

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: ARG) (Date: 4, 19, 05)



Please transfer the drafting file for

2003 LRB 2508 to the drafting file

for 2005 LRB

~~2746~~ -2987

The final version of the 2003 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2003 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2003 draft was incorporated into a 2005 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2005 drafting file. This request form will be inserted into the "guts" of the 2005 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

--- OR ---

Please copy the drafting file for

2005 LRB / _____ (include the version) and place it in the

drafting file for 2005 LRB

For research purposes, because the original 2005 draft was incorporated into another 2005 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2005 drafting file. This request form will be inserted into the "guts" of the new 2005 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then be returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

5/10

2003 - 2004 LEGISLATURE

~~SECRET~~

-2987/P1
2746/P1

if possible

LRB-2508/P1

ARG:KJH

in 4/19

RMNR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

start comp
SA pow ✓
SA com ✓
x-refs ✓
new CRS ✓
RNs ✓

js

D-Note

Regen cat

1 AN ACT to renumber and amend 114.136 (2) (b); to amend 7.33 (1) (c), 13.172
2 (1), 13.62 (2), 13.94 (4) (a) 1., 16.002 (2), 16.004 (4), 16.004 (5), 16.004 (12) (a),
3 16.01 (1), 16.045 (1) (a), 16.41 (4), 16.417 (1) (b), 16.52 (7), 16.528 (1) (a), 16.53
4 (2), 16.54 (9) (a) 1., 16.70 (2), 16.75 (1m), 16.765 (1), (2), (4), (5), (6), (7) (intro.)
5 and (d) and (8), 16.838 (1) (b), 16.85 (2), 16.865 (8), 20.395 (2) (dq), 20.395 (2)
6 (dv), 20.395 (2) (dx), 23.175 (1) (b), 25.50 (1) (d), 32.01 (1), 32.05 (intro.), 71.26
7 (1) (be), 77.54 (9a) (a), 84.072 (3), 85.02, 100.45 (1) (dm), 101.177 (1) (d), chapter
8 114 (title), 114.002 (intro.), 114.002 (1), 114.002 (3), 114.04, 114.05, 114.07,
9 114.105, 114.11 (title), 114.11 (1) to (5) (intro.), 114.12, 114.13, 114.134 (title),
10 114.134 (1), (2), (3) and (4) (c), 114.135 (title), 114.135 (intro.), (1), (2), (3), (4),
11 (6), (7) and (8), 114.136 (title), 114.136 (1) (a), (b), and (c), (2) (a), (3), (4) and (5),
12 114.151, 114.31 (1) and (4), 114.33 (12), 114.37 (title), 230.03 (3), 281.75 (4) (b)
13 3., 285.59 (1) (b) and 560.032 (1); and to create 19.42 (10) (q), 24.61 (2) (a) 10.,
14 25.17 (3) (b) 13., 32.02 (11m), 40.02 (54) (j), 66.0603 (1m) (a) 3u., 70.11 (38m),
15 71.05 (1) (c) 7., 71.26 (1m) (h), 71.45 (1t) (h), subchapter I (title) of chapter 114

1 [precedes 114.001], 114.002 (11m), 114.002 (18r), (18s) and (18t), 114.375,
 2 subchapter II of chapter 114 [precedes 114.60] and 219.09 (1) (g) of the statutes;
 3 **relating to:** creating the Wisconsin Aerospace Authority to develop and
 4 operate spaceports and related facilities and services and other aerospace
 5 facilities and services and providing the authority with the power of
 6 condemnation, authorizing municipalities to develop and operate spaceports,
 7 and making an appropriation ✓

Analysis by the Legislative Reference Bureau

insert ANAL → ~~This is a preliminary draft. An analysis will be provided in a later version.~~
 This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.
 For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

8 **SECTION 1.** 7.33 (1) (c) of the statutes is amended to read:

9 7.33 (1) (c) "State agency" has the meaning given under s. 20.001 (1) and
 10 includes an authority created under subch. II of ch. 114 or ch. 231, 232, 233, 234, or
 11 237.

12 **SECTION 2.** 13.172 (1) of the statutes is amended to read:

13 13.172 (1) In this section, "agency" means an office, department, agency,
 14 institution of higher education, association, society or other body in state
 15 government created or authorized to be created by the constitution or any law, which
 16 is entitled to expend moneys appropriated by law, including the legislature and the
 17 courts, and any authority created in subch. II of ch. 114 or ch. 231, 233, or 234.

18 **SECTION 3.** 13.62 (2) of the statutes is amended to read:

1 13.62 (2) "Agency" means any board, commission, department, office, society,
2 institution of higher education, council or committee in the state government, or any
3 authority created in subch. II of ch. 114 or ch. 231, 232, 233, 234, or 237, except that
4 the term does not include a council or committee of the legislature.

5 **SECTION 4.** 13.94 (4) (a) 1. of the statutes is amended to read:

6 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
7 credentialing board, commission, independent agency, council or office in the
8 executive branch of state government; all bodies created by the legislature in the
9 legislative or judicial branch of state government; any public body corporate and
10 politic created by the legislature including specifically the Fox River Navigational
11 System Authority and the Wisconsin Aerospace Authority, a professional baseball
12 park district, a local professional football stadium district, a local cultural arts
13 district and a family care district under s. 46.2895; every Wisconsin works agency
14 under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch.
15 49; technical college district boards; development zones designated under s. 560.71;
16 every county department under s. 51.42 or 51.437; every nonprofit corporation or
17 cooperative to which moneys are specifically appropriated by state law; and every
18 corporation, institution, association or other organization which receives more than
19 50% of its annual budget from appropriations made by state law, including
20 subgrantee or subcontractor recipients of such funds.

21 **SECTION 5.** 16.002 (2) of the statutes is amended to read:

22 16.002 (2) "Departments" means constitutional offices, departments and
23 independent agencies and includes all societies, associations and other agencies of
24 state government for which appropriations are made by law, but not including
25 authorities created in subch. II of ch. 114 or chs. 231, 232, 233, 234, 235, and 237.

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1 **SECTION 6.** 16.004 (4) of the statutes is amended to read:

2 16.004 (4) **FREEDOM OF ACCESS.** The secretary and such employees of the
3 department as the secretary designates may enter into the offices of state agencies
4 and authorities created under subch. II of ch. 114 or chs. 231, 233, 234, and 237, and
5 may examine their books and accounts and any other matter which in the secretary's
6 judgment should be examined and may interrogate the agency's employees publicly
7 or privately relative thereto.

8 **SECTION 7.** 16.004 (5) of the statutes is amended to read:

9 16.004 (5) **AGENCIES AND EMPLOYEES TO COOPERATE.** All state agencies and
10 authorities created under subch. II of ch. 114 or chs. 231, 233, 234, and 237, and their
11 officers and employees, shall cooperate with the secretary and shall comply with
12 every request of the secretary relating to his or her functions.

13 **SECTION 8.** 16.004 (12) (a) of the statutes is amended to read:

14 16.004 (12) (a) In this subsection, "state agency" means an association,
15 authority, board, department, commission, independent agency, institution, office,
16 society or other body in state government created or authorized to be created by the
17 constitution or any law, including the legislature, the office of the governor and the
18 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,
19 the Wisconsin Aerospace Authority, and the Fox River Navigational System
20 Authority.

21 **SECTION 9.** 16.01 (1) of the statutes is amended to read:

22 16.01 (1) In this section, "agency" means any office, department, agency,
23 institution of higher education, association, society or other body in state
24 government created or authorized to be created by the constitution or any law which

1 is entitled to expend moneys appropriated by law, including the legislature and the
2 courts, and any authority created under subch. II of ch. 114 or ch. 231, 233 or 234.

3 **SECTION 10.** 16.045 (1) (a) of the statutes is amended to read:

4 16.045 (1) (a) “Agency” means an office, department, independent agency,
5 institution of higher education, association, society or other body in state
6 government created or authorized to be created by the constitution or any law, which
7 is entitled to expend moneys appropriated by law, including the legislature and the
8 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 232,
9 233, 234, 235, or 237.

10 **SECTION 11.** 16.41 (4) of the statutes is amended to read:

11 16.41 (4) In this section, “authority” means a body created under subch. II of
12 ch. 114 or ch. 231, 233, 234, or 237.

13 **SECTION 12.** 16.417 (1) (b) of the statutes is amended to read:

14 16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or
15 ch. 231, 232, 233, 234, 235, or 237.

16 **SECTION 13.** 16.52 (7) of the statutes is amended to read:

17 16.52 (7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency
18 which is authorized to maintain a contingent fund under s. 20.920 may establish a
19 petty cash account from its contingent fund. The procedure for operation and
20 maintenance of petty cash accounts and the character of expenditures therefrom
21 shall be prescribed by the secretary. In this subsection, “agency” means an office,
22 department, independent agency, institution of higher education, association,
23 society or other body in state government created or authorized to be created by the
24 constitution or any law, which is entitled to expend moneys appropriated by law,

1 including the legislature and the courts, but not including an authority created in
2 subch. II of ch. 114 or ch. 231, 233, 234, or 237.

3 **SECTION 14.** 16.528 (1) (a) of the statutes is amended to read:

4 16.528 (1) (a) “Agency” means an office, department, independent agency,
5 institution of higher education, association, society or other body in state
6 government created or authorized to be created by the constitution or any law, which
7 is entitled to expend moneys appropriated by law, including the legislature and the
8 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 233,
9 234, or 237.

10 **SECTION 15.** 16.53 (2) of the statutes is amended to read:

11 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed
12 invoice, the agency shall notify the sender of the invoice within 10 working days after
13 it receives the invoice of the reason it is improperly completed. In this subsection,
14 “agency” means an office, department, independent agency, institution of higher
15 education, association, society or other body in state government created or
16 authorized to be created by the constitution or any law, which is entitled to expend
17 moneys appropriated by law, including the legislature and the courts, but not
18 including an authority created in subch. II of ch. 114 or ch. 231, 233, 234, or 237.

