

No. 356, S.]

[Published August 22, 1957.

CHAPTER 560

AN ACT to repeal 17.13 (4), 61.49, 61.50 (3) and 62.11 (4) (c); to amend 6.16 (3), 49.10 (4), 61.50 (1), 61.51 (1), 62.11 (4) (a), 62.22 (2), 66.29 (2), 75.66 (2), 80.12 and 94.20 (1); and to create 66.035 of the statutes, relating to city and village government, so as to eliminate inconsistencies and surplusage and to clarify existing statutes.

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

SECTION 1. 6.16 (3) of the statutes is amended to read:

6.16 (3) The original affidavits of registration shall be filed by precincts, arranged in numerical order of houses located on each street separately, commencing with the lowest and ending with the highest number within the precinct, and the affidavits of all electors registered from the same address shall be arranged in alphabetical order. * * *

SECTION 2. 17.13 (4) of the statutes is repealed.

SECTION 3. 49.10 (4) of the statutes is amended to read:

49.10 (4) Every person (except as otherwise provided in this section) who resides in any municipality one whole year without receipt of aid under this chapter gains a legal settlement therein; and every person who resides in a county for one year without receipt of such aid who has not acquired legal settlement in a municipality acquires legal settlement in such county. Time spent by a person in any municipality while supported therein as a dependent person or while residing in a transient camp or while employed on any municipal, county, state or federal work relief project or program or as an inmate of any home, asylum or institution

for the care of aged, neglected or dependent persons, maintained by any lodge, society or corporation, or of any state or United States institution for the care of veterans of the military and naval services, *or as an inmate of a private nursing or convalescent home as defined in s. 49.27 (2)*, or while residing or while employed on any Indian reservation over which the state has no jurisdiction, shall not be included as part of the year necessary to acquire or lose a settlement. No legal settlement shall be lost, acquired or changed while a person is supported in whole or in part in any institution or foster home as a public charge. The time spent by any person while residing on lands owned, operated or controlled by another municipality shall not be included as part of the year necessary to acquire a legal settlement in the town, city or village wherein such lands are located, but shall be included as part of the year necessary to acquire a legal settlement in such other municipality.

SECTION 4. 61.49 of the statutes is repealed.

SECTION 5. 61.50 (1) of the statutes is amended to read:

61.50 (1) Every contract, conveyance, commission, license or other written instrument shall be executed on the part of the village by the president and clerk, sealed with corporate seal, and in pursuance only of authority therefor from the village board. All ordinances and bylaws shall be signed by the president and countersigned by the clerk; and, if any penalty or forfeiture is thereby * * * imposed, shall * * * be published * * *, and shall take effect on the day after its publication or a later date if expressly prescribed, in some newspaper having a general circulation in said village or the village board may, in lieu of the printing thereof, have copies of said ordinances and bylaws posted in at least 3 public places in said village, and proof thereof filed and recorded by the village clerk * * *, and the same shall take effect the day after the proof of posting has been filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

SECTION 6. 61.50 (3) of the statutes is repealed.

SECTION 7. 61.51 (1) of the statutes is amended to read:

61.51 (1) No account or demand against the village shall be paid until it has been audited and allowed and an order drawn on the treasurer therefor. Every such account shall be made out in items. After auditing, which, at the option of the board, may be done by the village manager or such other officer as may be designated, the board shall cause to be indorsed by the clerk, over his hand on each account, the words "allowed" or "disallowed," as the fact is, adding the amount allowed, if any, and specifying the items or parts of items disallowed, if disallowed in part only. The minutes of the proceedings of the board, *or a statement attached thereto*, shall show to whom and for what purpose every such account was allowed and the amount. Every such account or demand allowed in whole or in part shall be filed by the clerk, and those of each year consecutively numbered, and have indorsed the number of the order on the treasurer issued in payment, and the clerk shall take a receipt thereon for such order.

SECTION 8. 62.11 (4) (a) of the statutes is amended to read:

62.11 (4) (a) Proceedings of the council shall be published in the newspaper designated under s. 62.10 in such manner as the council * * * directs. Except as * * * provided in this subsection all ordinances shall be published in the official city newspaper within 15 days of passage, and shall * * * take effect on the day after its publication or at a later date if expressly prescribed.

SECTION 9. 62.11 (4) (c) of the statutes is repealed.

