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ADJUSTING LOCAL GOVERNMENT TO MODERN NEEDS:  
The statutory authority in Wisconsin  
for joint action among towns, villages,  
cities and counties

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## I. INTRODUCTION

For almost a century the development of local government in Wisconsin was the story of the continuous expansion in the number of units at the various levels. The law was geared to the concept of creating new units, and little attention was paid to providing for their abolition when no longer needed or the resolution of conflicts of interests between units.

In recent years, however, major conflicts of interest, and life and death struggles for survival have marked the development of local government in various areas. Small, marginal school districts have made valiant efforts to survive consolidation, reorganization and integration. Towns have actually disappeared through assimilation by neighboring cities and villages. Incorporations and annexations have vied for the favor of the satellite people.

The relentless shifting and expansion of population has been a major factor in creating the atmosphere in which conflict can thrive, but certainly the increase in the functions of government and the expansion in the size of the desirable unit for the administration of many functions has also played a part. The lack of adequate processes to meet and solve the conflicts has also postponed solution.

Many solutions have been suggested and tried. West Virginia, and to a lesser degree Michigan, solved their school district problem by legislative fiat, whereby the legislature abolished the school districts and assigned the function to the county. In certain metropolitan areas cities and counties have become one. In other cases existing, antiquated procedures have been allowed to run their course on the theory that ultimately the problem will be solved by its disappearance. In still other cases agencies have been created to plan an adequate readjustment and to recommend it to the people or to actually put it into effect. Such is the task of the Wisconsin county school committee.

It is the purpose of this report to explore the operation of yet another possible solution. Based in part on the theory "if you can't

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beat them, join them" there has been a growth in Wisconsin of voluntary joint actions by 2 or more units of government within the state either in functions which they can carry out individually or which are expressly authorized to them. Through such joint action these units can share financial burdens, eliminate wasteful duplication of facilities and provide administrative areas that are adapted to a particular need.

## II. EXAMPLES OF JOINT ACTION

Are these devices used? There is no known compilation of each instance of joint action among units of local government in Wisconsin. There are, however, many instances of such action, some of which might well be cited to illustrate the ramifications these proposals take. (See May 1955 issue of *The Municipality*, magazine of The League of Wisconsin Municipalities for summary of city and village joint actions).

Joint County Normal Schools. At the present time Door and Kewaunee Counties operate a joint county normal school at Algoma; and Racine and Kenosha Counties operate a joint enterprise at Union Grove.

The Door-Kewaunee Regional Library. In 1949 the legislature enacted Chapter 640 which authorized a single demonstration library service. Door and Kewaunee Counties were used as the demonstration unit, and the experiment was begun in 1950. It sought to provide a better quality and quantity of public library service by offering the service to a joint unit composed of a group of municipalities or counties.

Joint City-County Building for Dane County and the City of Madison. At this very writing the City of Madison and Dane County are collaborating in the erection of a city-county building to serve as a city hall and county courthouse under the authority of section 66.51 (1) of the statutes.

Joint Airports. Under section 114.151 of the statutes, towns, villages, cities or counties may establish joint airports and such ports have been established at Cable, Ephraim, Iron River, Rhinelander and Shawano.

Tuberculosis Sanatoria. Under the provisions of section 46.20 (1) of the statutes which authorizes joint county institutions the Pureair Tuberculosis Sanatorium is maintained at Bayfield by Ashland, Bayfield and Iron Counties and Sunny View is maintained at Winnebago by Winnebago and Fond du Lac Counties.

Milk Inspection. About 1945, 5 communities of Walworth County (Delavan, Elkhorn, Lake Geneva, Williams Bay and Fontana) all adopted the standard milk ordinance recommended by the U. S. Public Health Service. Two years later Burlington in Racine County joined them. Employees of this intercity milk control council inspect the barns and dairies of the area from which the milk supply is drawn, and are concerned with the cleanliness of the barn and barnyard, the water supply, sewage disposal plan, etc. (See Keown, R. M., *A cooperative milk inspection program*. *The Municipality*, Jan. 1949, p. 11, 20.)

