

Assembly Bill 1

Published
September 3, 1965.

CHAPTER 238

AN ACT to amend 32.01 (1), 32.02 (1), 32.05 (1), 32.07 (2), 59.07 (11), 66.066 (1), 66.067 and 67.12 (12) (a); and to create 60.29 (38), 66.30 (3m), (3n) and (3p) 67.04 (8) and 67.05 (7) (f) of the statutes, relating to joint participation by municipalities in regional projects.

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

SECTION 1. 32.01 (1) of the statutes is amended to read:

32.01 (1) "Person" includes the state, a county, town, village, city, school district or other municipal corporation, a board, commission, *including a commission created by contract under s. 66.30*, corporation, or housing authority created under ss. 66.40 to 66.404, or redevelopment authority created under s. 66.431.

SECTION 2. 32.02 (1) of the statutes is amended to read:

32.02 (1) Any county, town, village, city including villages and cities incorporated under general or special acts, school district, soil conservation district, the state department of public welfare, the regents of the university of Wisconsin, the board of regents of state colleges, *a commission created by contract under s. 66.30, with the approval of the municipality in which condemnation is proposed*, or any public board or commission, for any lawful purpose, but in the case of city and village boards or commissions approval thereof shall have been granted by the governing body.

SECTION 2m. 32.05 (1) of the statutes is amended to read:

32.05 (1) The state highway commission, turnpike commission, county board of supervisors (or the county highway committee when so authorized by said board), county expressway commission, city council, village board, sewerage commission governing metropolitan sewerage district created by s. 59.96 or s. 66.20 ~~or~~, state aeronautics commission *or a commission created by contract under s. 66.30* shall make an order providing for the laying out, relocation and improvement of the public high-

way, street, alley, storm and sanitary sewers, watercourses or airport which shall be known as the relocation order. This order shall include a map or plat showing the old and new locations and the lands and interests required. A copy of the order shall, within 20 days after its issue, be filed with the county clerk of the county wherein the lands are located.

SECTION 3. 32.07 (2) of the statutes is amended to read:

32.07 (2) If application is by the state or any commission, department, board or other branch of state government; or by a city, village, town, county, board, commission, public officer, *commission created by contract under s. 66.30*, redevelopment authority created under s. 66.431 or housing authority created under ss. 66.40 to 66.404; or by a soil and water conservation district created under ch. 92; or for the right of way of a railroad or a street or interurban railway up to 100 feet in width; or a telegraph, telephone or other electric line; or for the right of way for a gas pipeline, main or service; or for easements for the construction of any elevated structure or subway for railroad, street or interurban railway purposes, the petitioner shall determine necessity.

SECTION 4. 59.07 (11) of the statutes is amended to read:

59.07 (11) Join with the state, other countries ~~or~~ and municipalities in a co-operative arrangement as provided by s. 66.30, *including the acquisition, development, remodeling, construction, equipment, operation and maintenance of land, buildings and facilities for regional projects, whether or not such projects are located within the county*; and enact ordinances as set forth in s. 66.433 (3) (c) if approved as part of such co-operative arrangement for an intergovernmental community relations-social development commission.

SECTION 5. 60.29 (38) of statutes is created to read:

60.29 (38) JOINT PARTICIPATION. To join with the state, counties and other municipalities in a co-operative arrangement as provided by s. 66.30, including the acquisition, development, remodeling, construction, equipment, operation and maintenance of land, buildings and facilities for regional projects, whether or not such projects are located within the town.

SECTION 6. 66.066 (1) of the statutes is amended to read:

66.066 (1) Any town, village, city, *commission created by contract under s. 66.30*, or power district may, by action of its governing body, provide for purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating or managing a public utility from the general fund, or from the proceeds of municipal bonds, mortgage bonds or mortgage certificates. The term municipality as used in this section ~~shall include~~ *includes* power districts ~~and~~, municipal water districts *and commissions created by contract under s. 66.30*. Any indebtedness created pursuant to subs. (2) to (4) shall not be considered an indebtedness of such municipality, and shall not be included in arriving at the constitutional debt limitation.

SECTION 7. 66.067 of the statutes is amended to read:

66.067 For financing purposes, garbage incinerators, toll bridges, swimming pools, tennis courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting, city halls, courthouses, jails, schools, hospitals, homes for the aged or indigent, *regional projects, systems of sewerage* and any and all other necessary public works projects undertaken by any town, village, city, county ~~or~~, other municipality, *or a com-*

mission created by contract under s. 66.30, are public utilities within the meaning of s. 66.066. In financing under that section, rentals and fees shall be considered as revenue. Any indebtedness created pursuant to this section shall not be included in arriving at the constitutional debt limitation.

SECTION 8. 66.30 (3m), (3n) and (3p) of the statutes are created to read:

66.30 (3m) A commission created by contract under sub. (2) may finance the acquisition, development, remodeling, construction and equipment of land, buildings and facilities for regional projects under s. 66.066. Participating municipalities acting jointly or separately may finance such projects, or an agreed share of the cost thereof, under ch. 67.

(3n) No commission created by contract under s. 66.30 is authorized, directly or indirectly, to acquire, construct or lease facilities used or useful in the business of a public utility engaged in production, transmission, delivery or furnishing of heat, light, power, natural gas or communications service, by any method except those set forth under ch. 66, 196, 197 or 198.

(3p) The authority now or hereafter conferred by law on commissions created by contract under this section shall not include the right, power or authority to establish, lay out, construct, improve, discontinue, relocate, widen or maintain any road or highway outside the corporate limits of a village or city or to acquire lands for such purposes except upon approval of the state highway commission and the county board of the county wherein such road is to be located.

SECTION 9. 67.04 (8) of the statutes is created to read:

67.04 (8) By any county, town, city or village, to acquire, develop, remodel, construct and equip land, buildings and facilities for regional projects, either alone or acting jointly under s. 66.30.

SECTION 10. 67.05 (7) (f) of the statutes is created to read:

67.05 (7) (f) An initial resolution adopted by any county, town, city or village for the purpose of acquiring, developing, remodeling, constructing and equipping land, buildings and facilities for regional projects, either alone or acting jointly under s. 66.30, shall not be subject to a referendum.

SECTION 11. 67.12 (12) (a) of the statutes is amended to read:

67.12 (12) (a) In addition to the powers heretofore given, any county, city, village, town, school district or town sanitary district may borrow money for the acquisition of lands for public purposes, for permanent improvements of lands, for public work or improvement, and the enlargement or extension thereof, *for the acquisition, development, remodeling, construction and equipment of land, buildings and facilities for regional projects,* or for equipment or machinery or for general and current municipal expenses, or to provide financial assistance to blight elimination, slum clearance, redevelopment and urban renewal programs and projects under ss. 66.43, 66.431 and 66.435, and in the case of cities and villages for the acquisition and development of industrial sites to the extent permitted by s. 66.52 (3).

Approved August 30, 1965.