

the board does not include premises or parts of premises used exclusively for the storage or processing of meat or other food or sale of the same at wholesale or retail and regulated or inspected by the department of agriculture.

Deposited without approval of Governor.

No. 212, S.]

[Published June 15, 1945.

### CHAPTER 297.

AN ACT to amend 15.77 (2) and (3), 84.03 (3) (a) and (9), 84.06 (2), 84.07 (1) and (2), 84.11 (4), 84.12 (4) and 84.15 (1); and to create 84.01 (22) and 85.54 (3) of the statutes, relating to interstate and intrastate bridges, load restrictions on bridges, connecting streets, award of highway contracts, notaries public and engineering and architectural services for highway commission, and maintenance of state trunk highways.

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

SECTION 1. 15.77 (2) and (3) of the statutes are amended to read:

15.77 (2) To furnish engineering and architectural services whenever requisitions therefor are presented to him by any \* \* \* department, board, commission or officer;

(3) To act and assist any \* \* \* department, board, commission or officer requesting such co-operation and assistance, in letting contracts for engineering or architectural work authorized by law and in supervising the work done thereunder;

SECTION 2. 84.01 (22) of the statutes is created to read:

84.01 (22) The commission is authorized to expend from its proper appropriations a sum sufficient to pay all fees and expenses necessarily incurred in qualifying not to exceed 20 employes as notaries public and securing notarial seals; but such notaries shall receive no fees for notarial services rendered to the state.

SECTION 3. 84.03 (3) (a) and (9) of the statutes are amended to read:

84.03 (3) (a) The appropriation made by section 20.49 (4) (b) shall be allotted by the state highway commission for the construction, reconstruction and improvement of the state trunk highway system *and connecting streets* in the several counties

and expended by the commission in accordance with the provisions of section 84.06 upon projects which have been approved by the counties, but such allotment shall be so expended subject to the provisions of section 84.03 (4) relative to the retirement of bonds issued under section 67.13 or 67.14. Not more than 3 per cent of such allotment shall be used to pay the cost of supervision by the commission. All or any part of any such allotment not required for the retirement of bonds as herein provided may, with the consent of the county involved, be allocated by the commission to match or supplement federal aid for projects on the state trunk highway system within the county to which the allotment is credited. Eight million dollars of such appropriation shall be allotted, 40 per cent in the ratio that the number of motor vehicles registered from each county bears to the total number registered in the state and 60 per cent in the ratio that the mileage of highways in each county, exclusive of highways and streets in cities and villages, bears to the total mileage of highways in the state.

(9) That part of the appropriation made by section 20.49 (9), not required for the other purposes therein provided, may be used by the commission for the improvement and traffic service of the state trunk highway system *and connecting streets* and to match or supplement federal aid for the construction, reconstruction or improvement of the federal aid highway system, secondary or feeder roads, the elimination of hazards at railroad grade crossings and for any other highway purpose for which the state may match or supplement federal aid funds pursuant to any act of Congress. Where such funds are used for the improvement of the state trunk highway system *or connecting streets* or to match or supplement federal aid they shall be expended in accordance with section 84.06 and any applicable act of Congress. Any funds expended pursuant to this subsection shall be expended by the commission on such projects within the provisions of this subsection, and executed in such manner, as the commission shall from time to time determine will best meet the needs of travel and best promote the general welfare. Such funds may be used for improvements, within the provisions of this subsection, independent of or in conjunction with other funds available for such improvements. The requirements of any federal highway act, or regulations issued thereunder, may be met from such appropriation.

SECTION 4. 84.06 (2) of the statutes is amended to read:

84.06 (2) All such highway improvements shall be executed by contract based on bids unless the commission finds that another method as provided in subsection (3), (4) or (5) would be more feasible and advantageous. Bids shall be advertised for in the manner determined by the commission \* \* \* \* \* The contract shall be awarded to the lowest competent and responsible bidder \* \* \* *as determined by the commission. If the bid of the lowest competent bidder is determined by the commission to be \* \* \* in excess of the estimated reasonable value of the work or not in the public interest, \* \* \** all bids may be rejected \* \* \*. The commission shall, so far as reasonable, follow uniform methods of advertising for bids and may prescribe and require uniform forms of bids and contracts. The contract shall be entered into on behalf of the state by the commission. Every such contract is excepted from the provisions of sections 15.26 to 15.40 and sections 15.79 and 15.81. Any such contract involving an expenditure of \$1,000 or more shall not be valid until approval of the governor is indorsed thereon. The commission may require the attorney general to examine any contract and any bond submitted in connection therewith and report as to the sufficiency of the form and execution thereof. The bond required by section 289.16 for any such contract \* \* \* *involving* an expenditure of less than \$1,000 is exempt from approval by the governor and shall be subject to approval by the commission. The provisions of this subsection shall also apply to contracts with private \* \* \* *contractors* based on bids for maintenance under section 84.07.

SECTION 5. 84.07 (1) and (2) of the statutes are amended to read:

84.07 (1) The state trunk highway system shall be maintained by the state at state expense. The commission shall prescribe regulations and specifications for such maintenance. The commission may arrange with any county highway committee to have *all or certain parts of the work of maintaining* the state trunk highways within its county \* \* \* *performed* by the county. Maintenance of state trunk highways includes the operations, activities and continuing processes for their repair, preservation, restoration and reinforcement, the removal and control of snow and ice, and all measures deemed necessary to provide adequate traffic service. It also includes the care and protection of

trees and other roadside vegetation and suitable planting to prevent soil erosion or to beautify highways pursuant to section 80.01 (3).

