2005 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB352)

Received: **11/30/2005**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Jon Dyck**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - airports**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Jon.Dyck@legis.state.wi.us**

Carbon copy (CC:) to: **aaron.gary@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Wisconsin Aerospace Authority; rolling together adopted simple amendments

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	agary 12/01/2005	csicilia 12/05/2005		_____ _____			
/1			jfrantze 12/05/2005	_____ _____	mbarman 12/05/2005	mbarman 12/05/2005	

FE Sent For:

<END>

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/?	agary	1 gj 12/5 05	12/5	12/5 RA 12/5			

FE Sent For:

<END>

11/30

Tlc w/ Jon

SA 3	✓ 1571	sub for both bills
	✓ 1623	
	✓ 1617	
	✓ 1601	
SA 1	✓ 1514	
	1588	for the conte

LRBa1617/1
ARG:kjf:jf

SENATE AMENDMENT ,

TO 2005 SENATE BILL 352

At the locations indicated, amend the bill as follows:

1. Page 65, line 3: delete the material beginning with that line and ending with page 68, line 2.

(END)

LRBa1623/1
ARG:jld:jf

SENATE AMENDMENT ,

TO 2005 SENATE BILL 352

At the locations indicated, amend the bill as follows:

1. Page 20, line 12: on lines 12 and 14, after "114.70" insert "or 114.74".

2. Page 63, line 10: delete "state funds provided" and substitute "funds provided by the state".

(END)

Gary, Aaron

From: Northrop, Lori

Sent: Wednesday, November 30, 2005 4:13 PM

To: Gary, Aaron; Gad, Anthony; Haugen, Caroline; Hanaman, Cathlene; Siciliano, Chris; Sundberg, Christopher; Snyder, Eileen; Malaise, Gordon; Kreye, Joseph; Dyer, Joy; Follett, Kathy; Kunkel, Laura; Northrop, Lori; Kunkel, Mark; Gibson-Glass, Mary; Dsida, Michael; Kahler, Pam; Greenslet, Patty; Hurley, Peggy; Dykman, Peter; Champagne, Rick; Nelson, Robert P.; Kite, Robin; Ryan, Robin; Schlueter, Ron; Miller, Steve; Jackson, Wendy

Subject: wheeler report 11/30/2005 4:12pm

THE WHEELER REPORT
111 W. Wilson St. #UL-11 - Madison, WI 53703 - 608-287-0130
E-Mail: wheeler@thewheelerreport.com

Wednesday, November 30, 2005 PM

MALPRACTICE BILLS SENT TO GOVERNOR

Speaker Gard on Wednesday sent the following bills to Gov. Doyle for action. The governor has until next Wednesday to take action on them.

AB-764. Malpractice awards – collateral sources payments.

AB-765. Coverage under the uninjured patients and families compensation fund of medical school graduates engaged in postgraduate training.

AB-766. Malpractice awards – non-economic damages caps.

EXECUTIVE ACTION BY JOINT FINANCE

(Note: Rep. Colon was not present for the meeting)

AB-844. (Companion to SB-451) HIRSP changes; HIRSP authority; eligibility. *Am. 1 to Sub. 1 recommended, 15-0. Am. (LRBa1590/1) recommended, 15-0. Sub. as amended recommended, 13-2. Passage recommended as amended, 13-2.*

SB-451. (Companion to AB-844) HIRSP changes; HIRSP authority; eligibility. *All actions taken on AB-844 applied to SB-451.*

AB-87. Non-resident tuition exemption for dependents of certain active members of the armed forces. *Sub 1 recommended 13-1. Passage as amended recommended, 14-0.*

AB-418. Provides state aid to certain large-area, declining enrollment school districts (Florence County). *Passage recommended, 8-7.*

AB-397. (Companion to SB-175) Adds a UW Platteville project to the 2003-05 authorized state building program. *Substitute (LRBs0324/1) recommended, 11-3. Passage as amended recommended 11-3.*

SB-175. (Companion to AB-397)Adds a UW Platteville project to the 2003-05 authorized state building program. *All actions taken on AB-397 applied to SB-175 by unanimous consent.*

