

## 1999 ASSEMBLY BILL 710

1     **AN ACT** *to repeal* 30.13 (5), 60.51, 66.01 (14), 66.021 (2m) (title), 66.021 (13),  
2         66.033 (title), 66.035, 66.04 (1m) (title), 66.0495 (1) (title), 66.0495 (1) (a) (title),  
3         66.0495 (1) (b) (title), 66.0495 (1) (d) (title), 66.0495 (2) (title) and (a) (title),  
4         66.0495 (2) (b) (title), 66.0495 (3) (title), 66.05 (1g) and (1m) (a), 66.05 (8) (d),  
5         66.051 (1) (c), 66.06, 66.066 (2) (j), 66.067, 66.068 (1), 66.068 (5), 66.069 (1)  
6         (title), 66.071 (intro.), 66.074, 66.075, 66.081, 66.10, 66.111, 66.12 (1) (d), 66.123  
7         (title), 66.13, 66.14 (title), 66.197, 66.29 (9) (a), 66.295, 66.30 (4), 66.30 (6) (a),  
8         66.345, 66.37, 66.39, 66.395 (3) (q), 66.40 (3) (d), 66.40 (3) (r), 66.405 (3) (c), 66.41  
9         (title), 66.421 (title), 66.424 (title), 66.425 (title), 66.43 (3) (b), 66.43 (16), 66.431  
10         (2m) (f), 66.434 (title), 66.44, 66.47 (6), 66.51 (4), 66.54 (2), 66.54 (3) (title), 66.54  
11         (8), 66.60 (16), 66.645, 66.695 (title), 66.697 (title), 66.698 (title), 66.699, 66.73,  
12         66.80 (1), 66.80 (3), 66.92, 66.94 and 66.97 to 66.99; *to renumber* 66.01 (3a),  
13         66.01 (12), 66.01 (15), 66.021 (1) (intro.) and (a), 66.021 (16), 66.034, 66.036,  
14         66.037, 66.04 (title), 66.04 (1m) (a) and (b), 66.04 (3), 66.0485, 66.0495 (title),

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1 66.0495 (1) (b), 66.05 (10), 66.051 (2) and (3), 66.071 (title), 66.071 (1) (title),  
2 66.076 (5) (b), 66.083 (title), 66.085 (2), 66.091, 66.092, 66.117, 66.119 (1) (b) 7.  
3 to 9. and (c), (2) and (3) (title), 66.12 (1) (c), 66.12 (2) and (3) (title), (a) and (c),  
4 66.122 (title), 66.146, 66.182, 66.184, 66.187, 66.189, 66.199, 66.225, 66.28  
5 (title), 66.286, 66.29 (title) and (1) (title), 66.29 (9) (title), 66.296 (2m), 66.296  
6 (6), 66.299 (2) to (5), 66.30 (title) and (1), 66.301, 66.302, 66.304, 66.305 (title),  
7 66.31, 66.312, 66.33, 66.35, 66.375, 66.38, 66.40 (title), 66.403 (title), 66.405  
8 (title), 66.406 (title), 66.408 (title), 66.416 (title), 66.417 (title), 66.43 (title),  
9 66.43 (17), 66.431 (title), 66.431 (5r), 66.46 (2) (f) 1. L., 66.46 (4) (h) 2. to 4., (i)  
10 and (k), (4m) and (5) (title) and (a), 66.46 (5) (be) to (cm), 66.46 (6) (am) 2. c., 3.  
11 and 4. and (b) to (dm), 66.46 (6) (e) 1. b. and c. and 2., 66.46 (6c) and (6m), 66.46  
12 (7) (am) and (ar), 66.462 (title) and (1), 66.462 (2) (title), 66.462 (2) (b) and (3)  
13 (title) and (a) to (c), 66.462 (4) to (10), 66.47 (title), 66.527 (title), 66.54 (6) (title),  
14 66.54 (9) (title), 66.54 (12) (title), 66.55, 66.606, 66.609, 66.696 (title), 66.74,  
15 66.75 (1m) (f) 3., 66.77, 66.905, 66.908, 66.911, 66.914, 66.918, 66.925, 66.93,  
16 66.945 (8) (b), 66.948, chapter 200 (title), 200.01 to 200.05, 200.06 (title) and (1),  
17 200.07 to 200.11, 200.13 and 200.15; ***to renumber and amend*** 66.01 (title) and  
18 (1) to (3), 66.01 (4) to (8), 66.01 (9) to (11), 66.01 (16), 66.012, 66.013, 66.014,  
19 66.015, 66.016, 66.017, 66.018, 66.019, 66.02, 66.021 (title), 66.021 (1) (am) to  
20 (e), 66.021 (2), 66.021 (2m), 66.021 (3), 66.021 (4), 66.021 (5), 66.021 (6) (title),  
21 66.021 (6), 66.021 (7) (title), (a), (b) and (d), 66.021 (8), 66.021 (9), 66.021 (10),  
22 66.021 (11), 66.021 (12), 66.021 (15), 66.022, 66.023, 66.024, 66.025, 66.026,  
23 66.027, 66.028, 66.029, 66.0295, 66.03, 66.031 (title), 66.031, 66.032, 66.033,  
24 66.04 (1), 66.04 (2), (2m) and (2s), 66.04 (4), 66.041, 66.042, 66.044, 66.045,  
25 66.046, 66.047, 66.048, 66.049, 66.0495 (1) (a), 66.0495 (1) (d), 66.0495 (2) (a),

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1           66.0495 (2) (b), 66.0495 (3), 66.05 (title), 66.05 (1m) (b), 66.05 (1m) (c), 66.05  
2           (1m) (d), 66.05 (2) (a), 66.05 (2) (b), 66.05 (2) (c), 66.05 (3), 66.05 (5), 66.05 (5m),  
3           66.05 (6), 66.05 (8) (a) to (bm), 66.05 (9), 66.051 (title) and (1) (a) to (bm), 66.052,  
4           66.053, 66.057, 66.058 (title), (1), (2) and (3) (title), (a), (b) and (c) 1. to 7., 66.058  
5           (3) (c) 8., 66.058 (3) (d) to (h) and (3m) to (8), 66.0585, 66.059, 66.061, 66.064,  
6           66.065 (title), 66.065 (1), (2), (3), (4) and (4a), 66.065 (5), (6) and (7), 66.066  
7           (title), (1) to (1m) and (2) (intro.) and (a) to (i), 66.066 (2) (k) to (m), (4) and (5),  
8           66.068 (title), 66.068 (2) to (4), 66.068 (6) and (7), 66.069 (title), 66.069 (1) (a)  
9           to (bn), 66.069 (1) (c) and (d), 66.069 (1) (e), 66.069 (2), 66.07, 66.071 (1) (a),  
10          66.071 (1) (b), 66.071 (1) (c) to (j), 66.071 (2), 66.072, 66.073, 66.0735, 66.076  
11          (title), 66.076 (1), 66.076 (1m), 66.076 (2), 66.076 (3), 66.076 (4), 66.076 (5) (a),  
12          66.076 (6), 66.076 (7), 66.076 (8), 66.076 (9), 66.076 (10), 66.076 (11), 66.076 (12),  
13          66.077, 66.078, 66.079, 66.08, 66.082, 66.083, 66.085 (title) and (1), 66.085 (3)  
14          and (4), 66.09 (title), (1), (2), (3) and (4), 66.11, 66.113, 66.114, 66.115, 66.119  
15          (title) and (1) (title), (a) and (b) (intro.) and 1. to 6., 66.119 (3) (a) to (d), 66.119  
16          (3) (e), (4) and (5), 66.12 (title) and (1) (title) and (a), 66.12 (1) (b), 66.12 (3) (b),  
17          66.121, 66.122 (1) (a), 66.122 (1) (b), 66.122 (2), 66.123, 66.124, 66.125, 66.14,  
18          66.144, 66.145, 66.18, 66.185, 66.186, 66.19, 66.192, 66.196, 66.20, 66.21, 66.22,  
19          66.23, 66.24, 66.25, 66.26, 66.27, 66.28 (1) to (4), 66.285, 66.29 (1) (a), 66.29 (1)  
20          (b), 66.29 (1) (c) and (d) and (2) to (8), 66.29 (9) (b), 66.293, 66.296 (title), 66.296  
21          (1), 66.296 (1m), 66.296 (2), 66.296 (3), (4) and (5), 66.297, 66.298, 66.299 (title)  
22          and (1), 66.30 (2), 66.30 (2g), 66.30 (2m), 66.30 (3) and (3m), 66.30 (5) (intro.),  
23          (a) and (b), 66.30 (6) (b) to (h), 66.303, 66.305 (1) and (2), 66.307, 66.315, 66.32,  
24          66.325, 66.34, 66.36, 66.365, 66.395 (title), (1) to (2m) and (3) (title) and (a) to  
25          (p), 66.395 (3) (r) and (s) and (4) to (7), 66.40 (1) to (2m) and (3) (intro.) and (a)

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1 to (c), 66.40 (3) (e) to (q), 66.40 (3) (s) and (t) and (4) to (26), 66.401, 66.402,  
2 66.4025 (title) and (1) (a), 66.4025 (1) (b) and (c), 66.4025 (2) and (3), 66.403  
3 (intro.) and (1) to (7), 66.403 (8) and (9), 66.404, 66.405 (1), (2), (2m) and (3)  
4 (intro.) and (a), 66.405 (3) (d) to (s), 66.406 (1), (2) and (3) (intro.) and (a) to (g),  
5 66.406 (3) (h), 66.406 (4) (intro.), (a) and (b), 66.406 (4) (c), 66.406 (5) to (8),  
6 66.407, 66.408 (1), (2), (3) and (4), 66.41, 66.411, 66.412, 66.413, 66.414, 66.415,  
7 66.416 (1) to (4), 66.417 (1) to (6), 66.418, 66.419 (title), 66.419, 66.42, 66.421,  
8 66.422 (title), 66.422, 66.424, 66.425, 66.43 (1), (2), (2m) and (3) (intro.) and (a),  
9 66.43 (3) (c) to (L), 66.43 (3) (m) and (n) and (4) to (15), 66.431 (1), (2) and (2m)  
10 (intro.) and (a) to (e), 66.431 (2m) (g) to (t) and (3) to (5m), 66.431 (6) to (17),  
11 66.432, 66.4325, 66.433, 66.434, 66.435, 66.436, 66.437, 66.45, 66.46 (title), (1)  
12 and (2) (intro.), (a) to (e) and (f) 1. (intro.) and a. to k., 66.46 (2) (f) 2. and 3. and  
13 (g) to (m), (3) and (4) (intro.) and (a) to (gs), 66.46 (4) (h) 1., 66.46 (5) (b), 66.46  
14 (5) (d) to (g) and (6) (title), (a) and (am) 1. and 2. a. and b. , 66.46 (6) (e) 1. (intro.)  
15 and a., 66.46 (6) (e) 3., 66.46 (7) (intro.) and (a), 66.46 (7) (b) and (8) to (14),  
16 66.462 (2), 66.462 (3) (d), 66.465, 66.47 (1) to (5), 66.47 (7) to (15), 66.48, 66.49,  
17 66.50, 66.501, 66.504, 66.505 (title) and (1) to (4), 66.505 (6) to (11), 66.508,  
18 66.51 (title), (1), (2) and (3), 66.52, 66.521 (title) and (1) to (6), 66.521 (6m),  
19 66.521 (7) to (13), 66.526, 66.527 (1) to (3), 66.53, 66.54 (title), 66.54 (1), 66.54  
20 (3), 66.54 (4) (title), 66.54 (4), 66.54 (5), 66.54 (6) (a) and (b), 66.54 (6) (c), 66.54  
21 (6) (d), 66.54 (7), 66.54 (9) (a), 66.54 (9) (b) and (c), 66.54 (10) and (11), 66.54 (12),  
22 66.54 (15) and (15m), 66.54 (16), 66.60 (title), 66.60 (1), (2), (3) and (4), 66.60 (5),  
23 66.60 (6), 66.60 (6a), 66.60 (6m), 66.60 (7), 66.60 (8) to (12) and (15), 66.60 (17),  
24 66.60 (18), 66.604, 66.605, 66.608, 66.610, 66.615, 66.616, 66.62, 66.625, 66.63,  
25 66.635, 66.64, 66.65 (title) and (1), 66.65 (2), 66.694, 66.695, 66.696, 66.697 (1)

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1 and (2), 66.698 (1) and (2), 66.70, 66.75 (title), (1) and (1m) (a) to (e) and (f) 1.  
2 and 2., 66.75 (1m) (f) 4. and 5., (2) and (3), 66.80 (title), 66.80 (2), 66.805, 66.81,  
3 66.82, 66.88, 66.882, 66.884, 66.886, 66.888, 66.89, 66.892, 66.894, 66.896,  
4 66.898, 66.899, 66.90, 66.902, 66.904 (title), (1) and (2) (title), 66.904 (2) (a),  
5 66.904 (2) (b) to (e) and (3) to (5), 66.906, 66.91, 66.912, 66.916, 66.935, 66.943,  
6 66.944, 66.945 (title), (1) to (7) and (8) (title), 66.945 (8) (a), 66.945 (9) and (10),  
7 66.945 (11) to (16), 66.949, 66.95, 66.955, 66.96 (title) and (1), 66.96 (2), 66.96  
8 (3) to (5), 200.06 (2), 200.12 and 200.14; **to consolidate, renumber and**  
9 **amend** 66.30 (3n) and (3p); **to amend** 20.155 (1) (g), 29.05 (6), 30.16 (2), 30.772  
10 (3) (f), 33.47 (5), 60.23 (20), 60.23 (27), 60.24 (3) (j), 61.73, 62.03 (1), subchapter  
11 II (title) of chapter 62 [precedes 62.50], 67.01 (9) (h), 67.05 (5) (b), 70.11 (18),  
12 74.53 (1) (b), 85.20 (3) (b) 4., 87.01 (7), 103.49 (1) (d), (3) (a) and (b), (4r), (5) (a)  
13 and (b), (6m) (a) to (e) and (7) (a) and (d), 103.50 (1) (d), (7) (a) to (e) and (8),  
14 117.132 (1m) (a), 119.04 (1), 182.025 (1), 182.031 (2), 182.70 (9) (a), 182.71 (7)  
15 (c), 195.60 (2), 196.02 (7), 196.195 (1), 196.195 (5), 196.202 (2), 196.203 (1),  
16 196.203 (3) (a), 196.203 (4), 196.795 (5) (a), 196.795 (5) (b), 196.80 (1m) (d),  
17 196.85 (1), 196.85 (2), 289.33 (3) (d), 632.103 (2) (a) 1., 755.045 (2), 823.21,  
18 823.215, 893.33 (5), 893.76, 893.765, 946.15 and 946.82 (4); and **to create** 36.11  
19 (19) (title), 62.63 (1), 62.69 (1), 62.69 (2) (b), subchapter I (title) of chapter 66  
20 [precedes 66.0101], 66.0101 (1m), 66.0103, 66.0117 (1), 66.0119 (1) (c), 66.0123  
21 (1), 66.0137 (title) and (1), 66.0139 (1), subchapter II (title) of chapter 66  
22 [precedes 66.0201], 66.0217 (1) (b), 66.0217 (4) (a) 6., subchapter III (title) of  
23 chapter 66 [precedes 66.0301], 66.0303 (title) and (1), 66.0311 (title) and (1),  
24 66.0313 (1), subchapter IV (title) of chapter 66 [precedes 66.0401], 66.0413 (1)  
25 (title), 66.0413 (1) (a) and (b), 66.0413 (1) (br) (title), 66.0413 (1) (br) 1., 66.0413

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1 (1) (d), 66.0413 (1) (k), 66.0413 (1) (L) (title), 66.0413 (2) (title), 66.0413 (2) (a)  
2 2. and 3., 66.0413 (3) (title), 66.0413 (4) (title), 66.0423 (1), 66.0425 (10), 66.0435  
3 (10), subchapter V (title) of chapter 66 [precedes 66.0501], 66.0517, subchapter  
4 VI (title) of chapter 66 [precedes 66.0601], 66.0601 (1) (title), 66.0601 (1) (b)  
5 (title), 66.0601 (1) (c) (title), 66.0603 (title), 66.0627, subchapter VII (title) of  
6 chapter 66 [precedes 66.0701], 66.0707 (2), 66.0709 (title), 66.0709 (1), 66.0711  
7 (1), 66.0713 (10) (title), 66.0715 (title), 66.0715 (1), 66.0719 (1), 66.0721 (title),  
8 66.0727 (4), 66.0729 (6), subchapter VIII (title) of chapter 66 [precedes  
9 66.0801], 66.0801, 66.0805 (1), 66.0807 (1), 66.0811 (title), 66.0813 (title),  
10 66.0821 (1) (intro.), 66.0821 (2) (title), 66.0821 (3) (title), 66.0821 (3) (a), 66.0821  
11 (4) (title), 66.0821 (5) (title), 66.0821 (6) (title), 66.0821 (7) (title), subchapter  
12 IX (title) of chapter 66 [precedes 66.0901], 66.0901 (1) (intro.), 66.0901 (9) (a),  
13 66.0923 (5), 66.0927 (1) (am), subchapter X (title) of chapter 66 [precedes  
14 66.1001], 66.1003 (1), 66.1019 (title), subchapter XI (title) of chapter 66  
15 [precedes 66.1101], subchapter XII (title) of chapter 66 [precedes 66.1201],  
16 66.1201 (9) (x), subchapter XIII (title) of chapter 66 [precedes 66.1301], 66.1331  
17 (3) (Lm), 67.16, 120.25 (title), chapter 200 (title), subchapter I (title) of chapter  
18 200 [precedes 200.01] and subchapter II (title) of chapter 200 [precedes 200.21]  
19 of the statutes; **relating to:** the reorganization and modernization of chapter  
20 66 of the statutes.

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***Analysis by the Legislative Reference Bureau***

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

PREFATORY NOTE: This bill is recommended by the joint legislative council's special committee on general municipal law recodification. The special committee was directed

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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.

The basis of current ch. 66 was itself a recodification. [Chapter 396, laws of 1921, effective January 1, 1922.] The creation of ch. 66 was part of an ongoing effort by the revisor of statutes to revise and reorganize Wisconsin statutes relating to municipal law. That effort was the basis for the current organization, by chapter, of Wisconsin statutes relating to cities, villages, towns, counties and to local units of government generally. The original purpose of ch. 66 was to locate in one chapter those statutory provisions applicable to more than one general purpose unit of local government.

When first established, ch. 66 consisted of 11 individual statutory sections, comprising about 17 pages of Wisconsin statutes. When the special committee began the recodification process, ch. 66 consisted of 273 individual sections, comprising 160 pages of the statutes. The expansion of ch. 66 over time has resulted in a vast number of disparate statutory provisions, with little apparent thought given to the internal organization of the chapter. Consequently, the chapter is unwieldy and difficult to use.

This bill:

1. Reorganizes ch. 66 by:
  - a. Internally reorganizing the chapter by creating 13 subchapters and relocating provisions within the chapter.
  - b. Reorganizing some individual sections within ch. 66 by combining them with other sections, dividing single sections into 2 or more sections and internally reorganizing single sections.
  - c. Relocating whole or partial provisions of ch. 66 outside of ch. 66 where appropriate (including the relocation of provisions dealing with metropolitan sewage districts into a new chapter, ch. 200, and moving whole sections of ch. 66 that pertain solely to 1st class cities to subch. II of ch. 62, relating to cities).
2. Makes nonsubstantive, editorial changes to modernize language and reflect modern drafting style, including, in a few instances, comprehensive editorial changes by entirely restating the current provision.
3. Repeals several entire sections and portions of sections that the special committee concluded are no longer necessary.
4. Makes substantive changes that the special committee concluded are relatively noncontroversial.

The special committee explicitly intends that, unless expressly noted, this bill makes no substantive changes in the statutory provisions treated by the bill. Substantive changes in the bill are identified in notes to the provisions substantively affected. If a question arises about the effect of any modification made by this bill, the special committee intends that the revisions in this bill be construed to have the same effect as the prior statutes.

For convenience, a table of contents listing all section numbers of reorganized ch. 66 and the newly created subchapters is included in this prefatory note. Also, a finding aid is included at the end of the bill which identifies the treatment by this bill of current statutory provisions within ch. 66.

The remainder of this note consists of a table of contents for reorganized ch. 66:

1  
2

**CHAPTER 66**  
**GENERAL MUNICIPAL LAW**

Subchapter I	General Powers; Administration
Subchapter II	Incorporation; Municipal Boundaries

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Subchapter III	Intergovernmental Cooperation
Subchapter IV	Regulation
Subchapter V	Officers and Employes
Subchapter VI	Finance; Revenues
Subchapter VII	Special Assessments
Subchapter VIII	Public Utilities
Subchapter IX	Public Works and Projects
Subchapter X	Planning, Housing and Transportation
Subchapter XI	Development
Subchapter XII	Housing Authorities
Subchapter XIII	Urban Redevelopment and Renewal
	<b><i>SUBCHAPTER I</i></b>
	<b><i>GENERAL POWERS; ADMINISTRATION</i></b>
66.0101	Home rule; manner of exercise.
66.0103	Code of ordinances.
66.0105	Jurisdiction of overlapping extraterritorial powers.
66.0107	Power of municipalities to prohibit criminal conduct.
66.0109	Penalties under county and municipal ordinances.
66.0111	Bond under municipal ordinances.
66.0114	Actions for violations of ordinances.
66.0113	Citations for certain ordinance violations.
66.0115	Outstanding unpaid forfeitures.
66.0117	Judgment against local governmental units.
66.0119	Special inspection warrants.
66.0121	Orders; action; proof of demand.
66.0123	Recreation authority.
66.0125	Community relations–social development commissions.
66.0127	Municipal hospital board.
66.0129	Hospital facilities lease from nonprofit corporation.
66.0131	Local government purchasing.
66.0133	Energy savings performance contracting.
66.0135	Interest on late payments.
66.0137	Provision of insurance.
66.0139	Disposal of abandoned property.
66.0141	Accident record systems.
	<b><i>SUBCHAPTER II</i></b>
	<b><i>INCORPORATION; MUNICIPAL BOUNDARIES</i></b>
66.0201	Incorporation of villages and cities; purpose and definitions.
66.0203	Procedure for incorporation of villages and cities.

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- 66.0205 Standards to be applied by the circuit court.
- 66.0207 Standards to be applied by the department.
- 66.0209 Review of incorporation–related orders and decisions.
- 66.0211 Incorporation referendum procedure.
- 66.0213 Powers of new village or city: elections; adjustment of taxes; reorganization as village.
- 66.0215 Incorporation of certain towns adjacent to 1st class cities.
- 66.0217 Annexation initiated by electors and property owners.
- 66.0219 Annexation by referendum initiated by city or village.
- 66.0221 Annexation of and creation of town islands.
- 66.0223 Annexation of territory owned by city or village.
- 66.0225 Municipal boundaries fixed by judgment.
- 66.0227 Detachment of territory.
- 66.0229 Consolidation.
- 66.0231 Notice of certain litigation affecting municipal status or boundaries.
- 66.0233 Town participation in actions to test alterations of town boundaries.
- 66.0235 Adjustment of assets and liabilities on division of territory.
- SUBCHAPTER III***  
***INTERGOVERNMENTAL COOPERATION***
- 66.0301 Intergovernmental cooperation.
- 66.0303 Municipal interstate cooperation.
- 66.0305 Municipal revenue sharing.
- 66.0307 Boundary change pursuant to approved cooperative change.
- 66.0309 Creation, organization, powers and duties of regional planning commissions.
- 66.0311 Intergovernmental cooperation in financing and undertaking housing projects.
- 66.0313 Law enforcement; mutual assistance.
- 66.0315 Municipal cooperation; federal rivers, harbors or water resources projects.
- SUBCHAPTER IV***  
***REGULATION***
- 66.0401 Regulation relating to solar and wind energy systems.
- 66.0403 Solar and wind access permits.
- 66.0405 Removal of rubbish.
- 66.0407 Noxious weeds.
- 66.0409 Local regulation of firearms.

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- 66.0411 Sound producing devices; seizure impoundment; forfeiture.
- 66.0413 Razing buildings.
- 66.0415 Offensive industry.
- 66.0417 Local enforcement of certain food and health regulations.
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- 66.0505 Compensation of governing bodies.
- 66.0507 Automatic salary schedules.
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- 66.0511 Law enforcement agency policies on use of force and citizen complaint procedures.
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- 66.0605 Local government audits and reports.
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- 66.0611 Political subdivisions prohibited from levying tax on incomes.
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- 66.0621 Revenue obligations.
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- 66.0701 Special assessments by local ordinance.
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- 66.0721 Special assessments on certain farmland for construction of sewerage or water system.
- 66.0723 Utilities, special assessments.
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- 66.0803 Acquisition of public utility or bus transportation system.
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- 66.0813 Provision of utility service outside of municipality by municipal public utility.
- 66.0815 Public utility franchises and service contracts.
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- 66.0819 Combining water and sewer utilities.
- 66.0821 Sewerage systems.
- 66.0823 Joint local water authorities.
- 66.0825 Municipal electric companies.
- 66.0827 Utility districts.
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- SUBCHAPTER IX***  
***PUBLIC WORKS AND PROJECTS***
- 66.0901 Public works, contracts, bids.
- 66.0903 Contractor's failure to comply with municipal prevailing wage and hour scales.
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- 66.0913 City and county projects, individual or joint; revenue bonding.
- 66.0915 Viaducts in cities, villages and towns.
- 66.0917 Art museums.
- 66.0919 Civic centers.
- 66.0921 Joint civic buildings.
- 66.0923 County-city auditoriums.
- 66.0925 County-city safety building.
- 66.0927 County-city hospitals; village and town powers.
- SUBCHAPTER X***  
***PLANNING, HOUSING AND TRANSPORTATION***
- 66.1001 Comprehensive planning.
- 66.1003 Discontinuance of a public way.
- 66.1007 Architectural conservancy districts.
- 66.1009 Agreement to establish an airport affected area.
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- 66.1015 Municipal rent control prohibited.
- 66.1017 Family day care homes.
- 66.1019 Housing codes to conform to state law.
- 66.1021 City, village and town transit commissions.

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- 66.1023 Transit employes; Wisconsin retirement system.
- 66.1025 Relief from conditions of gifts and dedications.
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- SUBCHAPTER XI  
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- 66.1101 Promotion of industry; industrial sites.
- 66.1103 Industrial development revenue bonding.
- 66.1105 Tax increment law.
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- 66.1107 Reinvestment neighborhoods.
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- 66.1111 Historic properties.
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- SUBCHAPTER XII  
HOUSING AUTHORITIES***
- 66.1201 Housing authorities.
- 66.1203 Housing authorities; operation not for profit.
- 66.1205 Housing authorities; rentals and tenant selection.
- 66.1207 Penalties; evidence.
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- 66.1211 Housing authorities; contracts with city; assistance to counties and municipalities.
- 66.1213 Housing authorities for elderly persons.
- SUBCHAPTER XIII  
URBAN REDEVELOPMENT AND RENEWAL***
- 66.1301 Urban redevelopment.
- 66.1303 Urban redevelopment; plans, approval.
- 66.1305 Redevelopment corporations; limitations; incubator.
- 66.1307 Urban redevelopment; regulation of corporations.
- 66.1309 Urban redevelopment; transfer of land.
- 66.1311 Urban redevelopment; acquisition of land.
- 66.1313 Urban redevelopment; condemnation for.
- 66.1315 Urban redevelopment; continued use of land by prior owner.
- 66.1317 Urban redevelopment; borrowing; mortgages.
- 66.1319 Urban redevelopment; sale or lease of land.
- 66.1321 Urban redevelopment; city lease to, terms.
- 66.1323 Urban redevelopment; aids and appropriations.
- 66.1325 Urban redevelopment; city improvements.

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66.1327	Urban redevelopment; construction of statute; conflict of laws; supplemental powers.
66.1329	Urban redevelopment; enforcement of duties.
66.1331	Blighted area law.
66.1333	Blight elimination and slum clearance.
66.1335	Housing and community development authorities.
66.1337	Urban renewal.
66.1339	Villages to have certain city powers.
66.1341	Towns to have certain city powers.

1           **SECTION 1.** 20.155 (1) (g) of the statutes, as affected by 1997 Wisconsin Act 229,  
2 is amended to read:

3           20.155 **(1)** (g) *Utility regulation.* The amounts in the schedule for the  
4 regulation of utilities. Ninety percent of all moneys received by the commission  
5 under s. 196.85, 196.855 or ~~200.10~~ 201.10 (3), except moneys received from mobile  
6 home park operators under s. 196.85 (2g), shall be credited to this appropriation.  
7 Ninety percent of all receipts from the sale of miscellaneous printed reports and  
8 other copied material, the cost of which was originally paid under this paragraph,  
9 shall be credited to this appropriation.

10           **SECTION 2.** 29.05 (6) of the statutes is amended to read:

11           29.05 **(6)** ACCESS TO STORAGE PLACES. For purposes of enforcing this chapter, the  
12 department and its wardens shall be permitted by the owner or occupant of any cold  
13 storage warehouse or building used for the storage or retention of wild animals, or  
14 carcasses or parts thereof, to enter and examine said premises subject to ~~ss. 66.122~~  
15 ~~and 66.123~~ s. 66.0119; and the owner or occupant, or the agent, servant, or employe  
16 of the owner, shall deliver to any such officer any wild animal, or carcass or part  
17 thereof, in his or her possession during the closed season therefor, whether taken  
18 within or without the state.

19           **SECTION 3.** 30.13 (5) of the statutes is repealed.

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NOTE: Replaced by s. 66.0495, which is renumbered s. 30.13 (5). See SECTIONS 120 to 133 of this bill.

1           **SECTION 4.** 30.16 (2) of the statutes is amended to read:

2           **30.16 (2)** REMOVAL OF OBSTRUCTIONS TO NAVIGATION; WHARVES AND PIERS;  
3 ALTERNATIVE. As an alternative to the procedure specified under sub. (1), the  
4 governing body of a city, village or town may remove that portion of a wharf or pier  
5 which constitutes an unlawful obstruction to navigation as provided under s.  
6 ~~66.0495~~ 30.15 (5m).

7           **SECTION 5.** 30.772 (3) (f) of the statutes is amended to read:

8           **30.772 (3) (f)** In addition to, or as an alternative to, the penalties specified in  
9 par. (e), the governing body of a municipality may remove unlawful moorings as  
10 provided under and pursuant to the procedures of s. ~~66.0495~~ 30.15 (5m).

11           **SECTION 6.** 33.47 (5) of the statutes is amended to read:

12           **33.47 (5)** Any special assessment or special charge levied shall be in accordance  
13 with s. ~~66.60~~ ss. 66.0627 and 66.0703 to the extent it is that those sections are  
14 applicable to and not in conflict with this subsection.

15           **SECTION 7.** 36.11 (19) (title) of the statutes is created to read:

16           **36.11 (19)** (title) FURNISHING OF SERVICES TO SCHOOL DISTRICTS.

17           **SECTION 8.** 60.23 (20) of the statutes is amended to read:

18           **60.23 (20)** DISPOSITION OF DEAD ANIMALS. Notwithstanding ss. 59.54 (21) and  
19 95.50 (3), dispose of any dead animal within the town or contract for the removal and  
20 disposition with any private disposal facility. A town may enter into a contract with  
21 any other governmental unit under s. ~~66.30~~ 66.0301 to provide for the removal and  
22 disposition. A town may recover its costs under this subsection by ~~levying a special~~  
23 ~~assessment under s. 66.345~~ imposing a special charge under s. 66.0627.

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NOTE: Reflects the repeal of s. 66.345 and the amendment of s. 66.0627, as renumbered. See SECTIONS 170 and 372 of this bill.

1           **SECTION 9.** 60.23 (27) of the statutes is amended to read:

2           **60.23 (27)** TOWN HOUSING AUTHORITIES, BLIGHTED AREAS. Engage in certain  
3 housing and redevelopment activities. The provisions of ss. ~~66.40~~ 66.1201 to ~~66.425,~~  
4 ~~66.43,~~ ~~66.431~~ 66.1211, 66.1301 to 66.1329, 66.1331 to 66.1333 and ~~66.4325~~ 66.1335,  
5 except the provisions of s. ~~66.40~~ 66.1201 (10) and any other provisions that conflict  
6 with statutes relating to towns and town boards, shall apply to towns, and the powers  
7 and duties conferred and imposed by ss. ~~66.40~~ 66.1201 to ~~66.425, 66.43, 66.431~~  
8 66.1211, 66.1301 to 66.1329, 66.1331 to 66.1333 and ~~66.4325~~ 66.1335, except the  
9 powers and duties conferred and imposed by s. ~~66.40~~ 66.1201 (10) and any other  
10 powers that conflict with statutes relating to towns and town boards, upon mayors,  
11 common councils and specified city officials are hereby conferred upon town board  
12 chairpersons, town boards and town officials performing duties similar to the duties  
13 of such the specified city officials and common councils respectively. Any town  
14 housing authorities created under this subsection shall be entitled to may  
15 participate in any state grants-in-aid for housing in the same manner as city  
16 housing authorities created under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211.

17           **SECTION 10.** 60.24 (3) (j) of the statutes is amended to read:

18           **60.24 (3) (j)** Appoint, at his or her discretion, one or more commissioners of  
19 noxious weeds under ss. ~~66.96 to 66.99~~ s. 66.0517.

NOTE: Amends the reference to the town board chairperson's duty to appoint one or more commissioners of noxious weeds to reflect that the appointment duty is made optional. See SECTION 154 of this bill.

20           **SECTION 11.** 60.51 of the statutes is repealed.

NOTE: Repealed as unnecessary. The section cross-references selected provisions of ch. 66 which on their own terms apply to towns.

21           **SECTION 12.** 61.73 of the statutes is amended to read:

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1           **61.73 Village housing authorities.** The provisions of ss. ~~66.395 to 66.425~~  
2           66.1201 to 66.1329 apply to villages, and the powers and duties conferred and  
3           imposed by ss. ~~66.395 to 66.425~~ 66.1201 to 66.1329 upon mayors, councils and  
4           specified city officials are conferred upon presidents, village boards and village  
5           officials performing duties similar to the duties of the specified city officials  
6           respectively. ~~Any~~ An ordinance or resolution heretofore passed before June 4, 1949,  
7           by ~~any~~ a village board creating a housing authority in substantially the manner  
8           provided in ss. ~~66.40 to 66.404~~ 66.1201 to 66.1211 is valid, and ~~any~~ village housing  
9           authorities may participate in any state grants-in-aid for housing in the same  
10          manner as city housing authorities created under ss. ~~66.395 to 66.404~~ 66.1201 to  
11          66.1213.

12           **SECTION 13.** 62.03 (1) of the statutes is amended to read:

13           62.03 (1) This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) and (11) (j)  
14           and (k), 62.175 ~~and~~ 62.23 (7) (em) and (he) and 62.237, does not apply to 1st class  
15           cities under special charter.

NOTE: Amended to reflect the relocation of s. 66.38, relating to housing loan  
assistance by cities, into subch. I of ch. 62. Section 66.38 applies to any city  
with a population over 75,000, including 1st class cities under special charter.

16           **SECTION 14.** Subchapter II (title) of chapter 62 [precedes 62.50] of the statutes  
17           is amended to read:

**CHAPTER 62**

## SUBCHAPTER II

~~POLICE AND FIRE DEPARTMENTS~~~~IN CITIES OF THE FIRST~~CLASS CITIES

23           **SECTION 15.** 62.63 (1) of the statutes is created to read:

**ASSEMBLY BILL 710****SECTION 15**

1           **62.63 (1) ESTABLISHMENT OF FUNDS.** By a majority vote of the members–elect,  
2 the common council of a 1st class city may create, establish, maintain and administer  
3 annuity and benefit funds for city officers and employes, including officers and  
4 employes of boards, agencies, departments and divisions of the city government and  
5 of a housing authority established under s. 66.1201.

NOTE: Restates s. 66.80 (1) and (3) repealed by SECTIONS 570 and 572 of this  
bill.

6           **SECTION 16.** 62.69 (1) of the statutes is created to read:

7           **62.69 (1) APPLICATION.** This section applies to 1st class cities.

NOTE: Restates s. 66.071 (intro.), repealed by SECTION 196 of this bill.

8           **SECTION 17.** 62.69 (2) (b) of the statutes is created to read:

9           **62.69 (2) (b)** In this subsection, all acts authorized to be done by the  
10 commissioner of public works, except enforcement of regulations approved by the  
11 common council, shall be approved by the common council before the acts may take  
12 effect.

NOTE: Restates a portion of s. 66.071 (1) (b) that is repealed by SECTION 199 of  
this bill.

13           **SECTION 18.** 66.01 (title) and (1) to (3) of the statutes are renumbered 66.0101  
14 (title) and (1) to (3), and 66.0101 (2) and (3), as renumbered, are amended to read:

15           **66.0101 (2) (a)** A “~~charter ordinance~~” ~~is any ordinance which enacts, amends~~  
16 ~~or repeals the whole or any part of the charter of a city or village, or makes the~~  
17 ~~election mentioned in sub. (4). Such city or village may enact a charter ordinance.~~  
18 A charter ordinance shall be so designated, shall require as a charter ordinance,  
19 requires a two–thirds vote of the members–elect of the legislative body of such the  
20 city or village, and shall be is subject to referendum as hereinafter ~~prescribed~~  
21 provided in this section.

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1           (b) ~~Every A charter ordinance which that amends or repeals the whole or any~~  
2 ~~part of a city or village charter shall designate specifically the portion of the charter~~  
3 ~~so that is amended or repealed, and every A charter ordinance which that makes~~  
4 ~~the election mentioned in under sub. (4) shall designate specifically each enactment~~  
5 ~~of the legislature or portion thereof, of the enactment that is made inapplicable to~~  
6 ~~such the city or village by the election mentioned in sub. (4).~~

7           (3) ~~Every enactment, amendment or repeal of the whole or any part of the~~  
8 ~~charter of any city or village A charter ordinance shall be published as a class 1~~  
9 ~~notice, under ch. 985, and shall be recorded by the clerk in a permanent book kept~~  
10 ~~for that purpose, with a statement of the manner of its adoption, and a A certified~~  
11 ~~copy thereof of the charter ordinance shall be filed by said the clerk with the secretary~~  
12 ~~of state. The secretary of state shall keep a separate index of all charter ordinances,~~  
13 ~~arranged alphabetically by city and village and summarizing each ordinance, and~~  
14 ~~annually shall issue such a list the index of charter ordinances filed during the 12~~  
15 ~~months prior to July 1.~~

NOTE: "Charter ordinance" is now defined in a separate subsection. See  
SECTION 27 of this bill.

16           **SECTION 19.** 66.01 (3a) of the statutes is renumbered 66.0101 (12).

17           **SECTION 20.** 66.01 (4) to (8) of the statutes are renumbered 66.0101 (4) to (8)

18 and amended to read:

19           66.0101 (4) ~~Any A city or village may elect in the manner prescribed in under~~  
20 ~~this section that the whole or any part of any laws law relating to the local affairs and~~  
21 ~~government of such the city or village other than such those enactments of the~~  
22 ~~legislature of statewide concern as shall with uniformity affect every city or every~~  
23 ~~village shall not apply to such the city or village, and thereupon such laws or parts~~

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1 ~~thereof shall cease~~ when the election takes effect, the law ceases to be in effect in such  
2 the city or village.

3 ~~(5) Any city or village by charter ordinance may make the election mentioned~~  
4 ~~in sub. (4) of this section, or enact, amend or repeal the whole or any part of its~~  
5 ~~charter; but such~~ A charter ordinance shall does not take effect until 60 days after  
6 its passage and publication. If within such ~~60 days~~ the 60-day period a petition  
7 conforming to the requirements of s. 8.40 and signed by a number of electors of the  
8 city or village equal to not less than 7% of the votes cast ~~therein~~ in the city or village  
9 for governor at the last general election ~~shall be~~ is filed in the office of the clerk of ~~said~~  
10 the city or village demanding that such the ordinance be submitted to a vote of the  
11 electors, it ~~shall~~ may not take effect until it is submitted to a referendum and  
12 approved by a majority of the electors voting ~~thereon~~. ~~Said~~ in the referendum. The  
13 petition and the proceedings for its submission ~~shall be~~ are governed by s. 9.20 (2)  
14 to (6).

15 ~~(6) Any~~ A charter ordinance may be initiated ~~in the manner provided in~~ under  
16 s. 9.20 (1) to (6), but alternative adoption ~~thereof~~ of the charter ordinance by the  
17 legislative body ~~shall be~~ is subject to referendum ~~as provided in~~ under sub. (5) of this  
18 section.

19 ~~(7) Any~~ A charter ordinance may be submitted to a referendum by the  
20 legislative body, ~~in the manner prescribed in~~ under s. 9.20 (4) to (6), without initiative  
21 petition, and ~~shall become~~ becomes effective when approved by a majority of the  
22 electors voting ~~thereon~~ in the referendum.

23 ~~(8) Every charter, charter amendment or~~ A charter ordinance enacted or  
24 approved by a vote of the electors ~~shall control and prevail~~ controls over any prior or  
25 subsequent act of the legislative body of the city or village. ~~Whenever~~ If the electors

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1 of any city or village by a majority vote have adopted or determined to continue to  
2 operate under either ch. 62 or 64, or have determined the method of selection of  
3 members of the governing board, the question shall not again be submitted to the  
4 electors, nor action taken ~~thereon~~ on the question, within a period of 2 years. Any  
5 election to change or amend the charter of any city or village, other than a special  
6 election as provided in s. 9.20 (4), shall be held at the time provided by statute for  
7 holding the spring election.

8 **SECTION 21.** 66.01 (9) to (11) of the statutes are renumbered 66.0101 (9) (a), (b)  
9 and (d) and amended to read:

10 66.0101 **(9)** (a) The legislative body of ~~any~~ a city or village, by resolution  
11 adopted by a two-thirds vote of its members–elect may, and upon petition complying  
12 with s. 9.20 shall, submit to the electors ~~in the manner prescribed in~~ under s. 9.20  
13 (4) to (6) the question of holding a charter convention under one or more plans  
14 proposed in said ~~the~~ the resolution or petition.

15 (b) The ballot shall be in substantially the following form:

16 Shall a charter convention be held?

17 YES  NO

18 If a charter convention be is held what plan do you favor?

19 PLAN 1  PLAN 2

20 [Repeat for each plan proposed.]

21 Mark an [X] in the square to the RIGHT of the plan that you select.

22 (c) If a majority of the electors voting ~~thereon~~ vote for a charter convention, ~~such~~  
23 the convention shall be held pursuant to the plan favored by a majority of the total  
24 votes cast for all plans. If no plan receives a majority, the 2 plans receiving the

**ASSEMBLY BILL 710****SECTION 21**

1 highest number of votes shall be again submitted to the electors and a convention  
2 shall thereupon be held pursuant to the plan favored by a majority of the votes cast.

3 (d) ~~Such~~ A charter convention ~~shall have power to~~ may adopt a charter or  
4 amendments to the existing charter. ~~Such~~ The charter or charter amendments  
5 adopted by ~~such~~ the convention shall be certified, as soon as ~~may be~~ practicable, by  
6 the presiding officer and secretary ~~thereof~~ of the convention to the city or village clerk  
7 and shall thereupon be submitted to the electors ~~in the manner prescribed in~~ as  
8 provided under s. 9.20 (4) to (6), without the alternative ~~mentioned therein~~ provided  
9 in s. 9.20 (4) to (6), and shall take effect ~~only~~ when approved by a majority of the  
10 electors voting thereon.

11 **SECTION 22.** 66.01 (12) of the statutes is renumbered 66.0101 (10).

12 **SECTION 23.** 66.01 (14) of the statutes is repealed.

NOTE: Repealed as obsolete. The subsection provides as follows:

“(14) All laws relating to public instruction, under article X, sections 1 to 5, of the constitution, remain and shall continue in force for the establishment, administration and government of the district schools as heretofore, until amended or repealed by the legislature. The term “district schools” as here used, in addition to common schools includes, among others, any and all public high schools, trade schools, technical colleges, auxiliary departments for instruction of pupils who are deaf or of impaired speech or blind, and truancy or parental schools.”.

Municipalities no longer enact general laws relating to public instruction.

13 **SECTION 24.** 66.01 (15) of the statutes is renumbered 66.0101 (11).

14 **SECTION 25.** 66.01 (16) of the statutes is renumbered 61.188 and amended to  
15 read:

16 **61.188** Certain villages may become cities by charter ordinance. Any  
17 village having a population of 1,000 or more may proceed under ~~this section~~ s.  
18 66.0101 to organize as a city of the appropriate class. The village may by charter or  
19 charter ordinance adopted under ~~this section~~ s. 66.0101 elect not to be governed by  
20 ch. 62 or ~~this chapter~~ 66 in whole or in part or may create ~~such~~ that system of

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1 government ~~as is deemed~~ considered by the village to be most appropriate for its  
2 situation. The charter or charter ordinance may include ~~provision for~~ the following,  
3 ~~without limitation because of enumeration:~~ method of election of members of the  
4 council by districts, at-large or by a combination of methods, procedure for election  
5 of the first common council, creation and selection of all administrative officers,  
6 departments, boards and commissions, powers and duties of all officers, boards and  
7 commissions and terms of office. The charter or charter ordinance ~~shall~~ may not alter  
8 those provisions of ch. 62 dealing with police and fire departments or chs. 115 to 121  
9 dealing with education. Any village incorporated after August 12, 1959, may not  
10 become a city under this ~~subsection~~ section unless it meets the standards for  
11 incorporation in ss. ~~66.015 and 66.016~~ 66.0205 and 66.0207.

12 **SECTION 26.** Subchapter I (title) of chapter 66 [precedes 66.0101] of the statutes  
13 is created to read:

**CHAPTER 66****SUBCHAPTER I****GENERAL POWERS; ADMINISTRATION**

14  
15  
16  
17 **SECTION 27.** 66.0101 (1m) of the statutes is created to read:

18 **66.0101 (1m)** In this section, “charter ordinance” means an ordinance that  
19 enacts, amends or repeals the charter, or any part of the charter, of a city or village  
20 or that makes the election under sub. (4).

NOTE: Provides a general definition of “charter ordinance” for the statutory  
provision relating to home rule and charter ordinances. See the treatment of  
current s. 66.01 by SECTIONS 18 to 25 of this bill.

21 **SECTION 28.** 66.0103 of the statutes is created to read:

22 **66.0103 Code of ordinances. (1)** The governing body of a city, village, town  
23 or county may authorize the preparation of a code of some or all of its general

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1 ordinances. The code may be enacted by an ordinance that incorporates the code by  
2 reference. A copy of the code shall be available for public inspection not less than 2  
3 weeks before it is enacted. After the code is enacted, a copy shall be maintained and  
4 available for public inspection in the office of the city, village, town or county clerk.

5 **(2)** Publication of a code enacted under sub. (1), in book or pamphlet form,  
6 meets the publication requirements of ss. 59.14, 60.80, 61.50 (1) and 62.11 (4) (a).

NOTE: Restates current s. 66.035.

7 **SECTION 29.** 66.0117 (1) of the statutes is created to read:

8 **66.0117 (1)** In this section:

9 (a) “Local governmental unit” means a city, village, town, county, school  
10 district, technical college district, town sanitary district or public inland lake  
11 protection and rehabilitation district.

12 (b) “Statement” means all of the following:

13 1. A certified transcript of a judgment.

14 2. A judgment creditor’s affidavit of the amount due on a judgment, of  
15 payments made on the judgment and that the judgment has not been appealed.

NOTE: Creates a definition for s. 66.0117, relating to judgments against local  
governmental units. The definition differs from the current language of s. 66.09  
by removing a community center from the list of local governmental bodies to  
which the law applies. It appears that a community center is not treated as a  
local governmental unit anywhere else in the statutes. The term “community  
centre” first appeared in this section when separate statutes were consolidated  
and revised in chapter 396, laws of 1921.

16 **SECTION 30.** 66.0119 (1) (c) of the statutes is created to read:

17 **66.0119 (1) (c)** “Public building” has the meaning given in s. 101.01 (12).

18 **SECTION 31.** 66.012 of the statutes is renumbered 66.0215 and amended to  
19 read:

20 **66.0215 Towns may become Incorporation of certain towns adjacent**  
21 **to 1st class cities.** (1) PETITION. ~~Whenever~~ If the resident population of ~~any~~ a town

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1 exceeds 5,000 as shown by the last federal census or by a census ~~herein provided for~~  
2 ~~and under sub. (2), if the town~~ is adjacent to a city of the first 1st class city and  
3 contains an equalized valuation in excess of \$20,000,000 and ~~if~~ a petition has been  
4 presented and signed by 100 or more persons, each an elector and taxpayer of said  
5 the town, and, ~~in addition thereto, said petition contains~~ containing the signatures  
6 of at least ~~one-half~~ 50% of the owners of real estate in said the town which petition  
7 requests and requesting submission of the question to the electors of the town and,  
8 is filed with the clerk of the town, the procedure for becoming a fourth 4th class city  
9 is initiated.

10 **(2) REFERENDUM.** At the next regular meeting of the town board, ~~said town~~  
11 following the filing of the petition under sub. (1), the board by resolution shall provide  
12 for a referendum by the electors of said the town. The resolution shall ~~observe~~  
13 conform to the requirements of s. 5.15 (1) and (2) and shall determine the numbers  
14 and boundaries of each ward of the proposed city, and the time of voting, which shall  
15 may not be earlier than 6 weeks after the adoption of said the resolution and said,  
16 The resolution may direct that a census be taken of the resident population of ~~such~~  
17 the territory as it may be on some a day not more than 10 weeks previous to the date  
18 of the election, exhibiting the name of every head of a family and the name of every  
19 person who is a resident in good faith of ~~such~~ the territory on ~~such~~ that day, and the  
20 lot or quarter section of land on which that person resides, which shall be verified by  
21 the affixed affidavit of the person taking the ~~same affixed thereto~~ census.

22 **(3) NOTICE OF REFERENDUM.** Notice of the referendum shall be given by  
23 publication of the resolution in a newspaper published in ~~such~~ the town, if there be  
24 is one, otherwise in a newspaper designated in the resolution, once a week for 4

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1 successive weeks, the first publication to be not more than 4 weeks before the  
2 referendum.

3 (4) VOTING PROCEDURE. The referendum shall be conducted in the same manner  
4 as elections for supervisors of the town board. The question appearing on the ballot  
5 shall be “Shall the town of .... become a 4th class city?”. Below the question shall  
6 appear 2 squares. To the left of one square shall appear the words “For a city” and  
7 to the left of the other square shall appear the words “Against a city”. The inspectors  
8 shall make a return to the clerk of such ~~the~~ the town.

9 (5) CERTIFICATE OF INCORPORATION. If a majority of the votes are cast in favor  
10 of a city the clerk shall certify the fact to the secretary of state, together with the  
11 result of the census, if any, and 4 copies of a description of the legal boundaries of the  
12 town and 4 copies of a plat thereof, ~~whereupon the~~ of the town. The secretary of state  
13 shall then issue a certificate of incorporation, and record the ~~same~~ certificate in a  
14 book kept for that purpose. Two copies of the description and plat shall be forwarded  
15 by the secretary of state to the department of transportation and one copy to the  
16 department of revenue.

17 (6) CITY POWERS. ~~Every A city thus incorporated shall thenceforth be~~ under this  
18 section is a body corporate and politic, with the powers and privileges of a municipal  
19 corporation at common law and conferred by ch. 62.

20 (7) EXISTING ORDINANCES. (a) Ordinances in force in the territory or any part  
21 thereof, ~~so far as~~ of the territory, to the extent not inconsistent with ch. 62, shall  
22 continue in force until altered or repealed.

23 (b) A county shoreland zoning ordinance enacted under s. 59.692 that is in force  
24 in any part of the territory shall ~~continue~~ continues in force until altered under s.  
25 59.692 (7) (ad).

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1           **(8) INTERIM OFFICERS.** All officers of the town embracing the territory ~~thus~~  
2 incorporated as a city shall continue in their powers and duties as ~~theretofore~~ until  
3 the first meeting of the common council at which a quorum is present. Until a city  
4 clerk ~~shall have been~~ is chosen and qualified all oaths of office and other papers shall  
5 be filed with the town clerk, with whom the petition was filed, who shall deliver them  
6 with the petition to the city clerk when the city clerk ~~shall have~~ is qualified.

7           **(9) FIRST CITY ELECTION.** Within 10 days after incorporation of the city, the town  
8 board ~~with~~ and the town clerk ~~of which~~ who received the petition ~~was~~ filed shall fix  
9 a time for the first city election, designate the polling place or places, and name 3  
10 inspectors of election for each place. Ten days' previous notice of the election shall  
11 be given by the clerk by publication in the newspapers selected under sub. (3) and  
12 by posting notices in 3 public places in the city. Failure to give ~~such~~ notice does not  
13 invalidate the election. The election shall be conducted as is prescribed by chs. 5 to  
14 12, except that no registration of voters shall may be required. The inspectors shall  
15 make returns to the board which shall, within one week after the election, canvass  
16 the returns and declare the result. The clerk shall notify the officers–elect and issue  
17 certificates of election. If the first election is on the first Tuesday in April the officers  
18 ~~so~~ elected shall and their appointees commence and hold their offices as for a regular  
19 term, ~~as shall also their appointees~~. Otherwise they shall commence within 10 days  
20 and hold until the regular city election and the qualification of their successors, and  
21 the term of their appointees shall ~~expire~~ expires as soon as successors qualify.

22           **SECTION 32.** 66.0123 (1) of the statutes is created to read:

23           **66.0123 (1)** In this section, “governmental unit” means a town board or school  
24 board.

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1           **SECTION 33.** 66.013 of the statutes is renumbered 66.0201, and 66.0201 (1) and  
2 (2) (intro.), as renumbered, are amended to read:

3           66.0201 **(1)** PURPOSE. It is ~~declared to be~~ the policy of this state that the  
4 development of territory from town to incorporated status proceed in an orderly and  
5 uniform manner and that toward this end each proposed incorporation of territory  
6 as a village or city be reviewed as provided in ss. ~~66.013 to 66.019~~ 66.0201 to 66.0213  
7 to assure compliance with certain minimum standards which take into account the  
8 needs of both urban and rural areas.

9           **(2)** DEFINITIONS. (intro.) ~~As used in~~ In ss. ~~66.013~~ 66.0201 to 66.019 66.0213,  
10 unless the context requires otherwise:

11           **SECTION 34.** 66.0137 (title) and (1) of the statutes are created to read:

12           **66.0137** (title) **Provision of insurance.** **(1)** DEFINITION. In this section, “local  
13 governmental unit” means a city, village, town, county, school district (as  
14 enumerated in s. 67.01 (5)), sewerage district, drainage district and, without  
15 limitation because of enumeration, any other political subdivision of the state should  
16 be s. 345.05 (1) (c).

17           **SECTION 35.** 66.0139 (1) of the statutes is created to read:

18           66.0139 **(1)** In this section, “political subdivision” means a city, village, town  
19 or county.

20           **SECTION 36.** 66.014 of the statutes is renumbered 66.0203, and 66.0203 (1), (2)  
21 (a) to (e), (3), (4) (a), (7) (a), (8) (b), (9) (a), (d) to (f) and (h) and (10), as renumbered,  
22 are amended to read:

23           66.0203 **(1)** NOTICE OF INTENTION. At least 10 days and not more than 20 days  
24 before the circulation of an incorporation petition, a notice setting forth that the  
25 petition is to be circulated and including an accurate description of the territory

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1 involved shall be published within the county in which said the territory is located  
2 as a class 1 notice, under ch. 985.

3 (2) (a) The petition for incorporation of a village or city shall be in writing  
4 signed by 50 or more persons who are both electors and freeholders in the territory  
5 to be incorporated if the population of the proposed village or city includes 300 or  
6 more persons; otherwise by 25 or more ~~such electors and freeholders~~ persons who are  
7 both electors and freeholders in the territory to be incorporated.

8 (b) The petition shall be addressed to and filed with the circuit court of a county  
9 in which all or a major part of the territory to be incorporated is located; ~~and the.~~ The  
10 incorporation petition ~~shall be~~ is void unless filed within 6 months of the date of  
11 publication of the notice of intention to circulate.

12 (c) The petition shall designate a representative of the petitioners, and an  
13 alternate, who shall be an elector or freeholder in the territory, and state that  
14 person's address; describe the territory to be incorporated with sufficient accuracy  
15 to determine its location and have attached ~~thereto~~ to the petition a scale map  
16 reasonably showing the boundaries ~~thereof~~ of the territory; specify the current  
17 resident population of the territory by number in accordance with the definition  
18 given in s. ~~66.013~~ 66.0201 (2) (b); set forth facts substantially establishing the  
19 required standards for incorporation ~~required herein~~; and request the circuit court  
20 to order a referendum and to certify the incorporation of the village or city when it  
21 is found that all requirements have been met.

22 (e) No person who has signed a petition ~~shall be permitted to~~ may withdraw his  
23 or her name ~~therefrom~~ from the petition. No additional signatures shall may be  
24 added after a petition is filed.

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1           **(3) HEARING; COSTS.** (a) Upon the filing of the petition the circuit court shall  
2 by order fix a time and place for a hearing giving preference to such the hearing over  
3 other matters on the court calendar.

4           (b) The court may ~~in its discretion~~ by order allow costs and disbursements as  
5 provided for actions in circuit court in any proceeding under this subsection.

6           (c) The court may ~~in its discretion~~, upon notice to all parties who have appeared  
7 in the hearing and after a hearing ~~thereon~~ on the issue of bond, order the petitioners  
8 or any of the opponents to post bond in such an amount as that it deems considers  
9 sufficient to cover such disbursements.

10           **(4)** (a) Notice of the filing of the petition and of the date of the hearing ~~thereon~~  
11 on the petition before the circuit court shall be published in the territory to be  
12 incorporated, as a class 2 notice, under ch. 985, and given by certified or registered  
13 mail to the clerk of each town in which the territory is located and to the clerk of each  
14 metropolitan municipality of the metropolitan community in which the territory is  
15 located. The mailing shall be not less than 10 days ~~prior to~~ before the time set for  
16 the hearing.

17           **(7)** (a) No action to contest the validity of an incorporation on any grounds  
18 ~~whatsoever~~, whether procedural or jurisdictional ~~shall~~, may be commenced after 60  
19 days from the date of issuance of the charter of incorporation by the secretary of state.

20           **(8)** (b) On the basis of the hearing the circuit court shall find if the standards  
21 under s. ~~66.015~~ 66.0205 are met. If the court finds that the standards are not met,  
22 the court shall dismiss the petition. If the court finds that the standards are met the  
23 court shall refer the petition to the department and ~~thereupon~~ the department shall  
24 determine whether ~~or not~~ the standards under s. ~~66.016~~ 66.0207 are met.

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1           **(9)** (a) Upon receipt of the petition from the circuit court the department shall  
2           make such any necessary investigation as ~~may be necessary~~ to apply the standards  
3           under s. ~~66.016~~ 66.0207.

4           (d) Unless the court sets a different time limit, the department shall prepare  
5           its findings and determination, citing the supporting evidence ~~in support thereof~~,  
6           within 90 days after receipt of the ~~reference~~ referral from the court. The findings and  
7           determination shall be forwarded by the department to the circuit court. Copies of  
8           the findings and determination shall be sent by certified or registered mail to the  
9           designated representative of the petitioners, and to all town and municipal clerks  
10          entitled to receive mailed notice of the petition under sub. (4).

11          (e) The determination of the department made in accordance with the  
12          standards under ss. ~~66.015, 66.016~~ 66.0205, 66.0207 and ~~66.021 (11)~~ 66.0217 (6) (c)  
13          shall be ~~either~~ one of the following:

14               1. The petition as submitted shall ~~be~~ is dismissed;

15               2. The petition as submitted shall ~~be~~ is granted and ~~an incorporation~~  
16          ~~referendum held~~;

17               3. The petition as submitted shall ~~be~~ is dismissed with a recommendation that  
18          a new petition be submitted to include more or less territory as specified in the  
19          department's findings and determination.

20          (f) If the department determines that the petition shall be dismissed under par.  
21          (e) 1., the circuit court shall issue an order dismissing the petition. If the department  
22          grants the petition, the circuit court shall order an incorporation referendum as  
23          provided in s. ~~66.018~~ 66.0211.

24          (h) Except for an incorporation petition which describes the territory  
25          recommended by the department under s. ~~66.014~~ 66.0203 (9) (e) 3., no petition for the

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1 incorporation of the same or substantially the same territory may be entertained for  
2 one year following the date of the denial ~~dismissal under par. (f)~~ of the petition or the  
3 date of any election at which incorporation was rejected by the electors.

4 **(10) EXISTING ORDINANCES.** A county shoreland zoning ordinance enacted under  
5 s. 59.692 that is in force in any part of the territory ~~shall continue~~ continues in force  
6 until altered under s. 59.692 (7) (ad).

7 **SECTION 37.** 66.015 of the statutes is renumbered 66.0205, and 66.0205 (intro.)  
8 and (5), as renumbered, are amended to read:

9 **66.0205 Standards to be applied by the circuit court.** (intro.) Before  
10 referring the incorporation petition as provided in s. ~~66.014~~ 66.0203 (2) to the  
11 department, the court shall determine whether the petition meets the formal and  
12 signature requirements and shall further find that the following minimum  
13 requirements are met:

14 **(5) STANDARDS WHEN NEAR FIRST, SECOND 1ST, 2ND OR THIRD 3RD CLASS CITY.** ~~Where~~  
15 If the proposed boundary of a metropolitan village or city is within 10 miles of the  
16 boundary of a 1st class city ~~of the first class~~ or 5 miles of a 2nd or 3rd class city ~~of the~~  
17 ~~second or third class~~, the minimum area requirements ~~shall be~~ are 4 and 6 square  
18 miles for villages and cities, respectively.

19 **SECTION 38.** 66.016 of the statutes is renumbered 66.0207, and 66.0207 (1) (a)  
20 and (b) and (2) (intro.) and (b), as renumbered, are amended to read:

21 66.0207 **(1) (a) Characteristics of territory.** The entire territory of the proposed  
22 village or city shall be reasonably homogeneous and compact, taking into  
23 consideration natural boundaries, natural drainage basin, soil conditions, present  
24 and potential transportation facilities, previous political boundaries, boundaries of  
25 school districts, shopping and social customs. An isolated municipality shall have

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1 a reasonably developed community center, including some or all of ~~such~~ features  
2 such as retail stores, churches, post office, telecommunications exchange and similar  
3 centers of community activity.

4 (b) *Territory beyond the core.* The territory beyond the most densely populated  
5 one-half square mile specified in s. ~~66.015~~ 66.0205 (1) or the most densely populated  
6 square mile specified in s. ~~66.015~~ 66.0205 (2) shall have an average of more than 30  
7 housing units per quarter section or an assessed value, as defined in s. ~~66.021~~  
8 66.0217 (1) (a) for real estate tax purposes, more than 25% of which is attributable  
9 to existing or potential mercantile, manufacturing or public utility uses. The  
10 territory beyond the most densely populated square mile as specified in s. ~~66.015~~  
11 66.0205 (3) or (4) shall have the potential for residential or other urban land use  
12 development on a substantial scale within the next 3 years. The department may  
13 waive these requirements to the extent that water, terrain or geography prevents  
14 ~~such~~ the development.

15 (2) (intro.) In addition to complying with each of the applicable standards set  
16 forth in sub. (1) and s. ~~66.015~~, ~~any proposed incorporation~~ 66.0205 in order to be  
17 approved for referendum, a proposed incorporation must be in the public interest as  
18 determined by the department upon consideration of the following:

19 (b) *Level of services.* The level of governmental services desired or needed by  
20 the residents of the territory compared to the level of services offered by the proposed  
21 village or city and the level available from a contiguous municipality which files a  
22 certified copy of a resolution as provided in s. ~~66.014~~ 66.0203 (6).

23 **SECTION 39.** 66.017 of the statutes is renumbered 66.0209, and 66.0209 (title),  
24 (1), (2) and (4), as renumbered, are amended to read:

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1           **66.0209** (title) **Review of the action incorporation-related orders and**  
2 **decisions.** (1) The order of the circuit court made under s. ~~66.014~~ 66.0203 (8) or (9)  
3 (f) may be appealed to the court of appeals.

4           (2) The decision of the department made under s. ~~66.014~~ 66.0203 (9) shall be  
5 is subject to judicial review under ch. 227.

6           (4) ~~Where an~~ An incorporation referendum ~~has been~~ ordered by the circuit  
7 court under s. ~~66.014~~ 66.0203 (9) (f), ~~the referendum shall~~ may not be stayed pending  
8 the outcome of further litigation, unless the court of appeals or the supreme court,  
9 upon appeal or upon the filing of an original action in supreme court, concludes that  
10 a strong probability exists that the order of the circuit court or the decision of the  
11 department will be set aside.

12           **SECTION 40.** 66.018 of the statutes is renumbered 66.0211, and 66.0211 (title),  
13 (2), (3) and (5), as renumbered, are amended to read:

14           **66.0211** (title) **Referendum incorporation referendum procedure.**

15           (2) NOTICE OF REFERENDUM. Notice of the referendum shall be given by  
16 publication of the order of the circuit court in a newspaper having general circulation  
17 in the territory. ~~Such publication~~ Publication shall be once a week for 4 successive  
18 weeks, ~~the.~~ The first publication ~~to~~ may not be ~~not~~ more than 4 weeks before the  
19 referendum.

20           (3) RETURN. An incorporation referendum shall be conducted in the same  
21 manner as an annexation referendum under s. ~~66.021~~ (5) ~~insofar as~~ 66.0217 (7) to  
22 the extent applicable except that the ballot shall contain the words “For a city  
23 [village]” and “Against a city [village]”. The inspectors shall make a return to the  
24 circuit court.

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1           **(5) CERTIFICATION OF INCORPORATION.** If a majority of the votes in an  
2 incorporation referendum are cast in favor of a village or city, the clerk of the circuit  
3 court shall certify the fact to the secretary of state and supply the secretary of state  
4 with a copy of a description of the legal boundaries of the village or city and the  
5 associated population and a copy of a plat ~~thereof of the village or city.~~ Within 10 days  
6 of receipt of the description and plat, the secretary of state shall forward 2 copies to  
7 the department of transportation, and one copy each to the department of  
8 administration, ~~one copy to~~ the department of revenue and ~~one copy to~~ the  
9 department of commerce. The secretary of state shall issue a certificate of  
10 incorporation and record the ~~same~~ certificate.

11           **SECTION 41.** 66.019 of the statutes is renumbered 66.0213 and amended to  
12 read:

13           **66.0213 Powers of new village or city: elections; adjustment of taxes;**  
14 **reorganization as village. (1) VILLAGE OR CITY POWERS.** ~~Every~~ A village or city  
15 incorporated under ~~this section shall be ss. 66.0201 to 66.0213 is~~ a body corporate and  
16 politic, with powers and privileges of a municipal corporation at common law and  
17 conferred by these statutes.

18           **(2) EXISTING ORDINANCES.** (a) Ordinances in force in the territory incorporated  
19 or any part ~~thereof, insofar as of the territory, to the extent~~ not inconsistent with chs.  
20 61 and 62, shall continue in force until altered or repealed.

21           (b) A county shoreland zoning ordinance enacted under s. 59.692 that is in force  
22 in any part of the territory ~~shall continue~~ continues in force until altered under s.  
23 59.692 (7) (ad).

24           **(3) INTERIM OFFICERS.** All officers of the village or town embracing the territory  
25 ~~thus~~ that is incorporated as a village or city shall continue in their powers and duties

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1 until the first meeting of the board of trustees or common council at which a quorum  
2 is present. Until a village or city clerk is chosen and qualified all oaths of office and  
3 other papers shall be filed with the circuit court, with ~~whom~~ which the petition was  
4 filed, ~~who~~. The court shall deliver them the oaths and other papers with the petition  
5 to the village or city clerk when that clerk qualifies.

6 (4) FIRST VILLAGE OR CITY ELECTION. (a) Within 10 days after incorporation of  
7 the village or city, the clerk of the circuit court with whom the petition was filed shall  
8 fix a time for the first election, and where appropriate designate the polling place or  
9 places, and name 3 inspectors of election for each place. The time for the election  
10 shall be fixed no less than 40 nor more than 50 days after the date of the certificate  
11 of incorporation issued by the secretary of state, irrespective of any other provision  
12 in the statutes. Nomination papers shall conform to ch. 8 ~~insofar as~~ to the extent  
13 applicable. ~~Such~~ Nomination papers shall be signed by not less than 5% nor more  
14 than 10% of the total votes cast at the referendum election, and be filed no later than  
15 15 days before the time fixed for the election. Ten days' previous notice of the election  
16 shall be given by the clerk of the circuit court by publication in the newspapers  
17 selected under s. ~~66.018~~ 66.0211 (2) and by posting notices in 3 public places in ~~such~~  
18 the village or city, but failure to give such notice shall does not invalidate the election.

19 (b) The election shall be conducted as prescribed by ch. 6, except that no  
20 registration of voters shall may be required. The inspectors shall make returns to  
21 the clerk of the circuit court who shall, within one week after ~~such~~ the election,  
22 canvass the returns and declare the result. The clerk shall notify the officers–elect  
23 and issue certificates of election. If the first election is on the first Tuesday in April  
24 the officers ~~so~~ elected and their appointees shall commence and hold their offices as  
25 for a regular term. Otherwise they shall commence within 10 days and hold their

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1 offices until the regular village or city election and the qualification of their  
2 successors and the terms of their appointees shall expire as soon as successors  
3 qualify.

4 (5) TAXES LEVIED BEFORE INCORPORATION; HOW COLLECTED AND DIVIDED. ~~Whenever~~  
5 If a village or city is incorporated from territory within any town or towns, after the  
6 assessment of taxes in any year and before the collection of such the taxes, the tax  
7 so assessed shall be collected by the town treasurer of the town or the town treasurers  
8 of the different towns of which such the village or city formerly constituted a part,  
9 and all moneys collected from the tax levied for town purposes shall be divided  
10 between the village or city and the town or the towns, as provided by s. ~~66.03~~ 66.0235  
11 (13) (a) 1., for the division of property owned jointly by towns and villages.

12 (6) REORGANIZATION OF CITY AS VILLAGE. If the population of the any city falls  
13 below 1,000 as determined by the United States census, the council may upon filing  
14 of a petition conforming to the requirements of s. 8.40 containing the signatures of  
15 at least 15% of the electors submit at any general or city election the question  
16 whether the city shall reorganize as a village. If three-fifths of the votes cast on the  
17 question are for reorganization the mayor and council shall record the return in the  
18 office of the register of deeds and, file a certified copy with the clerk of the circuit  
19 court, and ~~shall~~ immediately call an election, to be conducted as are village elections,  
20 for the election of village officers. Upon the qualification of such the officers, the  
21 board of trustees shall declare the city reorganized as a village, and the  
22 reorganization ~~shall be effected~~ is effective. The clerk shall certify a copy of the  
23 declaration to the secretary of state who shall file the declaration and endorse a  
24 memorandum ~~thereof~~ of the declaration on the record of the certificate of  
25 incorporation of the city. Rights and liabilities of the city ~~shall~~ continue in favor of

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1 or against the village. Ordinances, so far as within the power of the village, shall  
2 remain in force until changed.

NOTE: Expands the scope of sub. (6) to include any city, not just a city  
incorporated under ss. 66.013 to 66.019 (renumbered ss. 66.0201 to 66.0213), by  
changing the reference to “the” city to “any” city.

3 **SECTION 42.** 66.02 of the statutes is renumbered 66.0229 and amended to read:

4 **66.0229 Consolidation.** Subject to s. ~~66.023~~ 66.0307 (7), any a town, village  
5 or city may be consolidated with a contiguous town, village or city, by ordinance,  
6 passed by a two-thirds vote of all the members of each board or council, fixing the  
7 terms of the consolidation and ratified by the electors at a referendum held in each  
8 municipality. The ballots shall bear the words, “for consolidation”, and “against  
9 consolidation”, and if a majority of the votes cast ~~thereon~~ in each municipality are  
10 for consolidation, the ordinances shall ~~then be in~~ take effect and have the force of a  
11 contract. The ordinance and the result of the referendum shall be certified as  
12 provided in s. ~~66.018~~ 66.0211 (5); if a town the certification shall be preserved as  
13 provided in ss. ~~60.03 and 66.018~~ 66.0211 (5) and 66.0235, respectively. Consolidation  
14 ~~shall~~ does not affect the preexisting rights or liabilities of any municipality and  
15 actions ~~thereon~~ on those rights or liabilities may be commenced or completed as  
16 though if there were no consolidation had been effected. ~~Any.~~ A consolidation  
17 ordinance proposing the consolidation of a town and another municipality shall,  
18 within 10 days after its adoption and prior to its submission to the voters for  
19 ratification at a referendum, be submitted to the circuit court and the department  
20 of administration for a determination whether ~~such~~ the proposed consolidation is in  
21 the public interest. The circuit court shall determine whether the proposed  
22 ordinance meets the formal requirements of this section and shall then refer the  
23 matter to the department of administration, which shall find as prescribed in s.

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1     ~~66.014~~ 66.0203 whether the proposed consolidation is in the public interest in  
2     accordance with the standards in s. ~~66.016~~ 66.0207. The department's findings shall  
3     have the same status as incorporation findings under ss. ~~66.014~~ 66.0203 to ~~66.019~~  
4     66.0213.

5             **SECTION 43.** Subchapter II (title) of chapter 66 [precedes 66.0201] of the  
6     statutes is created to read:

7                                             **CHAPTER 66**

8                                             SUBCHAPTER II

9                                             INCORPORATION;

10                                            MUNICIPAL BOUNDARIES

11             **SECTION 44.** 66.021 (title) of the statutes is renumbered 66.0217 (title) and  
12     amended to read:

13             **66.0217** (title) **Annexation of territory initiated by electors and**  
14     **property owners.**

15             **SECTION 45.** 66.021 (1) (intro.) and (a) of the statutes are renumbered 66.0217  
16     (1) (intro.) and (a).

17             **SECTION 46.** 66.021 (1) (am) to (e) of the statutes are renumbered 66.0217 (1)  
18     (c) to (g), and 66.0217 (1) (d), (e) and (f), as renumbered, are amended to read:

19             66.0217 (1) (d) "Owner" means the holder of record of an estate in possession  
20     in fee simple, or for life, in land or real property, or a vendee of record under a land  
21     contract for the sale of an estate in possession in fee simple or for life but does not  
22     include the vendor under a land contract. A tenant in common or joint tenant shall  
23     be considered such is an owner to the extent of his or her interest.

24             (e) "Petition" includes the original petition and any counterpart thereof of the  
25     original petition.

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1 (f) “Real property” means land and the improvements ~~thereon~~ to the land.

2 **SECTION 47.** 66.021 (2) of the statutes is renumbered 66.0217 (3), and 66.0217  
3 (3) (intro.) and (a) (title), as renumbered, are amended to read:

4 66.0217 **(3)** ~~METHODS~~ OTHER METHODS OF ANNEXATION. (intro.) Subject to s.  
5 ~~66.023~~ 66.0307 (7), territory contiguous to ~~any a~~ a city or village may be annexed  
6 ~~thereto~~ to the city or village in the following ways:

7 (a) (title) *Direct annexation by one-half approval.*

8 **SECTION 48.** 66.021 (2m) (title) of the statutes is repealed.

9 **SECTION 49.** 66.021 (2m) of the statutes is renumbered 66.0217 (10) (b) and  
10 amended to read:

11 66.0217 **(10)** (b) ~~Whenever~~ For purposes of this section, if a number of electors  
12 cannot be determined on the basis of reported election statistics, the number shall  
13 be determined in accordance with s. 60.74 (6).

14 **SECTION 50.** 66.021 (3) of the statutes is renumbered 66.0217 (4), and 66.0217  
15 (4) (title), (a) (intro.) and (b), as renumbered, are amended to read:

16 66.0217 **(4)** (title) NOTICE OF PROPOSED ANNEXATION. (a) (intro.) ~~The~~ An  
17 annexation under sub. (3) shall be initiated by publishing in the territory proposed  
18 for annexation a class 1 notice, under ch. 985, of intention to circulate an annexation  
19 petition. The notice shall contain:

20 (b) The person who ~~causes~~ has the notice ~~to be published~~ shall serve a copy of  
21 the notice, within 5 days after its publication, upon the clerk of each municipality  
22 affected, upon the clerk of each school district affected and upon each owner of land  
23 in a town if that land will be in a city or village after the annexation. ~~Such service~~  
24 Service may be either by personal service or by registered certified mail with return

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1 receipt requested. If required under sub. (6) (a), a copy of the notice shall be mailed  
2 to the department as provided in that paragraph.

NOTE: Revises the required service of notice of intention to circulate an annexation petition to include the method of certified mail, rather than registered mail. Certified mail is less expensive than registered mail and there appears to be no policy reason to require registered mail.

3 **SECTION 51.** 66.021 (4) of the statutes is renumbered 66.0217 (5) and amended  
4 to read:

5 66.0217 (5) ~~PETITION~~ ANNEXATION PETITION. (a) ~~The~~ An annexation petition  
6 under this section shall state the purpose of the petition, contain a legal description  
7 of the territory proposed to be annexed and have attached thereto a scale map. The  
8 petition shall also specify the population, ~~as defined in s. 66.013 (2) (b),~~ of the  
9 territory. In this paragraph, “population” means the population of the territory as  
10 shown by the last federal census, by any subsequent population estimate certified  
11 as acceptable by the department or by an actual count certified as acceptable by the  
12 department.

NOTE: In addition to the current methods, authorizes the population of the territory to be determined by an actual count, certified as acceptable by the department.

13 (b) No person who has signed a petition ~~shall be permitted to~~ may withdraw  
14 his or her name ~~therefrom~~ from the petition. No additional signatures shall may be  
15 added after a petition is filed.

16 (c) The circulation of the petition shall commence not less than 10 days nor  
17 more than 20 days after the date of publication of the notice of intention to circulate.  
18 The annexation petition ~~shall be~~ is void unless filed within 6 months of the date of  
19 publication of the notice.

20 **SECTION 52.** 66.021 (5) of the statutes is renumbered 66.0217 (7) and amended  
21 to read:

**ASSEMBLY BILL 710****SECTION 52**

1           66.0217 (7) REFERENDUM. (a) *Notice.* 1. Within 60 days after the filing of the  
2 petition under sub. (3), the common council or village board may accept or reject the  
3 petition and if rejected no further action shall may be taken ~~thereon~~ on the petition.  
4 Acceptance may consist of adoption of an annexation ordinance. Failure to reject the  
5 petition shall ~~obligate~~ obligates the city or village to pay the cost of any referendum  
6 favorable to annexation.

7           2. If the petition is not rejected the clerk of the city or village with whom the  
8 annexation petition is filed shall give written notice ~~thereof~~ of the petition by  
9 personal service or registered mail with return receipt requested to the clerk of any  
10 town from which territory is proposed to be detached and shall give like notice to any  
11 person who files a written request ~~therefor~~ with the clerk. ~~Such~~ The notice shall  
12 indicate whether the petition is for direct annexation or whether it requests a  
13 referendum on the question of annexation.

14           3. If the notice indicates that the petition is for a referendum on the question  
15 of annexation, the town clerk shall give notice as provided in par. (c) of a referendum  
16 of the electors residing in the area proposed for annexation to be held within 30 days  
17 after the date of personal service or mailing of the notice required under this  
18 paragraph. If the notice indicates that the petition is for direct annexation, no  
19 referendum shall be held unless, within 30 days after the date of personal service or  
20 mailing of the notice required under this paragraph, a petition conforming to the  
21 requirements of s. 8.40 requesting a referendum is filed with the town clerk signed  
22 by at least 20% of the electors residing in the area proposed to be annexed. If ~~such~~  
23 a petition requesting a referendum is filed, the clerk shall give notice as provided in  
24 par. (c) of a referendum of the electors residing in the area proposed for annexation  
25 to be held within 30 days of the receipt of the petition and shall mail a copy of ~~such~~

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1 the notice to the clerk of the city or village to which the annexation is proposed. Any  
2 The referendum shall be held at ~~some~~ a convenient place within the town to be  
3 specified in the notice.

4 (b) *Clerk to act.* If more than one town is involved, the city or village clerk shall  
5 determine as nearly as is practicable which town contains the most electors in the  
6 area proposed to be annexed and shall indicate in the notice required under par. (a)  
7 ~~such~~ that determination. The clerk of the town so designated shall perform the  
8 duties required ~~hereunder~~ under this subsection and the election shall be conducted  
9 in ~~such~~ the town as are other elections ~~conducted therein~~.

10 (c) *Publication of notice.* The notice shall be published in a newspaper of  
11 general circulation in the area proposed to be annexed on the publication day next  
12 preceding the referendum election and one week prior to ~~such~~ that publication.