19 **SECTION 16.** 16.54 (9) (a) 1. of the statutes is amended to read:

20 16.54 (9) (a) 1. “Agency” means an office, department, independent agency,
21 institution of higher education, association, society or other body in state
22 government created or authorized to be created by the constitution or any law, which
23 is entitled to expend moneys appropriated by law, including the legislature and the
24 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 233,
25 234, or 237.

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1 **SECTION 17.** 16.70 (2) of the statutes is amended to read: ✓

2 16.70 (2) “Authority” means a body created under subch. II of ch. 114 or ch. 231,
3 232, 233, 234, 235, or 237.

4 **SECTION 18.** 16.75 (1m) of the statutes is amended to read:

5 16.75 (1m) The department shall award each order or contract for materials,
6 supplies or equipment on the basis of life cycle cost estimates, whenever such action
7 is appropriate. Each authority other than the University of Wisconsin Hospitals and
8 Clinics Authority and the Wisconsin Aerospace Authority shall award each order or
9 contract for materials, supplies or equipment on the basis of life cycle cost estimates,
10 whenever such action is appropriate. The terms, conditions and evaluation criteria
11 to be applied shall be incorporated in the solicitation of bids or proposals. The life
12 cycle cost formula may include, but is not limited to, the applicable costs of energy
13 efficiency, acquisition and conversion, money, transportation, warehousing and
14 distribution, training, operation and maintenance and disposition or resale. The
15 department shall prepare documents containing technical guidance for the
16 development and use of life cycle cost estimates, and shall make the documents
17 available to local governmental units.

18 **SECTION 19.** 16.765 (1), (2), (4), (5), (6), (7) (intro.) and (d) and (8) of the statutes
19 are amended to read:

20 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
21 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
22 Aerospace Authority, and the Bradley Center Sports and Entertainment
23 Corporation shall include in all contracts executed by them a provision obligating the
24 contractor not to discriminate against any employee or applicant for employment
25 because of age, race, religion, color, handicap, sex, physical condition, developmental

1 disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m)
2 or national origin and, except with respect to sexual orientation, obligating the
3 contractor to take affirmative action to ensure equal employment opportunities.

4 (2) Contracting agencies, the University of Wisconsin Hospitals and Clinics
5 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
6 Authority, and the Bradley Center Sports and Entertainment Corporation shall
7 include the following provision in every contract executed by them: “In connection
8 with the performance of work under this contract, the contractor agrees not to
9 discriminate against any employee or applicant for employment because of age, race,
10 religion, color, handicap, sex, physical condition, developmental disability as defined
11 in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but
12 not be limited to, the following: employment, upgrading, demotion or transfer;
13 recruitment or recruitment advertising; layoff or termination; rates of pay or other
14 forms of compensation; and selection for training, including apprenticeship. Except
15 with respect to sexual orientation, the contractor further agrees to take affirmative
16 action to ensure equal employment opportunities. The contractor agrees to post in
17 conspicuous places, available for employees and applicants for employment, notices
18 to be provided by the contracting officer setting forth the provisions of the
19 nondiscrimination clause”.

20 (4) Contracting agencies, the University of Wisconsin Hospitals and Clinics
21 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
22 Authority, and the Bradley Center Sports and Entertainment Corporation shall take
23 appropriate action to revise the standard government contract forms under this
24 section.

1 (5) The head of each contracting agency and the boards of directors of the
2 University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational
3 System Authority, the Wisconsin Aerospace Authority, and the Bradley Center
4 Sports and Entertainment Corporation shall be primarily responsible for obtaining
5 compliance by any contractor with the nondiscrimination and affirmative action
6 provisions prescribed by this section, according to procedures recommended by the
7 department. The department shall make recommendations to the contracting
8 agencies and the boards of directors of the University of Wisconsin Hospitals and
9 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
10 Aerospace Authority, and the Bradley Center Sports and Entertainment
11 Corporation for improving and making more effective the nondiscrimination and
12 affirmative action provisions of contracts. The department shall promulgate such
13 rules as may be necessary for the performance of its functions under this section.

14 (6) The department may receive complaints of alleged violations of the
15 nondiscrimination provisions of such contracts. The department shall investigate
16 and determine whether a violation of this section has occurred. The department may
17 delegate this authority to the contracting agency, the University of Wisconsin
18 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
19 Wisconsin Aerospace Authority, or the Bradley Center Sports and Entertainment
20 Corporation for processing in accordance with the department's procedures.

21 (7) (intro.) When a violation of this section has been determined by the
22 department, the contracting agency, the University of Wisconsin Hospitals and
23 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
24 Aerospace Authority, or the Bradley Center Sports and Entertainment Corporation,
25 the contracting agency, the University of Wisconsin Hospitals and Clinics Authority,

1 the Fox River Navigational System Authority, the Wisconsin Aerospace Authority,
2 or the Bradley Center Sports and Entertainment Corporation shall:

3 (d) Direct the violating party to take immediate steps to prevent further
4 violations of this section and to report its corrective action to the contracting agency,
5 the University of Wisconsin Hospitals and Clinics Authority, the Fox River
6 Navigational System Authority, the Wisconsin Aerospace Authority, or the Bradley
7 center sports and entertainment corporation.

8 (8) If further violations of this section are committed during the term of the
9 contract, the contracting agency, the Fox River Navigational System Authority, the
10 Wisconsin Aerospace Authority, or the Bradley Center Sports and Entertainment
11 Corporation may permit the violating party to complete the contract, after complying
12 with this section, but thereafter the contracting agency, the Fox River Navigational
13 System Authority, the Wisconsin Aerospace Authority, or the Bradley Center Sports
14 and Entertainment Corporation shall request the department to place the name of
15 the party on the ineligible list for state contracts, or the contracting agency, the Fox
16 River Navigational System Authority, the Wisconsin Aerospace Authority, or the
17 Bradley Center Sports and Entertainment Corporation may terminate the contract
18 without liability for the uncompleted portion or any materials or services purchased
19 or paid for by the contracting party for use in completing the contract.

20 **SECTION 20.** 16.838 (1) (b) of the statutes is amended to read:

21 16.838 (1) (b) "Authority" means a body created under subch. II of ch. 114 or
22 ch. 231, 232, 233, 234, 235, or 237.

23 **SECTION 21.** 16.85 (2) of the statutes is amended to read:

24 16.85 (2) To furnish engineering, architectural, project management and other
25 building construction services whenever requisitions therefor are presented to the

1 department by any agency. The department may deposit moneys received from the
2 provision of these services in the account under s. 20.505 (1) (kc) or in the general
3 fund as general purpose revenue — earned. In this subsection, “agency” means an
4 office, department, independent agency, institution of higher education, association,
5 society or other body in state government created or authorized to be created by the
6 constitution or any law, which is entitled to expend moneys appropriated by law,
7 including the legislature and the courts, but not including an authority created in
8 subch. II of ch. 114 or ch. 231, 233, 234, or 237.

9 **SECTION 22.** 16.865 (8) of the statutes is amended to read:

10 16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a
11 proportionate share of the estimated costs attributable to programs administered by
12 the agency to be paid from the appropriation under s. 20.505 (2) (k). The department
13 may charge premiums to agencies to finance costs under this subsection and pay the
14 costs from the appropriation on an actual basis. The department shall deposit all
15 collections under this subsection in the appropriation account under s. 20.505 (2) (k).
16 Costs assessed under this subsection may include judgments, investigative and
17 adjustment fees, data processing and staff support costs, program administration
18 costs, litigation costs and the cost of insurance contracts under sub. (5). In this
19 subsection, “agency” means an office, department, independent agency, institution
20 of higher education, association, society or other body in state government created
21 or authorized to be created by the constitution or any law, which is entitled to expend
22 moneys appropriated by law, including the legislature and the courts, but not
23 including an authority created in subch. II of ch. 114 or ch. 231, 232, 233, 234, 235,
24 or 237.

25 **SECTION 23.** 19.42 (10) (q) of the statutes is created to read:

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1 19.42 (10) (q) The executive director and members of the board of directors of
2 the Wisconsin Aerospace Authority.

3 SECTION 24. 20.395 (2) (dq) of the statutes is amended to read:

4 20.395 (2) (dq) *Aeronautics and astronautics assistance, state funds.* As a
5 continuing appropriation, the amounts in the schedule for the state's share of airport
6 projects under ss. 114.34 and 114.35 and spaceport projects; for developing air
7 marking and other air navigational facilities; for administration of the powers and
8 duties of the secretary of transportation under s. 114.31; for costs associated with
9 aeronautical activities under s. 114.31, except for the program under s. 114.31 (3) (b);
10 for the Wisconsin Aerospace Authority under subch. II of ch. 114; and for the
11 administration of other aeronautical and astronautical activities, except aircraft
12 registration under s. 114.20, authorized by law.

13 SECTION 25. 20.395 (2) (dv) of the statutes is amended to read:

14 20.395 (2) (dv) *Aeronautics and astronautics assistance, local funds.* All
15 moneys received by the state from any local unit of government or other source for
16 airports or other aeronautical activities under s. 114.33 or 114.37 and for spaceports,
17 for administration of the powers and duties of the secretary of the department of
18 transportation under s. 114.31, for costs associated with aeronautical activities
19 under s. 114.31, for the Wisconsin Aerospace Authority under subch. II of ch. 114 and
20 the loan program under s. 114.375, and for the administration of other aeronautical
21 and astronautical activities authorized by law, for such purposes.