AB-770. (Companion to SB-352) Creates Wisconsin Aerospace Authority to develop and operate spaceports and related facilities and services and other aerospace facilities and services; provides authority with power of condemnation; authorizes municipalities to develop and operate spaceports. *All actions taken on SB-352 applied to AB-770 by unanimous consent.*

SB-352. (Companion to AB-770) Creates Wisconsin Aerospace Authority to develop and operate spaceports and related facilities and services and other aerospace facilities and services; provides authority with power of condemnation; authorizes municipalities to develop and operate spaceports. *Am (LRBa1588-1) recommended, 14-0. Am. (LRBa1514/1) recommended, 14-0. Am. (LRBa1601/1) recommended 13-1. Am. (LRBa1617/1) recommended, 14-0. Am. (LRBa1623/1) recommended, 14-0. Am. (LRBa1596/1) NOT recommended 3-11. Am. (LRBa1571/1) recommended 14-0. Introduction and adoption of a substitute to be drafted recommended 12-2. Passage as amended recommended, 12-2.*

AB-120. Restrictions on operation of motor vehicles by persons holding instructional permits or probationary licenses (prohibits use of cell phones). *Passage recommended 10-5.*

AB-26. (Companion to SB-33) Wildlife violator compact. *Am. 1 to Sub 1 recommended 15-0. Motion 806 recommended 14-1. Am. (LRBa1480/1) recommended, 15-0. Sub 1 recommended as amended, 15-0. Passage as*

2005 – 2006 LEGISLATURE LRB-2987/1
ARG:cjs:rs

SENATE SUBSTITUTE AMENDMENT, TO 2005 SENATE BILL 352

September 28, 2005 – Introduced by Senators LEIBHAM, SCHULTZ, BROWN and HANSEN, cosponsored by Representatives KESTELL, SUDER, DAVIS, JENSEN, ALBERS, LEMAHIEU, OTT, VAN ROY, GRONEMUS, NELSON, VAN AKKEREN and VRUWINK. Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

AN ACT ***to renumber and amend*** 114.136 (2) (b); ***to amend*** 7.33 (1) (c), 13.172 (1), 13.62 (2), 13.94 (1) (b), 13.94 (1) (g), 13.94 (4) (a) 1., 16.002 (2), 16.004 (4), 16.004 (5), 16.004 (12) (a), 16.01 (1), 16.045 (1) (a), 16.41 (4), 16.417 (1) (b), 16.52 (7), 16.528 (1) (a), 16.53 (2), 16.54 (9) (a) 1., 16.611 (2) (a) and (c), 16.70 (2), 16.75 (1m), 16.765 (1), (2), (4), (5), (6), (7) (intro.) and (d) and (8), 16.838 (1) (b), 16.85 (2), 16.865 (8), 19.42 (5), 20.395 (2) (dq), 20.395 (2) (dv), 20.395 (2) (dx), 23.175 (1) (b), 25.50 (1) (d), 32.01 (1), 32.05 (intro.), 71.26 (1) (be), 77.54 (9a) (a), 84.072 (3), 85.02 (1), 100.45 (1) (dm), 101.177 (1) (d), chapter 114 (title), 114.002 (1), 114.002 (3), 114.04, 114.05, 114.07, 114.105, 114.11 (title), 114.11 (1), (2), (3), (4) and (5) (intro.), 114.12, 114.13, 114.134 (title), 114.134 (1), (2), (3) and (4) (c), 114.135 (intro.), (1), (2), (3), (4), (6), (7) and (8), 114.136 (title), 114.136 (1) (a), (b) and (c), (2) (a), (3), (4) and (5), 114.151, 114.31 (1) and (4), 114.33 (12), 114.37 (title), 230.03 (3), 281.75 (4) (b) 3., 285.59 (1) (b), 560.032 (1), 893.80 (1), 893.80 (1g), 893.80 (3), 893.80 (4), 893.80 (5) and 893.80 (7); and ***to create*** 24.61 (2) (a)