Joint Fire Departments. Since May 1931 the village of Luxemburg and the towns of Casco, Luxemburg, Montpelier and Red River in Kewaunee County

have maintained a joint fire department for the area, and to prorate the costs. (See Charles L. Peters, Luxemburg's joint fire fighting plan. The Municipality, Mar. 1948, p. 53, 62.)

Boat Regulations. For some years the municipalities surrounding Lake Geneva in Walworth County have had uniform ordinances relating to boat regulations and have cooperated in the enforcement thereof.

Hospitals. Under section 66.47 of the statutes a county and a city or cities may establish a joint city-county general hospital. Under this authority the Menomonie Memorial Hospital with a 52-bed capacity was built.

Employment of Personnel. The joint employment of personnel can be illustrated by the engineer of Wisconsin Dells, Reedsville and Baraboo; the police of Sauk City and Prairie du Sac and of Adams and Friendship, and several others in the suburban communities of Milwaukee County.

Joint Sewage Systems. Under section 144.07 (1) of the statutes joint sewage systems are created, and under this plan a joint system between Neenah and Menasha, and between Sauk City and Prairie du Sac exists. Similar are the metropolitan sewage districts created under section 66.20 whereby a separate district is created to operate the sewerage system of an area consisting of 2 or more municipalities. Such districts exist around Green Bay, Madison and Milwaukee.

Relief Group Plan. One of the alternative methods of operating the relief program is for several of the municipalities in a county to cooperate in a so-called group system. Thus a city and several surrounding towns, or more than one city and adjoining towns may operate as a unit under a single administrator and prorate the costs.

### III. GENERAL PROVISIONS OF THE STATUTES

The most sweeping and important of the statutory authorizations can be found in section 66.30 of the Wisconsin statutes. Section 66.30 now reads:

"(1) Any city, village, town, county or school district may, by action of the governing body thereof, enter into an agreement with any other such governmental unit or units or with the state or any department or agency thereof including building corporations created pursuant to section 37.02 (3) for the joint or cooperative exercise of any power or duty required or authorized by statute, and as part of such agreement may provide a plan for prorating any expenditures involved.

(2) Any city, village, town, county or school district in the exercise of its powers may contract jointly with any other city, village, town, county or school district for any joint project, wherever each portion of the project is within the scope of authority of the respective city, village, town, county or school district."

Now only 15 years old, section 66.30 was passed in 1939 (ch. 210, Laws of 1939) and expanded to its present wording in 1951 (chs. 241 and 268, Laws of 1951) to include the words "or units" and the reference to state agencies. At the same session subsection (2) was introduced at the request of the League of Wisconsin Municipalities and

passed (ch. 293, Laws of 1951).

The broad effect of section 66.30 is to permit the counties, towns, cities, villages and school districts to do jointly whatever they are empowered to do separately. No other authorization for joint action need exist; section 66.30 suffices as long as there is authority for the governmental unit to act alone on a subject. In a recent opinion (41 AG 335) the Attorney General referred to the authority for 2 counties to establish a joint library under 66.30 as "obvious."

In addition to section 66.30, the statutes contain a number of less general sections on intergovernmental cooperation and many authorizations for cooperation on specific matters. These statutory authorizations are grouped together by subject in the following listing. The general authorizations are printed first, and the specific ones follow alphabetically by subject. All citations are to the 1953 Wisconsin statutes.

#### IV. OTHER GENERAL STATUTORY AUTHORIZATIONS

A. County: joint institutions; 46.20 (1) "Any 2 or more counties may jointly, by majority vote of all the members of each county board, provide for a county home, infirmary, hospital, tuberculosis hospital or sanatorium, or similar institution, house of correction, or work<sup>h</sup> house, which shall be established, maintained, and operated pursuant to all the statutes relating to the establishment, maintenance, and operation of similar institutions, respectively, by any single county whose population is less than 250,000, except as otherwise provided in this section; and in all respects, except as herein specified, each such institution shall be the county institution of each of the counties so joining."