22 SECTION 26. 20.395 (2) (dx) of the statutes is amended to read:

23 20.395 (2) (dx) *Aeronautics and astronautics assistance, federal funds.* All
24 moneys received from the federal government for airports or other aeronautical
25 activities under s. 114.32 or 114.33 and for spaceports, for administration of the

1 powers and duties of the secretary of transportation under s. 114.31, for costs
2 associated with aeronautical activities under s. 114.31, for the Wisconsin Aerospace
3 Authority under subch. II of ch. 114, and for the administration of other aeronautical
4 and astronautical activities authorized by law, for such purposes.

5 **SECTION 27.** 23.175 (1) (b) of the statutes is amended to read:

6 23.175 (1) (b) “State agency” means any office, department, agency, institution
7 of higher education, association, society or other body in state government created
8 or authorized to be created by the constitution or any law which is entitled to expend
9 moneys appropriated by law, including any authority created under subch. II of ch.
10 114 or ch. 231, 233, 234, or 237 but not including the legislature or the courts.

11 **SECTION 28.** 24.61 (2) (a) [^]10. of the statutes is created to read:

12 24.61 (2) (a) 10. Bonds of the Wisconsin Aerospace Authority. ✓

13 **SECTION 29.** 25.17 (3) (b) [^]13. of the statutes is created to read:

14 25.17 (3) (b) 13. Bonds issued by the Wisconsin Aerospace Authority. ✓

15 **SECTION 30.** 25.50 (1) (d) of the statutes is amended to read:

16 25.50 (1) (d) “Local government” means any county, town, village, city, power
17 district, sewerage district, drainage district, town sanitary district, public inland
18 lake protection and rehabilitation district, local professional baseball park district
19 created under subch. III of ch. 229, family care district under s. 46.2895, local
20 professional football stadium district created under subch. IV of ch. 229, local
21 cultural arts district created under subch. V of ch. 229, public library system, school
22 district or technical college district in this state, any commission, committee, board
23 or officer of any governmental subdivision of this state, any court of this state, other
24 than the court of appeals or the supreme court, or any authority created under s.
25 114.61, 231.02, 233.02 or 234.02.

1 **SECTION 31.** 32.01 (1) of the statutes is amended to read:

2 32.01 (1) "Person" includes the state, a county, town, village, city, school district
3 or other municipal corporation, a board, commission, including a commission created
4 by contract under s. 66.0301, corporation, or housing authority created under ss.
5 66.1201 to 66.1211 or redevelopment authority created under s. 66.1333 or the
6 Wisconsin Aerospace Authority created under s. 114.61.

7 **SECTION 32.** 32.02 (11^m) of the statutes is created to read:

8 32.02 (11m) The Wisconsin Aerospace Authority created under subch. II of ch.
9 114.

10 **SECTION 33.** 32.05 (intro.) of the statutes is amended to read:

11 **32.05 Condemnation for sewers and transportation facilities.** (intro.)

12 In this section, "mass transit facility" includes, without limitation because of
13 enumeration, exclusive or preferential bus lanes if those lanes are limited to
14 abandoned railroad rights-of-way or existing expressways constructed before
15 May 17, 1978, highway control devices, bus passenger loading areas and terminal
16 facilities, including shelters, and fringe and corridor parking facilities to serve bus
17 and other public mass transportation passengers, together with the acquisition,
18 construction, reconstruction and maintenance of lands and facilities for the
19 development, improvement and use of public mass transportation systems for the
20 transportation of passengers. This section does not apply to town highways created
21 or altered under ch. 80 except as to jury trials on appeals under ss. 80.24 and 80.25,
22 nor to proceedings in 1st class cities under subch. II. In any city, condemnation for
23 housing under ss. 66.1201 to 66.1211, for urban renewal under s. 66.1333, or for
24 cultural arts facilities under subch. V of ch. 229, may proceed under this section or
25 under s. 32.06 at the option of the condemning authority. Condemnation by a local

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1 exposition district under subch. II of ch. 229 for any exposition center or exposition
2 center facility may proceed under this section or under s. 32.06 at the option of the
3 local exposition district. All other condemnation of property for public alleys, streets,
4 highways, airports, spaceports, mass transit facilities, or other transportation
5 facilities, gas or leachate extraction systems to remedy environmental pollution from
6 a solid waste disposal facility, storm sewers and sanitary sewers, watercourses or
7 water transmission and distribution facilities shall proceed as follows:

8 **SECTION 34.** 40.02 (54) (j) of the statutes is created to read:

9 40.02 (54) (j) The Wisconsin Aerospace Authority.

10 **SECTION 35.** 66.0603 (1m) (a) 3u. of the statutes is created to read:

11 66.0603 (1m) (a) 3u. Bonds issued by the Wisconsin Aerospace Authority.

12 **SECTION 36.** 70.11 (38m) of the statutes is created to read:

13 70.11 (38m) WISCONSIN AEROSPACE AUTHORITY. Notwithstanding the provisions
14 of s. 70.11 (intro.) that relate to leased property or that impose other limitations, all
15 property owned or leased by the Wisconsin Aerospace Authority, provided that use
16 of the property is primarily related to the purposes of the authority.

17 **SECTION 37.** 71.05 (1) (c) 7. of the statutes is created to read:

18 71.05 (1) (c) 7. The Wisconsin Aerospace Authority.

19 **SECTION 38.** 71.26 (1) (be) of the statutes is amended to read:

20 71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin
21 Hospitals and Clinics Authority or the Wisconsin Aerospace Authority.

and of the
Fox River
Navigational
System
Authority

22 **SECTION 39.** 71.26 (1m) (h) of the statutes is created to read:

23 71.26 (1m) (h) Those issued under s. 114.70.

24 **SECTION 40.** 71.45 (1t) (h) of the statutes is created to read:

25 71.45 (1t) (h) Those issued under s. 114.70.

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1 **SECTION 41.** 77.54 (9a) (a) of the statutes is amended to read:

2 77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin
3 Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, and the Fox
4 River Navigational System Authority.

5 **SECTION 42.** 84.072 (3) of the statutes is amended to read:

6 84.072 (3) IMPLIED CONSENT. Any municipality, county, or other person,
7 including the Wisconsin Aerospace Authority created under subch. II of ch. 114, that
8 accepts federal moneys from the appropriations under s. 20.395 (1) (bx), (2) (ax), (dx),
9 or (fx), or (3) (bx), (cx), or (ex), or accepts other federal moneys for highway, transit,
10 ~~or~~ airport, or spaceport purposes, after September 1, 2001, is considered to have
11 given consent to the unified certification disadvantage business program
12 administered under this section.

13 **SECTION 43.** 85.02⁽¹⁾ of the statutes is amended to read:

14 ^{plain} ~~85.02 Planning, promotion and protection.~~^{(B)(1)} The department may direct,
15 undertake and expend state and federal aid for planning, promotion and protection
16 activities in the areas of highways, motor vehicles, traffic law enforcement,
17 aeronautics and astronautics, railroads, waterways, specialized transportation
18 services, mass transit systems and for any other transportation mode. All state,
19 regional and municipal agencies and commissions created under authority of law
20 shall to the extent practicable, when dealing with transportation, follow the
21 recommendations made by the secretary.

22 **SECTION 44.** 100.45 (1) (dm) of the statutes is amended to read:

23 100.45 (1) (dm) “State agency” means any office, department, agency,
24 institution of higher education, association, society or other body in state
25 government created or authorized to be created by the constitution or any law which

1 is entitled to expend moneys appropriated by law, including the legislature and the
2 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
3 Center Sports and Entertainment Corporation, the University of Wisconsin
4 Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities
5 Authority, the Wisconsin Aerospace Authority, and the Fox River Navigational
6 System Authority.

7 **SECTION 45.** 101.177 (1) (d) of the statutes is amended to read:

8 101.177 (1) (d) "State agency" means any office, department, agency,
9 institution of higher education, association, society or other body in state
10 government created or authorized to be created by the constitution or any law which
11 is entitled to expend moneys appropriated by law, including the legislature and the
12 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
13 Center Sports and Entertainment Corporation, the University of Wisconsin
14 Hospitals and Clinics Authority, ^{SCORE comma} the Wisconsin Aerospace Authority, and the
15 Wisconsin Health and Educational Facilities Authority.

16 **SECTION 46.** Chapter 114 (title) of the statutes is amended to read:

17 **CHAPTER 114**

18 **AERONAUTICS AND ASTRONAUTICS**

19 **SECTION 47.** Subchapter I (title) of chapter 114 [precedes 114.001] of the
20 statutes is created to read:

21 **CHAPTER 114**

22 **SUBCHAPTER I**

23 **AIR TRANSPORTATION**

24 **SECTION 48.** 114.002 (intro.) of the statutes is amended to read:

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SECTION 48. 114.002 (intro.) of the statutes is amended to read:

1 **114.002 Definitions.** (intro.) As used in this chapter, except as provided in
2 s. 114.60 or unless the context otherwise requires:

3 **SECTION 49.** 114.002 (1) of the statutes is amended to read:

4 114.002 (1) "Aeronautics" means the science and art of aircraft flight and
5 including but not limited to transportation by aircraft; the operation, construction,
6 repair or maintenance of aircraft, aircraft power plants and accessories, including
7 the repair, packing and maintenance of parachutes; the design, establishment,
8 construction, extension, operation, improvement, repair or maintenance of airports
9 or other air navigation facilities; and instruction in flying or ground subjects
10 pertaining thereto.

11 **SECTION 50.** 114.002 (3) of the statutes is amended to read:

12 114.002 (3) "Aircraft" means any contrivance invented, used, or designed for
13 navigation of or flight in the air, but does not include spacecraft.

14 **SECTION 51.** 114.002 (11^m) of the statutes is created to read:

15 114.002 (11^m) "Astronautics" means the science and art of spacecraft flight
16 and all activities related thereto.

17 **SECTION 52.** 114.002 (18^r), (18^s) and (18^t) of the statutes are created to read:

18 114.002 (18^r) "Spacecraft" means any contrivance invented, used, or designed
19 for navigation or flight beyond the earth's atmosphere, including rockets, missiles,
20 capsules, modules, and other vehicles, whether with or without passengers.

