

No. 513, S.]

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**CHAPTER 466**

AN ACT to create 66.945 of the statutes, relating to regional planning commissions.

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

66.945 of the statutes is created to read:

**66.945 CREATION, ORGANIZATION, POWERS AND DUTIES OF REGIONAL PLANNING COMMISSIONS.** (1) **DEFINITIONS.** For the purpose of this section "local governmental units" or "local units" shall include cities, villages, towns and counties.

(2) **CREATION OF REGIONAL PLANNING COMMISSIONS.** A regional planning commission may be created by the governor, or such state agency as he may designate, upon petition in the form of a resolution by the legislative body of a local governmental unit. Such a petition shall evidence the existence of an unmistakable interest in a regional planning commission and demonstrate the need for such a commission. The governor, or his designee, after receipt of such a petition, and upon finding that there is a need for a regional planning commission, shall create the regional planning commission by order and shall designate the area and boundaries of such a commission's jurisdiction taking into account the elements of homogeneity based upon, but not limited to, such considerations as topographic and geographic conformations, extent of urban development, the existence of special or acute agricultural, forestry, conservation or other rural problems, uniformity of social or economic interests and values, park and recreational needs, civil defense, or the existence of problems of physical, social and economic problems of a regional character. The governing body of any local governmental unit may elect that such unit shall not be included within the jurisdiction of any regional planning commission, by resolution adopted by such governing body and filed with the governor or his designee.

(3) **COMPOSITION OF REGIONAL PLANNING COMMISSIONS.** The regional planning commission shall consist of one representative from each local unit within the region, chosen by such local unit according to procedures

it may adopt. Where less than 4 local units have jurisdiction over a region, the commission shall be made up of 2 representatives from each local unit.

(4) **COMPENSATION; EXPENSES.** No compensation shall be paid members of regional planning commissions; provided, that this shall not affect in any way remuneration received by any state or local official who, in addition to his responsibilities and duties as a state or local official, serves also as a member of the regional planning commission. All members may be reimbursed for actual expenses incurred as members of the commission in carrying out the work of the commission.

(5) **CHAIRMAN; RULES OF PROCEDURE; RECORDS.** Each regional planning commission shall elect its own chairman and executive committee and shall establish its own rules of procedure, and may create and fill such other offices as it may determine necessary. The commission shall meet at least once each year. It shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record.

(6) **DIRECTOR AND EMPLOYEES.** The regional planning commission shall appoint a director and such employes as it deems necessary for its work and may hire such experts and consultants for part-time or full-time service as may be necessary for the prosecution of its responsibilities.

(7) **ADVISORY COMMITTEES OR COUNCILS; APPOINTMENT.** The regional planning commission may appoint advisory committees or councils whose membership may consist of individuals whose experience, training or interest in the program may qualify them to lend valuable assistance to the regional planning commission by acting in an advisory capacity in consulting with the regional planning commission on all phases of the commission's program. Members of such advisory bodies shall receive no compensation for their services but may be reimbursed for actual expenses incurred in the performance of their duties.

(8) **FUNCTIONS, GENERAL AND SPECIAL.** (a) The regional planning commission may conduct all types of research studies, collect and analyze data, prepare maps, charts and tables, and conduct all necessary studies for the accomplishment of its other duties; it may make plans for the physical, social and economic development of the region, and may adopt by resolution any plan or the portion of any plan so prepared as its official recommendation for the development of the region; it may publicize and advertise its purposes, objectives and findings, and may distribute reports thereon; it may provide advisory services on regional planning problems to the local governmental units within the region and to other public and private agencies in matters relative to its functions and objectives, and may act as a co-ordinating agency for programs and activities of such local units and agencies as they relate to its objectives. All public officials shall, upon request, furnish to the regional planning commission, within a reasonable time, such available information as it may require for its work. In general, the regional planning commission shall have such powers as may be necessary to enable it to perform its functions and promote regional planning.

(b) The regional planning commission shall make an annual report of its activities to the legislative bodies of the local governmental units within the region.

(9) **PREPARATION OF MASTER PLAN FOR REGION.** The regional planning commission shall have the function and duty of making and adopting a master plan for the physical development of the region. The master plan, with the accompanying maps, plats, charts, programs and descriptive and explanatory matter, shall show the commission's recommendations for such physical development and may include, among other things

without limitation because of enumeration, the general location, character and extent of main traffic arteries, bridges and viaducts; public places and areas; parks; parkways; recreational areas; sites for public buildings and structures; airports; waterways; routes for public transit; and the general location and extent of main and interceptor sewers, water conduits and other public utilities whether privately or publicly owned; areas for industrial, commercial, residential, agricultural or recreational development. The regional planning commission may amend, extend or add to the master plan or carry any part or subject matter into greater detail.

