

No. 1058, A.]

[Published June 9, 1913.]

## CHAPTER 454.

AN ACT to renumber and amend sections 1787o—1 and 1787o—2, to renumber, consolidate and revise sections 1787o—3, 1787o—3a and 1787o—3b, to create section 697—73, and to repeal sections 1787o—4 and 1787o—5 of the statutes, relating to a county park commission in counties of at least one hundred and fifty thousand population, and providing a tax therefor.

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

SECTION 1. Sections 1787o—1 and 1787o—2 of the statutes are renumbered and amended to read: Section 697—68. 1. *In every county in this state having a population of at least one hundred and fifty thousand \* \* \*, the chairman of the county board shall \* \* \* appoint \* \* \* a county park commission consisting of seven members. The commissioners first appointed shall hold office for the term of one, two, three, four, five, six and seven years respectively. Thereafter one commissioner shall be appointed annually to hold for \* \* \* a term of seven years and until the appointment and qualification of a successor. \* \* \* Such appointments shall be made in writing and filed in the office of the county clerk. All appointments heretofore made are legalized.*

2. *\* \* \* Any vacancy in said \* \* \* commission shall be filled \* \* \* within ninety days by appointment for the unexpired term \* \* \* by the chairman of the county board; but if not filled within said time, the remaining members of the commission may fill such vacancy.*

3. *Before entering upon the duties of his office each of said commissioners shall take and subscribe the usual oath of office, \* \* \* which \* \* \* shall be filed in the office of the county clerk.*

Section 697—69. 1. *\* \* \* Within thirty days after their appointment and qualification the said commissioners \* \* \* shall convene at the courthouse \* \* \* and perfect an organization; and thereupon such park commission shall have the usual powers of such bodies in addition to those hereinafter enumerated, shall use a common seal, make by-laws and choose annually from its members all necessary officers.*

2. *It may also appoint such other \* \* \* agents and employes \* \* \* as may be necessary to carry out its functions, \* \* \* and may remove \* \* \* them at pleasure, and*

make all rules and regulations concerning \* \* \* its work  
\* \* \*

3. \* \* \* It shall \* \* \* maintain suitable offices,  
\* \* \* where its maps, plans, documents and records shall  
be kept, subject to public inspection at all reasonable hours and  
under such reasonable regulations as \* \* \* it may pre-  
scribe.

Section 697—70. \* \* \* The commission shall \* \* \*  
make a thorough study of the county \* \* \* with reference  
to making reservations of lands therein for public uses and  
laying out ample open spaces, parks, roads and boulevards;  
\* \* \* make plans and maps of \* \* \* a comprehensive  
county park system; \* \* \* gather such further information  
in relation thereto as it may deem expedient; \* \* \* and re-  
port the same to the county board \* \* \* within two years  
from the date of \* \* \* its organization. It shall make such  
other reports, from time to time, as may be requested by the  
county board. \* \* \*

SECTION 2. Sections 1787o—3, 1787o—3a, and 1787o—3b of  
the statutes are renumbered, consolidated and revised to read:  
Section 697—71. The said commission shall have charge and  
supervision of all county parks, and all lands heretofore or here-  
after acquired by the county for park or reservation purposes;  
and shall have power:

(1) To lay out, improve, maintain and govern all such parks  
and open spaces; to lay out, grade, construct, improve and main-  
tain roads, parkways, boulevards and bridges therein or connect-  
ing the same with any other parks or open spaces or with any  
municipality in the county, using such methods and materials  
as it may deem expedient; to determine and prescribe building  
lines along the same; and to make rules for the regulation of  
the use and enjoyment thereof by the public;

(2) To accept, in the name of the county, devises of land and  
bequests and donations of money to be used for park purposes;

(3) To acquire, in the name of the county, by purchase, land  
contract, lease, condemnation, or otherwise, with the approval  
and consent of the county board, such tracts of land or public  
ways as it may deem suitable for park purposes; but no land  
so acquired shall be disposed of by the county without the con-  
sent of said commission, and all moneys received for any such  
lands, or any materials, so disposed of, shall be paid into the  
county park fund hereinafter established.

Section 697—72. Whenever the said commission requires  
lands or rights in lands or public ways for any of the purposes  
specified in section 697—73 and is unable to agree with the

owner or owners as to the price and terms of purchase, or whenever for any reason such agreement cannot be made without unreasonable delay, a report in writing by said commission, including a description of the lands or rights in lands or public ways so required, with the name or names of the owner or owners and other parties interested, if known, and their residence, if known, and the value placed thereon by said commission, of each tract or right, with an estimate of the damage resulting to the owner or owners from the taking thereof, shall be served on all parties interested, in the manner of service of summons in a civil action, and filed in the office of the clerk of the circuit court. At any time within twenty days thereafter any such owner or other party interested may apply to the judge of the circuit court and thereupon proceedings shall be had, according to the provisions of sections 605, 606 and 607 of the statutes; but if no such application be made within said time the report of said commission shall stand in lieu of the appraisal and thereupon all further proceedings shall be as provided in said sections.

SECTION 3. A new section is added to the statutes, to read: Section 697—73. The county board shall annually, at the same time and the same manner as other county taxes are levied and collected by law, levy and collect a tax upon the taxable property of such county of one-tenth of a mill upon each dollar of the assessed valuation of the taxable property upon which other county taxes are levied and collected, and the entire amount of such special tax shall be paid into the county treasury as a separate and distinct fund, to be paid out only upon the order of the county park commission for the purchase of land and the payment of expenses incurred in carrying on the work of the commission. Any part of said fund, except five thousand dollars annually, may be transferred to the general fund of the county treasury whenever county bonds for the purchase of land have been voted by the county and placed at the disposal of the county park commission, or whenever the county has assumed an indebtedness on its behalf, equal to the amount of money to be transferred.

SECTION 4. Sections 1787o—4 and 1787o—5 of the statutes are repealed.

SECTION 5. Park commissions organized under former statutes hereby revised and consolidated shall continue to act and be deemed reorganized under this statute with all powers and liabilities herein granted and imposed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved June 6, 1913.