21 (18^s) "Spacecraft launch or landing area" means any area used, or intended for
22 use, for launching or landing spacecraft or for surface maneuvering, positioning, or
23 preparation of spacecraft for imminent launching or immediately after landing,
24 including any launch pad, landing area, or launch or landing control center.

1 **(18t)** “Spaceport” means any area of land or water that is used, or intended for
2 use, as a spacecraft launch or landing area and any appurtenant areas that are used,
3 or intended for use, for spaceport buildings or other spaceport facilities or
4 rights-of-way, together with all spaceport buildings and facilities located thereon.

5 **SECTION 53.** 114.04 of the statutes is amended to read:

6 **114.04 Flying and landing, limitations.** Flight in aircraft or spacecraft over
7 the lands and waters of this state is lawful, unless at such a low altitude as to
8 interfere with the then existing use to which the land or water, or the space over the
9 land or water, is put by the owner, or unless so conducted as to be imminently
10 dangerous or damaging to persons or property lawfully on the land or water beneath.
11 The landing of an aircraft or spacecraft on the lands or waters of another, without
12 the person’s consent, is unlawful, except in the case of a forced landing. For damages
13 caused by a forced landing, however, the owner or lessee of the aircraft or spacecraft
14 or the aeronaut or astronaut shall be liable, as provided in s. 114.05.

15 **SECTION 54.** 114.05 of the statutes is amended to read:

16 **114.05 Damages by aircraft or spacecraft.** The liability of the owner, lessee
17 and pilot of every aircraft or spacecraft operating over the lands or waters of this
18 state for injuries or damage to persons or property on the land or water beneath,
19 caused by the ascent, descent or flight of such aircraft or spacecraft, or the dropping
20 or falling of the aircraft or spacecraft or of any object or material therefrom, shall be
21 determined by the law applicable to torts on land, except that there shall be a
22 presumption of liability on the part of the owner, lessee or pilot, as the case may be,
23 where injury or damage is caused by the dropping or falling of the aircraft or
24 spacecraft or of any object or material therefrom, which presumption may be
25 rebutted by proof that the injury or damage was not caused by negligence on the part

1 of the owner, lessee or pilot and the burden of proof in such case shall be upon such
2 owner, lessee or pilot to show absence of negligence on his or her part.

3 SECTION 55. 114.07 of the statutes is amended to read:

4 **114.07 Criminal jurisdiction.** All crimes, torts and other wrongs committed
5 by or against an aeronaut, astronaut, or passenger while in flight over this state shall
6 be governed by the laws of this state; and the question whether damage occasioned
7 by or to an aircraft or spacecraft while in flight over this state constitutes a tort, crime
8 or other wrong by or against the owner of such aircraft or spacecraft, shall be
9 determined by the laws of this state.

10 SECTION 56. 114.105 of the statutes is amended to read:

11 **114.105 Local regulation.** Any county, town, city or village may adopt any
12 ordinance in strict conformity with the provisions of this chapter and impose the
13 same penalty for violation of any of its provisions except that such ordinance shall
14 not provide for the suspension or revocation of pilot or aircraft licenses or certificates
15 and shall not provide for imprisonment except for failure to pay any fine which may
16 be imposed. No local authority shall enact any ordinance governing aircraft or
17 aeronautics or spacecraft or astronautics contrary to or inconsistent with the
18 provisions of this chapter or federal law. Every court in which a violation of such
19 ordinance is prosecuted shall make a written report of any conviction (including bail
20 or appearance money forfeiture) to the federal aviation administration.

21 SECTION 57. 114.11 (title) of the statutes is amended to read:

22 **114.11 (title) Local airports and spaceports; interstate reciprocity.**

23 SECTION 58. 114.11 (1) (to) (5) (intro.) of the statutes are amended to read:

24 114.11 (1) The governing body of any county, city, village or town in this state
25 is hereby authorized to acquire, establish, construct, own, control, lease, equip,

(2), (3), (4) and

1 improve, maintain and operate airports or landing fields or landing and take-off
2 strips for the use of airplanes and other aircraft, or spaceports or spacecraft launch
3 or landing areas, either within or without the limits of such counties, cities, villages
4 and towns, and may use for such purpose or purposes any property suitable therefor
5 that is now or may at any time hereafter be owned or controlled by such county, city,
6 village or town, and may regulate the same, provided, such regulation shall not be
7 in conflict with such rules and regulations as may be made by the federal
8 government. The governing body of each and every county and municipality owning
9 an airport or landing field or landing and take-off strip, or spaceport or spacecraft
10 launch or landing area, in the state of Wisconsin shall cause the surroundings of such
11 airport, landing field or landing and take-off strip, or spaceport or spacecraft launch
12 or landing area, to be marked for aeronautical or astronautical purposes, and
13 maintain such marking, subject to and in accordance with law and such rules and
14 regulations as may from time to time be made by the federal government and in so
15 doing may cooperate with other states and subdivisions thereof and acquire rights
16 and easements in property outside of the state.

17 (2) The governing body of any county, city, village or town of this state is
18 authorized to acquire, establish, construct, own, control, lease, equip, improve,
19 maintain and operate airports or landing fields or landing and take-off strips or
20 other aeronautical facilities, or spaceports or spacecraft launch or landing areas or
21 other astronautical facilities, in an adjoining state whose laws permit, subject to the
22 laws of such state, but subject to the laws of this state in all matters relating to
23 financing such aeronautical or astronautical project.

24 (3) The governing body of any municipality or other political subdivision of an
25 adjoining state whose laws permit, is hereby authorized to acquire, establish,

1 construct, own, control, lease, equip, improve, maintain and operate airports, or
2 landing fields, or landing and take-off strips or other aeronautical facilities, or
3 spaceports or spacecraft launch or landing areas or other aeronautical facilities, in
4 this state, subject to all laws, rules and regulations of this state applicable to its
5 municipalities or other political subdivisions in such aeronautical or aeronautical
6 project, but subject to the laws of its own state in all matters relating to financing
7 such project. Such municipality or other political subdivision of an adjoining state
8 shall have all privileges, rights and duties of like municipalities or other political
9 subdivisions of this state, including the right to exercise the right of eminent domain.
10 This subsection shall not apply unless the laws of such adjoining state shall permit
11 municipalities or other political subdivisions of this state to acquire, establish,
12 construct, own, control, lease, equip, improve, maintain, operate and otherwise
13 control such airport, landing field or landing and take-off strips or other
14 aeronautical facilities, or spaceports or spacecraft launch or landing areas or other
15 aeronautical facilities, therein with all privileges, rights and duties applicable to the
16 municipalities or other political subdivisions of such adjoining state in such
17 aeronautical or aeronautical projects.

18 (4) The governing body of any county, city, village or town is authorized to
19 appropriate money to any town, city, village or other county, for the operation,
20 improvement or acquisition of an airport or spaceport by such town, city, village or
21 other county or any combination of such municipalities.

22 (5) (intro.) The governing body of any county, city, village or town in this state
23 may, together with any municipality or other political subdivision of an adjoining
24 state if, under the laws of that state, such municipality or other political subdivision

1 is similarly authorized, jointly sponsor an airport or spaceport project located in this
2 state or in the adjoining state.

3 **SECTION 59.** 114.12 of the statutes is amended to read:

4 **114.12 Condemnation of lands for airports and spaceports.** Any lands
5 acquired, owned, controlled or occupied by such counties, cities, villages and towns
6 for the purposes enumerated in s. 114.11 shall and are hereby declared to be
7 acquired, owned, controlled and occupied for a public purpose, and as a matter of
8 public necessity, and such cities, villages, towns or counties shall have the right to
9 acquire property for such purpose or purposes under the power of eminent domain
10 as and for a public necessity including property owned by other municipal
11 corporations and political subdivisions and including any street, highway, park,
12 parkway or alley, provided that no state trunk highway shall be so acquired without
13 the prior consent of the department. Whenever the county, city, village or town as
14 the case may be shall own all land or access rights on both sides of such street,
15 highway, park, parkway or alley, it may, within the limits where it has ownership or
16 access rights on both sides, notwithstanding any other provisions of law, vacate and
17 close such public way by resolution of the governing body of the county, city, village
18 or town acquiring it and no damages shall be assessed against such county, city,
19 village or town by reason of such closing, except as may be allowed in a particular
20 condemnation action where the lands or rights in lands necessary for such airport
21 or spaceport are so acquired. If such closing shall leave any part of such street,
22 highway, parkway or alley without access to another public street or highway, the
23 county, town, city or village effecting such closing shall immediately provide such
24 access at its expense.

25 **SECTION 60.** 114.13 of the statutes is amended to read:

1 **114.13 Purchase of land for airports and spaceports.** Private property
2 needed by a county, city, village or town for an airport or landing field or landing and
3 take-off strip, or for a spaceport or spacecraft launch or landing area, or property or
4 rights for the protection of the aerial approaches thereof, shall be acquired by
5 purchase if the city, village, town or county is able to agree with the owners on the
6 terms thereof, and otherwise by condemnation, as provided in s. 32.05. The purchase
7 price or award for real property acquired for an airport or landing field or landing and
8 take-off strip, or for a spaceport or spacecraft launch or landing area, or property or
9 rights for the protection of the aerial approaches thereof, may be paid for the
10 appropriation of moneys available therefor, or wholly or partly from the proceeds of
11 the sale of bonds of the city, village, town or county, as the governing body of such city,
12 village, town or county determines, subject to ch. 67. Such property or rights may
13 be acquired by gift, which the respective governing bodies are authorized to accept.