B. County-city cooperation: revenue bonds; 66.51 (1) "Every county, or city, or both jointly, may construct, purchase, acquire, develop, improve or operate a county or city building, or both jointly, for a courthouse, city hall, hospital, armory, library, auditorium and music hall, municipal parking lots or other parking facilities, or municipal center, or any combination thereof. . . ."

C. County (Milwaukee): consolidation of municipal services; 59.083 (1) "Except as elsewhere specifically provided in these statutes, the county board of any county with a population of two hundred fifty thousand or more, is hereby vested with all powers of a local, legislative and administrative character, including without limitation or restriction because of enumeration, the subject matter of water, sewers, streets and highways, fire, police, and health, and to carry out these powers in districts which it may create for different purposes, or throughout the county, and for such purposes to levy county taxes to issue bonds, assessment certificates and improvement bonds, or any other evidence of indebtedness. The powers hereby conferred may be exercised by the county board in any town, city or village, or part thereof located in such county upon the request of any such town, city or village, evidenced by a resolution adopted by a majority vote of the members-elect of its governing body, designating the particular function, duty or act, and the terms, if any, upon which the same shall be exercised by the county board or by a similar resolution adopted by direct legislation in such town, city or village in the manner provided in section 10.43. . . ."

D. Supervisor as alderman; 62.09 (1) (b) "The council by a two-thirds vote, may dispense with the offices of street commissioner, engineer, comptroller, constable, and board of public works, and provide that the duties thereof be performed by other officers or board, by the council or a committee thereof. The council may, by ordinance, adopted by a two-thirds vote of all its members, and approved by the electors at the general or special election, provide that there shall be one alderman from each ward, and may also, in like manner, provide that, whatever the number of aldermen, the supervisor of each ward shall be the alderman or one of the aldermen. Any office dispensed with under this paragraph may be recreated in like manner, and any office created under this section may be dispensed with in like manner."

E. Village cooperation; 61.34 (2) "The village board, in behalf of the village, may join with other villages or cities in a co-operative arrangement for executing any power or duty in order to attain greater economy or efficiency, including joint employment of appointive officers and employees."

#### V. SPECIFIC AUTHORIZATION SET FORTH IN THE STATUTES

A. Airports; 114.151 "All powers conferred upon any county, city, village or town by sections 114.11 to 114.15, relating to the acquisition, establishment, construction, ownership, control, lease, equipment, improvement, maintenance, operation and regulation of airports or landing fields may be exercised by any 2 or more municipalities in the establishment, acquisition, equipment and operation of joint airports or landing fields. The governing body of any county, city, village or town participating in the ownership or operation of a joint airport as provided in this section may by resolution withdraw from such joint operation or control and may relinquish its interest in the airport."

B. Armories; 66.51 (1) See B above under General Authorizations.

C. Auditoriums; 1. 66.505 (2) "Any county and city partly or wholly within the county may by ordinance jointly construct or otherwise acquire, equip, furnish, operate and maintain a county-city auditorium."

2. 66.51 (1) See B above under General Authorizations.

D. Bridges; 1. 83.15 "The county board of any county bounded in part by a river which is also a state boundary line may aid any municipality of such county in the construction of a bridge across such river or any part thereof, by an appropriation therefor not exceeding one-third of the cost of such bridge."

2. 83.16 "The board of supervisors of any county in this state bordering on any navigable stream which is the boundary line between such county and a county in another state is hereby authorized in conjunction with the board of supervisors of such adjoining county in such other state, to construct and maintain a bridge or bridges across such river at a place or places within the limits of such county as may be agreed upon by said respective boards of supervisors, whenever said board of supervisors in this state shall deem it necessary, and to enter into a contract with such board of supervisors of the adjoining county of such other state for the construction, maintenance and repair of such bridge or bridges."

