

Assembly Bill 1037

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Chapter 591

AN ACT to repeal 20.365 (1) (a), as affected by chapter 163, laws of 1965; to renumber 20.240 (2) (b), as affected by chapter 163, laws of 1965, and (c), as affected by chapters 163 and 433, laws of 1965; to renumber and revise 20.365 (1) (i), as affected by chapter 163, laws of 1965, and 27.30 (3) (c); to amend 14.86 (1), (2) (a) and (3), 14.89 (6), 20.365 (1) (g) (intro. par.) and (h), as affected by chapter 163, laws of 1965, and 25.40 (1) (a), as affected by chapter 396, laws of 1965; to repeal and recreate 20.240 (1) (g), 20.760 (5) (g) and (h) and 20.830 (2) (g), (h), (i), (j) and (k), all as affected by chapter 163, laws of 1965; and to create 14.87, 20.240 (1) (v), 20.240 (2) (b), (c), (d) and (e), 20.560 (9) (y), 20.760 (9) (um), 20.830 (9) (um) and 110.20 of the statutes, relating to appropriations for university and state colleges self-amortizing buildings, state office buildings and facilities under the control of the state exposition board and the motor vehicle department, and the authority of the Wisconsin exposition department and motor vehicle department to enter into lease and sublease agreements with a nonstock, nonprofit corporation to provide structures, facilities and permanent improvements.

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

SECTION 1. 14.86 (1), (2) (a) and (3) of the statutes are amended to read:

14.86 STATE PUBLIC BUILDING CORPORATION. (1) The state building commission is authorized to organize a nonprofit-sharing corporation to be known as the Wisconsin state public building corporation. When so requested by the state building commission, such corporation shall have authority to lease any state-owned land that may be available for the purposes of this section and to construct thereon such building projects, including all necessary buildings, improvements, facilities, equipment and other capital items as are required for the proper use and operation of such building projects after their completion. *Nothing in this subsection shall be construed to prohibit the commission from exercising the powers conferred upon it by this section and s. 14.89 with nonstock, nonprofit corporations other than the Wisconsin state public building corporation.*

(2) (a) For the purpose of providing housing for state departments and agencies, including housing for state offices and the completion of the state office building, and to enable the construction, financing and ultimate acquisition thereof by the state, the state building commission may acquire any necessary lands, and lease and re-lease any lands owned by the state and available for the purpose to the Wisconsin state public building corporation or other nonstock, nonprofit corporation organized under ch. 181 or any law amendatory thereof or supplemental thereto for a term or terms not exceeding 50 years each, on condition that such corporation shall construct and provide on such leased lands such building projects, including buildings, improvements, facilities or equipment or other capital items, as the commission ~~may require~~ requires, and shall re-lease the same to the commission upon satisfactory terms as to the rental, maintenance and ultimate acquisition by the state as ~~may be~~ is in its best interests in the judgment of the commission. After such leases and re-leases are executed and until the projects are acquired by the state, they shall be operated by the commission through the department of administration, which shall

have charge of such property as provided in s. 16.85. The commission shall operate the projects in such manner as to provide revenues therefrom sufficient to pay the costs of operation and maintenance of the project and to ~~make provide for~~ the payments due the Wisconsin state public building corporation; ~~provided that, or other nonstock, nonprofit corporation but~~ if the commission finds and declares that the housing available in any such project is in excess of the current housing needs or requirements of the state departments and agencies occupying or availing themselves of the space in or capacity of such project, the commission need not operate such project in a manner to provide revenues therefrom sufficient to pay the costs of operation and maintenance of the project and to ~~make provide for~~ the rental payments due the Wisconsin state public building corporation and ~~may pay the difference between the aggregate of the costs of operation and maintenance of the project and the rental payments due the Wisconsin state public building corporation and the rentals paid by the departments and agencies occupying or availing themselves of the space in or capacity of the project from the state building trust fund;~~ and, ~~provided that this provision shall not preclude the use of any such revenues for construction purposes as hereinafter provided. Revenues derived by the commission from such operation shall be placed in the general fund and are appropriated to the state building commission to be used to pay the cost of construction, operation and maintenance and to meet payments due the Wisconsin state public building corporation on account of such projects or other nonstock, nonprofit corporation.~~