14 **SECTION 61.** 114.134 (title) of the statutes is amended to read:

15 **114.134 (title) Airport and spaceport standards and approval.**

16 **SECTION 62.** 114.134 (1), (2), (3) and (4) (c) of the statutes are amended to read:

17 114.134 (1) **PUBLIC AIRPORT AND SPACEPORT INFORMATION.** No person shall
18 operate an airport or spaceport within this state that is open to the general public
19 unless effective runway and landing strip lengths are properly reported, published
20 and marked in accordance with applicable federal aviation regulations and federal
21 obstruction standards.

22 (2) **TRAVERSE WAY CLEARANCE.** No person shall operate an airport or spaceport
23 within this state unless all runways and landing strips are so located that
24 approaching and departing aircraft or spacecraft clear all public roads, highways,

1 railroads, waterways or other traverse ways by a height which complies with
2 applicable federal standards.

3 (3) AIRPORT/SITE APPROVAL. ^{AND SPACEPORT} No person shall construct or otherwise establish a
4 new airport or spaceport or activate an airport or spaceport within this state unless
5 the secretary of transportation issues a certificate of approval for the location of the
6 proposed airport or spaceport. No charge shall be made for application or approval.
7 The secretary may issue a certificate of approval if the secretary determines that the
8 location of the proposed airport or spaceport is compatible with existing and planned
9 transportation facilities in the area.

10 (4) (c) At least 15 days before the date of the hearing a class 1 notice of any
11 public hearing shall be published, under ch. 985, in the official state newspaper and
12 in a paper of general circulation printed and published near the location of the
13 proposed airport or spaceport.

14 ~~SECTION 63. 114.135 (title) of the statutes is amended to read:~~

15 ~~114.135 (title) Airport and spaceport protection.~~

16 SECTION 64. 114.135 (intro.), (1), (2), (3), (4), (6), (7) and (8) of the statutes are
17 amended to read:

18 114.135 Airport protection. (intro.) It is declared to be in the public interest
19 that the navigable airspace over the state and the aerial approaches to any airport
20 or spaceport be maintained in a condition best suited for the safe operation of aircraft
21 or spacecraft and to that end the bulk, height, location and use of any building or
22 structure, or any other object, and the use of land, may be regulated, or any building,
23 structure or other object may be removed. It is the legislative intent that this section
24 shall not supersede s. 59.69 (4), but that it shall be supplemental to such section.

1 (1) PROCEDURE TO OBTAIN PROTECTION PRIVILEGES. The aerial approaches to any
2 airport or spaceport owned and operated by corporations organized to provide
3 aeronautic or astronautic facilities to the general public may be protected in the
4 following manner: The owner of the airport or spaceport shall prepare and record
5 with the register of deeds plans and specifications showing the land affected, the
6 owner of each parcel or interest therein, whether public or private, the regulations
7 to be imposed on each parcel and the structures, buildings or other objects to be
8 removed. The owner or managing body of the airport or spaceport may negotiate and
9 acquire from the owners of the various parcels or interest therein, whether public or
10 private, by deeds the protection privileges shown by the plans and specifications.
11 Referring in the deed to the plans and specifications, and briefly describing the plans
12 and specifications, shall be considered sufficient legal description to convey the
13 protection privileges set forth in the plans and specifications in the property of the
14 grantor. In case the owner of the airport or spaceport is unable to obtain by
15 negotiation the desired protection privileges, he or she may acquire the protection
16 privileges by eminent domain in the manner set forth in ch. 32, except as to lands and
17 buildings of railway companies that are necessary to, or are used in connection with
18 the operation of the railway. In case the protection privileges sought extend into
19 more than one county the plans and specifications shall be recorded with the register
20 of deeds of each county. In case any parcel of land lies in more than one county,
21 eminent domain proceedings may be instituted in the circuit court of any county in
22 which the parcel is situated, provided a certified copy of the final judgment with a
23 description of the property involved is recorded with the register of deeds of all
24 counties in which the parcel of land or interest therein lies.

1 (2) NOTICE; CLAIM FOR DAMAGES. In case of any airport landing field or landing
2 and take-off strip, or spaceport or spacecraft launch or landing area, owned by any
3 city, village, town or county or any union of them, the commission or other body in
4 charge of the operation and control of the airport, landing field or landing and
5 take-off strip, or spaceport or spacecraft launch or landing area, may prepare and
6 record without charge with the register of deeds plans and specifications showing the
7 protection privileges sought as described in sub. (1). The commission or other body
8 in charge shall send by registered mail with return receipt to each owner at his or
9 her last-known address a notice stating that the plans and specifications have been
10 recorded with the register of deeds' office, stating the county, time of recording, the
11 record number, and a brief description of the parcel of land or interest therein
12 affected. If the address of the owner cannot be ascertained or the registered letter
13 is returned unclaimed, notice shall be sent by registered mail to the person in
14 possession of the premises. If no person is in possession, then the notice shall be
15 posted in a conspicuous place on the land involved and published as a class 3 notice,
16 under ch. 985, in the area affected. The right of the owner to claim for damages for
17 the protection regulations imposed in the plans and specifications, or the removal of
18 obstructions shall be forever barred, unless the owner files a claim for damages with
19 the commission or other body in charge within 6 months from the receipt of the notice
20 from the commission, or other body in charge, or the posting and last publication.
21 The claim shall be verified and shall state the amount of damages claimed. The
22 commission or other body in charge may pay the damages, if it has available funds,
23 and the payment shall operate as a conveyance. If no claims for payment are filed
24 or if payment is made, the commission or other body in charge shall file an affidavit
25 for each parcel involved setting forth the rights acquired which shall be recorded by

1 the register of deeds without charge and when so recorded has the same effect as any
2 recorded instrument. If any owner is a minor or incompetent, the notice may be sent
3 by registered mail to the owner's guardian, if he or she has one, and if there is none
4 the circuit court of the county in which the land, or a larger part, is located shall upon
5 application of the commission or other body in charge appoint a guardian to receive
6 the notice, and to protect the rights of the owner. Any funds payable to the owner
7 shall be cared for in the manner provided in ch. 880. If the commission or other body
8 in charge determines that the damages claimed are excessive, it shall so report to the
9 governing body that established the airport, landing field or landing and take-off
10 strip, or spaceport or spacecraft launch or landing area, in question and with its
11 consent may acquire in the name of the governmental body the protection privilege
12 desired in the manner set forth in sub. (1) or it may deposit with the county clerk an
13 award and notify the owner of the land involved in the method specified in this
14 subsection. The landowner may accept the award without prejudice to his or her
15 right to claim and contest for a greater sum. The landowner may, within a period of
16 6 months after notice of the award, proceed as provided in ch. 32 to have the damages
17 appraised.

18 (3) EXERCISE OF POWER AND AUTHORITY. The power and authority to protect
19 airports or spaceports conferred in subs. (1) and (2) may be exercised from time to
20 time; amended plans and specifications may be recorded in the register of deeds'
21 office, and new protection privileges acquired from time to time in the methods
22 provided by this section.

23 (4) ENCROACHMENTS. The duty to prevent encroachments by growth of trees or
24 other vegetation, or otherwise, upon the protection privileges acquired by any
25 airport, landing field, landing and take-off strip, or spaceport or spacecraft launch

1 or landing area, shall be upon the owner or owners of the parcel of land affected by
2 the protection privilege only in cases where the owner or owners have received
3 compensation for the protection privilege. Any such encroachment is declared to be
4 a private nuisance and may be abated in the manner prescribed in ch. 823. In cases
5 where no compensation has been paid for the protection privilege, encroachments
6 shall be removed by the owner or the authority in charge of the airport, landing field,
7 or landing and take-off strip, or spaceport or spacecraft launch or landing area, and
8 shall be, in case of a publicly owned airport, landing field or landing and take-off
9 strip, or spaceport or spacecraft launch or landing area, a city, village, town or county
10 charge as the case may be. In removing such encroachments, the owner or authority
11 in charge of the airport, landing field or landing and take-off strip, or spaceport or
12 spacecraft launch or landing area, in question, may go upon the land and remove the
13 encroachment without being liable for damages in so doing.

14 (6) PERMIT FOR ERECTION OF HIGH STRUCTURES REQUIRED. No person shall erect
15 anywhere in this state, including within a spaceport or spacecraft launch or landing
16 area, any building, structure, tower or any other object the height of which exceeds
17 the limitations set forth in sub. (7) without first filing an application and procuring
18 a permit from the secretary of transportation.

19 (7) POWER TO CONTROL ERECTION OF HIGH STRUCTURES. For the purposes of sub.
20 (6) the power and authority to control the erection of buildings, structures, towers
21 and other objects by the secretary of transportation shall be limited to those objects
22 that would either extend to a height of more than 500 feet above the ground or surface
23 of the water within one mile of the location of the object or within one mile of a
24 spaceport, or above a height determined by the ratio of one foot vertical to 40 feet
25 horizontal measured from the nearest boundary of the nearest public airport or

1 spaceport within the state; however, this power and authority shall not extend to
2 objects of less than 150 feet in height above the ground or water level at the location
3 of the object or to objects located within areas zoned under s. 114.136 or to objects
4 located within areas zoned under s. 62.23 (7) where the zoning ordinance enacted
5 under said subsection controls the height of structures.

6 (8) RULES, REGULATIONS, STANDARDS AND CRITERIA. In carrying out sub. (6) the
7 secretary of transportation may perform such acts, issue and amend such orders and
8 make, promulgate and amend and enforce such reasonable rules, regulations and
9 procedures and establish such minimum standards and criteria governing erection
10 of buildings, structures, towers and hazards in the interest of the safe operation of
11 aircraft and spacecraft as it deems necessary in the public interest and safety.