3. 86.23 "All swing or drawbridges built or purchases by any city and town or by any other two municipalities, and so situated that a part thereof is in one municipality and a part in another, shall be operated and maintained at the joint expense of the municipalities which built or purchased them in proportion to the amount of the cost thereof borne by each. If either such municipality shall not provide for or pay its full share of such expense in any year the other may provide for or pay it, and upon paying the same may recover of the municipality in default its share of the same, with interest from the time of payment and costs of suit; provided, that no action to recover the same shall be brought until thirty days after demand of payment is made."

E. Community and municipal centres; 1. 43.51 (1) (a) and (e) "A community centre may be created in any tract of contiguous territory containing either an area of not less than sixteen square miles, or a population of at least five hundred inhabitants, and bounded by town, school district, section, quartersection or ward lines, or streams, lakes, swamps or similar natural boundaries and no part of which is included in any other community centre."

"If a majority of the electors from each municipality voting are in favor of a community centre, the result shall be certified within six days to the clerk of each municipality, and to the county clerk and by him to the secretary of state, each of whom shall file such certificate, and thereupon, from the date of such election such tract shall constitute a public corporation of the name designated in the petition. The inclusion of all or a part of the territory of a community centre in a newly incorporated village or city shall not affect the community centre corporation."

2. 66.51 (1) See B above under General Authorizations.

F. Crime; 59.08 (36) "The county board of any county having a population of 500,000 or more or the common council of any city of the first class however organized in such county, may appropriate money to defray in whole or in part the expenses of a city-county crime commission organized and functioning to determine methods of crime prevention in such county, provided that all items of expense paid out of such appropriation shall be presented and paid on county board vouchers as are claims against counties."

G. Fire protection; 1. 59.083 (1) See C above under General Authorizations.

2. 60.29 (18) (a) Town boards; powers. "To establish a fire department or fire departments in any town or any part of the town, or join the town or a part thereof with a neighboring town, group of towns, parts of towns, cities or villages in establishing a joint fire department or joint fire departments, and to join the town or a part thereof with a group of towns, parts of towns, cities or villages in the joint acquisition and ownership of fire fighting equipment and to appropriate the proportionate share of such town or part or parts of a town of the cost of purchasing and maintaining such equipment, when authorized by resolution adopted at any town meeting; . . ."

3. 60.29 (20) (a) Town boards; powers. "The supervisors of any town may make deposit and payment out of the general fund to any city, incorporated village, or duly organized volunteer or private fire company, in said county or in an adjoining county to secure and pay for fire department service in said town, and for the prevention and extinguishment of fires as may be necessary and proper, and in connection therewith may contract for or purchase fire extinguishing apparatus,

which may be housed in such city or village and may be manned by its fire department. If the governing body of such city or village gives its approval, the town may, instead of contracting for fire protection with such city or village, contract for such protection with any private corporation or individual equipped to furnish the same."

H. Harbors; 138.15 "Any commission created under this chapter may meet and act jointly with a similar body created and acting for a city located in another state on such joint harbor, on matters of common interest and which affect the joint harbor or facilities or improvements, and it may join with such other body in taking such action and making such recommendations as may seem advisable, in executing such action and in causing such recommendations to be carried out, and it may join with such other body in making and adopting or causing to be made and adopted, a general plan for the development of the joint harbor."

I. Health; 1. 59.083 (1) See C above under General Authorizations.

2. 140.09 (2) "Any county board may organize a single county department of health, or a city-county department of health or may join with one or more adjacent counties to organize a multiple county department of health. But no more than 3 counties shall join in one such department without prior approval of the state board of health."

3. 141.04 "Towns, villages and cities, occupying contiguous territory, may employ a full-time health officer or commissioner jointly. His salary, including necessary traveling expenses, shall be paid jointly as agreed upon or in proportion to population. He shall engage in no conflicting occupation."