10., 25.17 (3) (b) 13., 32.02 (11m), 40.02 (54) (j), 66.0603 (1m) (a) 3u., 70.11 (38m), 71.05 (1) (c) 7., 71.26 (1m) (h), 71.45 (1t) (h), subchapter I (title) of chapter 114 [precedes 114.001], 114.002 (11m), 114.002 (18r), (18s) and (18t), 114.375, subchapter II of chapter 114 [precedes 114.60] and 219.09 (1) (g) of the statutes; **relating to:** creating the Wisconsin Aerospace Authority to develop and operate spaceports and related facilities and services and other aerospace facilities and services and providing the authority with the power of condemnation, authorizing municipalities to develop and operate spaceports, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates the Wisconsin Aerospace Authority (WAA) and authorizes WAA to develop spaceports, spacecraft, and other aerospace facilities in this state, to provide spaceport and aerospace services and allow use of spaceport and aerospace facilities by others, to promote the aerospace industry in this state, and to provide public–private coordination for the aerospace industry in this state. An authority is a public body created by state law that is not a state agency. There are currently a limited number of authorities created under state law, which include the University of Wisconsin Hospitals and Clinics Authority and Wisconsin Housing and Economic Development Authority.

Under this bill, the board of directors of WAA consists of nine members. Six members of the board are appointed by the governor with the advice and consent of the senate for three–year terms. One member is appointed by the president of the senate and one member is appointed by the speaker of the assembly, each for a three–year term. Each of these eight members must be a resident of this state and must have experience in the aerospace, education, finance, or commercial space industry or other significant experience related to the functions of WAA. The ninth member of the board is the director of the Wisconsin Space Grant Consortium. A board member appointed by the governor may be removed from the board for cause and a board member appointed by the legislature is required to be removed from the board for two consecutive unapproved absences from board meetings. Board members are not compensated for their services, but receive reimbursement for actual and necessary expenses. The board must appoint an executive director, who may not be a member of the board and who may receive compensation for his or her services.

The bill provides WAA with numerous powers, including authorizing WAA to do all of the following:

including establishing a spaceport in the city of Sheboygan

1. Design, develop, and operate spaceports, aerospace facilities, and spacecraft.

2. Design, develop, and operate programs and projects, and provide services, related to spaceports, aerospace facilities, and spacecraft.

3. Acquire and dispose of real property, personal property, and intangible property rights and enter into contracts.

4. Issue bonds to fund any spaceport, facility, or service of WAA.

5. Exercise the right of eminent domain.

6. Maintain exclusive jurisdiction (except where federal or state law provides otherwise) over WAA spaceports.

7. Cooperate with other governmental units in furnishing any facility or service, including fire and police protection at a spaceport.

substitute amendment

The bill also imposes a number of duties on WAA, including requiring WAA to do all of the following:

~~1. Establish a spaceport in the city of Sheboygan.~~

1 2. Promote the aerospace industry in this state, including advertising and promotion of WAA facilities and services and development, promotion, and attraction of space–related business in this state.

2 3. Provide and promote aerospace services, information, and business opportunities in this state.

3 4. Coordinate efforts of various governmental units and private parties interested in the promotion of space–related industry.

4 5. Develop a business plan to promote and facilitate spaceport–related educational and commercial development and to stimulate and improve aerospace science, design, technology, and research.

5 6. Annually report to the governor and legislature WAA's activities, receipts, expenditures, and financial condition; annually submit to the Department of Administration (DOA), for each fiscal year in which the authority receives operating revenues, an audited financial statement including detailed identification of funding sources; and submit once to DOA, and as DOA requests thereafter, a business plan and estimate of costs and funding for design, development, and operation of initially planned spaceports, aerospace facilities, and spacecraft.

insert ANAL-A

The bill authorizes WAA to issue bonds to carry out its functions if WAA submits a bond resolution to the governor and legislature and the legislature's Joint Committee on Finance does not schedule a meeting within 14 days on the bond resolution or schedules such a meeting and approves the bond resolution. WAA's bonds are not state debt. The bill authorizes WAA to have no more than $100,000,000 in outstanding bonds at any one time. The bill creates an individual and corporate income tax exemption for interest on bonds issued by WAA.

insert ANAL-B

Under the bill, state funding for WAA is provided from the Department of Transportation's (DOT) appropriation for airports and air navigation, but the bill does not provide any increase in this appropriation. Also under the bill, any project to acquire, construct, or improve a spaceport or spaceport facility, other than a hangar, must be funded from this DOT appropriation and from WAA's own funds. DOT and WAA must share the cost of the project, except that DOT's share of costs is limited to a maximum of $10,000,000 per project and is limited to 80 percent of the

these

and to access by the Legislative Fiscal Bureau

total project cost if federal aid is not available for the project or 50 percent of the total project cost in excess of federal aid if federal aid is available for the project. For each project, DOT determines the percentage of costs borne by DOT based on the relative importance of the project to any state spaceport development program as a whole.