12 SECTION 65. 114.136 (title) of the statutes is amended to read:

13 114.136 (title) **Airport and spaceport approach protection.**

14 SECTION 66. 114.136 (1) (a), (b) and (c), (2) (a), (3), (4) and (5) of the statutes
15 are amended to read:

16 114.136 (1) (a) Any county, city, village or town that is the owner of a site for
17 an airport or spaceport which has been approved for such purpose by the appropriate
18 agencies of the state and the federal government may protect the aerial approaches
19 to such site by ordinance regulating, restricting and determining the use, location,
20 height, number of stories and size of buildings and structures and objects of natural
21 growth in the vicinity of such site and may divide the territory to be protected into
22 several areas and impose different regulations and restrictions with respect to each
23 area. The provisions of such ordinance shall be effective whether the site and the
24 lands affected by such ordinance are located within or without the limits of such
25 county, city, village or town, and whether or not such buildings, structures and

1 objects of natural growth are in existence on the effective date of the ordinance. Such
2 regulations, restrictions and determinations are declared to be for the purpose of
3 promoting the public safety, welfare and convenience, and may be adopted, enforced
4 and administered without the consent of any other governing body. Any ordinance
5 adopted under this section may be amended from time to time in the same manner
6 as is provided for the adoption of the original ordinance in sub. (2). The authority
7 granted in this section shall be independent and exclusive of any other authority
8 granted in the statutes.

9 (b) When an airport or spaceport site is owned jointly by 2 or more units of
10 government, such ordinance may be adopted by joint action of the governing bodies
11 of such units. In such case, such governing bodies shall meet jointly to select a joint
12 commission consisting of one member from each governing body selected by that
13 governing body and, if there be 2, the members so selected shall elect a third member.
14 Such joint commission shall elect a chairperson and a secretary, and shall have
15 authority to formulate a tentative ordinance and hold public hearings as provided
16 in sub. (2). At least 15 days written notice of the meeting to select a joint commission
17 shall be given to each governing body by filing a copy of such written notice with the
18 clerk thereof. Such notice may be given on the initiative of one such governing body
19 or jointly by more than one. The governing bodies that attend such meeting may
20 proceed jointly. If one attends, or if only one favors an ordinance, it may proceed alone
21 without appointing a commission, but no ordinance applicable to a jointly owned
22 airport or spaceport shall be adopted by a governing body acting alone unless it has
23 given notice of meeting to select a joint commission as provided by this subsection,
24 and such ordinance shall be as effective as if adopted by the joint bodies.

1 (c) As an alternative to the procedure for the appointment of members of the
2 joint commission provided in par. (b), the governing bodies of the units of government
3 which jointly own an airport or spaceport site may by separate resolution of each
4 governing body designate an existing subunit of any one of the governing bodies to
5 act as the joint commission. In such case, the designated subunit shall elect a
6 chairperson and secretary, formulate a tentative ordinance and hold public hearings
7 as provided in sub. (2). No tentative ordinance formulated under this paragraph is
8 effective unless it is adopted by all of the governing bodies of the units of government
9 which jointly own the airport or spaceport site.

10 (2) FORMULATION OF ORDINANCE, PUBLIC HEARING. (a) Except as provided by sub.
11 (1) (b) or (c), the county park commission in the case of any county except any county
12 with a county executive or county administrator in which case the county park
13 manager, the city or village plan commission in the case of a city or village, or if there
14 is no such commission or manager, a committee of the governing body or bodies of the
15 county, city, village or town which owns the airport or spaceport site shall formulate
16 a tentative ordinance and hold a public hearing or hearings thereon in some public
17 place within the county, city, village or town. Notice of the hearings shall be given
18 by publication of a class 3 notice, under ch. 985, in the area affected by the proposed
19 ordinance.

20 (3) NONCONFORMING USES. The lawful use of land, buildings and structures
21 existing at the time of the adoption or amendment of any ordinance under the
22 authority of this section may be continued, although such use does not conform with
23 the provisions of the ordinance. The expansion or enlargement of a nonconforming
24 use shall be in conformity with the ordinance. The governing body of the owner of
25 the airport or spaceport site may remove such nonconforming use or acquire the

1 necessary air right over the same by purchase or exercise of the right of eminent
2 domain in the manner provided by ch. 32.

3 (4) BOARD OF APPEALS. (a) Any ordinance enacted under this section shall
4 provide for a board of appeals. If the county, city, village or town which is the owner
5 of the airport or spaceport has enacted a zoning ordinance under provision of law
6 other than this section, the board of adjustment or board of appeals set up by that
7 ordinance shall also function as the board of appeals under the ordinance enacted
8 under this section.

9 (b) If there be is no such board of appeals or board of adjustment, any
10 regulations adopted under this section shall provide for a board of appeals. Where
11 the airport or spaceport is owned jointly, the ordinance shall provide for a joint board
12 of appeals. Such board shall be constituted and have all the powers, duties and
13 functions as provided in s. 62.23 (7) (e), but not more than 2 members of such board
14 shall be owners or occupants of the area affected by the ordinance.

15 (5) ENFORCEMENT. The governing body of the county, city, village or town
16 owning the airport or spaceport site may provide for the enforcement of any
17 ordinance or regulations enacted pursuant to this section. Such enforcement may
18 be by a system of permits or any other appropriate method. The governing body
19 enacting the ordinance may provide for the punishment of a violation of the
20 ordinance by fine or imprisonment, or both.

21 **SECTION 67.** 114.136 (2) (b) of the statutes is renumbered 114.136 (2) (b) 1. and
22 amended to read:

23 114.136 (2) (b) 1. The regulations, restrictions and determinations shall
24 include, among other things, provisions for the limitation of the height of buildings,
25 structures and objects of natural growth located not more than 3 miles from the

1 boundaries of the airport site or located not more than 5 miles from the boundaries
2 of the spaceport site. Such regulations, restrictions and determinations shall specify
3 the maximum permissible height of buildings, structures and objects of natural
4 growth and may specify such maximum permissible height as a ratio between the
5 permissible maximum height of the building, structure or object of natural growth
6 above the level of the airport or spaceport site and its distance from the nearest point
7 on the boundary of the airport or spaceport site.

8 2. For the purposes of this section, buildings, structures and objects of natural
9 growth shall not be restricted to a height above the level of the airport site which is
10 less than one-thirtieth of its distance from the boundary of the airport site in the case
11 of class I and II airports as classified by the civil aeronautics administration of the
12 United States department of commerce and one-fiftieth of its distance from the
13 boundary of the airport in the case of class III and larger airports as classified by said
14 administration. Provided, however, that a building, structure, or object of natural
15 growth within 3 miles of the airport site may be restricted to a height of 150 feet above
16 the airport level, which is defined as the lowest point planned on any runway.

17 **SECTION 68.** 114.151 of the statutes is amended to read:

18 **114.151 Union airports and spaceports.** All powers conferred upon any
19 county, city, village or town by ss. 114.11 to 114.15, relating to the acquisition,
20 establishment, construction, ownership, control, lease, equipment, improvement,
21 maintenance, operation and regulation of airports or landing fields, or spaceports or
22 spacecraft launch or landing areas, may be exercised by any 2 or more municipalities
23 in the establishment, acquisition, equipment and operation of joint airports or
24 landing fields, or spaceports or spacecraft launch or landing areas. The governing
25 body of any county, city, village or town participating in the ownership or operation

1 of a joint airport or spaceport as provided in this section may by resolution withdraw
2 from such joint operation or control and may relinquish its interest in the airport or
3 spaceport.

4 **SECTION 69.** 114.31 (1) and (4) of the statutes are amended to read:

5 114.31 (1) GENERAL. The secretary shall have general supervision of
6 aeronautics in the state and promote and foster a sound development of aviation in
7 this state, promote aviation education and training programs, assist in the
8 development of aviation and aviation facilities, safeguard the interests of those
9 engaged in all phases of aviation, formulate and recommend and promote reasonable
10 regulations in the interests of safety, and coordinate state aviation activities with
11 those of other states ~~and~~, the federal government, and the Wisconsin Aerospace
12 Authority. The secretary shall have all powers that are necessary to carry out the
13 policies of the department of transportation, including the right to require that
14 statements made to the secretary be under oath. The secretary is especially charged
15 with the duty of informing himself or herself regarding all federal laws that affect
16 aeronautics and astronautics in this state, all regulations pursuant to such laws, and
17 all pending legislation providing for a national airport system, in order that the
18 secretary may recommend to the governor and the legislature such measures as will
19 best enable this state to derive the maximum benefits from such legislation if and
20 when it shall become effective. It shall be the duty of all other state boards,
21 commissions, departments and institutions, especially the appropriate educational
22 institutions and the Wisconsin Aerospace Authority, to cooperate with the secretary.

23 (4) COOPERATION WITH FEDERAL AERONAUTICAL OR ASTRONAUTICAL AGENCY. The
24 secretary shall cooperate with and assist the federal government, the political
25 subdivisions of this state, and others engaged in aeronautics or astronautics or the

1 promotion of aeronautics or astronautics, and shall seek to coordinate the
2 aeronautical or astronautical activities of these bodies. To this end, the secretary is
3 empowered to confer with or to hold joint hearings with any federal aeronautical or
4 astronautical agency in connection with any matter arising under this chapter,
5 relating to the sound development of aeronautics or astronautics, and to take
6 advantage of the cooperation, services, records and facilities of such federal agencies,
7 as fully as may be practicable, in the administration of said sections. The secretary
8 shall furnish to the federal agencies cooperation, and the services, records and
9 facilities of the department, insofar as may be practicable.

10 SECTION 70. 114.33 (12) of the statutes is amended to read:

11 114.33 (12) Lands held by any department, board, commission ~~or~~, other agency
12 of the state, or the Wisconsin Aerospace Authority may, with the approval of the
13 governor, be conveyed to the secretary in the manner prescribed by statute and, if
14 none is prescribed, then by a conveyance authorized by appropriate resolution of the
15 controlling department, board or commission of the agency concerned or by the
16 Wisconsin Aerospace Authority.

17 SECTION 71. 114.37 (title) of the statutes is amended to read:

18 114.37 (title) **Advance land acquisition loan program for airport**
19 **projects**.