J. Hospitals and infirmaries; 1. 46.20 (1) See A above under General Authorizations.

2. 49.171 (1) County infirmaries. "Each county, or any 2 or more counties jointly, may establish, pursuant to section 46.17 or 46.20 a county infirmary for the treatment, care and maintenance of the aged infirm."

3. 59.70 (1) Isolation hospitals. "In counties having a population of thirty thousand or more the county board may erect, establish and maintain isolation hospitals or places for the care and treatment of all persons afflicted with infectious, contagious and communicable diseases, requiring isolation and quarantine under the laws of the state, who are inmates of the charitable, penal, correctional and other institutions of said county or who are required to be cared for and treated at the expense of said county. The board may also provide for the care and treatment therein of all persons so afflicted, who are required to be cared for by the various towns, cities and villages in said counties, under such terms, conditions, rules and regulations, as to apportionment of cost of erection of such buildings and places and the expense of care and treatment of such persons afflicted, as may be agreed upon between the county board and the common council of such cities and the boards of such villages and towns, and each such council or board is hereby vested with power and authority to enter into such contracts and to appropriate such funds as may be necessary to carry into execution all contracts so made."

4. 66.47 (2) "Any county and city or cities partly or wholly within the county may by ordinance jointly construct or otherwise acquire, equip, furnish, operate and maintain a general county-city hospital."

5. 66.51 (1) See B above under General Authorizations.

K. Housing; 66.404 (4) Housing authorities. "For the purpose of co-operating with and assisting cities, villages and counties, a housing authority may exercise its powers in the territory within the boundaries of any city, village or county not included in the area in which such housing authority is then authorized to function, or in any designated portion of such territory, after the governing body of such city, village or county, as the case may be, adopts a resolution declaring that there is a need for the authority to function in such territory or in such designated portion thereof. . . ."

L. Jails; 1. 46.20 (1) See A above under General Authorizations.

2. 53.34 "Courts, magistrates and officers of any county having no jail may sentence, commit or deliver any person to the jail of any other county as if such jail existed in their own county; and the sheriff of such other county shall receive and keep the prisoner in all respects as if committed from his county; but the cost of such keep shall be paid by the county from which the prisoner was sentenced, committed or delivered."

3. 56.07 (5) County reforestation camps. "Any county may contract with an adjoining county having a county reforestation camp, upon such terms and conditions as may be agreed upon, for keeping, maintaining and employing without compensation unless otherwise provided by the contract, convicted persons subject to county jail sentence, and in that event such persons may be committed to such county reforestation camp in the adjoining county."

4. 56.18 (3) Municipal prisoners; contract with other county. "Such county may contract with any other county, upon such terms as may be agreed upon by their respective county boards, to receive into said house any person who may be sentenced to confinement therein by any court, justice or other officer of such other county; and thereupon, so long as such contract remains in force, every court, justice or other officer in such other county, authorized to commit or sentence any person to the county jail may, in lieu of such sentence or commitment, sentence or commit such person to said house for an equivalent term, at hard labor; and any officer to whom the process of commitment in such case is delivered for execution shall convey such person to the said house and deliver him, with the commitment papers, to the superintendent of said house; and thereafter such person shall be detained and treated by all persons, courts and officers as if sentenced and committed to said house by any court, justice or other officer in the county in which said house is established."

M. Libraries; 1. 43.26 (4) Library boards. "Joint library boards may be created by any 2 or more towns, cities, villages or counties by appropriate agreement of their governing bodies and when created such a joint library board shall have all of the powers provided by s. 43.27 or other statutes relating to library boards. Without limitation because of enumeration said agreements relating to the creation of joint library boards may cover subjects such as membership and length of terms of office of board members and all other appropriate matters pertaining to the creation and operation of such a joint board."

