

No. 345, A.]

[Published May 31, 1945.]

CHAPTER 224.

AN ACT to amend 59.87 (2) (g) and to create 59.08 (47) and (48) of the statutes, relating to powers of the county board and county agricultural agent.

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

SECTION 1. 59.08 (47) and (48) of the statutes are created to read:

59.08 (47) LABORATORY FOR MILK AND SOIL TESTING. 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; to charge fees for such service and rental of such equipment on a cost basis. All moneys received for such service and rental shall be paid into the county treasury.

(48) TESTING MILK AND SOIL SAMPLES. Appropriate money and provide office and laboratory space for testing milk and soil samples and to provide residents of the county with records and reports of such tests.

SECTION 2. 59.87 (2) (g) of the statutes is amended to read: 59.87 (2) (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.*

Approved May 26, 1945.

No. 370, A.]

[Published May 31, 1945.]

CHAPTER 225.

AN ACT to repeal and recreate 60.29 (18) and 60.29 (20) (c) and to create 60.29 (20) (d) of the statutes, relating to powers of the town board with reference to providing fire protection.

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

SECTION 1. 60.29 (18) of the statutes is repealed and recreated to read:

60.29 (18) FIRE DEPARTMENT, FIRE LIMITS, EXPLOSIVES, FIREWORKS, FIREARMS, FIRE WARDENS. (a) To establish a fire department or fire departments in any town or any part of the town, or join the town or a part thereof with a neighboring town, group of towns, parts of towns, cities or villages in establishing a joint fire department or joint fire departments, and to join the town or a part thereof with a group of towns, parts of towns, cities or villages in the joint acquisition and ownership of fire fighting equipment and to appropriate the proportionate share of such town or part or parts of a town of the cost of purchasing and maintaining such equipment, when authorized by resolution adopted at any town meeting; to appoint the officers and members thereof, and prescribe and regulate their duties; to provide such compensation for the members of the fire department or departments as the town board may determine; to purchase workmen's compensation insurance covering such firemen; to provide protection from fire by the purchase, use and maintenance of fire engines and other necessary apparatus for the extinguishment of fire and by the erection and construction of cisterns and reservoirs; to erect fire engine houses; to enter into agreements with any town, group of towns, part of a town, city or village in which a fire department is established, or with any fire association, corporation or individual for the maintaining, housing and manning of the fire fighting equipment of such fire department or fire departments; and to levy tax upon all real and personal property in the town, or that part of the town receiving protection from such equipment or jointly owned equipment for the purpose of purchasing and maintaining or manning the same; to compel the inhabitants of the town to aid in the extinguishment of fire, and to pull down and raze such buildings in the vicinity of fire as shall be directed by them or any 2 of them who may be at the fire, for the purpose of preventing its communication to other buildings; to establish fire limits or the limits within which wooden or other combustible buildings shall not be erected; to require the owners or occupants of buildings to provide and keep suitable ladders and fire buckets which shall be appurtenances to the realty and exempted from seizure and forced sale; and after reasonable notice to such owner or occupant and refusal or neglect by him to procure and deliver the same to him, and in default of payment therefor, to levy the cost thereof as a special tax upon such real estate, to be

assessed and collected as other taxes in such town; to regulate the storage of gun powder and other dangerous materials; to require the construction of safe places for the deposit of ashes; to regulate the manner of putting up stove pipes and the construction and cleaning of chimneys; to prevent bonfires and the use of fire works, and fire arms in the town or any part thereof; to authorize fire wardens, at all reasonable times to enter and examine all dwelling houses, lots, yards, inclosures and buildings of every description in order to discover whether any of them are in a dangerous condition and to cause such as may be dangerous to be put in safe condition.

(b) Whenever such fire department is established for a part only of a town, or becomes part of a joint fire department under paragraph (a), the cost or proportionate part of the cost of purchasing, maintaining and manning the fire fighting equipment of such fire department shall be paid by the town out of the general fund and the town board shall thereupon levy a tax upon all real or personal property in that part of the town receiving protection from such equipment, in order to reimburse said town.

SECTION 2. 60.29 (20) (c) of the statutes is repealed and recreated to read:

60.29 (20) (c) Any town, part of a town or persons residing therein may join with a neighboring town, part of a neighboring town, city or village in establishing and maintaining a joint volunteer fire department or in obtaining fire service from any corporation, association or individual equipped to furnish adequate protection; the proportionate expense of establishing and maintaining such joint volunteer department, or contract for such service shall be paid as provided in paragraph (b) by each town or part of a town, city or village which has joined in the establishing of the department or contracting for such service.

SECTION 3. 60.29 (20) (d) of the statutes is created to read:

60.29 (20) (d) The town board of any town may enter into agreements with any neighboring town, part of a town, or any neighboring city or village, or with any joint fire department, created under section 60.29 (18) (a) firemen's association, corporation, or individual equipped to furnish adequate fire protection, for obtaining fire protection service for any town, or part of a town; to make payment out of the general fund of the town of the cost thereof; and to levy a tax upon all the real and

personal property of that part of the town receiving protection under such agreement sufficient to reimburse the town for the cost thereof.

Approved May 26, 1945.

No. 420, A.]

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CHAPTER 226.

AN ACT to repeal and recreate 100.01 and to amend 100.26 (1) of the statutes, relating to marketing of fresh fruits and fresh vegetables and providing a penalty.

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

SECTION 1. 100.01 of the statutes is repealed and recreated to read:

100.01 PRODUCE WHOLESALER LICENSE. (1) When used in this section:

(a) "Person" includes a partnership, corporation, association, trust, and every other form under which natural persons can do business.

(b) "Produce" means any kind of fresh fruit or fresh vegetable, including potatoes and onions intended for planting.

(c) "Commission merchant" means a person engaged in receiving produce for sale for or on behalf of another.

(d) "Dealer" means a person who buys, sells, offers or exposes for sale, or has in possession with intent to sell, any produce except that raised by him and that purchased by him exclusively for his own sale at retail.

(e) "Broker" means a person engaged in negotiating sales or purchases of produce for or on behalf of the seller or the buyer.

(f) "Produce wholesaler" means a commission merchant, dealer or broker.

(2) (a) No person shall carry on business or advertise or hold himself out as a produce wholesaler or as a commission merchant, dealer or broker without an annual license issued in the name under which the business operates.

(b) Application for license shall give such pertinent information, in such form, as the department requires, and be accompanied by the fee.