

SECTION 2. This act shall take effect upon passage and publication.

Approved July 12, 1917.

No. 657, S.]

[Published July 14, 1917.

CHAPTER 661

AN ACT to create section 1325k of the statutes, relating to reconstruction of bridges across navigable streams.

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

SECTION 1. A new section is added to the statutes to read: Section 1325k. 1. Whenever any county, town, city or village, or two or more counties, or any county and any municipality or any municipalities, jointly, by their respective boards or councils, shall file a petition with the highway commission setting forth that said county or counties, or such county and municipality or any said municipality or municipalities jointly maintain or maintains a free public bridge across a navigable stream forming the boundary line between two or more counties, and located not less than two miles from the nearest boundary of any incorporated city or village, and that it is necessary to reconstruct such bridge, the highway commission shall fix a time and place for hearing and hear said petition in the manner provided in section 1321a of the statutes.

2. If the said commission after hearing said petition shall find that said petition is true and that a reconstruction of said bridge is necessary, it shall locate the place at which it should be reconstructed, and if the same at such location will be necessarily more than five hundred feet in length not including approaches, the same shall be reconstructed at the expense of the state and counties as hereinafter provided; and the commission shall determine the character and kind of bridge adapted to the location and estimate the cost thereof, and shall file with the respective county clerks of the counties between which such bridge is to be reconstructed its findings including a description of the location of such bridge, the character thereof and the estimated cost of constructing the same.

3. The commission shall at the time of filing its said findings also certify to said county clerks the proportion of the cost of said bridge to be borne by each county, and shall certify to the state treasurer the amount to be paid by the state as its proportion of the cost thereof.

4. The respective counties shall pay two-thirds the cost of

reconstructing said bridge each in proportion to the last preceding valuation equalized by the state tax commission and the state one-third the cost thereof. Upon receipt of the certification of the amount necessary to be raised by the county as its share thereof the county clerk shall present the same to the county board at its next annual or special meeting, and the said county board shall thereupon appropriate the amount to be paid by the county. The amount so to be raised by the county may be raised by appropriation, tax or bonds, but nothing in this section shall be construed as requiring an election upon such question by the county.

5. Subject to the control and supervision of the navigable waters of the state conferred by law upon the railroad commission of Wisconsin, the construction of such bridge shall be under the supervision and control of the said highway commission, which shall make and execute all contracts for such construction, and all moneys available therefor from the state and said counties shall be deposited and paid out in accordance with the provisions of section 1321a.

6. After such bridge shall have been constructed it shall be under the control and management of said counties, and any matter relating to the control and management thereof upon which the boards cannot agree shall be determined by the said highway commission.

7. The maintenance of such bridge shall be borne by the counties constructing the same in proportion to the assessed valuation of each as fixed by the state tax commission.

8. The state highway commission shall consider all petitions under this section with petitions under section 1321a in the order of their receipt, and shall allot each bridge under this section and section 1321a state aid in such order and all appropriations made for use and available under section 1321a shall be available for use to carry out the provisions of this section in the same manner as for use under section 1321a of the statutes.

9. Whenever any municipality has constructed a bridge under this section, the property in such municipality shall thereafter be subject to taxation by the county for the construction and repair of bridges within such county under section 1319 of the statutes.

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