(2) When any county maintains the state trunk highways, in compliance with the arrangement with the state highway commission, the commission shall pay the actual cost of such maintenance, including the allowance for *materials* and the use of county machinery and overhead expenses agreed upon in advance. Such payments shall be made upon presentation by the county clerk of a properly itemized and verified account by the county highway committee.

SECTION 6. 84.11 (4) and 84.12 (4) of the statutes are amended to read:

84.11 (4) After such hearing the commission shall make such investigation as it shall deem necessary in order to make a decision in the matter. If the commission shall find that the construction is necessary it shall determine the location thereof, and if the project as so located is eligible to construction under this section the commission shall determine the character and kind of bridge most suitable for such location and estimate separately the cost of the bridge portion and the entire project. In the case of projects eligible to construction under subsection (1) (a) the commission shall also determine the respective portions of such estimated cost of the entire project to be paid by each county, city, village and town required to provide any portion thereof, and the portion to be paid by the state. The commission shall make its finding, determination and order, in writing, and file a certified copy thereof with the clerk of each county, city, village and town in which any portion of the bridge project will be located and also with the secretary of state and the state treasurer. The determination of the location of the project made by the commission and set forth in its finding, determination and order, shall be conclusive as to such location and shall constitute full authority for *laying out new streets or highways or for any relocations of highways* made necessary for the construction of the project and for acquirement of any lands necessary for such *streets or highways*, relocation or construction. The estimate of cost made by the commission shall be conclusive in so far as cost may determine eligibility of construction under this section.

84.12 (4) If the commission finds that the construction is necessary, and that provision has been made or will be made by

the adjoining state or its subdivisions to bear its or their portions of the cost of the project, the commission, in co-operation with the state highway department of the adjoining state, shall determine the location thereof, the character and kind of bridge and other construction most suitable at such location, estimate the cost of the project, and determine the respective portions of the estimated cost to be paid by each state and its subdivisions. In the case of projects eligible to construction under subsection (1) (a) the commission shall further determine the respective portions of the cost to be paid by this state and by its subdivisions which are required to pay portions of the cost. The commission, after such hearing, investigation and negotiations, shall make its finding, determination and order in writing and file a certified copy thereof with the clerk of each county, city, village or town in this state in which any part of the bridge project will be located, with the secretary of state and the state treasurer and with the state highway department of the adjoining state. The determination of the location set forth in the finding, determination and order of the commission shall be conclusive as to such location and shall constitute full authority for *laying out new streets or highways or for any relocations of the highways made necessary for the construction of the project and for acquiring lands necessary for such streets or highways, relocation or construction.*

SECTION 7. 84.15 (1) of the statutes is amended to read:

84.15 (1) All matters relating to the maintenance and operation of bridges constructed, reconstructed or purchased under the provisions of section 84.11 shall be under the jurisdiction and complete control of the state highway commission and the cost of such maintenance and operation thereof shall be the direct obligation of the state. Such portion of the approaches as may be determined by the state highway commission shall be considered a part of such bridge for maintenance and operation purposes. *The portion of the approaches or highway not considered a part of such bridge for maintenance and operation purposes as determined by the commission shall be maintained by the town, city or village in which it lies but this provision shall not diminish or otherwise affect the duty of the county with respect to the county trunk highways or the state with respect to the state trunk highways.* Authority is given the commission to carry fire or tornado insurance, or both, on bridges where such hazard exists and the premium on such insurance shall be included as a portion of such maintenance and operation costs.

SECTION 8. 85.54 (3) of the statutes is created to read:

85.54 (3) RESTRICTION ON BRIDGES. The officer in charge of maintenance of highways maintained by a city, village or town, subject to the approval of the governing body of such city, village or town, and the county highway commissioner, subject to the approval of the county highway committee in the case of highways maintained by the county, and the state highway commission in the case of highways maintained by the state, may indicate the maximum gross vehicle or axle weight considered safe for passage over any bridge or culvert, where such gross weight is less than otherwise permitted by statute, by erecting gross weight limitation signs on or within 100 feet before each end of such structure.

Approved June 13, 1945.

No. 15, A.]

[Published June 15, 1945.

### CHAPTER 298.

AN ACT to amend 20.15 (1), 45.02 and 45.03 of the statutes, relating to the designation of headquarters for the United Spanish War Veterans and providing stationery and supplies for the same.

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

SECTION 1. 20.15 (1) of the statutes is amended to read:

20.15 (1) To the custodian of Memorial Hall, annually, beginning July 1, \* \* \* 1945, \* \* \* \$2800 for the execution of the functions prescribed by sections 45.01 to 45.04. Of this there is allotted to the custodian an annual salary of \* \* \* \$1,800.

SECTION 2. 45.02 of the statutes is amended to read:

45.02 Said rooms when so set aside for the purpose indicated, shall be the headquarters of the Grand Army of the Republic, department of Wisconsin, and *the United Spanish War Veterans, department of Wisconsin.* The offices of the department commander, assistant adjutant general and assistant quartermaster-general of the Grand Army of the Republic, department of Wisconsin, shall be in said rooms.

SECTION 3. 45.03 of the statutes is amended to read:

45.03 STATIONERY FOR \* \* \* HEADQUARTERS. The director of purchases shall furnish all stationery, pens, ink, printing and