2. 43.33 (1) County system of libraries. "The county board of any county having a population of one hundred and fifty thousand or more may, pursuant to the provisions of sections 43.25 to 43.28, inclusive, establish and maintain a public library system for such county, and may for such purpose adopt, take over and acquire any library or libraries already established, by consent of the authori-

ties controlling such library or libraries; or the county board may, by contract with any municipality within such county, extend the jurisdiction of any existing library board therein and provide for the maintenance of a county system of libraries by such municipality.

3. 66.51 (1) See B above under General Authorizations.

N. Municipal buildings; 66.51 (1) See B above under General Authorizations.

O. Parking lots; 66.51 (1) See B above under General Authorizations.

P. Planning; 62.23 (2) City planning. "It shall be the function and duty of the commission to make and adopt a master plan for the physical development of the municipality, including any areas outside of its boundaries which, in the commission's judgment bear relation to the development of the municipality provided, however, that in any county where a regional planning department has been established, areas outside the boundaries of a municipality may not be included in the master plan without the consent of the county board of supervisors. . . ."

Q. Recreation; 66.527 (2) (b) Recreation authority. "When 2 or more of the aforesaid governing units desire to conduct, jointly, a department of public recreation, the joint recreation board shall consist of not less than 3 members who shall be selected by the presiding officers of such governmental units acting jointly. Appointments shall be made for terms as provided in paragraph (a)."

R. Relief; 49.02 (4) Relief administration. "Nothing in this section shall prevent any county or municipality from entering into a joint or co-operative agreement under section 66.30."

S. Schools. 1. 39.06 (3) County superintendent for several counties. "The county boards of 2 or more counties may by the adoption of a joint resolution employ one superintendent of schools for their counties. Such joint resolution shall be filed with their respective county clerks and the state superintendent before January 1 of the year in which an election for county superintendent is to be held. Such filing of the joint resolution shall terminate the position of county superintendent in the adopting counties at the end of the existing term. The resolution shall state that the position of superintendent of schools for the counties of . . . is created to become effective on July . . ., 19.., and that the election for that office shall be for superintendent of schools for the counties of . . . . The laws relating to the office of county superintendent shall apply to such superintendent of schools except that nomination papers shall be filed with the secretary of state and the salary and expenses of such position shall be fixed and prorated by the county boards."

2. 40.02 (5) County school committee. "If territory to be affected by a proposed order of a county school committee lies in 2 or more counties the county school committees of said counties shall act as a joint committee. The secretaries shall arrange the time and place of the first meeting. If the joint committee cannot agree, they shall appoint an additional member. The additional member shall be a resident of the state but not a resident of either county affected. If the joint committee cannot agree upon an additional member within 30 days after their initial joint meeting, the secretaries shall immediately notify the circuit court judge within whose jurisdiction the largest portion of the counties involved lies, and he shall appoint an additional member within 15 days."

3. 40.05 "The governing bodies of all towns, villages and cities of the second, third and fourth class shall, within 30 days after receipt of a written request from the county school committee, advise and make recommendations to the committee in writing concerning the division of existing school districts within the limits of their respective municipalities which the committee proposes to include in any reorganization of school districts. In cities of the first class, the board of school directors shall give such advice and recommendations."

4. 40.06 (2) School districts; creation, alteration, dissolution. "If the territory affected by a proposed order lies in more than one municipality, the municipal boards shall act jointly; the concurrence of a majority of each board is necessary to a valid order. The meeting of the several municipal boards or councils shall be called by the clerk of the municipality with whom the petition is filed; he shall give at least 5 days' notice in writing of the time and place of meeting to each member of each board or council."

5. 40.09 (1) Joint school districts between states. "Upon approval by the state superintendent, the county school committee of any county or the municipal board of any municipality in Wisconsin bordering on the boundary of Wisconsin and an adjoining state, may by joint action with bodies authorized to do so by the laws of such adjoining states, issue and file orders of creation of joint school districts comprised of territory lying in Wisconsin and in such adjoining states and by such order provide for the operation of either elementary grades or high school grades, or for both elementary and high school grades by such districts. Such orders may be subject to a referendum election as provided by s. 40.03."

