



## 2005 SENATE BILL 364

October 4, 2005 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

1     **AN ACT relating to:** amending and revising sections 66.0621 (1) (b) and 229.844  
2             (8) (c) of the statutes for the purpose of reconciling conflicts, supplying  
3             ommissions, and repelling unintended repeals (Revisor's Correction Bill).

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### *Analysis by the Legislative Reference Bureau*

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill.

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

4             **SECTION 1.** 66.0621 (1) (b) of the statutes is amended to read:  
5             66.0621 (1) (b) "Public utility" means any revenue producing facility or  
6             enterprise owned by a municipality and operated for a public purpose as defined in  
7             s. 67.04 (1) (b) including garbage incinerators, toll bridges, swimming pools, tennis  
8             courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting,  
9             city halls, village halls, town halls, courthouses, jails, schools, cooperative

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1 educational service agencies, hospitals, homes for the aged or indigent, child care  
2 centers, as defined in s. 231.01 (3c), regional projects, waste collection and disposal  
3 operations, sewerage systems, local professional baseball park facilities, local  
4 professional football stadium facilities, local cultural arts facilities, and any other  
5 necessary public works projects undertaken by a municipality.

NOTE: 1999 Wis. Act 65 authorized the creation of local cultural arts districts and provided, in s. 66.067, that local cultural arts facilities “are public utilities within the meaning of s. 66.066.” Similarly, 1999 Wis. Act 167 authorized the creation of local professional football districts and provided, in s. 66.067, that local professional football stadium facilities “are public utilities within the meaning of s. 66.066.” 1999 Wis. Act 150 repealed s. 66.067 and added to the definition of “public utility” under s. 66.066 (1) (b) the list of facilities which s. 66.067 had identified as public utilities. At the same time, Act 150 renumbered s. 66.066 (1) (b) to be s. 66.0621 (1) (b). However, Act 150 did not take into account the treatments of s. 66.067 by Acts 65 and 167 and so failed to include local cultural arts facilities and professional football stadium facilities in the definition of “public utility” in the new s. 66.0621 (1) (b). It appears there was no intent in the Act 150 repeal to effect any substantive change. A note to the treatment of s. 66.067 by Act 150 states that the act “[r]epeals s. 66.067, relating to permissible public works projects, since the substance of the section has been incorporated into s. 66.0621 (1) (b).” Further, the prefatory note to Act 150 states:

This bill is recommended by the joint legislative council’s special committee on general municipal law recodification. The special committee was directed to recodify chapter 66 of the statutes by the process of reorganization into logical subchapters, sections and subunits, repeal of unnecessary or archaic and obsolete language, relocation of those provisions more appropriately placed elsewhere in the statutes and modernization of language where appropriate. The special committee was directed to refrain from recommending substantive changes that would significantly affect relationships between governmental units or engender substantial controversy in the legislative process.

6 **SECTION 2.** 229.844 (8) (c) of the statutes is amended to read:

7 229.844 (8) (c) No director, employee of the district nor any other person  
8 executing any agreements with respect to any bonds or other obligations under this  
9 subsection is personally liable on the obligations or subject to any personal liability  
10 or accountability by reason of the issuance of such obligations.

NOTE: Inserts missing word. This provision, created by 1999 Wis. Act 65, and relating to employees and directors of, and persons executing bonds for, cultural arts districts, is amended for consistency and parallel construction with ss. 229.48 (6), 229.72 (6), and 229.829 (3), which provide identical treatment of employees and directors of, and

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persons executing bonds for, local exposition districts, local professional baseball park districts, and local professional football stadium districts, respectively.

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(END)