Because WAA is not a state agency, numerous laws that apply to state agencies do not apply to WAA. However, as with many state–created authorities, WAA is treated like a state agency in the following respects, among others: 1) it is generally subject to the open records and open meetings laws; 2) it is treated like a state agency for purposes of the law regulating lobbying; 3) its employees may participate in the system for state retirement benefits and health insurance coverage; 4) it is exempt from sales and use taxes, property taxes, and income taxes; 5) its employees are subject to laws prohibiting political activities by state employees while engaged in official duties. ~~Unlike other state–created authorities, WAA is not treated like a state agency in the following respects:~~ 1) it is not subject to auditing by the Legislative Audit Bureau; and 2) the Code of Ethics for Public Officials and Employees ~~does not~~ cover WAA.

WAA is unlike a state agency in many other ways, including: 1) it approves its own budget without going through the state budgetary process; 2) WAA employees are not state employees, are not included in the state system of personnel management, and are hired outside the state hiring system; 3) it is not subject to statutory rule–making procedures, including requirements for legislative review of proposed rules; 4) it keeps its operating fund in its own account outside of the state treasury; and 5) the state is not liable for any debt, obligation, or act of WAA and WAA expenses are paid from WAA's own funds.

substitute amendment

The ~~bill~~ also expands certain provisions of law currently applicable only to airports and aircraft to apply to spaceports and spacecraft as well. These changes include: 1) treating aircraft and spacecraft similarly with regard to certain aspects of civil and criminal liability; 2) recognizing the authority of a county or municipality to establish, own, and operate a spaceport or spacecraft launch or landing area in the same manner as a county or municipal airport, landing field, or landing and take–off strip, including the right of condemnation and the right to protect aerial approaches; and 3) expanding an existing loan program administered by DOT to facilitate acquisition by local governments or airport owners of land for airport projects to include spaceport projects as well, but with a maximum total outstanding balance of loans for spaceport projects of $10,000,000 rather than the $6,500,000 for airport projects. ~ and with a different funding source

Current law provides limited immunity for volunteer fire companies, political corporations, governmental subdivisions and agencies thereof, and for officers, officials, agents, or employees of these entities, for acts done in an official capacity or in the course of employment. Claimants must generally follow a specified claims procedure and liability for damages is generally limited to $50,000 except that no liability may be imposed for performance of a discretionary duty or for punitive damages. This bill provides the WAA and its officers, agents, and employees with the same limited immunity.

This bill will be referred to the Joint Survey Committee on Retirement Systems 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:

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

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

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

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

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

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

SECTION 4. 13.94 (1) (b) of the statutes is amended to read:

13.94 **(1)** (b) Audit the records of every state department, board, commission, independent agency, or authority other than the Wisconsin Aerospace Authority at least once each 5 years and audit the records of other departments as defined in sub. (4) when the state auditor deems it advisable or when he or she is so directed and,

in conjunction therewith, reconcile the records of the department audited with those of the department of administration. Audits of the records of a county, city, village, town or school district may be performed only as provided in par. (m). Within 30 days after completion of any such audit, the bureau shall file with the chief clerk of each house of the legislature, the governor, the department of administration, the legislative reference bureau, the joint committee on finance, the legislative fiscal bureau and the department audited, a detailed report thereof, including its recommendations for improvement and efficiency and including specific instances, if any, of illegal or improper expenditures. The chief clerks shall distribute the report to the joint legislative audit committee, the appropriate standing committees of the legislature and the joint committee on legislative organization.

SECTION 5. 13.94 (1) (g) of the statutes is amended to read:

13.94 **(1)** (g) Require each state department, board, commission, independent agency, or authority other than the Wisconsin Aerospace Authority to file with the bureau on or before September 1 of each year a report on all receivables due the state as of the preceding June 30 which were occasioned by activities of the reporting unit. The report may also be required of other departments, except counties, cities, villages, towns and school districts. The report shall show the aggregate amount of such receivables according to fiscal year of origin and collections thereon during the fiscal year preceding the report. The state auditor may require any department to file with the bureau a detailed list of the receivables comprising the aggregate amounts shown on the reports prescribed by this paragraph.