13 (d) *How conducted.* The referendum shall be conducted by the town election  
14 officials but the town board may reduce the number of ~~such~~ election officials for that  
15 election. The ballots shall contain the words “For annexation” and “Against  
16 annexation” and shall otherwise conform to the provisions of s. 5.64 (2). The election  
17 shall be conducted as are other town elections in accordance with chs. 6 and 7 ~~insofar~~  
18 as to the extent applicable.

19 (e) *Canvass; statement to be filed.* The election inspectors shall make a  
20 statement of the holding of the election showing the whole number of votes cast, and  
21 the number cast for and against annexation, attach ~~thereto~~ their affidavit to the  
22 statement and immediately file it in the office of the town clerk. They shall file a  
23 certified statement of the results in the office of the clerk of each other municipality  
24 affected.

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1 (f) *Costs.* If the referendum is against annexation, the costs of the election shall  
2 be borne by the towns involved in the proportion that the number of electors of each  
3 town within the territory proposed to be annexed, voting in the referendum, bears  
4 to the total number of electors in ~~such~~ that territory, voting in the referendum.

5 (g) *Effect.* If the result of the referendum is against annexation, all previous  
6 proceedings ~~shall be~~ are nullified. If the result of the referendum is for annexation,  
7 failure of any town official to perform literally any duty required by this section ~~shall~~  
8 does not invalidate the annexation.

9 **SECTION 53.** 66.021 (6) (title) of the statutes is renumbered 66.0217 (10) (title)  
10 and amended to read:

11 66.0217 (10) (title) QUALIFICATIONS OF ELECTORS AND OWNERS; ELECTOR  
12 DETERMINATION.

13 **SECTION 54.** 66.021 (6) of the statutes is renumbered 66.0217 (10) (a) and  
14 amended to read:

15 66.0217 (10) (a) Qualifications Under this section, qualifications as to electors  
16 and owners shall be determined as of the date of filing ~~any a~~ a petition, except that all  
17 qualified electors residing in the territory proposed for annexation on the day of ~~the~~  
18 ~~conduct of a referendum election shall be entitled to~~ may vote therein in the election.  
19 Residence and ownership ~~must~~ shall be bona fide and not acquired for the purpose  
20 of defeating or invalidating the annexation proceedings.

21 **SECTION 55.** 66.021 (7) (title), (a), (b) and (d) of the statutes are renumbered  
22 66.0217 (8) (title), (a), (b) and (c), and 66.0217 (8) (a) and (c), as renumbered, are  
23 amended to read:

24 66.0217 (8) (a) An ordinance for the annexation of the territory described in the  
25 annexation petition under sub. (3) may be enacted by a two-thirds vote of the elected

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1 members of the governing body not less than 20 days after the publication of the  
2 notice of intention to circulate the petition and not later than 120 days after the date  
3 of filing with the city or village clerk of the petition for annexation or of the  
4 referendum election if favorable to the annexation. If the annexation is subject to  
5 sub. (11) ~~(6)~~ the governing body shall first review the reasons given by the  
6 department of ~~administration~~ that the proposed annexation is against the public  
7 interest. Subject to s. 59.692 (7), ~~such~~ an ordinance under this subsection may  
8 temporarily designate the classification of the annexed area for zoning purposes  
9 until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). Before  
10 introduction of an ordinance containing ~~such~~ a temporary classification, the  
11 proposed classification shall be referred to and recommended by the plan  
12 commission. The authority to make ~~such~~ a temporary classification shall is not be  
13 effective when the county ordinance prevails during litigation as provided in s. 59.69  
14 (7).

15 (c) The annexation shall ~~be~~ is effective upon enactment of the annexation  
16 ordinance. The board of school directors in ~~any city of the first a 1st class shall~~ city  
17 is not be required to administer the schools in any territory annexed to ~~any such~~ the  
18 city until July 1 following ~~such~~ the annexation.

19 **SECTION 56.** 66.021 (8) of the statutes is renumbered 66.0217 (9) and amended  
20 to read:

21 66.0217 (9) FILING REQUIREMENTS; SURVEYS. (a) The clerk of a city or village  
22 which has annexed territory shall file immediately with the secretary of state a  
23 certified copy of the ordinance, certificate and plat, and shall send one copy to each  
24 company that provides any utility service in the area that is annexed. The clerk shall  
25 ~~also~~ record the ordinance with the register of deeds and file a signed copy of the

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1 ordinance with the clerk of any affected school district. Failure to file, record or send  
2 ~~shall~~ does not invalidate the annexation and the duty to file, record or send ~~shall be~~  
3 is a continuing one. The ordinance that is filed, recorded or sent shall describe the  
4 annexed territory and the associated population. The information filed with the  
5 secretary of state shall be utilized in making recommendations for adjustments to  
6 entitlements under the federal revenue sharing program and distribution of funds  
7 under ch. 79. The clerk shall certify annually to the secretary of state and record with  
8 the register of deeds a legal description of the total boundaries of the municipality  
9 as those boundaries existed on December 1, unless there has been no change in the  
10 12 months preceding.

11 (b) Within 10 days of receipt of the ordinance, certificate and plat, the secretary  
12 of state shall forward 2 copies of the ordinance, certificate and plat to the department  
13 of transportation, one copy to the department of administration, one copy to the  
14 department of revenue, one copy to the department of public instruction, one copy  
15 to the department of ~~commerce~~, one copy to the department of natural resources, one  
16 copy to the department of agriculture, trade and consumer protection and 2 copies  
17 to the clerk of the municipality from which the territory was annexed.

18 (c) Any city or village may direct a survey of its present boundaries to be made,  
19 and when properly attested the survey and plat may be filed in the office of the  
20 register of deeds in the county in which the city or village is located, ~~whereupon,~~  
21 Upon filing, the survey and plat ~~shall be~~ are prima facie evidence of the facts therein  
22 set forth in the survey and plat.

23 **SECTION 57.** 66.021 (9) of the statutes is renumbered 66.0217 (12) and amended  
24 to read:

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1           66.0217 **(12)** VALIDITY OF PLATS. ~~Where any~~ If an annexation is declared invalid  
2 but ~~prior to such~~ before the declaration and subsequent to such the annexation a plat  
3 ~~has been~~ is submitted and ~~has been~~ is approved as required in s. 236.10 (1) (a), ~~such~~  
4 the plat shall be deemed is validly approved despite the invalidity of the annexation.

5           **SECTION 58.** 66.021 (10) of the statutes is renumbered 66.0217 (11), and  
6 66.0217 (11) (title) and (a), as renumbered, are amended to read:

7           66.0217 **(11)** (title) ACTION TO CONTEST ANNEXATION. (a) An action on any  
8 grounds ~~whatsoever~~, whether ~~denominated~~ procedural or jurisdictional, to contest  
9 the validity of an annexation shall be commenced within the time after adoption of  
10 the annexation ordinance provided by s. 893.73 (2). During the action, the  
11 application of, and jurisdiction over, any county zoning in the area annexed is as  
12 provided under s. 59.69 (7).

NOTE: A cross-reference to s. 59.69 (7) is added for convenience.

13           **SECTION 59.** 66.021 (11) of the statutes is renumbered 66.0217 (6), and 66.0217  
14 (6) (title), (a) and (c) (intro.), as renumbered, are amended to read:

15           66.0217 **(6)** (title) REVIEW DEPARTMENT REVIEW OF ANNEXATIONS. (a) *Annexations*  
16 *within populous counties.* No annexation proceeding within a county having a  
17 population of 50,000 or more ~~shall be~~ is valid unless the person ~~causing publishing~~  
18 a notice of annexation ~~to be published~~ under sub. (3) ~~shall within 5 days of the~~  
19 ~~publication mail~~ (4) mails a copy of the notice, ~~legal description and a scale map of~~  
20 ~~the proposed annexation~~ to the clerk of each municipality affected and the  
21 department of administration within 5 days of the publication. The department may  
22 within 20 days after receipt of the notice mail to the clerk of the town within which  
23 the territory lies and to the clerk of the proposed annexing village or city a notice that  
24 in its opinion the annexation is against the public interest. ~~No later than 10 days~~

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1 after mailing the notice, the department shall advise the clerk of the town in which  
2 the territory is located and the clerk of the village or city to which the annexation is  
3 proposed and that advises the clerks of the reasons the annexation is against the  
4 public interest as defined in par. (c). The annexing municipality shall review the  
5 advice before final action is taken.

NOTE: 1. Eliminates, as redundant, reference to mailing a copy of the legal description and scale map since the description and map are a required content of the notice under renumbered sub. (4) (a) [former sub. (3) (a)].

2. Eliminates, as unnecessary, the additional 10 days currently allowed the department of administration to give its reason for determining that a proposed annexation is against the public interest after it gives notice of that determination.

6 (c) *Definition of public interest.* (intro.) For purposes of this subsection “public  
7 interest” is determined by the department of administration after consideration of  
8 the following:

9 **SECTION 60.** 66.021 (12) of the statutes is renumbered 66.0217 (2) and amended  
10 to read:

11 **66.0217 (2)** ~~UNANIMOUS~~ DIRECT ANNEXATION BY UNANIMOUS APPROVAL. If a  
12 petition for direct annexation signed by all of the electors residing in the territory and  
13 the owners of all of the real property in the territory is filed with the city or village  
14 clerk, and with the town clerk of the town or towns in which the territory is located,  
15 together with a scale map and a legal description of the property to be annexed, an  
16 annexation ordinance for the annexation of the territory may be enacted by a  
17 two-thirds vote of the elected members of the governing body of the city or village  
18 without compliance with the notice requirements of sub. (3) (4). ~~In such annexations~~  
19 an annexation under this subsection, subject to sub. (11) (6), the person filing the  
20 petition with the city or village clerk and the town clerk shall, within 5 days of the  
21 filing, mail a copy of the scale map and a legal description of the territory to be

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1 annexed to the department of administration and the governing body shall review  
2 the advice of the department, if any, before enacting the annexation ordinance.

3 **SECTION 61.** 66.021 (13) of the statutes is repealed.

NOTE: Repeals as unnecessary a provision providing that the procedure for annexation by unanimous approval under current s. 66.021 (12) does not eliminate the required review by the department of administration of annexations in counties over 50,000 population. The subsection on annexations by unanimous approval [sub. (12)] expressly states that annexations under that provision are subject to department of administration review.

4 **SECTION 62.** 66.021 (15) of the statutes is renumbered 66.0221 and amended  
5 to read:

6 **66.0221 Annexation of and creation of town islands.** Upon its own  
7 motion, a city or village by a two-thirds vote of the entire membership of its  
8 governing body may enact an ordinance annexing territory which comprises a  
9 portion of a town or towns and which was completely surrounded by territory of the  
10 city or village on December 2, 1973. The ordinance shall include all surrounded town  
11 areas except those exempt by mutual agreement of all of the governing bodies  
12 involved. The annexation ordinance shall contain a legal description of the territory  
13 and the name of the town or towns from which the territory is detached. Upon  
14 enactment of the ordinance, the city or village clerk immediately shall file 6 certified  
15 copies of the ordinance in the office of the secretary of state, together with 6 copies  
16 of a scale map. The secretary of state shall forward 2 copies of the ordinance and scale  
17 map to the department of transportation, one copy to the department of natural  
18 resources, one copy to the department of revenue and one copy to the department of  
19 administration. This ~~subsection~~ section does not apply if the town island was created  
20 only by the annexation of a railroad right-of-way or drainage ditch. This ~~subsection~~  
21 section does not apply to land owned by a town government which has existing town  
22 government buildings located ~~thereon~~ on the land. No town island may be annexed

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1 under this ~~subsection~~ section if the island consists of over 65 acres or contains over  
2 100 residents. Section 66.0217 (11) applies to annexations under this section. After  
3 December 2, 1973, no city or village may, by annexation, create a town area which  
4 is completely surrounded by the city or village.

5 **SECTION 63.** 66.021 (16) of the statutes is renumbered 66.0217 (13).

6 **SECTION 64.** 66.0217 (1) (b) of the statutes is created to read:

7 66.0217 (1) (b) “Department” means the department of administration.

8 **SECTION 65.** 66.0217 (4) (a) 6. of the statutes is created to read:

9 66.0217 (4) (a) 6. A statement that a copy of the scale map may be inspected  
10 at the office of the town clerk for the territory proposed to be annexed and the office  
11 of the city or village clerk for the city or village to which the territory is proposed to  
12 be annexed.

NOTE: Requires that the notice of intent to circulate an annexation petition  
indicate that a copy of the scale map may be inspected in the town clerk’s or city  
or village clerk’s office.

13 **SECTION 66.** 66.022 of the statutes is renumbered 66.0227 and amended to  
14 read:

15 **66.0227 Detachment of territory.** Subject to s. ~~66.023~~ 66.0307 (7), territory  
16 may be detached from ~~any a~~ a city or village and be attached to ~~any a~~ a city, village or  
17 town, to which it is contiguous, ~~in the following manner~~ as follows:

18 (1) A petition signed by a majority of the owners of three-fourths of the taxable  
19 land in area within ~~such~~ the territory to be detached or, if there is no taxable land  
20 ~~therein~~ in the territory, by all owners of ~~such~~ land in the territory, shall be filed with  
21 the clerk of the city or village from which detachment is sought, within 120 days after  
22 the date of publication of a class 1 notice, under ch. 985, of intention to circulate a  
23 petition of detachment.

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1           (2) An ordinance detaching ~~such~~ the territory may be enacted within 60 days  
2 after the filing of ~~such~~ the petition, by a vote of three-fourths of all the members of  
3 the governing body of the detaching city or village and its terms accepted within 60  
4 days after ~~such~~ enactment, by an ordinance enacted by a vote of three-fourths of all  
5 the members of the governing body of the city, village or town to which ~~such~~ the  
6 territory ~~shall be annexed~~ is to be attached. The failure of ~~any~~ a governing body to  
7 adopt the ordinance as ~~provided herein shall be deemed~~ under this subsection is a  
8 rejection of the petition and all proceedings ~~thereunder shall be~~ are void.

9           (3) The governing body of ~~any~~ a city, village or town involved may, or if a petition  
10 conforming to the requirements of s. 8.40 signed by a number of qualified electors  
11 ~~thereof~~ equal to at least 5% of the votes cast for governor in the city, village or town  
12 at the last gubernatorial election, demanding a referendum ~~thereon~~, is presented to  
13 it within 30 days after the passage of either of the ordinances ~~herein provided for~~  
14 under sub. (2) shall, ~~cause the question to be submitted~~ submit the question to the  
15 electors of the city, village or town whose electors petitioned ~~therefor~~ for detachment,  
16 at a referendum election called for ~~such~~ that purpose within 30 days after the filing  
17 of ~~such~~ the petition, or after the enactment of either ordinance. ~~Whenever~~ If a  
18 number of electors cannot be determined on the basis of reported election statistics,  
19 the number shall be determined in accordance with s. 60.74 (6). The governing body  
20 of the municipality shall appoint 3 election inspectors who ~~shall be~~ are resident  
21 electors to supervise the referendum. The ballots shall contain the words “For  
22 Detachment” and “Against Detachment”. The inspectors shall certify the results of  
23 the election by their attached affidavits ~~annexed thereto~~ and file a copy with the clerk  
24 of each town, village or city involved, and none of the ordinances ~~so provided for shall~~  
25 may take effect nor be in force unless a majority of the electors ~~shall~~ approve the ~~same~~

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1 question. The referendum election shall be conducted in accordance with chs. 6 and  
2 7 ~~insofar as to the extent~~ applicable.

3 (4) ~~Whenever any~~ If an area which has been subject to a city or village zoning  
4 ordinance is detached from one municipality and attached to another ~~in accordance~~  
5 ~~with~~ under this section, the regulations imposed by ~~such~~ the zoning ordinance shall  
6 continue in effect and shall be enforced by the attaching city, village or town until  
7 changed by official action of the governing body of ~~such~~ the municipality, except that  
8 if the detachment or attachment is contested in the courts, the zoning ordinance of  
9 the detaching municipality ~~shall prevail~~ prevails, and ~~such~~ the detaching city or  
10 village ~~shall have~~ has jurisdiction over the zoning in the area affected until ultimate  
11 determination of the court action.

12 (5) The ordinance, certificate and plat shall be filed and recorded in the same  
13 manner as ~~for annexations under s. 66.021 (8)~~ 66.0217 (9) (a). The requirements for  
14 the secretary of state ~~shall be~~ are the same as in s. ~~66.021 (8)~~ 66.0217 (9) (b).

15 (6) Because the creation of congressional, legislative, supervisory and  
16 aldermanic districts of equal population is a matter of statewide concern, any  
17 detachment action that affects a tract of land that is the subject of an ordinance  
18 enacted or resolution adopted by ~~any~~ a city during the period from January 1, 1990,  
19 to April 1, 1991, or any later date, expressing an intent to not exercise the city's  
20 authority to annex territory before April 1, 1991, or the specified later date, taken  
21 by a municipality during the period beginning on April 1 of the year commencing  
22 after each federal decennial census of population and ending on June 30 of the year  
23 commencing after that census, is effective on July 1 of the year commencing after  
24 that census or at ~~such~~ a later date as ~~may be~~ specified in the detachment ordinance.  
25 This subsection first applies to detachments effective after March 31, 1991.

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1           **SECTION 67.** 66.023 of the statutes is renumbered 66.0307, and 66.0307 (4) (c)  
2 and (10), as renumbered, are amended to read:

3           66.0307 **(4)** (c) *Comment on plan.* Any person may comment on the plan during  
4 the hearing and may submit written comments before, at or within 20 days following  
5 the hearing. All comments shall be considered by each participating municipality.  
6 ~~Any~~ A county zoning agency under s. 59.69 (2) or regional planning commission  
7 whose jurisdiction includes any participating municipality shall comment in writing  
8 on the plan's effect on the master plan adopted by the regional planning commission  
9 under s. ~~66.945~~ 66.0309 (9), or development plan adopted by the county board or  
10 county planning agency under s. 59.69 (3), and on the delivery of municipal services,  
11 and may comment on any other aspect of the plan. ~~Any~~ A county in the regional  
12 planning commission's jurisdiction may submit comments on the effect of the  
13 cooperative plan on the master plan adopted under s. ~~66.945~~ 66.0309 (9) and on the  
14 delivery of county services or on any other matter related to the plan.

15           **(10)** BOUNDARY CHANGE ORDINANCE; FILING AND RECORDING REQUIREMENTS. A  
16 boundary change under a cooperative plan shall be accomplished by the enactment  
17 of an ordinance by the governing body designated to do so in the plan. The filing and  
18 recording requirements under s. ~~66.021 (8)~~ 66.0217 (9) (a), as they apply to cities and  
19 villages under s. ~~66.021 (8)~~ 66.0217 (9) (a), apply to municipalities under this  
20 subsection. The requirements for the secretary of state ~~shall be~~ are the same as those  
21 required in s. ~~66.021 (8)~~ 66.0217 (9) (a).

22           **SECTION 68.** 66.024 of the statutes is renumbered 66.0219, and 66.0219 (intro.),  
23 (1) to (3), (4) (a) and (b) and (5) to (9), as renumbered, are amended to read:

24           **66.0219 Annexation by referendum; court order initiated by city or**  
25 **village.** (intro.) As a complete alternative to any other annexation procedure, and

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1 subject to s. ~~66.023~~ 66.0307 (7), unincorporated territory which contains electors and  
2 is contiguous to a city or village may be annexed thereto ~~in the manner hereafter~~  
3 ~~provided to the city or village under this section.~~ The definitions in s. ~~66.021~~ 66.0217  
4 (1) shall apply to this section.

5 (1) PROCEDURE FOR ANNEXATION. (a) The governing body of the city or village  
6 to which it is proposed to annex territory shall, by resolution adopted by two-thirds  
7 of the members-elect, declare its intention to apply to the circuit court for an order  
8 for an annexation referendum, and shall publish the resolution in a newspaper  
9 having general circulation in the area proposed to be annexed, as a class 1 notice,  
10 under ch. 985, ~~and shall cause to be made.~~ The governing body shall prepare a scale  
11 map of ~~such~~ the territory to be annexed, showing it in relation to the annexing city  
12 or village. The resolution shall contain a description of the territory to be affected,  
13 sufficiently accurate to determine its location, the name of the municipalities  
14 directly affected and the name and post-office address of the municipal official  
15 ~~causing responsible for the publication of the resolution to be published.~~ The person  
16 ~~who causes the resolution to be published shall serve a.~~ A copy of the resolution  
17 together with the scale map shall be served upon the clerk of the town or towns from  
18 which the territory is to be detached within 5 days of the date of publication of the  
19 resolution. ~~Such service~~ Service may be either by personal service or by registered  
20 mail and if by registered mail an affidavit ~~must~~ shall be on file with the annexing  
21 body indicating the date ~~said~~ on which the resolution was mailed. The annexation  
22 ~~shall be deemed~~ is considered commenced upon publication of the resolution.

23 (b) Application to the circuit court shall be by petition subscribed by the officers  
24 designated by the governing body, and shall have attached as a part thereof: the scale  
25 map, a certified copy of the resolution of the governing body and an affidavit of the

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1 publication and filing required under par. (a). ~~Such~~ The petition shall be filed in the  
2 circuit court not less than 30 days but no more than 45 days after the publication of  
3 the notice of intention.

4 **(2) PROTEST TO COURT BY ELECTORS; HEARING.** (a) If, prior to the date set for  
5 hearing upon ~~such~~ an application filed under sub. (1) (b), there is filed with the court  
6 a petition signed by a number of qualified electors residing in the territory equal to  
7 at least a majority of the votes cast for governor in the territory at the last  
8 gubernatorial election or the owners of more than one-half of the real property in  
9 assessed value in ~~such~~ the territory, protesting against the annexation of ~~such~~ the  
10 territory, the court shall deny the application for an annexation referendum.  
11 ~~Whenever~~ If a number of electors cannot be determined on the basis of reported  
12 election statistics, the number shall be determined in accordance with s. 60.74 (6).

13 (b) If a petition protesting the annexation is found insufficient the court shall  
14 proceed to hear all parties interested for or against the application. The court may  
15 ~~in its discretion~~ adjourn ~~such~~ the hearing from time to time, direct a survey to be  
16 made and refer any question for examination and report ~~thereon~~. ~~Any~~. A town whose  
17 territory is involved in the proposed annexation shall, upon application, be a party  
18 and is entitled to be heard on any relevant matter ~~pertaining thereto~~.

19 **(3) DISMISSAL.** If for any reason the proceedings are dismissed, the court may,  
20 ~~in its discretion~~, order entry of judgment against the city or village for ~~such~~  
21 disbursements or any part thereof ~~as have been~~ of disbursements incurred by the  
22 parties opposing the annexation.

23 **(4)** (a) If the court, after ~~such~~ the hearing, is satisfied as to the correctness of  
24 that the description of the territory or any survey is accurate and that the provisions  
25 of this section have been complied with, it shall make an order so declaring and shall

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1 direct a referendum election within the territory ~~which shall be~~ described in the  
2 order, on the question, of whether such ~~the~~ area should be annexed. ~~Such~~ The order  
3 shall direct 3 electors named ~~therein~~ in the order residing in the town in which the  
4 territory proposed to be annexed lies, to perform the duties of inspectors of election.

5 (b) The referendum election shall be held within 30 days after the entry of the  
6 order, in the territory proposed for annexation, by the electors of such that territory  
7 as provided in s. ~~66.021 (5)~~ 66.0217 (7), so far as applicable. The ballots shall contain  
8 the words “For Annexation” and “Against Annexation”. The certification of the  
9 election inspectors shall be filed with the clerk of the court, and the clerk of any  
10 municipality involved, but need not be filed or recorded with the register of deeds.

11 (5) DETERMINATION BY VOTE. (a) If a majority of the votes cast at such the  
12 referendum election is against annexation, no other proceeding under this section  
13 affecting the same territory or part ~~thereof~~, shall of the same territory may be  
14 commenced by the same municipality, until 6 months after the date of the  
15 referendum election.

16 (b) If a majority of the votes cast at such the referendum election is for  
17 annexation, the territory shall be annexed to the petitioning city or village upon  
18 compliance with s. ~~66.021 (8)~~ 66.0217 (9).

19 (6) TEMPORARY ZONING OF AREA PROPOSED TO BE ANNEXED. An interim zoning  
20 ordinance to become effective only upon approval of the annexation at the  
21 referendum election may be enacted by the governing body of the city or village.  
22 Subject to s. 59.692 (7), the ordinance may temporarily designate the classification  
23 of the annexed area for zoning purposes until the zoning ordinance is amended as  
24 prescribed in s. 62.23 (7) (d). The proposed interim zoning ordinance shall be referred  
25 to and recommended by the plan commission prior to introduction. Authority to

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1 make ~~such a~~ temporary classification shall ~~is~~ not be effective when the county zoning  
2 ordinance prevails during litigation as provided in s. 59.69 (7).

3 (7) APPEAL. ~~Any appeal~~ An appeal from the order of the circuit court shall ~~be~~  
4 is limited to contested issues determined by ~~such~~ the circuit court. ~~Such~~ An appeal  
5 shall not stay the conduct of the referendum election ~~provided herein~~, if one is  
6 ordered, but the statement of the election results and the copies of the certificate and  
7 plat shall may not be filed with the secretary of state until the appeal has been  
8 determined.

9 (8) LAW APPLICABLE. Section ~~66.021 (10)~~ shall apply 66.0217 (11) applies to  
10 annexations under this section.

11 (9) TERRITORY EXCEPTED. This section shall does not apply to any territory  
12 located in an area for which a certificate of incorporation was issued ~~prior to~~ before  
13 February 24, 1959, by the secretary of state, even if the incorporation of the territory  
14 is later held to be invalid by a court.

15 **SECTION 69.** 66.025 of the statutes is renumbered 66.0223 and amended to  
16 read:

17 **66.0223 Annexation of owned territory owned by a city or village.** In  
18 addition to other methods provided by law and subject to ss. 59.692 (7) and ~~66.023~~  
19 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a  
20 village or city may be annexed to a village or city by ordinance enacted by the board  
21 of trustees of the village or the common council of the city, provided that in the case  
22 of noncontiguous territory the use of the territory by the city or village is not contrary  
23 to any town or county zoning regulation. The ordinance shall contain the exact  
24 description of the territory annexed and the names of the towns from which  
25 detached, and ~~shall operate to attach~~ attaches the territory to the village or city upon

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1 the filing of ~~6~~ 7 certified copies thereof of the ordinance in the office of the secretary  
2 of state, together with ~~6~~ 7 copies of a plat showing the boundaries of the territory  
3 attached. Two copies of the ordinance and plat shall be forwarded by the secretary  
4 of state to the department of transportation, one copy to the department of  
5 administration, one copy to the department of natural resources, one copy to the  
6 department of revenue and one copy to the department of public instruction. Within  
7 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed  
8 or delivered to the clerk of the county in which the annexed territory is located.  
9 Section 66.0217 (11) applies to annexations under this section.

NOTE: 1. Requires that a copy of the annexation ordinance and the plat showing the boundaries of the attached territory be mailed or delivered to the department of administration and to the county clerk.

2. Provides, for consistency, that the 90-day statute of limitations that applies to challenges to annexations generally (see current ss. 66.021 (10), 66.024 (7) and 893.73 (2) (b)) applies to annexations of owned territory. The 90-day statute of limitations has been held not to apply to this section. [Kaiser v. City of Madison, 99 Wis. 2d 341, 299 NW2d 257 (Ct. App. 1980).]

10 **SECTION 70.** 66.026 of the statutes is renumbered 66.0231 and amended to  
11 read:

12 **66.0231 Notice of certain litigation affecting municipal status or**  
13 **boundaries.** ~~Whenever any proceedings~~ If a proceeding under ss. 61.187, 61.189,  
14 61.74, 62.075, ~~66.012, 66.013 to 66.019, 66.021, 66.022, 66.023, 66.025~~ 66.0201 to  
15 66.0213, 66.0215, 66.0217, 66.0221, 66.0223, 66.0227 or 66.0307 or other sections  
16 relating to an incorporation, annexation, consolidation, dissolution or detachment of  
17 territory of a city or village ~~are~~ is contested by instigation of legal proceedings, the  
18 clerk of the city or village involved in the proceedings shall file with the secretary of  
19 state 4 copies of a notice of the commencement of the action. The clerk shall ~~also~~ file  
20 with the secretary of state 4 copies of any judgments rendered or appeals taken in  
21 such cases. The notices or copies of judgments that are required under this section

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1 may also be filed by an officer or attorney of any party of interest. The secretary of  
2 state shall forward to the department of transportation 2 copies and to the  
3 department of revenue and the department of administration one copy each of any  
4 notice of action or judgment filed with the secretary of state under this section.

5 **SECTION 71.** 66.027 of the statutes is renumbered 66.0225 and amended to  
6 read:

7 **66.0225 Municipal boundaries, fixed by judgment.** Any 2 municipalities  
8 whose boundaries are immediately adjacent at any point and who are parties to ~~any~~  
9 an action, proceeding or appeal in court for the purpose of testing the validity or  
10 invalidity of ~~any~~ an annexation, incorporation, consolidation or detachment, may  
11 enter into a written stipulation, compromising and settling ~~any such~~ the litigation  
12 and determining the common boundary line between the municipalities. The court  
13 having jurisdiction of the litigation, whether ~~it is a~~ the circuit court, the court of  
14 appeals or the supreme court, may enter a final judgment incorporating the  
15 provisions of the stipulation and fixing the common boundary line between the  
16 municipalities involved. ~~Any~~ A stipulation changing boundaries of municipalities  
17 shall be approved by the governing bodies of the detaching and annexing  
18 municipalities and s. ~~66.021 (8) and (10)~~ 66.0217 (9) and (11) shall apply. ~~Any~~ A  
19 change of ~~civil~~ municipal boundaries under this section is subject to a referendum  
20 of the electors residing within the territory annexed or detached, if within 30 days  
21 after the publication of the stipulation to change boundaries in a newspaper of  
22 general circulation in the area proposed to be annexed or detached, a petition for a  
23 referendum conforming to the requirements of s. 8.40 signed by at least 20% of the  
24 electors of the area to be annexed or detached, is filed with the clerk of the  
25 municipality from which the area is proposed to be detached. The referendum shall

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1 be conducted as are annexation referenda. If the referendum election is opposed to  
2 detachment from the municipality, all proceedings under this section are void. For  
3 the purposes of In this section, “municipalities” ~~includes~~ means cities, villages and  
4 towns.

5 **SECTION 72.** 66.028 of the statutes is renumbered 66.0305, and 66.0305 (4) (b),  
6 as renumbered, is amended to read:

7 66.0305 (4) (b) An agreement entered into under sub. (2) may address any other  
8 appropriate matters, including any agreements with respect to services or  
9 agreements with respect to municipal boundaries under s. ~~66.023 or 66.027~~ 66.0225  
10 or 66.0307.

11 **SECTION 73.** 66.029 of the statutes is renumbered 66.0233 and amended to  
12 read:

13 **66.0233 Town boundaries, participation in actions to test alterations**  
14 **of town boundaries.** In proceedings whereby a proceeding in which territory is  
15 may be attached to or detached from any a town, the town is an interested party, and  
16 the town board may institute, maintain or defend an action brought to test the  
17 validity of ~~such~~ the proceedings, and may intervene or be impleaded in ~~any such~~ the  
18 action.

19 **SECTION 74.** 66.0295 of the statutes, as created by 1999 Wisconsin Act 9, is  
20 renumbered 66.1001, and 66.1001 (1) (a) 3., (2) (g) and (3) (a) to (f) and (o), as  
21 renumbered, are amended to read:

22 66.1001 (1) (a) 3. For a regional planning commission, a master plan that is  
23 adopted or amended under s. ~~66.945~~ 66.0309 (8), (9) or (10).

24 (2) (g) *Intergovernmental cooperation element.* A compilation of objectives,  
25 policies, goals, maps and programs for joint planning and decision making with other

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1 jurisdictions, including school districts and adjacent local governmental units, for  
2 siting and building public facilities and sharing public services. The element shall  
3 analyze the relationship of the local governmental unit to school districts and  
4 adjacent local governmental units, and to the region, the state and other  
5 governmental units. The element shall incorporate any plans or agreements to  
6 which the local governmental unit is a party under s. ~~66.023, 66.30 or 66.945~~ 66.0301,  
7 66.0307 or 66.0309. The element shall identify existing or potential conflicts  
8 between the local governmental unit and other governmental units that are specified  
9 in this paragraph and describe processes to resolve such conflicts.

10 **(3)** (a) Municipal incorporation procedures under s. ~~66.012, 66.013 or 66.014~~  
11 66.0201, 66.0203 or 66.0215.

12 (b) Annexation procedures under s. ~~66.021, 66.024 or 66.025~~ 66.0217, 66.0219  
13 or 66.0223.

14 (c) Cooperative boundary agreements entered into under s. ~~66.023~~ 66.0307.

15 (d) Consolidation of territory under s. ~~66.02~~ 66.0229.

16 (e) Detachment of territory under s. ~~66.022~~ 66.0227.

17 (f) Municipal boundary agreements fixed by judgment under s. ~~66.027~~ 66.0225.

18 (o) Impact fee ordinances that are enacted or amended under s. ~~66.55~~ 66.0617.

19 **SECTION 75.** 66.03 of the statutes is renumbered 66.0235, and 66.0235 (1), (2),  
20 (2c) (a) 2., (2m) to (10), (11) (a) 4. and (b) and (13) (a) 1. and (aa) to (c), as renumbered,  
21 are amended to read:

22 66.0235 **(1)** DEFINITION. In this section, “~~municipality~~ local governmental unit”  
23 ~~includes~~ means town sanitary districts, school districts, technical college districts,  
24 towns, villages and cities.

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1           **(2) BASIS.** (a) Except as otherwise provided in this section or in s. 60.79 (2) (c)  
2 when territory is transferred, in any manner provided by law, from one ~~municipality~~  
3 local governmental unit to another, there shall be assigned to such ~~other~~  
4 ~~municipality~~ the latter local governmental unit such proportion of the assets and  
5 liabilities of the first ~~municipality~~ local governmental unit as the assessed valuation  
6 of all taxable property in the territory transferred bears to the assessed valuation of  
7 all the taxable property of the entire ~~municipality~~ local governmental unit from  
8 which ~~said~~ the territory is taken according to the last assessment roll of such  
9 ~~municipality~~ the local governmental unit. The clerk of any ~~municipality~~ a local  
10 governmental unit to which territory is transferred as ~~aforesaid~~, within 30 days of  
11 the effective date of such the transfer, shall certify to the clerk of the ~~municipality~~  
12 local governmental unit from which such territory was transferred and to the clerk  
13 of the school district in which such the territory is located a metes and bounds  
14 description of the land area involved ~~and upon~~. Upon receipt of such the description  
15 the clerk of the ~~municipality~~ local governmental unit from which such the territory  
16 was transferred shall certify to the department of revenue and to the clerk of the  
17 school district in which such the territory is located the latest assessed value of the  
18 real and personal property located within the transferred territory, and shall make  
19 such any further reports as ~~may be~~ needed by the department of revenue in the  
20 performance of duties required by law.

21           (b) When the transfer of territory from one ~~municipality~~ local governmental  
22 unit to another results from the incorporation of a new city or village, the proportion  
23 of the assets and liabilities assigned to such the new city or village shall be based on  
24 the average assessed valuation for the preceding 5 years of the property transferred  
25 in proportion to the average assessed valuation for the preceding 5 years of all the

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1 taxable property of the entire ~~municipality~~ local governmental unit from which said  
2 the territory is taken, according to the assessment rolls of ~~such municipality~~ the local  
3 governmental unit for said those years. ~~In any such case the~~ The certification by the  
4 clerk of the ~~municipality~~ local governmental unit from which territory was  
5 transferred because of the incorporation shall include the assessed value of the real  
6 and personal property within the territory transferred for each of the last 5 years.  
7 The preceding 5 years shall include the assessment rolls for the 5 calendar years  
8 prior to the incorporation.

9 **(2c)** (a) 2. The clerk of any school district to which territory is transferred,  
10 within 30 days of the effective date of the transfer, shall certify to the clerk of the  
11 ~~municipality~~ local governmental unit from which the territory was transferred a  
12 metes and bounds description of the land area involved. Upon receipt of the  
13 description the clerk of the ~~municipality~~ local governmental unit from which the  
14 territory was transferred shall certify to the department of revenue the latest  
15 assessed value of the real and personal property located within the transferred  
16 territory, file one copy of the certification with the school district clerk and one copy  
17 with the department of public instruction and make ~~such~~ any further reports as are  
18 needed by the department of revenue in the performance of duties required by law.

19 **(2m)** ATTACHMENT AND DETACHMENT WITHIN 5 YEARS. ~~Whenever~~ If territory is  
20 attached to or consolidated with a school district, and the territory or any part ~~thereof~~  
21 of the territory is detached ~~therefrom~~ from the district within 5 years after the  
22 attachment or consolidation, the school district to which it is transferred ~~shall be~~ is  
23 entitled, in the apportionment of assets and liabilities, only to the assets or liabilities  
24 or proportionate part ~~thereof~~ apportioned to the school district as the result of the  
25 original attachment or consolidation.

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1           **(3) REAL ESTATE.** (a) The title to real estate ~~shall~~ may not be transferred under  
2 this section except by agreement, but the value thereof of real estate shall be included  
3 in determining the assets of the ~~municipality~~ local governmental unit owning the  
4 same real estate and in making the adjustment of assets and liabilities.

5           (b) The right to possession and control of school buildings and sites ~~shall pass~~  
6 passes to the school district in which they are situated immediately upon the  
7 attachment or detachment of any school district territory becoming effective, except  
8 that in 1st class city school districts the right to possession and control of school  
9 buildings and sites ~~shall pass~~ passes on July 1 following the adoption of the ordinance  
10 authorized by s. ~~66.021 (7)~~ 66.0217 (8). The asset value of school buildings and sites  
11 shall be the value of the use thereof of the buildings and sites, which shall be  
12 determined at the time of adjustment of assets and liabilities.

13           (c) When as a result of any an annexation whereby a school district is left  
14 without a school building, any moneys are received by ~~such~~ the school district as a  
15 result of the division of assets and liabilities required by s. ~~66.03~~ this section, which  
16 are derived from values that were capital assets, ~~such~~ the moneys and interest  
17 ~~thereon~~ on the moneys shall be held in trust by ~~such~~ the school district and dispensed  
18 only for procuring new capital assets or remitted to an operating district as the  
19 remainder of the suspended district becomes a part of ~~such~~ the operating district, and  
20 ~~shall in no case~~ may not be used to meet current operating expenditures. ~~This shall~~  
21 ~~include any funds in the hands of any district officers on July 1, 1953, resulting from~~  
22 ~~such action previously taken under s. 66.03.~~ The boards involved shall, as part of  
23 their duties in division of assets and liabilities in school districts, make a written  
24 report of the allocation of assets and liabilities to the state superintendent of public

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1 instruction and any local superintendent of schools whose territory is involved in the  
2 division of assets.

3 (4) PUBLIC UTILITIES. Any A public utility plant, including any dam, power  
4 house, power transmission line and other structures and property operated and used  
5 in connection therewith shall belong with the plant, belongs to the municipality local  
6 governmental unit in which the major portion of the patrons of such the utility reside.  
7 The value of such the utility, unless fixed by agreement of all parties interested shall  
8 be determined and fixed by the public service commission upon notice to the  
9 municipalities local governmental units interested, in the manner provided by law.  
10 The commission shall certify the amount of the compensation to the clerks of each  
11 municipality local governmental unit interested and said that amount shall be used  
12 by the apportionment board ~~or boards~~ in adjusting assets and liabilities.

13 (5) APPORTIONMENT BOARD. The boards or councils of the municipalities local  
14 governmental units, or committees, ~~thereof~~ selected for that purpose, acting  
15 together, shall constitute an apportionment board. When any municipality a local  
16 governmental unit is dissolved ~~by reason of~~ because all of its territory ~~being so~~ is  
17 transferred the board or council ~~thereof~~ of the local governmental unit existing at the  
18 time of such dissolution shall, for the purpose of this section, continue to exist as the  
19 governing body of ~~such municipality~~ the local governmental unit until there has been  
20 an apportionment of assets by agreement of the interested municipalities local  
21 governmental units or by an order of the circuit court. After an agreement for  
22 apportionment of assets has been entered into between the interested municipalities  
23 local governmental units, or an order of the circuit court becomes final, a copy of such  
24 the apportionment agreement, or of such the order, certified to by the clerks of the  
25 interested municipalities local governmental units, shall be filed with the

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1 department of revenue, the department of natural resources, the department of  
2 transportation, the state superintendent of public instruction, the department of  
3 administration, and with any other department or agency of the state from which the  
4 town may be entitled by law to receive funds or certifications or orders relating to the  
5 distribution or disbursement of funds, with the county treasurer, with the treasurer  
6 of any ~~municipality~~ local governmental unit, or with any other entity from which  
7 payment would have become due if such ~~the dissolved municipality from which such~~  
8 ~~territory was transferred~~ local governmental unit had continued in existence.  
9 Subject to ss. 79.006 and 86.303 (4), ~~thereafter~~ payments from the shared revenue  
10 account made pursuant to ch. 79, payments of forest crop taxes under s. 77.05, of  
11 transportation aids under s. 20.395, of state aids for school purposes under ch. 121,  
12 payments for managed forest land under subch. VI of ch. 77 and all payments due  
13 from a department or agency of the state, from a county, from a ~~municipality~~ local  
14 governmental unit, or from any other entity from which payments would have  
15 become due if such ~~the dissolved municipality from which such territory was~~  
16 ~~transferred~~ local governmental unit had continued in existence, shall be paid to the  
17 interested ~~municipality~~ local governmental unit as provided by such ~~the~~ agreement  
18 for apportionment of assets or by any order of apportionment by the circuit court and  
19 such ~~the~~ payments shall have the same force and effect as if made to the dissolved  
20 ~~municipality from which such territory was transferred~~ local governmental unit.

21 (6) MEETING. The board or council of the ~~municipality~~ local governmental unit  
22 to which the territory is transferred shall fix a time and place for meeting and cause  
23 give a written notice thereof of the meeting to be ~~given~~ the clerk of the ~~municipality~~  
24 local governmental unit from which the territory is taken at least 5 days prior to the  
25 date of the meeting. The apportionment may be made only by a majority of the

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1 members from each ~~municipality~~ local governmental unit who attend, and in case of  
2 committees, the action ~~must~~ shall be affirmed by the board or council represented by  
3 the committee.

4 (7) ADJUSTMENT, HOW MADE. (a) The apportionment board shall determine,  
5 except for public utilities, ~~such~~ assets and liabilities from the best information  
6 obtainable and shall assign to the ~~municipality~~ local governmental unit to which the  
7 territory is transferred its proper proportion ~~thereof~~ of assets and liabilities by  
8 assigning the excess of liabilities over assets, or by assigning any particular asset or  
9 liability to either ~~municipality~~ local governmental unit, or in ~~such other~~ another  
10 manner ~~as will best meet~~ that meets the requirements of the particular case.

11 (b) If a proportionate share of any indebtedness existing by reason of municipal  
12 bonds or other obligations outstanding is assigned to ~~any municipality~~ a local  
13 governmental unit, that ~~municipality~~ local governmental unit shall ~~cause to be~~  
14 ~~levied and collected~~ levy and collect upon all its taxable property, in one sum or in  
15 annual instalments, the amount necessary to pay the principal and interest ~~thereon~~  
16 when due, and shall pay the amount ~~so~~ collected to the treasurer of the ~~municipality~~  
17 local governmental unit which issued the bonds or incurred the obligations. The  
18 treasurer shall apply the moneys ~~so~~ received strictly to the payment of ~~such~~ the  
19 principal and interest.

20 (c) If the asset apportioned consists of an aid or tax to be distributed in the  
21 future according to population, the apportionment board shall certify to the officer,  
22 agency or department responsible for making the distribution each ~~municipality's~~  
23 local governmental unit's proportionate share of ~~such~~ the asset as determined in  
24 accordance with sub. (2). The officer, agency or department shall ~~thereafter~~

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1 distribute ~~such~~ the aid or tax directly to the several municipalities local  
2 governmental units according to ~~such~~ the certification until the next federal census.

3 (8) APPEAL TO COURT. ~~In case~~ If the apportionment board is unable to agree, the  
4 circuit court of the county in which either municipality local governmental unit is  
5 situated, may, upon the petition of either municipality local governmental unit,  
6 make the adjustment of assets and liabilities ~~pursuant to~~ under this section,  
7 including review of any alternative method provided ~~for~~ in sub. (2c) (b) and the  
8 correctness of the findings ~~thereunder~~ made under sub. (2c) (b).

9 (9) TRANSCRIPT OF RECORDS. ~~When~~ If territory ~~shall be~~ is detached from a  
10 municipality ~~by creation of a new municipality or otherwise~~ local governmental unit,  
11 the proper officer of the municipality local governmental unit from which the  
12 territory was detached shall furnish, upon demand by the proper officer of the  
13 municipality local governmental unit created from the detached territory or to which  
14 it is annexed, an authenticated transcript of all public records in that officer's office  
15 pertaining to the detached territory. The municipality local governmental unit  
16 receiving the transcript shall pay ~~therefor~~ for the transcript.

17 (10) STATE TRUST FUND LOANS. When territory transferred in any manner  
18 provided by law from one municipality local governmental unit to another is liable  
19 for state trust fund loans secured under subch. II of ch. 24, the clerk of the  
20 municipality local governmental unit to which territory is transferred shall within  
21 30 days of the effective date of ~~such~~ the transfer certify a metes and bounds  
22 description of the transferred area to the clerk of the municipality local  
23 governmental unit from which the land was transferred. ~~Thereupon, the~~ The clerk  
24 of the municipality local governmental unit from which ~~such~~ territory was  
25 transferred shall then certify to the board of commissioners of public lands: ~~(a) the~~

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1 effective date of such the transfer of territory; ~~(b),~~ the last preceding assessed  
2 valuation of the territory liable for state trust fund loans prior to before transfer of  
3 a part of such the territory; ~~(c)~~ and the assessed valuation of the territory so  
4 transferred. ~~Thereafter, the~~ The board shall in making its annual certifications of  
5 the amounts due on account of state trust fund loans distribute annual charges for  
6 interest and principal on ~~any such~~ outstanding loans covered by this subsection in  
7 the proportion that the assessed valuation of the territory so transferred shall bear  
8 bears to the assessed valuation of the area liable for state trust fund loans as  
9 constituted immediately before the transfer of territory, ~~provided, however, that any.~~  
10 A transfer of territory effective subsequent to January 1 of any year shall may not  
11 be considered until the succeeding year.

12 **(11)** (a) 4. The name of the school district to which the transfer was made  
13 immediately after the effective date of such the transfer.

14 (b) ~~Thereafter, in~~ In making their the annual certifications of the amounts due  
15 on account of state trust fund loans the board of commissioners of public lands shall  
16 use the new name of the school district, ~~provided that any.~~ A transfer of territory  
17 effective subsequent to January 1 of any year shall may not be considered by it until  
18 the succeeding year.

19 **(13)** (a) 1. Subject to subd. 2., if any territory is annexed, detached or  
20 incorporated in any year, general property taxes levied against the territory shall be  
21 collected by the treasurer of the ~~municipality~~ local governmental unit in which the  
22 territory was located on January 1 of such year, and all moneys collected from the  
23 tax levied for local municipal purposes shall be allocated to each of the ~~municipalities~~  
24 local governmental units on the basis of the portion of the calendar year the territory

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1 was located in each of the ~~municipalities~~ local governmental units, and paid  
2 accordingly.

3 (aa) *Apportionment when town is nonexistent.* If the town in which territory  
4 was located on January 1 is nonexistent when the city or village determines its  
5 budget, any taxes certified to the town or required by law to be levied against ~~such~~  
6 the territory shall be included in the budget of the city or village and levied against  
7 ~~such~~ the territory, together with the city or village tax for local municipal purposes.

8 (b) *Special taxes and assessments.* ~~Whenever~~ If territory is transferred from  
9 one ~~municipality~~ local governmental unit to another by annexation, detachment,  
10 consolidation or incorporation, or returns to its former status by reason of court  
11 determination, any special tax or assessment outstanding against ~~any~~ property in  
12 the territory shall be collected by the treasurer of the ~~municipality~~ wherein local  
13 governmental unit in which the property is located, according to the terms of the  
14 ordinance or resolution levying ~~such~~ the tax or assessment. ~~Such~~ The special tax or  
15 assessment, when collected, shall be paid to the treasurer of the ~~municipality~~ local  
16 governmental unit which levied the special tax or assessment, or if the ~~municipality~~  
17 local governmental unit is nonexistent, the collecting treasurer shall apply the  
18 collected funds to any obligation for which purpose the tax or assessment was levied  
19 and which remains outstanding; ~~provided that if.~~ If no ~~such~~ obligation is  
20 outstanding, the collected funds shall be paid into the school fund of the school  
21 district in which the territory is located.

22 (bb) *Apportionment when court returns territory to former status.* ~~Whenever~~  
23 If territory which has been annexed, consolidated, detached or incorporated returns  
24 to its former status by reason of a final court determination, there shall be an  
25 apportionment of general property taxes and current aids and shared revenues to

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1 ~~adjust such assets~~ between the ~~municipalities~~ local governmental units, and no other  
2 apportionment of assets and liabilities. The basis of the apportionment shall be  
3 determined by the apportionment board subject to appeal to the circuit court, ~~but the~~  
4 The apportionment shall ~~insofar as~~ to the extent practicable equitably adjust such  
5 ~~assets~~ the taxes, aids and revenues between the ~~municipalities~~ local governmental  
6 units involved on the basis of the portion of the calendar year the territory was  
7 located in the respective ~~municipalities~~ local governmental units.

8 (c) *Certification by clerk.* The clerk of the ~~municipality~~ local governmental unit  
9 which assessed such ~~the~~ special and general tax and special assessment shall certify  
10 to the clerk of the ~~municipality~~ local governmental unit to which the territory was  
11 attached or returned, a list of all the property located ~~therein~~ in the attached or  
12 returned territory to which is charged any uncollected taxes and assessments. The  
13 certification shall be made within 30 days after the effective date of the transfer of  
14 the property, but failure to ~~so~~ certify shall does not affect the validity of the claim.

15 **SECTION 76.** Subchapter III (title) of chapter 66 [precedes 66.0301] of the  
16 statutes is created to read:

**CHAPTER 66****SUBCHAPTER III****INTERGOVERNMENTAL COOPERATION**

20 **SECTION 77.** 66.0303 (title) and (1) of the statutes are created to read:

21 **66.0303** (title) **Municipal interstate cooperation.** (1) In this section,  
22 “municipality” has the meaning given in s. 66.0301 (1) (a).

23 **SECTION 78.** 66.031 (title) of the statutes is renumbered 66.0401 (title) and  
24 amended to read:

25 **66.0401** (title) **Regulation of relating to solar and wind energy systems.**

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NOTE: Amends the title to reflect the consolidation of current ss. 66.031 and 66.033.

1           **SECTION 79.** 66.031 of the statutes is renumbered 66.0401 (1), and 66.0401 (1)  
2 (intro.), as renumbered, is amended to read:

3           66.0401 (1) AUTHORITY TO RESTRICT SYSTEMS LIMITED. (intro.) No county, city,  
4 town or village may place any restriction, either directly or in effect, on the  
5 installation or use of a solar energy system, as defined in s. 13.48 (2) (h) 1. g., or a wind  
6 energy system, as defined in s. ~~66.032~~ 66.0415 (1) (m), unless the restriction satisfies  
7 one of the following conditions:

8           **SECTION 80.** 66.0311 (title) and (1) of the statutes are created to read:

9           **66.0311** (title) **Intergovernmental cooperation in financing and**  
10 **undertaking housing projects.** (1) In this section, “municipality” has the  
11 meaning given in s. 66.0301 (1) (a).

12           **SECTION 81.** 66.0313 (1) of the statutes is created to read:

13           66.0313 (1) In this section, “law enforcement agency” has the meaning given  
14 in s. 165.83 (1) (b).

NOTE: Creates a definition of the term “law enforcement agency” for use in renumbered s. 66.0313 (2) as shown in SECTION 363 of this bill.

15           **SECTION 82.** 66.032 of the statutes is renumbered 66.0403, and 66.0403 (1) (h),  
16 as renumbered, is amended to read:

17           66.0403 (1) (h) “Owner” means at least one owner, as defined under s. ~~66.021~~  
18 ~~(1)-(b)~~ 66.0217 (1) (c), of a property or the personal representative of at least one  
19 owner.

20           **SECTION 83.** 66.033 (title) of the statutes is repealed.

21           **SECTION 84.** 66.033 of the statutes is renumbered 66.0401 (2) and amended to  
22 read:

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1           66.0401 **(2)** AUTHORITY TO REQUIRE TRIMMING OF BLOCKING VEGETATION. Any A  
2 county, city, village or town may provide by ordinance for the trimming of vegetation  
3 which blocks solar energy, as defined in s. ~~66.032~~ 66.0415 (1) (k), from a collector  
4 surface, as defined under s. 700.41 (2) (b), or which ~~block~~ blocks wind from a wind  
5 energy system, as defined in s. ~~66.032~~ 66.0415 (1) (m). The ordinance may include,  
6 but is not limited to, a designation of responsibility for the costs of the trimming. The  
7 ordinance may not require the trimming of vegetation that was planted by the owner  
8 or occupant of the property on which the vegetation is located before the installation  
9 of the solar or wind energy system.

10           **SECTION 85.** 66.034 of the statutes, as created by 1999 Wisconsin Act 9, is  
11 renumbered 66.1027.

12           **SECTION 86.** 66.035 of the statutes is repealed.

NOTE: The substance of the repealed section is restated in new s. 66.0103. See  
SECTION 28 of this bill.

13           **SECTION 87.** 66.036 of the statutes is renumbered 145.195.

14           **SECTION 88.** 66.037 of the statutes is renumbered 66.1111.

15           **SECTION 89.** 66.04 (title) of the statutes is renumbered 66.0601 (title).

16           **SECTION 90.** 66.04 (1) of the statutes is renumbered 66.0601 (1) (a) and  
17 amended to read:

18           66.0601 **(1)** (a) *Bonus to state institution.* No appropriation or bonus of any  
19 kind, except for a donation, may be made by any a town, village, or city, nor any  
20 municipal liability created nor tax levied, as a consideration or inducement to the  
21 state to locate any public educational, charitable, reformatory, or penal institution.

22           **SECTION 91.** 66.04 (1m) (title) of the statutes is repealed.

23           **SECTION 92.** 66.04 (1m) (a) and (b) of the statutes, as affected by 1999 Wisconsin  
24 Act 9, are renumbered 66.0601 (1) (b) and (c).

**ASSEMBLY BILL 710****SECTION 93**

1           **SECTION 93.** 66.04 (2), (2m) and (2s) of the statutes are renumbered 66.0603  
2 (1), (2) and (3), and 66.0603 (1) (a) (intro.) and (b) to (d) and (2) (intro.), as  
3 renumbered, are amended to read:

4           66.0603 **(1)** (a) (intro.) ~~Any~~ A county, city, village, town, school district, drainage  
5 district, technical college district or other governing board as defined by s. 34.01 (1)  
6 may invest any of its funds not immediately needed in any of the following:

7           (b) ~~Any~~ A town, city or village may invest surplus funds in any bonds or  
8 securities issued under the authority of the municipality, whether the bonds or  
9 securities create a general municipality liability or a liability of the property owners  
10 of the municipality for special improvements, and may sell or hypothecate the bonds  
11 or securities. Funds of ~~any~~ an employer, as defined by s. 40.02 (28), in a deferred  
12 compensation plan may also be invested and reinvested in the same manner  
13 authorized for investments under s. 881.01 (1).

14           (c) ~~Any~~ A local government, as defined under s. 25.50 (1) (d), may invest surplus  
15 funds in the local government pooled-investment fund. Cemetery care funds,  
16 including gifts where the principal is to be kept intact, may also be invested under  
17 ch. 881.

18           (d) ~~Any~~ A county, city, village, town, school district, drainage district, technical  
19 college district or other governing board as defined by s. 34.01 (1) may engage in  
20 financial transactions in which a public depository, as defined in s. 34.01 (5), agrees  
21 to repay funds advanced to it by the local government plus interest, if the agreement  
22 is secured by bonds or securities issued or guaranteed as to principal and interest by  
23 the federal government.

24           **(2)** DELEGATION OF INVESTMENT AUTHORITY. (intro.) ~~Any~~ A county, city, village,  
25 town, school district, drainage district, technical college district or other governing

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1 board, as defined in s. 34.01 (1), may delegate the investment authority over any of  
2 its funds not immediately needed to a state or national bank, or trust company, which  
3 is authorized to transact business in this state if all of the following conditions are  
4 met:

5 **SECTION 94.** 66.04 (3) of the statutes is renumbered 66.0601 (2).

6 **SECTION 95.** 66.04 (4) of the statutes is renumbered 66.0603 (4) and amended  
7 to read:

8 66.0603 (4) INVESTED FUND PROCEEDS IN POPULOUS CITIES, USE. In ~~any city of the~~  
9 ~~first a 1st class city,~~ all interest derived from invested funds held by the city treasurer  
10 in a custodial capacity on behalf of any political entity, except for pension funds, ~~shall~~  
11 ~~be deemed is~~ general revenues revenue of ~~such the~~ city and shall revert to the city's  
12 general fund, ~~conditioned upon the approval by such the~~ political entity evidenced  
13 by a resolution adopted for that purpose.

14 **SECTION 96.** Subchapter IV (title) of chapter 66 [precedes 66.0401] of the  
15 statutes is created to read:

16 **CHAPTER 66**

17 **SUBCHAPTER IV**

18 **REGULATION**

19 **SECTION 97.** 66.041 of the statutes is renumbered 66.0605 and amended to  
20 read:

21 **66.0605 Local government audits and reports.** Notwithstanding any  
22 other statute, the governing body of ~~any a~~ county, city, village or town may require  
23 or authorize a financial audit of ~~any a~~ municipal or county officer, department, board,  
24 commission, function or activity financed in whole or part from municipal or county  
25 funds, or if any portion of the funds ~~thereof~~ are the funds of ~~such the~~ county, city,

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1 village or town. The governing body may likewise require submission of periodic  
2 financial reports by any such the officer, department, board, commission, function  
3 or activity.

4 **SECTION 98.** 66.0413 (1) (title) of the statutes is created to read:

5 66.0413 (1) (title) AUTHORITY AND PROCEDURE.

6 **SECTION 99.** 66.0413 (1) (a) and (b) of the statutes are created to read:

7 66.0413 (1) (a) *Definitions.* In this subsection:

8 1. “Building” includes any building or structure or any portion of a building or  
9 structure.

10 2. “Raze a building” means to demolish and remove the building and to restore  
11 the site to a dust-free and erosion-free condition.

12 (b) *Raze order.* The governing body, building inspector or other designated  
13 officer of a municipality may:

14 1. If a building is old, dilapidated or out of repair and consequently dangerous,  
15 unsafe, unsanitary or otherwise unfit for human habitation and unreasonable to  
16 repair, order the owner of the building to raze the building or, if the building can be  
17 made safe by reasonable repairs, order the owner to either make the building safe  
18 and sanitary or to raze the building, at the owner’s option.

19 2. If there has been a cessation of normal construction of a building for a period  
20 of more than 2 years, order the owner of the building to raze the building.

NOTE: Paragraphs (a) and (b) restate s. 66.05 (1g) and a portion of sub. (1m) (a).

See SECTION 135 of the bill.

21 **SECTION 100.** 66.0413 (1) (br) (title) of the statutes is created to read:

22 66.0413 (1) (br) (title) *Notice of unfitness for occupancy or use; penalty.*

23 **SECTION 101.** 66.0413 (1) (br) 1. of the statutes is created to read:

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1           66.0413 (1) (br) 1. If a building subject to an order under par. (b) is unsanitary  
2 and unfit for human habitation, occupancy or use and is not in danger of structural  
3 collapse, the building inspector or other designated officer shall post a placard on the  
4 premises containing the following notice: “This Building May Not Be Used For  
5 Human Habitation, Occupancy or Use.” The building inspector or other designated  
6 officer shall prohibit use of the building for human habitation, occupancy or use until  
7 necessary repairs have been made.

NOTE: Restates the last 2 sentences of current s. 66.05 (2) (a), deleted by  
SECTION 139.

8           **SECTION 102.** 66.0413 (1) (d) of the statutes is created to read:

9           66.0413 (1) (d) *Service of order.* An order under par. (b) shall be served on the  
10 owner of record of the building that is subject to the order or on the owner’s agent if  
11 the agent is in charge of the building in the same manner as a summons is served  
12 in circuit court. An order under par. (b) shall be served on the holder of an  
13 encumbrance of record by 1st class mail at the holder’s last-known address and by  
14 publication as a class 1 notice under ch. 985. If the owner and the owner’s agent  
15 cannot be found or if the owner is deceased and an estate has not been opened, the  
16 order may be served by posting it on the main entrance of the building and by  
17 publishing it as a class 1 notice under ch. 985 before the time limited in the order  
18 begins to run. The time limited in the order begins to run from the date of service  
19 on the owner or owner’s agent or, if the owner and agent cannot be found, from the  
20 date that the order was posted on the building.

NOTE: Restates a portion of s. 66.05 (1m) (a).

21           **SECTION 103.** 66.0413 (1) (k) of the statutes is created to read:

22           66.0413 (1) (k) *Public nuisance procedure.* A building which is determined  
23 under par. (b) 1. to be old, dilapidated or out of repair and consequently dangerous,

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1 unsafe, unsanitary or otherwise unfit for human habitation and unreasonable to  
2 repair may be proceeded against as a public nuisance under ch. 823.

NOTE: Restates for convenience, in renumbered s. 66.0413, current s. 823.21.

3 **SECTION 104.** 66.0413 (1) (L) (title) of the statutes is created to read:

4 66.0413 (1) (L) (title) *Effect of subsection.*

5 **SECTION 105.** 66.0413 (2) (title) of the statutes is created to read:

6 66.0413 (2) (title) RAZING BUILDING THAT IS A PUBLIC NUISANCE; IN REM PROCEDURE.

7 **SECTION 106.** 66.0413 (2) (a) 2. and 3. of the statutes are created to read:

8 66.0413 (2) (a) 2. “Public nuisance” means a building that, as a result of  
9 vandalism or any other reason, has deteriorated or is dilapidated or blighted to the  
10 extent that windows, doors or other openings, plumbing or heating fixtures, or  
11 facilities or appurtenances of the building are damaged, destroyed or removed so that  
12 the building offends the aesthetic character of the immediate neighborhood and  
13 produces blight or deterioration.

14 3. “Raze a building” means to demolish and remove the building and to restore  
15 the site to a dust-free and erosion-free condition.

NOTE: Restates s. 66.05 (8) (d), repealed by SECTION 147 of this bill.

16 **SECTION 107.** 66.0413 (3) (title) of the statutes is created to read:

17 66.0413 (3) (title) RAZING HISTORIC BUILDINGS.

18 **SECTION 108.** 66.0413 (4) (title) of the statutes is created to read:

19 66.0413 (4) (title) FIRST CLASS CITIES; OTHER PROVISIONS.

20 **SECTION 109.** 66.042 of the statutes is renumbered 66.0607 and amended to  
21 read:

22 **66.0607 Withdrawal or disbursement from local treasury.** (1) Except as  
23 otherwise provided in subs. (2) to (5), in every a county, city, village, town and or  
24 school district, all disbursements from the treasury shall be made by the treasurer

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1       thereof upon the written order of the county, city, village, town or school clerk after  
2       proper vouchers have been filed in the office of the clerk; ~~and in all cases where, If~~  
3       the statutes provide for payment by the treasurer without an order of the clerk, it  
4       ~~shall hereafter be the duty of the clerk to shall~~ draw and deliver to the treasurer an  
5       order ~~therefor~~ for the payment before or at the time ~~when such~~ that the payment is  
6       required to be made by the treasurer. ~~The provisions of this This section shall apply~~  
7       applies to all special and general provisions of the statutes relative to the  
8       disbursement of money from the county, city, village, town or school district treasury  
9       except s. 67.10 (2).

10       **(2)** Notwithstanding other law, a county having a population of 500,000 or more  
11       may, by ordinance, adopt any other method of allowing vouchers, disbursing funds,  
12       reconciling outstanding county orders, reconciling depository accounts, examining  
13       county orders, and accounting ~~therefor~~ consistent with accepted accounting and  
14       auditing practices, ~~provided that~~ if the ordinance shall prior to its adoption be is  
15       submitted to the department of revenue, which shall submit its recommendations on  
16       the proposed ordinance to the county board of supervisors.

17       **(3)** Except as provided in subs. (2), (3m) and (5), disbursements of the county,  
18       city, village, town or school district funds from demand deposits shall be by draft or  
19       order check and withdrawals from savings or time deposits shall be by written  
20       transfer order. Written transfer orders may be executed only for the purpose of  
21       transferring deposits to an authorized deposit of the public depositor in the same or  
22       another authorized public depository. The transfer shall be made directly by the  
23       public depository from which the withdrawal is made. No draft or order check issued  
24       under this subsection may be released to the payee, nor is the draft or order check  
25       valid, unless signed by the clerk and treasurer. No transfer order is valid unless

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1 signed by the clerk and the treasurer. Unless otherwise directed by ordinance or  
2 resolution adopted by the governing body, a certified copy of which shall be filed with  
3 each public depository concerned, the chairperson of the county board, mayor, village  
4 president, town chairperson or school district president, ~~as the case may be,~~ shall  
5 countersign all drafts or order checks and all transfer orders. The governing body  
6 may also, by ordinance or resolution, authorize additional signatures. In lieu of the  
7 personal signatures of the clerk and treasurer and ~~such~~ any other required signature  
8 ~~as may be required,~~ the facsimile signature adopted by the person and approved by  
9 the governing body ~~concerned~~ may be affixed to the draft, order check or transfer  
10 order. The use of a facsimile signature does not relieve ~~any~~ an official from any  
11 liability to which the official is otherwise subject, including the unauthorized use of  
12 the facsimile signature. ~~Any~~ A public depository ~~shall be~~ is fully warranted and  
13 protected in making payment on any draft or order check or transferring pursuant  
14 to a transfer order bearing a facsimile signature affixed as provided by this  
15 subsection notwithstanding that the facsimile signature may have been placed  
16 ~~thereon~~ affixed without the authority of the designated persons.

17 **(3m)** ~~Any~~ A county, city, village, town or school district may process periodic  
18 payments through the use of money transfer techniques, including direct deposit,  
19 electronic funds transfer and automated clearinghouse methods. The county,  
20 municipal or school district treasurer shall keep a record of the date, payee and  
21 amount of each disbursement made by a money transfer technique.

22 **(4)** Except as provided in sub. (3m), if ~~any~~ a board, commission or committee  
23 of ~~any~~ a county, city, village, town or school district is vested by statute with exclusive  
24 control and management of a fund, including the audit and approval of payments  
25 ~~therefrom~~ from the fund, independently of the governing body, ~~such~~ payments under

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1 this section shall be made by drafts or order checks issued by the county, city, village,  
2 town or school clerk upon the filing with ~~him or her~~ the clerk of certified bills,  
3 vouchers or schedules signed by the proper officers of ~~such~~ the board, commission or  
4 committee, giving the name of the claimant or payee, and the amount and nature of  
5 each payment.

6 **(5)** In ~~cities of the~~ a 1st class city, municipal disbursements of public moneys  
7 shall be by draft, order, check, order check or as provided under sub. (3m). Checks  
8 or drafts shall be signed by the treasurer and countersigned by the comptroller.  
9 Orders shall be signed by the mayor and clerk and countersigned by the comptroller,  
10 as provided in the charter of ~~such~~ the city. Disbursements of school moneys shall be  
11 as provided by s. 119.50.

12 **(6)** Withdrawal or disbursement of moneys deposited in a public depository as  
13 defined in s. 34.01 (5) by a treasurer as defined in s. 34.01 (7), other than the elected,  
14 appointed or acting official treasurer of a county, city, village, town or school district,  
15 shall be by endorsement, written order, draft, share draft, check or other draft signed  
16 by the person or persons designated by written authorization of the governing board  
17 as defined in s. 34.01 (1). The authorization shall conform to any statute covering  
18 the disbursement of the funds. ~~Any~~ A public depository shall be is fully warranted  
19 and protected in making payment in accordance with the latest authorization filed  
20 with it.

21 **(7)** No order may be issued by ~~the~~ a county, city, village, town, special purpose  
22 district, school district, cooperative education service agency or technical college  
23 district clerk in excess of funds available or appropriated for the purposes for which  
24 the order is drawn, unless authorized by a resolution adopted by the affirmative vote  
25 of two-thirds of the entire membership of the governing body.

**ASSEMBLY BILL 710****SECTION 110**

1           **SECTION 110.** 66.0423 (1) of the statutes is created to read:

2           66.0423 (1) In this section:

3           (a) “Sale of merchandise” includes a sale in which the personal services  
4 rendered upon or in connection with the merchandise constitutes the greatest part  
5 of value for the price received, but does not include a farm auction sale conducted by  
6 or for a resident farmer of personal property used on the farm or the sale of produce  
7 or other perishable products at retail or wholesale by a resident of this state.

8           (b) “Transient merchant” means a person who engages in the sale of  
9 merchandise at any place in this state temporarily and who does not intend to  
10 become and does not become a permanent merchant of that place.

NOTE: Incorporates a definition from s. 130.065 (1m), 1987 stats., into the  
current statute regarding the regulation of transient merchants. See SECTION  
251 of this bill.

11           **SECTION 111.** 66.0425 (10) of the statutes is created to read:

12           66.0425 (10) A privilege may be granted only as provided in this section.

13           **SECTION 112.** 66.0435 (10) of the statutes is created to read:

14           66.0435 (10) The powers conferred on licensing authorities by this section are  
15 in addition to all other grants of authority and are limited only by the express  
16 language of this section.

NOTE: Restates a provision of s. 66.058 (2) (b) that is deleted by SECTION 158.

17           **SECTION 113.** 66.044 of the statutes is renumbered 66.0609, and 66.0609 (1) to  
18 (4), as renumbered, are amended to read:

19           66.0609 (1) The governing body of any a village or of any a city of the 2nd, 3rd  
20 or 4th class may by ordinance enact an alternative system of approving financial  
21 claims against the municipal treasury other than claims subject to s. 893.80. The  
22 ordinance shall provide that payments may be made from the city or village treasury  
23 after the comptroller or clerk of the city or village audits and approves each claim as

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1 a proper charge against the treasury, and endorses his or her approval on the claim  
2 after having determined that all of the following conditions have been complied with:

3 (a) That funds are available ~~therefor~~ for the claim pursuant to the budget  
4 approved by the governing body.

5 (b) That the item or service covered by ~~such~~ the claim has been duly authorized  
6 by the proper official, department head or board or commission.

7 (c) That the item or service has been actually supplied or rendered in  
8 conformity with ~~such~~ the authorization described in par. (b).

9 (d) That the claim is just and valid pursuant to law. The comptroller or clerk  
10 may require the submission of ~~such proof and evidence~~ to support the ~~foregoing~~ claim  
11 ~~as in that officer's discretion may be deemed~~ the officer considers necessary.

12 (2) ~~Such~~ The ordinance under sub. (1) shall require that the clerk or  
13 comptroller ~~shall~~ file with the governing body not less than monthly a list of the  
14 claims approved, showing the date paid, name of claimant, purpose and amount.

15 (3) The ordinance under sub. (1) shall ~~provide~~ require that the governing body  
16 of the city or village ~~shall authorize~~ obtain an annual detailed audit of its financial  
17 transactions and accounts by a public accountant licensed under ch. 442 and  
18 designated by the governing body.

19 (4) ~~Such~~ The system ~~shall be~~ under sub. (1) is operative only if the comptroller  
20 or clerk is covered by a fidelity bond of not less than \$5,000 in villages and ~~cities of~~  
21 ~~the fourth~~ 4th class cities, of not less than \$10,000 in ~~cities of the third~~ 3rd class cities,  
22 and of not less than \$20,000 in ~~cities of the second~~ 2nd class cities.

23 **SECTION 114.** 66.045 of the statutes is renumbered 66.0425 and amended to  
24 read:

**ASSEMBLY BILL 710****SECTION 114**

1           **66.0425 Privileges in streets. (1)** ~~Privilege for~~ In this section, “privilege”  
2 means the authority to place an obstruction or excavation beyond the a lot line, or  
3 within a highway in any a town, village, or city, other than by general ordinance  
4 affecting the whole public, shall be granted only as provided in this section.

5           **(2)** ~~Application therefor shall be made~~ A person may apply to the a town or  
6 village board or the common council, and the of a city for a privilege. A privilege shall  
7 may be granted only on condition that by its acceptance if the applicant shall become  
8 primarily liable assumes primary liability for damages to person or property by  
9 reason of the granting of the privilege, be is obligated to remove the same an  
10 obstruction or excavation upon 10 days’ notice by the state or the municipality and  
11 waive waives the right to contest in any manner the validity of this section or the  
12 amount of compensation charged and that the. The grantor of the privilege may  
13 require the applicant to file such a bond as the board or council require, not exceeding  
14 that does not exceed \$10,000 running: that runs to the town, village, or city, and such  
15 third to 3rd parties as that may be injured, to secure; and that secures the  
16 performance of these the conditions. But if specified in this subsection. If there is  
17 no established lot line and the application is accompanied by a blue print, the town  
18 or village board or the common council of the city may make such impose any  
19 conditions as they deem on the privilege that it considers advisable.

20           **(3)** ~~Compensation for the special a privilege shall be paid into the general fund~~  
21 ~~and shall be fixed, in towns by the chairperson, in villages by the president, and in~~  
22 ~~cities by a board consisting of the board or commissioner of public works, city~~  
23 ~~attorney and mayor by the governing body of a city, village or town or by the designee~~  
24 of the governing body.

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NOTE: Amends sub. (3) regarding compensation for the municipal award of a privilege. Current law states that compensation is determined by specified municipal officers. Section 66.0425 (3) now provides that compensation will be determined by the governing body of a city, village or town or by the designee of the governing body.

1           **(4)** The holder of ~~such special~~ a privilege shall be is not entitled to ~~no~~ damages  
2 for removal of ~~the~~ an obstruction or excavation, and if the holder shall does not  
3 remove the ~~same~~ obstruction or excavation upon due notice, it shall be removed at  
4 the holder's expense.

5           **(5)** Third parties whose rights are interfered with by the granting of ~~such a~~  
6 privilege shall have a right of action against the holder of the ~~special~~ privilege only.

7           **(6)** Subsections (1) to (5) do not apply to telecommunications carriers, as  
8 defined in s. 196.01 (8m), telecommunications utilities, as defined in s. 196.01 (10),  
9 alternative telecommunications utilities, as defined in s. 196.01 (1d), public service  
10 corporations, or to cooperative associations organized under ch. 185 to render or  
11 furnish telecommunications service, gas, light, heat or power, but ~~such~~ the carriers,  
12 utilities, corporations and associations shall secure a permit from the proper official  
13 for temporary obstructions or ~~excavation~~ excavations in a highway and ~~shall be~~ are  
14 liable for all injuries to person or property ~~thereby~~ caused by the obstructions or  
15 excavations.

16           **(7)** This section does not apply to ~~such~~ an obstruction or excavation that is in  
17 place for ~~not longer~~ less than ~~3 months~~ 90 days, and for which a permit has been  
18 granted by the proper official.

19           **(8)** ~~Obstruction~~ This section applies to an obstruction or excavation by a city,  
20 village or town in any street, alley, or public place belonging to any other  
21 municipality ~~is included in this section~~.

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1           ~~(9) Anyone causing any obstruction or excavation to~~ Any person who violates  
2 this section may be made contrary to subs. (1) to (8) shall be liable to a fine of fined  
3 not less than \$25 and not nor more than \$500, or to imprisonment in the county jail  
4 imprisoned for not less than 10 days nor more than 6 months, or to both such fine and  
5 imprisonment.

6           **SECTION 115.** 66.046 of the statutes is renumbered 66.0429, and 66.0429 (1)  
7 and (3) (a), as renumbered, are amended to read:

8           66.0429 **(1)** The governing body of a city, village or town may set aside streets  
9 or roads that are not a part of any federal, state or county trunk highway system for  
10 the safety of children in coasting or other play activities, and may obstruct or  
11 barricade ~~such~~ the streets or roads to safeguard the children from accidents. The  
12 governing body of the city, village or town ~~shall~~ may erect and maintain ~~thereon~~ on  
13 the streets or roads barriers or barricades, lights, or warning signs ~~therefor~~ and ~~shall~~  
14 is not be liable for any damage caused thereby by the erection or maintenance.

15           **(3)** (a) The governing body of a city may monitor or limit access to streets that  
16 are not part of any federal, state or county trunk highway system or connecting  
17 highway, as described in s. 84.02 (11), for the purposes of security or public safety.  
18 The governing body of a city may authorize gates or security stations, or both, to be  
19 erected and maintained to monitor traffic or limit access on ~~such~~ these streets. The  
20 restriction of access to streets that is authorized under this subsection ~~may~~ does not  
21 affect a city's eligibility for state transportation aids.

22           **SECTION 116.** 66.047 of the statutes is renumbered 66.0831 and amended to  
23 read:

24           **66.0831 Interference with public service structure.** ~~No~~ A contractor  
25 having with a contract for any work upon, over, along or under any a public street

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1 or highway shall may not interfere with, destroy or disturb the structures of any a  
2 public utility as defined under s. 196.01 (5), and, including a telecommunications  
3 carrier as defined in s. 196.01 (8m), encountered in the performance of such the work  
4 so as to interrupt, impair or affect in a manner that interrupts, impairs or affects the  
5 public service for which such the structures may be used, without first ~~procuring~~  
6 obtaining written authority from the commissioner of public works, or other ~~properly~~  
7 constituted appropriate authority. It shall, however, be the duty of every A public  
8 utility, ~~whenever a~~ if given reasonable notice by the contractor of the need for  
9 temporary protection of, or a temporary change in, its the utility's structures, located  
10 upon, over, along or under the surface of any public street or highway is ~~deemed~~  
11 determined by the commissioner of public works, or other ~~such duly constituted~~  
12 appropriate authority, to be reasonably necessary to enable the accomplishment of  
13 such work, to so shall temporarily protect or change its said structures; provided,  
14 that ~~such contractor shall give reasonable notice of such required temporary~~  
15 ~~protection or temporary change to the public utility, and~~ located upon, over, along or  
16 under the surface of a public street or highway. The contractor shall pay or assure  
17 to the public utility the reasonable cost thereof, ~~except when~~ of the temporary  
18 structure or change, unless the public utility is properly otherwise liable therefor  
19 ~~under the law, but in all cases where such.~~ If work is done by or for the state or by  
20 or for any county, city, village, town sanitary district, metropolitan sewerage district  
21 created under ss. ~~66.20 to 66.26~~ 200.01 to 200.15 or ~~66.88 to 66.918~~ 200.21 to 200.65  
22 or town, the cost of such the temporary protection or temporary change shall be borne  
23 by the public utility.

24 **SECTION 117.** 66.048 of the statutes is renumbered 66.0915, and 66.0915 (1),  
25 (2), (3) (title), (a), (c) and (d) and (4), as renumbered, are amended to read:

**ASSEMBLY BILL 710****SECTION 117**

1           66.0915 (1) ~~VIADUCTS, PRIVATE~~ PRIVATE VIADUCTS IN CITIES, VILLAGES AND TOWNS.

2           The privilege of erecting a viaduct above a public street, road or alley, for the purpose  
3           of connecting buildings on each side thereof, may be granted by the city council,  
4           village board or town board upon the written petition of the owners of all the frontage  
5           of the lots and lands abutting upon the portion thereof sought to be connected, and  
6           the owners of more than one-half of the frontage of the lots and lands abutting upon  
7           that portion of the remainder thereof which that lies within 2,650 feet from the ends  
8           of the portion proposed to be so connected. ~~Whenever any of the lots or lands~~  
9           ~~aforsaid~~ If a lot or land is owned by the state, or by a county, city, village or town,  
10          or by a minor or incompetent person, or the title ~~thereof~~ to the lot or land is held in  
11          trust, ~~as to all lots and lands so owned or held, said~~ the petition may be signed by the  
12          governor, the chairperson of the county board, the mayor of the city, the president of  
13          the board of trustees of the village, the chairperson of the town board, the guardian  
14          of the minor or incompetent person, or the trustee, respectively, and the signature  
15          of ~~any~~ a private corporation may be made by its president, secretary or other  
16          principal officer or managing agent. Written notice stating when and where the  
17          petition will be acted upon, and describing the location of the proposed viaduct, shall  
18          be given by the city council, village board or town board by publication of a class 3  
19          notice, under ch. 985.