20 SECTION 72. 114.375 of the statutes is created to read:

21 114.375 **Advance land acquisition loan program for spaceport projects.**

22 (1) PURPOSE. The purpose of this section is to promote the state's interest in
23 aerospace programs by providing loans for advance land acquisition for spaceport
24 projects.

1 (2) ADMINISTRATION. The department shall administer an advance land
2 acquisition loan program to assist a county, city, village, town, or an owner of a
3 spaceport in acquiring land necessary for spaceport projects. The department shall
4 have all powers necessary and convenient to implement this section, including the
5 following powers:

6 (a) To specify conditions of eligibility for loans under this section. Such
7 conditions shall include the requirement that the land to be acquired must be part
8 of a planned spaceport improvement project or a land acquisition project that is
9 essential to future spaceport development or to the safety of spacecraft using the
10 spaceport.

11 (b) To receive applications for loans under this section and to prescribe the form,
12 nature, and extent of the information which shall be contained in applications.

13 (c) To establish standards for the approval of loans under this section. No loan
14 may be made for an amount greater than 80 percent of the department's assessment
15 of the value of the property.

16 (d) To enter into loan agreements with applicants to ensure the proper use and
17 prompt repayment of loans under this section. The loan agreement shall include the
18 requirements that the loan be repaid within a period not to exceed 10 years and that
19 the proceeds of any state or federal land acquisition funding received be fully pledged
20 to repayment of the loan. The department may not make a loan for more than 80
21 percent of the estimated land acquisition costs, including the costs of any necessary
22 project plans and environmental studies. The loan agreement shall require that the
23 department be designated to act as the loan recipient's agent in the acquisition of the
24 land. Title to the land acquired shall be held by the loan recipient, but the
25 department may retain a security interest in the land until the loan is repaid. The

1 loan agreement shall require the payment of interest and reasonable costs incurred
2 by the department.

3 (e) To acquire lands as the designated agent of a loan recipient.

4 (f) To audit and inspect the records of loan recipients.

5 (3) FUNDS. The department may make loans under this section from the
6 appropriation under s. 20.395 (2) (dv). The total outstanding balance of loans under
7 this subsection may not exceed \$10,000,000.

8 (4) RULES. The department may adopt rules as necessary to implement this
9 section.

10 SECTION 73. Subchapter II of chapter 114 [precedes 114.60] of the statutes is
11 created to read:

12 **CHAPTER 114**

13 **SUBCHAPTER II**

14 **WISCONSIN AEROSPACE AUTHORITY**

15 **114.60 Definitions.** In this subchapter:

16 (1) "Aerospace facilities" means facilities and infrastructure in this state used
17 primarily to provide aerospace services, including: laboratories and research
18 facilities; office, storage, and manufacturing facilities; instructional and other
19 educational facilities; space museums; and other buildings, equipment, and
20 instruments related to the operations of the aerospace industry or to providing
21 aerospace services.

22 (2) "Aerospace services" means services that promote, advance, and facilitate
23 space exploration and space-related commercial, technological, and educational
24 development in this state, including: space-related research, experimentation, and
25 development of technology and other intellectual property; providing space-related

1 business incubator services or services for start-up aerospace companies; programs,
2 projects, operations, and activities to develop, enhance, or provide commercial and
3 noncommercial space-related opportunities for business, industry, education, and
4 government; promoting ^{services or activities that promote} the commercialization of the space and aerospace industry
5 and space-related economic growth; services or activities that promote and facilitate
6 space-related educational opportunities and tourism, including educational
7 initiatives and operation or sponsorship of space museums and tourist attractions;
8 providing consulting services; and administrative services.

9 (3) "Authority" means the Wisconsin Aerospace Authority.

10 (4) "Board" means the board of directors of the authority.

11 (5) "Bond" means a bond, note, or other obligation of the authority issued under
12 this chapter, including a refunding bond.

13 (6) "Bond resolution" means a resolution of the board authorizing the issuance
14 of, or providing terms and conditions related to, bonds and includes, when
15 appropriate, any trust agreement, trust indenture, indenture of mortgage, or deed
16 of trust providing terms and conditions for the bonds.

17 (7) "Payload" means any property, cargo, or persons transported by spacecraft.

18 (8) "Recovery" means the recovery of any spacecraft or payload, or any part of
19 any spacecraft or payload, including any appurtenance, instrument, or equipment,
20 that has detached from a spacecraft in flight or upon launch or landing.

21 (9) "Spaceport facilities" means facilities and infrastructure that are located
22 within a spaceport and related to the operation or purpose of the spaceport,
23 including: spaceport launch or landing areas; launch or landing control centers or
24 other facilities; structures, mechanisms, or devices for communicating with or
25 navigating or tracking spacecraft; buildings, structures, equipment, or other

1 facilities associated with spacecraft construction, development, assembly,
2 processing, testing, or evaluation; buildings, structures, equipment, or other
3 facilities associated with payload loading, assembly, processing, testing, or
4 evaluation; space flight hardware, software, or instrumentation; facilities
5 appropriate to meet the transportation, electric, gas, water and sewer, flood control,
6 waste disposal, and other infrastructure needs within the spaceport; facilities to
7 meet public safety needs within the spaceport, including any facility related to
8 spaceport security and emergency services such as fire and ambulance;
9 administrative facilities; and other buildings, equipment, and instruments related
10 to spaceport operations or the providing of spaceport services.

11 (10) "Spaceport services" means any services provided in connection with the
12 operation, management, or control of a spaceport or spaceport facilities, including:
13 the launching or landing of spacecraft; communicating with or navigating or
14 tracking spacecraft; construction, development, assembly, processing, testing, or
15 evaluation of spacecraft or payload; loading spacecraft payload; spaceport security
16 and emergency services; and administrative services.

17 (11) "Spaceport territory" means a spaceport of the authority in this state and
18 any additional aerospace facilities associated with the spaceport that are in the
19 immediate vicinity of the spaceport.

20 (12) "Wisconsin Space Grant Consortium" means the statewide network of
21 public and private universities and colleges, industries, government agencies,
22 nonprofit associations, and other persons, formed in 1991 following the initiation of
23 the federal National Space Grant College and Fellowship Program, for the purpose
24 of coordinating and improving the state's future in aerospace science, design, and

1 technology and stimulating aerospace research, education, and outreach activities
2 throughout the state.

3 **114.61 Creation and organization.** (1) There is created a public body
4 corporate and politic to be known as the “Wisconsin Aerospace Authority.” The board
5 of the authority shall consist of the following members:

6 (a) ~~Eight~~^{SIX} members nominated by the governor, and with the advice and consent
7 of the senate appointed, for 3-year terms.

8 (b) One member of the senate, appointed by the president of the senate, and one
9 member of the assembly, appointed by the speaker of the assembly, each for a 3-year
10 term.

11 (c) The director of the Wisconsin Space Grant Consortium. (Subject to sub. (3)

12 (a) relating to a temporary vacancy, if the Wisconsin Space Grant Consortium ceases
13 to exist or does not appoint a director, an additional member of the board shall be
14 appointed under par. (a) in lieu of the member under this paragraph.

15 (2) Except for the member specified under sub. (1) (c), each member of the board
16 shall be a resident of the state and shall have experience in the aerospace, ⁱⁿ education,
17 ^{or in} finance, or commercial space industry or ^{shall have} other significant experience related to the
18 functions of the authority as specified in this subchapter.

19 (3) (a) The terms of the members appointed under sub. (1) (a) and (b) expire on
20 June 30. Each member’s appointment remains in effect until a successor is
21 appointed unless the member vacates or is removed from his or her office. A member
22 who serves as a result of holding another office or position vacates his or her office
23 as a member when he or she vacates the other office or position. A member who
24 ceases to qualify for office vacates his or her office. ✓

1 (b) A vacancy on the board shall be filled in the same manner as the original
2 appointment to the board for the remainder of the unexpired term, if any.

3 (c) A member appointed under sub. (1) (a) [✓] may be removed by the governor for
4 cause. A member appointed under ~~sub. (1) (a) shall be removed by the governor, and~~
5 ~~a member appointed under~~ sub. (1) (b) shall be removed, as applicable, by the
6 president of the senate or the speaker of the assembly if the member is absent at 2
7 consecutive board meetings without the prior written approval of the ~~executive~~
8 ^{chairperson of the board} ~~director~~. A vacancy on the board created by removal under this paragraph is subject
9 to par. (b). [✓]

10 (d) A member of the board appointed under sub. (1) (a) [✓] or (b) [✓] may not serve more
11 than 3 consecutive 3-year terms, but may be reappointed to additional terms after
12 a one-year absence from the board.

13 (e) A member of the board may hold public office or otherwise be publicly or
14 privately employed. [✓]

15 (4) (a) A member of the board may not be compensated for his or her services
16 but shall be reimbursed for actual and necessary expenses, including travel
17 expenses, incurred in the performance of his or her duties. [✓]

18 (b) The amount of reimbursement under par. (a) [✓] shall be limited to the uniform
19 travel schedule amounts approved under s. 20.916 (8). [✓]

20 (5) No cause of action of any nature may arise against and no civil liability may
21 be imposed upon a member of the board for any act or omission in the performance
22 of his or her powers and duties under this subchapter, unless the person asserting
23 liability proves that the act or omission constitutes willful misconduct.

24 (6) The members of the board shall annually elect a chairperson and may elect
25 other officers as they consider appropriate. ~~Six~~ ^{Five} members of the board constitute a

1 quorum for the purpose of conducting the business and exercising the powers of the
2 authority, notwithstanding the existence of any vacancy. The board may take action
3 upon a vote of a majority of the members present, unless the bylaws of the authority
4 require a larger number. The board shall meet at least once every 6 months, but may
5 meet more frequently. Except as provided in s. 114.65 (4), meetings of the board are
6 subject to the open meetings requirements specified in subch. V of ch. 19.