SECTION 6. 13.94 (4) (a) 1. of the statutes is amended to read:

13.94 **(4)** (a) 1. Every state department, board, examining board, affiliated credentialing board, commission, independent agency, council or office in the

and the Wisconsin Aerospace Authority

executive branch of state government; all bodies created by the legislature in the legislative or judicial branch of state government; any public body corporate and politic created by the legislature, except the Wisconsin Aerospace Authority, and including specifically the Fox River Navigational System Authority, a professional baseball park district, a local professional football stadium district, a local cultural arts district and a family care district under s. 46.2895; every Wisconsin works agency under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch. 49; technical college district boards; development zones designated under s. 560.71; every county department under s. 51.42 or 51.437; every nonprofit corporation or cooperative to which moneys are specifically appropriated by state law; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law, including subgrantee or subcontractor recipients of such funds.

insert 7-13

SECTION 7. 16.002 (2) of the statutes is amended to read:

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

SECTION 8. 16.004 (4) of the statutes is amended to read:

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

SECTION 9. 16.004 (5) of the statutes is amended to read:

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

SECTION 10. 16.004 (12) (a) of the statutes is amended to read:

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

SECTION 11. 16.01 (1) of the statutes is amended to read:

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

SECTION 12. 16.045 (1) (a) of the statutes is amended to read:

16.045 **(1)** (a) "Agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the

courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 232, 233, 234, 235, or 237.

SECTION 13. 16.41 (4) of the statutes is amended to read:

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

SECTION 14. 16.417 (1) (b) of the statutes is amended to read:

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

SECTION 15. 16.52 (7) of the statutes is amended to read:

16.52 **(7)** PETTY CASH ACCOUNT. With the approval of the secretary, each agency which is authorized to maintain a contingent fund under s. 20.920 may establish a petty cash account from its contingent fund. The procedure for operation and maintenance of petty cash accounts and the character of expenditures therefrom shall be prescribed by the secretary. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 233, 234, or 237.

SECTION 16. 16.528 (1) (a) of the statutes is amended to read:

16.528 **(1)** (a) "Agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the

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

SECTION 17. 16.53 (2) of the statutes is amended to read:

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

SECTION 18. 16.54 (9) (a) 1. of the statutes is amended to read:

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

SECTION 19. 16.611 (2) (a) and (c) of the statutes are amended to read:

16.611 **(2)** (a) The department shall prescribe, by rule, procedures for the transfer of public records and records of the University of Wisconsin Hospitals and Clinics Authority and of the Wisconsin Aerospace Authority to optical disk or electronic format and for the maintenance of such records stored in optical disk or electronic format, including procedures to ensure the authenticity, accuracy, reliability and accessibility of any public records or records of the University of

Wisconsin Hospitals and Clinics Authority or of the Wisconsin Aerospace Authority so transferred and procedures to ensure that such records are protected from unauthorized destruction.

(c) The department shall prescribe, by rule, qualitative standards for optical disks and for copies of documents generated from optical disks used to store public records and records of the University of Wisconsin Hospitals and Clinics Authority and of the Wisconsin Aerospace Authority.

SECTION 20. 16.70 (2) of the statutes is amended to read:

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

SECTION 21. 16.75 (1m) of the statutes is amended to read:

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

SECTION 22. 16.765 (1), (2), (4), (5), (6), (7) (intro.) and (d) and (8) of the statutes are amended to read:

16.765 **(1)** Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, and the Bradley Center Sports and Entertainment Corporation shall include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m) or national origin and, except with respect to sexual orientation, obligating the contractor to take affirmative action to ensure equal employment opportunities.

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

to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause".

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

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

(6) The department may receive complaints of alleged violations of the nondiscrimination provisions of such contracts. The department shall investigate and determine whether a violation of this section has occurred. The department may delegate this authority to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the

Wisconsin Aerospace Authority, or the Bradley Center Sports and Entertainment Corporation for processing in accordance with the department's procedures.

