

No. 474, A.]

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CHAPTER 600

AN ACT to amend 80.05, 80.39 (2), 84.01 (19), 84.02 (3) (a) and 84.11 (3) of the statutes, relating to giving notice to the state conservation commission and to the state soil conservation committee in laying out and improving highways.

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

SECTION 1. 80.05 of the statutes is amended to read:

80.05 On application made to supervisors for laying out, widening, altering or discontinuing any highway they shall make out a notice fixing therein a time and place at

which they will meet and decide upon such application. The applicants shall, at least 5 days previous to such time, cause such notice to be given to all occupants of the lands through which such highway may pass; *such notice shall also be given to the state conservation commission and to the state soil conservation committee by serving a copy upon the conservation director and by serving a copy upon the secretary of the state soil conservation committee either by registered mail or personally*; and in case such application shall be for the discontinuance of the whole or any portion of the highway such notice shall be given to the occupants of all the lands abutting or touching on such highway the whole or any part of which is sought to be discontinued, which notice shall be served personally or by copy left with or at the usual place of abode of such occupant of such lands, and such notice shall also be posted up in 3 public places in said town at least 10 days before the time of such meeting of the supervisors. If any such lands are unoccupied, such notice shall be published in a newspaper published or having a general circulation in such town at least 10 days before the time of such meeting, or in lieu of the publication may be served upon the owner or owners of such unoccupied land in the manner provided above for service on occupants. Every such notice shall specify as near as practicable the highway proposed to be laid out, widened, altered or discontinued and the several tracts of land through which the same may pass. In case the application is for the discontinuance of all or of a part of any highway such notice shall contain a description of the lands abutting upon such highway which will be benefited, injured or damaged by the discontinuance of such highway or any part thereof, or when such descriptions shall in the aggregate exceed 5 folios in length, the notice may state that such descriptions are contained in the application, as provided in s. 80.02, and shall give the name and address of the town clerk to whom such application has been delivered.

SECTION 2. 80.39 (2) of the statutes is amended to read:

80.39 (2) Upon such petition the county board or the commissioners appointed by the board shall give notice of the time and place they will meet to decide thereon, which notice shall be published in some newspaper published in the county at least 3 weeks previous to the time so fixed, and in case there be no newspaper so published, by posting the notice in at least 3 public places in each town at least 3 weeks before the time so fixed; *such notice shall also be given to the state conservation commission and to the state soil conservation committee by serving a copy upon the conservation director and by serving a copy upon the secretary of the state soil conservation committee either by registered mail or personally*; and if the board appoints a committee to act the notice shall state the fact and the notices shall be signed by the commissioners, otherwise by the chairman of the board.

SECTION 3. 84.01 (19) of the statutes is amended to read:

84.01 (19) The commission shall annually determine, as far as possible, what improvements will be made during the succeeding year, and notify the county clerks prior to November 1, as to the improvements in their respective counties. *Such notice shall also be given to the director of the state conservation commission and to the secretary of the state soil conservation committee.*

SECTION 4. 84.02 (3) (a) of the statutes is amended to read:

84.02 (3) (a) Changes may be made in the state trunk system from time to time by the commission, if it deems that the public good is best served by making such changes. The commission, in making such changes, may lay out new highways by the procedure under this subsection. Due notice shall be given to the localities concerned of the intention to make changes or discontinuances, and if the change proposes to lay a highway via a new location and the distance along such deviation from the existing location exceeds 2½ miles, then a hearing in or near the region affected by the proposed change shall be held prior to making the change effective. *Such notice shall also be given to the state conservation commission and to the state soil conservation committee by serving a copy upon the conservation director and by serving a copy upon the secretary of the state soil conservation committee either by registered mail or personally.* Whenever the commission decides to thus change more than 2½ miles of the system such change shall not be effective until the decision of the commission has been referred to and approved by the county board of each county in which any part of the proposed change is situated. A copy of the decision shall be filed in the office of the clerk of each county in which a change is made or proposed.

SECTION 5. 84.11 (3) of the statutes is amended to read:

84.11 (3) Within 60 days of the receipt of a petition under sub. (2) (a) or the adoption of a resolution under sub. (2) (b) the commission shall fix a time and place for a hearing which shall be held thereon, and give ten days' notice of such hearing by publication in at least one newspaper published in and having general circulation in the

vicinity of one of the counties, cities, villages or towns, in which any portion of the bridge project will be located, or if no newspaper is so published, in one or more newspapers deemed by the commission as likely to give notice of such hearing. Notice shall also be given by registered letter addressed to the clerks of the counties, cities, villages and towns in which any part of the bridge project will be located. *Such notice shall also be given to the state conservation commission and to the state soil conservation committee by serving a copy upon the conservation director and by serving a copy upon the secretary of the state soil conservation committee either by registered mail or personally.* Such hearing may be held in any county, city, village or town in which any part of the bridge project will be located.

Approved July 21, 1953.
