

No. 480, A.]

[Published October 10, 1961.

CHAPTER 544

AN ACT to amend 59.96 (6) (j) of the statutes, relating to the powers of the metropolitan sewerage commission.

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

59.96 (6) (j) of the statutes is amended to read:

59.96 (6) (j) The commission may acquire by gift, purchase, lease or other like methods of acquisition or by condemnation, any land or property situated in said county outside of said city of the first class, and all tenements, hereditaments and appurtenances belonging or in any way appertaining, or in any interest, franchise, easement, right or privilege therein, which may be required for the purpose of projecting, planning, constructing and maintaining said main sewers, or any part or parts thereof, or that may be needed for the workings of said sewers when established, *or that may be needed for improving any watercourse within the district by deepening and widening or otherwise changing the same but any stream over private lands not acquired shall only be altered if the governing body of the village, town or city in which said watercourse is located has approved of such proposed action* and when so often as resort shall be had to condemnation proceeding the procedure shall be that provided for by ch. 32, except that the powers therein granted shall be exercised by and in the name of said commission in the place and stead of the county board. Notwithstanding any other provision of law to the contrary,

all property, real or personal, acquired by the metropolitan sewerage commission or by the sewerage commission of the city of the first class shall be taken in the name of either of such commissions for the benefit of and belong to the metropolitan sewerage district. Whenever the sewerage commission of the city of the first class acquires property by condemnation proceedings, the procedure shall be that provided for by ch. 32 and all property so acquired shall be taken in the name of said commission for the benefit of and belong to the metropolitan sewerage district, and the sewerage commission of the city of the first class when exercising the power of eminent domain hereby delegated, shall determine the necessity for such taking. Such property, or any part or interest therein, when acquired, may be sold, leased or otherwise disposed of by such district by action of the metropolitan sewerage commission and the sewerage commission of the city of the first class acting jointly, whenever in the discretion of such commissions such property or any part or portion thereof or interest therein is not needed to carry out the requirements and powers of either of such commissions. This power shall also extend to personal property and to improvements on such real estate or any tenements, hereditaments or appurtenances belonging to or in any way appertaining, or any interest, franchise, easement, right or privilege therein.

Approved October 2, 1961.