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

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

(8) If further violations of this section are committed during the term of the contract, the contracting agency, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, or the Bradley Center Sports and Entertainment Corporation may permit the violating party to complete the contract, after complying with this section, but thereafter the contracting agency, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, or the Bradley Center Sports and Entertainment Corporation shall request the department to place the name of the party on the ineligible list for state contracts, or the contracting agency, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, or the Bradley Center Sports and Entertainment Corporation may terminate the contract

without liability for the uncompleted portion or any materials or services purchased or paid for by the contracting party for use in completing the contract.

SECTION 23. 16.838 (1) (b) of the statutes is amended to read:

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

SECTION 24. 16.85 (2) of the statutes is amended to read:

16.85 **(2)** To furnish engineering, architectural, project management and other building construction services whenever requisitions therefor are presented to the department by any agency. The department may deposit moneys received from the provision of these services in the account under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 233, 234, or 237.

SECTION 25. 16.865 (8) of the statutes is amended to read:

16.865 **(8)** Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k). The department may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration

costs, litigation costs and the cost of insurance contracts under sub. (5). In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 232, 233, 234, 235, or 237.

SECTION 26. 19.42 (5) of the statutes is amended to read:

19.42 **(5)** "Department" means the legislature, the University of Wisconsin System, any authority or public corporation created and regulated by an act of the legislature except the Wisconsin Aerospace Authority, and any office, department, independent agency or legislative service agency created under ch. 13, 14 or 15, any technical college district or any constitutional office other than a judicial office. In the case of a district attorney, "department" means the department of administration unless the context otherwise requires.

SECTION 27. 20.395 (2) (dq) of the statutes is amended to read:

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

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SECTION 28. 20.395 (2) (dv) of the statutes is amended to read:

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

SECTION 29. 20.395 (2) (dx) of the statutes is amended to read:

20.395 **(2)** (dx) *Aeronautics and astronautics assistance, federal funds.* All moneys received from the federal government for airports or other aeronautical activities under s. 114.32 or 114.33 and for spaceports, for administration of the powers and duties of the secretary of transportation under s. 114.31, for costs associated with aeronautical activities under s. 114.31, for the Wisconsin Aerospace Authority under subch. II of ch. 114, and for the administration of other aeronautical and astronautical activities authorized by law, for such purposes.

SECTION 30. 23.175 (1) (b) of the statutes is amended to read:

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

SECTION 31. 24.61 (2) (a) 10. of the statutes is created to read:

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

SECTION 32. 25.17 (3) (b) 13. of the statutes is created to read:

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

SECTION 33. 25.50 (1) (d) of the statutes is amended to read:

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

SECTION 34. 32.01 (1) of the statutes is amended to read:

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

SECTION 35. 32.02 (11m) of the statutes is created to read:

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

SECTION 36. 32.05 (intro.) of the statutes is amended to read:

32.05 Condemnation for sewers and transportation facilities. (intro.) In this section, "mass transit facility" includes, without limitation because of

enumeration, exclusive or preferential bus lanes if those lanes are limited to abandoned railroad rights–of–way or existing expressways constructed before May 17, 1978, highway control devices, bus passenger loading areas and terminal facilities, including shelters, and fringe and corridor parking facilities to serve bus and other public mass transportation passengers, together with the acquisition, construction, reconstruction and maintenance of lands and facilities for the development, improvement and use of public mass transportation systems for the transportation of passengers. This section does not apply to proceedings in 1st class cities under subch. II. In any city, condemnation for housing under ss. 66.1201 to 66.1211, for urban renewal under s. 66.1333, or for cultural arts facilities under subch. V of ch. 229, may proceed under this section or under s. 32.06 at the option of the condemning authority. Condemnation by a local exposition district under subch. II of ch. 229 for any exposition center or exposition center facility may proceed under this section or under s. 32.06 at the option of the local exposition district. All other condemnation of property for public alleys, streets, highways, airports, spaceports, mass transit facilities, or other transportation facilities, gas or leachate extraction systems to remedy environmental pollution from a solid waste disposal facility, storm sewers and sanitary sewers, watercourses or water transmission and distribution facilities shall proceed as follows:

SECTION 37. 40.02 (54) (j) of the statutes is created to read:

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

SECTION 38. 66.0603 (1m) (a) 3u. of the statutes is created to read:

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

SECTION 39. 70.11 (38m) of the statutes is created to read:

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

SECTION 40. 71.05 (1) (c) 7. of the statutes is created to read:

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

SECTION 41. 71.26 (1) (be) of the statutes is amended to read:

71.26 **(1)** (be) *Certain authorities.* Income of the University of Wisconsin Hospitals and Clinics Authority ~~and~~, of the Fox River Navigational System Authority, and of the Wisconsin Aerospace Authority.

