

No. 667, S.

Published May 8, 1964.
Effective May 9, 1964.

CHAPTER 506

AN ACT to amend 59.45, 59.46 (3), 59.96 (1), 60.315 (1) (a), 70.51 (2), 75.67 (1) and 198.22 (13) of the statutes, to correct various references to Milwaukee county in the statutes and session laws.

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

SECTION 1. 59.45 of the statutes is amended to read:

59.45 The district attorney, except in counties * * * *having a population of 200,000 or more*, may, when authorized by the county board by a majority of all of its members, appoint one or more assistant district attorneys and a stenographer and a clerk to aid him in the performance of his duties. Such assistant district attorneys shall be attorneys admitted to practice law in this state. The assistant district attorneys so appointed * * * *may* perform all the duties of the district attorney. No assistant district attorney so appointed shall be required to give an official bond.

SECTION 2. 59.46 (3) of the statutes is amended to read:

59.46 (3) The district attorney of any county *having a population of 500,000 or more or containing a city of the * * * second or third class* may appoint such investigators as * * * *are* authorized by the county board, and the county board may abolish such positions at their pleasure. Such investigators when so appointed shall have general police powers within said county.

SECTION 3. 59.96 (1) of the statutes is amended to read:

59.96 (1) In any county *having a population of 500,000 or more* where the common council of any city of the first class within such county * * * *has* adopted a resolution declaring that it is necessary to provide sewage disposal works for such city and in which a sewerage commission has been appointed and qualified, and has adopted plans for, and commenced the construction of a sewage disposal plant for said city, the governor shall appoint 3 sewerage commissioners who shall constitute and be known as the "Metropolitan Sewerage Commission" of such county. There shall be certified by the sewerage commission of such city of the first class one person, by the state board of health * * * one person, to the governor

of the state * * *, who shall appoint as members of such metropolitan sewerage commission the 2 persons thus certified, and who shall further name as the third member of such commission a resident within the drainage area hereinafter provided of said county outside of the city limits of such city of the first class. The commissioners in office on January 1, 1953, shall be designated by the governor to serve for terms of 2, 4 and 6 years, respectively, from January 1, 1953. Not less than 6 weeks prior to the expiration of the term of any commissioner his successor shall be certified and appointed * * * as provided above for his predecessor in office, but for a term of 6 years. A commissioner shall hold office until his successor has been appointed and * * * qualified. Vacancies occurring during the term of any commissioner shall be filled in like manner, but for the unexpired term only.

SECTION 4. 60.315 (1) (a) of the statutes is amended to read:

60.315 (1) (a) When the state board of health (referred to in this section as "the state board") through public hearing finds that private sewage disposal systems or private water supply systems or both, in counties having a population of 500,000 or more or containing a city of * * * the second class, or in towns having an unincorporated village as defined in par. (b) with a population of 1,000 or more, are so located and operated that they cause or tend to cause a menace to health or comfort, or pollution of surface waters, and determines that there is no local action to correct the situation, it shall certify such fact to the towns in which such area is located and specify the proposed work which is necessary and the property which is to be included in the district. The town clerks of the area to be affected shall be given at least 30 days' notice by mail of the hearing and the town board shall publish notice of the hearing in a newspaper of general circulation in the proposed district at least 10 days prior to the hearing.

SECTION 5. 70.51 (2) of the statutes is amended to read:

70.51 (2) The county clerk of any county * * * having a population of 500,000 or more and containing a city of the first class shall deliver his certificates of apportionment of taxes and statement of the names of persons in said city subject to an income tax to the tax commissioner instead of the city clerk of such city.

SECTION 6. 75.67 (1) of the statutes is amended to read:

75.67 (1) In counties having a population of 500,000 or more containing a city authorized to sell land for nonpayment of its taxes, whenever either such county or city acquired, subsequent to January 1, 1933, any property by tax deed, or foreclosure deed, upon its delinquent owned tax certificates or by quitclaim deed or by any other means, the assignment or sale of other tax certificates and the redemption and cancellation thereof shall be as provided by this section.

SECTION 7. 198.22 (13) of the statutes is amended to read:

198.22 (13) When any such district * * * is established in any county having a population of 500,000 or more and containing a city of the first class, no municipality in such district shall construct any part of its distribution system except according to the standard of sizes and grades of materials as used by such city of the first class, or the standards of the American waterworks association and the state board of health.

SECTION 8. Whenever the words "containing a city of the first class" are used in sections 5.35 (2) and (6), 10.63, 14.235 (2), 39.105 (intro).

par.), (1) and (4), 40.91 (5) (b), 59.07 (44), 176.05 (2) (a), 176.05 (2) (b) (as amended by chapter 276, laws of 1963), 195.29 (4) and 256.17 of the statutes, the words "having a population of 500,000 or more" are substituted. The revisor of statutes shall show the change in publishing the statutes.

SECTION 9. Whenever the words "which has a city of the first class" are used in section 59.55 (2) of the statutes, the words "having a population of 500,000 or more" are substituted. The revisor of statutes shall show the change in publishing the statutes.

SECTION 10. Whenever the words "county containing a city of the first class", or words to that effect, appear in the statutes, the words "county having a population of 500,000 or more" are substituted. The revisor of statutes shall show the change in publishing the statutes.

SECTION 11. Whenever the words "county containing a city of the first class", or words to that effect, appear in the session laws, the words "county having a population of 500,000 or more" are substituted.

Approved April 29, 1964.
