

No. 528, S.]

[Published July 24, 1959.]

CHAPTER 208

AN ACT to amend chapter 608, laws of 1913, section 1, as last amended by chapter 597, laws of 1953, section 2, and section 3, as last amended by chapter 304, laws of 1917, relating to the sewerage commission of the city of Milwaukee.

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

SECTION 1. Chapter 608, laws of 1913, section 1, as last amended by chapter 597, laws of 1953, is amended to read:

(Chapter 608, laws of 1913) Section 1. Whenever the common council of any city of the first class, whether organized under a special charter or under the general laws of the state, shall by a resolution passed by a

majority vote of the members elect, declare that it is necessary to provide sewage disposal works for such city, if there be no existing sewage disposal works, or shall in like manner declare that a material enlargement, extension, improvement or addition to the existing sewage disposal works of such city is necessary, it shall be the duty of the mayor of such city within 30 days of the passage of such resolution to appoint 5 citizens, residents of such city, who shall be known as the "Sewerage Commission of the City of _____;" such appointment shall be confirmed by a majority of the members elect of the common council of such city. The commissioners in office on January 1, 1953, shall be designated by the mayor to serve their terms of 1, 2, 3, 4 and 5 years from January 1, 1953. Thereafter the term of office shall be 5 years. A commissioner shall hold office until his successor has been appointed, confirmed and has qualified. No person holding any * * * city, county or state office other than that of a notary public, shall be eligible to be a member of such board. All vacancies in the office of commissioner shall be filled in the same manner as hereinbefore provided for original appointment.

SECTION 2. Chapter 608, laws of 1913, section 2, is amended to read:

(Chapter 608, laws of 1913) Section 2. Each appointee, before entering upon the duties of his office, shall take and subscribe the oath of office prescribed by the constitution of the state and file the same, duly certified by the official administering such oath, with the clerk of such city. He shall furnish a bond to the city for the faithful discharge of the duties of his office in a sum to be determined upon by the common council of such city and with such sureties as the common council of such city may prescribe; the bond so taken shall be deposited with the comptroller of such city. Each of said commissioners shall receive his actual and necessary expenses incurred while in the performance of his duties *and, in addition thereto, may receive a sum not to exceed \$600 annually, such compensation to be paid at the time and in the same manner that the salaries of employes of the said commission are paid.* No commissioner or person holding appointment under said commission shall be interested directly or indirectly in any contract entered into under the provisions of this act. The removal of any commissioner from such city shall operate as a resignation of his office. Any commissioner may be removed for misfeasance, malfeasance or nonfeasance in the manner provided for in the removal of city officers for any of such causes according to the laws applicable to any such city at the time this act shall be effective therein. Political activity upon the part of any commissioner in taking an active part in supporting or promoting the candidacy of any candidate for office in such city or other active political work shall constitute a cause for removal, and such removal shall be brought about by a resolution passed by a two-thirds vote of all the members elect of the common council of any such city. Any sewage commissioner may be removed from office as provided in section 94j-1 of the statutes.

SECTION 3. Chapter 608, laws of 1913, section 3, as last amended by chapter 304, laws of 1917, is amended to read:

(Chapter 608, laws of 1913) Section 3. A majority of said commissioners shall be a lawful quorum for the transaction of business. As soon as the commissioners first appointed under this act in any such city * * * enter upon the duties of their office, they shall organize by the election of one of the members of said commission as chairman of said commission, who shall be removable at pleasure by said commission; he shall preside over the meetings of said commission and shall perform such other duties as are imposed upon him by this act or as may be assigned to him by said commission. At the same time the said commission shall elect a secretary,

not a member of said commission, who shall be removable at pleasure by said commission and shall receive such compensation as the said commission may determine, * * * such salary * * * to be paid * * * at the time and in the *same* manner that the * * * *salaries* of other * * * *employes of said commission are paid*; such secretary shall enter in a well-bound book and carefully preserve neat, legible and accurate minutes of all matters concerning said commission and perform such other duties as usually appertain to the office of secretary of a private corporation, or as are imposed upon him by this act or as may be assigned to him by said commission. All sessions or meetings of said commission shall be open and public and all its records shall be public records and it shall, annually, make to the mayor and common council of said city, a detailed report of all its official transactions and expenditures.

Approved July 20, 1959.
