

No. 120, A.]

[Published April 30, 1907.]

**CHAPTER 61.**

AN ACT to amend section 959—40, section 959—41 and section 959—45, of the statutes of 1898, as amended, relating to the police and fire commissions in cities of the second and third class.

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

SECTION 1. Section 959—40, statutes of 1898, is amended to read:

\* \* \* \* \*

SECTION 959—41 of the statutes of 1898 as amended by chapter 178 of the laws of 1899, is amended to read:

\* \* \* \* \*

SECTION 959—45, statutes of 1898, as amended by chapter 178 of the laws of 1899, is amended to read:

\* \* \* \* \*

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 30, 1907.

No. 802, A.]

[Published May 1, 1907.]

**CHAPTER 62.**

AN ACT to amend section 4944f, statutes of 1898, as amended by chapter 28, laws of 1899, relating to the transfer of inmates of the state reformatory.

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

SECTION 1. Section 4944f, statutes of 1898, as amended by chapter 28, laws of 1899, is amended to read:

\* \* \* \* \*

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 30, 1907.

specified portion of his realty is necessary for the public use, such common council may establish building lines along and parallel with the street lines of any street or part of street or streets which has been or may be declared to be a boulevard or pleasure-way pursuant to law; such common council shall by further resolution fix the distance from the street lines at which such building lines shall be located and shall instruct the city engineer to make a survey and plat showing the location of the street lines and the building lines with reference to each other; the city engineer shall make such survey and plat and report the same to the common council and shall also further report whether any building or other structure or obstruction is situate between the street lines and the building lines and give a particular description of the same and shall show the location thereof upon such plat.

(Ch. 619, 1907.)

**Cities, 2nd and 3rd class: police and fire commissions.**

SECTION 959—40. In all cities of the second and third class, however incorporated, there shall be a board of police and fire commissioners, consisting of five citizens, not more than three of whom shall belong to the same political party when appointed. No salary or other compensation shall be paid to any member of such board. Three members shall constitute a quorum. Members of said board shall be appointed by the mayor in writing, and such appointment filed with the secretary of such board. It shall be the duty of the mayor of every such city between the last Monday of April and the first Monday of May, 1907, to appoint two members of said board, one of whom shall be appointed for the term of four years and one for the term of five years, and annually thereafter between the last Monday of April and the first Monday of May he shall appoint one member of said board for the term of five years. Members of said board shall hold their office until their successor is appointed and qualified. Every person so appointed shall, before entering upon his duties, take and subscribe the constitutional oath of office and file the same with the city clerk. Vacancies in the board shall be filled by the mayor for the unexpired term.

(Ch. 61, 1907.)

**Chiefs and men: appointment.** SECTION 959—41.

The chief of police and the chief of the fire department shall be appointed by the board of police and fire commis-

sioners, and no person shall be appointed to any position either on the police force or in the fire department without the approval of said board. Said board shall file and keep on file with the city clerk the names of all persons who have been approved by them for appointment in the departments under the control of said board, and said board shall make and preserve correct records of its proceedings.

(Ch. 61, 1907.)

**Chiefs and men: suspensions and removals; citizens may file charges.** SECTION 959—45. (1). The chief of police and the chief of the fire department shall hold their respective offices during good behavior, subject however to suspension or removal as herein provided, at any time for cause. In suspending a chief officer the board may act on its own initiative or upon written charges made by any qualified elector of said city and filed with the president of the board. Pending the investigation of any such charges, the board may, in its discretion suspend any such chief officer. But no such chief officer shall be removed from his office unless written charges shall be filed and an opportunity given him to be heard in his defense.

(2). Every other officer or member of either department shall be subject to suspension, for cause, by the chief of the department or by said board. If suspension is made by the chief officer he shall immediately report the same, with the cause of such suspension to the president of the board, and the board shall thereupon proceed to examine the charges against such suspended person, giving him an opportunity to be heard in his defense. After hearing the evidence the board shall determine whether said charges are sustained, and if they shall determine that said charges are not sustained such suspended person shall be immediately reinstated, but if such charges shall be sustained then said board may suspend such person temporarily or remove him from the office or employment as the good of the service may require. Any qualified elector of such city may also file written charges against any member of either department, which charges shall be investigated by the board in the same manner that charges by the chief officer are required to be investigated, and pending the investigation of any such charges the board may suspend the person against whom such charges are filed.

(3). Every person against whom charges are made shall be entitled to a copy of such charges and shall be given an opportunity to be heard in his own defense.

(4). Whenever any person against whom charges are made, shall be convicted, and the board shall decide to remove such person, such removal shall be made by an order to the effect to be entered in the records of said board.

(5). The decision of the board on all charges made against members of said departments shall be final and conclusive.

(6). No chief officer or member of either department shall be deprived of any salary or wages for the period of time he may be suspended pending an investigation.

(7). Further rules and regulations for the investigation of charges made against any member of said departments may be adopted by the board.

(Ch. 61, 1907.)

**Cities, 2nd, 3rd and 4th class: firemen's pension fund.**

SECTION 959—46e. In all cities of the second, third and fourth class within this state, having paid fire departments one-half of all sums collected or received by the treasurers of such cities, under the requirements of any law of this state or of the charter of any such city relating to and providing for the taxation of fire insurance companies, or agents, shall be set apart by the common council and comptrollers of such cities, and retained and set apart by the treasurers of such cities, which shall be and constitute a pension fund to be used for the pensioning of disabled and superannuated members of the fire departments, and the widows and orphans of deceased members thereof, and the treasurers of such cities shall be ex-officio treasurers of such funds.

(Ch. 214, 1907.)

**Firemen's contributions.** SECTION 959—46f. There shall also be paid into such funds, and shall constitute a part thereof for said purposes, by each and every member of such departments, at the time this act takes effect, and by all members subsequently acquired, during their term of service, the following sums monthly, to-wit: One per cent of their monthly salaries, also all fines imposed on members for violations of the rules of the department, and all moneys deducted for time lost by members on account of sickness.

(Ch. 214, 1907.)

**Board of trustees; firemen's representatives therein.** SECTION 959—46g. The mayor, treasurer and city comptroller,