(3) In exercising the powers, functions and duties conferred upon the commission pursuant to this section, the commission shall have and may exercise all of the powers conferred upon it pursuant to s. 14.89 not inconsistent with this section. The state shall be liable for accrued rentals and for any other default under any lease or re-lease made with the Wisconsin state public building corporation ~~or other nonstock, nonprofit corporation~~ under this section and may be sued therefor on contract as in other contract actions pursuant to ch. 285, except that it shall not be necessary for the Wisconsin state public building corporation ~~or other nonstock, nonprofit corporation~~ or any assignee of ~~any~~ such corporation or any person or other legal entity proceeding on behalf of ~~any~~ such corporation to file any claim with the legislature prior to the commencement of any such action.

SECTION 1m. 14.87 of the statutes is created to read:

14.87 LIMITATION ON CERTAIN BUILDING PROJECTS. (1) This section does not apply to building projects which are amortized from private user charges such as, without limitation because of enumeration, student dormitories and food service buildings.

(2) No state building corporation may undertake any project or the financing of any project that would increase the total outstanding bonded indebtedness of all state building corporations to an amount in excess of 200% of that portion of all state taxes which were retained by the state during the preceding fiscal year and which became general purpose revenues in the general fund. Any project for which binding commitments have been made before the effective date of this section (1965) and which is not in compliance with this section may be completed.

SECTION 2. 14.89 (6) of the statutes is amended to read:

14.89 (6) ~~In the event~~ If the state building commission finds and declares that the housing available in any building leased or subleased from a nonprofit-sharing corporation under sub. (1) (c) is in excess of the current housing needs or requirements of the state departments and

agencies occupying or availing themselves of the space in or capacity of such building, the commission need not operate such building in a manner to provide revenue therefrom sufficient to pay the costs of operation and maintenance of such building and to ~~make provide for~~ the rental payments due ~~the a~~ nonprofit-sharing corporation and ~~may pay the difference between the aggregate of the costs of operation and maintenance of such building and the rental payments due the nonprofit sharing corporation and the rentals paid by the departments and agencies occupying or availing themselves of the space in or capacity of such building from the state building trust fund.~~

SECTION 3. 20.240 (1) (g) of the statutes, as affected by chapter 163, laws of 1965, is repealed and recreated to read:

20.240 (1) (g) *Agency collections.* All moneys received by the commission under ss. 14.86 and 14.89 from building project rentals and charges, including moneys received from conveyances and leases consummated under ss. 14.86 and 14.89 shall be paid into the general fund and are appropriated therefrom to the state building trust fund subject to the limitations hereinafter provided, for payments of the costs of operation and maintenance of building projects leased or subleased by the commission under ss. 14.86 and 14.89 and for payment to the state insurance fund of one-twentieth of the amounts transferred by chapter 325, laws of 1959. The amount so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom an amount equal to the amount appropriated under par. (v) for the payment of rentals by the commission under ss. 14.86 and 14.89 on such projects. The amount appropriated and available under this paragraph shall be determined by the department of administration.

SECTION 4. 20.240 (1) (v) of the statutes is created to read:

20.240 (1) (v) *Rentals and improvements.* A sum sufficient from the state building trust fund for payment of rentals by the state building commission for permanent improvements and the acquisition of all equipment therefor and for remodeling and purchase of land under ss. 14.86 and 14.89 on projects designated and approved by the state building commission when the projects are initiated and on projects designated and approved by the state building commission after initiation thereof.

SECTION 5. 20.240 (2) (b), as affected by chapter 163, laws of 1965, and (c), as affected by chapters 163 and 433, laws of 1965 of the statutes, are renumbered 20.240 (2) (f) and (g), respectively.