6. 40.11 (1) Joint high school district. "In case 2 or more common school districts propose to jointly establish a high school, action shall be taken by each district as in the case of the establishment of such school by a single district."

7. 40.16 "The electors of any union high school district and the electors of any common school district, included within the union high school district, may direct their respective school boards to join in the erection and maintenance of a school building for housing the high school and the common school. Where such agreement has been entered into, the principal of the high school shall be the administrative head of both schools."

8. 40.49 (1) "If a majority of all the districts vote at any annual county school board convention in favor of adopting uniform textbooks, each school district being entitled to one vote, the convention shall immediately elect a county textbook board of not less than 3 nor more than 5 persons. The convention shall, at a regular meeting every 5 years thereafter, elect not less than 3 nor more than 5 persons who shall constitute said textbook board; the convention may at any time by a majority vote discontinue such board. School districts which maintain high schools may not vote on the question of uniformity of textbooks, nor in the election of the textbook board."

9. 40.53 (5) (d) Methods of school transportation. "By joint contract between 2 or more school districts and a third party who is either an individual or a common carrier;"

10. 40.807 (1) Reorganized city school districts. "Whenever a plan of reorganization under s. 40.03 or 40.06 which involves a city school district has been made effective, the city council or commission and the town chairmen and village presidents of the municipali-

ties involved in the reorganization shall determine by the method of voting prescribed in sub. (2) whether to:

(a) Abolish the city school district and create a common school district; or

(b) Continue as a city school district under the special fiscal controls mentioned in sub. (2)."

11. 41.42 (1) Joint county normal schools. "The county boards of two or more adjoining counties may unite in establishing and maintaining a normal school for teachers on the same general plan as provided for such school in a single county, and may appropriate money for its maintenance. The county superintendents of the counties so uniting, and two members in addition chosen from each such county, shall constitute the joint county normal school board. The elective members of the school board shall choose one of the county superintendents as secretary of the school board."

12. 41.47 (1) County schools of agriculture. "The county board may appropriate money for the organization, equipment and maintenance of a county school of agriculture, pursuant to the provisions of sections 41.47 to 41.58. The boards of two or more counties may unite in establishing and maintaining such a school."

13. 60.29 (33) Town boards; powers. "The town board of any town may loan money to the board of any school district operating under the district system within the town in such sums as are needed to meet the immediate expenses of maintaining the school of such district, and such district board may borrow accordingly and give their note therefor. No such loans shall be made to extend beyond the thirtieth day of August nor in an amount exceeding one-half of the estimated receipts as certified by the state superintendent of schools and the local school clerk, at a rate of interest to be determined by the town board."

T. Sewage and sanitation; 1. 59.083 (1) See C above under General Authorizations.

2. 59.96 (1) Metropolitan sewerage commission. "In any county where the common council of any city of the first class within such county shall have adopted a resolution declaring that it is necessary to provide sewage disposal works for such city and in which a sewerage commission has been appointed and qualified, and has adopted plans for, and commenced the construction of a sewage disposal plant for said city the governor shall appoint 3 sewerage commissioners who shall constitute and be known as the "Metropolitan Sewerage Commission" of such county. . . ."

3. 60.29 (16) Town board; powers. "To grant to any adjoining city or village permission, in the extension of its water or sewage systems, subject to the rights of abutting property owners, to lay and maintain water mains and sewers in any street or highway in the town, and no abutting property owner who is permitted to connect with and use any such water main shall be deprived of the use thereof, except as to the use of water for nonpayment of water charges, without the consent of the town board."

4. 60.30 (2) Town sanitary districts. "Town sanitary districts may be created, governed and maintained as hereinafter provided in any town, towns or part thereof, provided that no such town sanitary district shall include any territory included within an incorporated village or city at the time of organization of such district. The fact that any of such territory shall be contained in a metropolitan sewerage district or contained in any other district shall not operate to

preclude the valid organization of such town sanitary district, it being the intention of the legislature to permit auxiliary sewer construction by such town sanitary districts, in addition to the main sewers and intercepting sewers constructed or to be constructed by such metropolitan sewerage districts."