SECTION 42. 71.26 (1m) (h) of the statutes is created to read:

71.26 **(1m)** (h) Those issued under s. 114.70 or 114.74.

SECTION 43. 71.45 (1t) (h) of the statutes is created to read:

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

SECTION 44. 77.54 (9a) (a) of the statutes is amended to read:

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

SECTION 45. 84.072 (3) of the statutes is amended to read:

84.072 **(3)** IMPLIED CONSENT. Any municipality, county, or other person, including the Wisconsin Aerospace Authority created under subch. II of ch. 114, that accepts federal moneys from the appropriations under s. 20.395 (1) (bx), (2) (ax), (dx), ~~or~~ (fx), or (3) (bx), or (mx), (cx), or (ex), or accepts other federal moneys for highway, transit, ~~or~~, airport, or spaceport purposes, after September 1, 2001, is considered to have

given consent to the unified certification disadvantage business program administered under this section.

SECTION 46. 85.02 (1) of the statutes is amended to read:

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

SECTION 47. 100.45 (1) (dm) of the statutes is amended to read:

100.45 **(1)** (dm) "State agency" means any office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law which is entitled to expend moneys appropriated by law, including the legislature and the courts, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities Authority, the Wisconsin Aerospace Authority, and the Fox River Navigational System Authority.

SECTION 48. 101.177 (1) (d) of the statutes is amended to read:

101.177 **(1)** (d) "State agency" means any office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law which is entitled to expend moneys appropriated by law, including the legislature and the

courts, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, and the Wisconsin Health and Educational Facilities Authority.

SECTION 49. Chapter 114 (title) of the statutes is amended to read:

CHAPTER 114

AERONAUTICS AND ASTRONAUTICS

SECTION 50. Subchapter I (title) of chapter 114 [precedes 114.001] of the statutes is created to read:

CHAPTER 114

SUBCHAPTER I

AIR TRANSPORTATION

SECTION 51. 114.002 (1) of the statutes is amended to read:

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

SECTION 52. 114.002 (3) of the statutes is amended to read:

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

SECTION 53. 114.002 (11m) of the statutes is created to read:

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

SECTION 54. 114.002 (18r), (18s) and (18t) of the statutes are created to read:

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

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

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

SECTION 55. 114.04 of the statutes is amended to read:

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

SECTION 56. 114.05 of the statutes is amended to read:

114.05 Damages by aircraft or spacecraft. The liability of the owner, lessee and pilot of every aircraft or spacecraft operating over the lands or waters of this state for injuries or damage to persons or property on the land or water beneath, caused by the ascent, descent or flight of such aircraft or spacecraft, or the dropping or falling of the aircraft or spacecraft or of any object or material therefrom, shall be determined by the law applicable to torts on land, except that there shall be a presumption of liability on the part of the owner, lessee or pilot, as the case may be, where injury or damage is caused by the dropping or falling of the aircraft or spacecraft or of any object or material therefrom, which presumption may be rebutted by proof that the injury or damage was not caused by negligence on the part of the owner, lessee or pilot and the burden of proof in such case shall be upon such owner, lessee or pilot to show absence of negligence on his or her part.

SECTION 57. 114.07 of the statutes is amended to read:

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

SECTION 58. 114.105 of the statutes is amended to read:

114.105 Local regulation. Any county, town, city or village may adopt any ordinance in strict conformity with the provisions of this chapter and impose the same penalty for violation of any of its provisions except that such ordinance shall not provide for the suspension or revocation of pilot or aircraft licenses or certificates and shall not provide for imprisonment except for failure to pay any fine which may

be imposed. No local authority shall enact any ordinance governing aircraft or aeronautics or spacecraft or astronautics contrary to or inconsistent with the provisions of this chapter or federal law. Every court in which a violation of such ordinance is prosecuted shall make a written report of any conviction (including bail or appearance money forfeiture) to the federal aviation administration.

