

1969 Assembly Bill 434

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CHAPTER 171, LAWS OF 1969

AN ACT to create 66.30 (5) of the statutes, relating to interstate contracts by Wisconsin municipalities.

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

66.30 (5) of the statutes is created to read:

66.30 (5) Any municipality may contract with municipalities of another state for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by statute to the extent that laws of such other state or of the United States permit such joint exercise.

(a) Every agreement made under this subsection shall, prior to and as a condition precedent to taking effect, be submitted to the attorney general who shall determine whether the agreement is in proper form and compatible with the laws of this state. The attorney general shall approve any agreement submitted to him hereunder unless he finds that it does not meet the conditions set forth herein and details in writing addressed to the concerned municipal governing bodies the specific respects in which the proposed agreement fails to meet the requirements of law. Failure to disapprove an agreement submitted hereunder within 90 days of its submission shall constitute approval thereof. The attorney general, upon submission of such agreement to him, shall transmit a copy of the agreement to the governor who shall consult with any state department or agency affected by the agreement. The governor shall forward to the attorney general any comments he may have concerning the agreement.

(b) An agreement entered into under this subsection shall have the status of an interstate compact, but in any case or controversy involving performance or interpretation thereof or liability thereunder, the municipalities party thereto shall be real parties in interest and the state may commence an action to recoup or otherwise make itself whole for any damages or liability which it may incur by reason of being joined as a party therein. Such action may be maintained against any municipality whose act or omission caused or contributed to the incurring of damage or liability by the state.

Approved October 24, 1969.