20          (2) ~~VIADUCTS, REMOVAL~~ REMOVAL OF PRIVATE VIADUCTS. A viaduct in ~~any~~ a city,  
21          village or town may be discontinued by the city council, village board or town board,  
22          upon written petition of the owners of more than one-half of the frontage of the lots  
23          and lands abutting on the street or road approaching on each end of such the viaduct,  
24          which lies within 2,650 feet from the ends of such the viaduct. ~~Whenever any of the~~  
25          ~~lots or lands aforsaid~~ If a lot or land is owned by the state, or by a county, city, village

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1 or town, or by a minor or incompetent person, or the title thereof to the lot or land  
2 is held in trust, ~~as to all lots and lands so owned or held, said the~~ petition may be  
3 signed by the governor, the chairperson of the county board, the mayor of the city, the  
4 president of the board of trustees of the village, the chairperson of the town board,  
5 the guardian of the minor or incompetent person, or the trustee, respectively, and the  
6 signature of ~~any~~ a private corporation may be made by its president, secretary or  
7 other principal officer or managing agent. Written notice stating when and where  
8 the petition will be acted upon, and stating what viaduct is proposed to be  
9 discontinued, shall be given by the city council, village board or town board by  
10 publication of a class 1 notice, under ch. 985, not less than one year before the day  
11 fixed for the hearing and a class 3 notice, under ch. 985, within the 30 days before  
12 the date of the hearing.

13 **(3)** (title) LEASE OF SPACE OVER PUBLIC PLACES BY CITIES, VILLAGES AND TOWNS. (a)  
14 ~~Any~~ A city, village or town may lease space over any street, road, alley or other public  
15 place in the city, village or town which is more than 12 feet above the level of the  
16 street, road, alley or other public place for any term not exceeding 99 years to the  
17 person who owns the fee in the property on both sides of the portion of the street, road,  
18 alley or other public place to be so leased, ~~whenever~~ if the governing body of the city,  
19 village or town ~~is of the opinion~~ determines that ~~such~~ the place is not needed for  
20 street, road, alley or other public purpose, and that the public interest will be served  
21 by ~~such~~ leasing.

22 (c) The lease shall be signed on behalf of the city, village or town by the mayor,  
23 village president or town board chairperson and shall be attested by the city, village  
24 or town clerk under the corporate seal. The lease shall also be executed by the lessee  
25 in ~~such~~ a manner ~~as necessary to bind~~ that binds the lessee. After being duly

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1 executed and acknowledged the lease shall be recorded in the office of the register  
2 of deeds of the county in which ~~is located~~ the leased premises are located.

3 (d) ~~If, in the judgment of such governing body,~~ determines that the public  
4 interest requires that any building erected in the leased space be removed so that a  
5 street, road, alley or public place may be restored to its original condition, the lessor  
6 city, village or town may condemn the lessee's interest in the leased space by  
7 proceeding under ch. 32. After payment of such any damages ~~as may be fixed~~ in the  
8 condemnation proceedings, the city, village or town may remove all buildings or other  
9 structures from the leased space and restore the buildings adjoining the leased space  
10 to their original condition.

11 **(4) SALE OR LEASE OF SPACE OVER OR BELOW PUBLIC PLACE.** (a) ~~Any~~ A city, village  
12 or town may sell or lease the space over or below ground level of any street, road, alley  
13 or public place or municipally owned real estate ~~or below ground level thereof~~ to any  
14 person, if the governing body determines by resolution and states the reasons that  
15 such the action is in the best public interest ~~and states the reasons therefor~~ and the  
16 prospective purchaser or lessee has provided for the removal and relocation expense  
17 for any facilities devoted to a public use where ~~such~~ relocation is necessary for the  
18 purposes of the purchaser or lessee. Leases shall be granted by ordinance and shall  
19 not exceed 99 years in length. No lease shall may be granted ~~nor~~ or use authorized  
20 ~~hereunder~~ which substantially interferes with the public purpose for which the  
21 surface of the land is used.

22 (b) ~~Leases~~ A lease shall specify purposes for which the leased space is to be used.  
23 If the purpose is to erect in the space a building or a structure attached to the lot, the  
24 lease shall contain a reasonably accurate description of the building to be erected and  
25 of the manner in which it ~~shall be imposed~~ will impose upon or around the lot. The

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1 lease shall also provide for use by the lessee of ~~such~~ those areas of the real estate as  
2 that are essential for ingress and egress to the leased space, for the support of the  
3 building or other structures to be erected and for the connection of essential public  
4 or private utilities to the building or structure.

5 (c) Any building erected in the space leased shall be operated, as far as  
6 practicable, separately from the municipal use. ~~Such~~ The structure shall conform  
7 to all state and municipal regulations.

8 (d) ~~Any leases~~ A lease under this subsection ~~shall be~~ is subject to sub. (3) (c) and  
9 (d).

10 **SECTION 118.** 66.0485 of the statutes is renumbered 66.0141.

11 **SECTION 119.** 66.049 of the statutes is renumbered 66.0405 and amended to  
12 read:

13 **66.0405 Removal of rubbish.** Cities, villages and towns may ~~cause the~~  
14 ~~removal of~~ remove ashes, garbage, and rubbish from such classes of places ~~therein~~  
15 in the city, village or town as the board or council ~~shall direct~~ directs. The removal  
16 may be from all ~~such~~ of the places or from those whose owners or occupants desire  
17 the service. Districts may be created and removal provided for certain ~~of them~~  
18 districts only, and different regulations may be applied to each removal district or  
19 class of property. The cost of removal may be ~~provided for~~ funded by special  
20 assessment against the property served, by general tax upon the property of the  
21 respective districts, or by general tax upon the property of the city, village or town.  
22 If a city, village or town contracts for ash, garbage or rubbish removal service, it may  
23 contract with one or more service providers.

NOTE: Amended to expressly authorize contracting with one or more service providers for removal of ash, garbage or rubbish. Express authority is extended

**ASSEMBLY BILL 710****SECTION 119**

in order to mitigate possible antitrust issues if the city, village or town determines that the service can best be provided by one service provider.

1       **SECTION 120.** 66.0495 (title) of the statutes is renumbered 30.13 (5m) (title).

2       **SECTION 121.** 66.0495 (1) (title) of the statutes is repealed.

3       **SECTION 122.** 66.0495 (1) (a) (title) of the statutes is repealed.

4       **SECTION 123.** 66.0495 (1) (a) of the statutes is renumbered 30.13 (5m) (a) 1. and  
5 amended to read:

6           30.13 **(5m)** (a) 1. The governing body of a city, village or town or a designated  
7 officer may order the owner of a wharf or pier which constitutes an unlawful  
8 obstruction of navigable waters under ~~s. 30.13 sub.~~ (4) to remove that portion of the  
9 wharf or pier which constitutes an unlawful obstruction.

10       **SECTION 124.** 66.0495 (1) (b) (title) of the statutes is repealed.

11       **SECTION 125.** 66.0495 (1) (b) of the statutes is renumbered 30.13 (5m) (a) 2.

12       **SECTION 126.** 66.0495 (1) (d) (title) of the statutes is repealed.

13       **SECTION 127.** 66.0495 (1) (d) of the statutes is renumbered 30.13 (5m) (a) 3. and  
14 amended to read:

15           30.13 **(5m)** (a) 3. An order under this subsection paragraph shall be served  
16 upon the owner or person responsible in the manner provided for the service of a  
17 summons in circuit court. If the owner or person responsible cannot be found, the  
18 order may be served by posting it on the wharf or pier and by publishing it as a class  
19 3 notice under ch. 985. The order shall specify the action to be taken and the time  
20 within which it shall be complied with. At least 50 days must be allowed for  
21 compliance.

22       **SECTION 128.** 66.0495 (2) (title) and (a) (title) of the statutes are repealed.

23       **SECTION 129.** 66.0495 (2) (a) of the statutes is renumbered 30.13 (5m) (b) 1. and  
24 amended to read:

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1           30.13 (5m) (b) 1. If the owner or person responsible fails to comply with an order  
2 issued under ~~sub. (1) par. (a)~~, the governing body of a city, village or town or a  
3 designated officer may cause the wharf or pier to be removed through any available  
4 public agency or by a contract or arrangement by a private person. The cost of the  
5 removal may be charged against the real estate on which or adjacent to which the  
6 wharf or pier is located, constitutes a lien against that real estate and may be  
7 assessed and collected as a special tax. The governing body of the city, village or town  
8 or the designated officer may sell any salvage or valuable material resulting from the  
9 removal at the highest price obtainable. The governing body of the city, village or  
10 town or the designated officer shall remit the net proceeds of any sale, after  
11 deducting the expense of the removal, to the circuit court for use of the person  
12 entitled to the proceeds subject to the order of the court. The governing body of the  
13 city, village or town or the designated officer shall submit a report on any sale to the  
14 circuit court which shall include items of expense and the amount deducted. If there  
15 are no net proceeds, the report shall state that fact.

16           **SECTION 130.** 66.0495 (2) (b) (title) of the statutes is repealed.

17           **SECTION 131.** 66.0495 (2) (b) of the statutes is renumbered 30.13 (5m) (b) 2. and  
18 amended to read:

19           30.13 (5m) (b) 2. If the owner or person responsible fails to comply with an order  
20 issued under ~~sub. (1) par. (a)~~, the governing body of a city, village or town or a  
21 designated officer may commence an action in circuit court for a court order requiring  
22 the person to comply with the order issued under ~~sub. (1) par. (a)~~. The court shall  
23 give the hearing on this action precedence over other matters on the court's calendar.  
24 ~~Costs may be assessed in the discretion of the court and may assess costs.~~

25           **SECTION 132.** 66.0495 (3) (title) of the statutes is repealed.

**ASSEMBLY BILL 710****SECTION 133**

1           **SECTION 133.** 66.0495 (3) of the statutes is renumbered 30.13 (5m) (c) and  
2 amended to read:

3           30.13 **(5m)** (c) A person affected by an order issued under ~~sub. (1) par. (a)~~ may  
4 apply to circuit court within 30 days after service of the order for a restraining order  
5 prohibiting the governing body of the city, village or town or the designated officer  
6 from removing the wharf or pier. The court shall conduct a hearing on the action  
7 within 20 days after application. The court shall give this hearing precedence over  
8 other matters on the court's calendar. The court shall determine whether the order  
9 issued under ~~sub. (1) par. (a)~~ is reasonable. If the court finds that the order issued  
10 under ~~sub. (1) par. (a)~~ is unreasonable, it shall issue a restraining order or modify it  
11 as the circumstances require and the governing body of the city, village or town or  
12 the designated officer may not issue another order under ~~sub. (1) par. (a)~~ with respect  
13 to the wharf or pier unless its condition is substantially changed. ~~Costs may be~~  
14 ~~assessed in the discretion of the~~ The court may assess costs. The remedy provided  
15 under this subsection paragraph is exclusive and no person affected by an order  
16 issued under ~~sub. (1) par. (a)~~ may recover damages for the removal of a wharf or pier  
17 under this section.

18           **SECTION 134.** 66.05 (title) of the statutes is renumbered 66.0413 (title) and  
19 amended to read:

20           **66.0413 (title) Razing buildings; excavations.**

21           **SECTION 135.** 66.05 (1g) and (1m) (a) of the statutes are repealed.

NOTE: The repealed provisions are restated as s. 66.0413 (1) (a), (b) and (d) and  
the first sentence of par. (f). See SECTIONS 98 to 102 of the bill.

22           **SECTION 136.** 66.05 (1m) (b) of the statutes is renumbered 66.0413 (1) (c) and  
23 amended to read:

**ASSEMBLY BILL 710****SECTION 136**

1           66.0413 (1) (c) *Reasonableness of repair: presumption.* Except as provided in  
2 sub. (9) (3), if a municipal governing body, building inspector ~~of buildings~~ or  
3 designated officer determines that the cost of such repairs of a building described in  
4 par. (b) 1. would exceed ~~50 per cent~~ 50% of the assessed value of such the building  
5 divided by the ratio of the assessed value to the recommended value as last published  
6 by the department of revenue for the municipality within which such the building  
7 is located, such the repairs ~~shall be~~ are presumed unreasonable and ~~it shall be~~  
8 ~~presumed for the purposes of this section that such building is a public nuisance for~~  
9 purposes of par. (b) 1.

10           **SECTION 137.** 66.05 (1m) (c) of the statutes is renumbered 66.0413 (1) (L) 1. and  
11 amended to read:

12           66.0413 (1) (L) 1. Acts of municipal authorities under this section ~~shall~~  
13 subsection do not increase the liability of an insurer.

14           **SECTION 138.** 66.05 (1m) (d) of the statutes is renumbered 66.0413 (1) (e) and  
15 amended to read:

16           66.0413 (1) (e) *Effect of recording order.* If a raze order issued under par. (a)  
17 (b) is recorded with the register of deeds in the county in which the building is located,  
18 the order is considered to have been served, as of the date the raze order is recorded,  
19 on any person claiming an interest in the building or the real estate as a result of a  
20 conveyance from the owner of record unless the conveyance was recorded before the  
21 recording of the raze order.

22           **SECTION 139.** 66.05 (2) (a) of the statutes is renumbered 66.0413 (1) (f) and  
23 amended to read:

24           66.0413 (1) (f) *Failure to comply with order; razing building.* An order under  
25 par. (b) shall specify the time within which the owner of the building is required to

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1 comply with the order and shall specify repairs, if any. If the owner fails or refuses  
2 to comply within the time prescribed, the building inspector ~~of buildings~~ or other  
3 designated officer may ~~cause such building or part thereof to be razed and removed~~  
4 ~~and may restore the site to a dust-free and erosion-free condition either~~ proceed to  
5 raze the building through any available public agency or by contract or arrangement  
6 with private persons, or ~~closed~~ to secure the building and, if necessary, the property  
7 on which the building is located if unfit for human habitation, occupancy or use. The  
8 cost of such razing, removal and restoration of the site to a dust-free and erosion-free  
9 ~~condition or closing~~ securing the building may be charged in full or in part against  
10 the real estate upon which ~~such~~ the building is located, and if that cost is so charged  
11 it is a lien upon ~~such~~ the real estate and may be assessed and collected as a special  
12 tax. Any portion of the cost charged against the real estate that is not reimbursed  
13 under s. 632.103 (2) from funds withheld from an insurance settlement may be  
14 assessed and collected as a special tax.

NOTE: 1. The first sentence is from s. 66.05 (1m) (a), repealed by SECTION 135.

2. Clarifies that an option upon failure to comply with an order is to secure the building and, if necessary, the property on which the building is located. The new language more accurately reflects current practice.

15 (j) Sale of salvage. ~~When any building has been ordered razed and removed and~~  
16 If an order to raze a building has been issued to restore the site to a dust-free and  
17 erosion-free condition, the governing body or other designated officer under ~~said~~ the  
18 ~~contract or arrangement aforesaid~~ to raze the building may sell the salvage and  
19 valuable materials at the highest price obtainable. The net proceeds of ~~such~~ the sale,  
20 after deducting the expenses of ~~such razing, removal and restoration of the site to a~~  
21 ~~dust-free and erosion-free condition~~ the building, shall be promptly remitted to the  
22 circuit court with a report of ~~such~~ the sale or transaction, including the items of  
23 expense and the amounts deducted, for the use of ~~the~~ any person ~~who may be~~ entitled

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1     ~~thereto to the net proceeds, subject to the order of the court. If there remains no~~  
2     ~~surplus to be turned over to the court, the report shall so state. ~~If the building or part~~~~  
3     ~~thereof is insanitary and unfit for human habitation, occupancy or use, and is not in~~  
4     ~~danger of structural collapse the building inspector shall post a placard on the~~  
5     ~~premises containing the following words: “This Building Cannot Be Used for Human~~  
6     ~~Habitation, Occupancy or Use”. And it is the duty of the building inspector or other~~  
7     ~~designated officer to prohibit the use of the building for human habitation, occupancy~~  
8     ~~or use until the necessary repairs have been made.~~

NOTE: The last 2 sentences are restated as s. 66.0413 (1) (br) 1. See SECTION 101.

9           **SECTION 140.** 66.05 (2) (b) of the statutes is renumbered 66.0413 (1) (g) and  
10     amended to read:

11           66.0413 (1) (g) Court order to comply. Any A municipality, building inspector  
12     of buildings or designated officer may, ~~in his, her or its official capacity,~~ commence  
13     and prosecute an action in circuit court for an order of the court requiring the owner  
14     to comply with an order to raze ~~or remove any a~~ building ~~or part thereof~~ issued under  
15     this ~~section~~ subsection if the owner fails or refuses to do so within the time prescribed  
16     in the order, or for an order of the court requiring any person occupying a building  
17     whose occupancy has been prohibited under this ~~section~~ subsection to vacate the  
18     premises, or any combination of the court orders. ~~Hearing A hearing~~ on such actions  
19     under this paragraph shall be given preference. ~~Costs shall be~~ Court costs are in the  
20     discretion of the court.

NOTE: Clarifies that the costs referred to are court costs, not the cost of razing or securing a building.

21           **SECTION 141.** 66.05 (2) (c) of the statutes is renumbered 66.0413 (1) (br) 2. and  
22     amended to read:

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1           66.0413 (1) (br) 2. Any person who rents, leases or occupies a building which  
2 has been condemned for human habitation, occupancy or use under subd. 1. shall be  
3 fined not less than \$5 nor more than \$50 or imprisoned not more than 30 days for each  
4 week of such the violation, or both.

5           **SECTION 142.** 66.05 (3) of the statutes is renumbered 66.0413 (1) (h) and  
6 amended to read:

7           66.0413 (1) (h) *Restraining order.* ~~Anyone~~ A person affected by any such an  
8 order shall issued under par. (b) may within the time provided by s. 893.76 apply to  
9 the circuit court for an order restraining the building inspector ~~of buildings~~ or other  
10 designated officer from razing and removing the building ~~or part thereof~~ and  
11 restoring the site to a dust-free and erosion-free condition or forever be barred. The  
12 hearing shall be held within 20 days and shall be given preference. The court shall  
13 determine whether the raze order ~~of the inspector of buildings~~ is reasonable, ~~and if,~~  
14 If the order is found reasonable the court shall dissolve the restraining order, ~~and if,~~  
15 If the order is found not reasonable the court shall continue the restraining order or  
16 modify it as the circumstances require. Costs ~~shall be~~ are in the discretion of the  
17 court. If the court finds that the order ~~of the inspector of buildings~~ is unreasonable,  
18 the building inspector ~~of buildings~~ or other designated officer shall issue no other  
19 order under this section subsection in regard to the same building ~~or part thereof~~  
20 until its condition is substantially changed. The remedies provided in this  
21 ~~subsection~~ paragraph are exclusive remedies and anyone affected by such an order  
22 ~~of the inspector shall issued under par. (b) is~~ not be entitled to recover any damages  
23 for the razing and removal of any such of the building and the restoration of the site  
24 ~~to a dust-free and erosion-free condition.~~

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1           **SECTION 143.** 66.05 (5) of the statutes is renumbered 66.0413 (1) (i) and  
2 amended to read:

3           66.0413 (1) (i) Removal of personal property. If any a building ordered razed  
4 and removed and the site ordered restored to a dust-free and erosion-free condition  
5 or made safe and sanitary by repairs subject to an order under par. (b) contains  
6 personal property or fixtures which will unreasonably interfere with the razing or  
7 repair of such the building and restoration of such site or if the razing and removal  
8 of the building and the restoration of the site to a dust-free and erosion-free  
9 condition makes necessary the removal, sale or destruction of such the personal  
10 property or fixtures, the building inspector ~~of buildings~~ or other designated officer  
11 may order in writing the removal of such the personal property or fixtures by a date  
12 ~~certain date.~~ Such. The order shall be served as provided in sub. (1m) par. (d). If  
13 the personal property or fixtures ~~or both~~ are not removed by the time specified the  
14 inspector may store ~~the same, or may,~~ sell it, or, if it has no appreciable value ~~he or~~  
15 ~~she may,~~ destroy the same. In case personal property or fixture. If the property is  
16 stored the amount paid for storage ~~shall be~~ is a lien against such the property and  
17 against the real estate and, to the extent that the amount is not reimbursed under  
18 s. 632.103 (2) from funds withheld from an insurance settlement, shall be assessed  
19 and collected as a special tax against the real estate if the real estate is owned by the  
20 owner of the personal property and fixtures. If the property is stored the owner  
21 ~~thereof~~ of the property, if known, shall be notified of the place of its storage and if it  
22 ~~be~~ the property is not claimed by the owner it may be sold at the expiration of 6  
23 months after it has been stored. ~~In case of sale the~~ The handling of the sale and the  
24 distribution of the net proceeds after deducting the cost of storage and any other costs  
25 shall be ~~handled~~ as specified in sub. (2) par. (j) and a report made to the circuit court

**ASSEMBLY BILL 710****SECTION 143**

1 as therein specified. ~~Anyone in par. (j). A person~~ affected by any order made under  
2 this subsection ~~paragraph~~ may appeal as provided in sub. ~~(3) par. (h).~~

3 **SECTION 144.** 66.05 (5m) of the statutes is renumbered 66.0413 (1) (L) 2. and  
4 amended to read:

5 66.0413 (1) (L) 2. This section shall does not limit powers otherwise granted  
6 to municipalities by other laws of this state.

7 **SECTION 145.** 66.05 (6) of the statutes is renumbered 66.0427 and amended to  
8 read:

9 **66.0427 Open excavations in populous counties.** In any a town, city or  
10 village in any a county ~~having~~ with a population of 500,000 or more no excavation  
11 for building purposes, whether or not completed, shall may be left open for more than  
12 6 months without proceeding with the erection of a building thereon. ~~In the event~~  
13 ~~any such~~ on the excavation. ~~If an~~ excavation remains open for more than 6 months,  
14 the building inspector ~~of buildings~~ or other designated officer ~~in such~~ of the town,  
15 village or city shall order that the erection of a building on the excavation begin  
16 forthwith or ~~in the alternative~~ that the excavation be filled to grade. The order shall  
17 be served upon the owner of the land or the owner's agent and upon the holder of any  
18 encumbrance of record as provided in sub. ~~(1m)~~ s. 66.0413 (1) (d). If the owner of the  
19 land fails to comply with the order within 15 days after service ~~thereof~~ of the order  
20 upon the owner, the building inspector ~~of buildings~~ or other designated officer shall  
21 cause fill the excavation ~~to be filled~~ to grade and the cost shall be charged against the  
22 real estate as provided in sub. ~~(2).~~ ~~Subsection (3) shall also apply~~ s. 66.0413 (1) (f).  
23 Section 66.0413 (1) (h) applies to orders issued under this ~~subsection~~ section. This  
24 shall ~~not be construed to~~ section does not impair the authority of any a city or village  
25 to enact ordinances in this field.

**ASSEMBLY BILL 710****SECTION 146**

1           **SECTION 146.** 66.05 (8) (a) to (bm) of the statutes are renumbered 66.0413 (2)

2           (a) to (e) and amended to read:

3           66.0413 **(2)** (a) *Definitions.* In this subsection “~~building~~”:

4           1. “Building” means a building, dwelling or structure.

5           (b) *Notification of nuisance.* ~~Whenever an~~ If the owner of any a building in any  
6 a city, village or town permits the ~~same, either as a result of vandalism or for any~~  
7 ~~other reason, to deteriorate or become dilapidated or blighted to the extent where~~  
8 ~~windows, doors or other openings or plumbing or heating fixtures or facilities or~~  
9 ~~appurtenances of such building are either deteriorated, damaged, destroyed or~~  
10 ~~removed so that such building offends the aesthetic character of the immediate~~  
11 ~~neighborhood or produces blight or deterioration by reason of such condition~~ building  
12 to become a public nuisance, the building inspector or other designated officer of such  
13 the city, village or town shall issue a written notice respecting of the ~~existence of such~~  
14 ~~defect; such~~ that makes the building a public nuisance. The written notice shall be  
15 served on the owner of such the building as set forth in provided under sub. (1m) ~~(a)~~  
16 ~~(1) (d)~~ and shall direct the owner of such building to promptly remedy the defect  
17 within 30 days following the service of such notice.

18           (c) *Failure to remedy; court order to remedy or raze.* 1. If an owner fails to  
19 remedy or improve the defect in accordance with the written notice ~~furnished by the~~  
20 ~~building inspector or other designated officer~~ under par. ~~(am)~~ (b) within the 30-day  
21 period specified in the written notice, the building inspector or other designated  
22 officer shall apply to the circuit court of the county in which the building is located  
23 for an order determining that the building constitutes a public nuisance. As a part  
24 of the application for such the order from the circuit court the building inspector or  
25 other designated officer shall file a verified petition which recites the giving of such

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1 written notice, the defect ~~or defects in such~~ the building, the owner's failure to comply  
2 with the notice and ~~such other pertinent facts as may be related thereto~~. A copy of  
3 the petition shall be served upon the owner of record or the owner's agent if an agent  
4 is in charge of the building and upon the holder of any encumbrance of record under  
5 sub. ~~(1m) (a) and the~~ (1) (d). ~~The owner shall have~~ reply to the petition within 45 days  
6 following service upon the owner ~~in which to reply to such petition~~. Upon application  
7 by the building inspector or other designated officer the circuit court shall set  
8 promptly the petition for hearing. Testimony shall be taken by the circuit court with  
9 respect to the allegations of the petition and denials contained in the verified answer.  
10 If the circuit court after hearing the evidence ~~with respect to~~ on the petition and the  
11 answer determines that the building constitutes a public nuisance, the court shall  
12 issue promptly an order directing the owner of the building to remedy the defect and  
13 to make such repairs and alterations as may be required. The court shall set a  
14 reasonable period of time in which the defect shall be remedied and the repairs or  
15 alterations completed. A copy of the order shall be served upon the owner as provided  
16 in sub. ~~(1m) (a)~~ (1) (d). The order of the circuit court shall state in the alternative that  
17 if the order of the court is not complied with within the time fixed by the court, the  
18 court will appoint a receiver or authorize the building inspector or other designated  
19 officer to proceed to raze ~~and remove the building and restore the site to a dust-free~~  
20 ~~and erosion-free condition~~ under par. ~~(bg)~~ (d).

21 2. In an action under this subsection, the circuit court before which the action  
22 is commenced shall exercise jurisdiction in rem or quasi rem over the property which  
23 is the subject of the action. The owner of record of the property, if known, and all other  
24 persons of record holding or claiming any interest in the property shall be made  
25 parties defendant and service of process may be ~~had~~ made upon them.

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1           3. It ~~shall~~ is not be a defense to an action under this subsection that the owner  
2 of record of the property is a different person, ~~partnership or corporate entity~~ than  
3 the owner of record of the property on or after the date the action was commenced  
4 ~~or thereafter~~ if a lis pendens was filed before the change of ownership.

5           (d) *Failure to comply with court order*: If the order of the circuit court under par.  
6 ~~(b) (c)~~ is not complied with within the time fixed by the court under par. ~~(b) (c)~~, the  
7 court shall authorize the building inspector or other designated officer to raze and  
8 remove the building and restore the site to a dust-free and erosion-free condition or  
9 shall appoint a disinterested person to act as receiver of the property to do either of  
10 the following within a reasonable period of time set by the court:

11           1. Remedy the defect and make any repairs and alterations necessary to meet  
12 the standards required by the building code or any health order. A receiver appointed  
13 under this subdivision, with the approval of the circuit court, may borrow money  
14 against and mortgage the property held in receivership as security in any amount  
15 necessary to remedy the defect and make the repairs and alterations. For the  
16 expenses incurred to remedy the defect and make the repairs and alterations  
17 necessary under this subdivision, the receiver ~~shall have~~ has a lien upon the  
18 property. At the request of and with the approval of the owner, the receiver may sell  
19 the property at a price equal to at least the ~~appraisal~~ appraised value of the property  
20 plus the cost of any repairs made under this subdivision. The selling owner ~~shall be~~  
21 is liable for such those costs.

22           2. Secure and sell the building to a buyer who demonstrates to the circuit court  
23 an ability and intent to rehabilitate the building and to ~~cause~~ have the building to  
24 ~~be~~ reoccupied in a legal manner.

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1           (e) Receiver; order to raze. 1. ~~Any~~ A receiver appointed under par. ~~(b)(g)~~ (d) shall  
2 collect all rents and profits accruing from the property held in receivership and pay  
3 all costs of management, including all general and special real estate taxes or  
4 assessments and interest payments on first mortgages on the property. A receiver  
5 under par. ~~(b)(g)~~ (d) shall apply moneys received from sale of property held in  
6 receivership to pay all debts due on the property in the order set by law and shall pay  
7 any balance to the selling owner if the circuit court approves.

8           2. The circuit court shall set the fees and bond of a receiver appointed under  
9 par. ~~(b)(g)~~ (d) and may discharge the receiver as the court ~~deems~~ considers appropriate.

10           3. Nothing in this subsection relieves the owner of ~~any~~ property for which a  
11 receiver has been appointed under par. ~~(b)(g)~~ (d) from any civil or criminal  
12 responsibility or liability except that the receiver ~~shall have~~ has civil and criminal  
13 responsibility and liability for all matters and acts directly under the receiver's  
14 authority or performed at his or her discretion.

15           4. If a defect is not remedied and repairs and alterations are not made within  
16 the time limit set by the circuit court under par. ~~(b)(g)~~ (d), the court shall order that  
17 the building inspector or other designated officer proceed to raze ~~and remove~~ the  
18 building ~~and restore the site to a dust-free and erosion-free condition.~~

19           5. All costs and disbursements ~~with respect to razing, removing and restoration~~  
20 ~~of the site~~ raze a building under this subsection shall be as provided ~~for~~ under sub.  
21 ~~(2) (a)~~ (1) (f).

22           **SECTION 147.** 66.05 (8) (d) of the statutes is repealed.

NOTE: Restated as a definition under s. 66.0413 (2) (a) 2. See SECTION 106 of  
this bill.

23           **SECTION 148.** 66.05 (9) of the statutes is renumbered 66.0413 (3), and 66.0413

24 (3) (d), as renumbered, is amended to read:

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1           66.0413 (3) (d) If a municipal governing body, inspector of buildings or  
2 designated officer determines that the cost of repairs to a historic building would be  
3 less than 85% of the assessed value of the building divided by the ratio of the assessed  
4 value to the recommended value as last published by the department of revenue for  
5 the municipality within which the historic building is located, ~~such~~ the repairs shall  
6 be are presumed reasonable.

7           **SECTION 149.** 66.05 (10) of the statutes is renumbered 66.0413 (4).

8           **SECTION 150.** Subchapter V (title) of chapter 66 [precedes 66.0501] of the  
9 statutes is created to read:

10                                                           **CHAPTER 66**

11                                                                                   **SUBCHAPTER V**

12                                                                                                           **OFFICERS AND EMPLOYES**

13           **SECTION 151.** 66.051 (title) and (1) (a) to (bm) of the statutes are renumbered  
14 66.0107 (title) and (1) (a) to (bm), and 66.0107 (1) (b) and (bm), as renumbered, are  
15 amended to read:

16           66.0107 (1) (b) ~~Cause the seizure of~~ Seize anything devised solely for gambling  
17 or found in actual use for gambling and ~~cause the destruction of any such thing~~  
18 destroy the device after a judicial determination that it was used solely for gambling  
19 or found in actual use for gambling; and

20           (bm) Enact and enforce an ordinance to prohibit the possession of 25 grams or  
21 less of marijuana, as defined in s. 961.01 (14), subject to the exceptions in s. 961.41  
22 (3g) (intro.), and provide a forfeiture for a violation of the ordinance; except that any  
23 person who is charged with possession of more than 25 grams of marijuana, or who  
24 is charged with possession of any amount of marijuana following a conviction for

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1 possession of marijuana, in this state shall not be prosecuted under this paragraph;  
2 and.

3 **SECTION 152.** 66.051 (1) (c) of the statutes is repealed.

NOTE: Section 66.051 (1) (c) is repealed as unnecessary given the general provision of s. 66.051 (2), renumbered s. 66.0107 (2), that nothing in the section may be construed to preclude cities, villages and towns from prohibiting conduct which is the same or similar to that prohibited by chs. 941 to 948. Under repealed par. (c), towns, villages and cities may: “Prohibit conduct which is the same as or similar to that prohibited by s. 947.01, 947.012 or 947.0125.”

4 **SECTION 153.** 66.051 (2) and (3) of the statutes are renumbered 66.0107 (2) and  
5 (3).

6 **SECTION 154.** 66.0517 of the statutes is created to read:

7 **66.0517 Weed commissioner. (1) DEFINITION.** In this section, “noxious  
8 weeds” has the meaning given in s. 66.0407 (1) (b).

9 **(2) APPOINTMENT.** (a) *Town, village and city weed commissioner.* The  
10 chairperson of each town, the president of each village and the mayor of each city may  
11 appoint one or more commissioners of noxious weeds on or before May 15 in each  
12 year. A weed commissioner shall take the official oath and the oath shall be filed in  
13 the office of the town, village or city clerk. A weed commissioner shall hold office for  
14 one year and until a successor has qualified or the town chairperson, village  
15 president or mayor determines not to appoint a weed commissioner. If more than one  
16 commissioner is appointed, the town, village or city shall be divided into districts by  
17 the officer making the appointment and each commissioner shall be assigned to a  
18 different district. The town chairperson, village president or mayor may appoint a  
19 resident of any district to serve as weed commissioner in any other district of the  
20 same town, village or city.

21 (b) *County weed commissioner.* A county may by resolution adopted by its  
22 county board provide for the appointment of a county weed commissioner and

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1 determine the duties, term and compensation for the county weed commissioner.  
2 When a weed commissioner has been appointed under this paragraph and has  
3 qualified, the commissioner has the powers and duties of a weed commissioner  
4 described in this section. Each town chairperson, village president or mayor may  
5 appoint one or more deputy weed commissioners, who shall work in cooperation with  
6 the county weed commissioner in the district assigned by the appointing officer.

7 **(3) POWERS, DUTIES AND COMPENSATION.** (a) *Destruction of noxious weeds.* A weed  
8 commissioner shall investigate the existence of noxious weeds in his or her district.  
9 If a person in a district neglects to destroy noxious weeds as required under s. 66.0407  
10 (3), the weed commissioner shall destroy, or have destroyed, the noxious weeds in the  
11 most economical manner. A weed commissioner may enter upon any lands that are  
12 not exempt under s. 66.0407 (5) and cut or otherwise destroy noxious weeds without  
13 being liable to an action for trespass or any other action for damages resulting from  
14 the entry and destruction, if reasonable care is exercised.

15 (b) *Compensation of weed commissioner.* 1. Except as provided in sub. (2) (b),  
16 a weed commissioner shall receive compensation for the destruction of noxious weeds  
17 as determined by the town board, village board or city council upon presenting to the  
18 proper treasurer the account for noxious weed destruction, verified by oath and  
19 approved by the appointing officer. The account shall specify by separate items the  
20 amount chargeable to each piece of land, describing the land, and shall, after being  
21 paid by the treasurer, be filed with the town, village or city clerk. The clerk shall  
22 enter the amount chargeable to each tract of land in the next tax roll in a column  
23 headed “For the Destruction of Weeds”, as a tax on the lands upon which the weeds  
24 were destroyed. The tax shall be collected under ch. 74, except in case of lands which  
25 are exempt from taxation, railroad lands or other lands for which taxes are not

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1 collected under ch. 74. A delinquent tax may be collected as is a delinquent real  
2 property tax under chs. 74 and 75 or as is a delinquent personal property tax under  
3 ch. 74. In case of railroad lands or other lands for which taxes are not collected under  
4 ch. 74, the amount chargeable against these lands shall be certified by the town,  
5 village or city clerk to the state treasurer who shall add the amount designated to the  
6 sum due from the company owning, occupying or controlling the lands specified. The  
7 state treasurer shall collect the amount chargeable as prescribed in subch. I of ch.  
8 76 and return the amount collected to the town, city or village from which the  
9 certification was received.

10 2. For the performance of duties other than the destruction of noxious weeds,  
11 a weed commissioner shall receive compensation to be determined by the town board,  
12 village board or city council.

NOTE: Creates s. 66.0517 of the statutes in order to combine the provisions  
regarding weed commissioners contained in ss. 66.97 to 66.99. The latter  
statutes are repealed in SECTION 620 of this bill. The new provision specifies  
that the appointment of a town, village or city weed commissioner is optional.  
The provision also differs from s. 66.97 by treating a 1st class city in the same  
manner as any other city. Otherwise, ss. 66.97 to 66.99 are restated.

13 **SECTION 155.** 66.052 of the statutes is renumbered 66.0415 and amended to  
14 read:

15 **66.0415 Offensive industry. (1)** ~~Any~~ The common council of a city or village  
16 board may direct the location, management and construction of, and license,  
17 regulate or prohibit, any industry, thing or place where any nauseous, offensive or  
18 unwholesome business is carried on, that is within the city or village or within 4 miles  
19 of the boundaries of the city or village, except that the Milwaukee, Menominee and  
20 Kinnickinnic rivers with their branches to the outer limits of the county of  
21 Milwaukee, and all canals connecting with ~~said~~ these rivers, together with the lands  
22 adjacent to ~~said~~ these rivers and canals or within 100 yards of them, are ~~deemed to~~

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1 be within the jurisdiction of the city of Milwaukee. Any A town board shall have has  
2 the same powers as are provided in this section for cities and villages, as to the area  
3 within the town that is not licensed, regulated or prohibited by any a city or village  
4 under this section. Any A business that is conducted in violation of any a city, village  
5 or town ordinance that is authorized to be enacted under this section is a public  
6 nuisance. An action for the abatement or removal of the business or to obtain an  
7 injunction to prevent operation of the business may be brought and maintained by  
8 the common council or village or town board in the name of this state on the relation  
9 of such the city, village or town as provided in ss. 823.01, 823.02 and 823.07, or as  
10 provided in s. 254.58. Section 97.42 may does not limit the powers granted by this  
11 section. Section 95.72 may does not limit the powers granted by this section to cities  
12 or villages but powers granted to towns by this section are limited by s. 95.72 and by  
13 any orders and rules promulgated under s. 95.72.

14 (2) Any To prevent nuisance, a city or village may, subject to the approval of the  
15 appropriate town board of such town, by ordinance enact reasonable regulations  
16 governing areas where refuse, rubbish, ashes or garbage shall be are dumped or  
17 accumulated in any a town within one mile of the corporate limits of such the city or  
18 village, so as to prevent nuisance.

19 **SECTION 156.** 66.053 of the statutes is renumbered 66.0433, and 66.0433 (1) (a),  
20 (am) and (c) and (2), as renumbered, are amended to read:

21 66.0433 (1) (a) Each A town board, village board and or common council shall  
22 may grant licenses to such persons as they deem it considers proper for the sale of  
23 beverages containing less than one-half of one per centum 0.5% of alcohol by volume  
24 to be consumed on the premises where sold and to manufacturers, wholesalers,  
25 retailers and distributors of such these beverages, for which. The fee for a license fee

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1 of ~~shall be~~ not less than \$5 nor more than \$50, to be fixed by the board or council, ~~shall~~  
2 ~~be paid~~, except that where such these beverages are sold, ~~not to be consumed on for~~  
3 ~~consumption off~~ the premises, the license fee shall be \$5. ~~Such~~ The license shall be  
4 issued by the town, village or city clerk, shall designate the specific premises for  
5 which granted and shall expire the ~~thirtieth day of next~~ June thereafter 30 after  
6 issuance. The full license fee shall be charged for the whole or a fraction of the year.  
7 No such beverages ~~shall~~ described in this paragraph may be manufactured, sold at  
8 wholesale or retail or sold for consumption on the premises, or kept for sale at  
9 wholesale or retail, or for consumption on the premises where sold, without such a  
10 license issued under this paragraph.

11 (am) ~~In case of removal of the~~ If a place of business moves from the premises  
12 designated in the license to another location in the town, village or city within the  
13 license period, the licensee shall give notice of such the change of location, and the  
14 license shall be amended accordingly without payment of an additional fee. ~~No such~~  
15 A license, ~~however, shall be~~ is not transferable from one person to another.

16 (c) ~~Each~~ A town board, village board ~~and~~ or common council ~~shall have~~  
17 authority may by resolution or ordinance to adopt such regulations as it may deem  
18 reasonable and necessary regulations regarding the location of licensed premises,  
19 the conduct thereof of the licensed premises, the sale of beverages containing less  
20 than ~~one-half of one per centum~~ 0.5% of alcohol by volume and the revocation of any  
21 license ~~or permit~~.

22 (2) SODA WATER BEVERAGES. ~~Each~~ A town board, village board ~~and~~ or common  
23 council of any city may grant licenses to such persons as ~~they deem~~ it considers  
24 proper for the sale of soda water beverages, as defined in s. 97.34, to be consumed on  
25 or off the premises where sold. ~~Such~~ A license fee shall be fixed by such the governing

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1 body of ~~such~~ the city, village or town but shall not exceed \$5. The license shall be  
2 issued by the town, city or village clerk, shall designate the specific premises for  
3 which granted and shall expire on the ~~thirtieth day of~~ next June thereafter. ~~Each~~  
4 ~~such~~ 30 after issuance. ~~The governing body shall have authority~~ may by resolution  
5 or ordinance ~~to adopt such regulations as it may deem~~ reasonable and necessary  
6 regulations regarding the location of licensed premises, the conduct thereof of the  
7 licensed premises and the revocation of any ~~such~~ license.

8 **SECTION 157.** 66.057 of the statutes is renumbered 157.129, and 157.129 (title),  
9 as renumbered, is amended to read:

10 **157.129** (title) **Minimum acreage of cemeteries; local ordinance.**

11 **SECTION 158.** 66.058 (title), (1), (2) and (3) (title), (a), (b) and (c) 1. to 7. of the  
12 statutes are renumbered 66.0435 (title), (1), (2) and (3) (title), (a), (b) and (c) 1. to 7.,  
13 and 66.0435 (1) (intro.) and (e), (2) and (3) (a), (c) 1. (intro.), 2. and 4. to 7., as  
14 renumbered, are amended to read:

15 66.0435 **(1)** DEFINITIONS. (intro.) ~~For the purposes of~~ In this section:

16 (e) “Mobile home park” means any plot or plots of ground upon which 2 or more  
17 units, occupied for dwelling or sleeping purposes are located, regardless of whether  
18 ~~or not~~ a charge is made for ~~such~~ the accommodation.

19 **(2)** ~~LICENSE AND REVOCATION OR SUSPENSION THEREOF~~ GRANTING, REVOKING OR  
20 SUSPENDING LICENSE. (a) ~~It shall be~~ is unlawful for any person to maintain or operate  
21 a mobile home park within the limits of any a city, town or village, ~~any mobile home~~  
22 ~~park unless such~~ the person ~~shall first obtain~~ has received a license from the city,  
23 town or village a license therefor. ~~All such parks in existence on August 9, 1953 shall~~  
24 ~~within 90 days thereafter, obtain such license, and in all other respects comply fully~~  
25 ~~with the requirements of this section except that the licensing authority shall upon~~

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1 application of a park operator, waive such requirements that require prohibitive  
2 reconstruction costs if such waiver does not affect sanitation requirements of the city,  
3 town or village or create or permit to continue any hazard to the welfare and health  
4 of the community and the occupants of the park.

5 (b) In order to protect and promote the public health, morals and welfare and  
6 to equitably defray the cost of municipal and educational services required by  
7 persons and families using or occupying trailers, mobile homes, trailer camps or  
8 mobile home parks for living, dwelling or sleeping purposes, each a city council,  
9 village board and town board may establish do any of the following:

10 1. Establish and enforce by ordinance reasonable standards and regulations  
11 for every trailer and trailer camp and every mobile home and mobile home park;  
12 require.

13 2. Require an annual license fee to operate the same a trailer and trailer camp  
14 or mobile home and mobile home park and levy and collect special assessments to  
15 defray the cost of municipal and educational services furnished to such the trailer  
16 and trailer camp, or mobile home and mobile home park. ~~They may limit~~

17 3. Limit the number of units, trailers or mobile homes that may be parked or  
18 kept in any one camp or park, ~~and limit.~~

19 4. Limit the number of licenses for trailer camps or parks in any common school  
20 district, if the mobile housing development would cause the school costs to increase  
21 above the state average or if an exceedingly difficult or impossible situation exists  
22 with regard to providing adequate and proper sewage disposal in the particular area.  
23 ~~The power conferred on cities, villages and towns by this section is in addition to all~~  
24 ~~other grants and shall be deemed limited only by the express language of this section.~~

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1 (c) In ~~any a~~ a town in which the town board enacts an ordinance regulating  
2 trailers under ~~the provisions of~~ this section and has also enacted and approved a  
3 county zoning ordinance under the provisions of s. 59.69, the provisions of the  
4 ordinance which is most restrictive ~~shall~~ apply with respect to the establishment and  
5 operation of ~~any a~~ a trailer camp in ~~said the~~ the town.

6 (d) ~~Any A~~ A license granted under ~~the provisions of~~ this section shall be is subject  
7 to revocation or suspension for cause by the ~~common council, village board or town~~  
8 ~~board~~ licensing authority that issued the license upon complaint filed with the clerk  
9 of the ~~city, village or town~~ licensing authority, ~~if the complaint is signed by any a~~ if the complaint is signed by any a law  
10 enforcement officer, local health officer, as defined in s. 250.01 (5), or building  
11 inspector, after a public hearing upon the complaint, ~~provided that the.~~ The holder  
12 of the license shall be given 10 days' written notice ~~in writing of the hearing, and the~~  
13 ~~holder of the license shall be is~~ is entitled to appear and be heard as to why the license  
14 shall should not be revoked. ~~Any A~~ A holder of a license that is revoked or suspended  
15 by the ~~governing body of any city, village or town~~ licensing authority may within 20  
16 days of the date of the revocation or suspension appeal ~~therefrom~~ the decision to the  
17 circuit court of the county in which the trailer camp or mobile home park is located  
18 by filing a written notice of appeal with the ~~city, village or town clerk~~ of the licensing  
19 authority, together with a bond executed to the ~~city, village or town~~ licensing  
20 authority, in the sum of \$500 with 2 sureties or a bonding company approved by the  
21 ~~said clerk, conditioned for the faithful prosecution of the appeal and the payment of~~  
22 costs adjudged against the license holder.

23 (3) (a) The licensing authority shall ~~exact~~ collect from the licensee an annual  
24 license fee of not less than \$25 ~~and not nor~~ nor more than \$100 for each 50 spaces or  
25 fraction ~~thereof~~ of 50 spaces within each mobile home park within its limits, ~~except~~

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1 ~~that where.~~ If the park lies in more than one municipality the amount of the license  
2 ~~fee shall be such fraction thereof as the number of spaces in the park in the~~  
3 ~~municipality bears to the entire number of spaces in the park~~ determined by  
4 multiplying the gross fee by a fraction the numerator of which is the number of spaces  
5 in the park in a municipality and the denominator of which is the entire number of  
6 spaces in the park.

7 (c) 1. (intro.) In addition to the license fee provided in pars. (a) and (b), each ~~local~~  
8 ~~taxing~~ licensing authority shall collect from each mobile home occupying space or  
9 lots in a park in the ~~city, town or village~~ licensing authority, except from mobile homes  
10 that constitute improvements to real property under s. 70.043 (1) and from  
11 recreational mobile homes and camping trailers as defined in s. 70.111 (19), a  
12 monthly parking permit fee computed as follows:

13 2. The monthly parking permit fee ~~shall be~~ is applicable to mobile homes  
14 moving into the tax district any time during the year. The park operator shall furnish  
15 information to the tax district clerk and the assessor on mobile homes added to the  
16 park within 5 days after their arrival, on forms prescribed by the department of  
17 revenue. As soon as the assessor receives the notice of an addition of a mobile home  
18 to a park, the assessor shall determine its fair market value and notify the clerk of  
19 that determination. The clerk shall equate the fair market value established by the  
20 assessor and shall apply the appropriate tax rate, divide the annual parking permit  
21 fee thus determined by 12 and notify the mobile home owner of the monthly fee to  
22 be collected from the mobile home owner. Liability for payment of the fee ~~shall begin~~  
23 begins on the first day of the next succeeding month and ~~shall remain on the mobile~~  
24 ~~home only~~ continues for such the months as in which the mobile home remains in the  
25 tax district.

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1           4. The valuation established ~~shall be~~ is subject to review as are other values  
2 established under ch. 70. If the board of review reduces a valuation on which  
3 previous monthly payments have been made the tax district shall refund past excess  
4 fee payments.

5           5. The monthly parking permit fee shall be paid by the mobile home owner to  
6 the local taxing authority on or before the 10th of the month following the month for  
7 which ~~such~~ the parking permit fee is due.

8           6. The licensee of a park ~~shall be~~ is liable for the monthly parking permit fee  
9 for any mobile home occupying space ~~therein~~ in the park as well as the owner and  
10 occupant ~~thereof~~ of the mobile home occupying space. A municipality, by ordinance,  
11 may require the mobile home park operator to collect the monthly parking permit fee  
12 from the mobile home owner.

13           7. No monthly parking permit fee ~~shall~~ may be imposed for any space occupied  
14 by a mobile home accompanied by an automobile for an accumulating period not to  
15 exceed 60 days in any 12 months if the occupants of the mobile home are tourists or  
16 vacationists. Exemption certificates in duplicate shall be accepted by the treasurer  
17 of the licensing authority from qualified tourists or vacationists in lieu of monthly  
18 mobile home parking permit fees.

19           **SECTION 159.** 66.058 (3) (c) 8. of the statutes, as affected by 1999 Wisconsin Act  
20 5, is renumbered 66.0435 (3) (c) 8. and amended to read:

21           66.0435 **(3)** (c) 8. The credit under s. 79.10 (9) (bm), as it applies to the principal  
22 dwelling on a parcel of taxable property ~~shall apply,~~ applies to the estimated fair  
23 market value of a mobile home that is the principal dwelling of the owner. The owner  
24 of the mobile home shall file a claim for the credit with the treasurer of the  
25 municipality in which the property is located. To obtain the credit under s. 79.10 (9)

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1 (bm), the owner shall attest on the claim that the mobile home is the owner's  
2 principal dwelling. The treasurer shall reduce the owner's parking permit fee by the  
3 amount of any allowable credit. The treasurer shall furnish notice of all claims for  
4 credits filed under this subdivision to the department of revenue as provided under  
5 s. 79.10 (1m).

6 **SECTION 160.** 66.058 (3) (d) to (h) and (3m) to (8) of the statutes are renumbered  
7 66.0435 (3) (d) to (h) and (3m) to (8), and 66.0435 (3) (d) to (h) and (5) to (8), as  
8 renumbered, are amended to read:

9 66.0435 (3) (d) This section ~~shall~~ does not apply where to a mobile home park  
10 that is owned and operated by any county under the provisions of s. 59.52 (16) (b).

11 (e) If a mobile home is permitted by local ordinance to be located outside of a  
12 licensed park, the monthly parking permit fee shall be paid by the owner of the land  
13 on which it stands, and the owner of ~~such~~ the land shall ~~be required to~~ comply with  
14 the reporting requirements of par. (c). The owner of the land may collect the fee from  
15 the owner of the mobile home and, on or before January 10 and on or before July 10,  
16 shall transmit to the taxation district all fees owed for the 6 months ending on the  
17 last day of the month preceding the month when the transmission is required.

18 (f) Nothing ~~contained in this subsection shall prohibit~~ prohibits the regulation  
19 ~~thereof by local ordinance~~ of a mobile home park.

20 (g) Failure to timely pay the tax ~~hereunder~~ prescribed in this subsection shall  
21 be treated ~~in all respects like~~ as a default in payment of personal property tax and  
22 ~~shall be~~ is subject to all procedures and penalties applicable ~~thereto~~ under chs. 70  
23 and 74.

24 (h) Each local governing body ~~is empowered to~~ may enact an ordinance  
25 providing a forfeiture of up to \$25 for the failure to comply with the reporting

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1 requirements of par. (c) or (e). Each failure to report shall be regarded as is a separate  
2 offense.

3 **(5) PLANS AND SPECIFICATIONS TO BE FILED.** ~~Accompanying, and to be filed with~~  
4 ~~an original application for a mobile home park, shall be plans~~ Plans and  
5 specifications which shall be in compliance with all applicable city, town or village  
6 ordinances of the licensing authority and provisions of the department of health and  
7 family services shall be filed with an original application for a mobile home park. The  
8 clerk, after approval of the application by the ~~governing body~~ licensing authority and  
9 upon completion of the work according to the plans, shall issue the license. A mobile  
10 housing development harboring only nondependent mobile homes as defined in sub.  
11 (1) (f) ~~shall~~ is not be required to provide a service building.

12 **(6) RENEWAL OF LICENSE.** Upon application by any licensee and, after approval  
13 by the ~~governing body of the city, town or village~~ licensing authority and upon  
14 payment of the annual license fee, the clerk of the ~~city, town or village~~ licensing  
15 authority shall issue a certificate renewing the license for another year, unless  
16 sooner revoked. The application for renewal shall be in writing, signed by the  
17 applicant on forms furnished by the ~~city, town or village~~ licensing authority.

18 **(7) TRANSFER OF LICENSE; FEE.** Upon application for a transfer of license the clerk  
19 of the ~~city, town or village~~ licensing authority, after approval of the application by the  
20 ~~governing body~~ licensing authority, shall issue a transfer upon payment of the  
21 required \$10 fee.

22 **(8) DISTRIBUTION OF FEES.** ~~The municipality~~ licensing authority may retain 10%  
23 of the monthly parking permit fees collected in each month, without reduction for any  
24 amounts deducted under sub. (3m), to cover the cost of administration. The  
25 ~~municipality~~ licensing authority shall pay to the school district in which the park is

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1 located, within 20 days after the end of each month, such proportion of the remainder  
2 of the fees collected in the preceding month as the ratio of the most recent property  
3 tax levy for school purposes bears to the total tax levy for all purposes in the  
4 ~~municipality~~ licensing authority. If the park is located in more than one school  
5 district, each district shall receive a share in the proportion that its property tax levy  
6 for school purposes bears to the total school tax levy.

7 **SECTION 161.** 66.0585 of the statutes is renumbered 66.0435 (9) and amended  
8 to read:

9 66.0435 (9) MUNICIPALITIES; PARKING FEES ON MOBILE HOMES. ~~Any municipality~~  
10 A licensing authority may assess parking fees at the rates under s. ~~66.058~~ this  
11 section on mobile homes, as defined in s. 70.111 (19) except mobile homes which are  
12 located in campgrounds licensed under s. 254.47 and mobile homes which are located  
13 on land where the principal residence of the owner of the mobile home is located,  
14 regardless of whether ~~or not~~ the mobile home is occupied during all or part of any  
15 calendar year.

16 **SECTION 162.** 66.059 of the statutes is renumbered 66.0619, and 66.0619 (1)  
17 (intro.), (b) and (c), (2), (2m) (a) and (d), (4) (a) and (c) and (5) to (7), as renumbered,  
18 are amended to read:

19 66.0619 (1) (intro.) ~~Any county, town, sanitary district, public inland lake~~  
20 ~~protection and rehabilitation district, city or village~~ A municipality, in addition to  
21 any other authority to borrow money and issue its municipal obligations, may also  
22 borrow money and issue its public improvement bonds to finance the cost of  
23 construction or acquisition, including site acquisition, of any revenue-producing  
24 public improvement of such the municipality. In this section, unless the context or  
25 subject matter otherwise requires:

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1 (b) “Deficiency” means the amount by which debt service required to be paid  
2 in ~~any~~ a calendar year exceeds the amount of revenues estimated to be derived from  
3 the ownership and operation of the public improvement for ~~such~~ the calendar year,  
4 after first subtracting from the estimated revenues the estimated cost of paying the  
5 expenses of operating and maintaining the public improvement for ~~such~~ the calendar  
6 year.

7 (c) “Municipality” means a county, sanitary district, public inland lake  
8 protection and rehabilitation district, town, city or village.

9 (2) The governing body of the municipality proposing to issue public  
10 improvement bonds shall adopt a resolution authorizing their issuance. The  
11 resolution shall set forth the amount of bonds authorized, or a sum not to exceed a  
12 stated amount, and the purpose for which the bonds are to be issued. The resolution  
13 shall prescribe the terms, form and contents of the bonds and ~~such~~ other matters as  
14 that the governing body ~~deems~~ considers necessary or advisable. The bonds may be  
15 in any denomination of not less than \$1,000, shall bear interest payable annually or  
16 semiannually, shall be payable not later than 20 years from the date of the bonds, at  
17 ~~such~~ times and places as that the governing body determines, and may be subject to  
18 redemption prior to maturity on ~~such~~ terms and conditions as that the governing  
19 body determines. The bonds may be issued either payable to bearer with interest  
20 coupons attached ~~thereto~~ to the bonds or may be registered under s. 67.09. The bonds  
21 may be sold at public competitive sale or by private negotiation ~~at the discretion of~~  
22 ~~the governing body~~. Sections 67.08 and 67.10 apply to public improvement bonds,  
23 except insofar as they are in conflict ~~herewith~~ with this section, in which case this  
24 section controls.

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1           **(2m)** (a) A resolution, adopted under sub. (2) by the governing body of a  
2 municipality, need not be submitted to the electors of the municipality for approval,  
3 unless within 30 days after the resolution is adopted there is filed with the clerk of  
4 the municipality a petition, conforming to the requirements of s. 8.40 and requesting  
5 a referendum ~~thereon~~ on the resolution, signed by electors numbering at least 10%  
6 of the votes cast in the municipality for governor at the last general election. ~~Any~~  
7 A resolution, adopted under sub. (2) ~~at the discretion of the municipal governing~~  
8 ~~body~~, may be submitted by the governing body of the municipality to the electors  
9 without waiting for the filing of a petition.

10           (d) ~~The election~~ referendum shall be held and conducted and the votes cast  
11 ~~thereat shall be~~ canvassed as at regular municipal elections and the results certified  
12 to the municipal clerk. A majority of all votes cast in the municipality ~~shall decide~~  
13 decides the question.

14           **(4)** (a) Gross revenues derived from the ownership and operation of the public  
15 improvement shall be first pledged to debt service on issued public improvement  
16 bonds. When in excess of ~~such obligation~~ debt service, the revenues ~~shall be~~ are  
17 subject to all of the following requirements set by resolution or ordinance of the  
18 governing body fixing:

19           1. The proportion of revenues of the public improvement necessary for the  
20 reasonable and proper operation and maintenance ~~thereof; and~~ of the public  
21 improvement.

22           2. The proportion of revenues necessary for the payment of debt service on the  
23 public improvement bonds. ~~Such~~ The revenues shall be paid into a special fund in  
24 the treasury of the municipality known as the “Public Improvement Bond Account”.

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1 (c) All funds on deposit in a public improvement bond account, which are not  
2 immediately required for the purposes specified in this section, shall be invested in  
3 accordance with s. ~~66.04~~ 66.0605.

4 (5) Annually, on or before August 1 the officer or department of the  
5 municipality responsible for the operation of the public improvement shall file with  
6 the governing body, or its designated representative, a detailed statement setting  
7 forth the amount of the debt service on the public improvement bonds issued for the  
8 public improvement for the succeeding calendar year and an estimate for ~~such~~ that  
9 year of the total revenues to be derived from the ownership and operation of the  
10 public improvement and the total cost of operating and maintaining the public  
11 improvement.

12 (6) (a) If it is determined that there will be a deficiency for the ensuing calendar  
13 year, the municipality shall make up the deficiency, but the obligation to do so ~~shall~~  
14 ~~be~~ is limited to a sum which ~~shall~~ does not cause the municipality to exceed its  
15 municipal debt limits. The deficiency may be made up by the municipality from any  
16 revenues available ~~therefor~~ revenues, including a tax levy. The amount contributed  
17 by the municipality shall be deposited in the public improvement bond account and  
18 applied to the payment of debt service. Taxes levied under this paragraph ~~shall~~ are  
19 not ~~be~~ subject to statutory limitations of rate or amount.

20 (b) The amount of any deficiency determined under par. (a) for the ensuing  
21 calendar year shall be related to the total debt service for ~~such~~ that year. ~~Such~~ The  
22 ratio ~~shall determine~~ determines the outstanding indebtedness of the issue to be  
23 reflected as part of the municipality's indebtedness for the year.

24 (7) ~~Whenever~~ If revenue bonds have been issued by a municipality pursuant  
25 to law and an ordinance authorizing their issuance without limitation as to amount

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1 has been enacted by the governing body of the municipality, public improvement  
2 bonds may be issued under the ordinance with the same effect as though they were  
3 revenue bonds. ~~Such~~ The bonds shall be ~~are~~ public improvement bonds and this  
4 section ~~shall apply thereto~~ applies to the bonds, except that nothing contained in this  
5 subsection shall ~~in any way~~ impair the contract between the municipality and the  
6 holders of ~~any~~ outstanding revenue bonds. ~~Whatever liens have been~~ Liens created  
7 in favor of any outstanding revenue bonds issued under the ordinance ~~shall apply to~~  
8 public improvement bonds ~~so issued~~ under this subsection. The public improvement  
9 bonds ~~shall be~~ are payable on a parity with the revenue bonds issued under the  
10 ordinance if the public improvement bonds are issued in compliance with the  
11 requirements of the ordinance for the issuance of parity bonds under the ordinance.

12 **SECTION 163.** 66.06 of the statutes is repealed.

NOTE: Replaced by s. 66.0725, created by SECTION 235.

13 **SECTION 164.** Subchapter VI (title) of chapter 66 [precedes 66.0601] of the  
14 statutes is created to read:

15 **CHAPTER 66**

16 **SUBCHAPTER VI**

17 **FINANCE; REVENUES**

18 **SECTION 165.** 66.0601 (1) (title) of the statutes is created to read:

19 66.0601 (1) (title) PROHIBITED APPROPRIATIONS.

20 **SECTION 166.** 66.0601 (1) (b) (title) of the statutes is created to read:

21 66.0601 (1) (b) (title) *Payments for abortions restricted.*

22 **SECTION 167.** 66.0601 (1) (c) (title) of the statutes is created to read:

23 66.0601 (1) (c) (title) *Payments for abortion-related activity restricted.*

24 **SECTION 168.** 66.0603 (title) of the statutes is created to read:

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1           **66.0603** (title) **Investments.**

2           **SECTION 169.** 66.061 of the statutes is renumbered 66.0815, and 66.0815 (title),

3 (1) (a), (c) and (d) and (2), as renumbered, are amended to read:

4           **66.0815** (title) **Franchises; Public utility franchises and service**  
5 **contracts.** (1) (a) ~~Any~~ A city, village or town may grant to any person ~~or corporation~~  
6 the right to construct and operate ~~therein a water system or to furnish light, heat or~~  
7 ~~power~~ a public utility in the city, village or town, subject to reasonable rules and  
8 regulations prescribed by ordinance.

NOTE: Expands the franchise authority under sub. (1) to include any public utility.

9           (c) ~~No such ordinance shall be operative~~ An ordinance under sub. (1) may not  
10 take effect until 60 days after passage and publication unless sooner approved by a  
11 referendum. Within ~~that time~~ the 60-day period electors equal in number to ~~20 per~~  
12 ~~cent~~ 20% of those voting at the last regular municipal election, may ~~demand~~ petition  
13 for a referendum. The ~~demand~~ petition shall be in writing and filed with the clerk.  
14 Each signer shall state his or her ~~occupation and~~ residence and signatures shall be  
15 verified by the affidavit of an elector. The referendum shall be held at the next  
16 regular municipal election, or at a special election within 90 days of the filing of the  
17 ~~demand, and the~~ petition. The ordinance shall ~~may not be effective~~ take effect unless  
18 approved by a majority of the votes cast ~~thereon~~. This paragraph shall does not apply  
19 to extensions by a utility previously franchised by the village ~~or~~, city or town.

20           (d) ~~Whenever any~~ If a city or village at the time of its incorporation included  
21 within its corporate limits territory in which a public utility, ~~prior to such~~ before the  
22 incorporation, had been lawfully engaged in rendering public utility service, ~~such~~ the  
23 public utility shall be deemed to possess possesses a franchise to operate in ~~such~~ the  
24 city or village to the same extent as ~~though such~~ if the franchise had been formally

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1 granted by ordinance duly adopted by the governing body of such the city or village.

2 This paragraph shall does not apply to any public utility organized under this  
3 chapter.

4 (2) SERVICE CONTRACTS. (a) ~~Cities, villages and towns~~ A city, village or town may  
5 contract for furnishing light, heat, water, or motor bus or other systems of public  
6 transportation to the municipality or ~~to the~~ its inhabitants thereof for a period of not  
7 more than 30 years or for an indeterminate period if the prices are subject to  
8 adjustment at intervals of not greater than 5 years. The public service commission  
9 ~~shall have~~ has jurisdiction relative ~~to~~ over the rates and service to any city, village  
10 or town where light, heat or water is furnished to such the city, village or town under  
11 any contract or arrangement, to the same extent that the public service commission  
12 has jurisdiction where that service is furnished directly to the public.

13 (b) When a city, village or town has contracted for water, lighting service, or  
14 motor bus or other systems of public transportation to the municipality the cost may  
15 be raised by tax levy. In making payment to the owner of the utility a sum equal to  
16 the amount due the city, village or town from such the owner for taxes or special  
17 assessments may be deducted.

18 (c) This subsection ~~shall apply~~ applies to every city, village and town regardless  
19 of any charter limitations on the tax levy for water or light.

20 (d) ~~When any~~ If a privately owned motor bus or public transportation system  
21 in a city, village or town fails to provide service for a period in excess of 30 days, and  
22 the owner or stockholders of the privately owned motor bus or public transportation  
23 system have announced an intention to abandon service, the governing body of the  
24 affected municipality may without referendum furnish or contract for the furnishing  
25 of other motor bus or public transportation service to the municipality and its

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1 inhabitants and to the users of the defaulting prior service for a period of not more  
2 than one year. This section ~~shall~~ paragraph does not authorize a municipality to hire,  
3 directly or indirectly, any strikebreaker or other person for the purpose of replacing  
4 employes of said the motor bus or public transportation system engaged in a strike.

5 **SECTION 170.** 66.0627 of the statutes is created to read:

6 **66.0627 Special charges for current services. (1)** In this section, “service”  
7 includes snow and ice removal, weed elimination, street sprinkling, oiling and  
8 tarring, repair of sidewalks or curb and gutter, garbage and refuse disposal,  
9 recycling, storm water management, including construction of storm water  
10 management facilities, tree care, removal and disposition of dead animals under s.  
11 60.23 (20), soil conservation work under s. 92.115, and snow removal under s. 86.105.

12 **(2)** Except as provided in sub. (5), the governing body of a city, village or town  
13 may impose a special charge against real property for current services rendered by  
14 allocating all or part of the cost of the service to the property served. The authority  
15 under this section is in addition to any other method provided by law.

16 **(3) (a)** Except as provided in par. (b), the governing body of the city, village or  
17 town may determine the manner of providing notice of a special charge.

18 **(b)** Before a special charge for street tarring or the repair of sidewalks, curbs  
19 or gutters may be imposed, a public hearing shall be held by the governing body on  
20 whether the service in question will be funded in whole or in part by a special charge.  
21 Any interested person may testify at the hearing. Notice of the hearing shall be by  
22 class 1 notice under ch. 985, published at least 20 days before the hearing. A copy  
23 of the notice shall be mailed at least 10 days before the hearing to each interested  
24 person whose address is known or can be ascertained with reasonable diligence. The

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1 notice under this paragraph shall state the date, time and location of the hearing,  
2 the subject matter of the hearing and that any interested person may testify.

3 (4) A special charge is not payable in instalments. If a special charge is not paid  
4 within the time determined by the governing body, the special charge is delinquent.  
5 A delinquent special charge becomes a lien on the property against which it is  
6 imposed as of the date of delinquency. The delinquent special charge shall be  
7 included in the current or next tax roll for collection and settlement under ch. 74.

8 (5) Except with respect to storm water management, including construction of  
9 storm water management facilities, no special charge may be imposed under this  
10 section to collect arrearages owed a municipal public utility.

11 (6) If a special charge imposed under this section is held invalid because this  
12 section is found unconstitutional, the governing body may reassess the special  
13 charge under any applicable law.

NOTE: Restates s. 66.60 (16), relating to special charges, and renumbers the  
provision to make it a separate section within ch. 66.

In addition:

1. Expands the examples in the definition of “service” to expressly include  
removal and disposition of dead animals under s. 60.23 (20), conservation work  
under s. 92.115 [as renumbered by this bill] and snow removal under s. 86.105.  
Previously, these services were authorized to be funded by special assessment  
under s. 66.345, repealed by this bill. See SECTION 372 of this bill.

2. Expands the examples in the definition of “service” to expressly include  
“recycling” to reflect prevailing interpretation and current practice.

14 **SECTION 171.** 66.064 of the statutes is renumbered 66.0807 and amended to  
15 read:

16 **66.0807 Joint operation of public utility or public transportation**  
17 **system.** Any

18 (2) A city, village or town served by any a privately owned public utility, motor  
19 bus or other systems of public transportation rendering local service may contract  
20 with the owner thereof of the utility or system for the leasing, public operation, joint

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1 operation, extension and improvement of the utility or system by the municipality;  
2 or, with funds loaned by the municipality, may contract for the stabilization by  
3 municipal guaranty of the return upon or for the purchase by instalments out of  
4 earnings or otherwise of that portion of said the public utility or system which is  
5 operated within such the municipality and any territory immediately adjacent and  
6 tributary thereto to the municipality; or may contract for the accomplishment of any  
7 object agreed upon between the parties relating to the use, operation, management,  
8 value, earnings, purchase, extension, improvement, sale, lease or control of such the  
9 utility or system property. The provisions of s. 66.07 66.0817 relating to preliminary  
10 agreement, and approval by the department of transportation or public service  
11 commission, ~~and ratification by the electors, shall be applicable~~ apply to the  
12 contracts authorized by this section. The department of transportation or public  
13 service commission shall, when ~~any such~~ a contract under this section is approved  
14 by it and consummated, cooperate with the parties in respect to making valuations,  
15 appraisals, estimates and other determinations specified in such the contract to be  
16 made by it.

NOTE: In order to facilitate public-private cooperation, deletes the referendum  
requirement for preliminary contracts.

See, also, SECTION 237.

17 **SECTION 172.** 66.065 (title) of the statutes is renumbered 66.0803 (title) and  
18 amended to read:

19 **66.0803** (title) **Acquisition of public utility or bus transportation**  
20 **system.**

21 **SECTION 173.** 66.065 (1), (2), (3), (4) and (4a) of the statutes are renumbered  
22 66.0803 (1) (a), (b), (c), (d) and (e), and 66.0803 (1) (a) and (c) to (e), as renumbered,  
23 are amended to read:

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1           66.0803 (1) (a) ~~Any~~ A town, village or city may construct, acquire or lease any  
2 plant and equipment located ~~within or without~~ in or outside the municipality, and  
3 including interest in or lease of land, for furnishing water, light, heat, or power, to  
4 the municipality, or to its inhabitants; may acquire a controlling portion of the stock  
5 of any corporation owning private waterworks or lighting plant and equipment; and  
6 may purchase the equity of redemption in a mortgaged or bonded waterworks or  
7 lighting system, including the cases where the municipality ~~shall~~ in the franchise  
8 ~~have~~ has reserved right to purchase. The character or duration of the franchise,  
9 permit or grant under which any public utility is operated, ~~shall~~ does not affect the  
10 power to acquire the ~~same hereunder~~ public utility under this subsection. Two or  
11 more public utilities owned by the same person or corporation, or 2 or more public  
12 utilities subject to the same lien or charge, may be acquired as a single enterprise  
13 ~~under any proceeding heretofore begun or hereafter commenced, and the.~~ The board  
14 or council may ~~at any time~~ agree with the owner or owners of any public utility or  
15 utilities ~~as to~~ on the agreed value thereof, of the utility or utilities and ~~to~~ may contract  
16 to purchase or acquire ~~the same hereunder~~ at such that value, upon such those terms  
17 and conditions ~~as may be~~ mutually agreed upon between said the board or council  
18 and said the owner or owners.

19           (c) The notice of the referendum shall include a general statement of the plant  
20 and equipment ~~or part thereof it is proposed to acquire or construct~~ be constructed,  
21 acquired or leased and of the manner of payment.

22           (d) ~~Referendum elections~~ Referenda under this section shall may not be held  
23 oftener than once a year, except that a referendum ~~so~~ held for the acquisition, lease  
24 or construction of any of the types of property enumerated in ~~sub. (1) shall~~ par. (a)

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1 does not bar the holding of one referendum in the same year for the acquisition and  
 2 operation of a bus transportation system by the municipality.

3 (e) The provisions of ~~subs. (2), (3) and (4) shall~~ pars. (b) to (d) do not apply to  
 4 the acquisition of any plant, equipment or public utility for furnishing water service  
 5 when such the plant, equipment or utility is acquired by the municipality by  
 6 dedication or without monetary or financial consideration. After a public utility is  
 7 constructed, acquired or leased under this subsection, pars. (b) to (d) do not apply to  
 8 any subsequent construction, acquisition or lease in connection with that public  
 9 utility.

NOTE: The 2nd sentence of par. (e) clarifies that once a successful referendum is held on a public utility acquisition, construction or lease, no additional referenda are required for any subsequent construction, acquisition or lease in connection with that public utility.

10 **SECTION 174.** 66.065 (5), (6) and (7) of the statutes are renumbered 66.0803 (2)

11 (a) to (c) and amended to read:

12 66.0803 (2) (a) ~~Any~~ A city, village or town may by action of its governing body  
 13 and with a referendum vote provide, acquire, own, operate or engage in a municipal  
 14 bus transportation system where no existing bus, rail or other local transportation  
 15 system exists in such the municipality. ~~Any~~ A city, village or town in which there  
 16 exists any local transportation system by similar action and referendum vote may  
 17 acquire, own, operate or engage in the operation of a municipal bus transportation  
 18 system upon acquiring the local transportation system by voluntary agreement with  
 19 the owners ~~thereof~~ of the system, or pursuant to law, or upon securing a certificate  
 20 from the department of transportation under s. 194.23.

21 (b) ~~Any~~ A street motor bus transportation company operating pursuant to ch.  
 22 194 shall, by acceptance of authority under that chapter, be deemed to have  
 23 consented to a purchase of its property actually used and useful for the convenience

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1 of the public by the municipality in which the major part of such the property is  
2 situated or operated.

3 (c) ~~Any~~ A city, village or town providing or acquiring a motor bus transportation  
4 system under ~~the provisions of~~ this section may finance such the construction or  
5 purchase in any manner now authorized ~~in respect of~~ for the construction or  
6 purchase of a public utility.

7 **SECTION 175.** 66.066 (title), (1) to (1m) and (2) (intro.) and (a) to (i) of the  
8 statutes are renumbered 66.0621 (title), (1) to (3) and (4) (intro.) and (a) to (i), and  
9 66.0621 (1) (a) and (b), (2), (3) and (4) (intro.) and (a) to (i), as renumbered, are  
10 amended to read:

11 66.0621 (1) (a) “Municipality” means ~~any~~ a city, village, town, county,  
12 commission created by contract under s. ~~66.30~~ 66.0301, public inland lake protection  
13 and rehabilitation district established under s. 33.23, 33.235 or 33.24, metropolitan  
14 sewerage district created under ss. ~~66.20 to 66.26 or 66.88 to 66.918~~ 200.01 to 200.15  
15 and 200.21 to 200.65, town sanitary district under subch. IX of ch. 60, a local  
16 professional baseball park district created under subch. III of ch. 229 or a municipal  
17 water district or power district under ch. 198 and any other public or quasi-public  
18 corporation, officer, board or other public body empowered to borrow money and issue  
19 obligations to repay the ~~same~~ money and obligations out of revenues. “Municipality”  
20 does not include the state or a local exposition district created under subch. II of ch.  
21 229.

22 (b) ~~For purposes of financing under this section, “public~~ “Public utility” means  
23 any revenue producing facility or enterprise owned by a municipality and operated  
24 for a public purpose as defined in s. 67.04 (1) (b) ~~or undertaken by a municipality~~  
25 under s. 66.067 including garbage incinerators, toll bridges, swimming pools, tennis

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1 courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting,  
2 city halls, village halls, town halls, courthouses, jails, schools, cooperative  
3 educational service agencies, hospitals, homes for the aged or indigent, child care  
4 centers, as defined in s. 231.01 (3c), regional projects, waste collection and disposal  
5 operations, sewerage systems, local professional baseball park facilities and any  
6 other necessary public works projects undertaken by a municipality.

7 (2) ~~Nothing in this~~ This section shall be construed to does not limit the  
8 authority of ~~any~~ a municipality to acquire, own, operate and finance in the manner  
9 provided in this section a source of water and necessary transmission facilities,  
10 including all real and personal property, beyond its corporate limits. A source of  
11 water 50 miles beyond a municipality's corporate limits shall be within the  
12 municipality's authority.

13 (3) ~~Any~~ A municipality may, by action of its governing body, provide for  
14 purchasing, acquiring, leasing, constructing, extending, adding to, improving,  
15 conducting, controlling, operating or managing a public utility, motor bus or other  
16 systems of public transportation from the general fund, or from the proceeds of  
17 municipal obligations, including revenue bonds. ~~Any~~ An obligation created  
18 pursuant to ~~subs. (2) to (4)~~ shall under sub. (4) or (5) is not be considered an  
19 indebtedness of ~~such~~ the municipality, and shall not be included in arriving at the  
20 constitutional debt limitation.

21 (4) (intro.) ~~Where~~ If payment of obligations is provided by revenue bonds, the  
22 following is the procedure for payment shall be ~~in the manner following:~~

23 (a) 1. The governing body of the municipality, by ordinance or resolution, shall  
24 order the issuance and sale of bonds, executed as provided in s. 67.08 (1) and payable  
25 at ~~such~~ times not exceeding 40 years from the date ~~thereof~~ of issuance, and at ~~such~~

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1 places, as ~~that~~ the governing body of such ~~the~~ municipality shall ~~determine~~, which  
2 ~~determines~~. The bonds shall be payable only out of the special redemption fund.  
3 Each ~~such~~ bond shall include a statement that it is payable only from the special  
4 redemption fund, naming the ordinance or resolution creating it, and that it does not  
5 constitute an indebtedness of ~~such~~ ~~the~~ municipality. The bonds may be issued either  
6 as registered bonds under s. 67.09 or as coupon bonds payable to bearer. Bonds shall  
7 be sold in ~~such~~ ~~the~~ manner and upon ~~such~~ ~~the~~ terms as ~~determined by~~ the governing  
8 body ~~deems for the best interests of said~~ ~~the~~ municipality.

9         2. Interest, if any, on bonds shall be paid at least annually to bondholders.  
10 Payment of principal on the bonds shall commence not later than 3 years after the  
11 date of issue or 2 years after the estimated date that construction will be completed,  
12 whichever is later. ~~Thereafter~~ After the commencement of the payment of principal  
13 on the bonds, at least annually, the municipality shall make principal payments and,  
14 if any, interest payments to bondholders or provide by ordinance or resolution that  
15 payments be made into a separate fund for payment to bondholders as specified in  
16 the ordinance or resolution authorizing the issuance of the bonds. The amount of the  
17 annual debt service payments made or provided for shall be reasonable in accordance  
18 with prudent municipal utility management practices.

19         3. All ~~such~~ revenue bonds may contain a provision authorizing redemption  
20 ~~thereof of the bonds~~, in whole or in part, at stipulated prices, at the option of the  
21 municipality on any interest payment date. The governing body of a municipality  
22 may provide in ~~any a~~ contract for purchasing, acquiring, leasing, constructing,  
23 extending, adding to, improving, conducting, controlling, operating or managing a  
24 public utility, that payment ~~thereof~~ shall be made in ~~such~~ bonds at not less than 95%  
25 of the par value ~~thereof of the bonds~~.