SECTION 6. 20.240 (2) (b), (c), (d) and (e) of the statutes are created to read:

20.240 (2) (b) *Lease rental payments.* A sum sufficient to make the rental payments under ss. 20.760 (9) (um) and 20.830 (9) (um).

(c) *Lease rental payments.* A sum sufficient to make the rental payments under sub. (1) (v).

(d) *Lease rental payments.* A sum sufficient to make the rental payments under s. 20.365 (1) (um).

(e) *Lease rental payments.* A sum sufficient to make the rental payments under s. 20.560 (9) (y).

SECTION 7. 20.365 (1) (a) of the statutes, as affected by chapter 163, laws of 1965, is repealed.

SECTION 8. 20.365 (1) (g) (intro. par.) and (h) of the statutes, as affected by chapter 163, laws of 1965, are amended to read:

20.365 (1) (g) (intro. par.) The unencumbered balance remaining under s. 20.365 (61) (b) 1, 1963 stats., on June 30, 1965, and *the remain-*

*der of all moneys received for or on account of the operation of the state fair, other events, or state fair park except as provided by subd. 1 after deducting the amount appropriated by s. 20.240 (2) (d). The amount appropriated and available under this paragraph shall be determined by the department of administration. The amounts in the schedule are allocated for general program operations. With the approval of the board on government operations, the appropriations made by this paragraph may be supplemented from the department's receipts. Any surplus of receipts shall be transferred to par. (h) when determinable.*

(h) The unencumbered balance under s. 20.365 (61) (b) 2, 1963 stats., on June 30, 1965, and the surplus of receipts transferred from par. (g) after the appropriations are made for general program operations, to be used for the acquisition of land, the payment of construction costs, including architectural and engineering services, furnishings and equipment, and temporary financing necessary to provide facilities for exposition purposes. In the purchase of land the department shall comply with s. 20.926. ~~It is the intent of the legislation that surplus receipts accruing after the department enters into a lease agreement under par. (i) are to be reserved for the purposes of that paragraph.~~

SECTION 9. 20.365 (1) (i) of the statutes, as affected by chapter 163, laws of 1965, is renumbered 20.365 (1) (um) and revised to read:

20.365 (1) (um) *Rental payments.* A sum sufficient from the state building trust fund for the payment of rentals on leases and subleases entered into under s. 27.305 on projects designated and approved by the state building commission when the projects are initiated and on projects designated and approved by the state building commission after initiation thereof.

SECTION 10. 20.560 (9) (y) of the statutes is created to read:

20.560 (9) (y) *Rental payments.* A sum sufficient from the state building trust fund for the payment of rentals on leases and subleases entered into by the department under s. 110.20 on projects designated and approved by the state building commission when the projects are initiated and on projects designated and approved by the state building commission after initiation thereof.

SECTION 11. 20.760 (5) (g) and (h) of the statutes, as affected by chapter 163, laws of 1965, are repealed and recreated to read:

20.760 (5) (g) *Student activity fees.* All moneys received as student activity fees or from operations in connection therewith and including such moneys received under conveyances and leases consummated under ss. 36.06 (6) and 37.02 (3) as the regents designate to be receipts under this paragraph shall be paid into the general fund and are appropriated therefrom, subject to the limitation hereinafter provided, to be used for 1) the operation, maintenance and capital expenditures of such student activities, including the transfer of funds to nonprofit corporations under ss. 36.06 (6) and 37.02 (3) to be used by such corporations for the payment of construction costs, including architectural and engineering services, for furnishings and equipment, and for temporary financing, and for 2) optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for such student activities. The amount so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom an amount equal to the amount appropriated under sub. (9) (um) for the payment of rentals by the regents under ss. 36.06 (6) and 37.02 (3) on projects for such activities. The amount appropriated and available under this paragraph shall be determined by the department of administration.

