage, destroy or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, nor interfere in any way with the use thereof by any other person, nor shall any such employe interfere with the use of any method or process adopted for the protection of any employe in such employment or place of employment or frequenter of such place of employment, nor fail or neglect to do every other thing reasonably necessary to protect the life, health, safety or welfare of such employes or frequenters.

Section 1021b—10. 1. Every employer shall furnish to the commission all information required by it to carry into effect the provisions of this act, and shall make specific answers to all questions submitted by the commission relative thereto.

2. Any employer receiving from the commission any blanks calling for information required by it to carry into effect the provisions of this act with directions to fill the same, shall cause the same to be properly filled out so as to answer fully and correctly each question therein propounded, and in case he is unable to answer any question, he shall give a good and sufficient reason for such failure: and said answer shall be verified under oath by the employer, or by the president, secretary or other managing officer of the corporation, if the employer is a corporation, and returned to the commission at its office within the period fixed by the commission.

(Am. 1911, ch. 624, s. 105.)

3. Any commissioner or deputy of the commission may enter any place of employment for the purpose of collecting facts and statistics, examining the provisions made for the health, safety and welfare of the employes therein and bringing to the attention of every employer any law, or any order of the commission, and any failure on the part of such employer to comply therewith. No employer shall refuse to admit any commissioner or deputy of the commission to his place of employment.

Section 1021b—11. The industrial commission is vested with the power and jurisdiction to have such supervision of every employment and place of employment in this state as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment and place of employment to be safe, and requiring the protection of the life, health, safety and welfare of every employe in such employment or place of employment and every frequenter of such place of employment.

Section 1021b—12. It shall also be the duty of the industrial commission, and it shall have power, jurisdiction and authority:

(1) To employ, promote and remove deputies, clerks and other assistants as needed, to fix their compensation, and to assign to them their duties; to appoint advisors who shall, without compensation, assist the industrial commission in the execution of its duties; to retain and to assign to their duties any or all the officers, subordinates and clerks of the bureau of labor and industrial statistics, of the state factory inspectors' department, and of the free employment offices, the bakery inspector, woman factory inspector, and secretary of the state board of arbitration; provided, that the number of employes of said commission shall not be increased to exceed the number now employed in the bureau of labor and industrial statistics,

except upon the certificate of the governor, to be filed with the secretary of state before any such additional employe shall be appointed, certifying that any such additional employe is necessary to the work of this commission, and approving the amount of salary to be paid to any such additional employe. The deputies employed by the commission shall not be exempt from the operation of chapter 363, laws of Wisconsin for the year 1905 and acts amendatory thereof.

(Am. 1911, ch. 664, s. 105.)

(2) To administer and enforce the laws relating to child labor, laundries, stores, employment of females, licensed occupations, school attendance, bakeries, employment offices, intelligence offices and bureaus, manufacture of cigars, sweat-shops, corn shredders, wood-sawing machines, fire-escapes and means of egress from buildings, scaffolds, hoists, ladders and other matters relating to the erection, repair, alteration or painting of buildings and structures, and all other laws protecting the life, health, safety and welfare of employes in employments and places of employment and frequenters of places of employment.

(3) To investigate, ascertain, declare and prescribe what safety devices, safeguards or other means or methods of protection are best adapted to render the employes of every employment and place of employment and frequenters of every place of employment safe, and to protect their welfare as required by law or lawful orders, and to establish and maintain museums of safety and hygiene in which shall be exhibited safety devices, safeguards and other means and methods for the protection of life, health, safety and welfare of employes.

(4) To ascertain and fix such reasonable standards and to prescribe, modify and enforce such reasonable orders for the adoption of safety devices, safeguards and other means or methods of protection to be as nearly uniform as possible, as may be necessary to carry out all laws and lawful orders relative to the protection of the life, health, safety and welfare of employes in employments and places of employment or frequenters of places of employment.

(5) To ascertain, fix and order such reasonable standards for the construction, repair and maintenance of places of employment as shall render them safe.

(6) To investigate, ascertain and determine such reasonable classifications of persons, employments and places of employment as shall be necessary to carry out the purposes of this act.

(Am. 1911, ch. 664, s. 106.)

(7) To adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings; such rules and regulations shall not be effective until ten days after their publication. A copy of such rules and regulations shall be delivered to every citizen making application therefor, and a copy delivered with every notice of hearing.