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1 (b) All moneys received from ~~any~~ bonds issued under this section shall be  
2 applied solely for purchasing, acquiring, leasing, constructing, extending, adding to,  
3 improving, conducting, controlling, operating or managing a public utility, and in the  
4 payment of the cost of ~~any~~ subsequent necessary additions, improvements and  
5 extensions. Bonds issued under this section shall be secured by a pledge of the  
6 revenues of the public utility to the holders of the bonds and to the holders of ~~any~~  
7 coupons of the bonds and may be additionally secured by a mortgage lien upon the  
8 public utility to the holders of the bonds and to the holders of ~~any~~ coupons of the  
9 bonds. If a mortgage lien is created by ordinance or resolution, the lien ~~shall be~~ is  
10 perfected by publication of the ordinance or resolution or by recording of the  
11 ordinance or resolution in the records of the municipality. In addition, the  
12 municipality may record the lien by notifying the register of deeds of the county in  
13 which the public utility is located concerning its issuance of bonds. If the register of  
14 deeds receives notice from the municipality, the register of deeds shall record any  
15 mortgage lien created. The public utility ~~shall remain~~ remains subject to the pledge  
16 and, if created, the mortgage lien until the payment in full of the principal and  
17 interest of the bonds. Upon repayment of bonds for which a mortgage lien has been  
18 created, the register of deeds shall, upon notice from the municipality, record a  
19 satisfaction of the mortgage lien. Any holder of a bond or of ~~any~~ coupons attached  
20 to a bond may ~~either at law or in equity~~ protect and enforce this pledge and, if created,  
21 the mortgage lien and compel performance of all duties required of the municipality  
22 by this section. ~~Any~~ A municipality may provide for additions, extensions and  
23 improvements to a public utility that it owns by additional issues of bonds under this  
24 section. ~~Such~~ The additional issues of bonds ~~shall be~~ are subordinate to all prior  
25 issues of bonds under this section, but a municipality may in the ordinance or

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1 resolution authorizing bonds permit the issue of additional bonds on a parity  
2 therewith. ~~Any with prior issues.~~ A municipality may issue new bonds under this  
3 section to provide funds for refunding any outstanding municipal obligations,  
4 including interest, issued for any of the purposes stated in sub. ~~(1m)~~ (3). Refunding  
5 bonds issued under this section are subject to all of the following provisions:

6 1. Refunding bonds may be issued to refinance more than one issue of  
7 outstanding municipal obligations notwithstanding that ~~such~~ the outstanding  
8 municipal obligations may have been issued at different times and may be secured  
9 by the revenues of more than one public utility. ~~Any such public~~ Public utilities may  
10 be operated as a single public utility, subject ~~however~~ to contract rights vested in  
11 holders of bonds or promissory notes being refinanced. A determination by the  
12 governing body of a municipality that any refinancing is advantageous or necessary  
13 to the municipality ~~shall be~~ is conclusive.

14 4. The refunding bonds ~~shall~~ are not be considered an indebtedness of ~~such a~~  
15 municipality, and shall not be included in arriving at the constitutional debt  
16 limitation.

17 5. The governing body of a municipality may, ~~in addition to other powers~~  
18 ~~conferred by this section~~, include a provision in any ordinance or resolution  
19 authorizing the issuance of refunding bonds pledging all or ~~any~~ part of the revenues  
20 of any public utility or utilities ~~or combination thereof~~ originally financed ~~or~~  
21 extended or improved from the proceeds of any of the municipal obligations being  
22 refunded, and pledging all or ~~any~~ part of the surplus income derived from the  
23 investment of ~~any a~~ a trust created in relation to the refunding.

24 6. This subsection, ~~without reference to any other laws of this state~~, shall  
25 ~~constitute~~ constitutes full authority for the authorization and issuance of refunding

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1 bonds hereunder and for the doing of all other acts authorized by this subsection to  
2 be done or performed and such the refunding bonds may be issued hereunder under  
3 this subsection without regard to the requirements, restrictions or procedural  
4 provisions contained in any other law.

5 (c) The governing body of a municipality shall, in the ordinance or resolution  
6 authorizing the issuance of bonds, establish a system of funds and accounts and  
7 provide for sufficient revenues to operate and maintain the public utility and to  
8 provide fully for annual debt service requirements of bonds issued under this section.  
9 The governing body of a municipality may establish a fund or account for  
10 depreciation of assets of the public utility.

11 (d) If a governing body of a municipality creates a depreciation fund under par.  
12 (c) it shall use the funds set aside to restore any deficiency in the special redemption  
13 fund specified in par. (e) for the payment of the principal and interest due on the  
14 bonds and for the creation and maintenance of any reserves established by the bond  
15 ordinance or resolution to secure these payments. If the special redemption fund is  
16 sufficient for these purposes, moneys in the depreciation fund may be expended for  
17 repairs, replacements, new constructions, extensions or additions of the public  
18 utility. ~~Any accumulations~~ Accumulations of the depreciation fund may be invested,  
19 and ~~if invested,~~ the income from the investment shall be deposited in the  
20 depreciation fund.

21 (e) The governing body of ~~the~~ a municipality shall by ordinance or resolution  
22 create a special fund in the treasury of the municipality to be identified as “the ...  
23 special redemption fund” into which shall be paid the amount which ~~shall be~~ is set  
24 aside for the payment of the principal and interest due on the bonds and for the

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1 creation and maintenance of any reserves established by bond ordinance or  
2 resolution to secure these payments.

3 (f) At the close of the public utility's fiscal year, if any surplus has accumulated  
4 in any of the ~~above~~ funds specified in this subsection, it may be disposed of in the  
5 order set forth under s. ~~66.069 (1) (c)~~ 66.0811 (2).

6 (g) The reasonable cost and value of any service rendered to ~~such a~~ a municipality  
7 by ~~such a~~ a public utility shall be charged against the municipality and shall be paid  
8 by it in instalments.

9 (h) The rates for all services rendered by ~~such a~~ a public utility to ~~the a~~ a  
10 municipality or to other consumers, shall be reasonable and just, taking into account  
11 and consideration the value of the ~~said~~ public utility, the cost of maintaining and  
12 operating the ~~same~~ public utility, the proper and necessary allowance for  
13 depreciation ~~thereof of the public utility~~, and a sufficient and adequate return upon  
14 the capital invested.

15 (i) The governing body ~~shall have full power to of a municipality may~~ may adopt all  
16 ordinances and resolutions necessary to carry into effect this subsection. ~~Any An~~ An  
17 ordinance or resolution providing for the issuance of bonds may contain such  
18 provisions or covenants, without limiting the generality of the power to adopt such  
19 an ordinance or resolution, as ~~is deemed~~ are considered necessary or desirable for the  
20 security of bondholders or the marketability of the bonds, ~~including. The provisions~~  
21 or covenants may include but are not limited to provisions as relating to the  
22 sufficiency of the rates or charges to be made for service, maintenance and operation,  
23 improvements or additions to and sale or alienation of the public utility, insurance  
24 against loss, employment of consulting engineers and accountants, records and  
25 accounts, operating and construction budgets, establishment of reserve funds,

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1 issuance of additional bonds, and deposit of the proceeds of the sale of the bonds or  
2 revenues of the public utility in trust, including the appointment of depositories or  
3 trustees. ~~Any~~ An ordinance or resolution authorizing the issuance of bonds or other  
4 obligations payable from revenues of a public utility ~~shall constitute~~ constitutes a  
5 contract with the holder of ~~any~~ bonds or other obligations issued pursuant to ~~such~~  
6 the ordinance or resolution.

7 **SECTION 176.** 66.066 (2) (j) of the statutes is repealed.

NOTE: Repeals an archaic provision of the statutes regulating proceedings  
relating to a public utility that were begun prior to May 6, 1911.

8 **SECTION 177.** 66.066 (2) (k) to (m), (4) and (5) of the statutes are renumbered  
9 66.0621 (4) (j) to (L), (5) and (6), and 66.0621 (4) (j) to (L) and (5), as renumbered, are  
10 amended to read:

11 66.0621 (4) (j) ~~Under this paragraph, the~~ The ordinance or resolution required  
12 under par. (c) may set apart bonds equal to the amount of any secured debt or charge  
13 subject to which a public utility may be purchased, acquired, leased, constructed,  
14 extended, added to or improved, ~~and.~~ The ordinance or resolution shall set aside for  
15 interest and debt service fund from the income and revenues of the public utility a  
16 sum sufficient to comply with the requirements of the instrument creating the lien,  
17 or, if the instrument does not make any provision for it, the ordinance or resolution  
18 shall fix the amount which shall be set aside into a secured debt fund from month to  
19 month for interest on the secured debt, and a fixed amount or proportion not  
20 exceeding a stated sum, which shall be not less than ~~one percent~~ 1% of the principal,  
21 to be set aside into the fund to pay the principal of the debt. Any surplus after  
22 satisfying the debt may be transferred to the special redemption fund. Public utility  
23 bonds set aside for the debt may ~~from time to time~~ be issued to an amount sufficient  
24 with the amount then in the debt service fund to pay and retire the debt or any

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1 portion of it; ~~the.~~ The bonds may be issued at not less than 95% of the par value in  
2 exchange for, or satisfaction of, the secured debt, or may be sold in the manner  
3 provided in this paragraph, and the proceeds applied in payment of the secured debt  
4 at maturity or before maturity by agreement with the holder. The governing body  
5 of a municipality and the owners of ~~any a~~ public utility acquired, purchased, leased,  
6 constructed, extended, added to or improved under this paragraph may, ~~upon such~~  
7 ~~terms and conditions as are satisfactory,~~ contract that public utility bonds providing  
8 for the secured debt or for the whole purchase price shall be deposited with a trustee  
9 or depository and released from deposit ~~from time to time on the terms and conditions~~  
10 ~~necessary~~ to secure the payment of the debt.

11 (k) Any A municipality purchasing, acquiring, leasing, constructing,  
12 extending, adding to or improving, conducting, controlling, operating or managing  
13 a public utility subject to a mortgage or deed of trust by the vendor or the vendor's  
14 predecessor in title to secure the payment of outstanding and unpaid bonds made by  
15 the vendor or the vendor's predecessor in title, may readjust, renew, consolidate or  
16 extend the obligation evidenced by the outstanding bonds and continue the lien of  
17 the mortgage, securing the ~~same~~ mortgage by issuing bonds to refund the  
18 outstanding mortgage or revenue bonds at or ~~prior to~~ before their maturity, ~~which.~~  
19 The refunding bonds ~~shall be~~ are payable only out of a special redemption fund ~~to be~~  
20 created and set aside by ordinance or resolution under par. (e). The refunding bonds  
21 shall be secured by a mortgage lien upon the public utility, and the municipality is  
22 ~~authorized to~~ may adopt all ordinances or resolutions and take all proceedings,  
23 following the procedure under this subsection. The lien ~~shall have~~ has the same  
24 priority on the public utility as the mortgage securing the outstanding bonds, unless

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1 otherwise expressly provided in the proceedings of the governing body of the  
2 municipality.

3 (L) 1. If the governing body of ~~any a~~ a municipality, by ordinance or resolution,  
4 declares its intentions to authorize the issuance or sale of revenue bonds under this  
5 section, the governing body may, prior to issuance of the bonds and in anticipation  
6 of their sale, authorize the issuance of bond anticipation notes by the adoption of a  
7 resolution or ordinance. The notes shall be named “bond anticipation notes.” Bond  
8 anticipation notes may be issued for the purposes for which the municipality has  
9 authority to issue revenue bonds. The ordinance or resolution authorizing the bond  
10 anticipation notes shall state the purposes for which the bond anticipation notes are  
11 to be issued and shall set forth a covenant of the municipality to issue the revenue  
12 bonds in an amount sufficient to retire the outstanding bond anticipation notes. The  
13 ordinance or resolution may contain other covenants and provisions, including a  
14 description of the terms of the revenue bonds to be issued. The municipality may  
15 pledge revenues of the public utility to payment of the principal and interest on the  
16 bond anticipation notes. Prior to issuance of the bond anticipation notes, the  
17 governing body may adopt an ordinance or resolution authorizing the revenue bonds.

18 2. Bond anticipation notes may be issued for periods of up to 5 years and may,  
19 by ordinance or resolution of the governing body of a municipality, be refunded one  
20 or more times, if the refunding bond anticipation notes do not exceed 5 years in term  
21 and if they will be paid within 10 years after the date of issuance of the original bond  
22 anticipation notes. Bond anticipation notes shall be executed as provided in s. 67.08  
23 (1) and may be registered under s. 67.09. These notes shall state the sources from  
24 which they are payable. Bond anticipation notes are not an indebtedness of the

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1 municipality issuing them, and no lien may be created or attached with respect to  
2 any property of the municipality as a consequence of the issuance of ~~such~~ the notes.

3 3. Any funds derived from the issuance and sale of revenue bonds under this  
4 section and issued subsequent to the execution and sale of bond anticipation notes  
5 shall constitute a trust fund, and ~~such~~ the fund shall be expended first for the  
6 payment of principal and interest of ~~such~~ the bond anticipation notes, and then may  
7 be expended for ~~such~~ other purposes as are set forth in the ordinance or resolution  
8 authorizing the revenue bonds. No bond anticipation notes may be issued unless a  
9 financial officer of the municipality certifies to the governing body of the  
10 municipality that contracts with respect to additions, improvements and extensions  
11 are to be let and that the proceeds of ~~such~~ the notes ~~shall be~~ are required for the  
12 payment of ~~such~~ the contracts.

13 4. Following the issuance of the bond anticipation notes, revenues of the public  
14 utility may be paid into a fund to pay principal and interest on the bond anticipation  
15 notes, which moneys or any part of them may, by the ordinance or resolution  
16 authorizing the issuance of bond anticipation notes, be pledged for the payment of  
17 the principal of and interest on ~~such~~ the notes. The ordinance or resolution shall  
18 pledge to the payment of the principal of the notes the proceeds of the sale of the  
19 revenue bonds in anticipation of the sale of which the notes were authorized to be  
20 issued and may provide for use of revenue of the public utility or other available  
21 funds for payment of principal on the notes. The notes ~~shall constitute~~ are negotiable  
22 instruments.

23 6. ~~Any~~ A municipality authorized to issue or sell bond anticipation notes under  
24 this paragraph may, in addition to the revenue sources or bond proceeds, appropriate  
25 funds out of its annual tax levy for the payment of ~~such~~ the notes. The payment of

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1 such ~~the~~ notes out of funds from a tax levy shall ~~is not be construed as constituting~~  
2 an obligation of such ~~the~~ municipality to make any other such appropriation.

3 7. Such ~~bond~~ Bond anticipation notes shall ~~constitute~~ are a legal form of  
4 investment for municipal funds under s. ~~66.04 (2)~~ 66.0605 (1).

5 (5) Any A municipality which may own, purchase, acquire, lease, construct,  
6 extend, add to, improve, conduct, control, operate or manage any public utility may  
7 also, by action of its governing body, in lieu of issuing bonds or levying taxes and in  
8 addition to any other lawful methods of paying obligations, provide for or secure the  
9 payment of the cost of purchasing, acquiring, leasing, constructing, extending,  
10 adding to, improving, conducting, controlling, operating or managing a public utility  
11 by pledging, assigning or otherwise hypothecating, shares of stock evidencing a  
12 controlling interest ~~therein~~ in a public utility, or the net earnings or profits derived,  
13 or to be derived, from the operation of the public utility. The municipality may enter  
14 into the contracts and may mortgage the public utility and issue obligations to carry  
15 out this subsection. Any A municipality may issue additional obligations under this  
16 subsection ~~or elsewhere in this section~~, but those obligations shall ~~be~~ are subordinate  
17 to all prior obligations, except that the municipality may in the ordinance or  
18 resolution authorizing obligations under this subsection permit the issue of  
19 additional obligations on a parity with those previously issued.

20 **SECTION 178.** 66.067 of the statutes is repealed.

NOTE: Repeals s. 66.067, relating to permissible public works projects, since the  
substance of the section has been incorporated into s. 66.0621 (1) (b).

21 **SECTION 179.** 66.068 (title) of the statutes is renumbered 66.0805 (title) and  
22 amended to read:

23 **66.0805 (title) Management of municipal public utility by commission.**

24 **SECTION 180.** 66.068 (1) of the statutes is repealed.

**ASSEMBLY BILL 710****SECTION 180**

NOTE: The repealed subsection is restated as s. 66.0805 (1), created by SECTION 236.

1           **SECTION 181.** 66.068 (2) to (4) of the statutes are renumbered 66.0805 (2) to (4),  
2 and 66.0805 (3) and (4), as renumbered, are amended to read:

3           66.0805 (3) The ~~commissioners~~ commission shall choose ~~from among their~~  
4 ~~number~~ a president and a secretary. ~~They~~ from its membership. The commission  
5 may appoint and establish the compensation of a manager. The commission may  
6 command the services of the city, village or town engineer and may employ and fix  
7 the compensation of such subordinates as shall be necessary. ~~They~~ The commission  
8 may make rules for ~~their own~~ its proceedings and for the government of ~~their~~ the  
9 department. ~~They~~ The commission shall keep books of account, in the manner and  
10 form prescribed by the department of transportation or public service commission,  
11 which shall be open to the public.

NOTE: The 2nd sentence restates a portion of s. 66.068 (1), repealed by SECTION 180.

12           **(4) (a)** ~~It may be provided~~ The governing body of the city, village or town may  
13 provide that departmental expenditures be audited by ~~such~~ the commission, and if  
14 approved by the president and secretary of the commission, be paid by the city,  
15 village or town clerk and treasurer as provided by s. ~~66.042~~ 66.0607; that the utility  
16 receipts be paid to a bonded cashier ~~or cashiers~~ appointed by the commission, to be  
17 turned over to the city, village or town treasurer at least once a month; and that the  
18 commission have ~~such~~ designated general powers in the construction, extension,  
19 improvement and operation of the utility ~~as shall be designated.~~ ~~Where in any~~  
20 municipality. Actual construction work shall be under the immediate supervision of  
21 the board of public works or corresponding authority.

22           **(b)** If water mains have been installed or extended in a municipality and the  
23 cost thereof of installation or extension has been in some instances assessed against

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1 the abutting owners and in other instances paid by the municipality or any a utility  
2 therein, it may be provided by, the governing body of such the municipality may  
3 provide that all persons who paid any such the assessment against any lot or parcel  
4 of land may be reimbursed the amount of such the assessment regardless of when  
5 such assessment was made or paid. ~~Such reimbursement~~ Reimbursement may be  
6 made from such funds or earnings of said the municipal utility or from such funds  
7 of the municipality as the governing body determines.

NOTE: The new sentence at the end of par. (a) restates s. 66.068 (5), repealed by  
SECTION 182.

8 **SECTION 182.** 66.068 (5) of the statutes is repealed.

NOTE: The repealed provision is restated in renumbered s. 66.0805 (4) (a). See  
SECTION 181.

9 **SECTION 183.** 66.068 (6) and (7) of the statutes are renumbered 66.0805 (5) and  
10 (6) and amended to read:

11 66.0805 (5) Two or more public utilities acquired as a single enterprise  
12 hereunder may be operated under this section as a single enterprise.

13 (6) In a 2nd, 3rd or 4th class city, a village or a town, the council or board may  
14 provide for the operation of a public utility or utilities by the board of public works  
15 or by another officer or officers, in lieu of the commission ~~above~~ provided for in this  
16 section.

17 **SECTION 184.** 66.069 (title) of the statutes is renumbered 66.0809 (title) and  
18 amended to read:

19 **66.0809** (title) ~~Charges; outside services~~ Municipal public utility  
20 charges.

21 **SECTION 185.** 66.069 (1) (title) of the statutes is repealed.

**ASSEMBLY BILL 710****SECTION 186**

1           **SECTION 186.** 66.069 (1) (a) to (bn) of the statutes are renumbered 66.0809 (1)  
2 to (5), and 66.0809 (1), (2), (3), (4) (intro.) and (a) and (5) (a) (intro.) and (b) to (d), as  
3 renumbered, are amended to read:

4           66.0809 **(1)** Except as provided in ~~par. (am)~~ sub. (2), the governing body of any  
5 a town, village or city operating a public utility may, by ordinance, fix the initial rates  
6 and shall provide for this collection monthly, bimonthly or quarterly in advance or  
7 otherwise. The rates shall be uniform for like service in all parts of the municipality  
8 and shall include the cost of fluorinating the water. The rates may also include  
9 standby charges to property not connected but for which ~~such~~ public utility facilities  
10 have been made available. The charges shall be collected by the treasurer or other  
11 officer or employe designated by the city, village or town.

NOTE: Authorizes, as an alternative to the treasurer collecting utility charges, a  
city, village or town to designate another officer to collect the charges.  
Apparently, in a number of municipalities, utility commissions have their own  
bonded clerk collect charges.

12           **(2)** If, on June 21, 1996, it is the practice of a governing body of a town, village  
13 or city operating a public utility to collect utility service charges using a billing period  
14 other than one permitted under ~~par. (a)~~ sub. (1), the governing body may continue  
15 to collect utility service charges using that billing period.

16           **(3)** Except as provided in ~~pars. (bg) and (bn)~~ subs. (4) and (5), on October 15 in  
17 each year notice shall be given to the owner or occupant of all lots or parcels of real  
18 estate to which utility service has been furnished prior to October 1 by a public utility  
19 operated by ~~any~~ a town, city or village and payment for which is owing and in arrears  
20 at the time of giving ~~such~~ the notice. The department in charge of the utility shall  
21 furnish the treasurer with a list of ~~all such~~ the lots or parcels of real estate for which  
22 utility service charges are in arrears, and the notice shall be given by the treasurer,  
23 unless the governing body of the city, village or town ~~shall authorize such~~ authorizes

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1 notice to be given directly by the department. ~~Such~~ The notice shall be in writing and  
2 shall state the amount of ~~such~~ arrears, including any penalty assessed pursuant to  
3 the rules of ~~such~~ the utility; that unless the ~~same~~ amount is paid by November 1  
4 thereafter a penalty of ~~10%~~ 10% of the amount of ~~such~~ arrears will be added ~~thereto~~;  
5 and that unless ~~such~~ the arrears, with any ~~such~~ added penalty, ~~shall be~~ are paid by  
6 November 15 ~~thereafter~~, the ~~same~~ arrears and penalty will be levied as a tax against  
7 the lot or parcel of real estate to which utility service was furnished and for which  
8 payment is delinquent ~~as above specified~~. ~~Such~~. The notice may be served by  
9 delivery to either ~~such~~ the owner or occupant personally, or by letter addressed to  
10 ~~such~~ the owner or occupant at the post-office address of ~~such~~ the lot or parcel of real  
11 estate. On November 16 the officer or department issuing the notice shall certify and  
12 file with the clerk a list of all lots or parcels of real estate, giving the legal description  
13 thereof, ~~to the owners or occupants of~~, for which notice of arrears ~~in payment were~~  
14 was given ~~as above specified~~ and for which arrears ~~still~~ remain unpaid, and stating  
15 the amount of ~~such~~ arrears ~~together with the added~~ and penalty thereon ~~as herein~~  
16 ~~provided~~. Each ~~such~~ delinquent amount, including ~~such~~ the penalty, ~~shall thereupon~~  
17 ~~become~~ becomes a lien upon the lot or parcel of real estate to which the utility service  
18 was furnished and payment for which is delinquent, and the clerk shall insert the  
19 ~~same~~ delinquent amount and penalty as a tax against ~~such~~ the lot or parcel of real  
20 estate. All proceedings in relation to the collection of general property taxes and to  
21 the return and sale of property for delinquent taxes shall apply to said the tax if the  
22 ~~same~~ it is not paid within the time required by law for payment of taxes upon real  
23 estate. Under this ~~paragraph~~ subsection, if an arrearage is for utility service  
24 furnished and metered by the utility directly to a mobile home unit in a licensed  
25 mobile home park, the notice shall be given to the owner of the mobile home unit and

**ASSEMBLY BILL 710****SECTION 186**

1 the delinquent amount ~~shall become~~ becomes a lien on the mobile home unit rather  
2 than a lien on the parcel of real estate on which the mobile home unit is located. A  
3 lien on a mobile home unit may be enforced using the procedures under s. 779.48 (2).  
4 This ~~paragraph~~ subsection does not apply to arrearages collected using the  
5 procedure under s. ~~66.60 (16)~~ 66.0627.

6 **(4)** (intro.) A municipal utility may use the procedures under ~~par. (b)~~ sub. (3)  
7 to collect arrearages for electric service only if one of the following applies:

8 (a) The municipality has enacted an ordinance that authorizes the use of the  
9 procedures under ~~par. (b)~~ sub. (3) for the collection of arrearages for electric service  
10 provided by the municipal utility.

11 **(5)** (a) (intro.) This ~~paragraph~~ subsection applies only if all of the following  
12 conditions are met:

13 (b) If this ~~paragraph~~ subsection applies, a municipal public utility may use ~~par.~~  
14 ~~(b)~~ sub. (3) to collect arrearages incurred after the owner of a rental dwelling unit has  
15 provided the utility with written notice under ~~subd. 1.~~ par. (a) only if the municipality  
16 complies with at least one of the following:

17 1. In order to comply with this ~~subd. 2. a.~~ subdivision, a municipal public utility  
18 shall send bills for water or electric service to a customer who is a tenant in the  
19 tenant's own name. Each time that a municipal public utility notifies a customer who  
20 is a tenant that charges for water or electric service provided by the utility to the  
21 customer are past due for more than one billing cycle, the utility shall also serve a  
22 copy of the notice on the owner of the rental dwelling unit in the manner provided  
23 in s. 801.14 (2). If a customer who is a tenant vacates his or her rental dwelling unit,  
24 and the owner of the rental dwelling unit provides the municipal public utility, no  
25 later than 21 days after the date on which the tenant vacates the rental dwelling

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1 unit, with a written notice that contains a forwarding address for the tenant and the  
2 date that the tenant vacated the rental dwelling unit, the utility shall continue to  
3 send past-due notices to the customer at his or her forwarding address until the  
4 past-due charges are paid or until notice has been provided under ~~par. (b) sub. (3)~~.

5 2. In order to comply with this ~~subd. 2. b. subdivision~~, if a customer who is a  
6 tenant has charges for water or electric service provided by the utility that are past  
7 due, the municipal public utility shall serve notice of the past-due charges on the  
8 owner of the rental dwelling unit within 14 days of the date on which the tenant's  
9 charges became past due. The municipal public utility shall serve notice in the  
10 manner provided in s. 801.14 (2).

11 (c) A municipal public utility may demonstrate compliance with the notice  
12 requirements of ~~subd. 2. a. or b. par. (b) 1. or 2.~~ by providing evidence of having sent  
13 the notice by U.S. mail.

14 (d) If this ~~paragraph subsection~~ applies and a municipal public utility is  
15 permitted to collect arrearages under ~~par. (b) sub. (3)~~, the municipal public utility  
16 shall provide all notices under ~~par. (b) sub. (3)~~ to the owner of the property.

17 **SECTION 187.** 66.069 (1) (c) and (d) of the statutes are renumbered 66.0811 (2)  
18 and (3) and amended to read:

19 66.0811 (2) The income of a municipal public utility ~~owned by a municipality,~~  
20 shall first be used to make payments to meet operation, maintenance, depreciation,  
21 interest, and debt service fund requirements, local and school tax equivalents,  
22 additions and improvements, and other necessary disbursements or indebtedness.  
23 Beginning with taxes levied in 1995, payable in 1996, payments for local and school  
24 tax equivalents shall at least be equal to the payment made on the property for taxes  
25 levied in 1994, payable in 1995, unless a lower payment is authorized by the

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1 governing body of the municipality. Income in excess of these requirements may be  
2 used to purchase and hold interest bearing bonds, issued for the acquisition of the  
3 utility, ~~or~~; bonds issued by the United States or any municipal corporation of this  
4 state, ~~or~~; insurance upon the life of an officer or manager of ~~such~~ the utility; ~~;~~ or may  
5 be paid into the general fund.

6 **(3)** ~~Any~~ A city, town or village may use funds derived from its water plant ~~above~~  
7 ~~such as are necessary~~ to meet operation, maintenance, depreciation, interest and  
8 debt service funds; ~~;~~ new construction or equipment or other indebtedness, for  
9 sewerage construction work other than ~~such as~~ that which is chargeable against  
10 abutting property; ~~or they may turn such~~ the funds may be placed into the general  
11 fund to be used for general city purposes, ~~or may place such funds~~ in a special fund  
12 to be used for special municipal purposes.

13 **SECTION 188.** 66.069 (1) (e) of the statutes is renumbered 66.0811 (1) and  
14 amended to read:

15 66.0811 **(1)** ~~Any~~ A city, village or town owning a public utility ~~shall be~~ is entitled  
16 to the same rate of return as permitted for privately owned utilities.

17 **SECTION 189.** 66.069 (2) of the statutes is renumbered 66.0813, and 66.0813 (1),  
18 (2), (3) (a), (5) and (6), as renumbered, are amended to read:

19 66.0813 **(1)** ~~Any~~ A town, town sanitary district, village or city owning water,  
20 light or power plant or equipment may serve persons or places outside its corporate  
21 limits, including adjoining municipalities not owning or operating a similar utility,  
22 and may interconnect with another municipality, whether contiguous or not, and for  
23 ~~such~~ these purposes may use equipment owned by ~~such~~ the other municipality.

24 **(2)** ~~So much of such plant~~ Plant or equipment, except water plant or equipment  
25 or interconnection property in any municipality ~~so~~ interconnected, ~~as shall be~~

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1 situated in another municipality ~~shall be~~ is taxable in ~~such~~ the other municipality  
2 pursuant to under s. 76.28.

3 **(3)** (a) Notwithstanding s. 196.58 (5), each a city, village or town may by  
4 ordinance fix the limits of ~~such~~ utility service in unincorporated areas. ~~Such~~ The  
5 ordinance shall delineate the area within which service will be provided and the  
6 municipal utility ~~shall have~~ has no obligation to serve beyond the ~~area so~~ delineated.  
7 ~~Such~~ area. ~~The delineated~~ area may be enlarged by a subsequent ordinance. No ~~such~~  
8 ordinance ~~shall be~~ under this paragraph is effective to limit any obligation to serve  
9 which ~~may have~~ that existed at the time ~~that~~ the ordinance was adopted.

10 **(5)** An agreement under ~~par. (d)~~ sub. (4) under which a city or village agrees  
11 to furnish sewerage service to a prison, which is located in an area ~~which~~ that has  
12 been incorporated since that agreement was made, may be amended to provide that  
13 the city or village will also furnish water service to the prison. An agreement  
14 amended under this ~~paragraph~~ subsection fixes the nature and geographical limits  
15 of the water and sewer service unless altered by a change in the agreement,  
16 notwithstanding s. 196.58 (5). A change in use or ownership of property included  
17 under an agreement amended under this ~~paragraph~~ subsection does not alter the  
18 terms and limitations of that agreement.

19 **(6)** ~~Any~~ A town, village or city owning a public utility, or the board of any  
20 municipal public utility appointed under s. ~~66.068~~ 66.0805, may enter into  
21 agreements with any other ~~such~~ towns, villages or cities owning public utilities, or  
22 any other ~~such~~ boards of municipal public utilities, for mutual aid in the event of an  
23 emergency or disaster in any of their respective service areas. ~~Such~~ The agreements  
24 may include, ~~but are not limited to,~~ provisions for the movement of employes and  
25 equipment in and between the service areas of the ~~various~~ participating

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1 municipalities for the purpose of rendering such aid and, for the reimbursement of  
2 a municipality rendering such aid by the municipality receiving the aid.

3 **SECTION 190.** 66.07 of the statutes is renumbered 66.0817, and 66.0817 (intro.)  
4 and (1) to (6), as renumbered, are amended to read:

5 **66.0817 Sale or lease of municipal public utility plant.** (intro.) Any A  
6 town, village or city may sell or lease any complete public utility plant owned by it,  
7 in ~~manner~~ the following manner:

8 (1) A preliminary agreement with the prospective purchaser or lessee shall be  
9 authorized by a resolution or ordinance containing a summary of the terms proposed,  
10 of the disposition to be made of the proceeds, and of the provisions to be made for the  
11 protection of holders of obligations against ~~such~~ the plant or against the municipality  
12 on account thereof. ~~Such of the plant.~~ The resolution or ordinance shall be published  
13 at least one week before adoption, as a class 1 notice, under ch. 985. It The resolution  
14 or ordinance may be adopted only at a regular meeting and by a majority of all the  
15 members of the governing body.

16 (2) The preliminary agreement shall fix the price of sale or lease, and provide  
17 that if the amount fixed by the department of transportation or public service  
18 commission ~~shall be larger~~ is greater, the price shall be that fixed by the department  
19 or commission.

20 (3) The municipality shall submit the preliminary agreement when executed  
21 to the department of transportation or public service commission, which shall  
22 determine whether the interests of the municipality and ~~of the~~ its residents thereof  
23 will be best served by the sale or lease, and if it so determines, shall fix the price and  
24 other terms.

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1           (4) ~~The~~ After the price and other terms are fixed under sub. (3), the proposal  
2 shall then be submitted to the electors of the municipality. The notice of the  
3 referendum shall include a description of the plant, and a summary of the  
4 preliminary agreement, and of the price and terms as fixed by the department of  
5 transportation or public service commission. If a majority voting on the question  
6 ~~shall vote~~ votes for the sale or lease, the board or council ~~shall be authorized to~~ may  
7 consummate the ~~same~~ sale or lease, upon the terms and at a price not less than fixed  
8 by the department of transportation or public service commission, with the proposed  
9 purchaser or lessee or any other with whom better terms approved by the  
10 department of transportation or public service commission can be made.

11           (5) Unless the sale or lease is consummated within one year of the referendum,  
12 or the time is extended by the department of transportation or public service  
13 commission, the proceedings ~~shall be~~ are void.

14           (6) If the municipality has revenue or mortgage bonds outstanding relating to  
15 ~~such~~ the utility plant and which by their terms may not be redeemed concurrently  
16 with the sale or lease transaction, an escrow fund with a domestic bank as trustee  
17 may be established for the purpose of holding, administering and distributing ~~such~~  
18 that portion of the sales or lease proceeds ~~as may be necessary to cover the payment~~  
19 of the principal, any redemption premium and interest which will accrue on the  
20 principal through the earliest retirement date of the bonds. During the period of the  
21 escrow arrangement ~~such~~ the funds may be invested in securities or other  
22 investments as described in s. ~~201.25 (1) (a), (b), (dm) and (j), 1969 stats., and in~~  
23 ~~deposits or certificates of deposit with any state or national bank doing business in~~  
24 ~~this state~~ 66.0603 (1).

NOTE: 1. The references in sub. (1) to “resolution or ordinance” are affected by the treatment of s. 66.06 by SECTIONS 163 and 235, which delete the current provision that the phrase “resolution or ordinance”, when used in specified sections, means “ordinance” only. Thus, the references to “resolution or ordinance” in sub. (1) will now include either kind of action, not just “ordinance”.

2. Revises, in sub. (6), the cross-reference to permitted investments in sub. (6) by replacing the reference to the 1969 statutes with the current provision setting forth authorized investments by municipalities.

1       **SECTION 191.** Subchapter VII (title) of chapter 66 [precedes 66.0701] of the  
2 statutes is created to read:

3                                           **CHAPTER 66**

4                                           **SUBCHAPTER VII**

5                                           **SPECIAL ASSESSMENTS**

6       **SECTION 192.** 66.0707 (2) of the statutes is created to read:

7       **66.0707 (2)** A city, village or town may impose a special charge under s. 66.0627  
8 against real property in an adjacent city, village or town that is served by current  
9 services rendered by the municipality imposing the special charge if the municipality  
10 in which the property is located approves the imposition by resolution. The owner  
11 of the property is entitled to the use and enjoyment of the service for which the special  
12 charge is imposed on the same conditions as the owner of property within the city,  
13 village or town.

NOTE: Expands the scope of s. 66.65, renumbered s. 66.0707, to include special charges. Currently, the provision is limited to special assessments against property in an adjacent city, village or town that abuts and benefits from a public work or improvement. See SECTIONS 550 and 551 of this bill.

14       **SECTION 193.** 66.0709 (title) of the statutes is created to read:

15       **66.0709 (title) Preliminary payment of improvements funded by**  
16 **special assessments.**

17       **SECTION 194.** 66.0709 (1) of the statutes is created to read:

18       **66.0709 (1)** In this section:

19       (a) “Local governmental unit” has the meaning given in s. 66.0713 (1) (c).

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1 (b) “Public improvement” has the meaning given in s. 66.0713 (1) (d).

2 **SECTION 195.** 66.071 (title) of the statutes is renumbered 62.69 (title).

3 **SECTION 196.** 66.071 (intro.) of the statutes is repealed.

NOTE: The repealed provision is restated as s. 62.69 (1). See SECTION 16 of this bill.

4 **SECTION 197.** 66.071 (1) (title) of the statutes is renumbered 62.69 (2) (title).

5 **SECTION 198.** 66.071 (1) (a) of the statutes is renumbered 62.69 (2) (c) and  
6 amended to read:

7 62.69 (2) (c) Water rates shall be collected in the manner and by ~~any one~~ whom  
8 the common council ~~may from time to time determine~~ determines, and shall be  
9 accounted for and paid to ~~such~~ the other officials in ~~such~~ the manner and at ~~such~~ the  
10 times as ~~that~~ the council ~~may from time to time prescribe~~. ~~Such persons prescribes.~~  
11 Persons collecting water rates shall give a bond to cover all the duties in ~~such~~ an  
12 amount ~~as may be~~ prescribed by the council. Final accounting shall be made to the  
13 comptroller and final disposition of money shall be made to the city treasurer.

14 **SECTION 199.** 66.071 (1) (b) of the statutes is renumbered 62.69 (2) (a) and  
15 amended to read:

16 62.69 (2) (a) ~~The words~~ In this subsection, “commissioner of public works” in  
17 ~~sub. (1) shall be construed to mean and have reference to~~ includes any board of public  
18 works, or commissioner of public works, or other officer of ~~any~~ the city having control  
19 of the city’s public works therein, ~~and all acts authorized to be done by such~~  
20 ~~commissioner except for the enforcement of regulations approved by the council shall~~  
21 ~~require the approval of the council before they shall have any force or effect.~~

22 **SECTION 200.** 66.071 (1) (c) to (j) of the statutes are renumbered 62.69 (2) (d)  
23 to (L), and 62.69 (2) (e), (f), (g) 2. (intro.) and a., (h) and (k), as renumbered, are  
24 amended to read:

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1           62.69 (2) (e) Water rates shall be ~~are~~ due and payable upon such date or dates  
2 as the common council may provide by regulation ~~provides~~. To all water rates  
3 remaining unpaid 20 days thereafter ~~after the due date~~, there shall be added a  
4 penalty of 5 per cent 5% of the amount of such rates ~~due~~, and if such ~~the~~ rates shall  
5 remain unpaid for 10 days thereafter ~~additional days~~, water may be turned off the  
6 premises, ~~subject to the payment of such delinquent rates, and in such cases where,~~  
7 ~~If~~ the supply of water is turned off as above provided, water shall ~~may~~ not be again  
8 turned on to said ~~the~~ premises until all delinquent rates and penalties, and a sum  
9 not exceeding \$2 ~~as provided for by regulation~~ for turning the water off and on, shall  
10 ~~have been~~ are paid. The same penalty and charge may be made when payment is  
11 made to a collector sent to the premises. On or before ~~each day when such~~ the date  
12 on which rates become due and payable as aforesaid, a written or printed notice or  
13 bill shall be mailed or personally delivered to the occupant or, upon written request,  
14 to the owner ~~wherever the~~ at the location the owner shall state states, of all premises  
15 subject to the payment of water rates, stating the amount due, the time when and  
16 the place where such ~~the~~ rates can be paid, and the penalty for neglect of payment.

17           (f) All water rates for water furnished to any building or premises, and the cost  
18 of repairing meters, service pipes, stops or stop boxes, shall be are a lien on the lot,  
19 part of lot or parcel of land on which such ~~the~~ building or premises ~~shall be situated~~  
20 is located. If any water rates or bills for the repairing of meters, service pipes, stops  
21 or stop boxes remain unpaid on the first day of October, in any year 1, the same  
22 unpaid rates or bills shall be certified to the city comptroller ~~of such city~~ on or before  
23 ~~the first day of November next following~~ 1, and shall be placed by the comptroller  
24 upon the tax roll and collected in the same manner as other taxes on real estate are  
25 collected in said ~~the~~ city. The charge for water supplied by the city in all premises

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1 where meters are attached and connected, shall be at rates fixed by the commissioner  
2 of public works and for the quantity indicated by the meter. If ~~in any case,~~ the  
3 commissioner of public works ~~shall determine~~ determines that the quantity  
4 indicated by the meter is materially incorrect or if a meter has been off temporarily  
5 ~~on account of~~ due to repairs, the commissioner of public works shall ~~determine in the~~  
6 ~~best manner in the commissioner's power~~ estimate the quantity used, and such  
7 ~~determination shall be~~ the determination is conclusive. No water rate or rates duly  
8 assessed against any property shall may be thereafter remitted or changed except  
9 by the common council of such city. Under this paragraph, if an unpaid charge or bill  
10 is for utility service furnished and metered by the waterworks directly to a mobile  
11 home unit in a licensed mobile home park, the delinquent amount shall ~~become~~ is a  
12 lien on the mobile home unit rather than a lien on the parcel of real estate on which  
13 the mobile home unit is located. A lien on a mobile home unit may be enforced using  
14 the procedures under s. 779.48 (2).

15 (g) 2. (intro.) If this paragraph applies, the commissioner of public works may  
16 use par. (e) ~~(f)~~ to collect unpaid charges and bills incurred after the owner of a rental  
17 dwelling unit has provided the commissioner of public works with written notice  
18 under subd. 1. only if the commissioner of public works complies with at least one of  
19 the following:

20 a. In order to comply with this subd. 2. a., the commissioner of public works  
21 shall send bills for water service to a customer who is a tenant in the tenant's own  
22 name. Each time that a commissioner of public works notifies a customer who is a  
23 tenant that charges for water service provided by the waterworks to the customer are  
24 past due for more than one billing cycle, the commissioner of public works shall also  
25 serve a copy of the notice on the owner of the rental dwelling unit in the manner

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1 provided in s. 801.14 (2). If a customer who is a tenant vacates his or her rental  
2 dwelling unit, and the owner of the rental dwelling unit provides the commissioner  
3 of public works, no later than 21 days after the date on which the tenant vacates the  
4 rental dwelling unit, with a sworn affidavit that contains a forwarding address for  
5 the tenant, the date that the tenant vacated the rental dwelling unit and a meter  
6 reading reflecting the service for which the tenant is responsible, the commissioner  
7 of public works shall continue to send past-due notices to the customer at his or her  
8 forwarding address until the past-due charges are paid or until the past-due  
9 charges have been certified to the comptroller under par. (e) (f).

10 (h) The city commissioner of public works ~~of a city~~ may issue a permit to the  
11 county in which ~~it~~ the city is located, to any national home for disabled soldiers, or  
12 to any other applicant to obtain water from the city's water system for use outside  
13 of the limits of the city; and for that purpose to connect any pipe that is laid outside  
14 of the city limits with water pipe in the city. No permit may be issued until the  
15 applicant files with the commissioner of public works a bond in such the sum and  
16 with such the surety as that the commissioner ~~shall approve, conditioned~~ approves  
17 on the condition: that the applicant will obey the rules and regulations prescribed  
18 by the commissioner ~~of public works~~ for the use of the water; that the applicant will  
19 pay all charges fixed by the commissioner for the use of the water as measured by  
20 a meter to be approved by the commissioner, ~~which charges shall include~~ including  
21 the proportionate cost of fluoridating the water and, except as to water furnished  
22 directly to county or other municipal properties, ~~shall~~ which may not be less than  
23 one-quarter more than those charged to the inhabitants of the city for like use of  
24 water; that the applicant will pay to the city a water pipe assessment if the property  
25 to be supplied with water has frontage on any thoroughfare forming the city

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1 boundary line in which a water main has been or shall be laid, and at the rate  
2 prescribed by the commissioner of public works; if the property to be supplied does  
3 not front on a city boundary but is distant therefrom from a boundary, that a main  
4 pipe of the same size, class and standard as terminates at the city boundary shall be  
5 extended, and the entire cost shall be paid by the applicant for the extension; that  
6 the water main shall be laid according to city specifications and under city  
7 inspection; that the water main and appliances shall become the absolute property  
8 of the city, without any compensation therefor, whenever for the main or appliances,  
9 if the property supplied with water by the extension or any part thereof shall be of  
10 the property is annexed to or in any manner become becomes a part of the city; and  
11 that the applicant will pay to the city all damages whatever that it may sustain  
12 sustains, arising in any way out of the manner in which the connection is made or  
13 water supply is used. In case of granting a permit to any a county or to any a national  
14 home for disabled soldiers, the commissioner of public works may waive the giving  
15 of a bond. Every permit shall be issued upon the understanding that the city shall  
16 in no event ever be is not liable for any damage in case of failure to supply water by  
17 reason of any condition beyond its control.

18 (k) The commissioner of public works may also make rules and regulations for  
19 the proper ventilating and trapping of all drains, soil pipes and fixtures hereafter  
20 constructed to connect with or be used in connection with the sewerage or water  
21 supply of the city. The common council may provide by ordinance for the enforcement  
22 of such the rules and regulations, and may prescribe proper including penalties and  
23 punishment for disobedience of the same. The commissioner of public works may  
24 also make rules to regulate the use of vent, soil, drain, sewer or water pipes in all  
25 buildings in said the city, which hereafter shall be proposed to be connected with the

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1 city water supply or sewerage, specifying the dimensions, strength and material of  
2 ~~which the same shall be made, and. The commissioner~~ may prohibit the introduction  
3 into any building of any style of water fixture, tap or connection, ~~the use of which~~  
4 ~~shall have been~~ determined to be dangerous to health or ~~for any reason~~ unfit to be  
5 used, ~~and the. The commissioner of public works~~ shall require a rigid inspection by  
6 a skilled and competent inspector under the direction of the commissioner ~~of public~~  
7 ~~works~~ of all plumbing and draining work and water and sewer connections, ~~hereafter~~  
8 ~~done or made~~ in any building in the city, and unless the same work and connections  
9 are done or made according to rules of ~~the commissioner of public works,~~ and  
10 approved by the commissioner ~~of public works,~~ no connection of the premises with  
11 the city sewerage or water supply ~~shall be allowed~~ may be made.

12 **SECTION 201.** 66.071 (2) of the statutes is renumbered 62.69 (3) and amended  
13 to read:

14 **62.69 (3) UTILITY DIRECTORS.** (a) ~~The term In this subsection,~~ “electric plant”  
15 ~~as used in this section shall mean~~ means a plant for the production, transmission,  
16 delivery and furnishing of electric light, heat or power directly to the public.

17 (b) If the city ~~shall have determined~~ decides to acquire an electric plant or any  
18 other public utility in accordance with the provisions of this section, the mayor ~~of~~  
19 ~~such city,~~ prior to the city taking possession of ~~such~~ the property, shall appoint,  
20 subject to the confirmation of the council, 7 persons of recognized business  
21 experience and standing to act as the board of directors for ~~such~~ the utility. Two ~~of~~  
22 ~~such~~ persons shall be appointed for a term of 2 years, 2 for a term of 4 years, 2 for a  
23 term of 6 years, and one for a term of 8 years. ~~Thereafter successors~~ Successors shall  
24 be appointed ~~in like manner~~ for terms of 10 years each. ~~Any such~~ A director may be

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1 removed by the mayor with the approval of the council for misconduct in office or for  
2 unreasonable absence from meetings of the directors.

3 (c) The Utility directors ~~so appointed shall have power to~~ may: employ a  
4 manager experienced in the management of electric plants or other like public  
5 utilities ~~and~~, fix his or her compensation and the other terms and conditions of  
6 employment and ~~to~~ remove him or her at pleasure, subject to the terms and  
7 conditions of his or her employment; advise and consult with the manager and other  
8 employes as to any matter pertaining to maintenance, operation or extension of ~~such~~  
9 the utility; and perform ~~such~~ other duties as ordinarily devolve upon a board of  
10 directors of a corporation organized under ch. 180 not inconsistent with this section  
11 and the laws governing 1st class cities. No money ~~shall~~ may be raised or authorized  
12 to be raised by ~~said~~ the board of directors other than from revenues derived from the  
13 operation of the utility, except by action of the council.

14 (d) The manager appointed by the board of directors ~~shall have complete~~  
15 ~~management and control of~~ may manage and control the utility, subject to the powers  
16 ~~herein~~ conferred upon the board of directors and the council under this subsection  
17 and ~~shall have power to~~ may appoint assistants and all other employes which the  
18 manager ~~deems~~ considers necessary and fix their compensation and other terms and  
19 conditions of employment, except that the board of directors may prescribe rules for  
20 determining the fitness of persons for positions and employment.

21 (e) The council shall fix the compensation, if any, of members of the board of  
22 directors and ~~shall have the powers herein conferred upon it and such~~ has other  
23 powers as it ~~now~~ possesses with reference to electric plants and other public utilities.

24 **SECTION 202.** 66.0711 (1) of the statutes is created to read:

25 66.0711 (1) In this section:

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1 (a) “Local governmental unit” has the meaning given in s. 66.0713 (1) (c).

2 (b) “Public improvement” has the meaning given in s. 66.0713 (1) (d).

3 **SECTION 203.** 66.0713 (10) (title) of the statutes is created to read:

4 66.0713 **(10)** (title) LEGALITY OF PROCEEDINGS; CONCLUSIVE EVIDENCE.

5 **SECTION 204.** 66.0715 (title) of the statutes is created to read:

6 **66.0715** (title) **Deferral of special assessments; payment of special**  
7 **assessments in instalments.**

8 **SECTION 205.** 66.0715 (1) of the statutes is created to read:

9 66.0715 **(1)** DEFINITIONS. In this section:

10 (a) “Governing body” has the meaning given in s. 66.0713 (1) (b).

11 (b) “Local governmental unit” has the meaning given in s. 66.0713 (1) (c).

12 (c) “Public improvement” has the meaning given in s. 66.0713 (1) (d).

13 **SECTION 206.** 66.0719 (1) of the statutes is created to read:

14 66.0719 **(1)** In this section:

15 (a) “Local governmental unit” has the meaning given in s. 66.0713 (1) (c).

16 (b) “Public improvement” has the meaning given in s. 66.0713 (1) (d).

17 **SECTION 207.** 66.072 of the statutes is renumbered 66.0827, and 66.0827 (2) to  
18 (4), (5) (a) and (b) and (6), as renumbered, are amended to read:

19 66.0827 **(2)** The fund of each utility district shall be provided by taxation of the  
20 property in such the district, upon an annual estimate by the department in charge  
21 of public works in cities and villages, and by the town chairperson in towns, filed by  
22 October 1. Separate account shall be kept of each district fund.

23 **(3)** In towns a majority vote and in villages and cities a three-fourths vote of  
24 all the members of the governing body ~~shall be~~ is required to ~~thus~~ establish utility

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1 ~~districts and by a like vote districts may be vacated, altered, or consolidated, vacate,~~  
2 ~~alter or consolidate a utility district.~~

3 (4) Before the vote is effective to establish, vacate, alter or consolidate a utility  
4 district, a hearing shall be held as provided in s. ~~66.60 (7)~~ 66.0703 (7) (a). In towns  
5 the notice may be given by posting in 3 public places in ~~said~~ the town, one of which  
6 shall be in the proposed district, at least 2 weeks prior to ~~such~~ the hearing.

7 (5) (a) ~~When any~~ If a town board establishes a utility district under this section  
8 the board may also, if a town sanitary district is in existence for the town, dissolve  
9 ~~said~~ the sanitary district ~~in which case.~~ If the sanitary district is dissolved, all assets,  
10 liabilities and functions of the sanitary district shall be taken over by the utility  
11 district.

12 (b) All functions performed by a sanitary district and assumed by a utility  
13 district under this subsection shall remain subject to regulation by the public service  
14 commission as if no transfer had occurred.

15 (6) ~~Whenever~~ If a municipality, within which a utility district is located, is  
16 consolidated with another municipality which provides the same or similar services  
17 for which the district was established, but on a municipality-wide basis rather than  
18 on a utility district basis as provided in this section, the fund of the utility district  
19 ~~shall become~~ becomes part of the general fund of the consolidated municipality;  
20 ~~thereupon said~~ and the utility district ~~shall be abolished~~ terminates. This section  
21 ~~shall also apply~~ applies to consolidations completed prior to, on and after  
22 June 30, 1965.

23 **SECTION 208.** 66.0721 (title) of the statutes is created to read:

24 **66.0721** (title) **Special assessments on certain farmland for**  
25 **construction of sewerage or water system.**

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1           **SECTION 209.** 66.0727 (4) of the statutes is created to read:

2           66.0727 **(4)** This section does not preclude a city, village or town from using any  
3 other lawful method to compel a railroad corporation to pay its proportionate share  
4 of a street, alley or public highway improvement.

NOTE: Restates s. 66.699, which is repealed by SECTION 561.

5           **SECTION 210.** 66.0729 (6) of the statutes is created to read:

6           66.0729 **(6)** This section does not preclude a city, village or town from using any  
7 other lawful method to compel a railroad corporation to pay its proportionate share  
8 of a street, alley or public highway improvement.

NOTE: Restates s. 66.699, which is repealed by SECTION 561.

9           **SECTION 211.** 66.073 of the statutes is renumbered 66.0825, and 66.0825 (2),  
10 (3) (f), (g) and (h), (4) (a), (5) (b), (c), (e), (f) and (i), (6) (intro.), (a), (f), (g), (h) and (o),  
11 (7), (8) (a) 3. and 4., (b) and (c), (9), (10), (11), (12), (13) (intro.), (b), (d), (e), (g), (j), (k),  
12 (L), (m), (n) and (o), (14), (15), (16) (b), (17) and (18), as renumbered, are amended to  
13 read:

14           66.0825 **(2)** FINDING AND DECLARATION OF NECESSITY. It is declared that the  
15 operation of electric utility systems by municipalities of this state and the  
16 improvement of the systems through joint action in the fields of the generation,  
17 transmission and distribution of electric power and energy is are in the public  
18 interest; that there is a need in order to ensure the stability and continued viability  
19 of the municipal systems to provide for a means by which municipalities which  
20 operate the systems may act jointly in all ways possible, including development of  
21 coordinated bulk power and fuel supply programs and efficient, community-based  
22 energy systems; and that, the necessity in the public interest for the provisions  
23 ~~hereinafter~~ enacted in this section is declared as a matter of legislative  
24 determination.

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1           **(3)** (f) “Person” means a natural person, a public agency, cooperative or private  
2 corporation, limited liability company, association, firm, partnership, or business  
3 trust of any nature ~~whatsoever~~, organized and existing under the laws of any state  
4 or of the United States.

5           (g) “Project” means any plant, works, system, facilities, and real and personal  
6 property of any nature ~~whatsoever~~, together with all parts thereof, and  
7 appurtenances thereto, used or useful in the generation, production, transmission,  
8 distribution, purchase, sale, exchange, or interchange of electric power and energy,  
9 or any interest therein or right to capacity thereof and the acquisition of fuel of any  
10 kind for ~~any such these~~ purposes, including, ~~but not limited to,~~ the acquisition of  
11 fuel deposits and the acquisition or construction and operation of facilities for  
12 extracting fuel from natural deposits, for converting it for use in another form, for  
13 burning it in place, for transportation, storage and reprocessing or for any energy  
14 conservation measure which involves public education or the actual fitting and  
15 application of a device.

16           (h) “Public agency” means any municipality or other municipal corporation,  
17 political subdivision, governmental unit, or public corporation created under the  
18 laws of this state or of another state or of the United States, and any state or the  
19 United States, and any person, board, or other body declared by the laws of any state  
20 or the United States to be a department, agency or instrumentality thereof of the  
21 state or the United States.

22           **(4)** (a) Any combination of municipalities of the state which ~~operate~~ operates  
23 facilities for the generation ~~or~~, transmission or distribution of electric power and  
24 energy may, by contract with each other, establish a separate governmental entity  
25 to be known as a municipal electric company to be used by such the contracting

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1 municipalities to effect joint development of electric energy resources or production,  
2 distribution and transmission of electric power and energy in whole or in part for the  
3 benefit of the contracting municipalities. The municipalities party to the contract  
4 may amend the contract as provided ~~therein~~ in the contract.

5 (5) (b) The establishment and organization of a governing body of the company  
6 which shall be a board of directors in which all powers of the company are vested. The  
7 contract may provide for the creation by the board of an executive committee of the  
8 board to which the powers and duties may be delegated as the board ~~shall specify~~  
9 specifies.

10 (c) The number of directors, the manner of their appointment, terms of office  
11 and compensation, if any, and the procedure for filling vacancies on the board. Each  
12 contracting municipality ~~shall have the power to~~ may appoint one member to the  
13 board of directors and ~~shall be entitled to~~ may remove that member at will.

14 (e) The voting requirements for action by the board; ~~but, unless.~~ Unless  
15 specifically provided otherwise, a majority of directors ~~shall constitute~~ constitutes a  
16 quorum and a majority of the quorum ~~shall be~~ is necessary for any action taken by  
17 the board.

18 (f) The duties of the board which shall include the obligation to comply ~~or to~~  
19 ~~cause compliance~~ with this section and the laws of the state and ~~in addition,~~ with  
20 each and every term, provision and covenant in the contract creating the company  
21 on its part to be kept or performed.

22 (i) The term of the contract, which may be a definite period or until rescinded  
23 or terminated, and the method, if any, by which the contract may be rescinded or  
24 terminated, ~~but that the.~~ The contract may not be rescinded or terminated ~~so long~~  
25 as while the company has bonds outstanding, unless provision for full payment of

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1 such the bonds, by escrow or otherwise, has been made pursuant to the terms of the  
2 bonds or the resolution, trust indenture or security instrument securing the bonds.

3 **(6) POWERS.** (intro.) The general powers of an electric company shall include  
4 the power to:

5 (a) Plan, develop, acquire, construct, reconstruct, operate, manage, dispose of,  
6 participate in, maintain, repair, extend or improve one or more projects within or  
7 outside the state and act as agent, or designate one or more other persons  
8 participating in a project to act as its agent, in connection with the planning,  
9 acquisition, construction, operation, maintenance, repair, extension or improvement  
10 of such the project.

11 (f) Contract with any person or public agency within or outside the state, for  
12 the construction of any project or for the sale or transmission of electric power and  
13 energy generated by any project, or for any interest ~~therein~~ in a project or any right  
14 to capacity ~~thereof~~ of a project, on such the terms and for such the period of time as  
15 that its board of directors shall ~~determine~~ determines.

16 (g) Purchase, sell, exchange, transmit or distribute electric power and energy  
17 within and outside the state in such the amounts as it shall ~~determine to be~~ necessary  
18 and appropriate to make the most effective use of its powers and to meet its  
19 responsibilities, and to enter into agreements with any person or public agency with  
20 respect to such the purchase, sale, exchange, or transmission, on such the terms and  
21 for such the period of time as that its board of directors shall ~~determine~~ determines.

22 A company may not sell power and energy at retail unless requested to do so by a  
23 municipal member within the service area of that municipal member.

24 (h) Acquire, own, hold, use, lease as lessor or lessee, sell or otherwise dispose  
25 of, mortgage, pledge, or grant a security interest in any real or personal property,

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1 commodity or service or interest ~~therein~~ in any real or personal property, commodity  
2 or service, subject to s. 182.017 (7).

3 (o) Notwithstanding the provisions of any other law, invest any funds held in  
4 reserve or sinking funds, or any funds not required for immediate disbursement,  
5 including the proceeds from the sale of any bonds, in ~~such~~ obligations, securities and  
6 other investments as that the company deems proper.

7 (7) PUBLIC CHARACTER. An electric company established by contract under this  
8 section ~~shall constitute~~ constitutes a political subdivision and body public and  
9 corporate of the state, exercising public powers, separate from the contracting  
10 municipalities. It ~~shall have~~ has the duties, privileges, immunities, rights, liabilities  
11 and disabilities of a public body politic and corporate but ~~shall~~ does not have taxing  
12 power.

13 (8) (a) 3. Purchase agreements entered into under subd. 2. may, in addition to  
14 the provisions authorized under subd. 2., contain other terms and conditions that the  
15 company and the purchasers determine, including provisions whereby obligating the  
16 purchaser ~~is obligated~~ to pay for power irrespective of whether energy is produced  
17 or delivered to the purchaser or whether any project contemplated by any ~~such~~  
18 agreement under subd. 2. is completed, operable or operating, and notwithstanding  
19 suspension, interruption, interference, reduction or curtailment of the output of ~~such~~  
20 the project.

21 4. Purchase agreements entered into under subd. 2. may be for a term covering  
22 the life of a project or for any other term, or for an indefinite period. The contract  
23 created under sub. (5) or a purchase agreement may provide that if one or more of  
24 the purchasers defaults in the payment of its obligations under a purchase  
25 agreement, the remaining purchasers which also have purchase agreements shall

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1 ~~be required to~~ accept and pay for and ~~shall be~~ are entitled proportionately to use or  
2 otherwise dispose of the power and energy to be purchased by the defaulting  
3 purchaser.

4 (b) The obligations of a municipality under a purchase agreement with a  
5 company or arising out of the default by any other purchaser with respect to ~~such an~~  
6 a purchase agreement ~~shall not be construed to constitute~~ are not debt of the  
7 municipality. To the extent provided in the purchase agreement, ~~such~~ the obligations  
8 ~~shall~~ constitute special obligations of the municipality, payable solely from the  
9 revenues and other moneys derived by the municipality from its municipal electric  
10 utility and shall be treated as expenses of operating a municipal electric utility.

11 (c) The contract ~~also~~ may provide for payments in the form of contributions to  
12 defray the cost of any purpose set forth in the contract and as advances for any ~~such~~  
13 purpose in the contract subject to repayment by the company.

14 **(9) SALE OF EXCESS CAPACITY.** (a) An electric company may sell or exchange, to  
15 any other person or public agency, excess power and energy produced or owned by  
16 it not required by any of the contracting municipalities for ~~such~~ the consideration  
17 ~~and for such~~, period and ~~upon such~~ terms and conditions as it may determine to any  
18 other person or public agency that it determines.

19 (b) Notwithstanding any other provision of this section or any other statute,  
20 nothing ~~shall prohibit~~ prohibits a company from undertaking any project in  
21 conjunction with or owning any project jointly with any person or public agency.

22 **(10) REGULATION.** An electric company created under this section ~~shall be~~  
23 deemed to be is a “public utility” for purposes of ch. 196, except that the terms and  
24 conditions and the rates at which a company sells power and energy for resale ~~shall~~  
25 ~~not be~~ are not subject to regulation or alteration by the public service commission.

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1           **(11) TYPES OF BONDS.** (a) An electric company may issue such types of bonds  
2 as it ~~may determine~~ it determines, subject only to any agreement with the holders  
3 of particular bonds, including bonds as to which the principal and interest are  
4 payable exclusively from all or a portion of the revenues from one or more projects,  
5 ~~or~~ from one or more revenue producing contracts made by the company with any  
6 person or public agency, or from its revenues generally, or which may be additionally  
7 secured by a pledge of any grant, subsidy, or contribution from any public agency or  
8 other person, or a pledge of any income or revenues, funds, or moneys of the company  
9 from any source ~~whatsoever~~.

10           (b) A company may ~~from time to time~~ issue its bonds in such principal amounts  
11 as that the company deems necessary to provide sufficient funds to carry out any of  
12 its corporate purposes and powers, including the establishment or increase of  
13 reserves, interest accrued during construction of a project and for a period not  
14 exceeding one year after the completion of construction of a project, and the payment  
15 of all other costs or expenses of the company incident to and necessary or convenient  
16 to carry out its corporate purposes and powers.

17           (c) Neither the members of the board of directors of a company nor any person  
18 executing the bonds ~~shall be~~ is liable personally on the bonds by reason of the  
19 issuance ~~thereof~~ of the bonds.

20           (d) The bonds of an electric company ~~(, and such~~ the bonds shall so state on their  
21 face) ~~shall, are not be~~ a debt of the municipalities which are parties to the contract  
22 creating the company or of the state and neither the state nor any ~~such~~ municipality  
23 ~~shall be~~ is liable ~~thereon~~ on the bonds nor ~~in any event shall such~~ are the bonds be  
24 payable out of any funds or properties other than those of the company.

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1           **(12)** FORM AND SALE OF BONDS. (a) Bonds of an electric company shall be  
2 authorized by resolution of the board of directors and may be issued under ~~such~~ the  
3 resolution or under a trust indenture or other security instrument in one or more  
4 series and shall bear ~~such date or~~ the dates, mature at ~~such time or~~ the times, bear  
5 interest at ~~such rate or~~ the rates, be in ~~such denomination or~~ the denominations, be  
6 in the form of coupon bonds or registered bonds under s. 67.09, have ~~such~~ the rank  
7 or priority, be executed in ~~such~~ the manner, be payable in ~~such~~ the medium of  
8 payment, at ~~such place or~~ the places, and be subject to ~~such~~ the terms of redemption,  
9 with or without premium, ~~as such~~ that the resolution, trust indenture or other  
10 security instrument ~~may provide~~ provides, and without limitation by the provisions  
11 of any other law limiting amounts, maturities or interest rates.

12           (b) The bonds may be sold at public or private sale as the company ~~may provide~~  
13 provides and at ~~such price or~~ the prices as ~~that~~ the company shall ~~determine~~  
14 determines.

15           (c) ~~In case any of the officers whose signatures appear on any bonds or coupons~~  
16 ~~shall cease~~ If an officer whose signature appears on a bond or coupon ceases to be  
17 ~~such officers~~ an officer before the delivery of such obligations, ~~such signatures shall,~~  
18 nevertheless, be the obligation, the signature is valid and sufficient for all purposes,  
19 ~~the same~~ as if the ~~officers~~ officer had remained in office until ~~such~~ delivery.

20           **(13)** COVENANTS. (intro.) The company ~~shall have power~~ may in connection  
21 with the issuance of its bonds ~~to~~:

22           (b) Redeem the bonds, ~~to~~ covenant for their redemption and ~~to~~ provide the  
23 terms and conditions ~~thereof~~ of the redemption.

24           (d) Covenant and prescribe as to events of default and terms and conditions  
25 upon which any ~~or all~~ of its bonds shall become or may be declared due before

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1 maturity, as to the terms and conditions upon which ~~such~~ the declaration and its  
2 consequences may be waived and as to the consequences of default and the remedies  
3 of bondholders.

4 (e) Covenant as to the mortgage or pledge of or the grant of a security interest  
5 in any real or personal property and all or any part of the revenues from any project  
6 ~~or projects~~ or any revenue producing contract ~~or contracts~~ made by the company with  
7 any person or public agency to secure the payment of bonds, subject to ~~such~~ existing  
8 agreements with the holders of bonds ~~as may then exist~~.

9 (g) Covenant as to the purposes to which the proceeds from the sale of any bonds  
10 ~~then or thereafter to be issued~~ may be applied, and the pledge of ~~such~~ the proceeds  
11 to secure the payment of the bonds.

12 (j) Covenant as to the procedure by which the terms of any contract with or for  
13 the benefit of the holders of bonds may be amended or abrogated, the amount of  
14 bonds, the holders of which must consent ~~thereto~~ to amendment or abrogation, and  
15 the manner in which ~~such~~ consent may be given.

16 (k) Covenant as to the custody and safekeeping of any of its properties or  
17 investments, ~~the safekeeping thereof~~, the insurance to be carried ~~thereon~~ on the  
18 properties or investments, and the use and disposition of insurance proceeds.

19 (L) Covenant as to the vesting in ~~a trustee or~~ one or more trustees, within or  
20 outside the state, of ~~such~~ those properties, rights, powers and duties in trust ~~as that~~  
21 the company ~~may determine~~ determines.

22 (m) Covenant as to the appointing and providing for the duties and obligations  
23 of ~~a paying agent or~~ one or more paying agents or other fiduciaries within or outside  
24 the state.

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1           (n) Make all other covenants and ~~to do any and all such acts and things as may~~  
2     be necessary or convenient or desirable in order to secure its bonds, or in the absolute  
3     discretion of the company tend to make the bonds more marketable; notwithstanding  
4     that ~~such~~ the covenants, acts or things may not be enumerated herein; ~~it being the~~  
5     ~~intention hereof to give the~~ in this subsection. ~~A company power to~~ may do all things  
6     in the issuance of bonds and in the provisions for security ~~thereof~~ of the bonds which  
7     are not inconsistent with the constitution of the state.

8           (o) Execute all instruments necessary or convenient in the exercise of the  
9     powers ~~herein~~ granted in this subsection or in the performance of covenants or  
10    duties, which may contain ~~such~~ covenants and provisions, ~~as that~~ any purchaser of  
11    the bonds of the company ~~may reasonably require~~ requires.

12           **(14) REFUNDING BONDS.** A company may issue refunding bonds for the purpose  
13    of paying any of its bonds at or prior to maturity or upon acceleration or redemption.  
14    Refunding bonds may be issued at ~~such~~ the time prior to the maturity or redemption  
15    of the refunded bonds as that the company deems to be in the public interest. The  
16    refunding bonds may be issued in sufficient amounts to pay or provide the principal  
17    of the bonds being refunded, together with any redemption premium ~~thereon~~ on the  
18    bonds, any interest accrued or to accrue to the date of payment of ~~such~~ the bonds, the  
19    expenses of issue of the refunding bonds, the expenses of redeeming the bonds being  
20    refunded, and ~~such~~ the reserves for debt service or other capital or current expenses  
21    from the proceeds of ~~such~~ the refunding bonds as ~~may be~~ required by the resolution,  
22    trust indenture or other security instruments. The issue of ~~refunding bonds~~, the  
23    maturities and other details ~~thereof~~ of, the security ~~therefor~~ for, the rights of the  
24    holders ~~thereof~~ of, and the rights, duties and obligations of the company in respect  
25    of the ~~same shall be~~ refunding bonds are governed by the provisions of this section

**ASSEMBLY BILL 710****SECTION 211**

1 relating to the issue of bonds other than refunding bonds ~~insofar as the same may~~  
2 ~~be to the extent that the provisions are applicable.~~

3 **(15)** BONDS ELIGIBLE FOR INVESTMENT. ~~Bonds issued by a company under this~~  
4 ~~section are hereby made securities in which all~~ All public officers and agencies of the  
5 ~~state and all political subdivisions, of the state and~~ all insurance companies, trust  
6 companies, banks, savings banks, savings and loan associations, investment  
7 companies, executors, administrators, trustees and other fiduciaries may ~~properly~~  
8 ~~and legally~~ invest funds, including capital in their control or belonging to them.  
9 ~~Such, in bonds issued by a company under this section. The bonds are hereby made~~  
10 ~~securities which may properly and legally~~ be deposited with and received by any  
11 officer or agency of the state or any political subdivision for any purpose for which  
12 the deposit of bonds or obligation of the state or any political subdivision is ~~now or~~  
13 ~~may hereafter be~~ authorized by law.

14 **(16)** (b) The property of a company, including any proportional share of any  
15 property owned by a company in conjunction with any other person or public agency,  
16 ~~is declared to be~~ public property used for essential public and governmental purposes  
17 and ~~such~~ the property or proportional share, a company and its income ~~shall be~~ are  
18 exempt from all taxes of the state or any state public body except that for each project  
19 owned or partly owned by it, a company shall make payments ~~in lieu of taxes~~ to  
20 the state equal to the amount which would be paid to the state under ss. 76.01 to  
21 76.26 for ~~such~~ the project or share ~~thereof~~ of the project if it were deemed to be owned  
22 by a company under s. 76.02 (2). The payment shall be determined, administered  
23 and distributed by the state in the same manner as the taxes paid by companies  
24 under ss. 76.01 to 76.26.

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1           **(17) SUCCESSOR.** A company shall, if the contract so provides, be the successor  
2 to any nonprofit corporation, agency or any other entity theretofore previously  
3 organized by such the contracting municipalities to provide the same or a related  
4 function, and the company shall be is entitled to all rights and privileges and shall  
5 assume all obligations and liabilities of the other entity under existing contracts to  
6 which the other entity is a party.

7           **(18) OTHER STATUTES.** The powers granted under this section do not limit the  
8 powers of municipalities to enter into intergovernmental cooperation or contracts or  
9 to establish separate legal entities under ~~s. 66.30~~ ss. 66.0301 to 66.0311 or any other  
10 applicable law, or otherwise to carry out their powers under applicable statutory  
11 provisions, nor ~~shall such~~ do the powers granted under this section limit the powers  
12 reserved to municipalities by state law.

13           **SECTION 212.** 66.0735 of the statutes is renumbered 66.0823, and 66.0823 (5)  
14 (q), as renumbered, is amended to read:

15           66.0823 (5) (q) Invest any funds held in reserve or sinking funds, or any funds  
16 not required for immediate disbursement, including the proceeds from the sale of any  
17 bonds, in such obligations, securities and other investments as the authority deems  
18 proper in accordance with s. ~~66.04 (2)~~ 66.0603 (1).

19           **SECTION 213.** 66.074 of the statutes is repealed.

NOTE: Repealed as obsolete. Section 66.074 grants authority to cities, villages  
and towns in connection with ice plants, fuel depots and landing fields. Current  
municipal authority regarding airports is contained in ch. 114.

20           **SECTION 214.** 66.075 of the statutes is repealed.

NOTE: Repealed as obsolete. Section 66.075 authorizes counties, cities, villages  
and towns of over 5,000 population to construct and maintain public  
slaughterhouses.

21           **SECTION 215.** 66.076 (title) of the statutes is renumbered 66.0821 (title) and  
22 amended to read:

**ASSEMBLY BILL 710****SECTION 215**

1           **66.0821** (title) ~~Sewerage system, service charge and storm water~~  
2 ~~systems.~~

3           **SECTION 216.** 66.076 (1) of the statutes is renumbered 66.0821 (2) (a) and  
4 amended to read:

5           66.0821 **(2)** (a) 1. In addition to all other methods provided by law, ~~any a~~  
6 municipality may construct, acquire or lease, extend or improve any plant and  
7 equipment within or without its corporate limits for the collection, transportation,  
8 storage, treatment and disposal of sewage or storm water and surface water,  
9 including the necessary lateral, main and interceptor sewers ~~necessary in connection~~  
10 ~~therewith,~~ and ~~any a~~ town, village or city may arrange for such the service to be  
11 furnished by a metropolitan sewerage district or joint sewerage system. ~~Except as~~  
12 ~~provided in s. 66.60 (6m), payment for a sewerage project described in this~~  
13 ~~paragraph, or any part of such project, may be provided from the general fund, from~~  
14 ~~taxation, special assessments, sewerage service charges, or from the proceeds of~~  
15 ~~either municipal obligations, revenue bonds or from any combination of these~~  
16 ~~enumerated methods of financing.~~

NOTE: The deleted sentence is restated as s. 66.0813 (3) (a) by SECTION 245.

17           2. If the extension of a sewer line or water main that is described under ~~par.~~  
18 ~~(a) subd. 1.~~ is required because of a new subdivision, as defined in s. 236.02 (12), or  
19 commercial development, the municipality may recoup some or all of the costs that  
20 it has incurred for the extension by a method described under ~~par. (a) subd. 1.~~ or by  
21 any other method of financing agreed to by the municipality and the developer. If  
22 a person, whose property is outside of the subdivision for which a developer is paying,  
23 or has paid, the costs of a sewerage project under this ~~paragraph~~ subdivision,  
24 connects an extension into the sewerage project after the amount is established that

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1 the developer is required to pay under this ~~paragraph~~ subdivision, that person shall  
2 pay to the developer an amount determined by the public service commission. The  
3 public service commission shall promulgate rules to determine the amount that such  
4 a person shall pay to a developer. The rules promulgated under this ~~paragraph~~  
5 subdivision, shall be based on the benefits accruing to the property that connects an  
6 extension into the sewerage project.

7 **SECTION 217.** 66.076 (1m) of the statutes is renumbered 66.0821 (1) (intro.) and  
8 amended to read:

9 66.0821 (1) (intro.) In this section, “municipality”:

10 (a) “Municipality” means ~~any a~~ a town, village, city or metropolitan sewerage  
11 district created under ss. ~~66.20~~ 200.01 to ~~66.26~~ 200.15 or under ss. ~~66.88~~ 200.21 to  
12 ~~66.918~~ 200.65.

13 **SECTION 218.** 66.076 (2) of the statutes is renumbered 66.0821 (3) (b) and  
14 amended to read:

15 66.0821 (3) (b) ~~Where payment~~ If funding under par. (a) in whole or in part is  
16 ~~made~~ by the issue and sale of revenue bonds, the payments shall be made as provided  
17 in s. ~~66.066~~. ~~The provisions of s. 66.066 which are~~ 66.0621 to the extent not  
18 inconsistent with this section are ~~made a part of this section~~. ~~The term.~~ In this  
19 paragraph. “public utility” as used in s. ~~66.066~~ shall ~~for this purpose include~~ 66.0621  
20 includes the sewerage system, accessories, equipment and other property, including  
21 land. The mortgage or revenue bonds or mortgage certificates shall do not constitute  
22 an indebtedness of the municipality ~~but shall~~ and may be secured only by the  
23 sewerage system and its revenue, and the franchise provided for in this section.

24 **SECTION 219.** 66.076 (3) of the statutes is renumbered 66.0821 (6) and amended  
25 to read:

**ASSEMBLY BILL 710****SECTION 219**

1           66.0821 (6) ~~In the event of~~ If there is a sale of the mortgaged sewerage system  
2 premises on a judgment of foreclosure and sale, the price paid for the ~~same shall~~  
3 premises may not exceed the amount of the judgment and the costs of sale to and  
4 including the recording of the sheriff's deed. The purchaser on the foreclosure sale  
5 may operate and maintain ~~said~~ the sewerage system and collect sewerage service  
6 charges, and for that purpose ~~shall be~~ is deemed to have a franchise from the  
7 municipality. The term "purchaser" ~~shall include~~ includes the purchaser's  
8 successors or assigns. The rates to be charged, in addition to the contributions, if any,  
9 which the municipality has obligated itself to make toward the capital or operating  
10 costs of the plant, shall be sufficient to meet the requirements of operation,  
11 maintenance, repairs, depreciation, interest and an amount sufficient to amortize  
12 the judgment debts and all additional capital costs which the purchaser contributes  
13 to the plan over a period not exceeding 20 years, ~~and in.~~ In addition to the foregoing,  
14 the purchaser of the premises ~~shall be entitled to~~ may earn a reasonable amount, as  
15 determined by the public service commission, on the actual amount of the  
16 purchaser's investment in the premises represented by the purchase price of the  
17 premises, plus any additions made to the ~~same~~ investment by the purchaser or minus  
18 any payments made by the municipality on account of such the investments. The  
19 municipality may ~~at any time~~ by payment reduce such the investment of the  
20 purchaser and after full payment of the purchase price plus the cost of subsequent  
21 improvements the premises shall revert to the municipality. ~~So long as~~ While the  
22 premises are owned by the private purchaser, the ~~same~~ premises shall be considered  
23 a public utility and ~~be~~ are subject to ch. 196 ~~so far as~~ to the extent applicable.

24           **SECTION 220.** 66.076 (4) of the statutes is renumbered 66.0821 (4) (a) and  
25 amended to read:

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1           66.0821 (4) (a) The governing body of the municipality may establish sewerage  
2 service charges in such an amount as to meet all or part of the requirements for the  
3 construction, reconstruction, improvement, extension, operation, maintenance,  
4 repair and depreciation of the sewerage system, and for the payment of all or part  
5 of the principal and interest of any indebtedness incurred ~~thereof~~ for those purposes,  
6 including the replacement of funds advanced by or paid from the general fund of the  
7 municipality. Service charges made by a metropolitan sewerage district to any town,  
8 village or city shall ~~in turn~~ be levied by such the town, village or city against the  
9 individual sewer system users within the corporate limits of such the municipality,  
10 and the responsibility for collecting such municipality shall collect the charges and  
11 promptly ~~remitting same~~ remit them to the metropolitan sewerage district ~~shall lie~~  
12 ~~with such municipality~~. Delinquent charges shall be collected in accordance with  
13 sub. (7) (4) (c).

14           **SECTION 221.** 66.076 (5) (a) of the statutes is renumbered 66.0821 (4) (b) and  
15 amended to read:

16           66.0821 (4) (b) For the purpose of making equitable charges for all services  
17 rendered by the sanitary sewerage system to the municipality or to citizens,  
18 corporations and other users, the property benefited ~~thereby~~ by the system may be  
19 classified, taking into consideration the volume of water, including surface or drain  
20 waters, the character of the sewage or waste and the nature of the use made of the  
21 sewerage system, including the sewage disposal plant. The charges may ~~also~~ include  
22 standby charges to property not connected but for which such sewerage system  
23 facilities have been made available.

24           **SECTION 222.** 66.076 (5) (b) of the statutes is renumbered 66.0821 (4) (c).

**ASSEMBLY BILL 710****SECTION 223**

1           **SECTION 223.** 66.076 (6) of the statutes is renumbered 66.0821 (3) (c) and  
2 amended to read:

3           66.0821 **(3)** (c) Any municipality may pledge, assign or otherwise hypothecate  
4 the net earnings or profits derived or to be derived from a sewerage system to secure  
5 the payment of the costs of purchasing, constructing or otherwise acquiring a  
6 sewerage system or any part thereof of a sewerage system, or for extending or  
7 improving such the sewerage system, in the manner provided in s. 66.066 (4) as the  
8 same has been and from time to time may be amended or recreated 66.0621 (5).

