

2013 Senate Bill 643 (LRB -4300)

An Act to amend 82.08 (1) of the statutes; relating to: county aid for town bridges and culverts. (FE)

2014

02-28.	S.	Introduced by Law Revision Committee.	721
02-28.	S.	Read first time and referred to Committee on Economic Development and Local Government	721
03-05.	S.	Public hearing held	
03-05.	S.	Executive action taken	
03-05.	S.	Report passage recommended by Committee on Economic Development and Local Government, Ayes 5, Noes 0	735
03-05.	S.	Available for scheduling	
03-07.	S.	Fiscal estimate received	
03-07.	S.	Placed on calendar 3-11-2014 pursuant to Senate Rule 18(1)	743
03-11.	S.	Read a second time	758
03-11.	S.	Ordered to a third reading	758
03-11.	S.	Rules suspended	758
03-11.	S.	Read a third time and passed	758
03-11.	S.	Ordered immediately messaged	760
03-12.	A.	Received from Senate	737
03-18.	A.	Read first time and referred to committee on Rules	
03-18.	A.	Rules suspended to withdraw from committee on Rules and take up	
03-18.	A.	Read a second time	
03-18.	A.	Ordered to a third reading	
03-18.	A.	Rules suspended	
03-18.	A.	Read a third time and concurred in	
03-18.	A.	Ordered immediately messaged	
03-19.	S.	Received from Assembly concurred in	

2013

ENROLLED BILL

13en SB-643

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

13-4300/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

3-25-14 J. Miller
Date Enrolling Drafter



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4300/1
EVM:sac:rs

2013 SENATE BILL 643

February 28, 2014 - Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Economic Development and Local Government.

1 **AN ACT** *to amend* 82.08 (1) of the statutes; **relating to:** county aid for town
2 bridges and culverts.

Analysis by the Legislative Reference Bureau

Under current law, a town that has voted to construct or repair a bridge or culvert on a highway maintained by the town may petition the county in which the town is located for shared funding of the project. With certain exceptions, upon an adequate petition, the county must pay one-half of the cost of construction or repair. The Wisconsin Supreme Court in *Town of Madison v. County of Dane*, 311 Wis. 2d 402 (2008), determined that this requirement applies only to "highways in existence at the time of a bridge's construction." Under this holding, counties are required to share costs only for bridges or culverts that are either located on a town highway that is currently in existence or will be connected to a town highway by the completion of the construction. This bill clarifies the language of the statute to confirm the holding of the Wisconsin Supreme Court.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

For further information see the *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:

SENATE BILL 643

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is introduced by the Law Revision Committee under s. 13.83 (1) (c) 1. and 5., stats., as a result of the Legislative Reference Bureau's case and opinion review under s. 13.92 (2) (j), stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 82.08 (1) of the statutes is amended to read:

2 82.08 (1) PETITIONS. A town that has voted to construct or repair any bridge or
3 culvert that is on -a-, or that after the construction will be connected to, an existing
4 highway maintained by the town may file a petition for county aid with the county
5 highway commissioner. The petition shall describe the location and size of the bridge
6 or culvert and shall contain a statement that the town has provided the funds
7 required by sub. (3).

8

(END)