

No. 839, A.]

[Published November 30, 1955.]

CHAPTER 680

AN ACT to renumber and amend 60.305; and to create 60.305 (2) and (3) of the statutes, relating to commissioners of town sanitary districts and providing a penalty.

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

SECTION 1. 60.305 of the statutes is renumbered 60.305 (1) and amended to read:

60.305 (1) When a town sanitary district * * * *is situated* in territory lying within 2 or more towns, or when such district has been created in territory in one or more towns and a portion thereof is incorporated as or annexed to a city or village, the town board of the town containing the largest assessed valuation of taxable property of * * * such district * * * lying in 2 or more towns, or the town board of a town in which the major portion of the patrons reside when a portion of such district is incorporated as a city or village, shall within 60 days after the effective date of this * * * amendment (1955), or of the creation of a new district having territory in 2 or more towns, or of incorporation or annexation of part of such district, appoint or provide for an election for the purpose of selecting 3 town sanitary district commissioners. Commissioners shall be so appointed or elected by the qualified electors of the district for a term of 2 years * * * . Successor commissioners shall be * * * appointed in the same manner or elected by the qualified electors of the district for like terms at the regular * * * spring election in such towns and villages held in odd-numbered years. The terms of all commissioners appointed or elected in 1955 shall expire on the first Monday of April, 1957. If the commissioners have been appointed and a change to election of the commissioners be requested by a petition submitted to the town board of the town containing the largest assessed valuation of taxable property or the major portion of the patrons in the district * * * it shall call a special election for the * * * election of commissioners within 60 days from the date of receipt of the petition. The petition shall be signed by at least 20 per cent of the qualified electors of the district. Commissioners elected at a special election shall take office 30 days after such election and shall serve until the first Monday of April of the next year in which a regular town election is held. Successor commissioners shall be elected at such election or at the regular spring election of such year or both. Any vacancy may be filled by appointment for the remainder of the unexpired term. The salary, if any, of the commissioners shall be fixed by the town board of the town having the largest assessed valuation of taxable property or the major portion of the patrons in the district. Where all the territory of a town sanitary district lies within one town, the town board may by a two-thirds vote constitute itself as ex officio the commissioners of the town sanitary district. In the event the town board does not constitute itself as ex officio the commissioners of the town sanitary district, then such town shall * * * within 60 days provide for appointment or election of 3 sanitary commissioners as provided in this section. All sanitary district commissioners shall be property owners and residents of the sanitary district, except that where the sanitary district is composed primarily of summer resort property only one of the commissioners is required to be a resident of the district. The requirements of this section for appointment or provision for election of commissioners within 60 days after the effective date of this amendment (1955) shall not apply to districts wherein commissioners were elected in 1955 prior to the effective date of this amendment. So far

as applicable ss. 7.06, 10.40, 10.51, 10.52 and 10.55 shall apply to special elections of commissioners under this section.

SECTION 2. 60.305 (2) and (3) of the statutes are created to read:

60.305 (2) No commissioner of any town sanitary district shall be in any manner, directly or indirectly interested in any contract with or work or labor done for or material furnished to the sanitary district or to anyone on its behalf. In case of a violation of this section such commissioner or officer shall forfeit not less than \$50 nor more than \$500; but this section shall not apply to the publication of legal notices required to be published by any sanitary district or a commissioner thereof, at a rate not higher than that prescribed by law nor to any contract not exceeding \$1,000 in any one year.

(3) All contracts for the performance of any work or the purchase of any materials, for such sanitary district, exceeding \$500, shall be let by the commissioners to the lowest bidder in such manner as they may prescribe.

Approved November 25, 1955.