9           **SECTION 224.** 66.076 (7) of the statutes is renumbered 66.0821 (4) (c) and  
10 amended to read:

11           66.0821 **(4)** (c) Sewerage service charges shall be collected and taxed and shall  
12 be a lien upon the property served in the same manner as water rates are taxed and  
13 collected under s. 66.069 (1) or 66.071 (1) (e), so far as 62.69 (2) (f) or 66.0809 to the  
14 extent applicable, except that charges of a metropolitan sewerage district created  
15 under ss. ~~66.88~~ 200.21 to 66.918 200.65 shall be assessed and collected as provided  
16 in s. ~~66.91~~ 200.55 (5).

17           **SECTION 225.** 66.076 (8) of the statutes is renumbered 66.0821 (2) (b) and  
18 amended to read:

19           66.0821 **(2)** (b) The governing body of any a municipality, and the officials in  
20 charge of the management of the sewerage system as well as other officers of the  
21 municipality, ~~shall be~~ are governed in the discharge of their powers and duties under  
22 this section by s. ~~66.069~~ ss. 66.0809 to 66.0813 or 66.071 (1) (e), ~~which are hereby~~  
23 ~~made a part of this section so far as applicable and not inconsistent herewith~~ 62.69  
24 (2) (f), to the extent consistent with this section, or, in the case of a metropolitan

**ASSEMBLY BILL 710**

1 sewerage district created under ss. ~~66.88~~ 200.21 to ~~66.918~~ 200.65, by ss. ~~66.91~~ 200.55  
2 and ~~66.912~~ 200.59.

3 **SECTION 226.** 66.076 (9) of the statutes is renumbered 66.0821 (5) (a) and  
4 amended to read:

5 66.0821 (5) (a) If ~~any~~ a user of a service complains to the public service  
6 commission that rates, rules and practices are unreasonable or unjustly  
7 discriminatory, or if a holder of a mortgage or revenue bond or mortgage certificate  
8 or other evidence of debt, secured by a mortgage on the sewerage system or any part  
9 thereof of the system or pledge of the income of sewerage service charges, complains  
10 that rates are inadequate, the public service commission shall investigate the  
11 complaint. If there appears to be sufficient cause for the complaint, the commission  
12 shall set the matter for a public hearing upon 10 days' notice to the complainant and  
13 the town, village or city. After the hearing, if the public service commission  
14 determines that the rates, rules or practices complained of are unreasonable or  
15 unjustly discriminatory, it shall determine and by order fix reasonable rates, rules  
16 and practices and ~~shall~~ may make ~~such~~ any other order respecting the complaint as  
17 ~~may be~~ that is just and reasonable, including, in the case of standby charges imposed  
18 under sub. (5) (b) ~~(4) (c)~~, an order that a municipality refund to the user any amount  
19 of the standby charges that have been collected if the user has filed a complaint with  
20 the public service commission not later than 60 days after receiving a notice of charge  
21 that relates to an increased standby charge. The proceedings under this subsection  
22 ~~shall be~~ paragraph are governed, as far as to the extent applicable, by ss. 196.26 to  
23 196.40. The commission shall bill any expense of the commission attributable to a  
24 proceeding under this subsection paragraph to the town, village or city under s.  
25 196.85 (1).

**ASSEMBLY BILL 710****SECTION 227**

1           **SECTION 227.** 66.076 (10) of the statutes is renumbered 66.0821 (5) (b) and  
2 amended to read:

3           66.0821 (5) (b) Judicial review of the a determination of the public service  
4 commission under par. (a) may be had by any person aggrieved in the manner  
5 prescribed in ch. 227.

6           **SECTION 228.** 66.076 (11) of the statutes is renumbered 66.0821 (1) (b) and  
7 amended to read:

8           66.0821 (1) (b) ~~The word “sewerage” as used in this section shall be considered~~  
9 “Sewerage” is a comprehensive term, including all constructions for collection,  
10 transportation, pumping, treatment and final disposition of sewage or storm water  
11 and surface water.

12           **SECTION 229.** 66.076 (12) of the statutes is renumbered 66.0821 (7) and  
13 amended to read:

14           66.0821 (7) The authority ~~hereby given shall be~~ under this section is in addition  
15 to any power which municipalities now otherwise have with respect to sewerage or  
16 sewage disposal. Nothing in this section shall be construed as restricting or  
17 interfering with any powers and duties of the department of health and family  
18 services as prescribed by law.

19           **SECTION 230.** 66.077 of the statutes is renumbered 66.0819 and amended to  
20 read:

21           **66.0819 Combining water and sewer utilities. (1)** Any A town, village, or  
22 city ~~of the fourth class~~ may construct, acquire, or lease, or extend and improve, a  
23 plant and equipment within or without its corporate limits for the furnishing of  
24 water to the municipality or to its inhabitants, and for the collection, treatment, and  
25 disposal of sewage, including the lateral, main and intercepting sewers, and all

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1 ~~necessary~~ equipment ~~necessary in connection therewith.~~ ~~Such.~~ The plant and  
2 equipment, whether the structures and equipment for the furnishing of water and  
3 for the disposal of sewage ~~shall be~~ are combined or separate, may by ordinance be  
4 constituted a single public utility.

5 (2) The provisions of this chapter and chs. 196 and 197 relating to a water  
6 system, including, ~~but not limited to,~~ those provisions relating to the regulation of  
7 a water system by the public service commission, shall apply to a consolidated water  
8 and sewage disposal system as a single public utility. In prescribing rates,  
9 accounting and engineering practices, extension rules, service standards or other  
10 regulations for a consolidated water and sewage disposal system, the public service  
11 commission shall treat the water system and the sewage disposal system separately,  
12 unless the commission finds that the public interest requires otherwise.

13 (3) ~~Any~~ A town, village or 4th class city which owns or acquires a water system  
14 and a plant or system for the treatment or disposal of sewage may by ordinance  
15 consolidate the systems into a single public utility. After the effective date of the  
16 ordinance the consolidated utility is subject to this section ~~with the same force and~~  
17 ~~effect~~ as though originally acquired as a single public utility.

NOTE: Extends authority under the section to any city, not just 4th class cities.

18 **SECTION 231.** 66.078 of the statutes is renumbered 66.0623 and amended to  
19 read:

20 **66.0623 Refunding village, town, sanitary and inland lake district**  
21 **bonds.** ~~Any~~ A village, town, town sanitary district established under s. 60.71 (1) or  
22 public inland lake protection and rehabilitation district established under ch. 33  
23 which has undertaken to construct a combined sewer and water system and issued  
24 revenue bonds payable from the combined revenues of the system and which is

**ASSEMBLY BILL 710****SECTION 231**

1 unable to provide sufficient funds to complete the construction of the system and to  
2 meet maturing principal of the revenue bonds, may, with the consent of all of the  
3 holders of noncallable bonds, refund all or any part of its outstanding indebtedness,  
4 including revenue bonds, by issuing term bonds maturing in not more than 20 years,  
5 payable solely from the revenues of the combined sewer and water system and  
6 redeemable at par on any interest payment date. ~~Such~~ The bonds may be issued as  
7 provided in s. ~~66.066~~ 66.0621 (2) and shall pledge income from hydrant rentals and  
8 all sewer and water charges and may contain any covenants authorized by law,  
9 except if bonds are issued under this section to refund floating indebtedness, the  
10 bonds ~~shall be~~ are subject to the prior lien and claim of all bonds issued to refund  
11 revenue bonds issued prior to the refunding.

12 **SECTION 232.** 66.079 of the statutes is renumbered 66.0829 and amended to  
13 read:

14 **66.0829 Parking systems. (1)** ~~Any A~~ city, village or town ~~without necessity~~  
15 ~~of a referendum~~ may purchase, acquire, rent from a lessor, construct, extend, add to,  
16 improve, conduct, operate or rent to a lessee a municipal parking system for the  
17 parking of vehicles, including parking lots and other parking facilities, upon its  
18 public streets or roads or public grounds and issue revenue bonds to acquire funds  
19 for any one or more of these purposes. The parking lots and other parking facilities  
20 may include space designed for leasing to private persons for purposes other than  
21 parking. The provisions of s. ~~66.066~~ 66.0621 governing the issuance of revenue bonds  
22 apply, ~~so far as to the extent~~ applicable, to revenue bonds issued under this  
23 subsection. The municipal parking systems are public utilities under article XI,  
24 section 3, of the constitution. ~~Revenue~~ Principal and interest of revenue bonds issued  
25 under this subsection are payable solely, ~~both principal and interest,~~ from the

**ASSEMBLY BILL 710**

1 revenues to be derived from the parking system, including without limitation  
2 revenues from parking meters or other parking facilities. Any revenue derived from  
3 ~~any a~~ facility financed by a revenue bond issued under this subsection ~~shall~~ may be  
4 used only to pay the principal and interest of that revenue bond, except that after the  
5 principal and interest of that revenue bond have been paid in full the revenue derived  
6 from the facility may be used for any purpose.

7 ~~(2) Any municipality empowered to create part of~~ a parking system under sub.  
8 (1) ~~may finance and operate any part of such system~~ be financed and operated in the  
9 following manner:

10 (a) The cost of constructing any parking system or facility, including the cost  
11 of the land, may be assessed against a benefited area, ~~such~~ the benefited area and  
12 assessments to be determined in the manner prescribed by either subch. II of ch. 32  
13 or s. ~~66.60~~ 66.0703, except that the number of annual instalments in which ~~such~~ the  
14 assessment is payable ~~shall~~ may not exceed 20.

15 (b) The cost of operating and maintaining any parking system or facility may  
16 be assessed not more than once in each calendar year against all property in a  
17 benefited area, ~~such~~ the area and ~~such~~ assessments to be determined in the manner  
18 prescribed by either subch. II of ch. 32 or by s. ~~66.60~~. ~~Such~~ 66.0703. The costs may  
19 include a payment in lieu of taxes, operating, maintenance and replacement costs,  
20 and interest on any unpaid capital cost.

21 (c) The governing body may, in determining the amount of the assessment  
22 under par. (a) or (b), credit any portion of the revenues from the parking system or  
23 facility.

24 (d) No assessment, ~~as authorized in par. (a) or (b),~~ ~~shall~~ may be made against  
25 any property used wholly for residential purposes.

**ASSEMBLY BILL 710****SECTION 233**

1           **SECTION 233.** 66.08 of the statutes is renumbered 66.0723 and amended to  
2 read:

3           **66.0723 Utilities, special assessments. (1)** ~~Whenever any~~ If a city, village  
4 or town shall ~~construct or acquire~~ constructs, extends or acquires by gift, purchase  
5 or otherwise a distribution system or a production or generating plant for the  
6 furnishing of light, heat or power to any municipality or its inhabitants ~~or shall make~~  
7 ~~any extensions thereto, such,~~ the city, village or town may assess ~~the whole or any~~  
8 ~~part of the~~ all or some of the cost thereof to the property benefited thereby, whether  
9 abutting or not, in the same manner as is provided for the assessment of benefits  
10 under s. ~~66.60~~ 66.0703.

11           **(2)** ~~Such special~~ Special assessments under this section may be made payable  
12 and certificates or bonds issued under s. ~~66.54~~ 66.0713. In a city, village or town  
13 where no official paper is published, notice may be given by posting the notice in 3  
14 public places in the city, village or town.

15           **SECTION 234.** Subchapter VIII (title) of chapter 66 [precedes 66.0801] of the  
16 statutes is created to read:

**CHAPTER 66****SUBCHAPTER VIII****PUBLIC UTILITIES**

20           **SECTION 235.** 66.0801 of the statutes is created to read:

21           **66.0801 Definitions; effect on other authority. (1)** In this subchapter:

22           (a) “Municipal public utility” means a public utility owned or operated by a city,  
23 village or town.

24           (b) “Public utility” has the meaning given in s. 196.01 (5).

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1           **(2)** Sections 66.0803 to 66.0825 do not deprive the office of the commissioner  
2 of railroads, department of transportation or public service commission of any power  
3 under ss. 195.05 and 197.01 to 197.10 and ch. 196.

NOTE: Restates a portion of s. 66.06, repealed by this bill, and provides a definition of “municipal public utility” for purposes of the subchapter. The current provision stating that the phrase “resolution or ordinance”, when used in specified sections, means ordinances only is deleted as unnecessary.

4           **SECTION 236.** 66.0805 (1) of the statutes is created to read:

5           66.0805 **(1)** Except as provided in sub. (6), the governing body of a city shall,  
6 and the governing body of a village or town may, provide for the nonpartisan  
7 management of a municipal public utility by creating a commission under this  
8 section. The board of commissioners, under the general control and supervision of  
9 the governing body, shall be responsible for the entire management of and shall  
10 supervise the operation of the utility. The governing body shall exercise general  
11 control and supervision of the commission by enacting ordinances governing the  
12 commission’s operation. The board shall consist of 3, 5 or 7 commissioners.

NOTE: 1. Restates s. 66.068 (1), repealed by SECTION 180.

2. Provides that the “general control and supervision” of the utility commission by the municipal governing body is by means of ordinance governing the commission’s operation. Previous law was silent on the issue.

13           **SECTION 237.** 66.0807 (1) of the statutes is created to read:

14           66.0807 **(1)** In this section, “privately owned public utility” includes a  
15 cooperative association organized under ch. 185 for the purpose of producing or  
16 furnishing utility service to its members only.

NOTE: By adding cooperatives to the definition of “privately owned public utility” (cooperatives are otherwise excluded from the definition of “public utility”; see ss. 196.01 (5) and 66.0801 (1) (b), the latter created by this bill), municipalities are authorized to enter into a joint operation agreement with a cooperative. See, also, SECTION 171.

17           **SECTION 238.** 66.081 of the statutes is repealed.

NOTE: Repeals an archaic provision of the statutes relating to the recording of orders and court certificates drawn on a municipal treasurer.

18           **SECTION 239.** 66.0811 (title) of the statutes is created to read:

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1           **66.0811** (title) **Municipal public utility revenues.**

2           **SECTION 240.** 66.0813 (title) of the statutes is created to read:

3           **66.0813** (title) **Provision of utility service outside of municipality by**  
4 **municipal public utility.**

5           **SECTION 241.** 66.082 of the statutes is renumbered 66.0419, and 66.0419 (2) (e)  
6 and (3) (c), as renumbered, are amended to read:

7           66.0419 **(2)** (e) “Franchise fee” means any fee, assessment or other  
8 compensation which a municipality requires a cable operator to pay, with respect to  
9 the operation of cable television systems, solely because of the cable operator’s status  
10 as such, and includes any compensation required under s. ~~66.045~~ 66.0425.

11           **(3)** (c) Require the payment of franchise fees which, notwithstanding s. ~~66.70~~  
12 66.0611, may be based on the income or gross revenues of a cable television system,  
13 or measured by such income or gross revenues.

14           **SECTION 242.** 66.0821 (1) (intro.) of the statutes is created to read:

15           66.0821 **(1)** DEFINITIONS. (intro.) In this section:

16           **SECTION 243.** 66.0821 (2) (title) of the statutes is created to read:

17           66.0821 **(2)** (title) GENERAL AUTHORITY.

18           **SECTION 244.** 66.0821 (3) (title) of the statutes is created to read:

19           66.0821 **(3)** (title) FUNDING.

20           **SECTION 245.** 66.0821 (3) (a) of the statutes is created to read:

21           66.0821 **(3)** (a) Except as provided in s. 66.0721, all or a portion of the cost of  
22 exercising the authority under sub. (2) may be funded, to the extent applicable, from  
23 the municipality’s general fund, by taxation, special assessment or sewerage service  
24 charges, by municipal obligations or revenue bonds or from any combination of these  
25 sources.

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NOTE: Restates language deleted from current s. 66.076 (1) by SECTION 216.

1       **SECTION 246.** 66.0821 (4) (title) of the statutes is created to read:

2       66.0821 (4) (title) SERVICE CHARGES.

3       **SECTION 247.** 66.0821 (5) (title) of the statutes is created to read:

4       66.0821 (5) (title) UNREASONABLE OR DISCRIMINATORY RATES, RULES AND PRACTICES.

5       **SECTION 248.** 66.0821 (6) (title) of the statutes is created to read:

6       66.0821 (6) (title) FORECLOSURE SALE.

7       **SECTION 249.** 66.0821 (7) (title) of the statutes is created to read:

8       66.0821 (7) (title) RELATION TO OTHER AUTHORITY.

9       **SECTION 250.** 66.083 (title) of the statutes is renumbered 66.0423 (title).

10       **SECTION 251.** 66.083 of the statutes is renumbered 66.0423 (2) and amended

11 to read:

12       66.0423 (2) Cities and villages, and towns not subject to an ordinance enacted  
13 under s. 59.55 (4), may, by ordinance, regulate the retail sales, other than auction  
14 sales, made by transient merchants, ~~as defined in s. 130.065 (1m), 1987 stats.,~~ and  
15 provide penalties for violations of those ordinances.

NOTE: Authorizes a town that is not subject to a county ordinance regulating retail sales, other than auction sales, made by transient merchants to regulate these sales by its own ordinance. Also see the definitions in s. 66.0423 (1), SECTION 110.

16       **SECTION 252.** 66.085 (title) and (1) of the statutes are renumbered 66.0421

17 (title) and (1), and 66.0421 (1) (a) and (b), as renumbered, are amended to read:

18       66.0421 (1) (a) “Cable operator” has the meaning given in s. ~~66.082~~ 66.0419 (2)

19 (b).

20       (b) “Cable service” has the meaning given in s. ~~66.082~~ 66.0419 (2) (c).

21       **SECTION 253.** 66.085 (2) of the statutes, as affected by 1999 Wisconsin Act 9,

22 is renumbered 66.0421 (2).

**ASSEMBLY BILL 710****SECTION 254**

1           **SECTION 254.** 66.085 (3) and (4) of the statutes are renumbered 66.0421 (3) and  
2 (4), and 66.0421 (4), as renumbered, is amended to read:

3           66.0421 **(4)** REPAIR RESPONSIBILITY. A cable operator ~~shall be~~ is responsible for  
4 any repairs to a building required because of the construction, installation,  
5 disconnection or servicing of facilities to provide cable service.

6           **SECTION 255.** 66.09 (title), (1), (2), (3) and (4) of the statutes are renumbered  
7 66.0117 (title) and (2) to (5) and amended to read:

8           **66.0117** (title) **Judgment against municipalities, ~~etc.~~ local**  
9 **governmental units.**

10           **(2)** (a) ~~When If a final judgment for the payment of money shall be~~ is recovered  
11 against a ~~town, village, city, county, school district, technical college district, town~~  
12 ~~sanitary district, public inland lake protection and rehabilitation district or~~  
13 ~~community center~~ local governmental unit, or against any an officer thereof, in any  
14 action by or against the officer in the officer's name of office of the local governmental  
15 unit, when the judgment should is to be paid by such ~~municipality~~ the local  
16 governmental unit, the judgment creditor, ~~or the judgment creditor's assignee or~~  
17 ~~attorney,~~ may file a statement with the clerk of circuit court ~~a certified transcript of~~  
18 ~~the judgment, together with the judgment creditor's affidavit of payments made, if~~  
19 ~~any, and the amount due and that the judgment has not been appealed from or~~  
20 ~~removed to another court, or if so appealed or removed has been affirmed.~~ The clerk  
21 of circuit court shall send a copy of the statement to the appropriate municipal clerk.

22           (b) ~~The If a statement is filed under par. (a), the amount due, with costs and~~  
23 interest to the time when the money will be available for payment, shall be added to  
24 the next tax levy, and shall, when received, be paid to satisfy the judgment. If the  
25 judgment is appealed after filing the transcript with the clerk of circuit court, and

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1 before the tax is collected, the money shall not be collected on that levy. If the  
2 municipal clerk of circuit court fails to include the proper amount in the first tax levy,  
3 he or she shall include it or such the portion as is required to complete it in the next  
4 levy.

5 (3) In the case of school districts, town sanitary districts, or public inland lake  
6 protection and rehabilitation districts or community centers, transcript and affidavit  
7 a statement shall be filed with the clerk of the town, village or city in which the  
8 district or any part of it lies, and levy shall be made against the taxable property of  
9 the district or center.

10 (4) No process for the collection of such a judgment shall issue until after the  
11 time when the money, if collected upon the first tax levy as herein provided, would  
12 be under sub. (2) (b), is available for payment, and then only by leave of court upon  
13 motion.

14 (5) If by reason of dissolution or other cause, pending action, or after judgment,  
15 the transcript a statement cannot be filed with the clerk therein designated  
16 described in sub. (2) (a) or (3), it shall be filed with the clerk or clerks whose duty it  
17 is to make up the tax roll for the property liable.

18 **SECTION 256.** Subchapter IX (title) of chapter 66 [precedes 66.0901] of the  
19 statutes is created to read:

**CHAPTER 66****SUBCHAPTER IX****PUBLIC WORKS AND PROJECTS**

23 **SECTION 257.** 66.0901 (1) (intro.) of the statutes is created to read:

24 66.0901 (1) (intro.) In this section:

25 **SECTION 258.** 66.0901 (9) (a) of the statutes is created to read:

**ASSEMBLY BILL 710****SECTION 258**

1           66.0901 **(9)** (a) Notwithstanding sub. (1) (a), in this subsection, “municipality”  
2 does not include the department of transportation.

3           **SECTION 259.** 66.091 of the statutes is renumbered 893.81.

4           **SECTION 260.** 66.092 of the statutes is renumbered 66.0409.

5           **SECTION 261.** 66.0923 (5) of the statutes is created to read:

6           66.0923 **(5)** AUDITORIUM BOARD. (a) The ordinance shall provide for the  
7 establishment of a joint county–city auditorium board to be composed of all of the  
8 following:

9           1. The mayor or chief executive of the city, and the chairperson of the county  
10 board, who shall serve as members of the board during their respective terms of  
11 office.

12           2. Four members to be appointed by the county board chairperson and  
13 confirmed by the county board.

14           3. Four members to be appointed by the mayor or other chief executive officer  
15 of the city and confirmed by the city council.

16           (b) Under par. (a) 2. and 3., the initial term of one member shall be one year,  
17 the initial term of one member shall be 2 years, the initial term of one member shall  
18 be 3 years and the initial term of one member shall be 4 years. The respective  
19 successors of the members under par. (a) 2. and 3. shall be appointed and confirmed  
20 for terms of 4 years. All appointees shall serve until their successors are appointed  
21 and qualified. Terms shall begin as specified in the ordinance. Vacancies shall be  
22 filled for the unexpired term in the manner in which the original appointment was  
23 made.

24           (c) The mayor or chief executive of the city, and the county board chairperson,  
25 each may appoint not more than 2 public officials to the board under par. (a).

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1       **SECTION 262.** 66.0927 (1) (am) of the statutes is created to read:  
2       66.0927 **(1)** (am) “Hospital” means a general county–city hospital.

3       **SECTION 263.** 66.10 of the statutes is repealed.

NOTE: Repealed as unnecessary. This section provides alternative means of publication when ss. 66.01 to 66.08 require publication in the official paper of a municipality other than a city and there is no official newspaper. Chapter 985, relating to publication of legal notices, covers the subject matter of the repealed section.

4       **SECTION 264.** Subchapter X (title) of chapter 66 [precedes 66.1001] of the  
5 statutes is created to read:

**CHAPTER 66**

SUBCHAPTER X

PLANNING, HOUSING

AND TRANSPORTATION

10       **SECTION 265.** 66.1003 (1) of the statutes is created to read:

11       66.1003 **(1)** In this section, “public way” means all or any part of a road, street,  
12 slip, pier, lane or paved alley.

13       **SECTION 266.** 66.1019 (title) of the statutes is created to read:

14       **66.1019 (title) Housing codes to conform to state law.**

15       **SECTION 267.** 66.11 of the statutes is renumbered 66.0501, and 66.0501 (1), (2)  
16 and (3), as renumbered, are amended to read:

17       66.0501 **(1)** DEPUTY SHERIFFS AND MUNICIPAL POLICE. No person ~~shall~~ may be  
18 appointed deputy sheriff of any county or police officer for any city, village or town  
19 unless that person is a citizen of the United States. This section ~~shall~~ does not affect  
20 apply to common carriers, ~~nor apply or~~ to a deputy sheriff not required to take an oath  
21 of office.

**ASSEMBLY BILL 710****SECTION 267**

1           **(2) ELIGIBILITY OF OTHER OFFICERS.** Except as expressly authorized by statute,  
2 no member of a town, village or county board, or city council, shall, during the term  
3 for which the member is elected, ~~be~~ is eligible for any office or position which during  
4 such ~~that~~ term has been created by, or the selection to which is vested in, such ~~the~~  
5 board or council, but such ~~the~~ member ~~shall be~~ is eligible for any elective office. The  
6 governing body may be represented on city, village or town boards and commissions  
7 where no additional remuneration compensation, except a per diem, is paid ~~such to~~  
8 the representatives of the governing body and may fix the tenure of such ~~these~~  
9 representatives notwithstanding any other statutory provision. A representative of  
10 a governing body who is a member of a city, village or town board or commission may  
11 receive a per diem only if the remaining members of the board or commission may  
12 receive a per diem. This subsection ~~shall~~ does not apply to a member of any such  
13 board or council described in this subsection who resigns from said ~~the~~ board or  
14 council before being appointed to an office or position which was not created during  
15 the member's term in office.

16           **(3) APPOINTMENTS ON CONSOLIDATION OF OFFICES.** Whenever offices are  
17 consolidated, the occupants of which are members of the same statutory committee  
18 or board and which are serving in that office because of holding another office or  
19 position, the common council or village board may designate another officer or  
20 officers or make such any additional appointments as may be necessary to procure  
21 the number of committee or board members provided for by statute.

NOTE: Amends the prohibition, in sub. (2), of payment of additional remuneration to a representative of a governing body who sits on a city, village or town board or commission. The amendment provides that a representative of a governing body who is a member of a city, village or town board or commission may receive a per diem if the remaining members of the board or commission also may receive a per diem.

**ASSEMBLY BILL 710**

1           **SECTION 268.** Subchapter XI (title) of chapter 66 [precedes 66.1101] of the  
2 statutes is created to read:

**CHAPTER 66****SUBCHAPTER XI****DEVELOPMENT**

3  
4  
5  
6           **SECTION 269.** 66.111 of the statutes is repealed.

NOTE: Repeals s. 66.111, relating to allowing the same fee to other officers when a fee is allowed to one officer for the performance of the same services. This provision is not necessary because fees generally are no longer part of the salary structure for municipal officers.

7           **SECTION 270.** 66.113 of the statutes is renumbered 66.0515 and amended to  
8 read:

9           **66.0515 Receipts for fees.** Every officer or employe upon receiving fees for  
10 ~~any official duty or service~~ shall, if ~~required~~ requested to do so by the person paying  
11 the same fees, deliver to the that person paying a particular ~~receipted~~ account of such  
12 a receipt for the fees, specifying for ~~what they~~ which account each portion of the fees  
13 respectively accrued; ~~and if the officer fails to do so the officer shall be liable to the~~  
14 ~~party paying the same for 3 times the amount paid.~~

NOTE: Renumbers and amends s. 66.113 to provide that a municipal employe, as well as an officer, must supply a receipt for any fee received when requested to do so by the person paying the fee. The penalty for failure to supply a receipt is eliminated; violations may be prosecuted under s. 946.12, relating to misconduct in public office.

15           **SECTION 271.** 66.114 of the statutes is renumbered 66.0111, and 66.0111 (title),  
16 (1), (2) and (4), as renumbered, are amended to read:

17           **66.0111 (title) Bail Bond or cash deposit under municipal ordinances.**

18 **(1)** ~~When any~~ If a person is arrested for the violation of a city, village or town  
19 ordinance and the action is to be in circuit court, the chief of police or police officer  
20 designated by the chief, marshal or clerk of court may accept from the person a bond,  
21 in an amount not to exceed the maximum penalty for the violation, with sufficient

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1 sureties, or the person's personal bond upon depositing the amount thereof in money  
2 a cash deposit, for appearance in the court having jurisdiction of the offense. A  
3 receipt shall be issued therefor for the bond or cash deposit.

4 (2) (a) If the person so arrested and released fails to appear, personally or by  
5 an authorized attorney or agent, before the court at the time fixed for hearing of the  
6 case, then the bond and money deposited, or such portion thereof as an amount that  
7 the court may determine determines to be an adequate penalty, plus costs, including  
8 any applicable fees prescribed in ch. 814, may be declared forfeited by the court or  
9 may be ordered applied upon to the payment of any penalty which may be is imposed  
10 after an ex parte hearing, together with the costs. In either event, the any surplus,  
11 if any, shall be refunded to the person who made the deposit.

12 (b) ~~The provisions of this~~ This subsection shall does not apply to violations of  
13 parking ordinances. Bond or bail cash deposit given for appearance to answer a  
14 charge under any such parking ordinance may be forfeited in the manner determined  
15 by the governing body.

16 (4) This section shall does not apply to ordinances enacted under ch. 349.

NOTE: Reference to "bail" is deleted and replaced by reference to "cash deposit".  
This is consistent with other statutes dealing with municipal ordinances, which  
generally do not use the term "bail", but rather refer to "cash deposit" or a  
variation of that term.

17 **SECTION 272.** 66.115 of the statutes is renumbered 66.0109 and amended to  
18 read:

19 **66.0109 Penalties under county and municipal ordinances.** Where If a  
20 statute requires that the penalty under any county or municipal ordinance shall  
21 conform to the penalty provided by statute such the ordinance may impose only a  
22 forfeiture and may provide for imprisonment in case if the forfeiture is not paid.

23 **SECTION 273.** 66.117 of the statutes is renumbered 66.0115.

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1           **SECTION 274.** 66.119 (title) and (1) (title), (a) and (b) (intro.) and 1. to 6. of the  
2 statutes are renumbered 66.0113 (title) and (1) (title), (a) and (b) (intro.) and 1. to 6.,  
3 and 66.0113 (1) (a) (intro.) and (b) 5., as renumbered, are amended to read:

4           66.0113 **(1)** (a) (intro.) The Except as provided in sub. (5), the governing body  
5 of ~~any~~ a county, town, city, village, town sanitary district or public inland lake  
6 protection and rehabilitation district may by ordinance adopt and authorize the use  
7 of a citation under this section to be issued for violations of ordinances, including  
8 ordinances for which a statutory counterpart exists.

9           (b) 5. A designation of the offense in such a manner as that can be readily  
10 understood by a person making a reasonable effort to do so.

11           **SECTION 275.** 66.119 (1) (b) 7. to 9. and (c), (2) and (3) (title) of the statutes, as  
12 affected by 1999 Wisconsin Act 9, are renumbered 66.0113 (1) (b) 7. to 9. and (c), (2)  
13 and (3) (title).

14           **SECTION 276.** 66.119 (3) (a) to (d) of the statutes, as affected by 1999 Wisconsin  
15 Act 9, are renumbered 66.0113 (3) (a) to (d), and 66.0113 (3) (a), (c) and (d), as  
16 renumbered, are amended to read:

17           66.0113 **(3)** (a) The person named as the alleged violator in a citation may  
18 appear in court at the time specified in the citation or may mail or deliver personally  
19 a cash deposit in the amount, within the time and to the court, clerk of court or other  
20 official specified in the citation. If a person makes a cash deposit, the person may  
21 nevertheless appear in court at the time specified in the citation, ~~provided that~~ but  
22 the cash deposit may be retained for application against any forfeiture, restitution,  
23 penalty assessment, jail assessment, crime laboratories and drug law enforcement  
24 assessment, consumer information assessment or domestic abuse assessment that  
25 may be imposed.

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1 (c) If the alleged violator makes a cash deposit and fails to appear in court, the  
2 citation may serve as the initial pleading and the violator shall be considered to have  
3 tendered a plea of no contest and submitted to a forfeiture, the penalty assessment  
4 imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the crime  
5 laboratories and drug law enforcement assessment imposed by s. 165.755, any  
6 applicable consumer information assessment imposed by s. 100.261 and any  
7 applicable domestic abuse assessment imposed by s. 973.055 (1) not exceeding the  
8 amount of the deposit. The court may either accept the plea of no contest and enter  
9 judgment accordingly or reject the plea. If the court finds the violation meets the  
10 conditions in s. 800.093 (1), the court may summon the alleged violator into court to  
11 determine if restitution shall be ordered under s. 800.093. If the court accepts the  
12 plea of no contest, the defendant may move within 10 days after the date set for the  
13 appearance to withdraw the plea of no contest, open the judgment and enter a plea  
14 of not guilty if the defendant shows to the satisfaction of the court that the failure  
15 to appear was due to mistake, inadvertence, surprise or excusable neglect. If the plea  
16 of no contest is accepted and not subsequently changed to a plea of not guilty, no costs  
17 or fees may be taxed against the violator, but a penalty assessment, a jail assessment,  
18 a crime laboratories and drug law enforcement assessment and, if applicable, a  
19 consumer information assessment or a domestic abuse assessment shall be assessed.  
20 If the court rejects the plea of no contest, an action for collection of the forfeiture,  
21 penalty assessment, jail assessment, crime laboratories and drug law enforcement  
22 assessment, any applicable consumer information assessment and any applicable  
23 domestic abuse assessment may be commenced. A city, village, town sanitary district  
24 or public inland lake protection and rehabilitation district may commence action  
25 under s. ~~66.12~~ 66.0114 (1) and a county or town may commence action under s.

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1 778.10. The citation may be used as the complaint in the action for the collection of  
2 the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law  
3 enforcement assessment, any applicable consumer information assessment and any  
4 applicable domestic abuse assessment.

5 (d) If the alleged violator does not make a cash deposit and fails to appear in  
6 court at the time specified in the citation, the court may issue a summons or warrant  
7 for the defendant's arrest or consider the nonappearance to be a plea of no contest  
8 and enter judgment accordingly if service was completed as provided under par. (e)  
9 or the county, town, city, village, town sanitary district or public inland lake  
10 protection and rehabilitation district may commence an action for collection of the  
11 forfeiture, penalty assessment, jail assessment and crime laboratories and drug law  
12 enforcement assessment, any applicable consumer information assessment and any  
13 applicable domestic abuse assessment. A city, village, town sanitary district or  
14 public inland lake protection and rehabilitation district may commence action under  
15 s. ~~66.12~~ 66.0114 (1) and a county or town may commence action under s. 778.10. The  
16 citation may be used as the complaint in the action for the collection of the forfeiture,  
17 penalty assessment, jail assessment and crime laboratories and drug law  
18 enforcement assessment, any applicable consumer information assessment and any  
19 applicable domestic abuse assessment. If the court considers the nonappearance to  
20 be a plea of no contest and enters judgment accordingly, the court shall promptly mail  
21 a copy or notice of the judgment to the defendant. The judgment shall allow the  
22 defendant not less than 20 days from the date of the judgment to pay any forfeiture,  
23 penalty assessment, jail assessment and crime laboratories and drug law  
24 enforcement assessment, any applicable consumer information assessment and any  
25 applicable domestic abuse assessment imposed. If the defendant moves to open the

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1 judgment within 6 months after the court appearance date fixed in the citation, and  
2 shows to the satisfaction of the court that the failure to appear was due to mistake,  
3 inadvertence, surprise or excusable neglect, the court shall reopen the judgment,  
4 accept a not guilty plea and set a trial date.

5 **SECTION 277.** 66.119 (3) (e), (4) and (5) of the statutes are renumbered 66.0113  
6 (3) (e), (4) and (5), and 66.0113 (4), as renumbered, is amended to read:

7 66.0113 **(4)** RELATIONSHIP TO OTHER LAWS. The adoption and authorization for  
8 use of a citation under this section ~~shall~~ does not preclude the governing body from  
9 adopting any other ordinance or providing for the enforcement of any other law or  
10 ordinance relating to the same or any other matter. The issuance of a citation under  
11 this section ~~shall~~ does not preclude the proceeding under any other ordinance or law  
12 relating to the same or any other matter. ~~The proceeding~~ Proceeding under any other  
13 ordinance or law relating to the same or any other matter ~~shall~~ does not preclude the  
14 issuance of a citation under this section.

15 **SECTION 278.** 66.12 (title) and (1) (title) and (a) of the statutes, as affected by  
16 1999 Wisconsin Act 9, are renumbered 66.0114 (title) and (1) (title) and (a), and  
17 66.0114 (1) (a), as renumbered, is amended to read:

18 66.0114 **(1)** (a) An action for violation of an ordinance or bylaw enacted by a city,  
19 village, town sanitary district or public inland lake protection and rehabilitation  
20 district is a civil action. All forfeitures and penalties imposed by ~~any~~ an ordinance  
21 or bylaw of the city, village, town sanitary district or public inland lake protection and  
22 rehabilitation district, except as provided in ss. 345.20 to 345.53, may be collected in  
23 an action in the name of the city or village before the municipal court or in an action  
24 in the name of the city, village, town sanitary district or public inland lake protection  
25 and rehabilitation district before a court of record. If the action is in municipal court,

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1 the procedures under ch. 800 apply and the procedures under this section do not  
2 apply. If the action is in a court of record, it shall be commenced by warrant or  
3 summons under s. 968.04 or, if applicable, by citation under s. 778.25 or 778.26. A  
4 law enforcement officer may arrest the offender in all cases without warrant under  
5 s. 968.07. ~~The affidavit where~~ If the action is commenced by warrant ~~the affidavit~~  
6 may be the complaint. The affidavit or complaint ~~shall be~~ is sufficient if it alleges  
7 that the defendant has violated an ordinance or bylaw, specifying the ordinance or  
8 bylaw by section, chapter, title or otherwise with sufficient plainness to identify the  
9 ordinance or bylaw. The judge may release a defendant without ~~bail~~ a cash deposit  
10 or may permit him or her to execute an unsecured appearance bond upon arrest. In  
11 arrests without a warrant or summons a statement on the records of the court of the  
12 offense charged ~~shall stand as~~ is the complaint unless the court directs that a formal  
13 complaint be issued. In all actions under this paragraph the defendant's plea shall  
14 be guilty, not guilty or no contest and shall be entered as not guilty on failure to plead,  
15 ~~which.~~ A plea of not guilty shall put on failure to plead puts all matters in the case  
16 at issue, any other provision of law notwithstanding. The defendant may enter a not  
17 guilty plea by certified mail.

NOTE: Reference to "bail" in sub. (1) (a) is changed to "cash deposit" for  
consistency of reference in the statutes.

18 **SECTION 279.** 66.12 (1) (b) of the statutes, as affected by 1999 Wisconsin Act 9,  
19 is renumbered 66.0114 (1) (b) and amended to read:

20 66.0114 (1) (b) Local ordinances, except as provided in this paragraph or ss.  
21 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any  
22 or all violations under those ordinances, ~~and~~ may designate the manner in which the  
23 stipulation is to be made and may fix the penalty to be paid. When a person charged  
24 with a violation for which stipulation of guilt or no contest is authorized makes a

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1 timely stipulation and, pays the required penalty and pays the penalty assessment  
2 imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the crime  
3 laboratories and drug law enforcement assessment imposed by s. 165.755, any  
4 applicable consumer information assessment imposed by s. 100.261 and any  
5 applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated  
6 official, the person need not appear in court and no witness fees or other additional  
7 costs may be taxed unless the local ordinance so provides. A court appearance is  
8 required for a violation of a local ordinance in conformity with s. 346.63 (1).

9 (bm) The official receiving the penalties shall remit all moneys collected to the  
10 treasurer of the city, village, town sanitary district or public inland lake protection  
11 and rehabilitation district in whose behalf the sum was paid, except that all jail  
12 assessments shall be remitted to the county treasurer, within 20 days after its receipt  
13 by ~~him or her; and in case of any failure in the payment~~ the official. If timely  
14 remittance is not made, the treasurer may collect the payment of the officer by action,  
15 in the name of the office, and upon the official bond of the officer, with interest at the  
16 rate of 12% per year from the ~~time when it should have been paid~~ date on which it  
17 was due. In the case of the penalty assessment imposed by s. 757.05, the crime  
18 laboratories and drug law enforcement assessment imposed by s. 165.755, the driver  
19 improvement surcharge imposed by s. 346.655 (1), any applicable consumer  
20 information assessment imposed by s. 100.261 and any applicable domestic abuse  
21 assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary  
22 district or public inland lake protection and rehabilitation district shall remit to the  
23 state treasurer the ~~sum~~ amount required by law to be paid on the actions ~~so~~ entered  
24 during the preceding month on or before the first day of the next succeeding month.  
25 The governing body of the city, village, town sanitary district or public inland lake

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1 protection and rehabilitation district shall by ordinance designate the official to  
2 receive the penalties and the terms under which the official ~~shall qualify~~ qualifies.

3 **SECTION 280.** 66.12 (1) (c) of the statutes is renumbered 66.0114 (1) (c).

4 **SECTION 281.** 66.12 (1) (d) of the statutes is repealed.

NOTE: The substance of the repealed paragraph is relocated in renumbered s.  
66.0114 (1) (a).

5 **SECTION 282.** 66.12 (2) and (3) (title), (a) and (c) of the statutes are renumbered  
6 66.0114 (2) and (3) (title), (a) and (c).

7 **SECTION 283.** 66.12 (3) (b) of the statutes, as affected by 1999 Wisconsin Act 9,  
8 is renumbered 66.0114 (3) (b) and amended to read:

9 66.0114 **(3)** (b) All forfeitures and penalties recovered for the violation of ~~any~~  
10 an ordinance or bylaw of ~~any a~~ a city, village, town, town sanitary district or public  
11 inland lake protection and rehabilitation district shall be paid into the city, village,  
12 town, town sanitary district or public inland lake protection and rehabilitation  
13 district treasury for the use of the city, village, town, town sanitary district or public  
14 inland lake protection and rehabilitation district, except as ~~otherwise~~ provided in  
15 par. (c), sub. (1) ~~(b)~~ (bm) and s. 757.05. The judge shall report and pay into the  
16 treasury, quarterly, or at more frequent intervals if so required, all moneys collected  
17 belonging to the city, village, town, town sanitary district or public inland lake  
18 protection and rehabilitation district, ~~which.~~ The report shall be certified and filed  
19 in the office of the treasurer; ~~and the.~~ The judge shall be is entitled to duplicate  
20 receipts ~~for such moneys~~, one of which he or she shall file with the city, village or town  
21 clerk or with the town sanitary district or the public inland lake protection and  
22 rehabilitation district.

23 **SECTION 284.** Subchapter XII (title) of chapter 66 [precedes 66.1201] of the  
24 statutes is created to read:

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**CHAPTER 66**

**SUBCHAPTER XII**

**HOUSING AUTHORITIES**

**SECTION 285.** 66.1201 (9) (x) of the statutes is created to read:

66.1201 **(9)** (x) To, within its area of operation, either by itself or with the department of veterans affairs, undertake and carry out studies and analyses of veterans’ housing needs and meeting those needs and make the study results available to the public, including the building, housing and supply industries.

NOTE: Relocates, in general housing authority law, s. 66.39 (1). Section 66.39 is repealed by SECTION 379 of this bill.

**SECTION 286.** 66.121 of the statutes is renumbered 75.377 and amended to read:

**75.377 Inspection of property subject to tax certificate.** A county ~~or a city~~ authorized ~~to act under s. 74.87~~ may enter any real property for which a tax certificate has been issued under s. 74.57, or may authorize another person to enter the real property, to determine the nature and extent of environmental pollution, as defined in s. 299.01 (4).

NOTE: Under s. 75.06, for purposes of ch. 75, “county” includes a city authorized to act under s. 74.87; therefore, reference to the latter is deleted from renumbered s. 75.377 as unnecessary.

**SECTION 287.** 66.122 (title) of the statutes is renumbered 66.0119 (title).

**SECTION 288.** 66.122 (1) (a) of the statutes is renumbered 66.0119 (1) (b) and amended to read:

66.0119 **(1)** (b) Any “Peace officer” means a state, county, city, village, town, town sanitary district or public inland lake protection and rehabilitation district officer, agent or employe charged under statute or municipal ordinance with powers or duties involving inspection of real or personal property, including buildings,

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1 building premises and building contents, ~~is deemed a peace officer for the purpose~~  
2 ~~of applying for, obtaining and executing special inspection warrants under s. 66.123~~  
3 ~~for inspection purposes.~~

NOTE: The stricken language at the end of the paragraph is relocated to s.  
66.0119 (2), as renumbered. See SECTION 290 of this bill.

4 **SECTION 289.** 66.122 (1) (b) of the statutes is renumbered 66.0119 (1) (a) and  
5 amended to read:

6 66.0119 (1) (a) “Inspection purposes” include, ~~without limitation because of~~  
7 ~~enumeration,~~ such purposes as building, housing, electrical, plumbing, heating, gas,  
8 fire, health, safety, environmental pollution, water quality, waterways, use of water,  
9 food, zoning, property assessment, meter and obtaining data required to be  
10 submitted in an initial site report or feasibility report under subch. III of ch. 289 or  
11 s. 291.23, 291.25, 291.29 or 291.31 or an environmental impact statement related to  
12 one of those reports.

13 **SECTION 290.** 66.122 (2) of the statutes is renumbered 66.0119 (2) and amended  
14 to read:

15 66.0119 (2) A peace officer may apply for, obtain and execute a special  
16 inspection warrant issued under this section. Except in cases of emergency where  
17 no special inspection warrant ~~shall be~~ is required, special inspection warrants shall  
18 be issued for inspection of personal or real properties which are not public buildings  
19 or for inspection of portions of public buildings which are not open to the public only  
20 upon showing that consent to entry for inspection purposes has been refused. ~~The~~  
21 ~~definition of “public building” under s. 101.01 (12) applies to this section.~~

22 **SECTION 291.** 66.123 (title) of the statutes is repealed.

23 **SECTION 292.** 66.123 of the statutes is renumbered 66.0119 (3), and 66.0119 (3)  
24 (intro.), as renumbered, is amended to read:

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**SECTION 292**

1           66.0119 (3) (intro.) The following forms for use under s. ~~66.122~~ this section are  
2 illustrative and not mandatory:

3           **SECTION 293.** 66.124 of the statutes is renumbered 66.0417, and 66.0417 (title),  
4 as renumbered, is amended to read:

5           **66.0417** (title) ~~Order authority~~ Local enforcement of certain food and  
6 health regulations.

7           **SECTION 294.** 66.125 of the statutes is renumbered 66.0121 and amended to  
8 read:

9           **66.0121 Orders; action; proof of demand.** No action shall ~~may~~ be brought  
10 upon ~~any a~~ city, village, town or school district order until ~~the expiration of 30 days~~  
11 after a demand for the payment of the ~~same shall have~~ order has been made. If an  
12 action is brought and the defendant fails to appear and defend the action, judgment  
13 shall not be entered without affirmative proof of the demand. If judgment is entered  
14 without proof of the demand, the judgment ~~shall be~~ is void.

15           **SECTION 295.** 66.13 of the statutes is repealed.

NOTE: Repealed as unnecessary. This section provides a statute of limitations  
relating to an action or proceeding to test the validity of a municipal contract.  
Virtually identical provisions are contained in s. 893.75.

16           **SECTION 296.** Subchapter XIII (title) of chapter 66 [precedes 66.1301] of the  
17 statutes is created to read:

**CHAPTER 66**

SUBCHAPTER XIII

URBAN REDEVELOPMENT

AND RENEWAL

22           **SECTION 297.** 66.1331 (3) (Lm) of the statutes is created to read:

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1           66.1331 (3) (Lm) “Redevelopment plan” means a plan for the acquisition,  
2 clearance, reconstruction, rehabilitation or future use of a redevelopment project  
3 area.

NOTE: Recreates a definition that was included as a separate definition within the  
definition of “Redevelopment project” in s. 66.1331 (3) (m), as renumbered and amended  
from s. 66.43 (3) (m). See SECTIONS 408 and 408m of this bill.

4           **SECTION 298.** 66.14 (title) of the statutes is repealed.

5           **SECTION 299.** 66.14 of the statutes is renumbered 62.09 (4) (d) and amended  
6 to read:

7           62.09 (4) (d) ~~Any a city, however incorporated,~~ may pay the cost of any an  
8 official bond furnished by an officer ~~thereof~~ of the city, pursuant to law or any rules  
9 or regulations requiring the same bond, if said ~~the officer shall furnish~~ furnishes a  
10 bond with a surety company or companies authorized to do business in this state,  
11 ~~said cost.~~ The cost of the bond furnished by the officer may not to exceed the current  
12 rate of premium per year on the amount of said the bond or obligation by said surety  
13 executed by the surety. The cost of any such the bond in such city shall be charged  
14 to the fund appropriated and set up in the budget for the department, board,  
15 commission or other body, the officer of which is required to furnish a bond.

NOTE: Renumbers and amends s. 66.14 for placement in ch. 62, relating to  
cities. The renumbering makes the provision inapplicable to a 1st class city  
under s. 62.03 (1). Section 66.145 (renumbered s. 62.55) treats 1st class cities  
separately for this purpose.

16           **SECTION 300.** 66.144 of the statutes is renumbered 62.53 and amended to read:

17           **62.53 Residency required for public officials in 1st class cities.** Any  
18 public official, as defined in s. ~~66.146~~ 62.51 (1) (b), may not serve more than 180 days  
19 after his or her confirmation unless he or she resides within the boundaries of the  
20 1st class city by which he or she is employed.

21           **SECTION 301.** 66.145 of the statutes is renumbered 62.55 and amended to read:

**ASSEMBLY BILL 710****SECTION 301**

1           **62.55 Requirements for surety bonds of officers and employes in cities**  
2 **of the first 1st class cities.** ~~When any~~ If an office or position in the service of any  
3 ~~city of the first~~ a 1st class city involves fiduciary responsibility or the handling of  
4 money, the appointing officer may require the appointee to furnish a bond or other  
5 security to ~~such~~ the officer and the ~~said~~ city for the faithful performance of the  
6 appointee's duty, ~~the.~~ The amount to of the bond or security shall be fixed by the  
7 appointing officer, with the approval of the mayor, ~~and notice.~~ Notice of the mayor's  
8 approval shall be given to the city clerk by the mayor. Each bond shall be approved  
9 by the city attorney as to ~~the~~ form and execution ~~thereof~~, and by the common council  
10 as to ~~the~~ sufficiency of the sureties ~~therein; provided, however, that any.~~ Any surety  
11 company, the bonds of which are accepted by the judge of any court of record in this  
12 state, or which is approved by the comptroller of the ~~said~~ city, ~~shall be~~ is sufficient  
13 security on ~~any such~~ the bond, ~~and that the.~~ The premium on ~~such~~ a bond under this  
14 section, within the limits fixed by law, shall be paid out of the city treasury. The  
15 appointing officer shall immediately after the execution of ~~such~~ the bond file the  
16 ~~same~~ bond with the city clerk, ~~and it shall be the duty of the.~~ The city clerk ~~to~~ shall  
17 require compliance with the terms of this section requiring the filing of bonds with  
18 the city clerk by officers and employes, ~~and all such bonds.~~ Bonds of city officers and  
19 employes under this section, duly witnessed and acknowledged, after being approved  
20 by the common council, shall be delivered to the city comptroller, who shall have  
21 them recorded in the office of the register of deeds ~~and, after such recording by the~~  
22 ~~city comptroller in the office of the register of deeds, the said.~~ After the bonds are  
23 recorded, the bonds shall be returned to the city clerk, who shall keep them on file  
24 in the city clerk's office; except that after the recording of the bond of the city clerk  
25 by the city comptroller, ~~said~~ that bond shall remain on file in the office of the city

**ASSEMBLY BILL 710**

1 comptroller. Each bond filed by any surety company shall be accompanied by a  
2 duplicate of said ~~the~~ bond, ~~which~~. The duplicate shall be filed by the clerk with the  
3 city comptroller.

4 **SECTION 302.** 66.146 of the statutes is renumbered 62.51.

5 **SECTION 303.** 66.18 of the statutes is renumbered 66.0137 (2) and amended to  
6 read:

7 66.0137 (2) LIABILITY AND WORKER'S COMPENSATION INSURANCE. ~~The state, or any~~  
8 ~~municipality as defined in s. 345.05 (1) (c), is empowered to~~ or a local governmental  
9 unit may procure risk management services and liability insurance covering the  
10 state or ~~municipality~~ local governmental unit and its officers, agents and employes  
11 and worker's compensation insurance covering officers and employes of the state or  
12 ~~municipality~~ local governmental unit. A ~~municipality~~ local governmental unit may  
13 participate in and pay the cost of risk management services and liability and  
14 worker's compensation insurance through a municipal insurance mutual organized  
15 under s. 611.23.

16 **SECTION 304.** 66.182 of the statutes is renumbered 66.0137 (3).

17 **SECTION 305.** 66.184 of the statutes, as affected by 1999 Wisconsin Act 9, is  
18 renumbered 66.0137 (4).

19 **SECTION 306.** 66.185 of the statutes is renumbered 66.0137 (5) and amended  
20 to read:

21 66.0137 (5) HOSPITAL, ACCIDENT AND LIFE INSURANCE. ~~Nothing in the statutes~~  
22 ~~shall be construed to limit the authority of the state or municipalities, as defined in~~  
23 ~~s. 345.05, to~~ The state or a local governmental unit may provide for the payment of  
24 premiums for hospital, surgical and other health and accident insurance and life  
25 insurance for employes and officers and their spouses and dependent children, ~~and~~

**ASSEMBLY BILL 710****SECTION 306**

1 ~~such authority is hereby granted.~~ A municipality local governmental unit may also  
2 provide for the payment of premiums for hospital and surgical care for its retired  
3 employes. In addition, a ~~municipality~~ local governmental unit may, by ordinance or  
4 resolution, elect to offer to all of its employes a health care coverage plan through a  
5 program offered by the group insurance board under ch. 40. ~~Municipalities which~~  
6 ~~elect~~ A local governmental unit that elects to participate under s. 40.51 (7) ~~shall be~~  
7 is subject to the applicable sections of ch. 40 instead of this ~~section~~ subsection.

8 **SECTION 307.** 66.186 of the statutes is renumbered 62.61 and amended to read:

9 **62.61 Health insurance; first 1st class cities.** The common council of any  
10 a 1st class city may, by ordinance or resolution, provide for, including the payment  
11 of premiums of, general hospital, surgical and group insurance for both active and  
12 retired city officers and city employes and their respective dependents ~~and for~~  
13 ~~payment of premiums therefor~~ in private companies, or may, by ordinance or  
14 resolution, elect to offer to all of its employes a health care coverage plan through a  
15 program offered by the group insurance board under ch. 40. Municipalities which  
16 elect to participate under s. 40.51 (7) ~~shall be~~ are subject to the applicable sections  
17 of ch. 40 instead of this section. Contracts for ~~such~~ insurance under this section may  
18 be entered into for active officers and employes separately from ~~such~~ contracts for  
19 retired officers and employes. Appropriations may be made for the purpose of  
20 financing ~~such~~ insurance under this section. Moneys accruing to ~~such~~ a fund to  
21 finance insurance under this section, by investment or otherwise, ~~shall~~ may not be  
22 diverted for any other purpose than those for which ~~such~~ the fund was set up or to  
23 defray management expenses of ~~such~~ the fund or to partially pay premiums ~~so as to~~  
24 reduce costs to the city or to persons covered by ~~such~~ the insurance, or both.

25 **SECTION 308.** 66.187 of the statutes is renumbered 62.59.

**ASSEMBLY BILL 710**

1           **SECTION 309.** 66.189 of the statutes is renumbered 62.67.

2           **SECTION 310.** 66.19 of the statutes is renumbered 66.0509, and 66.0509 (1) to  
3 (4), as renumbered, are amended to read:

4           66.0509 **(1)** Any city or village may proceed under s. 61.34 (1), 62.11 (5) or ~~66.01~~  
5 66.0101 to establish a civil service system of selection, tenure and status, and the  
6 system may be made applicable to all municipal personnel except the chief executive  
7 and members of the governing body, members of boards and commissions including  
8 election officials, employes subject to s. 62.13, members of the judiciary and  
9 supervisors. Any town may establish a civil service system under this subsection.  
10 For veterans there shall be no restrictions as to age, and veterans and their spouses  
11 shall be given preference points in accordance with s. 230.16 (7). The system may  
12 also include uniform provisions in respect to attendance, leave regulations,  
13 compensation and payrolls for all personnel included ~~thereunder~~ in the system. The  
14 governing body of any city, village or town establishing a civil service system under  
15 this section may exempt from the system the librarians and assistants subject to s.  
16 43.09 (1).

17           **(2)** (a) Any town may establish a civil service system under sub. (1) and in ~~such~~  
18 the departments as that the town board may determine. Any person who has been  
19 employed in ~~any such~~ a department for more than 5 years ~~prior to~~ before the  
20 establishment of ~~such a~~ civil service system applicable to that department is eligible  
21 to appointment without examination.

22           (b) Any town not having a civil service system and having exercised the option  
23 of placing assessors under civil service under s. 60.307 (3) may establish a civil  
24 service system for assessors under sub. (1), unless ~~such~~ the town has come within the  
25 jurisdiction of a county assessor under s. 70.99.

**ASSEMBLY BILL 710****SECTION 310**

1           **(3)** When any town has established a system of civil service, the ordinance  
2 establishing the system may not be repealed for a period of 6 years after its  
3 enactment, and ~~thereafter~~ after the 6-year period it may be repealed only by  
4 proceedings under s. 9.20 by referendum vote. This subsection ~~shall~~ does not apply  
5 ~~where if~~ a town comes, before the expiration of the 6 years, within the jurisdiction  
6 of a county assessor under s. 70.99.

7           **(4)** Any civil service system established under the provisions of this section  
8 shall provide for the appointment of a civil service board or commission and for the  
9 removal of the members of such the board or commission for cause by the mayor with  
10 approval of the council, ~~and in cities organized under the provisions of ss. 64.01 to~~  
11 ~~64.15 by the city manager and the council~~ in a city organized under ss. 64.01 to 64.15,  
12 and by the board in ~~villages and towns~~ a village or town.

13           **SECTION 311.** 66.192 of the statutes is renumbered 66.0503, and 66.0503 (1)  
14 (intro.) and (b), (3), (4) and (5), as renumbered, are amended to read:

15           66.0503 **(1)** (intro.) The office of county supervisor may be consolidated by  
16 charter ordinance under s. ~~66.01~~ 61.1895 or 66.0101:

17           (b) With the office of alderperson or council member in any city in which the  
18 district from which such the alderperson or council member is elected is coterminous  
19 with the boundaries of any supervisory district established under s. 59.10 (3).

20           **(3)** Removal from office of any incumbent of ~~such consolidated office shall~~  
21 ~~vacate said~~ an office consolidated under this section vacates the office in its entirety  
22 whether effected under ss. 17.09, 17.12 and 17.13 or other pertinent statute.

23           **(4)** Compensation for ~~such consolidated office~~ an office consolidated under this  
24 section shall be separately established by the several governing bodies affected  
25 ~~thereby~~ by the consolidation as though no consolidation of offices had occurred.

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1           (5) Tenure for ~~such combination officer~~ an officer of an office consolidated under  
2 this section shall coincide with the term for county supervisors.

3           **SECTION 312.** 66.196 of the statutes is renumbered 66.0505 and amended to  
4 read:

5           **66.0505 Compensation of governing bodies.** An elected official of any  
6 county, city, town or village, who by virtue of the office held by that official is entitled  
7 to participate in the establishment of the salary attending that office, shall not  
8 during the term of ~~such~~ the office collect salary in excess of the salary provided at the  
9 time of that official's taking office. This provision is of statewide concern and applies  
10 only to officials elected after October 22, 1961.

11           **SECTION 313.** 66.197 of the statutes is repealed.

NOTE: Repeals s. 66.197, which authorizes a county board to increase the salary of an elected official during the official's term of office. The statute is in direct conflict with s. 59.22 (1) (a) 1., which prohibits the increase or decrease of an elected official's salary during the official's term of office. Section 66.197 is repealed and s. 59.22 (1) (a) 1. is retained since the policy of the latter statute expresses the typical Wisconsin practice regarding the salary of an elected official.

12           **SECTION 314.** 66.199 of the statutes is renumbered 66.0507.

13           **SECTION 315.** 66.20 of the statutes is renumbered 200.01, and 200.01 (intro.),  
14 as renumbered, is amended to read:

15           **200.01 Metropolitan sewerage districts, definitions.** (intro.) Unless the  
16 context requires otherwise, for the purposes of ~~ss. 66.20 to 66.26~~ this subchapter, the  
17 following terms have the designated meanings:

18           **SECTION 316.** 66.21 of the statutes is renumbered 200.03 and amended to read:

19           **200.03 Applicability.** ~~Sections 66.20 to 66.26 shall apply~~ This subchapter  
20 applies to all areas of the state except those areas included in a metropolitan  
21 sewerage district created under ~~ss. 66.88 200.21 to 66.918 200.65.~~

**ASSEMBLY BILL 710****SECTION 317**

1           **SECTION 317.** 66.22 of the statutes is renumbered 200.05, and 200.05 (3) (b) and  
2 (6), as renumbered, are amended to read:

3           200.05 **(3)** (b) Conduct the hearing to permit any person to present any oral or  
4 written pertinent and relevant information relating to the purposes and standards  
5 of ~~ss. 66.20 to 66.26~~ this subchapter; and

6           **(6)** No resolution for the formation of a district encompassing the same or  
7 substantially the same territory shall be made by any municipality for one year  
8 following the issuance of an order denying the formation under ~~ss. 66.20 to 66.26~~ this  
9 subchapter.

10           **SECTION 318.** 66.225 of the statutes is renumbered 200.07.

11           **SECTION 319.** 66.23 of the statutes is renumbered 200.09, and 200.09 (1), (9)  
12 and (10), as renumbered, are amended to read:

13           200.09 **(1)** A district formed under ~~ss. 66.20 to 66.26~~ this subchapter shall be  
14 governed by a 5–member commission appointed for staggered 5–year terms. Except  
15 as provided in sub. (11), commissioners shall be appointed by the county board of the  
16 county in which the district is located. If the district contains territory of more than  
17 one county, the county boards of the counties not having the greatest population in  
18 the district shall appoint one commissioner each and the county board of the county  
19 having the greatest population in the district shall appoint the remainder. Of the  
20 initial appointments, the appointments for the shortest terms shall be made by the  
21 counties having the least amount of population, in reverse order of their population  
22 included in the district. Commissioners shall be residents of the district. Initial  
23 appointments shall be made no sooner than 60 days and no later than 90 days after  
24 issuance of the department order forming a district or after completion of any court  
25 proceedings challenging such order. A per diem compensation not to exceed \$50 may

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1 be paid to commissioners. Commissioners may be reimbursed for actual expenses  
2 incurred as commissioners in carrying out the work of the commission.

3 **(9)** Chapter 276, laws of 1971, shall apply to every metropolitan sewerage  
4 district that had been operating, prior to April 30, 1972, under ss. 66.20 to 66.209,  
5 1969 stats. Commissioners for such districts who were in office on April 30, 1972  
6 shall continue to serve until their respective terms are completed. The county board  
7 of the county having the greatest population in the district shall appoint 2 additional  
8 members to each such commission no sooner than 60 days and no later than 90 days  
9 after April 30, 1972. One such member shall have a 5-year term and one such  
10 member shall have a 4-year term. The county board of those counties having  
11 population within the district that did not appoint the preceding 2 members if any  
12 shall, each in turn according to their population in the district, appoint successors  
13 to each of the 3 commissioners who held office on April 30, 1972, until their allotted  
14 number of appointments, as specified under sub. (1) is filled. The governor may  
15 adjust terms of the successors to the 3 original commissioners in order that the  
16 appointment schedules are consistent with ~~s. 66.23~~ this section.

17 **(10)** Sections ~~66.20~~ 200.01 to ~~66.26~~ 200.15 do not affect the continued validity  
18 of contracts and obligations previously entered into by a metropolitan sewerage  
19 district operating under ss. 66.20 to 66.209, 1969 stats., prior to April 30, 1972, nor  
20 validity of any such district.

21 **SECTION 320.** 66.24 of the statutes is renumbered 200.11, and 200.11 (1) (b) and  
22 (d) and (9), as renumbered, are amended to read:

23 200.11 **(1)** (b) *Plans.* The commission shall prepare and by resolution adopt  
24 plans and standards of planning, design and operation for all projects and facilities  
25 which will be operated by the district or which affect the services to be provided by

**ASSEMBLY BILL 710**

1 the district. Commissions may and are encouraged to contract with regional or  
2 area-wide planning agencies for research and planning services. The commission's  
3 plans shall be consistent with adopted plans of a regional planning commission or  
4 area-wide planning agency organized under s. ~~66.945~~ 66.0309.

5 (d) *Rules.* The commission may adopt rules for the supervision, protection,  
6 management and use of the systems and facilities operated by the district. Such  
7 rules may, in the interest of plan implementation, restrict or deny the provision of  
8 utility services to lands which are described in adopted master plans or development  
9 plans of a municipality or county as not being fit or appropriate for urban or  
10 suburban development. Rules of the district shall be adopted and enforced as  
11 provided by s. ~~66.902~~ 200.45. Notwithstanding any other provision of law, such rules  
12 or any orders issued thereunder, may be enforced under s. 823.02 and the violation  
13 of any rule or any order lawfully promulgated by the commission is declared to be a  
14 public nuisance.

15 (9) EXTRATERRITORIAL SERVICE BY CONTRACT. A district may provide service to  
16 territory outside the district, including territory in a county not in that district,  
17 under s. ~~66.30~~ 66.0301, subject to ss. ~~66.20~~ 200.01 to ~~66.26~~ 200.15 and ~~66.902~~ 200.45,  
18 except that s. ~~66.23~~ 200.09 (1) does not require the appointment of a commissioner  
19 from that territory.

20 **SECTION 321.** 66.25 of the statutes is renumbered 200.13, and 200.13 (1) (i), (j),  
21 (m) and (n) (intro.), (2), (3) (a), (4), (12) and (13), as renumbered, are amended to read:

22 200.13 (1) (i) The owner of any parcel of real estate affected by the  
23 determination and assessments may, within 20 days after the date of such  
24 determination, appeal to the circuit court of the county in which the land is situated,  
25 and s. ~~66.60~~ 66.0703 (12) shall apply to and govern such appeal, however the notice

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1 therein required to be served upon the city clerk shall be served upon the district, and  
2 the bond therein provided for shall be approved by the commission and the duties  
3 therein devolving upon the city clerk shall be performed by the president of the  
4 commission.

5 (j) The commission may provide that the special assessment may be paid in  
6 annual instalments not more than 10 in number, and may, for the purpose of  
7 anticipating collection of the special assessments, and after said instalments have  
8 been determined, issue special improvement bonds payable only out of the special  
9 assessment, and s. ~~66.54~~ 66.0713 shall apply to and govern the instalment payments  
10 and the issuance of said bonds, except that the assessment notice shall be  
11 substantially in the following form:

12 **INSTALMENT ASSESSMENT NOTICE**

13 Notice is hereby given that a contract has been (or is about to be) let for (describe  
14 the improvements) and that the amount of the special assessment therefor has been  
15 determined as to each parcel of real estate affected thereby, and a statement of the  
16 same is on file with the commission; that it is proposed to collect the same in ....  
17 instalments, as provided by s. ~~66.54~~ 66.0713, with interest thereon at ....% per year;  
18 that all assessments will be collected in instalments, as above provided, except such  
19 assessments as the owners of the property shall, within 30 days from the date of this  
20 notice, file with the commission a statement in writing that they elect to pay in one  
21 instalment, in which case the amount of the instalment shall be placed upon the next  
22 ensuing tax roll.

23 (m) Section ~~66.60 (17)~~ 66.0703 (14) shall be applicable to assessments made  
24 under this section.

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1           (n) (intro.) The commission may provide for a deferred due date on the levy of  
2 the special assessment as to real estate which is in agricultural use or which is  
3 otherwise not immediately to receive actual service from the sewer or other facility  
4 for which the assessment is made. Such assessments shall be payable as soon as such  
5 lands receive actual service from the sewer or other facility. Any such special  
6 assessments shall be a lien against the property from the date of the levy. For the  
7 purpose of anticipating collection of special assessments for which the due date has  
8 been deferred, the commission may issue special improvement bonds payable only  
9 out of the special assessments. Section ~~66.54~~ 66.0713 shall apply to and govern the  
10 issuance of bonds, except that the assessment notice shall be substantially in the  
11 following form:

12           **(2) TAX LEVY.** The commission may levy a tax upon the taxable property in the  
13 district as equalized by the department of revenue for state purposes for the purpose  
14 of carrying out and performing duties under ~~ss. 66.20 to 66.26~~ this subchapter but  
15 the amount of any such tax in excess of that required for maintenance and operation  
16 and for principal and interest on bonds or promissory notes shall not exceed, in any  
17 one year, one mill for each dollar of the district's equalized valuation, as determined  
18 under s. 70.57. The tax levy may be spread upon the respective real estate and  
19 personal property tax rolls of the city, village and town areas included in the district  
20 taxes, and shall not be included within any limitation on county or municipality  
21 taxes. Such moneys when collected shall be paid to the treasurer of such district.

22           **(3) (a)** The commission may establish service charges in such amount as to meet  
23 all or part of the requirements for the construction, reconstruction, improvement,  
24 extension, operation, maintenance, repair and depreciation of functions authorized

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1 by ~~ss. 66.20 to 66.26~~ this subchapter, and for the payment of all or part of the principal  
2 and interest of any indebtedness incurred thereof.

3 **(4) BORROWING.** A district under ~~ss. 66.20 to 66.26~~ this subchapter may borrow  
4 money and issue municipal obligations under ss. ~~66.066~~ 66.0621 and ~~66.54~~ 66.0713  
5 and ch. 67.

6 **(12) EXEMPTION FROM LEVIES.** Lands designated as permanent open space,  
7 agricultural protection areas or other undeveloped areas not to be served by public  
8 sanitary sewer service in plans adopted by a regional planning commission or other  
9 area-wide planning agency organized under s. ~~66.945~~ 66.0309 and approved by the  
10 board of supervisors of the county in which the lands are located shall not have  
11 property taxes, assessments or service charges levied against them by the district.

12 **(13) APPLICATION OF OTHER LAWS.** Section ~~66.076~~ 66.0821 shall apply to all  
13 districts now or hereafter organized and operating under ~~ss. 66.20 to 66.26~~ this  
14 subchapter.

15 **SECTION 322.** 66.26 of the statutes is renumbered 200.15, and 200.15 (2) and  
16 (4), as renumbered, are amended to read:

17 200.15 **(2)** Proceedings leading to the addition of other territory to a district  
18 may be initiated by petition from a municipal governing body or upon motion of the  
19 commission. Upon receipt of the petition or upon adoption of the motion, the  
20 commission shall hold a public hearing preceded by a class 2 notice under ch. 985.  
21 The commission may approve the annexation upon a determination that the  
22 standards of ss. ~~66.22~~ 200.05 (4) (b) and (c) and ~~66.26~~ 200.15 (3) are met. Approval  
23 actions by the commission under this section shall be subject to review under ch. 227.

24 **(4)** Section ~~66.23~~ 200.09 (1) does not require the appointment of a commissioner  
25 from territory annexed under this section if that territory, on the day before the

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1 annexation, has a population of less than 8.5% of the total population served by the  
2 district.

3 **SECTION 323.** 66.27 of the statutes is renumbered 66.1025 and amended to  
4 read:

5 **66.1025 Relief from conditions of gifts and dedications.** (1) If the  
6 governing body of a county, city, town or village accepts a gift or dedication of land  
7 made on condition that the land be devoted to a special purpose, and the condition  
8 subsequently becomes impossible or impracticable, ~~such~~ the governing body may by  
9 resolution or ordinance enacted by a two-thirds vote of its ~~members~~ elect  
10 members ~~elect~~ either to grant the land back to the donor or dedicator or the heirs  
11 of the donor or dedicator, or accept from the donor or dedicator or the heirs of the  
12 donor or dedicator, a grant relieving the county, city, town or village of the condition,  
13 pursuant to article XI, section 3a, of the constitution.

14 (2) (a) If ~~such~~ the donor or dedicator of land to a county, city, town or village or  
15 the heirs of the donor or dedicator are unknown or cannot be found, ~~such~~ the  
16 resolution or ordinance described under sub. (1) may provide for the commencement  
17 of an action under this section for the purpose of relieving the county, city, town or  
18 village of the condition of the gift or dedication.

19 (b) Any ~~such~~ action under this subsection shall be brought in a court of record  
20 in the manner provided in ch. 801. A lis pendens shall be filed or recorded as provided  
21 in s. 840.10 upon the commencement of the action. Service upon persons whose  
22 whereabouts are unknown may be made in the manner prescribed in s. 801.12.

23 (c) The court may render judgment in ~~such action~~ an action under this  
24 subsection relieving the county, city, town or village of the condition of the gift or  
25 dedication.

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1           **SECTION 324.** 66.28 (title) of the statutes is renumbered 66.0139 (title).

2           **SECTION 325.** 66.28 (1) to (4) of the statutes are renumbered 66.0139 (2) to (5)  
3 and amended to read:

4           66.0139 **(2)** ~~Cities, villages, towns and counties~~ A political subdivision may  
5 dispose of any personal property which has been abandoned, or remained unclaimed  
6 for a period of 30 days, after the taking of possession of the property by ~~the city,~~  
7 ~~village, town or county officers~~ an officer of the political subdivision by any means  
8 determined to be in the best interest of the ~~city, village, town or county~~ political  
9 subdivision. If the property is not disposed of in a sale open to the public, ~~every city,~~  
10 ~~village, town and county~~ the political subdivision shall maintain an inventory of such  
11 the property; a record of the date and method of disposal, including the consideration  
12 received for the property, if any, and the name and address of the person taking  
13 possession of the property. ~~Such~~ The inventory shall be kept as a public record for  
14 a period of not less than 2 years from the date of disposal of the property. Any means  
15 of disposal other than public auction shall be specified by ordinance. If the disposal  
16 is in the form of a sale, all receipts from the sale, after deducting the necessary  
17 expenses of keeping the property and conducting the sale, shall be paid into the ~~city,~~  
18 ~~village, town or county~~ treasury of the political subdivision.

19           **(3)** ~~Cities, villages, towns and counties~~ A political subdivision may safely  
20 dispose of abandoned or unclaimed flammable, explosive or incendiary substances,  
21 materials or devices posing a danger to life or property in their storage,  
22 transportation or use immediately after taking possession of the substances,  
23 materials or devices without a public auction. ~~The city, village, town or county~~  
24 political subdivision, by ordinance or resolution, may establish disposal procedures.  
25 Procedures may include provisions authorizing an attempt to return to the rightful

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1 owner substances, materials or devices which have a commercial value in the normal  
2 business usage and do not pose an immediate threat to life or property. If enacted,  
3 ~~any such provision~~ a disposal procedure shall include a presumption that if the  
4 substance, material or device appears to be or is reported stolen an attempt will be  
5 made to return the substance, material or device to the rightful owner.

6 (4) Except as provided in s. 968.20 (3), ~~a 1st class cities~~ city shall dispose of  
7 abandoned or unclaimed dangerous weapons or ammunition without a public  
8 auction 12 months after taking possession of them if the owner has not requested  
9 their return. ~~Disposition~~ Disposal procedures shall be established by ordinance or  
10 resolution and may include provisions authorizing an attempt to return to the  
11 rightful owner any dangerous weapons or ammunition which appear to be stolen or  
12 are reported stolen. If enacted, ~~any such provision~~ a disposal procedure shall include  
13 a presumption that if the dangerous weapons or ammunition appear to be or are  
14 reported stolen an attempt will be made to return the dangerous weapons or  
15 ammunition to the rightful owner. The dangerous weapons or ammunition ~~shall be~~  
16 are subject to sub. (4) (5).

17 (5) ~~A city, village, town or county~~ political subdivision may retain or dispose of  
18 any abandoned, unclaimed or seized dangerous weapon or ammunition only under  
19 s. 968.20.

20 **SECTION 326.** 66.285 of the statutes is renumbered 66.0135, and 66.0135 (1)  
21 (intro.), (c) and (d), (2) (a) and (b) 2. and (4) (intro.), as renumbered, are amended to  
22 read:

23 66.0135 (1) DEFINITIONS. (intro.) In this section ~~and s. 66.286~~:

24 (c) “Local governmental unit” means a political subdivision of this state, a  
25 special purpose district in this state, an agency or corporation of ~~such~~ a political

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1 subdivision or special purpose district, or a combination or subunit of any of the  
2 foregoing.

3 (d) “Subcontractor” has the meaning given in s. ~~66.29~~ 66.0901 (1) (d).

4 **(2)** (a) Except as provided in sub. (4) or as otherwise specifically provided, an  
5 agency that does not pay timely the amount due on an order or contract shall pay  
6 interest on the balance due from the 31st day after receipt of a properly completed  
7 invoice or receipt and acceptance of the property or service under the order or  
8 contract, whichever is later, or, if the agency does not comply with s. ~~66.286~~ sub. (7),  
9 from the 31st day after receipt of an improperly completed invoice or receipt and  
10 acceptance of the property or service under the order or contract, whichever is later,  
11 at the rate specified in s. 71.82 (1) (a) compounded monthly.

12 (b) 2. Within 30 days after receipt of a properly completed invoice or receipt and  
13 acceptance of the property or service under the order or contract, or, if the agency does  
14 not comply with s. ~~66.286~~ sub. (7), within 30 days after receipt of an improperly  
15 completed invoice or receipt and acceptance of the property or service under the order  
16 or contract, whichever is later.

17 **(4)** EXCEPTIONS. (intro.) Subsection (2) does not apply to any of the following:

18 **SECTION 327.** 66.286 of the statutes is renumbered 66.0135 (7).

19 **SECTION 328.** 66.29 (title) and (1) (title) of the statutes are renumbered 66.0901  
20 (title) and (1) (title).

21 **SECTION 329.** 66.29 (1) (a) of the statutes is renumbered 66.0901 (1) (b) and  
22 amended to read:

23 66.0901 **(1)** (b) ~~In this section,~~ “Person” means an individual,  
24 partnership, association, limited liability company, corporation or joint stock  
25 company, lessee, trustee or receiver.

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1           **SECTION 330.** 66.29 (1) (b) of the statutes is renumbered 66.0901 (1) (a) and  
2 amended to read:

3           66.0901 (1) (a) “Municipality” means the state ~~and any~~ or a town, city, village,  
4 school district, board of school directors, sewer district, drainage district, technical  
5 college district or ~~any~~ other public or quasi-public corporation, officer, board or other  
6 public body charged with the duty of receiving bids for and awarding any public  
7 contracts.

8           **SECTION 331.** 66.29 (1) (c) and (d) and (2) to (8) of the statutes are renumbered  
9 66.0901 (1) (c) and (d) and (2) to (8) and amended to read:

10           66.0901 (1) (c) ~~The term “public~~ “Public contract” shall mean and include any  
11 means a contract for the construction, execution, repair, remodeling, or improvement  
12 of ~~any a~~ public work, or building, or for the furnishing of supplies, or material of any  
13 kind ~~whatsoever~~, proposals for which are required to be advertised for by law.

14           (d) “Subcontractor” means a person whose relationship to the principal  
15 contractor is substantially the same as to a part of the work as the latter’s  
16 relationship is to the proprietor. A “subcontractor” takes a distinct part of the work  
17 in such a way that the “subcontractor” does not contemplate doing merely personal  
18 service.

19           **(2) BIDDER’S PROOF OF RESPONSIBILITY.** ~~Every A municipality, board or public~~  
20 ~~body upon all contracts subject to this section~~ intending to enter into a public contract  
21 may, before delivering any form for bid proposals, plans and specifications ~~pertaining~~  
22 ~~thereto~~ to any person, ~~excepting~~ except materialmen, suppliers and others not  
23 intending to submit a direct bid, require such ~~the~~ person to submit a full and  
24 complete statement sworn to before an officer authorized by law to administer oaths;  
25 of. The statement shall consist of information relating to financial ability,

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1 equipment, experience in the work prescribed in said the public contract, and of such  
2 other matters as that the municipality, board, public body or officer thereof may  
3 require requires for the protection and welfare of the public in the performance of any  
4 a public contract; ~~such.~~ The statement shall be in writing on a standard form of a  
5 questionnaire as that is adopted for ~~such use~~ and furnished by the municipality,  
6 board or public body or officer thereof, to be furnished by ~~such municipality, board,~~  
7 ~~public body or officer thereof.~~ Such. The statement shall be filed in the manner and  
8 place designated by the municipality, board, public body or ~~such officer thereof.~~ Such  
9 statements. The statement shall not be received less than 5 days prior to the time  
10 set for opening of bids. The contents of ~~said statements~~ the statement shall be  
11 confidential and ~~shall~~ may not be disclosed except upon the written order of ~~such~~ the  
12 person furnishing the same, or statement, for necessary use by the public body in  
13 qualifying ~~such~~ the person, or in cases of action against, or by ~~such,~~ the person or  
14 municipality. The governing body of the municipality or ~~such~~ the committee, board  
15 or employe as is charged with, or delegated by the governing body with, the duty of  
16 receiving bids and awarding contracts or to whom the governing body has delegated  
17 the power shall properly evaluate the ~~sworn statements filed relative to financial~~  
18 ~~ability, equipment and experience in the work prescribed~~ statement and shall find  
19 the maker of ~~such~~ the statement either qualified or unqualified. This subsection  
20 shall does not apply to cities of the first a 1st class city.