(8) To do all in its power to promote the voluntary arbitration, mediation and conciliation of disputes between employers and employes, and to avoid the necessity of resorting to lock-outs, boycotts, blacklists, discriminations and legal proceedings in matters of employment. In pursuance of this duty it may appoint temporary boards of arbitration, provide necessary expenses of such boards, order reasonable compensation not exceeding five dollars per day for each member engaged in such arbitration, prescribe rules of procedure for such arbitration boards, conduct investigations and hearings, publish reports and advertisements, and may do all other things convenient and necessary to accomplish the purposes herein directed. The commission shall designate a deputy to be known as chief mediator and may detail other deputies from time to time to act as his assistants, for the purpose of executing these provisions. Deputies may act on temporary boards without extra compensation.

(Am. 1911, ch. 664, s. 105.)

(9) To establish and conduct free employment agencies, to license and supervise the work of private employment offices, to do all in its power to bring together employers seeking employes and working people seeking employment, to make known the opportunities for self-employment in this state, to aid in inducing minors to undertake promising skilled employments, to provide industrial or agricultural training for vagrants and other persons unsuited for ordinary employments, and to encourage wage earners to insure themselves against distress from unemployment. It shall investigate the extent and causes of unemployment in the state of Wisconsin and the remedies therefor in this and other countries, and it shall devise and adopt the most efficient means within its power to avoid unemployment, to provide employment, and to prevent distress from involuntary idleness.

(10) To collect, collate and publish statistical and other information relating to the work under its jurisdiction and to make public reports in its judgment necessary.

(11) To rent and furnish not to exceed four offices as needed in cities for the conduct of its affairs.

Section 1021b—13. 1. Upon petition, after January 1, 1912, by any person that any employment or place of employment is not safe or is injurious to the welfare of any employe or frequenter, the commission shall proceed with or without notice, to make such investigation as may be necessary to determine the matter complained of.

2. After such hearing as may be necessary, the commission may enter such order relative thereto as may be necessary to render such employment or place of employment safe and not injurious to the welfare of the employes therein or frequenters thereof.

3. Whenever the commission shall learn that any employment or place of employment is not safe or is injurious to the welfare of any employe or frequenter it may of its own motion, summarily investigate the same, with or without notice, and enter such order as may be necessary relative thereto.

Section 1021b—14. 1. All duties, liabilities, authority, powers and privileges heretofore or hereafter conferred and imposed by law upon the commissioner of labor and industrial statistics, deputy commissioner of labor and industrial statistics, factory inspector, woman factory inspector, assistant factory inspectors and bakery inspector, are hereby imposed and conferred upon the industrial commission and its deputies.

2. All laws relating or referring to the commissioner of labor and industrial statistics, and the deputy commissioner of labor and industrial statistics, except those laws relating or referring to their appointment and qualification and to their membership or service on the industrial accident board and all laws relating or referring to the factory inspector, the woman factory inspector, assistant factory inspectors and the bakery inspector, shall apply to and be deemed to relate and refer to the industrial commission, so far as the said laws are applicable.

Section 1021b—15. All orders of the industrial commission in conformity with law shall be in force, and shall be prima facie lawful; and all such orders shall be valid and in force, and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose, pursuant to the provisions of section 1021b—29 of the statutes, or until altered or revoked by the commission.

(Am. 1911, ch. 664, s. 105.)

Section 1021b—16. 1. All general orders shall take effect within thirty days after their publication in the official state papers. Special orders shall take effect as therein directed.

2. The commission shall, upon application of any employer, grant such time as may be reasonably necessary for compliance with any order.

3. Any person may petition the commission for an extension of time, which the commission shall grant if it finds such an extension of time necessary.

Section 1021b—17. 1. Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the commission in the manner herein provided.

(Am. 1911, ch. 664, s. 105.)

2. Such petition for hearing shall be by verified petition filed with the commission, setting out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable, and every issue to be considered by the commission on the hearing. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition. All hearings of the commission shall be open to the public.

3. Upon receipt of such petition, if the issues raised in such petition have theretofore been adequately considered, the commission shall determine the same by confirming without hearing its previous determination, or if such hearing is necessary to determine the issues raised, the commission shall order a hearing thereon and consider and determine the matter or matters in question at such times as shall be prescribed. Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the commission may find directly interested in such decision.

4. Upon such investigation, if it shall be found that the order complained of is unjust or unreasonable the commission shall substitute therefor such other order as shall be just and reasonable.

5. Whenever at the time of the final determination upon such hearing it shall be found that further time is reasonably necessary for compliance with the order of the commission, the commission shall grant such time as may be reasonably necessary for such compliance.