7 (7) The board shall appoint an executive director who may not be a member of
8 the board and who shall serve at the pleasure of the board. The authority may
9 delegate by resolution to one or more of its members or its executive director any
10 powers and duties that it considers proper. The board shall determine the
11 compensation of the executive director. The executive director or another person
12 designated by resolution of the board shall keep a record of the proceedings of the
13 authority and shall be custodian of all books, documents, and papers filed with the
14 authority, the minute book or journal of the authority, and its official seal. The
15 executive director or other person may cause copies to be made of all minutes and
16 other records and documents of the authority and may give certificates under the
17 official seal of the authority to the effect that the copies are true copies, and all
18 persons dealing with the authority may rely upon the certificates. The executive
19 director may call meetings of the board more frequently than the meetings required
20 under sub. (6).

21 **114.62 Powers of authority.** The authority has all of the powers necessary
22 or convenient to carry out the purposes and provisions of this chapter. In addition
23 to all other powers granted by this chapter, the authority may do any of the following:

24 (1) Adopt bylaws and policies and procedures for the regulation of its affairs
25 and the conduct of its business.

1 (2) Sue and be sued. The authority has a direct right of action against any 3rd
2 party to enforce any provision of this subchapter or to carry out any power provided
3 to it under this subchapter or to protect its interests as authorized under this
4 subchapter.

5 (3) Have a seal and alter the seal at pleasure; have perpetual existence; and
6 maintain an office.

7 (4) Hire employees, define their duties, and fix their rate of compensation and
8 benefits. The authority may also employ any agent or special advisor that the
9 authority finds necessary and fix his or her compensation. The amount of
10 reimbursement to any employee, agent, or special advisor shall be limited to the
11 uniform travel schedule amounts approved under s. 20.916 (8).

12 (5) Appoint any technical or professional advisory committee that the
13 authority finds necessary to assist the authority in exercising its duties and powers;
14 define the duties of any committee; and provide reimbursement for the expenses of
15 any committee. The amount of reimbursement under this subsection shall be limited
16 to the uniform travel schedule amounts approved under s. 20.916 (8).

17 (6) Buy, sell, lease as lessor or lessee, or otherwise acquire any interest in or
18 dispose of any interest in property, including real property, personal property, and
19 intangible property rights.

20 (7) Make and execute contracts and other legal instruments necessary or
21 convenient for the conduct of its business or to the exercise of its powers, including:
22 procurement contracts; lease or rental agreements; lease-purchase, purchase and
23 sale, and option to purchase agreements; consulting agreements; loan agreements;
24 financing agreements; security agreements; contractual services agreements;
25 affiliation agreements; and cooperative agreements with any governmental unit or

1 other person, including agreements for any jointly provided service or jointly
2 developed or operated facility.

3 (8) Accept gifts, bequests, contributions, and other financial assistance, in the
4 form of money, property, or services, from any person, for the conduct of its business
5 or for any other authorized purpose.

6 (9) Apply for and accept loans, grants, advances, aid, and other forms of
7 financial assistance or funding, in the form of money, property, or services, from any
8 person, including federal aid, for the conduct of its business or for any other
9 authorized purpose.

10 (10) Acquire, own, lease, construct, develop, plan, design, establish, create,
11 improve, enlarge, reconstruct, equip, finance, operate, manage, and maintain:

12 (a) Any spaceport, spaceport territory, spaceport facility, aerospace facility, or
13 other facility or site within this state related to conducting the business or exercising
14 the powers of the authority.

15 (b) Any spacecraft or other vehicle or aircraft related to conducting the business
16 or exercising the powers of the authority.

17 (c) Any program or project related to conducting the business or exercising the
18 powers of the authority.

19 (d) Any intangible property right, including any patent, trademark, service
20 mark, copyright, trade secret, certification mark, or other right acquired under
21 federal or state law, common law, or the law of any foreign country. The authority
22 may utilize such rights for any permissible purpose under law, including licensing
23 such rights in exchange for payment of royalties.

24 (11) Offer, provide, furnish, or manage, and enter into contracts related to, any
25 service or facility of the authority.

1 (12) Establish and collect fees, rents, rates, tolls, and other charges and
2 revenues in connection with any service provided by the authority or the use of any
3 facility of the authority.

4 (13) Issue bonds in accordance with ss. 114.70[✓] to 114.76[✓] and fund any
5 spaceport, facility, or service of the authority with bond proceeds.

6 (14) Borrow money or incur debt other than through bond issuance, and pledge
7 property or revenues or provide other security for such debt.

8 (15) Invest funds held by the authority, including investments under s. 25.50.[✓]

9 (16) Procure liability insurance covering its officers, employees and agents,
10 insurance against any loss in connection with its operations, property, and assets,
11 and insurance on its debt obligations.

12 (17) Exercise the right of eminent domain in the manner provided by ch. 32.

13 (18) Provide for and maintain wildlife conservation areas, and prohibit or
14 control the pollution of air and water, in any spaceport or spaceport territory, beyond
15 what is required under state or federal law.

16 (19) Specify the location of any utility facilities in any spaceport or spaceport
17 territory.

18 (20) Divide any spaceport or spaceport territory into zones or districts of any
19 number or shape.

20 (21) Prohibit any person from using the words “WISCONSIN SPACEPORT”
21 or “SPACEPORT WISCONSIN” in any corporate or business-related name without
22 prior written approval of the authority.

23 (22) Subject to any requirement of federal law and to any duty of the
24 department specified under this chapter, maintain exclusive jurisdiction over
25 spaceports of the authority.

1 **114.63 Duties of authority.** The authority shall do all of the following:

2 (1) Establish a spaceport in this state in the city of Sheboygan in Sheboygan
3 County.

4 (2) Promote this state's aerospace industry; analyze trends in the aerospace
5 industry and recommend actions to be taken by this state to compete in the global
6 aerospace industry; and coordinate access to commercial, technical, and general
7 aerospace information and services.

8 (3) Advertise and promote to the public the development and utilization of
9 spaceport facilities, spaceport services, aerospace facilities, and aerospace services
10 of the authority.

11 (4) Develop, promote, attract, and maintain space-related businesses in this
12 state, which may include expenditures for travel, entertainment, and hospitality for
13 business clients or guests or other authorized persons, but such expenditures shall
14 be limited to the uniform travel schedule amounts approved under s. 20.916 (8).

15 (5) Provide aerospace services to the aerospace industry and general public of
16 this state, provide commercial and noncommercial aerospace business opportunities
17 for industry, education, and government, and develop projects within this state to
18 foster and improve aerospace economic growth.

19 (6) Advise, cooperate, and coordinate with federal, state, and local
20 governmental units, the aerospace industry, educational organizations, businesses,
21 and the Wisconsin Space Grant Consortium, and any other person interested in the
22 promotion of space-related industry.

23 (7) Furnish leadership in securing adequate funding for spaceports, spaceport
24 facilities, spaceport services, aerospace facilities, and aerospace services in this
25 state.

1 (8) Act as a central clearinghouse and source of information in this state for
2 spaceports, spaceport facilities, spaceport services, aerospace facilities, and
3 aerospace services, including furnishing such information to legislators, offices of
4 government, educational institutions, and the general public.

5 (9) Develop a business plan to promote and facilitate space-related
6 educational and commercial development in this state, and to stimulate and improve
7 aerospace science, design, technology, ^{and} research, education, and outreach activities
8 in this state, which plan shall include information about the authority and
9 information and analysis about space-related industry, technology, design,
10 manufacturing, marketing, and management.

11 (10) Assist any state agency, municipality, or other governmental unit, upon
12 its request, in the development of any spaceport or spaceport facility.

13 (11) Use the building commission as a financial consultant to assist and
14 coordinate the issuance of bonds under this subchapter.

15 (12) Comply with all applicable state and federal laws, including all
16 environmental and aeronautics laws, in the exercise of the powers specified under
17 this subchapter.

18 (13) Comply with all requirements under federal law related to the use or
19 expenditure of federal aid, and comply with all lawful restrictions or conditions
20 imposed by state law or by the terms of any gift, bequest, grant, loan, aid,
21 contribution, or financial assistance relating to the use or expenditure of such funds.

22 (14) To the extent permitted by applicable state and federal law, attempt to
23 involve and utilize, with respect to any facility or service provided by the authority,
24 disadvantaged individuals, disadvantaged businesses, and minority businesses, as
25 defined in s. 84.076 (1) (a) to (c).

those terms are

1 (15) Establish a safety program that includes the development and
2 implementation of a loss prevention program, safety policies, and regular and
3 periodic facility and equipment inspections.

4 (16) Attempt to procure adequate liability and property insurance.

5 (17) Subject to s. 114.64, establish the authority's annual budget and monitor
6 the fiscal management of the authority.

7 **114.64 Annual reports.** (1) The authority shall keep an accurate account of
8 all of its activities and of all of its receipts and expenditures, and shall annually in
9 January make a report of its activities, receipts, expenditures, and financial
10 condition to the governor and the chief clerk of each house of the legislature, for
11 distribution to the legislature under s. 13.172 (2). The reports shall be in a form
12 approved by the state auditor. Subject to sub. (3), the state auditor may investigate
13 the affairs of the authority, may examine the properties and records of the authority,
14 and may prescribe methods of accounting and the rendering of periodical reports in
15 relation to activities undertaken by the authority.

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16 (2) (a) Within 180 days after the effective date of this paragraph [revisor
17 inserts date], the authority shall submit to the department of administration the
18 business plan specified under s. 114.63 (9) and an estimate of the costs of and funding
19 for any planned projects of the authority described in s. 114.62 (10).

20 (b) The authority shall update and resubmit the plan under par. (a) upon the
21 request of the department of administration.

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49-22

22 (3) For each fiscal year, the authority shall submit to the department of
23 administration an audited financial statement, which shall include notes that
24 explain in detail the specific sources of funding contained in the financial statement.