

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2359/2dn  
MES:wlj:jf

March 30, 1999

Rep. Stone:

Please review this bill very carefully to ensure that it meets your intent. Your instructions for this "/2" version were to extend the bill's applicability to village, town and county officers. In some cases, however, I was uncertain whether you would want to eliminate the bonding requirement. I have listed the statutes that I am unsure about. Please let me know if you'd like any changes made to the bill.

1. I did not amend the bonding requirements for court-appointed receivers in s. 66.05 (8) (bg) or (bm) 2. because these receivers aren't really municipal officers.

2. I did not amend the bonding requirements for the treasurer of a town sanitary district commission under s. 60.76 (3).

3. Although a city, village or town treasurer may be required, under s. 66.23 (8), to act as the treasurer of a metropolitan sewerage district I did not change the bonding requirements for such a person because he or she would not be acting exclusively as a city, village or town treasurer and any additional bonding requirement that the commission determines is necessary is paid for by the commission.

4. I did not amend the bonding requirements for the treasurer of a county-city hospital under s. 66.47 (7) (b), a county-city auditorium board under s. 66.505 (6) (b), a county-city safety building board under 66.508 (6) (b), a metropolitan transit authority board under s. 66.94 (25) or a member of a recreation authority board under s. 66.527 (3) (d) because the treasurer or member is not a city, village or town officer.

5. I did not amend the bonding requirements for a surveyor whose services are contracted for by a town under s. 60.84 (2) because such a surveyor is not a town officer.

6. I did not amend s. 70.68 (2) because it seems to me that the kind of bond referred to in this subsection is different from the "official bond" that you want to prohibit. Is this OK?

7. Do you want to specify a way for the acts of a deputy village treasurer under s. 61.261 to be covered?

8. Please review s. 66.044 (4), which is repealed in the bill. Section 66.044 of the statutes sets up an alternative system for cities (other than first class cities) and villages to approve financial claims against the municipal treasury, except that currently, the system may not be "operative" unless the comptroller or clerk is covered

by a fidelity bond. Is it OK to just repeal this subsection, or do you want to require some other form of surety or insurance for comptrollers or clerks to whom s. 66.044 applies?

9. Is the change in s. 66.39 (5) (c) consistent with your intent?

You may also want to check with the local officials with whom you are working to ensure that a municipality's or county's errors and omissions insurance or liability insurance covers intentional acts. Bonding may cover intentional acts, but insurance may not. See also s. 895.46.

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