21 (3) PROOF OF RESPONSIBILITY, CONDITION PRECEDENT. No bid shall be received  
22 from any person who has not submitted the ~~sworn~~ statement as provided in sub. (2),  
23 provided that any prospective bidder who has once qualified to the satisfaction of the  
24 municipality, committee, board, ~~public body or officer~~ employe, and who wishes to  
25 become a bidder upon subsequent public contracts under the same jurisdiction of the

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1 same, to whose satisfaction the prospective bidder has qualified under sub. (2), need  
2 not separately qualify on each public contract unless required so to do by the said  
3 municipality, committee, board, ~~public body~~ or officers employe.

4 (4) REJECTION OF BIDS. ~~Whenever~~ If the municipality, committee, board, ~~public~~  
5 ~~body~~ or officer employe is not satisfied with the sufficiency of the answer contained  
6 in the ~~questionnaire and financial statement, it provided under sub. (2), the~~  
7 municipality, committee, board or employe may reject ~~said bid~~, or disregard the same  
8 bid.

9 (5) CORRECTIONS OF ERRORS IN BIDS. ~~Whenever any~~ If a person shall submit  
10 submits a bid or proposal for the performance of public work under any public  
11 contract to be let by the a municipality, ~~board, public body or officer thereof, who shall~~  
12 claim and the bidder claims that a mistake, omission or error has been made in  
13 preparing the bid, the bidder shall, before the bids are opened, make known the fact  
14 that an error, omission or mistake has been made, ~~and in that case.~~ If the bidder  
15 makes this fact known, the bid shall be returned to the bidder unopened and the  
16 bidder shall may not be entitled to bid upon the public contract at hand unless the  
17 same it is readvertised and relet upon the readvertisement. ~~In case any~~ If a bidder  
18 shall ~~make~~ makes an error or, omission or mistake and shall ~~discover the same~~  
19 discovers it after the bids are opened, the bidder shall immediately and without delay  
20 give written notice and make known the fact of the mistake, omission or error which  
21 has been committed and submit to the municipality, ~~board, public body or officers~~  
22 ~~thereof~~, clear and satisfactory evidence of the mistake, omission or error and that the  
23 same it was not caused by any careless act or omission on the bidder's part in the  
24 exercise of ordinary care in examining the plans, or specifications and in conforming  
25 with the provisions of this section, ~~and in case of.~~ If the discovery and notice of a

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1 ~~mistake, omission or error causes a forfeiture, shall the bidder may not be entitled~~  
2 ~~to recover the moneys or certified check forfeited as liquidated damages unless it~~  
3 ~~shall be is~~ proven before a court of competent jurisdiction in an action brought for the  
4 recovery of the amount forfeited, that in making the mistake, error or omission the  
5 bidder was free from carelessness, negligence or inexcusable neglect.

6 **(6) SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS.** ~~On those In~~  
7 public contracts calling for the construction, repair, remodeling or improvement of  
8 any a public building or structure, other than highway structures and facilities, the  
9 a municipality may bid projects based on a single or multiple division of the work.  
10 ~~Contracts~~ Public contracts shall be awarded according to the division of work  
11 selected for bidding. The municipality may set out in any public contract reasonable  
12 and lawful conditions as to the hours of labor, wages, residence, character and  
13 classification of ~~workmen~~ workers to be employed by any contractor, and to classify  
14 such contractors as to their financial responsibility, competency and ability to  
15 perform work and to set up a classified list of contractors pursuant thereto; and such,  
16 The municipality may also reject the bid of any person, if such the person has not  
17 been classified pursuant to the said questionnaire for the kind or amount of work in  
18 said the bid.

19 **(7) BIDDER'S CERTIFICATE.** ~~On all contracts~~ When bidding on a public contract,  
20 the bidder shall incorporate and make a part of the bidder's proposal for the doing  
21 of any work or labor or the furnishing of any material in or about any public work  
22 or contract of the municipality a sworn statement by the bidder, or if not an  
23 individual by one authorized, that the bidder or authorized person so swearing has  
24 examined and carefully prepared the proposal from the plans and specifications and  
25 has checked the same in detail before submitting the proposal or bid to the

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1     ~~municipality, board, department or officer charged with the letting of bids and also~~  
2     ~~at the same time as.~~ As a part of the proposal, the bidder also shall submit a list of  
3     the subcontractors the bidder proposes to contract with, and the class of work to be  
4     performed by each, ~~provided that.~~ In order to qualify for inclusion in the bidder's list  
5     a subcontractor ~~must~~ shall first submit a bid in writing, to the general contractor at  
6     least 48 hours prior to the time of the bid closing, ~~which list shall.~~ The list may not  
7     be added to ~~nor~~ or altered without the written consent of the municipality. A proposal  
8     of a bidder ~~shall~~ is not be invalid if any subcontractor and the class of work to be  
9     performed by the subcontractor has been omitted from a proposal; ~~such~~ the omission  
10    shall be considered as inadvertent, ~~or that~~ the bidder will perform the work  
11    personally.

12           **(8) SETTLEMENT OF DISPUTES; DEFAULTS.** Whenever there is a dispute between  
13    ~~the~~ a contractor or surety or the municipality as to ~~the determination~~ whether there  
14    is a compliance with the provisions of ~~the~~ a public contract as to the hours of labor,  
15    wages, residence, character, and classification of ~~workmen~~ workers employed by any  
16    ~~the~~ contractor, the determination of the municipality ~~shall be~~ is final, ~~and in case of~~  
17    ~~violation of said.~~ If a violation of these provisions occurs, the municipality may  
18    declare the contract in default and request the surety to perform or relet upon  
19    advertisement the remaining portion of the public contract.

20           **SECTION 332.** 66.29 (9) (title) of the statutes is renumbered 66.0901 (9) (title).

21           **SECTION 333.** 66.29 (9) (a) of the statutes is repealed.

NOTE: Repeals the separate definition of "municipality". The definition is  
restated in SECTION 258 of this bill.

22           **SECTION 334.** 66.29 (9) (b) of the statutes is renumbered 66.0901 (9) (b) and  
23    amended to read:

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1           66.0901 (9) (b) *Retained percentages.* As the work progresses under any a  
2 contract involving \$1,000 or more for the construction, execution, repair, remodeling  
3 or improvement of any a public work or building or for the furnishing of any supplies  
4 or materials, regardless of whether or not proposals for which the contract are  
5 required to be advertised by law, the municipality, from time to time, shall grant to  
6 the contractor an estimate of the amount and proportionate value of the work done,  
7 which ~~shall entitle~~ entitles the contractor to receive the amount thereof of the  
8 estimate, less the retainage, from the proper fund. ~~On all such contracts, the~~ The  
9 retainage shall be an amount equal to 10% of said the estimate until 50% of the work  
10 has been completed. At 50% completion, further partial payments shall be made in  
11 full to the contractor and no additional amounts may be retained unless the architect  
12 or engineer certifies that the job is not proceeding satisfactorily, but amounts  
13 previously retained shall not be paid to the contractor. At 50% completion or any time  
14 ~~thereafter~~ after 50% completion when the progress of the work is not satisfactory,  
15 additional amounts may be retained but ~~in no event shall~~ the total retainage may not  
16 be more than 10% of the value of the work completed. Upon substantial completion  
17 of the work, an amount retained may be paid to the contractor. When the work has  
18 been substantially completed except for work which cannot be completed because of  
19 weather conditions, lack of materials or other reasons which in the judgment of the  
20 municipality are valid reasons for noncompletion, the municipality may make  
21 additional payments, retaining at all times an amount sufficient to cover the  
22 estimated cost of the work still to be completed or ~~in the alternative~~ may pay out the  
23 entire amount retained and receive from the contractor guarantees in the form of a  
24 bond or other collateral sufficient to ensure completion of the job. For the purposes  
25 of this section, estimates may include any fabricated or manufactured materials and

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1 components specified, previously paid for by the contractor and delivered to the work  
2 or properly stored and suitable for incorporation in the work embraced in the  
3 contract.

4 **SECTION 335.** 66.293 of the statutes is renumbered 66.0903, and 66.0903 (title),  
5 (1) (g), (3) (am) and (bm), (9), (10) (a) and (b), (11) (a) and (b) 1. to 5. and (12) (a) and  
6 (d), as renumbered, are amended to read:

7 **66.0903** (title) ~~Contractor's failure to comply with municipal~~ **Municipal**  
8 **prevailing wage and hour scale scales.**

9 (1) (g) 1. “Prevailing ~~Except as provided in subd. 2.~~ “prevailing wage rate” for  
10 any trade or occupation engaged in the erection, construction, remodeling, repairing  
11 or demolition of any project of public works in any area means the hourly basic rate  
12 of pay, plus the hourly contribution for health insurance benefits, vacation benefits,  
13 pension benefits and any other bona fide economic benefit, paid directly or indirectly,  
14 for a majority of the hours worked in the trade or occupation on projects in the area,  
15 ~~or if,~~

16 2. ~~If there is no rate at which a majority of the hours worked in the trade or~~  
17 ~~occupation on projects in the area is paid, then the “prevailing wage rate”~~ for any  
18 trade or occupation engaged in the erection, construction, remodeling, repairing or  
19 demolition of any project of public works in any area ~~shall be~~ means the average  
20 hourly basic rate of pay, weighted by the number of hours worked, plus the average  
21 hourly contribution, weighted by the number of hours worked, for health insurance  
22 benefits, vacation benefits, pension benefits and any other bona fide economic  
23 benefit, paid directly or indirectly for all hours worked at the hourly basic rate of pay  
24 of the highest-paid 51% of hours worked in that trade or occupation on projects in  
25 that area.

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1           **(3) (am)** ~~Every~~ A local governmental unit, before making a contract by direct  
2 negotiation or soliciting bids on a contract, for the erection, construction, remodeling,  
3 repairing or demolition of any project of public works, including a highway, street or  
4 bridge construction project, shall apply to the department to determine the  
5 prevailing wage rate and prevailing hours of labor for each trade or occupation  
6 required in the work contemplated. The department shall make ~~such~~ investigations  
7 and hold ~~such~~ public hearings as ~~may be~~ necessary to define the trades or occupations  
8 that are commonly employed on projects that are subject to this section and to inform  
9 itself as to the prevailing wage rates and prevailing hours of labor in all areas of the  
10 state for those trades or occupations, with a view to ascertaining the prevailing wage  
11 rate and prevailing hours of labor for each ~~such~~ trade or occupation. The department  
12 shall issue its determination within 30 days after receiving the request and shall file  
13 the ~~same~~ determination with the requesting local governmental unit ~~applying~~  
14 ~~therefor~~.

15           (bm) Any person may request a recalculation of any portion of a determination  
16 within 30 days after the initial determination date if the person submits evidence  
17 with the request showing that the prevailing wage rate or prevailing hours of labor  
18 for any given trade or occupation included in the initial determination does not  
19 represent the prevailing wage rate or prevailing hours of labor for that trade or  
20 occupation in the area. ~~Such~~ The evidence shall include wage rate and hours of labor  
21 information for work performed in the contested trade or occupation in the area  
22 within the previous 12 months. The department shall affirm or modify the initial  
23 determination within 15 days after the date on which the department receives the  
24 request for recalculation.

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1           **(9) COMPLIANCE.** (a) When the department finds that a local governmental unit  
2 has not requested a determination under sub. (3) (am) or that a local governmental  
3 unit, contractor or subcontractor has not physically incorporated a determination  
4 into a contract or subcontract as required under this section or has not notified a  
5 minor subcontractor of a determination in the manner prescribed by the department  
6 by rule promulgated under sub. (3) (dm), the department shall notify the local  
7 governmental unit, contractor or subcontractor of ~~such~~ the noncompliance and shall  
8 file the determination with the local governmental unit, contractor or subcontractor  
9 within 30 days after ~~such~~ the notice.

10           (b) Upon completion of a project and before receiving final payment for his or  
11 her work on the project, each agent or subcontractor shall furnish the contractor with  
12 an affidavit stating that the agent or subcontractor has complied fully with the  
13 requirements of this section. A contractor may not authorize final payment until  
14 ~~such an~~ the affidavit is filed in proper form and order.

15           (c) Upon completion of a project and before receiving final payment for his or  
16 her work on the project, each contractor shall file with the local governmental unit  
17 authorizing the work an affidavit stating that the contractor has complied fully with  
18 the requirements of this section and that the contractor has received an affidavit  
19 under par. (b) from each of the contractor's agents and subcontractors. A local  
20 governmental unit may not authorize a final payment until ~~such an~~ the affidavit is  
21 filed in proper form and order. If a local governmental unit authorizes a final  
22 payment before ~~such~~ an affidavit is filed in proper form and order or if the  
23 department determines, based on the greater weight of the credible evidence, that  
24 any person specified in sub. (4) has been or may have been paid less than the  
25 prevailing wage rate or less than 1.5 times the hourly basic rate of pay for all hours

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1 worked in excess of the prevailing hours of labor and requests that the local  
2 governmental unit withhold all or part of the final payment, but the local  
3 governmental unit fails to do so, the local governmental unit is liable for all back  
4 wages payable up to the amount of that final payment.

5 **(10)** (a) Each contractor, subcontractor or contractor's or subcontractor's agent  
6 thereof performing work on a project that is subject to this section shall keep full and  
7 accurate records clearly indicating the name and trade or occupation of every person  
8 described in sub. (4) and an accurate record of the number of hours worked by each  
9 of those persons and the actual wages paid ~~therefor~~ for the hours worked.

10 (b) The department or the contracting local governmental unit may demand  
11 and examine, and ~~it shall be the duty of~~ every contractor, subcontractor and  
12 contractor's or subcontractor's agent thereof to shall keep, and furnish to upon  
13 request by the department or local governmental unit, copies of payrolls and other  
14 records and information relating to the wages paid to persons described in sub. (4)  
15 for work to which this section applies. The department may inspect records in the  
16 manner provided in chs. 103 to 106. Every contractor, subcontractor or agent  
17 performing work on a project that is subject to this section is subject to the  
18 requirements of chs. 103 to 106 relating to the examination of records.

19 **(11)** (a) Any contractor, subcontractor or contractor's or subcontractor's agent  
20 thereof, who fails to pay the prevailing wage rate determined by the department  
21 under sub. (3) or who pays less than 1.5 times the hourly basic rate of pay for all hours  
22 worked in excess of the prevailing hours of labor determined under sub. (3), ~~shall be~~  
23 is liable to any affected employe in the amount of his or her unpaid wages or his or  
24 her unpaid overtime compensation and in an additional equal amount as liquidated  
25 damages. An action to recover the liability may be maintained in any court of

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1 competent jurisdiction by any employe for and in behalf of that employe and other  
2 employes similarly situated. No employe may be a party plaintiff to ~~any such~~ the  
3 action unless the employe consents in writing to become ~~such~~ a party and the consent  
4 is filed in the court in which the action is brought. Notwithstanding s. 814.04 (1), the  
5 court shall, in addition to any judgment awarded to the plaintiff, allow reasonable  
6 attorney fees and costs to be paid by the defendant.

7 (b) 1. Except as provided in subds. 2., 4. and 6., any contractor, subcontractor  
8 or contractor's or subcontractor's agent thereof who violates this section may be fined  
9 not more than \$200 or imprisoned for not more than 6 months or both. Each day that  
10 any ~~such~~ violation continues ~~shall be considered~~ is a separate offense.

11 2. Whoever induces any individual who seeks to be or is employed on any  
12 project that is subject to this section to give up, waive or return any part of the wages  
13 to which the individual is entitled under the contract governing ~~such~~ the project, or  
14 who reduces the hourly basic rate of pay normally paid to an employe for work on a  
15 project that is not subject to this section during a week in which the employe works  
16 both on a project that is subject to this section and on a project that is not subject to  
17 this section, by threat not to employ, by threat of dismissal from ~~such~~ employment  
18 or by any other means is guilty of an offense under s. 946.15 (1).

19 3. Any person employed on a project that is subject to this section who  
20 knowingly permits a contractor, subcontractor or contractor's or subcontractor's  
21 agent ~~thereof~~ to pay him or her less than the prevailing wage rate set forth in the  
22 contract governing ~~such~~ the project, who gives up, waives or returns any part of the  
23 compensation to which he or she is entitled under the contract, or who gives up,  
24 waives or returns any part of the compensation to which he or she is normally  
25 entitled for work on a project that is not subject to this section during a week in which

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1 the person works both on a project that is subject to this section and on a project that  
2 is not subject to this section, is guilty of an offense under s. 946.15 (2).

3 4. Whoever induces any individual who seeks to be or is employed on any  
4 project that is subject to this section to permit any part of the wages to which the  
5 individual is entitled under the contract governing ~~such~~ the project to be deducted  
6 from the individual's pay is guilty of an offense under s. 946.15 (3), unless the  
7 deduction would be permitted under 29 CFR 3.5 or 3.6 from an individual who is  
8 working on a project that is subject to 40 USC 276c.

9 5. Any person employed on a project that is subject to this section who  
10 knowingly permits any part of the wages to which he or she is entitled under the  
11 contract governing ~~such~~ the project to be deducted from his or her pay is guilty of an  
12 offense under s. 946.15 (4), unless the deduction would be permitted under 29 CFR  
13 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

14 **(12)** (a) Except as provided under pars. (b) and (c), the department shall notify  
15 any local governmental unit applying for a determination under sub. (3) and any  
16 local governmental unit exempted under sub. (6) of the names of all persons whom  
17 the department has found to have failed to pay the prevailing wage rate determined  
18 under sub. (3) or has found to have paid less than 1.5 times the hourly basic rate of  
19 pay for all hours worked in excess of the prevailing hours of labor determined under  
20 sub. (3) at any time in the preceding 3 years. The department shall include with ~~any~~  
21 ~~such~~ each name the address of ~~such~~ the person and shall specify when ~~such~~ the  
22 person failed to pay the prevailing wage rate and when ~~such~~ the person paid less than  
23 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing  
24 hours of labor. A local governmental unit may not award any contract to ~~such~~ the  
25 person unless otherwise recommended by the department or unless at least 3 years

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1 have elapsed from the date the department issued its findings or the date of final  
2 determination by a court of competent jurisdiction, whichever is later.

3 (d) Any person submitting a bid on a project that is subject to this section shall  
4 ~~be required~~, on the date the person submits the bid, to identify any construction  
5 business in which the person, or a shareholder, officer or partner of the person, if the  
6 person is a business, owns, or has owned at least a 25% interest on the date the person  
7 submits the bid or at any other time within 3 years preceding the date the person  
8 submits the bid, if the business has been found to have failed to pay the prevailing  
9 wage rate determined under sub. (3) or to have paid less than 1.5 times the hourly  
10 basic rate of pay for all hours worked in excess of the prevailing hours of labor  
11 determined under sub. (3).

12 **SECTION 336.** 66.295 of the statutes is repealed.

NOTE: Repealed as archaic. The section authorizes a city, village, town or county which has received and utilized any benefits or improvements furnished before March 1, 1973 under an unenforceable contract, entered into in good faith and fully performed and accepted, to pay the fair and reasonable value of the benefits and improvements. While this section was amended a number of times after 1949 to extend the cutoff date, that date has not been changed since ch. 97, laws of Wisconsin 1973, which changed the cutoff date from July 1, 1969 to March 1, 1973.

13 **SECTION 337.** 66.296 (title) of the statutes is renumbered 66.1003 (title) and  
14 amended to read:

15 **66.1003 (title) Discontinuance of streets and alleys a public way.**

16 **SECTION 338.** 66.296 (1) of the statutes is renumbered 66.1003 (2) and amended  
17 to read:

18 66.1003 (2) ~~The whole or any part of any road, street, slip, pier, lane or paved~~  
19 ~~alley, in any 2nd, 3rd or 4th class city or in any village or town, may be discontinued~~  
20 ~~by the common council or village or town board~~ common council of any city, except  
21 a 1st class city, or a village or town board may discontinue all or part of a public way

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1 upon the written petition of the owners of all the frontage of the lots and lands  
2 abutting upon the ~~portion thereof~~ public way sought to be discontinued, and of the  
3 owners of more than one-third of the frontage of the lots and lands abutting on that  
4 portion of the remainder ~~thereof~~ of the public way which lies within 2,650 feet of the  
5 ends of the portion to be discontinued, or lies within so much of that 2,650 feet as shall  
6 ~~be~~ is within the corporate limits of the city, village or town. The beginning and ending  
7 of an alley shall be considered to be within the block in which it is located. This  
8 subsection does not apply to a highway upon the line between 2 towns that is subject  
9 to s. 80.11.

10 **SECTION 339.** 66.296 (1m) of the statutes is renumbered 66.1003 (3) and  
11 amended to read:

12 66.1003 (3) ~~The whole or any part of any unpaved alley in any 2nd, 3rd or 4th~~  
13 ~~class city or in any village or town may be discontinued by the common council or~~  
14 ~~village or town board~~ common council of any city, except a 1st class city, or a village  
15 or town board may discontinue all or part of an unpaved alley upon the written  
16 petition of the owners of more than 50% of the frontage of the lots and lands abutting  
17 upon the portion ~~thereof~~ of the unpaved alley sought to be discontinued. The  
18 beginning and ending of an unpaved alley shall be considered to be within the block  
19 in which it is located. This subsection does not apply to a highway upon the line  
20 between 2 towns that is subject to s. 80.11.

21 **SECTION 340.** 66.296 (2) of the statutes is renumbered 66.1003 (4), and 66.1003  
22 (4) (a) to (c), as renumbered, are amended to read:

23 66.1003 (4) (a) ~~As an alternative~~ Notwithstanding subs. (2) and (3),  
24 proceedings covered by this section may be initiated by the common council or village  
25 or town board by the introduction of a resolution declaring that since the public

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1 interest requires it, ~~the whole or any part of any road, street, slip, pier, lane or alley~~  
2 ~~in the city, village or town is thereby~~ a public way or an unpaved alley is vacated and  
3 ~~discontinued.~~ No discontinuance of a public way under this subsection may result  
4 in a landlocked parcel of property.

5 (b) A hearing on the passage of ~~such~~ a resolution under par. (a) shall be set by  
6 the common council or village or town board on a date which shall not be less than  
7 40 days ~~thereafter~~ after the date on which the resolution is introduced. Notice of the  
8 hearing shall be given as provided in sub. ~~(5)~~ (8), except that in addition notice of ~~such~~  
9 the hearing shall be served on the owners of all of the frontage of the lots and lands  
10 abutting upon the ~~portion thereof~~ public way or unpaved alley sought to be  
11 discontinued in a manner provided for the service of summons in circuit court at least  
12 30 days before ~~such~~ the hearing. When such service cannot be made within the city,  
13 village or town, a copy of the notice shall be mailed to the owner's last-known address  
14 at least 30 days before the hearing.

15 (c) ~~No~~ Except as provided in this paragraph, no discontinuance of the whole or  
16 any part of ~~any road, street, slip, pier, lane or paved alley shall~~ a public way may be  
17 ordered under this subsection if a written objection to the proposed discontinuance  
18 is filed with the city, village or town clerk by any of the owners abutting on the ~~portion~~  
19 public way sought to be discontinued or by the owners of more than one-third of the  
20 frontage of the lots and lands abutting on ~~that portion of the remainder thereof of the~~  
21 public way which lies within 2,650 feet from the ends of the ~~portion~~ public way  
22 proposed to be discontinued; or which lies within ~~so much of said~~ that portion of the  
23 2,650 feet ~~as shall be~~ that is within the corporate limits of the city, village or town.  
24 If a written objection is filed, the discontinuance may be ordered only by the favorable  
25 vote of two-thirds of the members of the common council or village or town board

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1 voting on the proposed discontinuance. An owner of property abutting on a  
2 discontinued public way whose property is damaged by the discontinuance may  
3 recover damages as provided in ch. 32. The beginning and ending of an alley shall  
4 be considered to be within the block in which it is located.

NOTE: Amends sub. (4) (a) by prohibiting discontinuance of a public way under the subsection that results in a landlocked parcel.

Amends sub. (4) (c). The current provision states that a discontinuance may not be ordered if a written objection is filed by any owner abutting the property to be discontinued or filed by the owners of more than one-third of the frontage of the lots and lands abutting the property to be discontinued which lies within 2,650 feet from the ends of the property, or which lies within 2,650 feet of the municipal limits. The provision is amended as follows:

1. If a written objection is filed, either by an abutting owner or an appropriate number of those other owners affected by the discontinuance, the discontinuance may be ordered only by the favorable vote of two-thirds of the members of the common council or village or town board voting on the proposed discontinuance.

2. It is expressly stated that an owner of property abutting on a discontinued public way whose property is damaged by the discontinuance may recover damages as provided in ch. 32.

5 **SECTION 341.** 66.296 (2m) of the statutes is renumbered 66.1003 (5).

6 **SECTION 342.** 66.296 (3), (4) and (5) of the statutes are renumbered 66.1003 (6),  
7 (7) and (8) and amended to read:

8 66.1003 (6) Whenever any of the lots or lands subject to this section is owned  
9 by the state, county, city, village or town, or by a minor or incompetent person, or the  
10 title thereof to the lots or lands is held in trust, ~~as to all lots and lands so owned or~~  
11 ~~held,~~ petitions for discontinuance or objections to discontinuance may be signed by  
12 the governor, chairperson of the board of supervisors of the county, mayor of the city,  
13 president of the village, chairperson of the town board, guardian of the minor or  
14 incompetent person, or the trustee, respectively, and the signature of any private  
15 corporation may be made by its president, secretary or other principal officer or  
16 managing agent.

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1           (7) The city council or village or town board may by resolution discontinue any  
2 alley or any portion thereof of an alley which has been abandoned, at any time after  
3 the expiration of 5 years from the date of the recording of the plat by which it was  
4 dedicated. Failure or neglect to work or use any alley or any portion thereof of an  
5 alley for a period of 5 years next preceding the date of notice provided for in sub. (5)  
6 (8) shall be considered an abandonment for the purpose of this section.

7           (8) Notice stating when and where the petition or resolution under this section  
8 will be acted upon and stating what road, street, slip, pier, lane or alley, or part  
9 thereof, public way or unpaved alley is proposed to be discontinued, shall be  
10 published as a class 3 notice, under ch. 985.

11           **SECTION 343.** 66.296 (6) of the statutes is renumbered 66.1003 (9).

12           **SECTION 344.** 66.297 of the statutes is renumbered 62.73 and amended to read:

13           **62.73 Discontinuance of public grounds. (1)** ~~In every city of the 1st class,~~  
14 ~~the~~ The common council of a 1st class city may vacate in whole or in part such  
15 highways, streets, alleys, grounds, waterways, public walks and other public  
16 grounds within the corporate limits of the city ~~as in its opinion~~ that it determines the  
17 public interest requires to be vacated or are of no public utility, subject to s. 80.32 (4).  
18 ~~Such proceedings~~ Proceedings under this section shall be commenced either by a  
19 petition presented to the common council signed by the owners of all property which  
20 abuts ~~upon~~ the portion of the public facilities proposed to be vacated, or by a  
21 resolution adopted by the common council. The requirements of s. 840.11 shall apply  
22 to proceedings under this section.

23           (2) All petitions or resolutions shall be referred to a committee of the common  
24 council for a public hearing on ~~such~~ the proposed discontinuance and at least 7 days  
25 shall elapse between the date of the last service and the date of ~~such~~ the hearing.

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1 A notice of such hearing shall be served on the owners of record of all property which  
2 abuts upon the portion of the public facilities proposed to be vacated, in the manner  
3 provided for service of a summons.

4 **(3)** If the common council initiates a discontinuance proceeding by resolution  
5 without a petition signed by all of the owners of the property which abuts the public  
6 facility proposed to be discontinued, any owner of property abutting such the public  
7 facility whose property is damaged ~~thereby~~ by the discontinuance may recover such  
8 damages as provided in ch. 32.

9 **(4)** The common council may also order that an assessment of benefits be made  
10 and when so ordered the assessment shall be made as provided in s. ~~66.60~~ 66.0703.

11 **SECTION 345.** 66.298 of the statutes is renumbered 66.0905 and amended to  
12 read:

13 **66.0905 Pedestrian malls.** After referring the matter to the plan commission  
14 for report under s. 62.23 (5), or the town zoning committee under s. 60.61 (4), and  
15 after holding a public hearing on the matter with publication of a Class 1 notice of  
16 the hearing, the governing body of any city or village, or any town board acting under  
17 s. 60.61 or 60.62, may by ordinance designate any street, road or public way or any  
18 part ~~thereof~~ of a street, road or public way wholly within its jurisdiction as a  
19 pedestrian mall and prohibit or limit ~~the use thereof~~ by vehicular traffic in the  
20 pedestrian mall. Creation of such a pedestrian malls shall mall under this section  
21 does not constitute a discontinuance or vacation of such the street, road or public way  
22 under s. ~~66.296~~ 66.1003 or 236.43.

23 **SECTION 346.** 66.299 (title) and (1) of the statutes are renumbered 66.0131  
24 (title) and (1), and 66.0131 (1) (a), as renumbered, is amended to read:

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1           66.0131 (1) (a) “Local governmental unit” means a political subdivision of this  
2 state, a special purpose district in this state, an agency or corporation of such a  
3 political subdivision or special purpose district, or a combination or subunit of any  
4 of the foregoing.

5           **SECTION 347.** 66.299 (2) to (5) of the statutes, as affected by 1999 Wisconsin Act  
6 9, are renumbered 66.0131 (2) to (5).

7           **SECTION 348.** 66.30 (title) and (1) of the statutes, as affected by 1999 Wisconsin  
8 Act 9, are renumbered 66.0301 (title) and (1).

9           **SECTION 349.** 66.30 (2) of the statutes is renumbered 66.0301 (2) and amended  
10 to read:

11           66.0301 (2) In addition to the provisions of any other statutes specifically  
12 authorizing cooperation between municipalities, unless such those statutes  
13 specifically exclude action under this section, any municipality may contract with  
14 other municipalities and with federally recognized Indian tribes and bands in this  
15 state, for the receipt or furnishing of services or the joint exercise of any power or duty  
16 required or authorized by law. If municipal or tribal parties to a contract have  
17 varying powers or duties under the law, each may act under the contract to the extent  
18 of its lawful powers and duties. A contract under this subsection may bind the  
19 contracting parties for the length of time specified in the contract. This section shall  
20 be interpreted liberally in favor of cooperative action between municipalities and  
21 between municipalities and Indian tribes and bands in this state.

NOTE: The underscored sentence restates s. 66.30 (4), which is repealed by  
SECTION 354 of this bill.

22           **SECTION 350.** 66.30 (2g) of the statutes is renumbered 66.0311 (2) and amended  
23 to read:

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1           66.0311 (2) Any municipality, housing authority, development authority or  
2 redevelopment authority authorized under ss. ~~66.40 to 66.435~~ 66.1201 to 66.1211  
3 and 66.1301 to 66.1337:

4           (a) To issue bonds or obtain other types of financing in furtherance of its  
5 statutory purposes may cooperate with any other municipality, housing authority,  
6 development authority or redevelopment authority similarly authorized under ss.  
7 ~~66.40 to 66.435~~ 66.1201 to 66.1211 and 66.1301 to 66.1337 for the purpose of jointly  
8 issuing bonds or obtaining other types of financing.

9           (b) To plan, undertake, own, construct, operate and contract with respect to any  
10 housing project in accordance with its statutory purposes under ss. ~~66.40 to 66.435~~  
11 66.1201 to 66.1211 and 66.1301 to 66.1337, may cooperate for the joint exercise of  
12 such functions with any other municipality, housing authority, development  
13 authority or redevelopment authority so authorized.

14           **SECTION 351.** 66.30 (2m) of the statutes is renumbered 36.11 (19), and 36.11  
15 (19) (a) to (c), as renumbered, are amended to read:

16           36.11 (19) (a) The ~~university of Wisconsin~~ board may furnish, and school  
17 districts may accept, services for educational study and research projects and they  
18 may enter into contracts under ~~this section~~ s. 66.0301 for that purpose.

19           (b) A group of school districts, if authorized by each school board, may form a  
20 nonprofit-sharing corporation to contract with the state or the ~~university of~~  
21 ~~Wisconsin system~~ board for the furnishing of the services specified in par. (a).

22           (c) The corporation shall be organized under ch. 181 and shall have the powers  
23 there applicable. Members of the school boards specified in par. (b) may serve as  
24 incorporators, directors and officers of the corporation.

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1           **SECTION 352.** 66.30 (3) and (3m) of the statutes are renumbered 66.0301 (3) and  
2 (4) and amended to read:

3           66.0301 **(3)** Any such contract under sub. (2) may provide a plan for  
4 administration of the function or project, which may include, ~~without limitation~~  
5 ~~because of enumeration,~~ but is not limited to provisions as to proration of the  
6 expenses involved, deposit and disbursement of funds appropriated, submission and  
7 approval of budgets, creation of a commission, selection and removal of  
8 commissioners, and formation and letting of contracts.

9           **(4)** A commission created by contract under sub. (2) may finance the  
10 acquisition, development, remodeling, construction and equipment of land,  
11 buildings and facilities for regional projects under s. ~~66.066~~ 66.0621. Participating  
12 municipalities acting jointly or separately may finance such the projects, or an  
13 agreed share of the cost ~~thereof~~ of the projects, under ch. 67.

14           **SECTION 353.** 66.30 (3n) and (3p) of the statutes are consolidated, renumbered  
15 66.0301 (5) (intro.) and amended to read:

16           66.0301 **(5)** (intro.) No commission created by contract under ~~this section is~~  
17 ~~authorized~~ sub. (2) may, directly or indirectly, to acquire, do any of the following:

18           (a) Acquire, construct or lease facilities used or useful in the business of a public  
19 utility engaged in production, transmission, delivery or furnishing of heat, light,  
20 power, natural gas or communications service, by any method except those set forth  
21 under this chapter or ch. 196, 197 or 198. ~~**(3p)** The authority now or hereafter~~  
22 ~~conferred by law on commissions created by contract under this section shall not~~  
23 ~~include the right, power or authority to establish~~

24           (b) Establish, lay out, construct, improve, discontinue, relocate, widen or  
25 maintain any road or highway outside the corporate limits of a village or city or to

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1 acquire lands for ~~such~~ those purposes except upon approval of the department of  
2 transportation and the county board of the county and the town board of the town  
3 in which the road is to be located.

4 **SECTION 354.** 66.30 (4) of the statutes is repealed.

NOTE: The substance of this repealed subsection is relocated to s. 66.0301 (2), as  
renumbered [current s. 66.30 (2)]. See SECTION 348 of this bill.

5 **SECTION 355.** 66.30 (5) (intro.), (a) and (b) of the statutes are renumbered  
6 66.0303 (2), (3) and (4) and amended to read:

7 66.0303 (2) ~~Any~~ A municipality may contract with municipalities of another  
8 state for the receipt or furnishing of services or the joint exercise of any power or duty  
9 required or authorized by statute to the extent that laws of ~~such~~ the other state or  
10 of the United States permit ~~such~~ the joint exercise.

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

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

10           **SECTION 356.** 66.30 (6) (a) of the statutes is repealed.

11           **SECTION 357.** 66.30 (6) (b) to (h) of the statutes are renumbered 120.25 (1) to  
12 (6), and 120.25 (1), (2) (intro.), (3), (5) and (6), as renumbered, are amended to read:

13           **120.25 (1)** Two or more school boards ~~of school districts~~ may by written contract  
14 executed by all participants to the contract, own, construct, lease or otherwise  
15 acquire school facilities including real estate located within or outside the  
16 boundaries of any participating school district.

17           **(2)** (intro.) School ~~district~~ boards entering into a contract under this ~~subsection~~  
18 section may, without limitation because of enumeration:

19           **(3)** A contract entered into under this ~~subsection~~ section shall at all times be  
20 limited to a period of 50 years but may, by mutual written consent of all participants,  
21 be modified or extended beyond the initial term.

22           **(5)** At least 30 days prior to entering into a contract under this ~~subsection~~  
23 section or a modification or extension of the contract, the school boards ~~of the districts~~  
24 involved or their designated agent shall file the proposed agreement with the state  
25 superintendent ~~of public instruction~~ to enable the department to assist and advise

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1 the school boards involved in regard to the applicable recognized accounting  
2 procedure for the administration of the school aid programs. The state  
3 superintendent shall review the terms of the proposed contract to ensure that each  
4 participating school district's interests are protected.

5 **(6)** ~~School district~~ boards entering into a contract under this ~~subsection~~ section  
6 shall designate for each employe providing services under the contract either a  
7 school district entering into the contract or a cooperative educational service agency  
8 ~~under ch. 116~~ as the employer for purposes of compliance with s. 111.70, teacher's  
9 retirement, worker's compensation and unemployment insurance.

10 **SECTION 358.** 66.301 of the statutes is renumbered 66.1019 (1).

11 **SECTION 359.** 66.302 of the statutes is renumbered 66.1019 (2).

12 **SECTION 360.** 66.303 of the statutes is renumbered 66.1019 (3), and 66.1019 (3)

13 (a), as renumbered, is amended to read:

14 66.1019 **(3)** (a) Except as provided in ~~sub. (2)~~ par. (b), any ordinance enacted  
15 by a county, city, village or town relating to the construction or inspection of  
16 multifamily dwellings, as defined in s. 101.971 (2), shall conform to subch. VI of ch.  
17 101 and s. 101.02 (7m).

18 **SECTION 361.** 66.304 of the statutes is renumbered 66.1017.

19 **SECTION 362.** 66.305 (title) of the statutes is renumbered 66.0313 (title).

20 **SECTION 363.** 66.305 (1) and (2) of the statutes are renumbered 66.0313 (2) and  
21 (3) and amended to read:

22 66.0313 **(2)** Upon the request of any law enforcement agency, including county  
23 law enforcement agencies as provided in s. 59.28 (2), the law enforcement personnel  
24 of any other law enforcement agency may assist the requesting agency within the  
25 latter's jurisdiction, notwithstanding any other jurisdictional provision. For

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1 purposes of ss. 895.35 and 895.46, ~~such~~ law enforcement personnel, while acting in  
2 response to ~~such request~~ a request for assistance, shall be deemed employes of the  
3 requesting agency.

4 **(3)** The provisions of s. ~~66.315~~ shall 66.0513 apply to this section.

5 **SECTION 364.** 66.307 of the statutes is renumbered 66.1113, and 66.1113 (2) (c),  
6 as renumbered, is amended to read:

7 66.1113 **(2)** (c) If 2 or more contiguous political subdivisions that are premier  
8 resort areas each impose the tax under s. 77.994, they may enter into a contract  
9 under s. ~~66.30~~ 66.0301 to cooperate in paying for infrastructure expenses, in addition  
10 to any other authority they have to act under s. ~~66.30~~ 66.0301.

11 **SECTION 365.** 66.31 of the statutes is renumbered 66.1009.

12 **SECTION 366.** 66.312 of the statutes is renumbered 66.0511.

13 **SECTION 367.** 66.315 of the statutes is renumbered 66.0513 and amended to  
14 read:

15 **66.0513 Police, pay when acting outside county or municipality. (1)**

16 Any chief of police, sheriff, deputy sheriff, county traffic officer or other peace officer  
17 of any city, county, village or town, who ~~shall be~~ is required by command of the  
18 governor, sheriff or other superior authority to maintain the peace, or who responds  
19 to the request of the authorities of another municipality, to perform police or peace  
20 duties outside territorial limits of the city, county, village or town where ~~employed~~  
21 ~~as such officer, shall be~~ the officer is employed, is entitled to the same wage, salary,  
22 pension, worker's compensation, and all other service rights for ~~such~~ this service as  
23 for service rendered within the limits of the city, county, village or town where  
24 regularly employed.

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1           **(2)** All wage and disability payments, pension and worker’s compensation  
2 claims, damage to equipment and clothing, and medical expense arising under sub.  
3 (1), shall be paid by the city, county, village or town regularly employing such ~~peace~~  
4 the officer. Upon making such the payment such the city, county, village or town shall  
5 be reimbursed by the state, county or other political subdivision whose officer or  
6 agent commanded the services out of which the payments arose.

7           **SECTION 368.** 66.32 of the statutes is renumbered 66.0105 and amended to  
8 read:

9           **66.0105 Extraterritorial Jurisdiction of overlapping extraterritorial**  
10 **powers.** The extraterritorial powers granted to cities and villages by statute,  
11 including ss. 30.745, 62.23 (2) and (7a), ~~66.052~~ 66.0415, 236.10 and 254.57, may not  
12 be exercised within the corporate limits of another city or village. Wherever these  
13 statutory extraterritorial powers overlap, the jurisdiction over the overlapping area  
14 shall be divided on a line all points of which are equidistant from the boundaries of  
15 each municipality concerned so that not more than one municipality shall exercise  
16 power over any area.

17           **SECTION 369.** 66.325 of the statutes is renumbered 166.23, and 166.23 (title),  
18 as renumbered, is amended to read:

19           **166.23 (title) Emergency powers of cities, villages and towns.**

20           **SECTION 370.** 66.33 of the statutes is renumbered 281.695.

21           **SECTION 371.** 66.34 of the statutes is renumbered 92.115, and 92.115 (title), as  
22 renumbered, is amended to read:

23           **92.115 (title) Soil Municipal soil conservation on private lands.**

24           **SECTION 372.** 66.345 of the statutes is repealed.

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NOTE: The repealed section authorizes towns to levy special assessments against lands or interests specially benefited by the town's removal and disposition of dead animals under s. 60.23 (20), soil conservation work under s. 66.34 and snow removal under s. 86.105. Because of the nature of these services, the special committee determined that the costs of the services, to the extent not covered by other funding sources, are more appropriately funded by special charges. See SECTION 170 of this bill.

1           **SECTION 373.** 66.35 of the statutes is renumbered 285.54.

2           **SECTION 374.** 66.36 of the statutes is renumbered 281.59 (13f), and 281.59 (13f)  
3 (intro.) and (c) to (f), as renumbered, are amended to read:

4           **281.59 (13f)** MUNICIPAL FINANCING; CLEAN WATER FUND PROJECT COSTS FUNDING OF  
5 FINANCIAL ASSISTANCE. (intro.) Subject to the terms and conditions of its financial  
6 assistance agreement, a municipality may repay financial assistance costs received  
7 under from the clean water fund program under ~~ss.~~ s. 281.58 and 281.59 under this  
8 section by any lawful method, including any one of the following methods or any  
9 combination ~~thereof~~ of the methods:

10           (c) Payment out of the proceeds of the sale of public improvement bonds issued  
11 by it under s. ~~66.059~~ 66.0619.

12           (d) Payment out of the proceeds of revenue obligations issued by it under s.  
13 ~~66.066~~ 66.0621.

14           (e) Payment as provided under s. ~~66.54 (2) (c), (d) or (e)~~ 66.0709.

15           (f) Payment as provided under s. ~~66.076 (1)~~ 66.0821 (2) (a) 1.

NOTE: It is the understanding and intent of the special committee on general municipal law recodification that the list of financing methods that follows this introductory clause is illustrative and not limiting.

16           **SECTION 375.** 66.365 of the statutes is renumbered 283.87 (4) and amended to  
17 read:

18           **283.87 (4)** AIDS TO MUNICIPALITIES; ENVIRONMENTAL DAMAGE COMPENSATION. The  
19 department ~~of natural resources~~ may make grants to any county, city, village or town  
20 for the acquisition or development of recreational lands and facilities from moneys

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1 appropriated under s. 20.370 (2) (dv). Use and administration of the grant shall be  
2 consistent with any court order issued under s. ~~283.87~~ sub. (3). A county, city, village  
3 or town which receives a grant under this section is not required to share in the cost  
4 of a project under this section.

5 **SECTION 376.** 66.37 of the statutes is repealed.

NOTE: Repealed as obsolete. Section 66.37 authorizes a county, town, city or village to provide a reward to a person who kills a pocket gopher, street gopher, a black, brown, gray or Norway rat, a mole, a red or grey fox, a coyote, a wildcat or a weasel.

6 **SECTION 377.** 66.375 of the statutes is renumbered 66.1015.

7 **SECTION 378.** 66.38 of the statutes is renumbered 62.237.

8 **SECTION 379.** 66.39 of the statutes is repealed.

NOTE: Repealed as no longer necessary. Section 66.39 authorizes county veterans' housing authorities and does not appear to be presently used. Furthermore, the general housing authority law authorizes housing authorities to undertake housing projects for veterans. See s. 66.1201 (9) (r) as renumbered. [Current s. 66.04 (9) (r).] Subsection (1) of the repealed section is made part of the general housing authority law. See SECTION 285 of this bill.

9 **SECTION 380.** 66.395 (title), (1) to (2m) and (3) (title) and (a) to (p) of the statutes  
10 are renumbered 66.1213 (title), (1) to (3) and (4) (title) and (a) to (p), and 66.1213 (2),  
11 (3) and (4) (a), (h) to (k), (L) 1. (intro.) and 2. and (m) to (o), as renumbered, are  
12 amended to read:

13 **66.1213 (2) DECLARATION OF NECESSITY.** It is declared that the lack of housing  
14 facilities for elderly persons provided by private enterprise in certain areas creates  
15 a public necessity to establish ~~such~~ safe and sanitary facilities for which public  
16 moneys may be spent and private property acquired. The legislature declares that  
17 to provide public housing for elderly persons is the performance of a governmental  
18 function of state concern.

19 **(3) DISCRIMINATION.** Persons otherwise entitled to any right, benefit, facility or  
20 privilege under this section shall not, ~~with reference thereto,~~ be denied them in any

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1 manner for any purpose nor be discriminated against because of sex, race, color,  
2 creed, sexual orientation or national origin.

3 (4) (a) “Authority” or “housing authority” means any of the public corporations  
4 established pursuant to sub. (4) (5).

5 (h) “Council” means the common council of the a city.

6 (i) “Elderly person” means a person who is 62 years of age or older on the date  
7 such on which the person intends to occupy the premises, or a family, the head of  
8 which, or that person’s spouse, is ~~an elderly person as defined herein~~ a person who  
9 is 62 years of age or older on the date of the intent to occupy the premises.

10 (j) “Federal government” includes the United States of America, ~~the federal~~  
11 ~~emergency administration of public works or~~ and any agency, or instrumentality,  
12 corporate or otherwise, of the United States of America.

13 (k) “Government” includes the state and federal governments and any  
14 subdivision, agency or instrumentality, corporate or otherwise, of either of them.

15 (L) 1. (intro.) “Housing projects” ~~include~~ includes all real property and personal  
16 property, building and improvements, ~~stores, offices, lands for farming and~~  
17 ~~gardening,~~ and community facilities acquired or constructed ~~or to be acquired or~~  
18 ~~constructed~~ pursuant to a single plan or undertaking to do any of the following:

19 2. “Housing project” ~~may also be applied to~~ includes the planning of buildings  
20 and improvements, the acquisition of property, the demolition of existing structures  
21 and the construction, reconstruction, alteration and repair of the improvements for  
22 the purpose of providing safe and sanitary housing for elderly persons and all other  
23 work in connection ~~therewith~~ with housing for elderly persons. A project shall not  
24 be considered housing for the elderly unless it contains at least 8 new or rehabilitated

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1 living units which are specifically designed for the use and occupancy of persons 62  
2 years of age or over.

3 (m) “Mortgage” includes deeds of trust, mortgages, building and loan contracts,  
4 land contracts or other instruments conveying real or personal property as security  
5 for bonds and conferring a right to foreclose and cause a sale thereof of the real  
6 property or personal property.

7 (n) “Obligee of the authority” or “obligee” includes any bondholder, trustee or  
8 trustees for any bondholders, any lessor demising property to the authority used in  
9 connection with a housing project or any assignee ~~or assignees or such of the~~ lessor’s  
10 interest or any part thereof of the lessor’s interest, and the United States of America,  
11 when it is a party to any contract with the authority.

12 (o) “Real property” includes lands, lands under water, structures, and any ~~and~~  
13 ~~all~~ easements, franchises and incorporeal hereditaments and every estate and right  
14 ~~therein in an estate~~, legal and equitable, including terms for years and liens by way  
15 of judgment, mortgage or otherwise.

16 **SECTION 381.** 66.395 (3) (q) of the statutes is repealed.

NOTE: Repeals a provision that defines a state as the state of Wisconsin. The  
provision is unnecessary.

17 **SECTION 382.** 66.395 (3) (r) and (s) and (4) to (7) of the statutes are renumbered  
18 66.1213 (4) (q) and (r) and (5) to (8), and 66.1213 (4) (q), (5) (a) and (c), (6), (7) (intro.)  
19 and (a) and (8), as renumbered, are amended to read:

20 66.1213 (4) (q) “State public body” means any city, town, ~~incorporated~~ village,  
21 county, municipal corporation, commission, district, authority, other subdivision or  
22 public body of the state.

23 (5) (a) When the council ~~of a city by proper resolution declares at any time~~  
24 ~~hereafter~~ declares by resolution that there is need for an authority to function in the

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1 city, a public body corporate and politic shall then exist in the city and be known as  
2 the “housing authority” of the city. ~~Such~~ The authority shall then be authorized to  
3 may transact business and exercise any powers ~~herein~~ granted to it under this  
4 section.

5 (c) In any suit, action or proceeding involving the validity or enforcement of or  
6 relating to any contract of the authority, the authority shall be conclusively deemed  
7 to have become established and authorized to transact business and exercise its  
8 powers ~~hereunder~~ under this section upon proof of the adoption of a resolution by the  
9 council declaring the need for the authority. ~~Such~~ The resolution ~~or resolutions shall~~  
10 ~~be deemed~~ is sufficient if it declares ~~that there is such~~ the need for an authority and  
11 ~~finds in substantially the foregoing terms (no further detail being necessary) that~~  
12 ~~either or both of the above enumerated conditions exist~~ that the condition described  
13 in par. (b) exists in the city. A copy of such the resolution duly certified by the city  
14 clerk ~~shall be~~ is admissible evidence in any suit, action or proceeding.

15 (6) SECTION ~~66.40~~ 66.1201 APPLIES. The provisions of s. ~~66.40~~ 66.1201 (5) to (24)  
16 (ag), (25) and (26) shall apply to housing authorities and providing housing for  
17 elderly persons under this section without reference to the income of such those  
18 persons.

19 (7) SECTIONS ~~66.401~~ 66.1203 TO ~~66.404~~ 66.1211 APPLY. (intro.) The provisions of ss.  
20 ~~66.401~~ 66.1203 to ~~66.404~~ 66.1211 shall apply to housing authorities and providing  
21 housing for elderly persons under this section without reference to the income of such  
22 those persons, except as follows:

23 (a) As set down by the federal housing authority in the case of housing projects  
24 to the financing or subsidizing of which it is a party; ~~or~~.

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1           **(8)** NOT APPLICABLE TO LOW-RENTAL HOUSING PROJECTS. This section shall does  
2 not apply to projects required to provide low-rental housing only.

3           **SECTION 383.** 66.40 (title) of the statutes is renumbered 66.1201 (title).

4           **SECTION 384.** 66.40 (1) to (2m) and (3) (intro.) and (a) to (c) of the statutes are  
5 renumbered 66.1201 (1) to (2m) and (3) (intro.) and (a) to (c), and 66.1201 (1), (2), (2m)  
6 and (3) (intro.), (a) and (c), as renumbered, are amended to read:

7           66.1201 **(1)** SHORT TITLE. Sections ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 may be  
8 referred to as the “Housing Authorities Law”.

9           **(2)** FINDING AND DECLARATION OF NECESSITY. It is declared that there exist in the  
10 state insanitary or unsafe dwelling accommodations and that persons of low income  
11 are forced to reside in such insanitary or unsafe accommodations; that within the  
12 state there is a shortage of safe or sanitary dwelling accommodations available at  
13 rents which persons of low income can afford and that such these persons are forced  
14 to occupy overcrowded and congested dwelling accommodations; that the ~~aforesaid~~  
15 conditions described in this subsection cause an increase in and spread of disease and  
16 crime and constitute a menace to the health, safety, morals and welfare of the  
17 residents of the state and impair economic values; that these conditions necessitate  
18 excessive and disproportionate expenditures of public funds for crime prevention  
19 and punishment, public health and safety, fire and accident protection, and other  
20 public services and facilities; that these slum areas cannot be cleared, nor can the  
21 shortage of safe and sanitary dwellings for persons of low income be relieved, through  
22 the operation of private enterprise, and that the construction of housing projects for  
23 persons of low income would, therefore, not be competitive with private enterprise;  
24 that the clearance, replanning and reconstruction of the areas in which insanitary  
25 or unsafe housing conditions exist and the providing of safe and sanitary dwelling

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1 accommodations for persons of low income are public uses and purposes for which  
2 public money may be spent and private property acquired and are governmental  
3 functions of state concern; that it is in the public interest that work on such these  
4 projects be commenced as soon as possible in order to relieve unemployment which  
5 now constitutes an emergency; and the necessity in the public interest for the  
6 provisions ~~hereinafter enacted~~ of this section, is declared as a matter of legislative  
7 determination.

8 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility  
9 or privilege under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 shall not, ~~with reference~~  
10 ~~thereto~~, be denied them in any manner for any purpose nor be discriminated against  
11 because of sex, race, color, creed, sexual orientation or national origin.

12 **(3)** DEFINITIONS. (intro.) ~~The following terms, wherever used or referred to in~~  
13 ~~ss. 66.40 to 66.404 shall have the following respective meanings~~ In ss. 66.1201 to  
14 66.1211, unless a different meaning clearly appears from the context:

15 (a) “Area of operation” includes the city for which a housing authority is created  
16 ~~and~~, the area within 5 miles of the territorial boundaries ~~thereof~~ of the city but not  
17 beyond the county limits of the county in which such the city is located and ~~provided~~  
18 ~~further that in the case of all cities the area of operation shall be limited to the area~~  
19 ~~within the limits of such~~ the city unless the city shall ~~annex~~ annexes the area of  
20 operation, ~~but the area of operation of a housing authority shall.~~ “Area of operation”  
21 does not include any area which lies within the territorial boundaries of any city for  
22 which another housing authority is created by this section.

23 (c) “Bonds” ~~shall mean~~ means any bonds, interim certificates, notes,  
24 debentures or other obligations of the authority issued pursuant to ss. ~~66.40~~ 66.1201  
25 ~~to 66.404~~ 66.1211.

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1           **SECTION 385.** 66.40 (3) (d) of the statutes is repealed.

          Note: Repeals a provision that defines a city to be a city. The provision is unnecessary.

2           **SECTION 386.** 66.40 (3) (e) to (q) of the statutes are renumbered 66.1201 (3) (cm)  
3 to (o), and 66.1201 (3) (cm) to (n), as renumbered, are amended to read:

4           66.1201 (3) (cm) “City clerk” and “mayor” shall mean the clerk and mayor,  
5 respectively, of the city or the officers thereof of the city charged with the duties  
6 customarily imposed on the clerk and mayor, respectively.

7           (d) “Commissioner” shall ~~mean~~ means one of the members of an authority  
8 appointed in accordance with ss. ~~66.40 66.1201~~ to ~~66.404 66.1211~~.

9           (e) “Community facilities” shall ~~include~~ includes real and personal property,  
10 and buildings and equipment for recreational or social assemblies, for educational,  
11 health or welfare purposes and necessary utilities, when designed primarily for the  
12 benefit and use of the housing authority or the occupants of the dwelling  
13 accommodations, or for both.

14           (f) “Contract” shall ~~mean~~ means any agreement of an authority with or for the  
15 benefit of an obligee whether contained in a resolution, trust indenture, mortgage,  
16 lease, bond or other instrument.

17           (g) “Council” means the common council or other body charged with governing  
18 the a city.

19           (h) “Federal government” shall ~~include~~ includes the United States of America,  
20 ~~the federal emergency administration of public works or~~ and any agency, or  
21 instrumentality, corporate or otherwise, of the United States of America.

22           (i) “Government” includes the state and federal governments and any  
23 subdivision, agency or instrumentality, corporate or otherwise, of either of them.

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1 (j) “Housing projects” ~~shall include~~ includes all real and personal property,  
2 building and improvements, ~~stores, offices, lands for farming and gardening,~~ and  
3 community facilities acquired or constructed ~~or to be acquired or constructed~~  
4 pursuant to a single plan ~~or undertaking~~ (a) either to demolish, clear, remove, alter  
5 or repair insanitary or unsafe housing, or (b) to provide safe and sanitary dwelling  
6 accommodations for persons of low income, or ~~for a combination of said (a) and (b).~~  
7 The term “housing project” may also be applied to both. “Housing projects” includes  
8 the planning of buildings and improvements, the acquisition of property, the  
9 demolition of existing structures, the construction, reconstruction, alteration and  
10 repair of the improvements and all other related work ~~in connection therewith~~.

11 (k) “Mortgage” ~~shall include~~ includes deeds of trust, mortgages, building and  
12 loan contracts, land contracts or other instruments conveying real or personal  
13 property as security for bonds and conferring a right to foreclose and cause a sale  
14 thereof of the real property or personal property.

15 (L) “Obligee of the authority” or “obligee” ~~shall include~~ includes any  
16 bondholder, trustee or trustees for any bondholders, any lessor demising property to  
17 the authority used in connection with a housing project or any assignee ~~or assignees~~  
18 ~~or such of the~~ lessor’s interest or any part thereof of the lessor’s interest, and the  
19 ~~United States of America~~ federal government, when it is a party to any contract with  
20 the authority.

21 (m) “Persons of low income” means persons or families who lack the amount of  
22 income ~~which is necessary~~ (, as determined by the authority undertaking the housing  
23 project), to enable them, without financial assistance, to live in decent, safe and  
24 sanitary dwellings, without overcrowding.

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1 (n) “Real property” ~~shall include~~ includes lands, lands under water, structures,  
2 and any ~~and all~~ easements, franchises and incorporeal hereditaments and every  
3 estate and right ~~therein~~ in an estate, legal and equitable, including terms for years  
4 and liens by way of judgment, mortgage or otherwise.

5 **SECTION 387.** 66.40 (3) (r) of the statutes is repealed.

NOTE: Repeals a provision that defines a state as the state of Wisconsin. The  
provision is unnecessary.

6 **SECTION 388.** 66.40 (3) (s) and (t) and (4) to (26) of the statutes are renumbered  
7 66.1201 (3) (p) and (q) and (4) to (26), and 66.1201 (3) (p) and (q), (4) to (8), (9) (intro.),  
8 (a) to (f), (h) to (L) and (o) to (w), (10) (a), (b) (intro.) and 1. and (c) to (h), (11), (13) (a)  
9 1. (intro.), a. and b., (b) and (c), (14) (a), (b), (d) and (e), (15) (intro.), (a) to (k), (L)  
10 (intro.) and 2. to 4. and (Lm) to (x), (16) (b) (intro.), 1. and 2., (17) to (22), (24) (a) and  
11 (b) (intro.), 1. and 2., (25) (a) to (f) and (h) and (26), as renumbered, are amended to  
12 read:

13 66.1201 (3) (p) “State public body” means any city, town, ~~incorporated~~ village,  
14 county, municipal corporation, commission, district, authority, other subdivision or  
15 public body of the state.

16 (q) “Trust indenture” ~~shall include~~ includes instruments pledging the revenues  
17 of real or personal properties.

18 **(4) CREATION OF HOUSING AUTHORITIES.** (a) ~~When the a council of a city by proper~~  
19 ~~resolution shall declare at any time hereafter~~ declares by resolution that there is  
20 need for an authority to function in the city, a public body corporate and politic ~~shall~~  
21 ~~then exist~~ exists in the city and shall be known as the “housing authority” of the city.  
22 ~~Such~~ The authority ~~shall~~ may then be authorized to transact business and exercise  
23 any powers ~~herein~~ granted to it under this section.

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1 (b) The council shall adopt a resolution declaring that there is need for a  
2 housing authority in the city if ~~it shall find~~ the council finds that insanitary or unsafe  
3 inhabited dwelling accommodations exist in the city or that there is a shortage of safe  
4 or sanitary dwelling accommodations in the city available to persons of low income  
5 at rentals they can afford. In determining whether dwelling accommodations are  
6 unsafe or insanitary ~~said~~ the council may take into consideration the degree of  
7 overcrowding, the percentage of land coverage, the light, air, space and access  
8 available to the inhabitants of ~~such~~ the dwelling accommodations, the size and  
9 arrangement of the rooms, the sanitary facilities, and the extent to which conditions  
10 exist in ~~such~~ the buildings which endanger life or property by fire or other causes.

11 (c) In any suit, action or proceeding involving the validity or enforcement of or  
12 relating to any contract of the authority, the authority shall be conclusively deemed  
13 to have become established and authorized to transact business and exercise its  
14 powers ~~hereunder~~ under this section upon proof of the adoption of a resolution by the  
15 council declaring the need for the authority. ~~Such~~ The resolution ~~or resolutions shall~~  
16 ~~be deemed~~ is sufficient if it declares that there is ~~such~~ a need for an authority and  
17 finds ~~in substantially the foregoing terms (no further detail being necessary)~~ that  
18 either or both of the ~~above enumerated~~ conditions described in par. (b) exist in the  
19 city. A copy of ~~such~~ the resolution duly certified by the city clerk ~~shall be~~ is admissible  
20 evidence in any suit, action or proceeding.

21 **(5) APPOINTMENT, QUALIFICATIONS AND TENURE OF COMMISSIONERS.** (a) When the  
22 council ~~of a city~~ adopts a resolution under sub. (4), it shall promptly notify the mayor.  
23 Upon receiving ~~such~~ the notice, the mayor shall, with the confirmation of the council,  
24 appoint 5 persons as commissioners of the authority, except that the mayor of a 1st  
25 class city that has created a housing authority before May 5, 1994, shall appoint 7

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1 commissioners, at least 2 of whom shall be residents of a housing project acquired  
2 or constructed by the authority. No commissioner may be connected in any official  
3 capacity with any political party nor ~~shall~~ may more than 2 be officers of the city in  
4 which the authority is created. The powers of each authority shall be vested in the  
5 commissioners ~~thereof in office from time to time~~ of the authority.

6 (b) The first 5 commissioners who are first appointed shall be designated by the  
7 mayor to serve for terms of 1, 2, 3, 4 and 5 years respectively from the date of their  
8 appointment and the 2 additional commissioners appointed by the mayor of a 1st  
9 class city under par. (a) shall be first appointed to terms of 3 and 5 years respectively.  
10 Thereafter, the term of office shall be 5 years. A commissioner shall hold office until  
11 his or her successor has been appointed and has qualified. Vacancies shall be filled  
12 for the unexpired term in the same manner as other appointments. Three  
13 commissioners ~~shall~~ constitute a quorum, except that in an authority with 7  
14 commissioners, 4 commissioners ~~shall~~ constitute a quorum. The mayor shall file  
15 with the city clerk a certificate of the appointment or reappointment of any  
16 commissioner and ~~such~~ the certificate ~~shall be~~ is conclusive evidence of the proper  
17 appointment of that commissioner if that commissioner has been confirmed under  
18 this paragraph and has taken and filed the official oath before entering office. The  
19 council of a city may pay commissioners a per diem and mileage and other necessary  
20 expenses incurred in the discharge of their duties at rates established by the council.

21 (c) When the office of the first chairperson of the authority becomes vacant, the  
22 authority shall select a chairperson from among its members. An authority shall  
23 select from among its members a vice chairperson, and it may employ a secretary (~~and~~  
24 who shall be executive director), technical experts and ~~such~~ other officers, agents and  
25 employes, permanent and temporary, ~~as it may require~~, and shall determine their

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1 qualifications, duties and compensation. An authority may call upon the city  
2 attorney or chief law officer of the city for ~~such~~ legal services ~~as it may require~~. An  
3 authority may delegate to one or more of its agents or employes ~~such~~ powers or duties  
4 ~~as it may deem proper~~ of the authority.

5 (6) DUTY OF THE AUTHORITY AND ITS COMMISSIONERS. The authority and its  
6 commissioners shall ~~be under a statutory duty to~~ comply or ~~to~~ cause compliance  
7 strictly with all provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ and 66.1211, with the laws  
8 of the state and ~~in addition thereto, with each and every term, provision and~~  
9 ~~covenant in~~ with any contract of the authority ~~on its part to be kept or performed~~.

10 (7) INTERESTED COMMISSIONERS OR EMPLOYES. No commissioner or employe of an  
11 authority shall ~~may~~ may acquire any ~~interest~~ direct or indirect interest in any housing  
12 project or in any property included ~~or planned to be included~~ in any project or have  
13 any ~~interest~~ direct or indirect interest in any contract ~~or proposed contract~~ for  
14 insurance, materials or services to be furnished or used in connection with any  
15 housing project. If any a commissioner or employe of an authority owns or controls  
16 ~~an interest~~ a direct or indirect interest in any property included ~~or planned to be~~  
17 ~~included~~ in any housing project, that person shall immediately disclose the ~~same~~  
18 interest in writing to the authority and ~~such~~ the disclosure shall be entered upon the  
19 minutes of the authority. Failure to so disclose ~~such~~ the interest shall ~~constitute~~  
20 constitutes misconduct in office.

21 (8) REMOVAL OF COMMISSIONERS. For inefficiency or neglect of duty or  
22 misconduct in office, a commissioner of an authority may be removed by the mayor,  
23 but a commissioner shall ~~may~~ may be removed only after having been given a copy of the  
24 charges at least 10 days ~~prior to~~ before the hearing ~~thereon~~ on the charges and had  
25 an opportunity to be heard in person or by counsel. ~~In the event of the removal of any~~

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1 ~~commissioner~~ If a commissioner is removed, a record of the proceedings, together  
2 with the charges and findings thereon, shall be filed in the office of the city clerk.  
3 To the extent applicable, the provisions of s. 17.16 relating to removal for cause shall  
4 apply to any such removal.

5 **(9) POWERS OF AUTHORITY.** (intro.) An authority ~~shall constitute~~ is a public body  
6 and a body corporate and politic, exercising public powers, and having has all the  
7 powers necessary or convenient to carry out and effectuate the purposes and  
8 provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, including the following powers in  
9 addition to others herein granted in this section:

10 (a) Within its area of operation to prepare, carry out, acquire, lease and operate  
11 housing projects approved by the council; to provide for the construction,  
12 reconstruction, improvement, alteration or repair of any housing project or any part  
13 thereof of a housing project.

14 (b) To take over by purchase, lease or otherwise any housing project undertaken  
15 by any government and located within the area of operation of the authority when  
16 approved by the council; to purchase, lease, obtain options upon, acquire by gift,  
17 grant, bequest, devise, or otherwise, any real or personal property or any interest  
18 therein in the real or personal property.

19 (c) To act as agent for any government in connection with the acquisition,  
20 construction, operation or management of a housing project or any part thereof of a  
21 housing project.

22 (d) To arrange or contract for the furnishing of services, privileges, works, or  
23 facilities for, or in connection with, a housing project or the occupants thereof of a  
24 housing project.

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1 (e) To lease or rent any dwellings, houses, accommodations, lands, buildings,  
2 structures or facilities embraced in any housing project and ( ~~to~~ subject to the  
3 limitations contained in this section) ~~to~~ to establish and revise the rents or charges  
4 ~~therefor~~ for the housing project.

5 (f) Within its area of operation to investigate into living, dwelling and housing  
6 conditions and into the means and methods of improving such those conditions; and  
7 to engage in research and studies on the subject of housing.

8 (h) To acquire by eminent domain any real property, including improvements  
9 and fixtures ~~thereon~~ on the real property.

10 (i) To own, hold, clear and improve property, to insure or provide for the  
11 insurance of the property or operations of the authority against such any risks as the  
12 ~~authority may deem advisable~~, to procure insurance or guarantees from the federal  
13 government of the payment of any debts or parts ~~thereof~~ of debts secured by  
14 mortgages made or held by the authority on any property included in any housing  
15 project.

16 (j) To contract for sale and sell any part or all of the interest in real estate  
17 acquired and to execute ~~such~~ contracts of sale and conveyances as the authority ~~may~~  
18 ~~deem~~ considers desirable.

19 (k) In connection with any loan, to agree to limitations upon its right to dispose  
20 of any housing project or part ~~thereof~~ of a housing project.

21 (L) In connection with any loan by a government, to agree to limitations upon  
22 the exercise of any powers conferred upon the authority by ss. ~~66.40~~ 66.1201 to  
23 ~~66.404~~ 66.1211.

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1           (o) To make and ~~from time to time~~ amend and repeal bylaws, rules and  
2 regulations not inconsistent with ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, to carry into  
3 effect the powers and purposes of the authority.

4           (p) To exercise all or any part or combination of powers herein granted in this  
5 section. No provisions of law with respect to the acquisition or disposition of property  
6 by other public bodies ~~shall be~~ are applicable to an authority unless the legislature  
7 ~~shall specifically so state~~ otherwise provided.

8           (q) ~~The~~ To execute bonds, notes, debentures or other evidences of indebtedness  
9 which, when executed by a housing authority ~~shall not be,~~ are not a debt or charge  
10 against any city, county, state or any other governmental authority, other than  
11 against the ~~housing~~ authority itself and its available property, income or other assets  
12 in accordance with the terms thereof of an evidence of indebtedness and of this  
13 section, and no individual liability ~~shall attach~~ exists for any official act done by any  
14 member of the authority. No such authority ~~shall have any power whatsoever to~~ may  
15 levy any tax or assessment.

16           (r) To provide by all means available under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211  
17 housing projects for veterans and their families regardless of their income. ~~Such~~ The  
18 projects ~~shall not be~~ are not subject to the limitations of s. ~~66.402~~ 66.1205.

19           (s) Notwithstanding the provisions of any law ~~in conflict herewith,~~ the housing  
20 ~~authority of any city is expressly authorized,~~ to acquire sites,; to prepare, to carry out,  
21 acquire, lease, construct and operate housing projects to provide temporary dwelling  
22 accommodations for families regardless of income who are displaced under ss. ~~66.40~~  
23 66.1201 to ~~66.43,~~ 66.1331; to further slum clearance, urban redevelopment, and  
24 blight elimination,; and to provide temporary dwelling accommodations for families

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1 displaced by reason of any street widening, expressway or other public works project  
2 causing the demolition of dwellings.

3 (t) To participate in an employe retirement or pension system of the city which  
4 has declared the need for the authority and to expend funds of the authority for such  
5 this purpose.

6 (u) ~~Any 2 or more authorities may~~ To join or cooperate with one another or more  
7 authorities in the exercise, either jointly or otherwise, of any ~~or all~~ of their powers  
8 for the purpose of financing (including the issuance of bonds, notes or other  
9 obligations and giving security therefor) for these obligations, planning,  
10 undertaking, owning, constructing, operating or contracting with respect to a  
11 housing project located within the area of operation of any one or more of said the  
12 authorities. For such this purpose an authority may by resolution prescribe and  
13 authorize any other housing authority, ~~so~~ joining or cooperating with it, to act on its  
14 behalf with respect to any ~~or all~~ powers, as its agent or otherwise, in the name of the  
15 authority ~~so~~ joining or cooperating or in its own name.

16 (v) To establish a procedure for ~~preservation of the~~ preserving records of the  
17 authority by the use of microfilm, another reproductive device, optical imaging or  
18 electronic formatting if authorized under s. 19.21 (4) (c). ~~Any such~~ The procedure  
19 shall assure that copies of such records that are open to public inspection continue  
20 to be available to members of the public requesting them. A photographic  
21 reproduction of a record or copy of a record generated from optical disk or electronic  
22 storage is deemed the same as an original record for all purposes if it meets the  
23 applicable standards established in ss. 16.61 and 16.612.

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1 (w) To exercise any powers of a redevelopment authority operating under s.  
2 ~~66.431~~ 66.1333 if done in concert with a redevelopment authority under a contract  
3 under s. ~~66.30~~ 66.0301.

4 (10) (a) The authority ~~shall have the right to~~ may acquire by eminent domain  
5 any real property, including fixtures and improvements, which it ~~may deem~~ deems  
6 necessary to carry out the purposes of ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 after the  
7 adoption by it of a resolution declaring that the acquisition of the property described  
8 ~~therein~~ in the resolution is in the public interest and necessary for public use. The  
9 authority may exercise the power of eminent domain pursuant to ch. 32 or pursuant  
10 to any other applicable statutory provisions, ~~now in force or hereafter enacted for the~~  
11 ~~exercise of the power of eminent domain.~~

12 (b) (intro.) At any time at or after the filing for condemnation, and before the  
13 entry of final judgment, the authority may file with the clerk of the court in which  
14 the petition is filed, a declaration of taking signed by the duly authorized officer or  
15 agent of the authority declaring that all or any part of the property described in the  
16 petition is to be taken for the use of the authority. The declaration of taking ~~shall be~~  
17 is sufficient if it sets forth all of the following:

18 1. A description of the property, ~~sufficient for the identification thereof, to~~  
19 ~~which there may be attached a plat or map thereof.~~

20 (c) From the filing of the said declaration of taking under par. (b) and the  
21 deposit in court ~~to the use of the persons entitled thereto~~ of the amount of the  
22 estimated compensation stated in said the declaration, title to the property specified  
23 in said the declaration shall ~~vest~~ vests in the authority and said the property shall  
24 ~~be deemed to be~~ is condemned and taken for the use of the authority and the right  
25 to just compensation for the same ~~shall vest~~ property vests in the persons entitled

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1 ~~thereto~~ to the compensation. Upon the filing of the declaration of taking the court  
2 shall designate a day (not exceeding 30 days after such the filing, except upon good  
3 cause shown), on which the person in possession shall ~~be required to~~ surrender  
4 possession to the authority.

5 (d) The ultimate amount of compensation ~~shall be vested~~ vests in the manner  
6 provided by law. If the amount so vested ~~shall exceed~~ exceeds the amount so  
7 deposited in court by the authority, the court shall enter judgment against the  
8 authority in the amount of such the deficiency together with interest at the rate of  
9 ~~6 per cent~~ % per year on such the deficiency from the date of the vesting of title to the  
10 date of the entry of the final judgment (subject, ~~however,~~ to abatement for use,  
11 income, rents or profits derived from such the property by the owner thereof  
12 subsequent to the vesting of title in the authority) ~~and the.~~ The court shall order the  
13 authority to deposit the amount of such the deficiency in court.

14 (e) At any time ~~prior to~~ before the vesting of title of property in the authority  
15 the authority may withdraw or dismiss its petition with respect to any ~~and all~~ of the  
16 property ~~therein~~ described in the petition.

17 (f) Upon vesting of title to any property in the authority, all the right, title and  
18 interest of all persons having an interest ~~therein or lien thereupon,~~ shall be in, or lien  
19 upon, the property are divested immediately and such these persons ~~thereafter shall~~  
20 be are entitled only to receive compensation for such the property.

21 (g) Except as hereinabove provided in this subsection with reference to the  
22 declaration of taking, the proceedings shall be as ~~is or may hereafter be~~ provided by  
23 law for condemnation, and the deposit in court of the amount estimated by the  
24 authority upon a declaration of taking, shall be disbursed as ~~is or may hereafter be~~  
25 provided by law for an award in condemnation proceedings.

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1 (h) Property already devoted to a public use may be acquired, provided that no  
2 property belonging to any city or municipality or to any government may be acquired  
3 without its consent and that no property belonging to a public utility corporation may  
4 be acquired without the approval of the public service commission or other officer or  
5 tribunal, if any ~~there be~~, having regulatory power over ~~such~~ the public utility  
6 corporation.

7 **(11)** ACQUISITION OF LAND FOR GOVERNMENT. The authority may acquire, by  
8 purchase or by the exercise of its power of eminent domain ~~as aforesaid~~ under sub.  
9 (10), any property, real or personal, for any housing project being constructed or  
10 operated by a government. The authority upon such terms and conditions, with or  
11 without consideration, as it shall determine, may convey title or deliver possession  
12 of ~~such~~ property so acquired or purchased to ~~such~~ the government for use in  
13 connection with ~~such~~ a housing project.

14 **(13)** (a) 1. (intro.) ~~An authority shall have power to issue bonds from time to~~  
15 ~~time in its discretion, for any of its corporate purposes.~~ An authority may issue such  
16 ~~types of~~ any bonds ~~as it may determine for its corporate purposes,~~ including, ~~without~~  
17 ~~limiting the generality of the foregoing,~~ bonds on which the principal and interest are  
18 payable by any of the following methods:

19 a. Exclusively from the income and revenues of the housing project financed  
20 with the proceeds of the bonds, or with those proceeds together with a grant from the  
21 federal government in aid of the project;

22 b. Exclusively from the income and revenues of certain designated housing  
23 projects whether or not they were financed in whole or in part with the proceeds of  
24 ~~such~~ the bonds; ~~or,~~

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1 (b) Neither the commissioners of the authority nor any person executing the  
2 bonds shall be is liable personally on the bonds by reason of the their issuance  
3 thereof.

4 (c) The bonds and other obligations of the authority (~~and such bonds and~~  
5 ~~obligations shall so state on their face~~) shall not be are not a debt of any city or  
6 municipality located within its boundaries or of the state and neither and this fact  
7 shall be stated on their face. Neither the state nor any ~~such city or~~ municipality shall  
8 be is liable ~~thereon~~ for the bonds or other obligations, nor in any event shall are they  
9 be payable out of any funds or properties other than those of the authority.

10 (14) (a) Bonds of an authority shall be authorized by its resolution and may be  
11 issued in one or more series and shall bear such any date ~~or dates~~, mature at such  
12 any time ~~or times~~, bear interest at such any rate ~~or rates~~, be in such any  
13 denomination ~~or denominations~~, be in the form of coupon bonds or of bonds  
14 registered under s. 67.09, carry such any conversion or registration privileges, have  
15 such any rank or priority, be executed in such any manner, be payable in such any  
16 medium of payment, at such any place ~~or places~~, and be subject to such any terms  
17 of redemption, with or without premium, ~~as such~~ that the resolution, its trust  
18 indenture or mortgage may provide. Any bond reciting in substance that it has been  
19 issued by an authority to aid in financing a housing project to provide dwelling  
20 accommodations for persons of low income shall be conclusively deemed, in any suit,  
21 action or proceeding involving the validity or enforceability of such the bond or the  
22 security ~~therefor~~ for the bond, to have been issued for such a housing project ~~of such~~  
23 character. Bonds of an authority are ~~declared to be~~ issued for an essential public and  
24 governmental purpose and ~~to be~~ are public instrumentalities and, together with  
25 interest ~~thereon~~ and income ~~therefrom~~, shall be, are exempt from taxes.

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1 (b) The bonds may be sold at public or private sale as the authority ~~may provide~~  
2 ~~provides~~. The bonds may be sold at such any price or prices as determined by the  
3 authority ~~shall determine~~.

4 (d) The authority ~~shall have power out of any funds available therefor to may~~  
5 ~~purchase, out of available funds,~~ any bonds issued by it at a price not more than the  
6 principal amount thereof of the bonds and the accrued interest; ~~provided, however,~~  
7 ~~that bonds.~~ Bonds payable exclusively from the revenues of a designated project or  
8 projects shall be purchased only out of any such revenues available ~~therefor~~ for that  
9 purpose. All bonds so purchased shall be canceled. This paragraph shall does not  
10 apply to the redemption of bonds.

11 (e) Any provision of any law to the contrary notwithstanding, any bonds,  
12 interim certificates, or other obligations issued pursuant to ss. ~~66.40~~ 66.1201 to  
13 ~~66.404~~ shall be 66.1211 are fully negotiable.

14 **(15)** PROVISIONS OF BONDS, TRUST INDENTURES, AND MORTGAGES. (intro.) In  
15 connection with the issuance of bonds or the incurring of any obligation under a lease  
16 and in order to secure the payment of such bonds or obligations, the authority shall  
17 ~~have power~~ may:

18 (a) ~~To pledge~~ Pledge by resolution, trust indenture, mortgage (, subject to the  
19 limitations hereinafter imposed in this subsection), or other contract ~~all or any part~~  
20 of its rents, fees, or revenues.

21 (b) ~~To covenant~~ Covenant against mortgaging ~~all or any part of its property, real~~  
22 ~~or personal, then owned or thereafter acquired,~~ or against permitting ~~or suffering~~  
23 any lien thereon on its property.

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1           (c) ~~To covenant~~ Covenant with respect to limitations on its right to sell, lease  
2 or otherwise dispose of any housing project or any part thereof of a housing project,  
3 or with respect to limitations on its right to undertake additional housing projects.

4           (d) ~~To covenant~~ Covenant against pledging ~~all or any part~~ of its rents, fees and  
5 revenues ~~to which its right then exists or the right to which may thereafter come into~~  
6 existence or against permitting ~~or suffering~~ any lien thereon on its rents, fees and  
7 revenues.

8           (e) ~~To provide~~ Provide for the release of property, rents, fees and revenues from  
9 any pledge or mortgage, and ~~to~~ reserve rights and powers in, or the right to dispose  
10 of, property which is subject to a pledge or mortgage.

