

No. 105, A.]

[Published April 20, 1957.

**CHAPTER 39**

AN ACT to amend 94.22 (1) of the statutes, relating to exempting cities of the first class from giving written notice pertaining to the destruction of noxious weeds.

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

94.22 (1) of the statutes is amended to read:

94.22 (1) Every weed commissioner shall carefully investigate concerning the existence of noxious weeds in his district; and if any person therein \* \* \* *neglects* to destroy any weeds as required by s. 94.20, he shall, after first giving 5 days' written notice by mail to the owner or occupant *and in cities of the first class without giving such written notice*, destroy or cause all such weeds to be destroyed, and may devote as many days to doing so as the officer appointing him \* \* \* *directs*, and for each day he shall receive such compensation as shall be determined by the town board, village board or city council upon presenting to the proper treasurer his account therefor, verified by his oath and approved by the appointing officer. Such account shall specify by separate items the amount chargeable to each piece of land, describing the same, and shall, after being paid by the treasurer, be filed with town, city or village clerk, who shall enter the amount chargeable to each tract of land in the next tax roll in a column headed "For the Destruction of Weeds," as a tax on the lands upon which such weeds were destroyed, which tax shall be

collected as other taxes are, except in case of lands which are exempt from taxation in the usual way. In case of railroad or other lands not taxed in the usual way the amount chargeable against the same shall be certified by the town, city or village clerk to the state treasurer who shall add the amount designated therein to the sum due from the company owning, occupying or controlling the lands specified, and he shall collect the same therefrom as prescribed in ch. 76 \* \* \*, and return the amount collected to the town, city or village from which such certificate was received. Any such commissioner may after written notice given as herein provided *and in cities of the first class without giving such written notice*, enter upon any lands upon which any of the weeds mentioned in s. 94.20 are growing, and cut or otherwise destroy them, without being liable to an action for trespass or any other action for damages resulting from such entry and destruction, if reasonable care is exercised in the performance of the duty hereby imposed.

Approved April 17, 1957.

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