(h) *Auxiliary enterprises.* All moneys received for or on account of any dormitory, commons, dining hall, cafeteria, stationery stand or model farm, and including such moneys received under conveyances and leases consummated under ss. 36.06 (6) and 37.02 (3) as the regents designate to be receipts under this paragraph shall be paid into the general fund and are appropriated therefrom, subject to the limitation hereinafter provided, to be used for 1) the operation, maintenance and capital expenditures for such activities, including the transfer of funds to nonprofit corporations under ss. 36.06 (6) and 37.02 (3) to be used by such corporations for the payment of construction costs, including architectural and engineering services, for furnishings and equipment, and for temporary financing, and 2) for optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for such activities. The amount so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom an amount equal to the amount appropriated under sub. (9) (um) for the payment of rentals by the regents under ss. 36.06 (6) and 37.02 (3) on projects for such activities. The amount appropriated and available under this paragraph shall be determined by the department of administration. The regents may establish at any state college a contingent fund not to exceed \$500 out of the balances of this appropriation to be used for the payment of cash in advance and which are incident to the operation of cafeterias and dining halls.

SECTION 12. 20.760 (9) (um) of the statutes is created to read:

20.760 (9) (um) *Rentals and improvements.* A sum sufficient from the state building trust fund for the payment of rentals by the regents for permanent improvements and the acquisition of all equipment therefor, remodeling and purchase of land under ss. 36.06 (6) and 37.02 (3) on projects referred to in sub. (5) (g) and (h) designated and approved by the state building commission when the projects are initiated and on projects designated and approved by the state building commission after initiation thereof.

SECTION 13. 20.830 (2) (g), (h), (i), (j) and (k) of the statutes, as affected by chapter 163, laws of 1965, are repealed and recreated to read:

20.830 (2) (g) *Residence halls.* All moneys received for or on account of residence halls at the university, including the sale of supplies used by students, and including such moneys received under conveyances consummated under s. 36.06 (6) (b) 1 and leases entered into under s. 36.06 (6) (b) 2 as the regents designate to be receipts under this paragraph shall be paid into the general fund and are appropriated therefrom, subject to the limitation hereinafter provided, to be used for 1) the operation, maintenance and capital expenditures for such residence halls including the transfer of funds to nonprofit corporations referred to in s. 36.06 (6) to be used by such corporations for the payment of construction costs, including architectural and engineering services, for furnishings and equipment, and for temporary financing, and 2) for optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for residence halls. The amount so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom an amount equal to the amount appropriated under sub. (9) (um) for the payment of rentals by the regents under s. 36.06 (6) on residence hall projects. The amount appropriated and available under this paragraph shall be determined by the department of administration.

(h) *Athletic council.* All moneys received for or on account of the athletic council or any similar organization of the university, including such moneys received under conveyances consummated under s. 36.06 (6)

(b) 1 and leases entered into under s. 36.06 (6) (b) 2 as the regents designate to be receipts under this paragraph, shall be paid into the general fund and are appropriated therefrom, subject to the limitation hereinafter provided, to be used for 1) the purposes of such athletic council or other similar organization of the university, respectively, for carrying out its powers, duties and functions, including the transfer of funds to nonprofit corporations referred to in s. 36.06 (6) to be used by such corporations for the payment of construction costs, including architectural and engineering services, for furnishings and equipment, and for temporary financing, and 2) for optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for the athletic council, and 3) including payment of scholarships and other financial aids to students. The amount so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom an amount equal to the amount appropriated under sub. (9) (um) for the payment of rentals by the regents under s. 36.06 (6) on athletic council projects. The amount appropriated and available under this paragraph shall be determined by the department of administration.

(i) *Student unions.* All moneys received for or on account of the student unions, including such moneys received under conveyances consummated under s. 36.06 (6) (b) 1 and leases entered into under s. 36.06 (6) (b) 2 as the regents designate to be receipts under this paragraph shall be paid into the general fund and are appropriated therefrom, subject to the limitation hereinafter provided, to be used for 1) the operation, maintenance, and capital expenditures of the student unions, and including the transfer of funds to nonprofit corporations referred to in s. 36.06 (6) to be used by such corporations for the payment of construction costs, including architectural and engineering services, for furnishings and equipment, and for temporary financing, and for 2) optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for the student unions. The amount so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom an amount equal to the amount appropriated under sub. (9) (um) for the payment of rentals by the regents under s. 36.06 (6) on student union projects. The amount appropriated and available under this paragraph shall be determined by the department of administration.