11           (f) ~~To covenant~~ Covenant as to the bonds to be issued pursuant to any  
12 resolution, trust indenture, mortgage or other instrument and as to the issuance of  
13 ~~such~~ bonds in escrow or otherwise, and as to the use and disposition of the proceeds  
14 ~~thereof~~ of the bonds.

15           (g) ~~To provide~~ Provide for the terms, form, registration, exchange, execution  
16 and authentication of bonds.

17           (h) ~~To provide~~ Provide for the replacement of lost, destroyed or mutilated bonds.

18           (i) ~~To covenant~~ Covenant that the authority warrants the title to the premises.

19           (j) ~~To covenant~~ Covenant as to the rents and fees to be charged, the amount to  
20 be raised each year or other period of time by rents, fees and other revenues and as  
21 to the use and disposition to be made ~~thereof~~ of the revenues.

22           (k) ~~To covenant~~ Covenant as to the use of any ~~or all~~ of its property, ~~real or~~  
23 personal.

24           (L) (intro.) ~~To create or to authorize the creation of~~ Create special funds in  
25 which there shall be segregated segregate all of the following:

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1           2. ~~All of the~~ The rents, fees and revenues of ~~any a~~ a housing project ~~or projects~~  
2 ~~or parts thereof.~~

3           3. Any moneys held for the payment of the costs of operations and maintenance  
4 of any ~~such~~ housing projects or as a reserve for the meeting of contingencies in the  
5 operation and maintenance ~~thereof~~ of housing projects.

6           4. Any moneys held for the payment of the principal and interest on its bonds  
7 or the sums due under its leases or as a reserve for ~~such~~ the payments; ~~and.~~

8           (Lm) ~~To covenant~~ Covenant as to the use and disposal of the moneys held in  
9 funds created under par. (L).

10          (m) ~~To redeem~~ Redeem the bonds, ~~and to covenant~~ for their redemption and to  
11 provide the terms and conditions ~~thereof~~ of the bonds.

12          (n) ~~To covenant~~ Covenant against extending the time for the payment of its  
13 bonds or interest ~~thereon, directly or indirectly,~~ on the bonds by any means ~~or in any~~  
14 ~~manner.~~

15          (o) ~~To prescribe~~ Prescribe the procedure, if any, by which the terms of any  
16 contract with bondholders may be amended or abrogated, the amount of bonds the  
17 holders of which must consent ~~thereto~~ to a contract amendment or abrogation and  
18 the manner in which such consent may be given.

19          (p) ~~To covenant~~ Covenant as to the property maintenance ~~of its property,~~ the,  
20 replacement thereof, ~~the~~ and insurance ~~to be carried thereon~~ and the use and  
21 disposition of insurance moneys.

22          (q) ~~To vest~~ Vest in an obligee of the authority ~~the right, in the event of the failure~~  
23 ~~of the authority, if the authority fails~~ to observe or perform any covenant on its part  
24 to be kept or performed, ~~the right~~ to cure any such default and to advance any moneys  
25 necessary for ~~such~~ that purpose, ~~and the.~~ The moneys so advanced may be made an

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1 additional obligation of the authority with such interest, security and priority as may  
2 be provided in any trust indenture, mortgage, lease or contract of the authority with  
3 reference thereto.

4 (r) ~~To covenant~~ Covenant and prescribe as to the events of default and terms  
5 and conditions upon which any ~~or all~~ of its bonds shall become or may be declared  
6 due before maturity and as to the terms and conditions upon which ~~such~~ the  
7 declaration and its consequences may be waived.

8 (s) ~~To covenant~~ Covenant as to the rights, liabilities, powers and duties arising  
9 upon the breach by it of any covenant, condition or obligation.

10 (t) ~~To covenant~~ Covenant to surrender possession of all or any part of any  
11 housing project ~~or projects~~ upon the happening of ~~an event of a~~ a default, as defined  
12 in the contract, and to vest in an obligee the right to take possession and to use,  
13 operate, manage and control ~~such~~ housing projects ~~or any part thereof~~, and to collect  
14 and receive all rents, fees and revenues arising ~~therefrom~~ from the housing projects  
15 in the same manner as the authority itself might do and to dispose of the moneys  
16 collected in accordance with the agreement of the authority with ~~such~~ the obligee.

17 (u) ~~To vest~~ Vest in a trust ~~or trustees~~ the right to enforce any covenant made  
18 to secure, to pay, or in relation to the bonds, to provide for the powers and duties of  
19 ~~such a trustee or trustees~~, to limit liabilities ~~thereof~~ of a trustee and to provide the  
20 terms and conditions upon which the trustee ~~or trustees~~ or the ~~holders of bonds~~  
21 bondholders or any proportion of them may enforce any ~~such~~ covenant.

22 (v) ~~To make~~ Make covenants other than ~~and in addition to~~ the covenants herein  
23 expressly authorized, ~~of like or different character~~ that are authorized in this  
24 subsection.

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1           (w) ~~To execute~~ Execute all instruments that are necessary or convenient in the  
2 exercise of the its powers herein granted or in the performance of its covenants or  
3 duties, ~~which may contain such covenants and provisions, in addition to those above~~  
4 ~~specified as the government or any purchaser of the bonds of the authority may~~  
5 ~~reasonably require.~~

6           (x) ~~To make such~~ Make covenants and to do any and ~~all such acts and things~~  
7 ~~as may be~~ act necessary or convenient ~~or desirable~~ in order to secure its bonds, or,  
8 in the absolute discretion of the authority, that tend to make the bonds more  
9 marketable; ~~notwithstanding that such covenants, acts or things may not be~~  
10 ~~enumerated herein; it being the intention hereof to give the authority power to do all~~  
11 ~~things in the issuance of bonds, in the provisions for their security that are not~~  
12 ~~inconsistent with the constitution of the state and no consent or approval of any judge~~  
13 ~~or court shall be required thereof; provided, however, that the authority shall have~~  
14 ~~no power to.~~ An authority may not mortgage all or any part of its property, real or  
15 personal, except as provided in sub. (16).

16           **(16)** (b) (intro.) In connection with any project financed in whole or in part, or  
17 otherwise aided by a government, whether through a donation of money or property,  
18 a loan, the insurance or guarantee of a loan, or otherwise, the authority ~~shall also~~  
19 ~~have power to~~ may do any of the following:

20           1. ~~Mortgage all or any part of its property, real or personal, then owned or~~  
21 ~~thereafter acquired.~~

22           2. ~~Grant security interests in its property, real or personal, then owned or~~  
23 ~~thereafter acquired.~~

24           **(17)** REMEDIES OF AN OBLIGEE OF AUTHORITY. An obligee of the authority ~~shall~~  
25 ~~have the right in addition to all other rights which may be conferred on such obligee~~

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1 ~~subject only to any contractual restrictions binding upon such obligee, subject to its~~  
2 contract, may do any of the following:

3 (a) By mandamus, suit, action or proceeding ~~in law or equity~~, all of which may  
4 be joined in one action, ~~to~~ compel the authority, and the its commissioners, officers,  
5 agents or employes thereof to perform each and every term, provision and covenant  
6 contained in any contract of the authority, and ~~to~~ require the carrying out of any ~~or~~  
7 ~~all~~ covenants and agreements of the authority and the fulfillment of all duties  
8 imposed upon the authority by ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211.

9 (b) By suit, action or proceeding ~~in equity to~~ enjoin any unlawful acts or things  
10 ~~which may be unlawful~~, or the violation of any of the rights of such the obligee of the  
11 authority.

12 (c) By suit, action or proceeding ~~in any court of competent jurisdiction to~~ cause  
13 possession of any housing project or any part thereof of a housing project to be  
14 surrendered to any obligee having the right to such possession pursuant to any  
15 contract of the authority.

16 **(18)** ADDITIONAL REMEDIES CONFERRABLE BY MORTGAGE OR TRUST INDENTURE. Any  
17 authority ~~shall have power~~ may by its trust indenture, mortgage, lease or other  
18 contract ~~to~~ confer upon any obligee holding or representing a specified amount in  
19 bonds, lease or other obligations, the right upon the happening of an “event of  
20 default” as defined in such the instrument:

21 (a) By suit, action or proceeding ~~in any court of competent jurisdiction to~~ obtain  
22 the appointment of a receiver of any housing project of the authority or any part ~~or~~  
23 ~~parts thereof~~ of a housing project. Upon appointment, a receiver may enter and take  
24 possession of such the housing project or any part ~~or parts thereof~~ of the housing  
25 project and operate and maintain ~~same~~ it, and collect and receive all fees, rents,

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1 revenues or other charges thereafter arising therefrom in the same manner as the  
2 authority itself might do and. The receiver shall keep such the moneys in a separate  
3 account or accounts and apply the ~~same~~ moneys in accordance with the obligations  
4 of the authority as ~~the a court shall direct~~ directs.

5 (b) By suit, action or proceeding ~~in any court of competent jurisdiction to~~  
6 require the authority and ~~the its~~ commissioners thereof to account as if it and they  
7 were the trustees of an express trust.

8 **(19) REMEDIES CUMULATIVE.** All the rights and remedies ~~hereinabove conferred~~  
9 ~~shall be cumulative and~~ in this section are in addition to all other rights and remedies  
10 that may be conferred upon ~~such an~~ obligee of the authority by law or by any contract  
11 with the authority.

12 **(20) SUBORDINATION OF MORTGAGE TO AGREEMENT WITH GOVERNMENT.** The  
13 authority may agree in any mortgage made by it that ~~such the mortgage shall be is~~  
14 subordinate to a contract for the supervision by a government of the operation and  
15 maintenance of the mortgaged property and the construction of improvements  
16 ~~thereon; in such event, any purchaser or purchasers on the mortgaged property. A~~  
17 purchaser at a sale of the property of an authority pursuant to a foreclosure of such  
18 a mortgage or any other remedy in connection therewith with the foreclosure shall  
19 obtain title subject to ~~such the~~ the contract.

20 **(21) CONTRACTS WITH FEDERAL GOVERNMENT.** In addition to the powers conferred  
21 upon the authority by other provisions of ss. ~~66.40 66.1201 to 66.404 66.1211~~, the  
22 authority ~~is empowered to~~ may borrow money or accept grants from the federal  
23 government for ~~or in aid of~~ any housing project ~~which such that the~~ authority is  
24 ~~authorized to~~ may undertake, ~~to~~ take over any land acquired by the federal  
25 government for the construction or operation of a housing project, ~~to~~ take over or

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1 lease or manage any housing project constructed or owned by the federal  
2 government, and to these ends, ~~to enter into such~~ any contracts, mortgages, trust  
3 indentures, leases or other agreements as that the federal government may require  
4 including agreements that the federal government ~~shall have the right to~~ may  
5 supervise and approve the construction, maintenance and operation of ~~such~~ the  
6 housing project. ~~It is the purpose and intent of this section to authorize every council~~  
7 ~~to do any and all things~~ A council may take any action necessary to secure the  
8 financial aid and the cooperation of the federal government in the undertaking,  
9 construction, maintenance and operation of any housing project which the authority  
10 ~~is empowered to~~ may undertake.

11 **(22)** TAX EXEMPTION AND PAYMENTS IN LIEU OF TAXES. The property of an authority  
12 ~~is declared to be~~ public property used for essential public and governmental purposes  
13 and ~~such~~ the property and an authority ~~shall be~~ are exempt from all taxes of the state  
14 or any state public body; ~~provided, however, except~~ that the city in which a project  
15 or projects are located may fix a sum to be paid annually in lieu of such taxes by the  
16 authority for the services, improvements or facilities furnished to ~~such project or~~  
17 ~~projects~~ the property of the authority by ~~such~~ the city, ~~but in no event shall such sum.~~  
18 The amount paid in lieu of taxes may not exceed the amount that would be levied as  
19 the annual tax of ~~such~~ the city upon ~~such~~ the project ~~or projects~~.

20 **(24)** (a) When a housing authority has the approval of the council for any  
21 project authorized under sub. (9) (a) or (b), the authority shall complete and approve  
22 plans, specifications and conditions ~~in connection therewith~~ for carrying out ~~such~~ the  
23 project, and shall then advertise by publishing a class 2 notice, under ch. 985, for bids  
24 for all work which the authority must do by contract. The authority is not required  
25 to submit for bidding any contract in an amount of \$25,000 or less, but if the

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1 estimated cost of the contract is between \$10,000 and \$25,000, the authority shall  
2 give a class 2 notice, under ch. 985, of the proposed work before the contract is entered  
3 into. A contract subject to bidding shall be awarded to the lowest qualified and  
4 competent bidder. Section ~~66.29 shall apply~~ 66.0901 applies to such ~~the~~ bidding.

5 (b) (intro.) An authority may contract for the acquisition of a housing project  
6 without submitting the contract for bids as required by par. (a) if all of the following  
7 apply:

8 1. The contract provides for undertaking of the housing project on land not  
9 owned at the time of the contract by the authority except the contract may provide  
10 for undertaking of the housing project on land acquired and owned by a community  
11 development authority for the purpose of ss. ~~66.405 to 66.425, 66.43, 66.431 or 66.46~~  
12 66.1105, 66.1301 to 66.1329, 66.1331 or 66.1333 if the community development  
13 authority is proceeding under this paragraph as provided by s. ~~66.4325~~ 66.1335 (4);

14 2. The contract provides for conveyance or lease of the project to the authority  
15 after completion of the project; ~~and,~~

16 **(25)** (a) In any city or village the city council or village board by resolution or  
17 ordinance, or the electors by referendum under s. 9.20, may ~~provide that~~ require the  
18 authority shall to liquidate and dispose of a particular project ~~or projects~~ held and  
19 operated under ss. ~~66.40~~ 66.1201 to 66.404 ~~66.1211~~ or ~~66.43~~ 66.1331.

20 (b) ~~Whenever~~ If liquidation and disposal of a project is provided for under par.  
21 (a) the housing authority or other designated agency shall sell ~~such~~ the project to the  
22 highest bidder after public advertisement, or transfer it to any state public body  
23 authorized by law to acquire ~~such~~ the project. No ~~such~~ project shall may be sold for  
24 less than its fair market value as determined by a board of 3 licensed appraisers  
25 appointed by the city council or village board.

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1 (c) The arrangements for the liquidation and disposal of a project shall provide  
2 for the payment and retirement of all outstanding obligations in connection with the  
3 project, together with interest ~~thereon~~ on the obligations and any premiums  
4 prescribed for the redemption of any bonds, notes or other obligations before  
5 maturity.

6 (d) Any proceeds remaining after payment of such the obligations under par.  
7 (c) shall be distributed in accordance with the federal law applicable at the time of  
8 the liquidation and disposal of the project. If no federal law is applicable to the  
9 liquidation and disposal of the project all ~~of such~~ remaining proceeds shall be paid  
10 to the city or village.

11 (e) If the highest bid received is insufficient for the payment of all obligations  
12 set forth in par. (c) the project shall not be sold unless the city or village provides  
13 sufficient additional funds to discharge such the obligations.

14 (f) In order to carry out this subsection an authority or other designated agency  
15 shall exercise any option available to it for the payment and redemption of  
16 outstanding obligations set forth in par. (c) before maturity, if the city or village  
17 provides funds for such payment and redemption.

18 (h) The term In this subsection, “outstanding obligations” or “obligations” as  
19 ~~used herein~~ includes bonds, notes or evidences of indebtedness, as well as aids,  
20 grants, contributions or loans made by or received from any federal, state or local  
21 political government or agency.

22 **(26)** DISSOLUTION OF HOUSING AUTHORITY. Any housing authority may be  
23 dissolved upon adoption of an ordinance or resolution by the council or village board  
24 concerned declaring that the need ~~therefor~~ for the authority no longer exists, that all  
25 projects under such the authority’s jurisdiction have been disposed of, that there are

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1 no outstanding obligations or contracts and that no further business remains to be  
2 transacted by ~~such~~ the authority.

3 **SECTION 389.** 66.401 of the statutes is renumbered 66.1203 and amended to  
4 read:

5 **66.1203 Housing authorities; operation not for profit. (1)** It is declared  
6 to be the policy of this state that each housing authority shall manage and operate  
7 its housing projects in an efficient manner ~~so~~ as to enable it to fix the rentals for  
8 dwelling accommodations at the lowest possible rates consistent with its providing  
9 decent, safe and sanitary dwelling accommodations, and that no housing authority  
10 shall construct or operate any ~~such~~ project for profit, or as a source of revenue to the  
11 city.

12 ~~(2) To this end an~~ An authority shall fix the rentals for dwellings in its projects  
13 at no higher rates than it ~~shall find to be~~ finds necessary in order to produce revenues  
14 which ~~(, together with all other available moneys, revenues, income and receipts of~~  
15 ~~the authority from whatever sources derived),~~ will be sufficient to accomplish all of  
16 the following:

17 (a) ~~To pay~~ Pay, as the same rentals become due, the principal and interest on  
18 the bonds of the authority;

19 (b) ~~To meet~~ Meet the cost of, and ~~to provide for,~~ maintaining and operating the  
20 projects ~~(, including the cost of any insurance),~~ and the administrative expenses of  
21 the authority;

22 (c) ~~To create~~ Create, during not less than the 6 years immediately succeeding  
23 its issuance of any bonds), a reserve sufficient to meet the largest principal and  
24 interest payments which will be due on ~~such~~ the bonds in any one year thereafter  
25 after the creation of the reserve and to maintain such the reserve.

**ASSEMBLY BILL 710****SECTION 390**

1           **SECTION 390.** 66.402 of the statutes is renumbered 66.1205, and 66.1205 (1) (a)  
2 and (b) and (2), as renumbered, are amended to read:

3           66.1205 **(1)** (a) It may rent or lease the dwelling accommodations ~~therein~~ in a  
4 housing project only to persons of low income and at rentals within the financial  
5 reach of such persons of low income.

6           (b) It may rent or lease to a tenant dwelling accommodations consisting of the  
7 number of rooms, but no greater number, ~~which~~ that it considers necessary to provide  
8 safe and sanitary accommodations to the proposed occupants thereof, without  
9 overcrowding.

10           **(2)** ~~Nothing contained in the housing authorities law, as hereby amended, shall~~  
11 ~~be construed as limiting~~ Sections 66.1201 to 66.1211 do not limit the power of an  
12 authority to do any of the following:

13           (a) ~~To invest~~ Invest in an obligee the right, ~~in the event of a default by~~ if the  
14 authority defaults, to take possession of a housing project or cause the appointment  
15 of a receiver thereof of the housing project, free from all the restrictions imposed by  
16 ~~said law, as amended~~ under ss. 66.1201 to 66.1211, with respect to rentals, tenant  
17 selection, manner of operation, or otherwise; ~~or.~~

18           (b) Pursuant to s. ~~66.40~~ 66.1201 (16) ~~to vest in obligees the right, in the event~~  
19 ~~of a default by~~ if the authority defaults, to acquire title to a housing project or the  
20 property mortgaged by the housing authority, free from all the restrictions imposed  
21 by ~~ss. 66.401 and 66.402~~ s. 66.1203 and this section.

22           **SECTION 391.** 66.4025 (title) and (1) (a) of the statutes are renumbered 66.1207  
23 (title) and (1) (a), and 66.1207 (1) (a), as renumbered, is amended to read:

24           66.1207 **(1)** (a) Any person who secures or assists in securing dwelling  
25 accommodations under s. ~~66.402~~ 66.1205 by intentionally making false

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1 representations in order to receive more than \$1,000 and but less than \$2,500 in  
2 financial assistance for which the person would not otherwise be entitled shall be  
3 fined not more than \$10,000 or imprisoned for not more than 9 months or both.

4 **SECTION 392.** 66.4025 (1) (b) and (c) of the statutes, as affected by 1997  
5 Wisconsin Act 283, are renumbered 66.1207 (1) (b) and (c) and amended to read:

6 66.1207 (1) (b) Any person who secures or assists in securing dwelling  
7 accommodations under s. ~~66.402~~ 66.1205 by intentionally making false  
8 representations in order to receive at least \$2,500 but not more than \$25,000 in  
9 financial assistance for which the person would not otherwise be entitled shall be  
10 fined not more than \$10,000 or imprisoned for not more than 3 years or both.

11 (c) Any person who secures or assists in securing dwelling accommodations  
12 under s. ~~66.402~~ 66.1205 by intentionally making false representations in order to  
13 receive more than \$25,000 in financial assistance for which the person would not  
14 otherwise be entitled shall be fined not more than \$10,000 or imprisoned for not more  
15 than 7 years and 6 months or both.

16 **SECTION 393.** 66.4025 (2) and (3) of the statutes are renumbered 66.1207 (2)  
17 and (3), and 66.1207 (2) and (3) (intro.), as renumbered, are amended to read:

18 66.1207 (2) Any administrator or employe of an authority under s. ~~66.402~~  
19 66.1205 who receives or solicits any commission or derives or seeks to obtain any  
20 personal financial gain through any contract for the rental or lease of dwelling  
21 accommodations under s. ~~66.402~~ 66.1205 shall be punished under s. 946.13.

22 (3) (intro.) Any person who receives assistance for dwelling accommodations  
23 under s. ~~66.402~~ 66.1205, who has been notified by the authority of the obligation to  
24 report an increase in income or assets that would reduce the amount of that

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1 assistance and who intentionally fails to notify the authority of the receipt of such  
2 income or assets is subject to one of the following:

3 **SECTION 394.** 66.403 (title) of the statutes is renumbered 66.1209 (title).

4 **SECTION 395.** 66.403 (intro.) and (1) to (7) of the statutes are renumbered  
5 66.1209 (1) (intro.) and (a) to (g) and amended to read:

6 66.1209 (1) (intro.) For the purpose of aiding and cooperating in the planning,  
7 undertaking, construction or operation of housing projects located within the area  
8 in which it is authorized to may act, any state public body may ~~upon such terms, with~~  
9 ~~or without consideration, as it may determine~~ do any of the following:

10 (a) Dedicate, sell, convey or lease any of its property to a housing authority or  
11 the federal government;.

12 (b) Cause parks, playgrounds, recreational, community, educational, water,  
13 sewer or drainage facilities, or any other works which it is ~~otherwise empowered to~~  
14 may undertake, to be furnished adjacent to or in connection with housing projects;.

15 (c) Cause services to be furnished to the authority of the character which it is  
16 otherwise empowered to may furnish;.

17 (d) Subject to the approval of the council, furnish, dedicate, close, pave, install,  
18 grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other  
19 places which it is ~~otherwise empowered to~~ may undertake;.

20 (e) Enter into agreements with a housing authority or the federal government  
21 respecting action to be taken by the state public body pursuant to any of the powers  
22 granted by ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211. The agreements may extend over any  
23 period, notwithstanding any provision or rule of law to the contrary;.

24 (f) ~~Do any~~ Any and all things, necessary or convenient to aid and cooperate in  
25 the planning, undertaking, construction or operation of ~~such~~ housing projects;.

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1 (g) Purchase or legally invest in any of the bonds of a housing authority and  
2 exercise all of the rights of any holder of ~~such~~ the bonds;.

3 **SECTION 396.** 66.403 (8) and (9) of the statutes are renumbered 66.1209 (2) and  
4 (3) and amended to read:

5 66.1209 (2) With respect to any housing project which a housing authority has  
6 acquired or taken over from the federal government and which the housing authority  
7 by resolution has found and declared to have been constructed in a manner that will  
8 promote the public interest and afford necessary safety, sanitation and other  
9 protection, no state public body ~~shall~~ may require any changes to be made in the  
10 housing project or the manner of its construction or take any other action relating  
11 to ~~such~~ the construction;.

12 (3) In connection with any public improvements made by a state public body  
13 in exercising the powers ~~herein granted, such~~ granted in ss. 66.1201 to 66.1211, the  
14 state public body may incur the entire expense ~~thereof~~ of the public improvements.  
15 Any law or statute to the contrary notwithstanding, any sale, conveyance, lease or  
16 agreement provided for in ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 may be made by a state  
17 public body without appraisal, public notice, advertisement or public bidding.

18 **SECTION 397.** 66.404 of the statutes is renumbered 66.1211 and amended to  
19 read:

20 **66.1211 Housing authorities; contracts with city; assistance to**  
21 **counties and municipalities. (1) CONTRACTS BETWEEN AUTHORITY AND CITY.** In  
22 connection with any housing project located wholly or partly within the area in which  
23 it is authorized to act, any city may agree with an authority or government that a  
24 certain sum, subject to the limitations imposed by s. ~~66.40~~ 66.1201 (22), or no sum  
25 shall be paid by the authority in lieu of taxes for any year or period of years.

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1           **(2) ADVANCES TO HOUSING AUTHORITY.** When any housing authority ~~which is~~  
2 created for any city ~~becomes~~ is authorized to transact business and exercise its  
3 powers ~~therein~~, the governing body of the city, may immediately make an estimate  
4 of the amount of money necessary for the administrative expenses and overhead of  
5 ~~such~~ the housing authority during the first year ~~thereafter~~ after the creation of the  
6 housing authority, and may appropriate ~~such~~ the amount to the authority out of any  
7 moneys in ~~such~~ the city treasury not appropriated to some other purposes. The  
8 moneys ~~so~~ appropriated may be paid to the authority as a donation. Any city, town  
9 or incorporated village located in whole or in part within the area of operation of a  
10 housing authority ~~shall have the power from time to time to~~ may lend or donate  
11 money to the authority ~~or to agree to take such action~~. The housing authority, when  
12 it has money available ~~therefor~~ to pay back loans made under this subsection, shall  
13 make reimbursements for all ~~such~~ loans made to it.

14           **(3) PROJECT SUBMITTED TO PLANNING COMMISSION.** Before any housing project of  
15 the character designated in s. 66.40 66.1201 (9) (a) ~~be~~ is determined ~~upon~~ by the  
16 authority, or any real estate acquired or agreed to be acquired for ~~such~~ the project or  
17 the construction of any of the buildings begins or any application made for federal  
18 loan or grant for ~~such~~ the project, the extent ~~thereof~~ of the project and the general  
19 features of the proposed layout indicating in a general way the proposed location of  
20 buildings and open spaces shall be submitted to the planning commission, if any, of  
21 the city or political subdivision in which the proposed project is located, for the advice  
22 of ~~such~~ the planning commission ~~upon~~ on the proposed location, extent, and general  
23 features of the layout.

24           **(4) COOPERATION WITH CITIES, VILLAGES AND COUNTIES.** For the purpose of  
25 cooperating with and assisting cities, villages and counties, a housing authority may

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1 exercise its powers in the that territory within the boundaries of any city, village or  
2 county not included in the area in which such that housing authority is then  
3 authorized to function, or in any designated portion of such that territory, after the  
4 governing body of such the city, village or county, ~~as the case may be,~~ adopts a  
5 resolution declaring that there is a need for the authority to function in such the  
6 additional territory ~~or in such designated portion thereof~~. If a housing authority has  
7 previously been authorized to exercise its powers in such the additional territory or  
8 designated portion, such a resolution shall not be adopted unless such the housing  
9 authority finds that ultimate economy would ~~thereby~~ be promoted, and such the  
10 housing authority shall not initiate any housing project in such the additional  
11 territory or designated portion ~~after~~ before the adoption of such the resolution.

NOTE: Amends sub. (4) to clarify that if a housing authority finds that a new resolution is necessary to extend its jurisdiction, even though the extension was previously authorized, the housing authority may not begin a housing project in the area of extended jurisdiction until the adoption of the new resolution.

12 **(6) CONTROLLING STATUTES.** Insofar as ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 are  
13 inconsistent with any other law, the provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ shall  
14 ~~be controlling~~ 66.1211 control.

15 **(7) SUPPLEMENTAL NATURE OF STATUTE.** The powers conferred by ss. ~~66.40~~  
16 66.1201 to ~~66.404~~ shall ~~be~~ 66.1211 are in addition and supplemental to the powers  
17 conferred by any other law.

18 **SECTION 398.** 66.405 (title) of the statutes is renumbered 66.1301 (title).

19 **SECTION 399.** 66.405 (1), (2), (2m) and (3) (intro.) and (a) of the statutes are  
20 renumbered 66.1301 (1), (2), (2m) and (3) (intro.) and (a) and amended to read:

21 66.1301 **(1) SHORT TITLE.** Sections ~~66.405~~ 66.1301 to ~~66.425~~ shall ~~be known and~~  
22 66.1329 may be cited and referred to as the “Urban Redevelopment Law”.

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1           (2) FINDING AND DECLARATION OF NECESSITY. It is declared that in the cities of the  
2 state substandard and insanitary areas exist which have resulted from inadequate  
3 planning, excessive land coverage, lack of proper light, air and open space, defective  
4 design and arrangement of buildings, lack of proper sanitary facilities, and the  
5 existence of buildings, which, by reason of age, obsolescence, inadequate or  
6 outmoded design, or physical deterioration have become economic or social  
7 liabilities, or both; ~~that such.~~ These conditions are prevalent in areas where  
8 substandard, insanitary, outworn or outmoded industrial, commercial or residential  
9 buildings prevail; ~~that such.~~ These conditions impair the economic value of large  
10 areas, infecting them with economic blight, and ~~that such~~ these areas are  
11 characterized by depreciated values, impaired investments, and reduced capacity to  
12 pay taxes; ~~that such.~~ These conditions are chiefly in areas which are so subdivided  
13 into small parcels in divided ownerships and frequently with defective titles, that  
14 their assembly for purposes of clearance, replanning, rehabilitation and  
15 reconstruction is difficult and costly; ~~that the.~~ The existence of such these conditions  
16 and the failure to clear, replan, rehabilitate or reconstruct these areas results in a  
17 loss of population by the areas and further deterioration, accompanied by added costs  
18 to the communities for creation of new public facilities and services elsewhere; ~~that~~  
19 it. It is difficult and uneconomic for individual owners independently to undertake  
20 to remedy such these conditions; ~~that it.~~ It is desirable to encourage owners of  
21 property or holders of claims ~~thereon~~ on property in such these areas to join together  
22 and with outsiders in corporate groups for the purpose of the clearance, replanning,  
23 rehabilitation and reconstruction of such these areas by joint action; ~~that it.~~ It is  
24 necessary to create, with proper safeguards, inducements and opportunities for the  
25 employment of private investment and equity capital in the clearance, replanning,

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1 rehabilitation and reconstruction of ~~such~~ these areas; ~~that such.~~ These conditions  
2 require the employment of ~~such~~ capital on an investment rather than a speculative  
3 basis, allowing however, the widest latitude in the amortization of any indebtedness  
4 created ~~thereby; that such.~~ These conditions further require the acquisition at fair  
5 prices of adequate areas, the gradual clearance of ~~such~~ the areas through demolition  
6 of existing obsolete, inadequate, unsafe and insanitary buildings and the  
7 redevelopment of ~~such~~ the areas under proper supervision with appropriate  
8 planning, land use and construction policies; ~~that the.~~ The clearance, replanning,  
9 rehabilitation and reconstruction of ~~such~~ these areas on a large scale basis are  
10 necessary for the public welfare; ~~that the.~~ The clearance, replanning, reconstruction  
11 and rehabilitation of ~~such~~ these areas are public uses and purposes for which private  
12 property may be acquired; ~~that such standard.~~ Substandard and insanitary  
13 areas constitute a menace to the health, safety, morals, welfare and reasonable  
14 comfort of the citizens of the state; ~~that such.~~ These conditions require the aid of  
15 redevelopment corporations for the purpose of attaining the ends herein recited; ~~that~~  
16 ~~the~~ in this subsection. The protection and promotion of the health, safety, morals,  
17 welfare and reasonable comfort of the citizens of the state are matters of public  
18 concern; ~~and the necessity.~~ Sections 66.1301 to 66.1329 are in the public interest ~~for~~  
19 ~~the provisions hereinafter enacted is hereby declared as a matter of legislative~~  
20 ~~determination.~~

21 **(2m)** DISCRIMINATION. Persons ~~otherwise~~ entitled to any right, benefit, facility  
22 or privilege under ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329 shall not, ~~with reference~~  
23 ~~thereto,~~ be denied them in any manner for any purpose nor be discriminated against  
24 because of sex, race, color, creed, sexual orientation or national origin.

**ASSEMBLY BILL 710****SECTION 399**

1           **(3)** DEFINITIONS. (intro.) ~~The following terms, as used in In ss. 66.405 66.1301~~  
2 to 66.425, shall 66.1329, unless a different intent clearly appears from the context,  
3 be construed as follows:

4           (a) “Area” means a portion of a city which its planning commission finds to be  
5 substandard or insanitary, so that the clearance, replanning, rehabilitation or  
6 reconstruction ~~thereof~~ of that portion is necessary or advisable to effectuate the  
7 public purposes declared in sub. (2); ~~and may include any.~~ “Area” includes buildings  
8 or improvements not in themselves substandard or insanitary, and ~~any~~ real property,  
9 whether improved or unimproved, the inclusion of which is ~~deemed~~ considered  
10 necessary for the effective clearance, replanning, reconstruction or rehabilitation of  
11 the area of which ~~such~~ the buildings, improvements or real property form a part; and  
12 ~~also~~ includes vacant land which is in such proximity to other land or structures so  
13 ~~as to impair~~ that the economic value ~~thereof~~ of the other land or structures is  
14 impaired.

15           **SECTION 400.** 66.405 (3) (c) of the statutes is repealed.

NOTE: Repeals a provision that defines a city to be a city. The provision is unnecessary.

16           **SECTION 401.** 66.405 (3) (d) to (s) of the statutes are renumbered 66.1301 (3)  
17 (d) to (s) and amended to read:

18           66.1301 **(3)** (d) “Development” ~~shall mean~~ means a specific work, repair or  
19 improvement to put into effect a development plan and ~~shall include~~ includes the real  
20 property, buildings and improvements owned, constructed, managed or operated by  
21 a redevelopment corporation.

22           (e) “Development area” ~~shall mean~~ means that portion of an area to which a  
23 development plan is applicable.

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1 (f) “Development cost” ~~shall mean~~ means the amount determined by the  
2 planning commission to be the actual cost of the development, or of the part thereof  
3 of the development for which ~~such~~ the determination is made, ~~and shall include.~~  
4 “Development cost” includes, among other costs, all of the following:

5 1. The reasonable costs of planning the development, including preliminary  
6 studies and surveys, neighborhood planning, ~~and~~ architectural and engineering  
7 services, and legal and incorporation expense, ~~the.~~

8 2. The actual cost, if any, of alleviating hardship to families occupying dwelling  
9 accommodations in the development area where ~~such~~ hardship results from the  
10 execution of the development plan, ~~the.~~

11 3. The reasonable costs of financing the development, including carrying  
12 charges during construction, ~~working.~~

13 4. Working capital in an amount not exceeding ~~5 per cent~~ 5% of development  
14 cost, ~~the.~~

15 5. The actual cost of the real property included in the development, ~~the actual~~  
16 ~~cost of demolition of existing structures, the actual cost~~ and of utilities, landscaping  
17 and roadways, ~~the.~~

18 6. The amount of special assessments subsequently paid, ~~the.~~

19 7. The actual cost of construction, equipment and furnishing of buildings and  
20 improvements, including architectural, engineering and builder’s fees, ~~the.~~

21 8. The actual cost of reconstruction, rehabilitation, remodeling or initial repair  
22 of existing buildings and improvements, ~~reasonable.~~

23 9. Reasonable management costs until the development is ready for use, ~~and~~  
24 ~~the.~~

**ASSEMBLY BILL 710****SECTION 401**

1           10. The actual cost of improving that portion of the development area which is  
2 to remain as open space, together with such additions to development cost as shall  
3 that equal the actual cost of additions to or changes in the development in accordance  
4 with the original development plan or after approved changes in or amendments  
5 thereto to the development plan.

6           (g) “Development plan” shall ~~mean~~ means a plan for the redevelopment of all  
7 or any part of an area, and ~~shall include~~ includes any amendments ~~thereto~~ that are  
8 approved in accordance with the requirements of s. ~~66.407~~ 66.1305 (1).

9           (h) “Local governing body” shall ~~mean the board of alderpersons,~~ means a  
10 common council, council, commission or other board or body vested by the charter of  
11 ~~the a~~ a city or other law with jurisdiction to adopt or enact ordinances or local laws.

12           (n) “Mortgage” shall ~~mean~~ means a mortgage, trust indenture, deed of trust,  
13 building and loan contract or other instrument creating a lien on real property, and  
14 the indebtedness secured by each of them.

15           (o) “Neighborhood unit” shall ~~mean~~ means a primarily residential district  
16 having the facilities necessary for well-rounded family living, such as schools, parks,  
17 playgrounds, parking areas and local shopping districts.

18           (p) “Planning commission” shall ~~mean~~ means the official bureau, board,  
19 commission or agency of ~~the a~~ a city ~~established under the general city law or under~~  
20 ~~a general or special charter and~~ that is authorized to prepare, adopt and, amend or  
21 modify a master plan for the development of the city.

22           (q) “Real property” shall ~~include~~ includes lands, buildings, improvements, land  
23 under water, waterfront property, and any ~~and all~~ easements, franchises and  
24 hereditaments, corporeal or incorporeal, and every estate, interest, privilege,  
25 easement, franchise and right ~~therein, or appurtenant thereto~~ in or appurtenant to

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1 the real property, legal or equitable, including rights-of-way, terms for years and  
2 liens, charges, or encumbrances by mortgage, judgment or otherwise.

3 (r) “Redevelopment” ~~shall mean~~ means the clearance, replanning,  
4 reconstruction or rehabilitation of an area or part thereof of an area, and the  
5 provision of such industrial, commercial, residential or public structures or spaces  
6 as may be appropriate, including recreational and other facilities incidental or  
7 appurtenant thereto to the structures or spaces.

8 (s) “Redevelopment corporation” ~~shall mean~~ means a corporation carrying out  
9 a redevelopment plan under ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329.

10 **SECTION 402.** 66.406 (title) of the statutes is renumbered 66.1303 (title).

11 **SECTION 403.** 66.406 (1), (2) and (3) (intro.) and (a) to (g) of the statutes are  
12 renumbered 66.1303 (1), (2) and (3) (intro.) and (a) to (g) and amended to read:

13 66.1303 (1) A development plan shall contain such the information as that the  
14 planning commission ~~shall, by rule or regulation require~~ requires, including all of the  
15 following:

16 (a) A metes and bounds description of the development area;.

17 (b) A statement of the real property in the development area fee title to which  
18 the city proposes to acquire and a statement of the interests to be acquired in any  
19 other real property by the city;.

20 (c) A statement of the various stages, if more than one is intended, by which  
21 the development is proposed to be constructed or undertaken, and the time limit for  
22 the completion of each stage, together with a metes and bounds description of the real  
23 property to be included in each stage;.

24 (d) A statement of the existing buildings or improvements in the development  
25 area, to be demolished immediately, ~~if any~~;

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1 (e) A statement of the existing buildings or improvements, in the development  
2 area not to be demolished immediately, ~~if any~~, and the approximate period of time  
3 during which the demolition, ~~if any~~, of each ~~such~~ building or improvement is to take  
4 place;

5 (f) A statement of the proposed improvements, ~~if any~~, to each building not to  
6 be demolished immediately, any proposed repairs or alterations to ~~such~~ the building,  
7 and the approximate period of time during which ~~such~~ improvements, repairs or  
8 alterations are to be made;

9 (g) A statement of the type, number and character of each new industrial,  
10 commercial, residential or other building or improvement to be erected or made; and  
11 a statement of the maximum limitations upon the bulk of ~~such~~ buildings or  
12 improvements to be permitted at various stages of the development plan;

13 (h) A statement of those portions, ~~if any~~, of the development area which may  
14 be permitted or will be required to be left as open space, the use to which each ~~such~~  
15 open space is to be put, the period of time each ~~such~~ open space will be required to  
16 remain an open space and the manner in which it will be improved and maintained,  
17 ~~if at all~~;

18 (i) A statement of the proposed changes, ~~if any~~, in zoning ordinances or maps,  
19 necessary or desirable for the development and its protection against blighting  
20 influences;

21 (j) A statement of the proposed changes, ~~if any~~, in streets or street levels and  
22 ~~any of~~ proposed street closings;

23 (k) A statement of the character of the existing dwelling accommodations, ~~if~~  
24 ~~any~~, in the development area, the approximate number of families residing ~~therein~~  
25 in the development area, together with a schedule of the rentals being paid by them,

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1 and a schedule of the vacancies in ~~such~~ the accommodations, together with the rental  
2 demanded therefor; for the vacant accommodations.

3 (L) A statement of the character, approximate number of units, approximate  
4 rentals and approximate date of availability of the proposed dwelling  
5 accommodations, ~~if any,~~ to be furnished during construction and upon completion of  
6 the development;.

7 (m) A statement of the proposed method of financing the development, in  
8 sufficient detail to evidence the probability that the redevelopment corporation will  
9 be able to finance or arrange to finance the development;.

10 (n) A statement of persons who it is proposed will be active in or associated with  
11 the management of the redevelopment corporation during a period of at least one  
12 year from the date of the approval of the development plan.

13 (o) ~~The development plan, and any application to the planning commission or~~  
14 ~~local governing body for approval thereof, may contain in addition such other~~ Other  
15 ~~statements or material as may be deemed~~ that are considered relevant by the  
16 ~~proposer thereof~~ applicant, including suggestions for the clearance, replanning,  
17 reconstruction or rehabilitation of one or more areas which may be larger than the  
18 development area but which include it, and any other provisions for ~~the~~  
19 redevelopment of ~~such area or areas.~~

20 **(2)** No development shall ~~shall~~ may be actually initiated until the adoption of a  
21 resolution of approval of the development plan ~~therefor~~ by both the planning  
22 commission and the local governing body.

23 **(3)** (intro.) The planning commission may approve a development plan after a  
24 public hearing, and shall determine all of the following:

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1 (a) That the area within which the development area is included is substandard  
2 or insanitary and that the redevelopment of the development area in accordance with  
3 the development plan is necessary or advisable to effectuate the public purposes  
4 declared in s. ~~66.405~~ 66.1301 (2); if the area is comprised of vacant land it shall be  
5 established that ~~such~~ the vacant land impairs the economic value of surrounding  
6 areas in accordance with the general purposes expressed in s. ~~66.405~~ 66.1301 (2);

7 (b) That the development plan is in accord with the master plan, ~~if any,~~ of the  
8 city;

9 (c) That the development area is not less than 100,000 square feet in area,  
10 except that it may be smaller in area when undertaken in connection with a public  
11 improvement, ~~but in any event~~ if it is of sufficient size to allow its redevelopment in  
12 an efficient and economically satisfactory manner and to contribute substantially to  
13 the improvement of the area in which the development is located; ~~but whenever.~~ If  
14 the local governing body makes a finding to the effect that an area is in urgent need  
15 of development, and that ~~such~~ development will contribute to the progress and  
16 expansion of an area whose economic growth is vital to the community, ~~then in such~~  
17 ~~instance~~ the development area ~~shall~~ may not be less than 25,000 square feet subject  
18 to the requirements of par. (d);

19 (d) That the various stages, ~~if any,~~ by which the development is proposed to be  
20 constructed or undertaken, as stated in the development plan, are practicable and  
21 in the public interest and where the area to be developed consists either of vacant  
22 land or of substandard or insanitary buildings or structures as provided in s. ~~66.405~~  
23 66.1301 (3) (a), and ~~such~~ the area is less than 100,000 square feet but more than  
24 25,000 square feet as provided in par. (c) then the new structures to be constructed  
25 on ~~such~~ the vacant land ~~shall~~ may not be less than 1,000,000 cubic feet ~~in area~~;

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1 (e) That the public facilities, based on whether the development be a is  
2 residential, industrial or commercial one, are ~~presently~~ adequate or will be adequate  
3 at the time that the development is ready for use to serve the development area;

4 (f) That the proposed changes, ~~if any,~~ in the city map, in zoning ordinances or  
5 maps and in streets and street levels, or any proposed street closings, are necessary  
6 or desirable for the development and its protection against blighting influences and  
7 for the city ~~as a whole~~;

8 (g) Upon data submitted by or on behalf of the redevelopment corporation, or  
9 upon data otherwise available to the planning commission, that there will be  
10 available for occupation by families, ~~if any,~~ then occupying dwelling accommodations  
11 in the development area legal accommodations at substantially similar rentals in the  
12 development area or elsewhere in a suitable location in the city, and that ~~the carrying~~  
13 ~~into effect of~~ implementing the development plan will not cause undue hardship to  
14 such those families. The notice of the public hearing to be held by the planning  
15 commission prior to its approval ~~by it~~ of the development plan shall contain separate  
16 statements to the effect that before the development plan is approved, the planning  
17 commission must make the determination required in this paragraph, and that if the  
18 development plan is approved, real property in the development area is subject to  
19 condemnation.

20 **SECTION 404.** 66.406 (3) (h) of the statutes is renumbered 66.1303 (3m) and  
21 amended to read:

22 66.1303 (3m) Any such A determination ~~upon approval by the local governing~~  
23 ~~body, shall be~~ made under sub. (3) is conclusive evidence of the facts so determined  
24 except upon proof of fraud or wilful misfeasance. In arriving at such the  
25 determination, the planning commission shall consider only those elements of the

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1 development plan relevant to ~~such~~ the determination under ~~pars. (a) to (g)~~ sub. (3)  
2 and to the type of development which is physically desirable for the development  
3 area concerned from a city planning viewpoint, and from a neighborhood unit  
4 viewpoint, if the development plan provides that the development area is to be  
5 primarily residential.

6 **SECTION 405.** 66.406 (4) (intro.), (a) and (b) of the statutes are renumbered  
7 66.1303 (4) (intro.), (a) and (b), and 66.1303 (4) (intro.), as renumbered, is amended  
8 to read:

9 66.1303 **(4)** (intro.) The local governing body, by a two-thirds vote of the  
10 ~~members elect thereof~~ members-elect, may approve a development plan, but no  
11 resolution of approval shall may be adopted by it unless ~~and until~~ the planning  
12 commission shall has first have approved thereof the development plan and there  
13 ~~has the plan and planning commission determination~~ have been filed with the local  
14 governing body ~~the development plan, the determination by the planning~~  
15 ~~commission, and unless and until the local governing body shall determine~~  
16 determines all of the following:

17 **SECTION 406.** 66.406 (4) (c) of the statutes is renumbered 66.1303 (4m) and  
18 amended to read:

19 66.1303 **(4m)** ~~Any such~~ A determination shall be under sub. (4) is conclusive  
20 evidence of the facts so determined except upon proof of fraud or wilful misfeasance.  
21 In considering whether ~~or not~~ a resolution of approval of the development plan shall  
22 will be adopted, the local governing body shall consider those elements of the  
23 development plan relevant to ~~such~~ the determination under ~~pars. (a) and (b)~~ sub. (4).

24 **SECTION 407.** 66.406 (5) to (8) of the statutes are renumbered 66.1303 (5) to (8)  
25 and amended to read:

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1           66.1303 (5) The planning commission and the local governing body, by a  
2 two-thirds vote of the ~~members elect thereof~~ members-elect, may approve an  
3 amendment ~~or amendments~~ to a development plan, but ~~no such amendment to a~~  
4 ~~development plan which has theretofore been approved by the planning commission~~  
5 ~~and the local governing body shall be approved unless and until~~ if an application  
6 ~~therefor~~ for the amendment has been filed with the planning commission by the  
7 redevelopment corporation containing that part of the material required by sub. (1)  
8 which ~~shall be~~ is relevant to the proposed amendment, and ~~unless and until~~ if the  
9 planning commission and the local governing body ~~shall~~ make the determinations  
10 required by sub. (3) or (4) which ~~shall be~~ are relevant to the proposed amendment.

11           (6) The planning commission and the local governing body may, for the  
12 guidance of prospective proponents of development plans, fix general standards to  
13 which a development plan shall conform. Variations from ~~such~~ the standards may  
14 be allowed for the accomplishment of the purposes of ss. ~~66.405~~ 66.1301 to ~~66.425~~.  
15 ~~Such~~ 66.1329. The standards may contain provisions more restrictive than those  
16 imposed by applicable planning, zoning, sanitary and building laws, ordinances and  
17 regulations.

18           (7) Local housing authorities organized under ss. ~~66.40~~ 66.1201 to ~~66.404~~  
19 66.1211, redevelopment authorities organized under s. ~~66.431~~ 66.1333, and  
20 community development authorities organized under s. ~~66.4325~~ 66.1335 may render  
21 ~~such~~ advisory services in connection with the preliminary surveys, studies and  
22 preparation of a development plan as ~~may be~~ requested by the city planning  
23 commission or the local governing body and charge fees for ~~such~~ advisory services  
24 based on the their actual cost thereof.

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1           **(8)** Notwithstanding any other provision of law, the local legislative body may  
2 designate, by ordinance or resolution, the local housing authority, the local  
3 redevelopment authority, or both jointly, or the local community development  
4 authority, to perform all acts, except the development of the general plan of the city,  
5 which are otherwise performed by the planning commission under ss. ~~66.405~~ 66.1301  
6 to ~~66.425~~ 66.1329.

7           **SECTION 408.** 66.407 of the statutes is renumbered 66.1305, and 66.1305 (1)  
8 (intro.) and (a) to (h), as renumbered, are amended to read:

9           66.1305 **(1)** (intro.) No redevelopment corporation shall ~~may do any of the~~  
10 following:

11           (a) Undertake any clearance, reconstruction, improvement, alteration or  
12 construction in connection with any development until the approvals required by s.  
13 ~~66.406~~ 66.1303 have been made;

14           (b) ~~Change, alter, amend, add to or depart from~~ Amend the development plan  
15 until the planning commission and the local governing body have approved that  
16 portion of such ~~change, alteration, amendment, addition or departure~~ the  
17 amendment relevant to the determination required to be made by it as set forth in  
18 s. ~~66.406; 66.1303~~.

19           (c) After a development has been commenced, sell, transfer or assign any real  
20 property in the development area without first obtaining the consent of the local  
21 governing body, ~~which consent.~~ Consent may be withheld only if the sale, transfer  
22 or assignment is made for the purpose of evading the provisions of ss. ~~66.405~~ 66.1301  
23 to ~~66.425; 66.1329~~.

24           (d) Pay as compensation ~~for services to, or enter into contracts for the payment~~  
25 ~~of compensation for services to,~~ its officers or employees in an amount greater than

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1 the limit ~~thereon~~ contained in the development plan, or ~~in~~ if a default thereof of the  
2 development plan occurs, then in an amount greater than the reasonable value of the  
3 services performed ~~or to be performed by such~~ the officers or employes;

4 (e) Lease an entire building or improvement in the development area to any  
5 person or corporation without obtaining the approval of the local governing body  
6 which may be withheld only if the lease is being made for the purpose of evading the  
7 provisions of ss. ~~66.405~~ 66.1301 to ~~66.425~~; 66.1329.

8 (f) Mortgage any of its real property without obtaining the approval of the local  
9 governing body;

10 (g) Make any guarantee without obtaining the approval of the local governing  
11 body;

12 (h) Dissolve without obtaining the approval of the local governing body, which  
13 may be given upon ~~such~~ conditions as ~~said body may deem~~ deemed necessary or  
14 appropriate to the protection of the interest of the city in the proceeds of the sale of  
15 the real property as to any property or work turned into the development by the city.  
16 ~~Such~~ The approval is to shall be indorsed on the certificate of dissolution and ~~such~~  
17 the certificate is may not to be filed in the office of the secretary of state in the absence  
18 of ~~such~~ the indorsement;

19 **SECTION 409.** 66.408 (title) of the statutes is renumbered 66.1307 (title).

20 **SECTION 410.** 66.408 (1), (2), (3) and (4) of the statutes are renumbered 66.1307  
21 (1), (2) (a), (3) and (4) and amended to read:

22 **66.1307 (1)** APPLICATION OF OTHER CORPORATION LAWS TO REDEVELOPMENT  
23 CORPORATIONS. The provisions of the general corporation law ~~as presently in effect~~  
24 ~~and as hereafter from time to time amended~~, shall apply to redevelopment

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1 corporations, ~~except where such~~ unless the provisions are in conflict with the  
2 provisions of ss. 66.405 66.1301 to 66.425 66.1329.

3 (2) (a) No redevelopment corporation shall may issue stocks, bonds or income  
4 debentures, except for money or property actually received for the use and lawful  
5 purposes of the corporation or services actually performed for the corporation.

6 (3) DETERMINATION OF DEVELOPMENT COST. (a) Upon the completion of a  
7 development a redevelopment corporation shall, or upon the completion of a  
8 principal part of a development a redevelopment corporation may, file with the  
9 planning commission an audited statement of the development cost ~~thereof~~. Within  
10 a reasonable time after the filing of ~~such~~ the statement, the planning commission  
11 shall determine the development cost applicable to the development or ~~such~~ portion  
12 ~~thereof~~ of the development and shall issue to the redevelopment corporation a  
13 certificate stating the amount ~~thereof~~ as of the development cost so determined.

14 (b) A redevelopment corporation may, ~~at any time~~, whether prior or subsequent  
15 to the undertaking of any contract or expense, apply to the planning commission for  
16 a ruling as to whether any particular item and amount of cost ~~therein~~ may be  
17 included in development cost when finally determined by the planning commission,  
18 ~~and the amount thereof~~. The planning commission shall, within a reasonable time  
19 after ~~such~~ the application, render a ruling ~~thereon~~, and ~~in the event that it shall be~~  
20 if it is ruled that any item of cost may be included in development cost, the amount  
21 ~~thereof as so determined~~ of the cost shall be so included in development cost when  
22 finally determined.

23 (4) REGULATION OF REDEVELOPMENT CORPORATIONS. A redevelopment corporation  
24 shall do all of the following:

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1 (a) Furnish to the planning commission ~~from time to time, as required by it, but~~  
2 ~~with respect to regular reports not more often than once every 6 months, such~~  
3 financial information, statements, audited reports or other material ~~as such~~ that the  
4 commission ~~shall require~~ requires, each of which shall conform to such standards of  
5 accounting and financial procedure ~~as~~ that the planning commission ~~may~~ by general  
6 regulation ~~prescribe~~ prescribes, except that the planning commission may not  
7 require a regular report more often than once every 6 months.

8 (b) Establish and maintain ~~such~~ depreciation and other reserves, surplus and  
9 other accounts ~~as~~ that the planning commission reasonably requires.

10 **SECTION 411.** 66.41 (title) of the statutes is repealed.

11 **SECTION 412.** 66.41 of the statutes is renumbered 66.1307 (2) (b) and amended  
12 to read:

13 66.1307 (2) (b) ~~No~~ A redevelopment corporation shall may pay any interest on  
14 its income debentures or dividends on its stock during any dividend year, unless  
15 ~~there shall exist,~~ at the time of any such an intended payment, ~~no~~ a default exists  
16 under any amortization requirements with respect to its indebtedness.

17 **SECTION 413.** 66.411 of the statutes is renumbered 66.1329 and amended to  
18 read:

19 **66.1329 Urban redevelopment; enforcement of duties.** ~~Whenever~~ If a  
20 redevelopment corporation ~~shall not have~~ fails to substantially ~~complied~~ comply  
21 with the development plan within the time limits for the completion of each stage  
22 thereof ~~as therein stated,~~ reasonable delays caused by unforeseen difficulties  
23 ~~excepted, or shall do, permit to be done or fail or omit to do anything contrary to or~~  
24 ~~required of it, as the case may be, by ss. 66.405 to 66.425, or shall be about so to do,~~  
25 ~~permit to be done or fail or omit to have done, as the case may be then any such fact,~~

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1 violates or is about to violate ss. 66.1301 to 66.1329, the failure to comply or actual  
2 or possible violation may be certified by the planning commission to the city attorney  
3 of the city, ~~who. The city attorney~~ may thereupon commence a proceeding in the  
4 circuit court of the county in which the city is in whole or in part situated in the name  
5 of the city for the purpose of ~~having such action, failure or omission, or threatened~~  
6 ~~action, failure or omission, established by order of the court or stopped, prevented or~~  
7 ~~otherwise rectified by mandamus, injunction or otherwise.~~ Such proceeding shall be  
8 commenced by a petition to the circuit court ~~alleging the violation complained of and~~  
9 ~~praying for appropriate relief.~~ It shall thereupon be the duty of the court to specify  
10 ~~the time, not exceeding 45 days after service of a copy of the petition, within which~~  
11 ~~the redevelopment corporation complained of must answer the petition seeking~~  
12 appropriate relief. The court, shall, immediately after a default in answering or after  
13 answer, ~~as the case may be,~~ inquire into the facts and circumstances in such the  
14 manner as that the court shall ~~direct~~ directs without other or formal proceedings,  
15 and without respect to any technical requirements. ~~Such other persons or~~  
16 ~~corporations as it shall seem to the~~ The court may join as parties any other persons  
17 it deems necessary or proper to join as parties in order to make its order or judgment  
18 effective may be joined as parties. The final judgment or order in any such the action  
19 or proceeding shall dismiss the action or proceeding or ~~establish the failure~~  
20 ~~complained of or direct that a mandamus order, or an injunction, or both, issue, or~~  
21 ~~grant such other relief as the court may deem appropriate~~ relief.

22 **SECTION 414.** 66.412 of the statutes is renumbered 66.1309 (intro.) and  
23 amended to read:

24 **66.1309 Urban redevelopment; transfer of land.** (intro.) Notwithstanding  
25 any requirement of other law to the contrary or the absence of direct provision

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1     ~~therefor~~ for transfer of land in the instrument under which a fiduciary is acting,  
2     every executor, administrator, trustee, guardian or other person, holding trust funds  
3     or acting in a fiduciary capacity, unless the instrument under which ~~such~~ the  
4     fiduciary is acting expressly forbids, the state, its subdivisions, cities, all other public  
5     bodies, all public officers, corporations organized under or subject to the provisions  
6     of the banking law, the division of banking as conservator, liquidator or rehabilitator  
7     of any ~~such~~ person, partnership or corporation, persons, partnerships and  
8     corporations organized under or subject to the provisions of the banking law, the  
9     commissioner of insurance as conservator, liquidator or rehabilitator of any ~~such~~  
10    person, partnership or corporation, any of which owns or holds any real property  
11    within a development area, may ~~grant~~ do all of the following:

12         (1) Grant, sell, lease or otherwise transfer any such real property to a  
13    redevelopment corporation, ~~and receive~~.

14         (2) Receive and hold any cash, stocks, income debentures, mortgages, or other  
15    securities or obligations, secured or unsecured, exchanged ~~therefor~~ for the transfer  
16    by ~~such~~ the redevelopment corporation, ~~and may execute such~~.

17         (3) Execute instruments and do ~~such~~ acts ~~as may be deemed~~ that are  
18    considered necessary or desirable by them or it and by the redevelopment  
19    corporation in connection with the development and the development plan.

20         **SECTION 415.** 66.413 of the statutes is renumbered 66.1311 and amended to  
21    read:

22         **66.1311 Urban redevelopment; acquisition of land. (1)** A redevelopment  
23    corporation may ~~whether before or after the development plan has been approved,~~  
24    acquire real property or secure options in its own name or in the name of nominees  
25    to acquire real property, by gift, grant, lease, purchase or otherwise.

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1           **(2)** A city may, upon request by the a redevelopment corporation, acquire, or  
2 obligate itself to acquire, for ~~such~~ the redevelopment corporation any real property  
3 included in ~~such~~ a certificate of approval of condemnation, by gift, grant, lease,  
4 purchase, condemnation, or otherwise, according to the provisions of any  
5 appropriate ~~general, special or local~~ law applicable to the acquisition of real property  
6 by the city. Real property acquired by a city for a redevelopment corporation shall  
7 be conveyed by ~~such~~ the city to the redevelopment corporation upon payment to the  
8 city of all sums expended or required to be expended by the city in the acquisition of  
9 ~~such~~ the real property, or leased by ~~such~~ the city to ~~such~~ the redevelopment  
10 corporation, ~~all upon such terms as may be agreed upon between the city and the~~  
11 redevelopment corporation to carry out the purposes of ss. ~~66.405 66.1301 to 66.425~~  
12 66.1329.

13           **(3)** The provisions of ss. ~~66.405 66.1301 to 66.425 66.1329~~ with respect to the  
14 condemnation of real property by a city for a redevelopment corporation shall prevail  
15 over the provisions of any other ~~general, special or local~~ law.

16           **SECTION 416.** 66.414 of the statutes is renumbered 66.1313 and amended to  
17 read:

18           **66.1313 Urban redevelopment; condemnation for.** **(1)** Condemnation  
19 proceedings for a redevelopment corporation shall be initiated by a petition to the  
20 city to institute proceedings to acquire for the redevelopment corporation any real  
21 property in the development area. ~~Such~~ The petition shall be granted or rejected by  
22 the local governing body, and the resolution or resolutions granting ~~such~~ the petition  
23 shall ~~contain a requirement~~ require that the redevelopment corporation shall pay to  
24 the city all sums expended or required to be expended by the city in the acquisition  
25 of ~~such~~ the real property, or for any real property to be conveyed to the corporation

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1 by the city in connection with the plan, and the time of payment and manner of  
2 securing payment thereof, and may require that the city shall receive, before  
3 proceeding with the acquisition of such ~~the~~ real property, such assurances as to  
4 payment or reimbursement by the redevelopment corporation, or otherwise, as the  
5 city may ~~deem~~ deems advisable. Upon the passage of a resolution ~~or resolutions~~ by  
6 the local governing body granting the petition, the redevelopment corporation shall  
7 ~~cause to be made~~ make 3 copies of surveys or maps of the real property described in  
8 the petition, one of which shall be filed in the office of the redevelopment corporation,  
9 one in the office of the city attorney of the city, and one in the office in which  
10 instruments affecting real property in the county are recorded. The filing of such  
11 copies of surveys or maps shall ~~constitute the~~ constitutes acceptance by the  
12 redevelopment corporation of the terms and conditions contained in such ~~the~~  
13 resolution ~~or resolutions~~. The city may conduct any condemnation proceedings  
14 either under ch. 32 or ~~at its option~~, under other laws applicable to such ~~the~~ city. When  
15 title to the real property shall ~~have vested~~ vests in the city, it shall convey or lease  
16 the ~~same~~ real property, with any other real property to be conveyed or leased to the  
17 redevelopment corporation by the city in connection with said ~~the~~ redevelopment  
18 plan, to the redevelopment corporation upon payment by the redevelopment  
19 corporation of the sums and the giving of the security required by the resolution  
20 granting the petition.

21 (2) The following provisions shall apply to any proceedings for the assessment  
22 of compensation and damages for real property in a development area taken or to be  
23 taken by condemnation for a redevelopment corporation:

24 (a) For the purpose of ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329, the award of  
25 compensation shall may not be increased by reason of any increase in the value of

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1 the real property caused by the assembly, clearance or reconstruction, or proposed  
2 assembly, clearance or reconstruction for the purposes of ss. ~~66.405~~ 66.1301 to ~~66.425~~  
3 66.1329, of the real property in the development area. No allowance shall may be  
4 made for improvements begun on real property after notice to the owner of such the  
5 property of the institution of the proceedings to condemn such the property.

6 (b) Evidence ~~shall be~~ is admissible bearing upon that is relevant to the  
7 insanitary, unsafe or substandard condition of the premises, or ~~the~~ of their illegal use  
8 thereof, or the enhancement of rentals from such illegal use, and such the evidence  
9 may be considered in fixing the compensation to be paid, notwithstanding that no  
10 steps to remedy or abate such the conditions have been taken by the department or  
11 officers having jurisdiction. If a violation order is on file against the premises in any  
12 such the department, it ~~shall constitute~~ constitutes prima facie evidence of the  
13 existence of the condition specified in such the order.

14 (c) If ~~any of the~~ real property in the development area which is to be acquired  
15 by condemnation has, ~~prior to such~~ before acquisition, been devoted to another public  
16 use, it may ~~nevertheless~~ be acquired provided that no real property belonging to the  
17 city or to any other governmental body, or agency or instrumentality thereof of the  
18 city or other governmental body, corporate or otherwise, may be acquired without its  
19 consent. No real property belonging to a public utility corporation may be acquired  
20 without the approval of the public service commission or other officer or tribunal  
21 having regulatory power over such the corporation.

22 (d) Upon the trial a statement, affidavit, deposition, report, transcript of  
23 testimony in an action or proceeding, or appraisal made or given by any owner or  
24 prior owner of the premises taken, or by any person on the owner's or prior owner's  
25 behalf, to any court, governmental bureau, department or agency respecting the

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1 value of the real property for tax purposes, ~~shall be~~ is relevant, material and  
2 competent upon the issue of value of damage and ~~shall be~~ is admissible on direct  
3 examination.

4 (e) ~~The term “owner”, as used in In~~ this section, ~~shall include~~ “owner” includes  
5 a person having an estate, interest or easement in the real property to be acquired  
6 or a lien, charge or encumbrance ~~thereon~~ on the real property.

7 **SECTION 417.** 66.415 of the statutes is renumbered 66.1315 and amended to  
8 read:

9 **66.1315 Urban redevelopment; continued use of land by prior owner.**

10 **(1)** When title to real property has vested in a redevelopment corporation or city ~~by~~  
11 ~~gift, grant, devise, purchase or in condemnation proceedings or otherwise,~~ the  
12 redevelopment corporation or city, ~~as the case may be,~~ may agree with the previous  
13 owners of ~~such~~ the property, ~~or~~ any tenants continuing to occupy or use it, or any  
14 other persons who may occupy or use or seek to occupy or use ~~such~~ the property, that  
15 ~~such~~ the former owner, tenant or other persons may occupy or use ~~such~~ the property  
16 upon the payment of a fixed sum of money for a definite term or upon the payment  
17 periodically of an agreed sum of money. ~~Such~~ The occupation or use ~~shall~~ may not  
18 be construed as a tenancy from month to month, nor require the giving of notice by  
19 the redevelopment corporation or the city, ~~as the case may be,~~ for the termination of  
20 ~~such~~ occupation or use or the right to ~~such~~ occupation or use, ~~but immediately.~~  
21 Immediately upon the expiration of the term for which payment has been made the  
22 redevelopment corporation or city, ~~as the case may be,~~ ~~shall be~~ is entitled to  
23 possession of the real property and may maintain summary proceedings, ~~or~~ obtain  
24 a writ of assistance, and ~~shall be~~ is entitled to ~~such~~ any other remedy ~~as may be~~  
25 provided by law for obtaining immediate possession ~~thereof~~. A former owner, tenant

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1 or other person occupying or using ~~such~~ real property shall ~~may~~ not be required to  
2 give notice to the redevelopment corporation or city, ~~as the case may be~~, at the  
3 expiration of the term for which that person has made payment for ~~such~~ occupation  
4 or use, as a condition to that person's cessation of occupation or use and termination  
5 of liability ~~therefor~~.

6 ~~(2) In the event that~~ If a city has acquired real property for a redevelopment  
7 corporation, the city shall, in transferring title to the redevelopment corporation,  
8 deduct from the consideration or other moneys which the redevelopment corporation  
9 has become obligated to pay to the city for ~~such~~ this purpose, and credit the  
10 redevelopment corporation with, the amounts received by the city as payment for  
11 temporary occupation and use of the real property by a former owner, tenant, or other  
12 person, ~~as in this section provided~~, less the cost and expense incurred by the city for  
13 the maintenance and operation of ~~such~~ the real property.

14 **SECTION 418.** 66.416 (title) of the statutes is renumbered 66.1317 (title).

15 **SECTION 419.** 66.416 (1) to (4) of the statutes are renumbered 66.1317 (1) to (4),  
16 and 66.1317 (1), (2) (a) (intro.), 4. and 5. and (b), (3) and (4), as renumbered, are  
17 amended to read:

18 66.1317 ~~(1)~~ Any A redevelopment corporation may borrow funds and secure the  
19 repayment ~~thereof~~ of the funds by mortgage. Every ~~such~~ mortgage shall contain  
20 reasonable amortization provisions and shall ~~may~~ be a lien upon no other real  
21 property except that forming the whole or a part of a single development area.

22 ~~(2)~~ (a) (intro.) Certificates, bonds and notes, or part interests ~~therein~~ in, or any  
23 part of an issue ~~thereof~~ of, these instruments, which are issued by a redevelopment  
24 corporation and secured by a first mortgage on all or part of the real property of the  
25 redevelopment corporation, ~~or any part thereof~~, shall be are securities in which all

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1 of the following persons, partnerships or corporations and public bodies or public  
2 officers may legally invest the funds within their control:

3 4. The division of banking as conservator, liquidator or rehabilitator of any ~~such~~  
4 person, partnership or corporation; and persons, partnerships or corporations  
5 organized under or subject to chs. 600 to 646.

6 5. The commissioner of insurance as conservator, liquidator or rehabilitator of  
7 any ~~such~~ person, partnership or corporation.

8 (b) The principal amount of the securities described in par. (a) ~~shall~~ may not  
9 exceed the limits, if any, imposed by law for investments by the person, partnership,  
10 corporation, public body or public officer making the investment.

11 (3) Any A mortgage on the real property in a development area, ~~or any part~~  
12 thereof, may create a first lien, or a second 2nd or other junior lien, upon ~~such~~ the  
13 real property.

14 (4) The limits as to principal amount secured by mortgage referred to in sub.  
15 (2) ~~shall~~ do not apply to certificates, bonds and notes, or part interests therein in, or  
16 any part of an issue thereof of, these instruments, which are secured by first  
17 mortgage on real property in a development area, ~~or any part thereof~~, which the  
18 federal housing administrator has insured or has made a commitment to insure  
19 under the national housing act. ~~Any such~~ A person, partnership, corporation, public  
20 body or public officer described in sub. (2) may receive and hold any debentures,  
21 certificates or other instruments issued or delivered by the federal housing  
22 administrator, pursuant to the national housing act, in compliance with the contract  
23 of insurance of a mortgage on all or part of real property in the development area,  
24 ~~or any part thereof~~.

25 **SECTION 420.** 66.417 (title) of the statutes is renumbered 66.1319 (title).

**ASSEMBLY BILL 710****SECTION 421**

1           **SECTION 421.** 66.417 (1) to (6) of the statutes are renumbered 66.1319 (1) to (6),  
2 and 66.1319 (1), (2), (3), (5) and (6), as renumbered, are amended to read:

3           66.1319 **(1)** The A local governing body may by resolution determine that real  
4 property, title to which is held by the city, specified and described in ~~such~~ the  
5 resolution, is not required for use by the city and may authorize the city to sell or lease  
6 ~~such~~ the real property to a redevelopment corporation; ~~provided, that, if~~ the title of  
7 the city to ~~such~~ the real property ~~be~~ is not declared inalienable by charter of the city,  
8 or other similar law or instrument.

9           **(2)** Notwithstanding the provisions of any ~~general, special or local~~ law or  
10 ordinance, a sale or lease authorized under sub. (1) may be made without appraisal,  
11 public notice or public bidding for a price or rental amount and upon terms agreed  
12 upon between the city and the redevelopment corporation to carry out the purposes  
13 of ss. ~~66.405~~ 66.1301 to ~~66.425~~. ~~In the case of a lease, the~~ 66.1329. ~~The~~ term of the  
14 lease ~~shall~~ may not exceed 60 years with a right of renewal upon the same terms.

15           **(3)** Before any sale or lease to a redevelopment corporation ~~shall be~~ is  
16 authorized, a public hearing shall be held by the local governing body to consider the  
17 proposed sale or lease.

18           **(5)** The deed or lease of ~~such~~ real property shall be executed in the same manner  
19 as a deed or lease by the city of other real property owned by it and may contain  
20 appropriate conditions and provisions to enable the city to reenter the real property  
21 ~~in the event of a violation by~~ if the redevelopment corporation violates of any of the  
22 provisions of ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329 relating to ~~such~~ the redevelopment  
23 corporation or ~~of~~ violates the conditions or provisions of ~~such~~ the deed or lease.

24           **(6)** A redevelopment corporation purchasing or leasing real property from a  
25 city ~~shall~~ may not, without the written approval of the city, use ~~such~~ the real property

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1 for any purpose except in connection with its development. The deed shall contain  
2 a condition that the redevelopment corporation will devote the real property granted  
3 only for the purposes of its development subject to the restrictions of ss. ~~66.405~~  
4 66.1301 to ~~66.425~~ 66.1329, for breach of which the city shall ~~have the right to~~ may  
5 reenter and repossess itself of the real property.

6 **SECTION 422.** 66.418 of the statutes is renumbered 66.1321 and amended to  
7 read:

8 **66.1321 Urban redevelopment; city lease to, terms.** If real property of a  
9 city ~~be~~ is leased to a redevelopment corporation:

10 (1) The lease may provide that all improvements shall be the property of the  
11 lessor;.

12 (2) The lessor may grant to the redevelopment corporation the right to  
13 mortgage the fee of ~~such~~ the real property and ~~thus~~ enable the redevelopment  
14 corporation to give as security for its notes or bonds a first lien upon the land and  
15 improvements;.

16 (3) The execution of a lease ~~shall~~ does not impose upon the lessor any liability  
17 or obligation in connection with or arising out of the financing, construction,  
18 management or operation of a development involving the leased land ~~so leased~~. The  
19 lessor ~~shall~~ may not, by executing ~~such~~ the lease, incur any obligation or liability  
20 with respect to ~~such~~ the leased premises other than may devolve upon the lessor with  
21 respect to premises not owned by it. The lessor, by consenting to the execution by a  
22 redevelopment corporation of a mortgage upon the leased land, ~~shall~~ does not  
23 ~~thereby~~ assume, and ~~such~~ the consent ~~shall~~ may not be construed as imposing upon  
24 the lessor, any liability upon the note or bond secured by the mortgage;.

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1           (4) The lease may reserve such any easements or other rights in connection  
2 with the real property ~~as may be~~ that are considered necessary or desirable for the  
3 future planning and development of the city and the extension of public facilities  
4 ~~therein in the city~~, including the construction of subways and conduits and the  
5 widening and changing of grade of streets. The lease may contain such any other  
6 provisions for the protection of the parties as that are not inconsistent with the  
7 provisions of ss. ~~66.405 66.1301 to 66.425 66.1329~~.

8           **SECTION 423.** 66.419 (title) of the statutes is renumbered 66.1323 (title) and  
9 amended to read:

10           **66.1323** (title) **Urban redevelopment; aids by city and appropriations.**

11           **SECTION 424.** 66.419 of the statutes is renumbered 66.1323 (1) and amended  
12 to read:

13           66.1323 (1) ~~In addition to the powers conferred upon the city by other~~  
14 ~~provisions of ss. 66.405 to 66.425, the.~~ A local governing body is empowered to may  
15 appropriate moneys for the purpose of, and to may borrow or to accept grants from  
16 the federal or state governments or any agency thereof of their agencies. ~~for and in~~  
17 ~~aid of the acquisition of any lands required to carry out the plan or the purposes~~  
18 ~~mentioned in s. 66.42; and to these ends, to 66.1325.~~ The local governing body may  
19 enter into such contracts, mortgages, trust indentures or other agreements as the  
20 federal government may require requires.

21           **SECTION 425.** 66.42 of the statutes is renumbered 66.1325, and 66.1325 (intro.)  
22 and (1), as renumbered, are amended to read:

23           **66.1325 Urban redevelopment; city improvements.** (intro.) For the  
24 purpose of aiding and cooperating in the planning, undertaking, construction or  
25 operation of any such redevelopment plan located within the area in which it is

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1 authorized to act, ~~any a~~ local governing body may, upon such terms, with or without  
2 consideration, ~~as it may determine~~ that it determines, do all of the following:

3 (1) Cause parks, playgrounds, recreational, community, educational, water,  
4 sewer or drainage facilities, or any other works which it is otherwise empowered to  
5 undertake, to be furnished adjacent to or in connection with housing projects;

6 **SECTION 426.** 66.421 (title) of the statutes is repealed.

7 **SECTION 427.** 66.421 of the statutes is renumbered 66.1323 (2) and amended  
8 to read:

9 66.1323 (2) ~~The A city is authorized to~~ may appropriate moneys for the purpose  
10 of making plans and surveys to carry out such redevelopment, and for any purpose  
11 required to carry out the intention of ss. 66.405 66.1301 to 66.425 66.1329.

12 **SECTION 428.** 66.422 (title) of the statutes is renumbered 66.1327 (title) and  
13 amended to read:

14 **66.1327** (title) **Urban redevelopment; construction of statute; conflict**  
15 **of laws; supplemental powers.**

16 **SECTION 429.** 66.422 of the statutes is renumbered 66.1327 (1) and amended  
17 to read:

18 66.1327 (1) Sections 66.405 66.1301 to 66.425 66.1329 shall be construed  
19 liberally to effectuate the purposes ~~hereof~~ of urban redevelopment, and the  
20 enumeration therein of specific powers shall does not operate to restrict the meaning  
21 of any general grant of power contained in ss. 66.405 66.1301 to 66.425 66.1329 or  
22 to exclude other powers comprehended in such the general grant.

23 **SECTION 430.** 66.424 (title) of the statutes is repealed.

24 **SECTION 431.** 66.424 of the statutes is renumbered 66.1327 (2) and amended  
25 to read:

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1           66.1327 **(2)** ~~Insofar as~~ If ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329 are inconsistent  
2 with any other law, the provisions of these sections shall be are controlling.

3           **SECTION 432.** 66.425 (title) of the statutes is repealed.

4           **SECTION 433.** 66.425 of the statutes is renumbered 66.1327 (3) and amended  
5 to read:

6           66.1327 **(3)** The powers conferred by ss. ~~66.405~~ 66.1301 to ~~66.425~~ shall be  
7 66.1329 are in addition and supplemental to the powers conferred by any other law.

8           **SECTION 434.** 66.43 (title) of the statutes is renumbered 66.1331 (title).

9           **SECTION 435.** 66.43 (1), (2), (2m) and (3) (intro.) and (a) of the statutes are  
10 renumbered 66.1331 (1), (2), (2m) and (3) (intro.) and (a), and 66.1331 (2), (2m) and  
11 (3) (intro.) and (a), as renumbered, are amended to read:

12           66.1331 **(2)** FINDINGS AND DECLARATION OF NECESSITY. It is hereby found and  
13 declared that there have existed and continue to exist in cities within the state,  
14 substandard, insanitary, deteriorated, slum and blighted areas which constitute a  
15 serious and growing menace, injurious and inimical to the public health, safety,  
16 morals and welfare of the residents of the state; ~~that the.~~ The existence of ~~such~~ these  
17 areas contributes substantially and increasingly to the spread of disease and crime  
18 (necessitating excessive and disproportionate expenditures of public funds for the  
19 preservation of the public health and safety, for crime prevention, correction,  
20 prosecution, punishment, and the treatment of juvenile delinquency and for the  
21 maintenance of adequate police, fire and accident protection, and other public  
22 services and facilities), constitutes an economic and social liability, substantially  
23 impairs or arrests the sound growth of cities, and retards the provision of housing  
24 accommodations; ~~that this.~~ This menace is beyond remedy and control solely by  
25 regulatory process in the exercise of the police power and cannot be dealt with

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1 effectively by the ordinary operations of private enterprise without the aids herein  
2 provided; ~~that the~~ in this section. ~~The~~ acquisition of property for the purpose of  
3 eliminating substandard, insanitary, deteriorated, slum or blighted conditions  
4 ~~thereon~~ or preventing recurrence of ~~such~~ these conditions in the area, the removal  
5 of structures and improvement of sites, the disposition of the property for  
6 redevelopment incidental to ~~the foregoing~~ these activities, and any assistance which  
7 may be given by cities or any other public bodies ~~in connection therewith~~, are public  
8 uses and purposes for which public money may be expended and the power of  
9 eminent domain exercised; ~~and that the.~~ The necessity in the public interest for the  
10 provisions ~~herein enacted~~ of this section is hereby declared as a matter of legislative  
11 determination. ~~Nothing herein contained shall be deemed to contravene, repeal or~~  
12 ~~rescind the finding and declaration of necessity heretofore set forth in s. 66.43 (2)~~  
13 ~~prior to the recreation thereof on July 10, 1953.~~

14 **(2m) DISCRIMINATION.** Persons otherwise entitled to any right, benefit, facility  
15 or privilege under this section shall not, ~~with reference thereto~~, be denied them in  
16 any manner for any purpose nor be discriminated against because of sex, race, color,  
17 creed, sexual orientation or national origin.

18 **(3) DEFINITIONS.** (intro.) ~~The following terms whenever used or referred to in~~  
19 In this section ~~shall, for the purposes of this section and,~~ unless a different intent  
20 clearly appears from the context, ~~be construed as follows:~~

21 (a) “Blighted area” means any area, including a slum area, in which a majority  
22 of the structures are residential or in which there is a predominance of buildings or  
23 improvements, whether residential or nonresidential, and which, by reason of  
24 dilapidation, deterioration, age or obsolescence, inadequate provision for  
25 ventilation, light, air, sanitation, or open spaces, high density of population and

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1 overcrowding, or the existence of conditions which endanger life or property by fire  
2 and other causes, or any combination of such these factors, is conducive to ill health,  
3 transmission of disease, infant mortality, juvenile delinquency and crime, and is  
4 detrimental to the public health, safety, morals or welfare.