5. 61.45 (3) Sewage disposal. "When any village has constructed a sewage disposal plant, the president and trustees of such village may contract with any county, sanitary district or other municipality that such village receive, treat and dispose of the sewage emanating from parks of such county, or from such sanitary district or other municipality."

6. 66.20 (1) Metropolitan sewerage districts. "Metropolitan sewerage districts may be created, governed and maintained as is in sections 66.20 to 66.209 provided, in contiguous territory containing two or more of any of the following municipalities: Any city or village in its entirety or any township or part thereof, located in one or more counties, when so situated that common outlet sewers or disposal plants will be conducive to the preservation of the public health, safety, comfort, convenience or welfare."

7. 144.07 (1) Joint sewerage systems. "The state board of health may require the sewerage system, or sewage or refuse disposal plant of any town, village or city, to be so planned and constructed that it may be connected with that of any other town, village or city, and may, after hearing, upon due notice to the municipalities order the proper connections to be made."

U. Streets and highways; 1. 59.08 (2) County boards; powers. "Appoint commissioners to act with similar commissioners duly appointed by any other county or counties, and, except as otherwise provided by law, authorize them to lay out or discontinue any road extending through or into their own and one or more other counties, subject to the ratification of the board."

2. 59.08 (35) County boards; powers. "To provide by ordinance that the county, may, through its highway committee or other designated county official or officials, enter into contracts with cities, villages and towns within the county borders for the purpose of enabling the county to construct and maintain streets and highways in such municipalities."

3. 59.083 (1) See C above under General Authorizations.

4. 83.14 (1) Aid for county highways. "Any town meeting or village board may vote a tax of not less than \$500 to improve a designated portion of a county aid highway and may accept cash donations for such purposes, and when accepted subsequent proceedings shall be the same as if a tax of like amount had been voted. . . ."

V. Utilities (light, power and water); 1. 59.083 (1) See C above under General Authorizations.

2. 60.29 (16) Town boards; powers. "To grant to any adjoining city or village permission, in the extension of its water or sewage systems, subject to the rights of abutting property owners, to lay and maintain water mains and sewers in any street or highway in the town, and no abutting property owner who is permitted to connect with and use any such water main shall be deprived of the use thereof, except as to the use of water for nonpayment of water charges, without the consent of the town board."

3. 66.069 (2) (a) Utilities; outside services. "Any town, town sanitary district, village or city owning water, light or power plant or equipment may serve persons or places outside its corporate limits, including adjoining municipalities not owning or operating a similar utility, and may interconnect with another municipality, whether contiguous or not, and for such purposes may use equipment owned by such other municipality."

4. 198.02 "A municipal power district may be created as provided in this chapter and when so created shall be considered a municipal corporation and may exercise the powers herein granted. Any two or more municipalities, whether contiguous or otherwise or in the same or different counties, may organize and incorporate as a municipal power district, but no municipality shall be divided in the formation of such a district, nor shall any municipality be included therein unless approved by a majority of the votes cast thereon at an election on such proposition."

W. War memorials; 45.055 "Any city council or village, town or county board may contract with or make an appropriation, or both, to any other unit of government or to any nonprofit corporation without capital stock organized expressly for any of the purposes of section 45.05 or to any duly chartered and incorporated veterans' organization established in any such city, village, town or county, and for the purpose of raising funds for such memorial purposes or contributions, may levy taxes upon the taxable property of such unit of government not exceeding 5 mills on the dollar in all which said taxes may be spread over a period of 5 years, or to borrow money and issue the bonds of the respective municipalities therefor in the manner and under the regulations provided by chapter 67; provided that the facilities of such memorial are made available to the residents of the governmental unit making such appropriation to the extent that the governing body of the governmental unit may require."