(j) *Milwaukee auxiliary enterprises.* All moneys received at the university of Wisconsin–Milwaukee for or on account of any residence halls, commons, dining halls, cafeteria, student union, stationery stand or bookstore, parking facilities, or such other activities as the university of Wisconsin board of regents designates and including such fees covering student activities as allocated by the board of regents and including such moneys received under conveyances consummated under s. 36.06 (6) (b) 1 and leases entered into under s. 36.06 (6) (b) 2 as the regents designate to be receipts under this paragraph shall be paid into the general fund, and are appropriated therefrom, subject to the limitation hereinafter provided, to be used for 1) the operation, maintenance and capital expenditures of such activities, and including the transfer of funds to nonprofit corporations referred to in s. 36.06 (6) to be used by such corporations for the payment of construction costs, including architectural and engineering services, for furnishings and equipment, and for temporary financing, and for 2) optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for such activities. The amount so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom an amount equal to the amount appropriated under sub. (9) (um) for the payment of rentals by the regents under s. 36.06

(6) on projects for such activities. The amount appropriated and available under this paragraph shall be determined by the department of administration.

(k) *Auxiliary enterprises.* All moneys received for or on account of the following activities and including any cash balances pertaining to the university of Wisconsin press, parking facilities, car fleet, secondary schools testing program and such other activities as the regents of the university of Wisconsin designate and including such moneys received under conveyances consummated under s. 36.06 (6) (b) 1 and leases entered into under s. 36.06 (6) (b) 2 as the regents designate to be receipts under this paragraph, shall be paid into the general fund, and are appropriated therefrom, subject to the limitation hereinafter provided, to be used for 1) the operation, maintenance and capital expenditures of such activities, and including the transfer of funds to nonprofit corporations referred to in s. 36.06 (6) to be used by such corporations for the payment of construction costs, including architectural and engineering services, for furnishings and equipment, and for temporary financing, and for 2) optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for such activities. The amount so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom an amount equal to the amount appropriated under sub. (9) (um) for the payment of rentals by the regents under s. 36.06 (6) on projects for such activities. The amount appropriated and available under this paragraph shall be determined by the department of administration.

SECTION 14. 20.830 (9) (um) of the statutes is created to read:

20.830 (9) (um) *Rentals and improvements.* From the state building trust fund, a sum sufficient for the payment of rentals by the regents for permanent improvements and the acquisition of all equipment therefor, remodeling and purchase of land under s. 36.06 (6) on projects referred to in pars. (2) (g), (h), (i), (j) and (k) designated and approved by the state building commission when the projects are initiated and on projects designated and approved by the state building commission after initiation thereof.

SECTION 15. 25.40 (1) (a) of the statutes, as affected by chapter 396, laws of 1965, is amended to read:

25.40 (1) (a) All collections of the motor vehicle department except sales taxes and other revenues specified in chs. 129 and 218 and an amount equal to that appropriated by s. 20.240 (2) (e), which shall be paid into the general fund.

SECTION 16. 27.30 (3) (c) is renumbered 27.305 and revised to read:

27.305 WISCONSIN EXPOSITION DEPARTMENT, ADDITIONAL POWERS TO PROVIDE STRUCTURES, FACILITIES AND PERMANENT IMPROVEMENTS. (1) As used in this section unless the context requires otherwise:

(a) The term "existing building" in relation to any conveyance, lease or sublease made under sub. (2) means all administrative buildings, all storage facilities and garages, all buildings used for exhibition or promotional events for agricultural, industrial, education, recreational or athletic purposes and such other buildings, structures, facilities and permanent improvements as in the judgment of the board are needed or useful for the purposes of the department and all equipment therefor and all improvements and additions thereto which were erected, constructed or installed prior to the making of such conveyance, lease or sublease.

