

SECTION 2. This act shall take effect upon passage and publication.

Approved July 8, 1919.

No. 556, S.]

[Published July 1, 1919.

CHAPTER 510.

AN ACT to create subsections (14), (15) and (16) of section 1407m—1 of the statutes, relating to the supervision and control by the state board of health of water and ice supplies, water purification, sewage and refuse treatment and disposal and the pollution of streams.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Three new subsections are added to section 1407m—1 of the statutes to read: (Section 1407m—1) (14) (a) In exercising the powers conferred by sections 1407m—1 to 1407m—4, inclusive, 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 the sewerage system, or sewage or refuse disposal plant of any other town, village or city, so that the water supply and health of any community in the same general drainage district may be properly protected, and may, after a hearing, upon due notice to all municipalities involved, order the proper connections to be made.

(b) In case the sewerage system, or sewage or refuse disposal plant of any town, village or city is connected, as aforesaid, with that of any other town, village or city, compensation shall be determined and paid in the manner hereinafter provided to the municipality whose system or plant is subjected to such service by the municipality receiving such service.

(c) As soon as possible after the first day of January of each year following said connection and service, the sewerage commission or board, body, department or official having charge and control of the sewerage system, or sewage or refuse disposal plant of any municipality furnishing the service aforesaid, shall determine the sum of money which is a reasonable compensation to charge any municipality which has been furnished the aforesaid service, and report the same to the city clerk of said serving municipality who shall, on or before the first day of August of each year, certify said report to the clerk of the municipality which received said service. Thereafter the clerk of said municipality receiving said service shall, at the same time and in the same manner that other local taxes are extended on the tax

roll, and in addition to all other taxes, extend a sufficient amount opposite each valuation on the tax roll of said municipality to realize the total amount of said sum certified to him in said report, which tax shall be collected at the same time and in the same manner as other local taxes are collected, and when collected shall be paid over to the treasurer of the municipality which furnished said service; provided that if, due to delay in determination, by arbitration or by the court as hereinafter provided, of the reasonable sum to be paid for such service, such sum cannot be extended on the tax roll of any particular year, the same shall be extended on said tax roll as soon as possible after the final determination of said sum.

(15) If any municipality shall deem such charge unreasonable, it may, upon resolution of its governing board or body within twenty days after the filing of said report with its clerk, elect to submit the reasonableness of such sum to arbitration in the following manner:

The objections to the reasonableness of such sum may be submitted to three reputable and experienced engineers, one to be chosen by each municipality, and the third by the other two, who shall act as referee engineers. If the engineers so chosen are unable to agree, then the vote of the majority shall be the decision of the referee engineers. The referee engineers herein provided for shall affirm or modify the sum determined by the municipality furnishing the service, and shall submit their decision within thirty days of their appointment unless such time be extended by mutual agreement of said municipalities concerned, and said decision shall be reported in writing to the two municipalities concerned and shall be binding upon said municipalities. An election to proceed by arbitration, as herein provided, shall be construed as a waiver of the right to proceed by an action in the circuit court, as hereinafter provided. Two-thirds of the fees and expenses of said referee engineers shall be paid by the municipality requesting such arbitration, and the balance shall be paid by the other municipality.

(16) Any municipality receiving service as aforesaid, and dissatisfied with the sum certified to it as compensation for the aforesaid service by another municipality, may, within twenty days after service of the report of the aforesaid sum upon its clerk, commence an action in the circuit court of the county in which the municipality furnishing such service is located to determine the amount of compensation which it shall pay for such service, in which action a copy of the complaint shall be served with the summons upon the municipality rendering the

service. The answer of the municipality rendering the service shall be served within twenty days, whereupon said cause shall be at issue and stand ready for trial upon fifteen days' notice to either party. All such actions shall have precedence over any civil cause of a different nature, except actions wherein the state or a department of state government is a party, and the said court shall always be deemed open for trial thereof, and the same shall be tried and determined as other civil actions. Either party to said action, within thirty days after service of a copy of the judgment of said court, may appeal to the supreme court as in other actions. In case said court shall determine that a reasonable compensation for said service is a sum equal to, or greater than the sum certified to the clerk of the municipality commencing said action, the costs of said action shall be paid by the municipality commencing said action, otherwise by the municipality furnishing the service.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 8, 1919.

No. 583, S.]

[Published July 11, 1919.

CHAPTER 511.

AN ACT to create section 778a of the statutes, validating certain bonds issued by towns.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new section is added to the statutes to read: Section 778a. Bonds heretofore issued by any town, in pursuance of authorization by the electors thereof, for the purpose of paying, taking up or refunding town orders previously issued, which orders may have been invalid for any reason are hereby declared to be valid, legal and binding obligations of such town.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 8, 1919.