SECTION 59. 114.11 (title) of the statutes is amended to read:

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

SECTION 60. 114.11 (1), (2), (3), (4) and (5) (intro.) of the statutes are amended to read:

114.11 **(1)** The governing body of any county, city, village or town in this state is hereby authorized to acquire, establish, construct, own, control, lease, equip, improve, maintain and operate airports or landing fields or landing and take–off strips for the use of airplanes and other aircraft, or spaceports or spacecraft launch or landing areas, either within or without the limits of such counties, cities, villages and towns, and may use for such purpose or purposes any property suitable therefor that is now or may at any time hereafter be owned or controlled by such county, city, village or town, and may regulate the same, provided, such regulation shall not be in conflict with such rules and regulations as may be made by the federal government. The governing body of each and every county and municipality owning an airport or landing field or landing and take–off strip, or spaceport or spacecraft launch or landing area, in the state of Wisconsin shall cause the surroundings of such airport, landing field or landing and take–off strip, or spaceport or spacecraft launch or landing area, to be marked for aeronautical or astronautical purposes, and maintain such marking, subject to and in accordance with law and such rules and regulations as may from time to time be made by the federal government and in so

doing may cooperate with other states and subdivisions thereof and acquire rights and easements in property outside of the state.

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

(3) The governing body of any municipality or other political subdivision of an adjoining state whose laws permit, is hereby authorized to acquire, establish, construct, own, control, lease, equip, improve, maintain and operate airports, or landing fields, or landing and take–off strips or other aeronautical facilities, or spaceports or spacecraft launch or landing areas or other astronautical facilities, in this state, subject to all laws, rules and regulations of this state applicable to its municipalities or other political subdivisions in such aeronautical or astronautical project, but subject to the laws of its own state in all matters relating to financing such project. Such municipality or other political subdivision of an adjoining state shall have all privileges, rights and duties of like municipalities or other political subdivisions of this state, including the right to exercise the right of eminent domain. This subsection shall not apply unless the laws of such adjoining state shall permit municipalities or other political subdivisions of this state to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate and otherwise control such airport, landing field or landing and take–off strips or other aeronautical facilities, or spaceports or spacecraft launch or landing areas or other

astronautical facilities, therein with all privileges, rights and duties applicable to the municipalities or other political subdivisions of such adjoining state in such aeronautical or astronautical projects.

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

(5) (intro.) The governing body of any county, city, village or town in this state may, together with any municipality or other political subdivision of an adjoining state if, under the laws of that state, such municipality or other political subdivision is similarly authorized, jointly sponsor an airport or spaceport project located in this state or in the adjoining state.

SECTION 61. 114.12 of the statutes is amended to read:

114.12 Condemnation of lands for airports and spaceports. Any lands acquired, owned, controlled or occupied by such counties, cities, villages and towns for the purposes enumerated in s. 114.11 shall and are hereby declared to be acquired, owned, controlled and occupied for a public purpose, and as a matter of public necessity, and such cities, villages, towns or counties shall have the right to acquire property for such purpose or purposes under the power of eminent domain as and for a public necessity including property owned by other municipal corporations and political subdivisions and including any street, highway, park, parkway or alley, provided that no state trunk highway shall be so acquired without the prior consent of the department. Whenever the county, city, village or town as the case may be shall own all land or access rights on both sides of such street, highway, park, parkway or alley, it may, within the limits where it has ownership or

access rights on both sides, notwithstanding any other provisions of law, vacate and close such public way by resolution of the governing body of the county, city, village or town acquiring it and no damages shall be assessed against such county, city, village or town by reason of such closing, except as may be allowed in a particular condemnation action where the lands or rights in lands necessary for such airport or spaceport are so acquired. If such closing shall leave any part of such street, highway, parkway or alley without access to another public street or highway, the county, town, city or village effecting such closing shall immediately provide such access at its expense.

SECTION 62. 114.13 of the statutes is amended to read:

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

SECTION 63. 114.134 (title) of the statutes is amended to read:

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