(10) **ADOPTION OF MASTER PLAN FOR REGION.** The master plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the region which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development. The regional planning commission may adopt the master plan as a whole by a single resolution, or, as the work of making the whole master plan progresses, may by resolution adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The resolution shall refer expressly to the maps, plats, charts, programs and descriptive and explanatory matter, and other matters intended by the regional planning commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the chairman of the regional planning commission and a copy of the plan or part thereof shall be certified to the legislative bodies of the local governmental units within the region.

(11) **MATTERS REFERRED TO REGIONAL PLANNING COMMISSIONS.** The officer or public body of a local governmental unit within the region having final authority thereon shall refer to the regional planning commission, for its consideration and report before final action is taken by such officer or public body, the following matters: The location of, or acquisition of land for, any of the items or facilities which are included in the adopted regional master plan, and all subdivision plats of land within the region submitted to the local governmental unit for approval under statute or ordinance. Within 20 days after the matter is referred to the regional planning commission or such longer period as may be stipulated by the referring officer or public body, the commission shall report its recommendations to the referring officer or public body or final action may be taken without it.

(12) **LOCAL ADOPTION OF PLANS OF REGIONAL COMMISSION.** Any local governmental unit within the region may adopt all or any portion of the plans and other programs prepared and adopted by the regional planning commission.

(13) **AID FROM GOVERNMENTAL AGENCIES; GIFTS AND GRANTS.** Aid, in any form, for the purpose of accomplishing the objectives of the regional planning commission may be accepted from all governmental agencies whether local, state or federal, if the conditions under which such aid is furnished are not incompatible with the other provisions of this section. The regional planning commission may accept gifts and grants from public or private individuals or agencies if the conditions under which such grants are made are in accordance with the accomplishment of the objectives of the regional planning commission.

(14) **BUDGET AND SERVICE CHARGES.** (a) For the purpose of providing funds to meet the expenses of a regional planning commission, the commission shall annually prepare and approve a budget reflecting the costs

of its operation and services to the local governmental units within the region. The amount of the budget charged to any local governmental unit shall be in the proportion of the equalized value of the land of such local governmental unit, within the region, to the total equalized value of all of the land within the region. The amount charged to a local governmental unit shall not exceed .003 per cent of the equalized value of the land under its jurisdiction and within the region, unless the governing body of such unit shall expressly approve the amount in excess of such percentage.

(b) Where one-half or more of the land within a county is within a region, the chairman of the regional planning commission shall certify to the county clerk, prior to August 1 of each year, the proportionate amount of the budget charged to the county for the services of the regional planning commission. Unless the county board finds such charges unreasonable, and institutes the procedures set forth below for such a contingency, it shall take such necessary legislative action as to provide the funds called for in the certified statement.

(c) Where less than one-half of the land within a county is within a region, the chairman of the regional planning commission shall before August 1 of each year certify to the clerk of the local governmental unit involved a statement of the proportionate charges assessed to that local governmental unit. Such clerk shall extend the amount shown in such statement as a charge on the tax roll under s. 144.07 (2).

(d) If any local governmental unit makes a finding by resolution within 20 days of the certification to its clerk that the charges of the regional planning commission are unreasonable, it may: 1. submit the issue to arbitration by 3 arbitrators, one to be chosen by the local governmental unit, one to be chosen by the regional planning commission and the third to be chosen by the first 2 arbitrators. If the arbitrators are unable to agree, the vote of 2 shall be the decision. They may affirm or modify the report, and shall submit their decision in writing to the local governmental unit and the regional planning commission within 30 days of their appointment unless the time be extended by agreement of the commission and the local governmental unit. The decision shall be binding. Election to arbitrate shall be waiver of right to proceed by action. Two-thirds of the expenses of arbitration shall be paid by the party requesting arbitration and the balance by the other, or 2. if a local governmental unit does not elect to arbitrate, it may institute a proceeding for judicial review as provided in ch. 227, except that the place of appeal shall be the circuit court of a county within the region other than the county in which the local governmental unit seeking review is located.

(e) By agreement between the regional planning commission and a local governmental unit, special compensation to the commission for unique and special services provided to such local governmental unit may be arranged.

(f) The regional planning commission may accept from any local governmental unit supplies, the use of equipment, facilities and office space and the services of personnel as part or all of the financial support assessed against such local governmental unit.

Approved July 21, 1955.