Section 1021b—18. 1. Nothing contained in this act shall be construed to deprive the common council, the board of aldermen, the board of trustees or the village board of any village or city, or the board of health of any municipality of any

power or jurisdiction over or relative to any place of employment, provided that, whenever the industrial commission shall, by an order, fix a standard of safety or any hygienic condition for employments or places of employment, such order shall, upon the filing by the commission of a copy thereof with the clerk of the village or city to which it may apply, be held to amend or modify any similar conflicting local order in any particular matters governed by said order. Thereafter no local officer shall make or enforce any order contrary thereto.

(Am. 1911, ch. 664, s. 105.)

2. Any person affected by any local order in conflict with an order of the commission, may in the manner provided in section 1021b—17 of the statutes, petition the industrial commission for a hearing on the ground that such local order is unreasonable and in conflict with the order of the commission. The petition for such hearing shall conform to the requirements set forth for a petition in said section 1021b—17 of the statutes.

(Am. 1911, ch. 664, s. 105.)

3. Upon receipt of such petition the commission shall order a hearing thereon, to consider and determine the issues raised by such appeal, such hearing to be held in the village, city or municipality where the local order appealed from was made. Notice of the time and place of such hearing shall be given to the petitioner and such other persons as the commission may find directly interested in such decision, including the clerk of the municipality or town from which such appeal comes. If upon such investigation it shall be found that the local order appealed from is unreasonable and in conflict with the order of the commission, the commission may modify its order and shall substitute for the local order appealed from such order as shall be reasonable and legal in the premises, and thereafter the said local order shall, in such particulars, be void and of no effect.

Section 1021b—19. 1. No action, proceeding or suit to set aside, vacate or amend any order of the commission or to enjoin the enforcement thereof, shall be brought unless the plaintiff shall have applied to the commission for a hearing thereon at the time and as provided in section 1021b—17 of the statutes, and in the petition therefor shall have raised every issue raised in such action.

(Am. 1911, ch. 664, s. 105.)

2. Every order of the commission shall, in every prosecution for violation thereof, be conclusively presumed to be just, reasonable and lawful, unless prior to the institution of prosecution

for such violation an action shall have been brought to vacate and set aside such order, as provided in section 1021b—28 of the statutes.

(Am. 1911, ch. 664, s. 105.)

Section 1021b—20. Every day during which any person, persons, corporation or any officer, agent or employe thereof, shall fail to observe and comply with any order of the commission or to perform any duty enjoined by this act, shall constitute a separate and distinct violation of such order, or of this act as the case may be.

(Am. 1911, ch. 664, s. 105.)

Section 1021b—21. Each of the commissioners for the purposes mentioned in this act, shall have power to administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses, and the production of papers, books, accounts, documents and testimony. In case of failure of any person to comply with any order of the commission or any subpoena lawfully issued or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the circuit court of any county, or the judge thereof, on application of a commissioner to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court, or a refusal to testify therein.

(Am. 1911, ch. 664, s. 105.)

Section 1021b—22. Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record, which shall be audited and paid by the state in the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers approved by the chairman of the commission. But no witness subpoenaed at the instance of parties other than the commission shall be entitled to compensation from the state for attendance or travel unless the commission shall certify that his testimony was material to the matter investigated.

Section 1021b—23. The commission or any party may in any investigation cause the depositions of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in circuit courts.

Section 1021b—24. A full and complete record shall be kept of all proceedings had before the commission on any investigation and all testimony shall be taken down by the stenographer appointed by the commission.

Section 1021b—25. 1. For the purpose of making any investigation with regard to any employment or place of employment the commission shall have power to appoint, by an order in writing, any member of the commission, any deputy who is a citizen of the state, or any other competent person as an agent whose duties shall be prescribed in such order.

2. In the discharge of his duties such agent shall have every power whatsoever of an inquisitorial nature granted in this act to the commission, and the same powers as a court commissioner with regard to the taking of depositions; and all powers granted by law to a court commissioner relative to depositions are hereby granted to such agent.

3. The commission may conduct any number of such investigations contemporaneously through different agents, and may delegate to such agent the taking of all testimony bearing upon any investigation or hearing. The decision of the commission shall be based upon its examination of all testimony and records. The recommendations made by such agents shall be advisory only and shall not preclude the taking of further testimony if the commission so order nor further investigation.

Section 1021b—26. 1. The commission shall have authority to direct any deputy who is a citizen to act as special prosecutor in any action, proceeding, investigation, hearing or trial relating to the matters within its jurisdiction.

