

No. 474, S.]

[Published Aug. 10, 1927.

**CHAPTER 502.**

AN ACT to amend section 146.10 of the statutes, relating to the regulation of smoke.

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

SECTION 1. Section 146.10 of the statutes is amended to read: 146.10 The council of any city \* \* \* or the board of any village may regulate or prohibit the emission of dense smoke into the open air within its limits and one mile therefrom.

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

Approved August 6, 1927.

No. 617, S.]

[Published August 10, 1927.

**CHAPTER 503.**

AN ACT to reconcile conflicts between chapter 425, Laws 1927, revising the school laws, and chapters 31, 35, 87, 126, 128, 187, 224, 236, 238, 256, 313, 352 and 420 Laws 1927; to re-enact provisions therein which were repealed through inadvertance or unintended implication, all relating to public schools.

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

SECTION 1. Subsection (4) of section 40.65 of the statutes, created by chapter 31, Laws 1927, is hereby re-enacted and is renumbered section 40.43 of the statutes.

SECTION 2. Subsection (1) of section 40.62 of the statutes is amended to read:

(40.62) (1) Any common school district having an assessed valuation of one million two hundred fifty thousand dollars or more may establish a high school.

SECTION 3. Subsection (1) of section 40.64 of the statutes is amended to read:

(40.64) (1) A high school district may be established in any contiguous compact territory (outside of cities) having an area of not less than 36 nor more than 72 square miles, with an assessed valuation of one million two hundred and fifty thousand dollars or more.

SECTION 4. Subsection (22) of section 40.09 of the statutes, created by chapter 87, Laws 1927, is hereby reenacted and is renumbered section 40.79 of the statutes and the paragraphs thereof are numbered subsections (1), (2) and (3).

SECTION 5. Chapter 126, Laws 1927 is repealed and subsection (7) of section 40.04 of the statutes is amended by adding at the end thereof the following: "Provided that if the school site or other lands are to be abandoned but were acquired or are held upon condition that they should revert to the prior owner when no longer used for school purposes, the board shall sell the buildings or move them to another site within eight months after the buildings shall cease to be used for school purposes or the site ceases to be maintained as a district playground or park."

SECTION 6. Chapter 128, Laws 1927 and subsections (1) to (6) of section 40.61 of the statutes are repealed. And six subsections to said section 40.61 of the statutes are hereby created to be numbered and to read: "(40.61) (1) The county board of any county having a population of not more than twelve thousand may establish a free high school in such county to be known as the "County High School."

(2) The property of any existing high school district in any such county shall not be subject to any tax for the construction or operation of any county high school, until and unless it dissolves and becomes a part of the county high school district.

(3) Territory included within a county high school district may withdraw therefrom and organize a separate high school district, in which event the property of such new high school district shall be subject to a tax only for its proportionate share of the indebtedness of the county high school district which existed at the time of such withdrawal.

(4) Pupils residing in such new high school district attending the county free high school shall be subject to the payment of tuition, as provided for in section 40.47, and the provisions of said section shall be applicable to said county high school.

(5) All of the county except as above provided shall be a part of said county high school district and constitute a county high school district, and the said high school shall be free to all pupils resident in said district.

(6) Upon receiving written notice of the action of the county board, the state superintendent shall issue a certificate of establishment of a county free high school in such county.

SECTION 7. Subsection (5a) of section 40.09 of the statutes, created by chapter 187, Laws 1927, is hereby reenacted and is renumbered section 40.08 of the statutes.

SECTION 8. Subsection (3a) of section 40.67 of the statutes created by chapter 224, Laws 1927, is hereby reenacted and is numbered section 40.38 of the statutes.

SECTION 9. Subsections (9) and (10) of section 40.53 of the statutes, created by chapter 236, Laws 1927, are hereby reenacted and renumbered subsections (9) and (10) of section 40.47.

SECTION 10. A new subsection to section 40.13 of the statutes is created to read:

(40.13) (4) The school clerk in any school district may employ some competent person to take such census.

SECTION 11. Paragraph (f) of subsection (7) of section 40.695 of the statutes created by chapter 256, Laws 1927, is hereby reenacted and is renumbered to be section 40.78 of the statutes.

SECTION 12. Subsection (4) of section 40.19 of the statutes as enacted by section 59 of chapter 425 Laws 1927, is repealed and a new subsection (4) is created to read:

(40.19) (4) On the twelfth and twenty-second days of February school shall be taught regularly in the forenoon, but in the afternoon of these days appropriate exercises shall be held in commemoration of the life and services of Abraham Lincoln and George Washington, respectively.

SECTION 13. Section 40.85 of the statutes, created by chapter 352, Laws 1927, is hereby reenacted in the exact form in which it was enacted by said chapter.

SECTION 14. Subsection (5) of section 40.27 of the statutes, created by chapter 420, Laws 1927, is hereby reenacted and is renumbered section 40.23 of the statutes.

SECTION 15. Section 164 of chapter 425, Laws 1927, is amended to read: Section 164. This act shall take effect \* \* \* *upon passage and publication.*

SECTION 16. This act shall take effect upon passage and publication.

Approved August 6, 1927.