SECTION 10. 62.22 (2) of the statutes is amended to read:

62.22 (2) The governing body of any city * * * may donate, convey, sell or lease property owned by such city to any nonprofit private corporation for public purposes and may acquire property for the purpose of donating, conveying, selling or leasing the same to nonprofit private corporations for public purposes.

SECTION 11. 66.035 of the statutes is created to read:

66.035 CODE OF ORDINANCES. The governing body of any city or village may authorize the preparation of a code of general ordinances of such city or village. Such code may be adopted by an ordinance referring thereto and may be published in book or pamphlet form and such publication shall be sufficient even though the ordinances contained therein were not published in accordance with ss. 61.50 (1) and 62.11 (4) (a). A copy of such code shall be permanently on file and open to public inspection in the office of the clerk after its adoption and for a period of not less than 2 weeks before its adoption.

SECTION 12. 66.29 (2) of the statutes is amended to read:

66.29 (2) Every municipality, board or public body upon all contracts subject to this section * * * *estimated to exceed \$10,000* shall, before delivering any form for bid proposals pertaining thereto to any person, require such person to submit a full and complete statement sworn to before an officer authorized by law to administer oaths, of financial ability, equipment, experience in the work prescribed in said public contract, and of such other matters as the municipality, board, public body or officer thereof may require for the protection and welfare of the public in the performance of any public contract; and such statement shall be in writing on a standard form of a questionnaire as adopted for such use by the municipality, board or public body or officer thereof, to be furnished by such municipality, board, public body or officer thereof, and shall be filed in the manner and place designated by the municipality, board, public body or such officer thereof, not less than 5 days prior to the time set for opening of bids. The contents of said statements shall be confidential and shall not be disclosed except upon written order of such person furnishing the same, or in cases of actions against, or by such person or municipality. Except in cities and villages every public officer charged with the duty of receiving bids for and awarding of any such contract and in cities and villages the board of public works or whoever performs the duties of the board of public works shall properly evaluate the sworn statements filed relative to financial ability, equipment and experience in the work prescribed in determining the delivery of any form for a bid proposal. This subsection shall not apply to cities of the first class.

SECTION 13. 75.66 (2) of the statutes is amended to read:

75.66 (2) Any county treasurer to whom special assessments for improvements * * * *are* returned * * * may likewise institute and prosecute an action to collect the same in the name of the county when authorized * * * to do so by the county board of supervisors.

SECTION 14. 80.12 of the statutes is amended to read:

80.12 Whenever it * * * *is* deemed necessary to lay out, alter, widen or discontinue a highway upon the line between a town and city or village **or** *lay out, alter, widen or* discontinue a highway or any part thereof extending from a town to a city or village proceedings therefor may be had under s. 80.11. The application therefor shall be in duplicate, addressed

to the supervisors of the town and the common council of the city or the board of trustees of the village, and be signed by at least 6 freeholders of the town and 6 freeholders of the city or village. Thereupon such common council or board of trustees shall appoint 3 commissioners on the part of such city or village, who shall be duly sworn to faithfully discharge their duties as such commissioners before entering on the same. Such commissioners and town supervisors shall then give notice and proceed in all respects as provided in s. 80.11; and such city or village shall be in like manner as a town responsible for that part of such highway determined to be made and kept in repair by the same and for the share of damages assigned to the same. The cost of repairs, improvement and maintenance of any highway laid out on a line between a city and a town or village or located on one * * * or *the other side* of the line may be at the expense of such adjoining municipalities and the apportionment may be made as provided in * * * s. 80.11 (3) to (6). The town board, village board and city council may cause any such highway or any part of such highway not less than 16 rods in length to be graded, paved, macadamized or otherwise improved, including the establishment of the grade and the construction of the curbs and gutters, and installation of water and sewer mains and service pipes, or either, and may levy special assessments for the whole or any part of the cost thereof as a tax upon such property as they shall determine as especially benefited thereby, in the manner provided in s. 81.43. All proceedings and orders required to be filed and recorded shall be filed and recorded in the office of the city or village clerk as well as in the office of the town clerk.

SECTION 15. 94.20 (1) of the statutes is amended to read:

94.20 (1) The term "noxious weeds" as used * * * *in this chapter includes* the following: Canada thistle, leafy spurge and field bindweed (creeping Jenny) and any other such weeds as the governing body of any municipality or the county board of any county by *ordinance or resolution* declares to be noxious within its respective boundaries.

Approved August 8, 1957.