2. Upon the request of the commission, the attorney-general or district attorney of the county in which any investigation, hearing or trial had under the provisions of this act is pending, shall aid therein and prosecute under the supervision of the commission, all necessary actions or proceedings for the enforcement of this act and all other laws of this state relating to the protection of life, health, safety and welfare, and for the punishment of all violations thereof.

(Am. 1911, ch. 664, s. 105.)

Section 1021b—27. A substantial compliance with the requirements of this act shall be sufficient to give effect to the orders of the commission, and they shall not be declared inoperative, illegal or void for any omission of a technical nature in respect thereto.

(Am. 1911, ch. 664, s. 105.)

Section 1021b—28. 1. Any employer or other person in interest being dissatisfied with any order of the commission may commence an action in the circuit court for Dane county against the commission as defendant to vacate and set aside any such order on the ground that the order is unlawful, or that any such

order is unreasonable, in which action the complaint shall be served with the summons.

2. The answer of the commission to the complaint shall be served and filed within ten days after service of the complaint, whereupon said action shall be at issue and stand ready for trial upon ten days' notice to either party.

3. All such actions shall have precedence over any civil cause of a different nature pending in such court, and the circuit court shall always be deemed open for the trial thereof, and the same shall be tried and determined as other civil actions.

4. No injunction shall issue suspending or staying any order of the commission, except upon application to the circuit court or the presiding judge thereof, notice to the commission and hearing.

Section 1021b—29. 1. If upon trial of such action it shall appear that all issues arising in such action have not theretofore been presented to the commission in the petition filed as provided in section 1021b—17, or that the commission has not theretofore had an ample opportunity to hear and determine any of the issues raised in such action, or has for any reason, not in fact heard and determined the issues raised, the court shall, before proceeding to render judgment, unless the parties to such action stipulate to the contrary, transmit to the commission a full statement of such issue or issues not adequately considered, and shall stay further proceedings in such action for fifteen days from the date of such transmission, and may thereafter grant such further stays as may be necessary.

2. Upon the receipt of such statement, the commission shall consider the issues not theretofore considered, and may alter, modify, amend or rescind its order complained of in said action, and shall report its action thereon to said court within ten days from the receipt of the statement from the court for further hearing and consideration.

3. The court shall thereupon order such amendment or other proceeding as may be necessary to raise the issues as changed by such modification of the order as may have been made by the commission upon the hearing, if any such modification has in fact been made, and shall proceed with such action.

(Am. 1911, c. 664, s. 105.)

Section 1021b—30. If any employer, employe or other person shall violate any provisions of sections 1021b—1 to 1021b—15, inclusive, of the statutes, or shall do any act herein prohibited, or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission, for which no penalty has been specifically provided, or shall fail, neglect or refuse to

obey any lawful order given or made by the commission, or any judgment or decree made by any court in connection with the provisions of this act, for each such violation, failure or refusal, such employer or other person shall forfeit and pay into the state treasury a sum not less than ten dollars nor more than one hundred dollars for each such offense.

(Am. 1911, ch. 664, s. 105.)

Section 1021b—31. A sum sufficient to carry out the provisions of this act, not exceeding seventy-five thousand dollars, is appropriated annually out of any money in the treasury not otherwise appropriated.

(Am. 1911, ch. 664, s. 105.)

SECTION 2. Subsection 18, of section 170, sections 926—161, 926—162, 926—163, 926—164, 926—165, 926—166, 926—168, 926—170, 926—171, 1021e, 1021f, 1021i, 1021j, 1021k, 1021l, 1729b, 1729c, 1729d, 1729e, 1729f, 1729g, 1729h, 1729i, 1729j and 1021e of the statutes are repealed, from and after September 1, 1911.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 30, 1911.

No. 100, S.]

[Published July 3, 1911.

CHAPTER 486.

AN ACT to create sections 959—145 to 959—156, inclusive, relating to the creation of a board of public land commissioners, and granting of certain powers to the same.

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

SECTION 1. There are added to the statutes twelve new sections to read: Section 959—145. Any city of this state, whether organized under general or special charter, is hereby empowered to create by ordinance of its common council a board of public land commissioners consisting of five members, appointed and possessed of the powers as hereinafter provided, for the purpose of converting streets and highways designated by the common council of such city into parkways or boulevards.

Section 959—146. Such commissioners shall be appointed by the mayor, subject to the approval of the common council, within sixty days after the creation of such board by ordinance as aforesaid. Said board when appointed shall elect from its own members a president and a secretary. In appointing the first board created under this act, the mayor shall designate the length of term of each commissioner; one member to serve until