(b) The term "new building" in relation to any conveyance, lease or sublease made under sub. (2) means all administrative buildings, all

storage facilities and garages, all buildings used for exhibition or promotional events for agricultural, industrial, educational, recreational or athletic purposes and such other buildings, structures, facilities and permanent improvements as in the judgment of the board are needed or useful for the purposes of the department and all equipment therefor and all improvements and additions thereto which are erected, constructed or installed after the making of such conveyance, lease or sublease.

(c) The term "corporation" in relation to any conveyance, lease or sublease made under sub. (2) means a nonstock, nonprofit corporation organized under ch. 181 or any law amendatory thereof or supplemental thereto.

(d) The term "department" means Wisconsin exposition department.

(2) In order to provide new buildings and to enable the construction and financing thereof, to refinance indebtedness hereafter created by a corporation for the purpose of providing new buildings or additions or improvements thereto which are located on land owned by or owned by the state and held for the department or by a corporation or for any one or more of said purposes but for no other purpose unless authorized by law, the department has the following powers and duties:

(a) Without limitation by reason of any other provisions of the statutes, the power to sell and to convey title in fee simple to a corporation any land and any existing buildings thereon owned by or owned by the state and held for the department for such consideration and upon such terms and conditions as in the judgment of the board are in the public interest.

(b) The power to lease to a corporation for a term or terms not exceeding 50 years each any land and any existing buildings thereon owned by or owned by the state and held for the department upon such terms and conditions as in the judgment of the board are in the public interest.

(c) The power to lease or sublease from a corporation and to make available for public use any such land and existing buildings conveyed or leased to such corporation under pars. (a) and (b) and any new buildings erected on such land or on any other land owned by such corporation, upon such terms, conditions and rentals, subject to available appropriations, as in the judgment of the board are in the public interest.

(d) The duty to submit the plans and specifications for all such new buildings and all conveyances, leases and subleases made under this section to the department of administration and the governor for written approval before they are finally adopted, executed and delivered.

(e) The power to pledge and assign all or any part of the revenues derived from the operation of such new buildings as security for the payment of rentals due and to become due under any lease or sublease of such new buildings under par. (c).

(f) The power to covenant and agree in any lease or sublease of such new buildings made under par. (c) to impose fees, rentals or other charges for the use and occupancy or other operation of such new buildings in an amount calculated to produce net rentals sufficient to pay the rentals due and to become due under such lease or sublease.

(g) The power to covenant and agree in any lease or sublease made under par. (c) to impose fees, rentals or other charges for the use and occupancy or other operation of existing buildings in an amount calculated to produce net rentals sufficient to pay the rentals due and to become due under such lease or sublease.

(h) The power and duty, upon receipt of notice of any assignment by a corporation of any lease or sublease made under par. (c), or of any of its rights under any such sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by such corporation.



(3) The state shall be liable for accrued rentals and for any other default under any lease or sublease made under sub. (2) (c) and may be sued therefor on contract as in other contract actions under ch. 285, except that it shall not be necessary for the lessor under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor to file any claim with the legislature prior to the commencement of any such action.

(4) Nothing in this section empowers the department to incur any state debt.

(5) All powers and duties conferred upon the board or the department pursuant to this section shall be exercised and performed by resolution of the board. All conveyances, leases and subleases made pursuant to this section, when authorized pursuant to resolution of the board, shall be made, executed and delivered in the name of the department and shall be signed by the manager as the chief administrative officer of the department.

(6) All laws conflicting with provisions of this section are, insofar as they conflict with this section and no further, superseded by this section.

SECTION 17. 110.20 of the statutes is created to read:

**110.20 DEPARTMENT, ADDITIONAL POWERS TO PROVIDE STRUCTURES, FACILITIES AND PERMANENT IMPROVEMENTS.**

(1) As used in this section unless the context requires otherwise:

(a) The term "existing building" in relation to any conveyance, lease or sublease made under sub. (2) means all administrative buildings, all maintenance and communications shops, all storage facilities and garages and such other buildings, structures, facilities and permanent improvements as in the judgment of the commissioner are needed or useful for the purposes of the department and all equipment therefor and all improvements and additions thereto which were erected, constructed or installed prior to the making of such conveyance, lease or sublease.

