revised to read:

- 61.45 SANITARY SEWERS, DRAINS AND SEWAGE PLANTS. (1) Sanitary sewers and drains and sewage disposal plants may be constructed by villages as hereinafter provided.
- (4) The provisions of this section shall not affect or repeal any law authorizing the construction of sanitary sewers, drains, or sewage plants, or the levying of special assessments therefor.

SECTION 2. Subsections (1) and (6) of section 61.45 of the statutes are renumbered to be subsections (2) and (3) respectively of said section.

SECTION 3. Subsections (1) and (6) of section 61.455 of the statutes are created to read:

- 61.455 STORM SEWERS AND DRAINS. (1) Storm sewers and storm sewer drains may be constructed by villages pursuant to sections 62.18, 62.20, and 62.21 which shall govern such construction to the same extent as if villages were cities, so far as said sections are applicable. The powers and duties conferred by said sections on the common council and board of public works shall be exercised by the president and trustees of the village, those conferred on the mayor shall be exercised by the president, and those conferred on the city clerk or comptroller shall be exercised by the village clerk. Such construction may, in the alternative, be had as provided in subsections (2) to (5).
- (6) The provisions of this section shall not affect or repeal any law authorizing the construction of storm sewers, or storm sewer drains, or the levying of special assessments therefor.

SECTION 4. Subsections (2), (3), (4), and (5) of section 61.45 of the statutes are renumbered to be subsections (2), (3), (4), and (5), respectively, of section 61.455.

Approved May 1, 1941.

No. 363, A.]

[Published May 3, 1941.

CHAPTER 80.

AN ACT to amend 62.09 (7) (d) and 348.28 of the statutes, relating to exempting temporary loans to municipalities from certain malfeasance in public office provisions.

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

SECTION 1. Paragraph (d) of subsection (7) of section

62.09 of the statutes is amended to read:

(62.09) (7) (d) No city officer shall be interested, directly or indirectly, in any improvement or contract to which the city is a party, and whenever it shall appear that such is the case such contract shall be absolutely null and void and the city shall incur no liability whatever thereon. No city officer shall be accepted as surety on any bond, contract or other obligation made to the city. The provisions of this section shall not apply to the designation of public depositories for public funds, nor to temporary loans made to any county, town, school district, school board, city or village pursuant to section 67.12, nor to the publication of legal notices required to be published by any city, school district or school board, or by any city, school district or school board officer, at a rate not higher than that prescribed by law. nor to contract for the sale of printed matter or any other commodity, not exceeding \$300 in any one year, nor to health officers or hospitals in which they have an interest in cities of the third and fourth classes in furnishing hospitalization or medical services, or both, to persons receiving poor relief or medical aid from such cities. The term "temporary loan" as used in this paragraph means and includes any loan which matures not more than one year from the date of such loan.

SECTION 2. Section 348.28 of the statutes is amended to read:

Any officer, agent or clerk of the state or of any county, town, school district, school board or city therein, or in the employment thereof, or any member of any town board or village board, or any officer, regent, treasurer, secretary, superintendent, clerk or agent of any penal, correctional, educational, or charitable institution instituted by or in pursuance of law within this state, or any member of any body or board having charge or supervision of such institution who shall have, reserve or acquire any pecuniary interest, directly or indirectly, present or prospective, absolute or conditional, in any way or manner, in any purchase or sale of any personal or real property or thing in action, or in any contract, proposal or bid in relation to the same. or in relation to any public service, or in any tax sale, tax title. bill of sale, deed, mortgage, certificate, account, order, warrant or receipt made by, to or with him in his official capacity or employment, or in any public or official service, or who shall make any contract or pledge, or contract any indebtedness or

liability, or do any other act in his official capacity, or in any public or official service not authorized or required by law, or who shall make any false statement, certificate, report, return or entry in any book of accounts or of records in respect to anything done or required to be done by him officially, or in any public or official service, or who shall ask, demand or exact for the performance of any service or duty imposed upon him by law any greater fee than is allowed by law for the performance of such service or duty, shall be punished by imprisonment in the county jail not more than one year, or in the state prison not more than 5 years, or by fine not exceeding \$500; but the provisions of this section shall not apply to the designation of public depositories for public funds nor to temporary loans made to any county, town, school district, school board, city or village pursuant to section 67.12, nor to the publication of legal notices required to be published by any town, city, village, school district, school board or county, or by any town, city, village, school district, school board or county officer, at a rate not higher than that prescribed by law, nor to contract for the sale of printed matter or any other commodity, not exceeding \$100 in any one year except as to second, third, and fourth class cities, or any school district, or school board, or any school officer therein, the amount shall be \$300, nor to any notes, orders, warrants or other instruments representing an interest in, or secured by, any fund consisting in whole or part of taxes in the process of collection, tax sale certificates or tax titles, when such notes, orders, warrants or other instruments shall have been issued in payment of salary or other obligations due to such officer, agent or employe. Any contract, to which the state or any county, city, village, town, school board or school district is a party, entered into in violation of the provisions of this section, shall be absolutely null and void and the state, county, city, village, town, school board or school district shall incur no liability whatever thereon. The term "temporary loan" as used in this section means and includes any loan which matures not more than one year from the date of such loan.

SECTION 3. This act shall take effect upon passage and publication.

Approved May 1, 1941.