(b) The term "new building" in relation to any conveyance, lease or sublease made under sub. (2) means all administrative buildings, all maintenance and communications shops, all storage facilities and garages and such other buildings, structures, facilities and permanent improvements as in the judgment of the commissioner are needed or useful for the purposes of the department and all equipment therefor and all improvements and additions thereto which are erected, constructed or installed after the making of such conveyance, lease or sublease.

(c) The term "corporation" in relation to any conveyance, lease or sublease made under sub. (2) means a nonstock, nonprofit corporation organized under ch. 181 or any law amendatory thereof or supplemental thereto.

(2) In order to provide new buildings and to enable the construction and financing thereof, to refinance indebtedness hereafter created by a corporation for the purpose of providing new buildings or additions or improvements thereto which are located on land owned by or owned by the state and held for the motor vehicle department or by a corporation or for any one or more of said purposes but for no other purpose unless authorized by law, the department has the following powers and duties:

(a) Without limitation by reason of any other provisions of the statutes, the power to sell and to convey title in fee simple to a corporation any land and any existing buildings thereon owned by or owned by the state and held for the department for such consideration and upon such terms and conditions as in the judgment of the commissioner are in the public interest.

(b) The power to lease to a corporation for a term or terms not exceeding 50 years each any land and any existing buildings thereon owned

by or owned by the state and held for the department upon such terms and conditions as in the judgment of the commissioner are in the public interest.

(c) The power to lease or sublease from a corporation and to make available for public use any such land and existing buildings conveyed or leased to such corporation under pars. (a) and (b) and any new buildings erected on such land or on any other land owned by such corporation, upon such terms, conditions and rentals, subject to available appropriations, as in the judgment of the commissioner are in the public interest.

(d) The duty to submit the plans and specifications for all such new buildings and all conveyances, leases and subleases made under this section to the department of administration and the governor for written approval before they are finally adopted, executed and delivered.

(e) The power to pledge and assign all or any part of the revenues derived from the operation of such new buildings as security for the payment of rentals due and to become due under any lease or sublease of such new buildings under par. (c).

(f) The power to covenant and agree in any lease or sublease of such new buildings made under par. (c) to impose fees, rentals or other charges for the use and occupancy or other operation of such new buildings in an amount calculated to produce net rentals sufficient to pay the rentals due and to become due under such lease or sublease.

(g) The power to covenant and agree in any lease or sublease made under par. (c) to impose fees, rentals or other charges for the use and occupancy or other operation of existing buildings in an amount calculated to produce net rentals sufficient to pay the rentals due and to become due under such lease or sublease.

(h) The power and duty, upon receipt of notice of any assignment by a corporation of any lease or sublease made under par. (c), or of any of its rights under any such sublease, to recognize and give effect to such assignment, and to pay to the assignee thereof rentals or other payments then due or which may become due under any such lease or sublease which has been so assigned by such corporation.

(3) The state shall be liable for accrued rentals and for any other default under any lease or sublease made under sub. (2) (c) and may be sued therefor on contract as in other contract actions under ch. 285, except that it shall not be necessary for the lessor under any such lease or sublease or any assignee of such lessor or any person or other legal entity proceeding on behalf of such lessor to file any claim with the legislature prior to the commencement of any such action.

(4) Nothing in this section empowers the department or the commissioner to incur any state debt.

(5) All powers and duties conferred upon the department pursuant to this section shall be exercised and performed by the commissioner. All conveyances, leases and subleases made pursuant to this section, shall be made, executed and delivered in the name of the department and shall be signed by the commissioner and sealed with the seal of the department.

(6) All laws conflicting with provisions of this section are, insofar as they conflict with this section and no further, superseded by this section.

Approved June 28, 1966.