5 **SECTION 436.** 66.43 (3) (b) of the statutes is repealed.

NOTE: Repeals a provision that defines a city to be a city. The provision is  
unnecessary.

6 **SECTION 437.** 66.43 (3) (c) to (L) of the statutes are renumbered 66.1331 (3) (c)  
7 to (L), and 66.1331 (3) (d), (h) and (k), as renumbered, are amended to read:

8 66.1331 (3) (d) “Land” includes bare or vacant land, ~~or~~ the land under  
9 buildings, structures or other improvements, ~~also~~ and water and land under water.  
10 When employed in connection with “use”, as for instance, “use of land” or “land use”,  
11 “land” ~~also~~ includes buildings, structures and improvements existing or to be placed  
12 ~~thereon~~ on land.

13 (h) “Project area” means a blighted area or portion of a blighted area, ~~as defined~~  
14 ~~in par. (a)~~, of such extent and location as adopted by the planning commission and  
15 approved by the local legislative body as an appropriate unit of redevelopment  
16 planning for a redevelopment project, separate from the redevelopment projects in  
17 other parts of the city. In the provisions of this section relating to leasing or sale by  
18 the city, for abbreviation “project area” is used for the remainder of the project area  
19 after taking out those pieces of property which ~~shall~~ have been or are to be  
20 transferred for public uses.

21 (k) “Real property” includes land; ~~also includes~~ land together with the  
22 buildings, structures, fixtures and other improvements ~~thereon; also includes~~ on the  
23 land; liens, estates, easements and other interests ~~therein~~ in the land; and ~~also~~

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1 ~~includes~~ restrictions or limitations upon the use of land, buildings or structures,  
2 other than those imposed by exercise of the police power.

3 **SECTION 438.** 66.43 (3) (m) and (n) and (4) to (15) of the statutes are renumbered  
4 66.1331 (3) (m) and (n) and (4) to (15), and 66.1331 (3) (m), (4) (a) and (c), (5), (6) (a)  
5 (intro.) and (b) to (g) and (7) to (15), as renumbered, are amended to read:

6 66.1331 **(3)** (m) “Redevelopment project” means any work or undertaking to  
7 acquire blighted areas or portions thereof ~~of blighted areas~~, and lands, structures,  
8 or improvements, the acquisition of which is necessary or incidental to the proper  
9 clearance or redevelopment of such the areas or to the prevention of the spread or  
10 recurrence of slum conditions or conditions of blight in such the areas; to clear ~~any~~  
11 ~~such~~ blighted areas by demolition or removal of existing buildings, structures,  
12 streets, utilities, or other improvements ~~thereon and~~; to install, construct, or  
13 reconstruct streets, utilities, and site improvements essential to the preparation of  
14 sites for uses in accordance with a redevelopment plan; or to sell, lease or otherwise  
15 make available land in such blighted areas for residential, recreational, commercial,  
16 industrial or other use or for public use, or to retain such the land for public use, in  
17 accordance with a redevelopment plan. ~~The term “redevelopment~~ Redevelopment  
18 ~~project” may also include~~ includes the preparation of a redevelopment plan, the  
19 planning, surveying, and other work incident to a redevelopment project, and the  
20 preparation of all plans and arrangements for carrying out a redevelopment project.  
21 ~~“Redevelopment plan” means a plan for the acquisition, clearance, reconstruction,~~  
22 ~~rehabilitation or future use of a redevelopment project area.~~

NOTE: A separate definition of “redevelopment plan” is created in SECTION 297.

23 **(4)** (a) ~~Every A city is granted, in addition to its other powers, may exercise all~~  
24 powers necessary or convenient to carry out and effectuate the purposes and

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1 provisions of this section, including ~~the following powers in addition to others herein~~  
2 granted all of the following:

3 1. ~~To prepare or cause to be prepared~~ Prepare redevelopment plans and to  
4 undertake and carry out redevelopment projects within its corporate limits.

5 2. ~~To enter~~ Enter into any contracts determined by the local legislative body to  
6 be necessary to effectuate the purposes of this section.

7 3. Within its boundaries, ~~to~~ acquire by purchase, eminent domain or otherwise,  
8 any real or personal property or any interest ~~therein~~ in that property, together with  
9 any improvements ~~thereon~~, necessary or incidental to a redevelopment project; ~~to~~  
10 hold, improve, clear or prepare for redevelopment any such property; ~~to~~ sell, lease,  
11 subdivide, retain for its own use, mortgage, or otherwise encumber or dispose of any  
12 such property or any interest ~~therein~~; ~~to~~ in that property; enter into contracts with  
13 redevelopers of property containing covenants, restrictions, and conditions  
14 regarding the use of ~~such~~ the property in accordance with a redevelopment plan and  
15 ~~such other covenants, restrictions and conditions as it may deem~~ that it deems  
16 necessary to prevent a recurrence of blighted areas or to effectuate the purposes of  
17 this section; ~~to~~ and make any ~~of such~~ covenants, restrictions, conditions or covenants  
18 running with the land, ~~and~~ ~~to~~ provide appropriate remedies for any their breach  
19 thereof.

20 4. ~~To borrow~~ Borrow money and issue bonds, and ~~to~~ apply for and accept  
21 advances, loans, grants, contributions, and any other form of financial assistance  
22 from the federal, state or county government, or other public body or from any  
23 sources, for the purpose of this section; ~~to~~ and give ~~such~~ security as may be required,  
24 and ~~to~~ enter into and carry out contracts in connection ~~therewith~~ with the security.

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1 (c) Notwithstanding any other provision of law, the local legislative body may  
2 designate, by ordinance or resolution, any local housing authority existing under ss.  
3 ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, any local redevelopment authority existing under  
4 s. ~~66.431~~ 66.1333, or both jointly, or any local community development authority  
5 existing under s. ~~66.4325~~ 66.1335, as the agent of the city to perform any act, except  
6 the development of the general plan of the city, which may otherwise be performed  
7 by the planning commission under this section.

8 **(5) GENERAL AND PROJECT AREA REDEVELOPMENT PLANS.** (a) The planning  
9 commission is ~~hereby directed to~~ shall make and, ~~from time to time~~, develop a  
10 comprehensive or general plan of the city, including the appropriate maps, charts,  
11 tables and descriptive, interpretive and analytical matter, ~~which.~~ The plan is  
12 ~~intended to~~ shall serve as a general framework or guide of development within which  
13 the various area and redevelopment projects under this section may be more  
14 precisely planned and calculated, ~~and which comprehensive or general.~~ The plan  
15 shall include at least a land use plan which designates the proposed general  
16 distribution and general locations and extents of the uses of the land for housing,  
17 business, industry, recreation, education, public buildings, public reservations and  
18 other general categories of public and private uses of the land.

19 (b) For the exercise of the powers granted and for the acquisition and  
20 disposition of real property for the redevelopment of a project area, the following  
21 steps and plans ~~shall be requisite, namely~~ are required:

22 1. Designation by the planning commission of the boundaries of the project area  
23 proposed by it for redevelopment, submission of such the boundaries to the local  
24 legislative body and the adoption of a resolution by said the local legislative body  
25 declaring such the area to be a blighted area in need of redevelopment.

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1           2. Adoption by the planning commission and approval by the local legislative  
2 body of the redevelopment plan of the project area. ~~Such~~ The redevelopment plan  
3 shall conform to the general plan of the city and shall be sufficiently complete to  
4 indicate its relationship to definite local objectives as to appropriate land uses,  
5 improved traffic, public transportation, public utilities, recreational and community  
6 facilities, and other public improvements in the project area, ~~and~~. The plan shall  
7 include, ~~without being limited to~~, a statement of the boundaries of the project area;  
8 a map showing existing uses and conditions of real property ~~therein~~ in the area; a  
9 land use plan showing proposed uses of the area; information showing the standards  
10 of population density, land coverage, and building intensity in the area after  
11 redevelopment; a statement of proposed changes, if any, in zoning ordinances or  
12 maps and building codes and ordinances; a statement as to the kind and number of  
13 site improvements and additional public utilities which will be required to support  
14 the new land uses in the area after redevelopment; and a statement of a feasible  
15 method proposed for the relocation of families to be displaced from the project area.

16           3. Approval of a redevelopment plan of a project area by the local legislative  
17 body may be given only after a public hearing conducted by it, and a finding by it that  
18 ~~said~~ the plan is feasible and in conformity with the general plan of the city. Notice  
19 of ~~such~~ the hearing, describing the time, date, place and purpose of the hearing and  
20 generally identifying the project area, shall be published as a class 2 notice, under  
21 ch. 985, the last insertion to be at least 10 days prior to the date set for the hearing.  
22 All interested parties shall be afforded a reasonable opportunity at the hearing to  
23 express their views respecting the proposed plan, but the hearing ~~shall be~~ is only for  
24 the purpose of assisting the local legislative body in making its determination.

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1           (c) In relation to the location and extent of public works and utilities, public  
2 buildings and other public uses in the general plan or in a project area plan, the  
3 planning commission ~~is directed to~~ shall confer with ~~such other~~ those public officials,  
4 boards, authorities and agencies under whose administrative jurisdictions ~~such~~ the  
5 uses respectively fall.

6           (d) After a project area redevelopment plan of a project area ~~shall have~~ has been  
7 adopted by the planning commission and approved by the local legislative body, the  
8 planning commission may ~~at any time~~ certify said the plan to the local legislative  
9 body, ~~whereupon said.~~ The local legislative body shall ~~proceed to~~ exercise the powers  
10 granted to it in this section for the acquisition and assembly of the real property of  
11 the area. Following ~~such~~ certification, no new construction ~~shall~~ may be authorized  
12 by any agencies, boards or commissions of the city, in ~~such~~ the area, unless as  
13 authorized by the local legislative body, including substantial remodeling or  
14 conversion or rebuilding, enlargement or extension of major structural  
15 improvements on existing buildings, but not including ordinary maintenance or  
16 remodeling or changes necessary to continue the occupancy.

17           **(6)** (a) (intro.) After the real property in the project area has been assembled,  
18 the city ~~shall have power to~~ may lease or sell all or ~~any~~ part of the real property,  
19 including streets ~~or parts thereof~~ to be closed or vacated in accordance with the plan,  
20 to a redevelopment company or to an individual, a limited liability company or a  
21 partnership for use in accordance with the redevelopment plan. Real property in the  
22 project area shall be leased or sold at its fair value for uses in accordance with the  
23 redevelopment plan notwithstanding that the fair value may be less than the cost of  
24 acquiring and preparing the property for redevelopment. In determining the

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1 property's fair value, a city shall take into account and give consideration to the  
2 following:

3 (b) Any ~~such~~ lease or sale under this subsection may be made without public  
4 bidding, but only after a public hearing by the planning commission upon the  
5 proposed lease or sale and ~~the its provisions thereof; and notice.~~ Notice of the hearing  
6 shall be published as a class 2 notice, under ch. 985.

7 (c) The terms of ~~such a~~ lease or sale under this subsection shall be fixed by the  
8 planning commission and approved by the local legislative body ~~and the.~~ The  
9 instrument of lease may provide for renewals upon reappraisals and with rentals  
10 and other provisions adjusted to ~~such~~ the reappraisals. Every ~~such~~ lease or sale shall  
11 provide that the lessee or purchaser shall carry out ~~or cause to be carried out~~ the  
12 approved project area redevelopment plan or approved modifications thereof and  
13 that no use ~~shall~~ may be made of any land or real property included in the lease or  
14 sale nor any building or structure erected ~~thereon~~ which does not conform to ~~such~~ the  
15 approved plan or approved modifications thereof. In the instrument ~~or instruments~~  
16 of lease or sale, the planning commission, with the approval of the local legislative  
17 body, may include ~~such~~ other terms, conditions and provisions as in its judgment will  
18 provide reasonable assurance of the priority of the obligations of the lease or sale and  
19 of conformance to the plan over any other obligations of the lessee or purchaser and  
20 also assurance of the financial and legal ability of the lessee or purchaser to carry out  
21 and conform to the plan and the terms and conditions of the lease or sale; ~~also, such~~  
22 and may include terms, conditions and specifications concerning buildings,  
23 improvements, subleases or tenancy, maintenance and management and any other  
24 matters as the planning commission, with the approval of the local legislative body,  
25 may impose or approve, including provisions whereby the obligations to carry out

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1 and conform to the project area plan shall run with the land. ~~In the event that~~ If  
2 maximum rentals to be charged to tenants of housing be are specified, provision may  
3 be made for periodic reconsideration of such rental bases.

4 (d) Until the planning commission certifies, with the approval of the local  
5 legislative body, that all building constructions and other physical improvements  
6 specified to be done and made by the purchaser of the area have been completed, the  
7 purchaser ~~shall have no power to~~ may not convey all or part of the area, or any part  
8 ~~thereof,~~ without the consent of the planning commission and the local legislative  
9 body, and no such consent shall may be given unless the grantee of the purchaser is  
10 obligated, by written instrument, to the city to carry out that portion of the  
11 redevelopment plan which falls within the boundaries of the conveyed property ~~and~~  
12 ~~also that the.~~ The grantee, and the heirs, representatives, successors and assigns of  
13 the grantee ~~shall have no right or power to,~~ may not convey, lease or let the conveyed  
14 ~~property or any part thereof~~ of the property, or erect or use any building or structure  
15 erected ~~thereon~~ on the property free from obligation and requirement to conform to  
16 the approved project area redevelopment plan or approved modifications ~~thereof.~~

17 (f) The planning commission may, with the approval of the local legislative  
18 body, ~~cause to have demolished any~~ demolish an existing structure or clear the area  
19 of any part ~~thereof~~ of the structure, or may specify the demolition and clearance to  
20 be performed by a lessee or purchaser and the time schedule for ~~same~~ the work. The  
21 planning commission, with the approval of the local legislative body, shall specify the  
22 time schedule and conditions for the construction of buildings and other  
23 improvements.

24 (g) In order to facilitate the lease or sale of a project area or, ~~in the event that~~  
25 if the lease or sale is of parts of an area, the city ~~shall have the power to~~ may include

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1 in the cost payable by it the cost of the construction of local streets and sidewalks  
2 within the area or of grading and other local public surface or subsurface facilities  
3 necessary for shaping the area as the site of the redevelopment of the area. The city  
4 may arrange with the appropriate federal, state or county agencies for the  
5 reimbursement of such outlays from funds or assessments raised or levied for such  
6 these purposes.

7 (7) HOUSING FOR DISPLACED FAMILIES. ~~In connection with every redevelopment~~  
8 ~~plan the~~ The housing authority shall formulate a feasible method for the temporary  
9 relocation of persons living in areas that are designated for clearance and  
10 redevelopment. ~~In addition the~~ The housing authority and the local legislative body  
11 ~~will~~ shall assure that decent, safe and sanitary dwellings substantially equal in  
12 number to the number of substandard dwellings to be removed in carrying out the  
13 redevelopment are available, or will be provided, at rents or prices within the  
14 financial reach of the income groups displaced.

15 (8) USE-VALUE APPRAISALS. After the city ~~shall have~~ has assembled and acquired  
16 the real property of the project area, it shall, as an aid ~~to it~~ in determining the rentals  
17 and other terms upon which it will lease or the price at which it will sell all or part  
18 of the area or parts thereof, place a use value upon each piece or tract of land within  
19 the area which, in accordance with the plan, is to be used for private uses or for  
20 low-rent housing, ~~such use~~. The use value ~~to~~ shall be based on the planned use; and,  
21 for the purposes of this use valuation, ~~it~~ the city shall cause provide a use valuation  
22 appraisal ~~to be made~~ prepared by the local commissioner of assessments or assessor;  
23 ~~but nothing~~. Nothing contained in this section ~~shall~~ may be construed as requiring  
24 the city to base its rentals or selling prices upon such the appraisal.

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1           **(9) PROTECTION OF REDEVELOPMENT PLAN.** (a) ~~Previous to the~~ Before execution  
2 and delivery by the city of a lease or conveyance to a redevelopment company, or  
3 ~~previous to the~~ before consent by the city to an assignment or conveyance by a lessee  
4 or purchaser to a redevelopment company, the articles or certificate of incorporation  
5 or association or charter or other basic instrument of such the company shall contain  
6 provisions ~~so~~ defining, limiting and regulating the exercise of the powers of the  
7 company so that neither the company nor its stockholders, its officers, its directors,  
8 its members, its beneficiaries, its bondholders or other creditors or other persons  
9 ~~shall have any power to~~ may amend or ~~to effect the amendment of~~ the terms and  
10 conditions of the lease or the terms and conditions of the sale without the consent of  
11 the planning commission, together with the approval of the local legislative body, or,  
12 in relation to the project area development plan, without the approval of any  
13 proposed modification in accordance with sub. (10); ~~and no.~~ No action of  
14 stockholders, officers, directors, bondholders, creditors, members, partners or other  
15 persons, nor any reorganization, dissolution, receivership, consolidation, foreclosure  
16 or any other change in the status or obligation of any redevelopment company,  
17 partnership, limited liability company or individual in any litigation or proceeding  
18 in any federal or other court ~~shall~~ may effect any release or any impairment or  
19 modification of the lease or terms of sale or of the project area redevelopment plan  
20 unless such consent or approval ~~be~~ is obtained.

21           (b) ~~Redevelopment corporations~~ A redevelopment corporation may be  
22 organized under the general corporation law of the state ~~and shall have the power~~  
23 to be a redevelopment company under this section, ~~and to~~ may acquire and hold real  
24 property for the purposes set forth in this section; ~~i~~ and ~~to~~ may exercise all other

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1 powers granted to redevelopment companies in this section, ~~subject to the provisions,~~  
2 ~~limitations and obligations herein set forth.~~

3 (c) A redevelopment company, individual, limited liability company or  
4 partnership to which any all or part of a project area ~~or part thereof~~ is leased or sold  
5 under this section shall keep books of account of its operations of or transactions  
6 relating to such the area ~~or part~~ entirely separate and distinct from accounts of and  
7 for any other project area or part ~~thereof~~ of the other project area or any other real  
8 property or enterprise; ~~and no.~~ No lien or other interest shall may be placed upon  
9 any real property in said the area to secure any indebtedness or obligation of the  
10 redevelopment company, individual, limited liability company or partnership  
11 incurred for or in relation to any property or enterprise outside of said the area.

12 **(10) MODIFICATION OF DEVELOPMENT PLANS.** An approved project area  
13 redevelopment plan may be modified at any time ~~or times~~ after the lease or sale of  
14 all or part of the area ~~or part thereof~~ provided that if the modification ~~be~~ is consented  
15 to by the lessee or purchaser, and that if the proposed modification ~~be~~ is adopted by  
16 the planning commission and ~~then~~ submitted to the local legislative body and  
17 approved by it. Before approval, the local legislative body shall hold a public hearing  
18 on the proposed modification, notice of the time and place of which shall be given by  
19 mail sent at least 10 days prior to the hearing to the then owners of the real properties  
20 in the project area and of the real properties immediately adjoining or across the  
21 street from the project area. The local legislative body may refer back to the planning  
22 commission any project area redevelopment plan, project area boundaries or  
23 modification submitted to it, together with its recommendation for changes in such  
24 the plan, boundaries or modification and, if such recommended changes ~~be~~ are  
25 adopted by the planning commission and ~~in turn~~ formally approved by the local

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1 legislative body, the plan, boundaries or modification as ~~thus changed shall be and~~  
2 ~~become~~ becomes the approved plan, boundaries or modification.

3 (11) LIMITATION UPON TAX EXEMPTION. Nothing contained in this section ~~shall~~  
4 may be construed to authorize or require the exemption of any real property from  
5 taxation, except real property sold, leased or granted to and acquired by a public  
6 housing authority. No real property acquired pursuant to under this section by a  
7 private redevelopment company, individual, limited liability company or  
8 partnership either by lease or purchase ~~shall be~~ is exempt from taxation by reason  
9 of ~~sueh~~ the acquisition.

10 (12) FINANCIAL ASSISTANCE. The city may accept grants or other financial  
11 assistance from the federal, state and county governments or from other sources to  
12 carry out the purposes of this section, and may do all things necessary to comply with  
13 the conditions attached to ~~sueh~~ the grants or loans.

14 (13) COOPERATION AND USE OF CITY FUNDS. (a) To assist any redevelopment  
15 project located in the area in which it ~~is authorized to~~ may act, any a public body may,  
16 upon ~~such terms as that it may determine: Furnish~~ determines, furnish services or  
17 facilities, provide property, lend or contribute funds, and perform any other action  
18 of a character which it ~~is authorized to~~ may perform for other purposes.

19 (b) ~~Every~~ A city may appropriate and use its general funds to carry out the  
20 purposes of this section and, to obtain such funds, ~~may, in addition to other powers~~  
21 ~~set forth in this section,~~ incur indebtedness, and issue bonds in ~~such amount or~~  
22 amounts as that the local legislative body determines by resolution to be necessary  
23 ~~for the purpose of raising funds~~ for use in carrying out the purposes of this section;  
24 ~~provided, that any.~~ The issuance of bonds by a city pursuant to under this provision

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1 paragraph shall be in accordance with ~~such~~ statutory and other legal requirements  
2 as that govern the issuance of obligations generally by the city.

3 **(14) LIMITED OBLIGATIONS.** For the purpose of carrying out or administering a  
4 redevelopment plan or other functions authorized under this section, ~~any a~~ city may  
5 issue municipal obligations payable solely from and secured by a pledge of and lien  
6 upon any or all of the income, proceeds, revenues, funds and property of the city  
7 derived from or held by it in connection with redevelopment projects, including the  
8 proceeds of grants, loans, advances or contributions from any public or private  
9 source. Municipal obligations issued under this subsection may be registered under  
10 s. 67.09 but shall otherwise be in ~~such a~~ form, mature at ~~such time or~~ times, bear  
11 interest at ~~such rate or~~ rates, be issued and sold in ~~such a~~ manner, and contain ~~such~~  
12 terms, covenants, and conditions as that the local legislative body of the city ~~shall,~~  
13 by resolution, ~~determine~~ determines. The municipal obligations shall be fully  
14 negotiable, shall not require a referendum, and ~~shall~~ are not be subject to the  
15 provisions of any other law or charter relating to the issuance or sale of municipal  
16 obligations. Obligations under this section sold to the United States government  
17 need not be sold at public sale. In this subsection, “municipal obligation” has the  
18 meaning specified in s. 67.01 (6).

19 **(15) CONSTRUCTION.** This section shall be construed liberally to effectuate ~~the~~  
20 its purposes hereof and the enumeration therein in this section of specific powers  
21 ~~shall does~~ not operate to restrict the meaning of any general grant of power contained  
22 in this section or to exclude other powers comprehended in ~~such~~ the general grant.

23 **SECTION 439.** 66.43 (16) of the statutes is repealed.

NOTE: Repealed as archaic. The subsection validates actions of a city taken  
before July 10, 1953. There appears to be no need to continue the validation.

24 **SECTION 440.** 66.43 (17) of the statutes is renumbered 66.1331 (16).

**ASSEMBLY BILL 710****SECTION 441**

1           **SECTION 441.** 66.431 (title) of the statutes is renumbered 66.1333 (title).

2           **SECTION 442.** 66.431 (1), (2) and (2m) (intro.) and (a) to (e) of the statutes are  
3 renumbered 66.1333 (1), (2) and (2m) (intro.) and (a) to (e), and 66.1333 (2) and (2m)  
4 (intro.) and (d) (intro.) and 1. to 5., as renumbered, are amended to read:

5           66.1333 **(2)** FINDINGS. In addition to the findings and declarations made in ss.  
6 ~~66.43~~ 66.1331 (2) and ~~66.435~~, which findings and declarations are in all respects  
7 affirmed, restated and incorporated herein 66.1337, it is further found and declared  
8 that the existence of substandard, deteriorated, slum and blighted areas and  
9 blighted properties is a matter of statewide concern; ~~that it.~~ It is the policy of this  
10 state to protect and promote the health, safety, morals and general welfare of the  
11 people of the state in which ~~such~~ these areas and blighted properties exist by the  
12 elimination and prevention of ~~such~~ these areas and blighted properties through the  
13 utilization of all means appropriate for that purpose, thereby encouraging  
14 well-planned, integrated, stable, safe and healthful neighborhoods, the provision of  
15 healthful homes, a decent living environment and adequate places for employment  
16 of the people of this state and its communities in ~~such~~ these areas and blighted  
17 properties; ~~that the.~~ The purposes of this section are to provide further for the  
18 elimination and prevention of substandard, deteriorated, slum and blighted areas  
19 and blighted properties through redevelopment and other activities by state-created  
20 agencies and the utilization of all other available public and private agencies and  
21 resources, ~~thereby carrying out the policy of this state as heretofore declared; that~~  
22 ~~state.~~ State agencies are necessary in order to carry out in the most effective and  
23 efficient manner the state's policy and declared purposes for the prevention and  
24 elimination of substandard, deteriorated, slum and blighted areas and blighted  
25 properties; ~~and that such state.~~ State agencies shall be available in all the cities in

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1 the state to be known as the redevelopment authorities of the particular cities, ~~to~~ and  
2 carry out and effectuate the provisions of this section when the local legislative  
3 bodies of the cities determine there is a need for them to carry out within their cities  
4 the powers and purposes of this section; ~~and any assistance.~~ Assistance which may  
5 be given by cities or any other public bodies ~~in connection therewith,~~ are public uses  
6 ~~and purposes~~ under this section is a public use and purpose for which public money  
7 may be expended; ~~and that the.~~ The necessity in the public interest for the provisions  
8 ~~herein enacted~~ of this section is declared a matter of legislative determination.  
9 Nothing contained herein is deemed to contravene, repeal or rescind in this  
10 subsection contravenes, repeals or rescinds the finding or declaration of necessity  
11 ~~prior to~~ before the recreation thereof of this subsection on June 1, 1958.

12 **(2m)** DEFINITIONS. (intro.) ~~As used or referred to in~~ In this section, unless the  
13 context clearly indicates otherwise:

14 (d) (intro.) “Blight elimination, slum clearance and urban renewal project”,  
15 “redevelopment and urban renewal project”, “redevelopment or urban renewal  
16 project”, “redevelopment project”, “urban renewal project” and “project” mean  
17 undertakings and activities in a project area for the elimination and for the  
18 prevention of the development or spread of slums and blight, and may involve  
19 clearance and redevelopment in a project area, or rehabilitation or conservation in  
20 a project area, or any combination or part thereof of the undertakings and activities  
21 in accordance with a “redevelopment plan”, “urban renewal plan”, “redevelopment  
22 or urban renewal plan”, “project area plan” or “redevelopment and urban renewal  
23 plan”, either one of which means the redevelopment plan of the project area prepared  
24 and approved as provided in sub. (6). ~~Such~~ These undertakings and activities may  
25 include all of the following:

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1           1. Acquisition of all or a portion of a blighted area ~~or portions thereof~~;

2           2. Demolition and removal of buildings and improvements;

3           3. Installation, construction, or reconstruction of streets, utilities, parks,  
4 playgrounds, and other improvements necessary for carrying out in the project area  
5 the objectives of this section in accordance with the redevelopment plan;

6           4. Disposition of any property acquired in the project area (, including sale,  
7 initial leasing or retention by the authority itself), at its fair value for uses in  
8 accordance with the redevelopment plan;

9           5. Carrying out plans for a program of voluntary or compulsory repair and  
10 rehabilitation of buildings or other improvements in accordance with the  
11 redevelopment plan; and

12           **SECTION 443.** 66.431 (2m) (f) of the statutes is repealed.

NOTE: Repeals a provision that defines a city to be a city. The provision is  
unnecessary.

13           **SECTION 444.** 66.431 (2m) (g) to (t) and (3) to (5m) of the statutes are  
14 renumbered 66.1333 (2m) (g) to (t) and (3) to (5m), and 66.1333 (2m) (j), (3) (a) 1. and  
15 4. and (b) to (g) and (5) (a), (b) 4. and (c) 1r. and 2., as renumbered, are amended to  
16 read:

17           66.1333 **(2m)** (j) “Real property” includes all lands, together with  
18 improvements and fixtures ~~thereon~~, and property of any nature appurtenant ~~thereto~~  
19 to the lands, or used in connection ~~therewith~~ with the lands, and every estate,  
20 interest, right and use, legal or equitable, ~~therein~~ in the lands, including terms for  
21 years and liens by way of judgment, mortgage or otherwise.

22           **(3)** (a) 1. It is found and declared that a redevelopment authority, functioning  
23 within a city in which there exists ~~substandard, deteriorating, deteriorated,~~  
24 ~~unsanitary slum and~~ blighted areas, constitutes a more effective and efficient means

**ASSEMBLY BILL 710****SECTION 444**

1 for preventing and eliminating ~~slums and~~ blighted areas in the city and preventing  
2 the recurrence thereof of blighted areas. Therefore, there is created in every such city  
3 with a blighted area a redevelopment authority, to be known as the “redevelopment  
4 authority of the city of ....”. An authority is created for the purpose of carrying out  
5 blight elimination, slum clearance, and urban renewal programs and projects as set  
6 forth in this section, together with all powers necessary or incidental to effect  
7 adequate and comprehensive blight elimination, slum clearance and urban renewal  
8 programs and projects.

9 4. The powers of the authority ~~shall be~~ are vested in the commissioners.

10 (b) The commissioners who are first appointed shall be designated by the  
11 appointing power to serve for the following terms: 2 for one year, 2 for 2 years, 1 one  
12 for 3 years, 1 one for 4 years, and 1 one for 5 years, from the date of their appointment.  
13 ~~Thereafter~~ After the first appointments, the term of office ~~shall be for~~ is 5 years. A  
14 commissioner ~~shall hold~~ holds office until a successor ~~has been~~ is appointed and  
15 qualified. ~~Removals with respect to commissioners~~ Removal of the authority shall  
16 ~~be a commissioner is~~ governed by s. ~~66.40~~ 66.1201. Vacancies and new appointments  
17 ~~shall be~~ are filled in the same manner as provided in par. (a).

18 (c) The filing of a certified copy of the resolution ~~above referred to~~ adopted under  
19 par. (a) with the city clerk ~~shall be~~ is prima facie evidence of the authority’s right to  
20 proceed, and ~~such~~ the resolution ~~shall~~ is not be subject to challenge because of any  
21 technicality. In any suit, action or proceeding commenced against the authority, a  
22 certified copy of ~~such~~ the resolution ~~shall be deemed~~ is conclusive evidence that ~~such~~  
23 the authority is established and authorized to transact business and exercise its  
24 powers hereunder under this section.

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1           (d) Following the adoption of ~~such a~~ resolution, ~~such~~ under par. (a), a city shall  
2           ~~thereafter be is~~ precluded from exercising the powers provided in s. ~~66.43~~ 66.1331  
3           (4), and the authority ~~has exclusive power to~~ may proceed to carry on the blight  
4           elimination, slum clearance and urban renewal projects in ~~such~~ the city, except that  
5           ~~such~~ the city is not precluded from applying, accepting and contracting for federal  
6           grants, advances and loans under the housing and community development act of  
7           1974 (P.L. 93-383).

8           (e) 1. ~~Such~~ An authority shall ~~have~~ has no power, ~~whatsoever~~, in connection  
9           with any public housing project;.

10           2. Persons otherwise entitled to any right, benefit, facility or privilege under  
11           this section shall may not, ~~with reference thereto~~, be denied ~~such~~ the right, benefit,  
12           facility or privilege in any manner for any purpose nor be discriminated against  
13           because of sex, race, color, creed, sexual orientation or national origin.

14           (f) ~~In carrying out this section, the~~ An authority is deemed an independent,  
15           separate and distinct public body and a body corporate and politic, exercising public  
16           powers determined to be necessary by the state to protect and promote the health,  
17           safety and morals of its residents, and ~~is authorized to~~ may take title to real and  
18           personal property in its own name; ~~and such.~~ The authority shall may proceed with  
19           the acquisition of property by eminent domain under ch. 32, or any other law relating  
20           specifically to eminent domain procedures of redevelopment authorities.

21           (g) The An authority may employ personnel as required to perform its duties  
22           and responsibilities under civil service. The authority may appoint an executive  
23           director whose qualifications ~~shall be~~ are determined by the authority. The director  
24           shall ~~also~~ act as secretary of the authority and ~~may have~~ has the duties, powers and  
25           responsibilities delegated by the authority. All of the employes, including the

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1 director of the authority, ~~shall be eligible to~~ may participate in the same pension  
2 system, health and life insurance programs and deferred compensation programs  
3 provided for city employes and are eligible for any other benefits provided to city  
4 employes.

5 (5) (a) Every An authority is ~~granted, in addition to any other powers,~~ may  
6 exercise all powers necessary or incidental to carry out and effectuate the purposes  
7 of this section, including the power to do all of the following powers:

8 1. ~~To prepare or cause to be prepared~~ Prepare redevelopment plans and urban  
9 renewal plans and ~~to~~ undertake and carry out redevelopment and urban renewal  
10 projects within the corporate limits of the city in which it functions.

11 2. ~~To enter~~ Enter into any contracts determined by the authority to be  
12 necessary to effectuate the purposes of this section. All contracts, other than those  
13 for personal or professional services, in excess of \$25,000 ~~shall be~~ are subject to bid  
14 and shall be awarded to the lowest qualified and competent bidder. The authority  
15 may reject any bid required under this paragraph. The authority shall advertise for  
16 bids by a class 2 notice, under ch. 985, published in the city in which the project is  
17 to be developed. If the estimated cost of a contract, other than a contract for personal  
18 or professional services, is between \$3,000 and \$25,000, the authority shall give a  
19 class 2 notice, under ch. 985, of the proposed work before the contract is entered into.

20 3. Within the boundaries of the city ~~to~~, acquire by purchase, lease, eminent  
21 domain, or otherwise, any real or personal property or any interest ~~therein~~ in the  
22 property, together with any improvements ~~thereon~~ on the property, necessary or  
23 incidental to a redevelopment or urban renewal project; ~~to~~ hold, improve, clear or  
24 prepare for redevelopment or urban renewal any ~~such~~ of the property; ~~to~~ sell, lease,  
25 subdivide, retain or make available the property for the city's use; ~~to~~ mortgage or

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1 otherwise encumber or dispose of any ~~such~~ of the property or any interest ~~therein;~~  
2 ~~to in the property;~~ enter into contracts with redevelopers of property containing  
3 covenants, restrictions and conditions regarding the use of ~~such~~ the property in  
4 accordance with a redevelopment or urban renewal plan, and ~~such~~ other covenants,  
5 restrictions and conditions as that the authority ~~deems~~ considers necessary to  
6 prevent a recurrence of blighted areas or to effectuate the purposes of this section;  
7 ~~to make any of such covenants,~~ restrictions, conditions or covenants running with  
8 the land and ~~to provide appropriate remedies for any~~ their breach ~~thereof;~~ ~~to;~~ arrange  
9 or contract for the furnishing of services, privileges, works or facilities for, or in  
10 connection with a project; ~~to temporarily operate and maintain real property~~  
11 acquired by it in a project area for or in connection with a project pending the  
12 disposition of the property for ~~such~~ uses and purposes as that may be deemed  
13 desirable even though not in conformity with the redevelopment plan for the area;  
14 within the boundaries of the city ~~to,~~ enter into any building or property in any project  
15 area in order to make inspections, surveys, appraisals, soundings or test borings, and  
16 ~~to obtain an~~ a court order for this purpose ~~from a court of competent jurisdiction in~~  
17 ~~the event~~ if entry is denied or resisted; ~~to own and hold property and to insure or~~  
18 provide for the insurance of any real or personal property or any of its operations  
19 against any risks or hazards, including ~~the power to pay~~ paying premiums on any  
20 ~~such~~ insurance; ~~to invest any project funds held in reserves or sinking funds or any~~  
21 ~~such~~ the funds not required for immediate disbursement in property or securities in  
22 which savings banks may legally invest funds subject to their control; ~~to redeem its~~  
23 bonds issued under this section at the redemption price established ~~therein~~ in the  
24 bonds or ~~to purchase such~~ the bonds at less than redemption price, all ~~such~~ bonds so  
25 redeemed or purchased to be canceled; ~~to develop, test and report methods and~~

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1 techniques, and carry out demonstrations and other activities, for the prevention  
2 and elimination of slums and blight; and to disseminate blight elimination, slum  
3 clearance and urban renewal information.

4 4. a. ~~To borrow~~ Borrow money and issue bonds; to execute notes, debentures  
5 and other forms of indebtedness; ~~and to apply for and accept advances, loans, grants,~~  
6 contributions and any other form of financial assistance from the city in which it  
7 functions, from the federal government, the state, county, or other public body, or  
8 from any sources, public or private for the purposes of this section, and to give such  
9 security as may be required and to enter into and carry out contracts or agreements  
10 in connection ~~therewith~~ with the security; and to include in any contract for financial  
11 assistance with the federal government for or with respect to blight elimination and  
12 slum clearance and urban renewal such conditions imposed pursuant to federal laws  
13 as the authority deems reasonable and appropriate and which are not inconsistent  
14 with the purposes of this section.

15 b. Any debt or obligation of the authority shall is not be deemed the debt or  
16 obligation of the city, county, state or any other governmental authority other than  
17 the redevelopment authority itself.

18 c. ~~To issue~~ Issue bonds in its ~~discretion~~ to finance its activities under this  
19 section, including the payment of principal and interest upon any advances for  
20 surveys and plans, and ~~may~~ issue refunding bonds for the payment or retirement of  
21 such bonds previously issued by it. ~~Such bonds~~ Bonds shall be made payable, as to  
22 both principal and interest, solely from the income, proceeds, revenues, and funds  
23 of the authority derived from or held in connection with its undertaking and carrying  
24 out of projects or activities under this section; ~~provided that payment.~~ Payment of  
25 such the bonds, both as to principal and interest, may be further secured by a pledge

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1 of any loan, grant or contribution from the federal government or other source, in aid  
2 of any projects or activities of the authority under this section, and by a mortgage of  
3 ~~any such~~ all or a part of the projects or activities, ~~or any part thereof~~. Bonds issued  
4 under this section ~~shall~~ are not constitute an indebtedness within the meaning of any  
5 constitutional or statutory debt limitation or restriction of the state, city or of any  
6 public body other than the authority issuing the bonds, and ~~shall~~ are not be subject  
7 to any other law or charter relating to the authorization, issuance or sale of bonds.  
8 Bonds issued under this section are declared to be issued for an essential public and  
9 governmental purpose and, together with interest ~~thereon~~ and income ~~therefrom~~,  
10 ~~shall be~~ are exempt from all taxes. Bonds issued under this section shall be  
11 authorized by resolution of the authority ~~and~~, may be issued in one or more series  
12 and shall bear ~~such~~ a date, be payable upon demand or mature at ~~such~~ a time, bear  
13 interest at ~~such~~ a rate, be in ~~such~~ a denomination, be in ~~such~~ a form either with or  
14 without coupon or registered, carry ~~such~~ conversion or registration privileges, have  
15 ~~such~~ rank or priority, be payable in ~~such~~ a medium of payment, at ~~such~~ a place, and  
16 be subject to ~~such~~ terms of redemption, with or without premium, be secured in ~~such~~  
17 a manner, and have ~~such~~ other characteristics, as is provided by the resolution, trust  
18 indenture or mortgage issued pursuant thereto to the transaction. Bonds issued  
19 under this section shall be executed as provided in s. 67.08 (1) and may be registered  
20 under s. 67.09. The bonds may be sold or exchanged at public sale or by private  
21 negotiation with bond underwriters as the authority ~~may provide~~ provides. The  
22 bonds may be sold or exchanged at ~~such~~ any price ~~or prices as~~ that the authority ~~shall~~  
23 ~~determine~~ determines. If sold or exchanged at public sale, the sale shall be held after  
24 a class 2 notice, under ch. 985, published ~~prior to such~~ before the sale in a newspaper  
25 having general circulation in the city and in ~~such~~ any other medium of publication

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1 as ~~that~~ the authority determines. ~~Such bonds~~ Bonds may be sold to the federal  
2 government at private sale, without publication of any notice, at not less than par,  
3 and, if less than all of the authorized principal amount of ~~such~~ the bonds is sold to  
4 the federal government, the balance may be sold at private sale at not less than par  
5 at an interest cost to the authority of that does not ~~to~~ exceed the interest cost to the  
6 authority of the portion of the bonds sold to the federal government. Any provision  
7 of ~~any~~ law to the contrary notwithstanding, any bonds issued ~~pursuant to~~ under this  
8 section ~~shall be~~ are fully negotiable. In any suit, action or proceeding involving the  
9 validity or enforceability of any bond issued under this section or the security  
10 ~~therefor~~ for any bond, any such bond reciting in substance that it has been issued by  
11 the authority in connection with a project or activity under this section ~~shall be~~  
12 conclusively is deemed to have been issued for ~~such~~ that purpose and ~~such~~ the project  
13 or activity ~~shall be conclusively is~~ is deemed to have been planned, located and carried  
14 out in accordance with this section.

15 5. ~~To establish~~ Establish a procedure for preservation of the records of the  
16 authority by the use of microfilm, another reproductive device, optical imaging or  
17 electronic formatting, if authorized under s. 19.21 (4) (c). ~~Any such~~ The procedure  
18 shall assure that copies of ~~such~~ the records that are open to public inspection  
19 continue to be available to members of the public requesting them. A photographic  
20 reproduction of a record or copy of a record generated from optical disk or electronic  
21 storage is deemed the same as an original record for all purposes if it meets the  
22 applicable standards established in ss. 16.61 and 16.612.

23 6. ~~The~~ Authorize the chairperson of the authority or the vice chairperson in the  
24 absence of the chairperson, selected by vote of the commissioners, and the executive  
25 director or the assistant director in the absence of the executive director ~~is authorized~~

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1 to execute on behalf of the authority all contracts, notes and other forms of obligation  
2 when authorized by at least 4 of the commissioners of the authority to do so.

3 7. ~~The authority is authorized to commence~~ Commence actions in its own name  
4 ~~and. The authority shall be sued in the name of the authority. The authority shall~~  
5 have an official seal.

6 8. ~~To exercise such~~ Exercise other and further powers as that may be required  
7 or necessary ~~in order to effectuate the purposes hereof of this section.~~

8 9. ~~To exercise~~ Exercise any powers of a housing authority under s. ~~66.40~~  
9 66.1201 if done in concert with a housing authority under a contract under s. ~~66.30~~  
10 66.0301.

11 (b) 4. The authority may acquire by purchase real property within any area  
12 designated for urban renewal or redevelopment purposes under this section ~~prior to~~  
13 before the approval of either the redevelopment or urban renewal plans or ~~prior to~~  
14 before any modification of the plan, ~~providing if approval of such~~ the acquisition is  
15 granted by the local governing body. ~~In the event of the acquisition of such real~~  
16 property ~~If real property is acquired,~~ the authority may demolish or remove  
17 structures ~~so acquired with the approval of the local governing body. In the event~~  
18 that ~~If acquired~~ real property ~~so acquired~~ is not made part of the urban renewal  
19 project the authority shall bear any loss that may arise as a result of the acquisition,  
20 demolition or removal of structures acquired under this section; ~~however, the local~~  
21 legislative body if it. ~~If the local legislative body has given its approval to the~~  
22 acquisition of such real property that is not made a part of the urban renewal project,  
23 it shall reimburse the authority for any loss sustained as provided for in this  
24 subsection. Any real property acquired in a redevelopment or in an urban renewal  
25 area ~~pursuant to~~ under this subsection may be disposed of ~~in accordance with the~~

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1 ~~provisions of~~ under this section ~~providing if~~ the local governing body has approved  
2 the acquisition of the property for the project.

3 (c) 1r. Condemnation proceedings for the acquisition of blighted property shall  
4 be conducted under ch. 32 or under any other law relating specifically to eminent  
5 domain procedures of authorities. The authority may hold, clear, construct, manage,  
6 improve or dispose of the blighted property, for the purpose of eliminating its status  
7 as blighted property. Notwithstanding sub. (9), the authority may dispose of the  
8 blighted property in any manner. The authority may assist private acquisition,  
9 improvement and development of blighted property for the purpose of eliminating  
10 its status as blighted property, and for that purpose the authority ~~shall have~~ has all  
11 of the duties, rights, powers and privileges given to the authority under this section,  
12 as if it had acquired the blighted property.

13 2. ~~Prior to~~ Before acquiring blighted property under subd. 1. or 1g., the  
14 authority shall hold a public hearing to determine if the property is blighted  
15 property. Notice of such the hearing, describing the time, date, place and purpose  
16 of the hearing and generally identifying the property involved, shall be given to each  
17 owner of the property, at least 20 days ~~prior to~~ before the date set for the hearing, by  
18 certified mail with return receipt requested. If the notice cannot be delivered by  
19 certified mail with return receipt requested, or if the notice is returned undelivered,  
20 notice may be given by posting the notice at least 10 days ~~prior to~~ before the date of  
21 hearing on any structure located on the property which is the subject of the notice.  
22 If the property which is the subject of the notice consists of vacant land, a notice may  
23 be posted in some suitable and conspicuous place on that property. For the purpose  
24 of ascertaining the name of the owner or owners of record of property which is subject  
25 to a public hearing under this subdivision, the records of the register of deeds of the

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1 county in which ~~such~~ the property is located, as of the date of the notice required  
2 under this subdivision, ~~shall be deemed~~ are conclusive. An affidavit of mailing or  
3 posting the notice which is filed as a part of the records of the authority ~~shall be~~  
4 ~~deemed~~ is prima facie evidence of that notice. In the hearing under this subdivision,  
5 all interested parties may express their views ~~respecting~~ on the authority's proposed  
6 determination, but the hearing is only for informational purposes. Any technical  
7 omission or error in the procedure ~~specified~~ under this subdivision does not  
8 invalidate the designation or subsequent acquisition. If any owner of property  
9 subject to the authority's determination that the property is blighted property objects  
10 to that determination or to the authority's acquisition of that property, that owner  
11 shall file a written statement of ~~his or her~~ and reasons for the objections ~~and the~~  
12 ~~reasons for those objections~~ with the authority ~~prior to~~ before, at the time of, or  
13 within 15 days after the public hearing under this subdivision. ~~Such~~ The statement  
14 shall contain the mailing address of the person filing the statement and be signed  
15 by or on behalf of that person. The filing of that statement ~~shall be~~ is a condition  
16 precedent to the commencement of an action to contest the authority's actions under  
17 this paragraph.

18 **SECTION 445.** 66.431 (5r) of the statutes, as created by 1999 Wisconsin Act 9,  
19 is renumbered 66.1333 (5r).

20 **SECTION 446.** 66.431 (6) to (17) of the statutes are renumbered 66.1333 (6) to  
21 (17), and 66.1333 (6) (a) to (e), (9) (a) 1. a. and c. and (b) to (f) and (10) to (17), as  
22 renumbered, are amended to read:

23 66.1333 **(6)** (a) The authority may make ~~or cause to be made~~ and prepare ~~or~~  
24 ~~cause to be prepared~~ a comprehensive plan of redevelopment and urban renewal  
25 which shall be consistent with the general plan of the city, including the appropriate

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1 maps, tables, charts and descriptive and analytical matter. ~~Such~~ The plan is  
2 intended to serve as a general framework or guide of development within which the  
3 various area and redevelopment and urban renewal projects may be more precisely  
4 planned and calculated. The comprehensive plan shall include at least a land use  
5 plan which designates the proposed general distribution and general locations and  
6 extents of the uses of the land for housing, business, industry, recreation, education,  
7 public buildings, public reservations and other general categories of public and  
8 private uses of the land. The authority ~~is authorized to~~ may make ~~or have made~~ all  
9 other surveys and plans necessary under this section, and ~~to~~ adopt or approve,  
10 modify and amend ~~such~~ the plans.

11 (b) For the exercise of the powers granted and for the acquisition and  
12 disposition of real property in a project area, the following steps and plans ~~shall be~~  
13 requisite are required:

14 1. Designation by the authority of the boundaries of the proposed project area,  
15 submission of ~~such~~ the boundaries to the local legislative body, and adoption of a  
16 resolution by two-thirds of ~~such~~ the local legislative body declaring ~~such~~ the area to  
17 be a blighted area in need of a blight elimination, slum clearance and urban renewal  
18 project. ~~Thereafter~~ After these acts, the local legislative body may, by resolution by  
19 two-thirds vote, prohibit for an initial period of not to exceed 6 months from  
20 enactment of ~~such~~ the resolution any new construction in ~~such~~ the area except upon  
21 resolution by the local legislative body that ~~such~~ the proposed new construction, on  
22 ~~such~~ reasonable conditions as may be fixed therein stated in the resolution, will not  
23 substantially prejudice the preparation or processing of a plan for the area and is  
24 necessary to avoid substantial damage to the applicant. ~~Such~~ The order of  
25 prohibition ~~shall be~~ is subject to successive renewals for like periods by like

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1 resolutions; but no new construction contrary to any such resolution of prohibition  
2 shall may be authorized by any agency, board or commission of the city in such the  
3 area except as herein provided in this subdivision. No such prohibition of new  
4 construction shall may be construed to forbid ordinary repair or maintenance, or  
5 improvement necessary to continue occupancy under any regulatory order.

6 2. Approval by the authority and by two-thirds of the local legislative body of  
7 the redevelopment plan of the project area which has been prepared by the authority.  
8 ~~Such~~ The redevelopment plan shall conform to the general plan of the city and shall  
9 be sufficiently complete to indicate its relationship to definite local objectives as to  
10 appropriate land uses, improved traffic, public transportation, public utilities,  
11 recreational and community facilities, and other public improvements in the project  
12 area, ~~and~~. The redevelopment plan shall include, ~~without being limited to~~, a  
13 statement of the boundaries of the project area; a map showing existing uses and  
14 conditions of real property ~~therein~~; a land use plan showing proposed uses of the  
15 area; information showing the standards of population density, land coverage and  
16 building intensity in the area after redevelopment; present and potential equalized  
17 value for property tax purposes; a statement of proposed changes, ~~if any~~, in zoning  
18 ordinances or maps and building codes and ordinances; a statement as to the kind  
19 and number of site improvements and additional public utilities which will be  
20 required to support the new land uses in the area after redevelopment; and a  
21 statement of a feasible method proposed for the relocation of families to be displaced  
22 from the project area.

23 3. Approval of a redevelopment plan of a project area by the authority, which  
24 may be given only after a public hearing conducted by the authority and a finding  
25 by the authority that ~~such~~ the plan is feasible and in conformity with the general plan

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1 of the city. Notice of ~~such~~ the hearing, describing the time, date, place and purpose  
2 of the hearing and generally identifying the project area, shall be published as a class  
3 2 notice, under ch. 985, the last insertion to be at least 10 days ~~prior to~~ before the date  
4 set for the hearing. ~~In addition thereto, at~~ At least 20 days ~~prior to~~ before the date  
5 set for the hearing on the proposed redevelopment plan of the project area a notice  
6 shall be transmitted by certified mail, with return receipt requested, to each owner  
7 of real property of record within the boundaries of the redevelopment plan. If  
8 transmission of ~~such~~ the notice by certified mail with return receipt requested cannot  
9 be accomplished, or if the letter is returned undelivered, then notice may be given  
10 by posting the ~~same~~ notice at least 10 days ~~prior to~~ before the date of hearing on any  
11 structure located on the property; or, if ~~such~~ the property consists of vacant land, a  
12 notice may be posted in some suitable and conspicuous place on ~~such~~ the land. ~~Such~~  
13 The notice shall state the time and place at which the hearing will be held with  
14 respect to the redevelopment plan and that the owner's property might be taken for  
15 urban renewal. For the purpose of ascertaining the name of the owner of record of  
16 the real property within ~~such~~ the project boundaries, the records, at the time of the  
17 approval by the redevelopment authority of the project boundaries, of the register of  
18 deeds of the county in which ~~such~~ the property is located ~~shall be deemed~~ are  
19 conclusive. Failure to receive ~~such~~ the notice ~~shall~~ does not invalidate the plan. An  
20 affidavit of mailing or posting of ~~such~~ the notice ~~or posting thereof~~ filed as a part of  
21 the records of the authority ~~shall be deemed~~ is prima facie evidence of the giving of  
22 ~~such~~ notice. All interested parties shall be afforded a full opportunity to express their  
23 views respecting on the proposed plan at ~~such~~ the public hearing, but the hearing  
24 shall only be for the purpose of assisting the authority in making its determination  
25 and in submitting its report to the local legislative body. Any technical omission in

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1 the procedure outlined herein ~~shall~~ in this subdivision does not be deemed to  
2 invalidate the plan. Any owner of property included within the boundaries of the  
3 redevelopment plan and ~~objecting~~ who objects to such ~~the~~ plan shall be required to  
4 state the owner's objections and the reasons ~~therefor~~ for objecting, in writing, and  
5 file the same document with the authority ~~either prior to~~ before the public hearing,  
6 at the time of the public hearing, or within 15 days ~~thereafter~~, ~~but not subsequently~~  
7 ~~thereto~~ after the hearing. The owner shall state his or her mailing address and sign  
8 his or her name ~~thereto~~. The filing of such objections in writing ~~shall be~~ is a condition  
9 precedent to the commencement of an action to contest the right of the  
10 redevelopment authority to condemn the property under s. 32.06 (5).

11 (c) In relation to the location and extent of public works and utilities, public  
12 buildings and public uses in a comprehensive plan or a project area plan, the  
13 authority ~~is directed to~~ shall confer with the planning commission and with such  
14 other public officials, boards, authorities and agencies of the city under whose  
15 administrative jurisdictions such these uses respectively fall.

16 (d) ~~At any time after such~~ After the redevelopment plan has been approved both  
17 by the authority and the local legislative body, it may be amended by resolution  
18 adopted by the authority, and such ~~the~~ amendment shall be submitted to the local  
19 legislative body for its approval by a two-thirds vote ~~before the same shall become~~  
20 it becomes effective. It ~~shall~~ is not be required in connection with any amendment  
21 to the redevelopment plan, unless the boundaries described in the plan are altered  
22 to include other property, that the provisions in this subsection with respect to public  
23 hearing and notice be followed.

24 (e) After a project area redevelopment plan of a project area has been adopted  
25 by the authority, and the local legislative body has by a two-thirds vote approved the

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1 redevelopment plan the authority may ~~at any time~~ certify ~~said~~ the plan to the local  
2 legislative body, ~~whereupon.~~ After certification, the authority shall ~~proceed to~~  
3 exercise the powers granted to it for the acquisition and assembly of the real property  
4 of the area. The local legislative body shall upon the certification of ~~such~~ the plan  
5 by the authority direct that no new construction ~~shall be permitted, and thereafter,~~  
6 After this direction, no new construction shall may be authorized by any agencies,  
7 boards or commissions of the city in ~~such~~ the area unless as authorized by the local  
8 legislative body, including substantial remodeling or conversion or rebuilding,  
9 enlargement, or extension or major structural improvements on existing buildings,  
10 but not including ordinary maintenance or remodeling or changes necessary to  
11 continue the occupancy.

12 (9) (a) 1. a. Upon the acquisition of any ~~or all of the~~ real property in the project  
13 area, the authority ~~has power to~~ may lease, sell or otherwise transfer to a  
14 redevelopment company, association, corporation or public body, or to an individual,  
15 limited liability company or partnership, all or any part of the real property,  
16 including streets or parts ~~thereof~~ of streets to be closed or vacated in accordance with  
17 the plan, for use in accordance with the redevelopment plan. No assembled lands of  
18 the project area ~~shall~~ may be either sold or leased by the authority to a housing  
19 authority created under s. ~~66.40~~ 66.1201 for the purpose of constructing public  
20 housing projects upon ~~such~~ the land unless the sale or lease of the lands has been first  
21 approved by the local legislative body by a vote of not less than four-fifths of the  
22 members elected.

23 c. A copy of the redevelopment plan shall be recorded in the office of the register  
24 of deeds in the county where the redevelopment project is located. Any amendment

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1 to the redevelopment plan, approved as ~~herein provided for~~ under sub. (6), shall also  
2 be recorded in the office of the register of deeds of the county.

3 (b) ~~Any such~~ A lease or sale may be made without public bidding, but only after  
4 public hearing is held by the authority after ~~a notice to be~~ is published as a class 2  
5 notice, under ch. 985, ~~and the~~. The hearing shall be predicated upon the proposed  
6 sale or lease and the provisions thereof of the sale or lease.

7 (c) The terms of ~~such~~ a lease or sale shall be fixed by the authority, and the  
8 instrument of lease may provide for renewals upon reappraisals and with rentals  
9 and other provisions adjusted to ~~such~~ the reappraisals. Every ~~such~~ lease or sale shall  
10 provide that the lessee or purchaser ~~shall will~~ carry out ~~or cause to be carried out~~ the  
11 approved project area redevelopment plan or approved modifications thereof of the  
12 redevelopment plan, and that the use of ~~such~~ land or real property included in the  
13 lease or sale, and any building or structure ~~erected thereon~~, shall conform to ~~such~~ the  
14 approved plan or approved modifications thereof of the plan. In the instrument of  
15 lease or sale, the authority may include ~~such~~ other terms, provisions and conditions  
16 ~~as in its judgment~~ that will provide reasonable assurance of the priority of the  
17 obligations of the lease or sale ~~and~~, of conformance to the plan over any other  
18 obligations of the lessee or purchaser, and ~~also~~ assurance of the financial and legal  
19 ability of the lessee or purchaser to carry out and conform to the plan and the terms  
20 and conditions of the lease or sale; ~~also, such~~. In the instrument of lease or sale, the  
21 authority may include terms, conditions and specifications concerning buildings,  
22 improvements, subleases or tenancy, maintenance and management, and any other  
23 matters ~~as~~ that the authority ~~may impose or approve~~ imposes or approves, including  
24 provisions whereby under which the obligations to carry out and conform to the  
25 project area plan shall run with the land. If maximum rentals to be charged to

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1 tenants are specified, provision may be made for periodic reconsideration of such  
2 rental bases.

3 (d) Until the authority certifies that all building constructions and other  
4 physical improvements specified by the purchaser have been completed, the  
5 purchaser ~~shall have no power to~~ may not convey the all or part of an area, ~~or any~~  
6 ~~part thereof,~~ without the consent of the authority ~~and no such.~~ No consent shall may  
7 be given unless the grantee of the purchaser is obligated, by written instrument, to  
8 the authority to carry out that portion of the redevelopment plan which falls within  
9 the boundaries of the conveyed property and also unless the written instrument  
10 specifies that the grantee and the heirs, representatives, successors and assigns of  
11 the grantee, ~~shall have no right or power to~~ may not convey, lease or let all or part  
12 of the conveyed property ~~or any part thereof,~~ or erect or use any building or structure  
13 ~~erected thereon~~ on the conveyed property free from obligation and requirement to  
14 conform to the approved project area redevelopment plan or approved modifications  
15 thereof of the redevelopment plan.

16 (e) The authority may ~~cause to have demolished~~ demolish any existing  
17 structure or clear the all or part of an area ~~of any part thereof,~~ or specify the  
18 demolition and clearance to be performed by a lessee or purchaser and a time  
19 schedule for the ~~same~~ demolition and clearance. The authority shall specify the time  
20 schedule and conditions for the construction of buildings and other improvements.

21 (f) In order to facilitate the lease or sale of a project area, or if the lease or sale  
22 is part of an area, the authority ~~has the power to~~ may include in the cost payable by  
23 it the cost of the construction of local streets and sidewalks in the area, or of grading  
24 and any other local public surface or subsurface facilities or any site improvements  
25 necessary for shaping the area as the site of the redevelopment of the area. The

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1 authority may arrange with the appropriate federal, state, county or city agencies  
2 for the reimbursement of such outlays from funds or assessments raised or levied for  
3 such these purposes.

4 **(10) HOUSING FOR DISPLACED FAMILIES; RELOCATION PAYMENTS.** ~~In connection with~~  
5 ~~every redevelopment plan, the~~ An authority shall formulate a feasible method for the  
6 temporary relocation of persons living in areas that are designated for clearance and  
7 redevelopment. ~~In addition, the~~ The authority shall prepare a plan which shall be  
8 ~~submitted for submittal~~ to the local legislative body for approval which shall assure  
9 that decent, safe and sanitary dwellings substantially equal in number to the  
10 number of substandard dwellings to be removed in carrying out the redevelopment  
11 are available or will be provided at rents or prices within the financial reach of the  
12 income groups displaced. The authority ~~is authorized to~~ may make relocation  
13 payments to or with respect to persons ( ~~including families, business concerns and~~  
14 ~~others~~), displaced by a project for moving expenses and losses of property for which  
15 reimbursement or compensation is not otherwise made, including the making of such  
16 payments financed by the federal government.

17 **(11) MODIFICATION OF REDEVELOPMENT PLAN.** (a) An approved project area  
18 redevelopment plan may be modified at any time after the lease or sale of all or part  
19 of the area or part thereof ~~provided that~~ if the modification is consented to by the  
20 lessee or purchaser, and ~~that the proposed modification is adopted by the authority~~  
21 ~~and then submitted to, and approved by,~~ the local legislative body ~~and approved by~~  
22 ~~it.~~ Before approval, the authority shall hold a public hearing on the proposed  
23 modification, and notice of the time and place of hearing shall be sent by mail at least  
24 10 days ~~prior to~~ before the hearing to the owners of the real properties in the project  
25 area and of the real properties immediately adjoining or across the street from the

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1 project area. The local legislative body may refer back to the authority any project  
2 area redevelopment plan, project area boundaries or modifications submitted to it,  
3 together with recommendations for changes in such the plan, boundaries or  
4 modification, and if such the recommended changes are adopted by the authority and  
5 ~~in turn~~ approved by the local legislative body, the plan, boundaries or modifications  
6 as thus changed shall be become the approved plan, boundaries or modification.

7 (b) Whenever the authority determines that a redevelopment plan with respect  
8 to a project area that has been approved and recorded in the register of deed's office  
9 is to be modified to permit land uses in the project area, other than those specified  
10 in the redevelopment plan, the authority shall notify all purchasers of property  
11 within the project area of the authority's intention to modify the redevelopment plan,  
12 and it shall hold a public hearing ~~with respect to~~ on the modification. Notice shall  
13 be given to the purchasers of the property by personal service at least 20 days ~~prior~~  
14 ~~to~~ before the holding of the public hearing, or if the purchasers cannot be found notice  
15 shall be given by registered mail to the purchasers at their last-known address.  
16 Notice of the public hearing shall also be given by publication as a class 2 notice,  
17 under ch. 985. The notice shall specify the project area and recite the proposed  
18 modification and its purposes. The public hearing ~~shall be merely~~ is advisory to the  
19 authority. ~~After~~ If the authority, following the public hearing, determines that the  
20 modification of the redevelopment plan will not affect the original objectives of the  
21 plan and that it will not produce conditions leading to a reoccurrence of slums ~~or~~  
22 blight within the project area, the authority may by resolution act to modify the plan  
23 to permit additional land uses in the project area, subject to approval by the  
24 legislative body by a two-thirds vote of the ~~members-elect~~ members-elect. If the local  
25 legislative body approves the modification to the redevelopment plan, an

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1 amendment to the plan containing the modification shall be recorded with the  
2 register of deeds of the county in which the project area is located and shall  
3 supplement the redevelopment plan previously recorded. Following the action with  
4 respect to modification of the redevelopment plan, the plan ~~shall be considered~~ is  
5 amended and no legal rights shall accrue to any person or to any owner of property  
6 in the project area by reason of the modification of the redevelopment plan.

7 (c) The provisions ~~herein~~ of this subsection shall be construed liberally to  
8 effectuate the its purposes hereof and substantial compliance ~~shall be deemed~~ is  
9 adequate. Technical omissions ~~shall do~~ not invalidate the procedure ~~set forth herein~~  
10 in this subsection with respect to acquisition of real property necessary or incidental  
11 to a redevelopment project.

12 **(12) LIMITATION UPON TAX EXEMPTION.** The real and personal property of the  
13 authority is declared to be public property used for essential public and  
14 governmental purposes, and ~~such~~ the property and an authority ~~shall be~~ are exempt  
15 from all taxes of the state or any state public body; ~~but the.~~ The city in which a  
16 redevelopment or urban renewal project is located may fix a sum to be paid annually  
17 in lieu of ~~such~~ taxes by the authority for the services, improvements or facilities  
18 furnished to the project by the city if the authority is financially able to do so, but ~~such~~  
19 the sum ~~shall~~ may not exceed the amount which would be levied as the annual tax  
20 of the city upon ~~such~~ the project. ~~However, no~~ No real property acquired under this  
21 section by a private company, corporation, individual, limited liability company or  
22 partnership, either by lease or purchase, ~~shall be~~ is exempt from taxation ~~by reason~~  
23 because of such the acquisition.

24 **(13) COOPERATION BY PUBLIC BODIES AND USE OF CITY FUNDS.** To assist any  
25 redevelopment or urban renewal project located in the area in which the authority

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1 is authorized to act, ~~any a~~ public body may, upon ~~such~~ terms as that it determines:  
2 furnish services or facilities, provide property, lend or contribute funds, and perform  
3 any other action of a character which it ~~is authorized to~~ may perform for other  
4 general purposes, and to enter into cooperation agreements and related contracts in  
5 furtherance of the purposes enumerated. ~~Any A~~ city and ~~any a~~ public body may levy  
6 taxes and assessments and appropriate ~~such~~ funds and make ~~such~~ expenditures as  
7 that may be necessary to carry out the purposes of this subsection, but taxes and  
8 assessments ~~shall~~ may not be levied under this subsection by a public body which ~~has~~  
9 ~~no power to~~ may not levy taxes and assessments for any other purpose.

10 (14) OBLIGATIONS. For the purpose of financially aiding an authority to carry  
11 out blight elimination, slum clearance and urban renewal programs and projects, the  
12 city in which the authority functions ~~is authorized, without limiting its authority~~  
13 ~~under any other law, to~~ may issue and sell general obligation bonds ~~in the manner~~  
14 ~~and in accordance with the provisions of~~ under ch. 67, except that no referendum  
15 ~~shall be~~ is required, and to may levy taxes without limitation for the payment ~~thereof~~  
16 of the bonds, as provided in s. 67.035. The bonds authorized under this subsection  
17 ~~shall be~~ are fully negotiable and except as provided in this subsection ~~shall~~ are not  
18 ~~be~~ subject to any other law or charter pertaining to the issuance or sale of bonds.

19 (15) BUDGET. The local legislative body shall approve the budget for each fiscal  
20 year of the authority, and ~~shall have the power to~~ may alter or modify any item of ~~said~~  
21 the budget relating to salaries, office operation or facilities.

22 (16) LEGAL SERVICES TO AUTHORITY. The legal department of ~~any a~~ city in which  
23 the authority functions can provide legal services to ~~such~~ the authority and a  
24 member of the legal department having the necessary qualifications may, subject to

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1 approval of the authority, be its counsel; ~~the.~~ The authority may also retain  
2 specialists to render legal services as required by it.

3 **(17)** CONSTRUCTION. This section shall be construed liberally to effectuate ~~the~~  
4 its purposes hereof and the enumeration therein in this section of specific powers  
5 shall does not operate to restrict the meaning of any general grant of power contained  
6 in this section or to exclude other powers comprehended in such the general grant.

7 **SECTION 447.** 66.432 of the statutes is renumbered 66.1011, and 66.1011 (title),  
8 (1), (2) and (3), as renumbered, are amended to read:

9 **66.1011 (title) Local equal opportunities for housing. (1)** DECLARATION  
10 OF POLICY. The right of all persons to have equal opportunities for housing regardless  
11 of their sex, race, color, physical condition, disability as defined in s. 106.04 (1m) (g),  
12 sexual orientation as defined in s. 111.32 (13m), religion, national origin, marital  
13 status, family status as defined in s. 106.04 (1m) (k), lawful source of income, age or  
14 ancestry is a matter both of statewide concern under ss. 101.132 and 106.04 and also  
15 of local interest under this section and s. ~~66.433~~ 66.0125. The enactment of ss.  
16 101.132 and 106.04 by the legislature shall does not preempt the subject matter of  
17 equal opportunities in housing from consideration by political subdivisions, and  
18 shall does not exempt political subdivisions from their duty, nor deprive them of their  
19 right, to enact ordinances which prohibit discrimination in any type of housing solely  
20 on the basis of an individual being a member of a protected class.

21 **(2)** ANTIDISCRIMINATION HOUSING ORDINANCES. Political subdivisions may enact  
22 ordinances prohibiting discrimination in housing within their respective boundaries  
23 solely on the basis of an individual being a member of a protected class. ~~Such an~~ An  
24 ordinance may be similar to ss. 101.132 and 106.04 (1) to (8) or may be more inclusive  
25 in its terms or in respect to the different types of housing subject to its provisions;

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1 ~~but any such.~~ An ordinance establishing a forfeiture as a penalty for violation shall  
2 may not be for an amount that is less than the statutory forfeitures under s. 106.04.  
3 ~~Such an~~ An ordinance may permit a complainant, aggrieved person or respondent  
4 to elect to remove the action to circuit court after a finding has been made that there  
5 is reasonable cause to believe that a violation of the ordinance has occurred. ~~Such~~  
6 ~~an~~ An ordinance may also authorize the political subdivision, at any time after a  
7 complaint has been filed alleging an ordinance violation, to file a complaint in circuit  
8 court seeking a temporary injunction or restraining order pending final disposition  
9 of the complaint.

10 **(3) CONTINGENCY RESTRICTION.** No political subdivision shall may enact an  
11 ordinance under sub. (2), ~~which~~ that contains a provision making its effective date  
12 or the operation of any of its provisions contingent on the enactment of an ordinance  
13 on the same or similar subject matter by one or more other political subdivisions.

14 **SECTION 448.** 66.4325 of the statutes is renumbered 66.1335, and 66.1335 (1)  
15 (intro.) and (a), (2) (intro.), (3), (4), (5) (intro.), (a), (b), (c), (e) and (f) and (5m) to (7),  
16 as renumbered, are amended to read:

17 66.1335 **(1) AUTHORIZATION.** (intro.) ~~Any~~ A city may, by a two-thirds vote of the  
18 members of the city council present at the meeting, adopt an ordinance or resolution  
19 creating a housing and community development authority which shall be known as  
20 the “Community Development Authority” of ~~such~~ the city. It ~~shall be deemed~~ is a  
21 separate body politic for the purpose of carrying out blight elimination, slum  
22 clearance, urban renewal programs and projects and housing projects. The  
23 ordinance or resolution creating a housing and community development authority  
24 may also authorize ~~such~~ the authority to act as the agent of the city in planning and  
25 carrying out community development programs and activities approved by the

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1 mayor and common council under the federal housing and community development  
2 act of 1974 and as agent to perform all acts, except the development of the general  
3 plan of the city, which may be otherwise performed by the planning commission  
4 under ~~s. 66.405~~ s. 66.1105, 66.1301 to 66.425, 66.43, 66.435 or 66.46 66.1329, 66.1331  
5 or 66.1337. A certified copy of ~~such~~ the ordinance or resolution shall be transmitted  
6 to the mayor. The ordinance or resolution shall also do all of the following:

7 (a) Provide that any redevelopment authority created under s. ~~66.431~~ 66.1333  
8 operating in ~~such~~ the city and any housing authority created under s. ~~66.40~~ 66.1201  
9 operating in ~~such~~ the city, shall terminate its operation as provided in sub. (5); ~~and~~.

10 (2) APPOINTMENT OF MEMBERS. (intro.) Upon receipt of a certified copy of ~~such~~  
11 the ordinance or resolution, the mayor shall, with the confirmation of the council,  
12 appoint 7 resident persons having sufficient ability and experience in the fields of  
13 urban renewal, community development and housing, as commissioners of the  
14 community development authority.

15 (3) EVIDENCE OF AUTHORITY. The filing of a certified copy of the ordinance or  
16 resolution referred to in sub. (1) with the city clerk ~~shall be~~ is prima facie evidence  
17 of the community development authority's right to transact business and ~~such~~ the  
18 ordinance or resolution is not subject to challenge because of any technicality. In any  
19 a suit, action or proceeding commenced against the community development  
20 authority, a certified copy of ~~such~~ the ordinance or resolution is conclusive evidence  
21 that ~~such~~ the community development authority is established and authorized to  
22 transact business and exercise its powers under this section.

23 (4) POWERS AND DUTIES. The community development authority ~~shall have~~ has  
24 all powers, duties and functions set out in ss. ~~66.40~~ 66.1201 and ~~66.431~~ 66.1333 for  
25 housing and redevelopment authorities ~~and as~~. As to all housing projects initiated

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1 by the community development authority it shall proceed under s. ~~66.40~~ 66.1201, and  
2 as to all projects relating to blight elimination, slum clearance, urban renewal and  
3 redevelopment programs it shall proceed under s. ~~66.405~~ ss. 66.1105, 66.1301 to  
4 ~~66.425, 66.43, 66.431, 66.435~~ or ~~66.46~~ 66.1329, 66.1331, 66.1333 or 66.1337 as  
5 determined appropriate by the common council on a project by project basis. As to  
6 all community development programs and activities undertaken by the city under  
7 the federal housing and community development act of 1974, the community  
8 development authority shall proceed under all applicable laws and ordinances not  
9 inconsistent with the laws of this state. In addition, if provided in the resolution or  
10 ordinance, the community development authority may act as agent of the city to  
11 perform all acts, except the development of the general plan of the city, which may  
12 be otherwise performed by the planning commission under s. ~~66.405~~ ss. 66.1105,  
13 66.1301 to ~~66.425, 66.43, 66.435~~ or ~~66.46~~ 66.1329, 66.1331 or 66.1337.

14 (5) TERMINATION OF HOUSING AND REDEVELOPMENT AUTHORITIES. (intro.) Upon the  
15 adoption of an ordinance or resolution creating a community development authority,  
16 all housing and redevelopment authorities previously created in ~~such~~ the city under  
17 ~~ss. 66.40~~ 66.1201 and ~~66.431~~ shall 66.1333 terminate.

18 (a) Any programs and projects which have been begun by housing and  
19 redevelopment authorities shall, upon adoption of ~~such~~ the ordinance or resolution,  
20 be transferred to and completed by the community development authority. Any  
21 procedures, hearings, actions or approvals taken or initiated by the redevelopment  
22 authority under s. ~~66.431~~ 66.1333 on pending projects ~~is~~ are deemed to have been  
23 taken or initiated by the community development authority as ~~though~~ if the  
24 community development authority had originally undertaken ~~such~~ the procedures,  
25 hearings, actions or approvals.

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1 (b) Any form of indebtedness issued by a housing or redevelopment authority  
2 shall, upon the adoption of such the ordinance or resolution, be assumed by the  
3 community development authority except as indicated in par. (e).

4 (c) Upon the adoption of such the ordinance or resolution, all contracts entered  
5 into between the federal government and a housing or redevelopment authority, or  
6 between such these authorities and other parties shall be assumed and discharged  
7 by the community development authority except for the termination of operations by  
8 housing and redevelopment authorities. Housing and redevelopment authorities  
9 may execute any agreements contemplated by this subsection. Contracts for  
10 disposition of real property entered into by the redevelopment authority with respect  
11 to any project ~~shall be~~ are deemed contracts of the community development authority  
12 without the requirement of amendments ~~thereto~~ to the contracts. Contracts entered  
13 into between the federal government and the redevelopment authority or the  
14 housing authority ~~shall~~ bind the community development authority in the same  
15 manner as ~~though~~ if originally entered into by the community development  
16 authority.

17 (e) A housing authority which has outstanding bonds or other securities that  
18 require the operation of the housing authority in order to fulfill its commitments with  
19 respect to the discharge of principal or interest or both, may continue in existence  
20 solely for such that purpose. The ordinance or resolution creating the community  
21 development authority shall delineate the duties and responsibilities which shall  
22 devolve upon the housing authority with respect ~~thereto~~ to that purpose.

23 (f) The termination of housing and redevelopment authorities pursuant to this  
24 section ~~shall~~ is not be subject to s. ~~66.40~~ 66.1201 (26).

**ASSEMBLY BILL 710****SECTION 448**

1           **(5m)** TAX EXEMPTION. Community development authority bonds issued on or  
2 after January 28, 1987, are declared to be issued for an essential public and  
3 governmental purpose and to be public instrumentalities and, together with interest  
4 ~~thereon~~ on the bonds and income ~~therefrom~~ from the bonds, are exempt from taxes.

5           **(6)** CONTROLLING STATUTE. The powers conferred under this section ~~shall be~~ are  
6 in addition and supplemental to the powers conferred by any other law. ~~Insofar as~~  
7 To the extent that this section is inconsistent with any other law, this section ~~shall~~  
8 ~~control~~ controls.

9           **(7)** CONSTRUCTION. This section shall be construed liberally to effectuate its  
10 purposes and the enumeration of specific powers ~~herein~~ in this section does not  
11 restrict the meaning of any general grant of power contained in this section nor does  
12 it exclude other powers comprehended in such the general grant.

13           **SECTION 449.** 66.433 of the statutes is renumbered 66.0125, and 66.0125 (1),  
14 (2), (3) (a) and (c) 1., 3. and 4., (4) and (7), as renumbered, are amended to read:

15           66.0125 **(1)** DEFINITION. ~~“Municipality” as used herein~~ In this section, “local  
16 governmental unit” means a city, village, town, school district or county.

17           **(2)** CREATION. Each ~~municipality~~ local governmental unit is authorized and  
18 urged to either establish by ordinance a community relations–social development  
19 commission or to participate in ~~such~~ a commission established on an  
20 intergovernmental basis within the county ~~pursuant to~~ under enabling ordinances  
21 adopted by the participating ~~municipalities; but a~~ local governmental units. A school  
22 district may establish or participate in ~~such~~ a commission by resolution ~~instead of~~  
23 ~~by ordinance.~~ Such. An intergovernmental commission may be established in  
24 cooperation with ~~any~~ a nonprofit corporation located in the county and composed  
25 primarily of public and private welfare agencies devoted to any of the purposes set

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1     forth in this section. ~~Every such~~ An ordinance or resolution establishing a  
2     commission shall substantially embody the language of sub. (3). Each ~~municipality~~  
3     local governmental unit may appropriate money to defray the expenses of such ~~the~~  
4     commission. If ~~such~~ the commission is established on an intergovernmental basis  
5     within the county, the provisions of s. ~~66.30~~ 66.0301, relating to local cooperation, are  
6     ~~applicable thereto~~ apply as optional authority and may be utilized by participating  
7     ~~municipalities~~ local governmental units to effectuate the purposes of this section, but  
8     a contract between ~~municipalities~~ local governmental units is not necessary for the  
9     joint exercise of any power authorized for the joint performance of any duty required  
10    ~~herein~~ in this section.

11           **(3)** (a) The purpose of the commission is to study, analyze and recommend  
12    solutions for the major social, economic and cultural problems which affect people  
13    residing or working within the ~~municipality~~ local governmental unit including,  
14    without restriction because of enumeration, problems of the family, youth,  
15    education, the aging, juvenile delinquency, health and zoning standards, and  
16    discrimination in housing, employment and public accommodations and facilities on  
17    the basis of sex, class, race, religion, sexual orientation or ethnic or minority status.

18           (c) 1. Recommend to the ~~municipal~~ local governmental unit's governing body  
19    and chief executive or administrative officer the enactment of such ordinances or  
20    other action as they deem necessary:

21           a. To establish and keep in force proper health standards for the community  
22    and beneficial zoning for the community area in order to facilitate the elimination  
23    of ~~blighted areas~~, and to prevent the start and spread of such, blighted areas;.

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1           b. To ensure to all ~~municipal~~ residents of a local governmental unit, regardless  
2 of sex, race, sexual orientation or color, the rights to possess equal housing  
3 accommodations and to enjoy equal employment opportunities.

4           3. Examine the need for, initiate, participate in and promote publicly and  
5 privately sponsored studies and programs in any field of human relationship which  
6 that will aid in accomplishing the ~~foregoing objectives, and initiate such public~~  
7 ~~programs and studies and participate in and promote such privately sponsored~~  
8 ~~programs and studies~~ purposes and duties of the commission.

9           4. Have authority to conduct public hearings within the ~~municipality~~ local  
10 governmental unit and to administer oaths to persons testifying before it.

11           **(4) COMPOSITION OF COMMISSION.** The commission shall be nonpartisan and  
12 composed of citizens residing in the ~~municipality~~ local governmental unit, including  
13 representatives of the clergy and minority groups, ~~and the composition thereof,~~  
14 ~~number and.~~ The composition of the commission and the method of appointing and  
15 removing the commission members thereof shall be determined by the governing  
16 body of the municipality local governmental unit creating or participating in the  
17 commission. Notwithstanding s. 59.10 (4) or ~~66.11~~ 66.0501 (2), a member of ~~such the~~  
18 local governmental unit's governing body may serve on the commission, except that  
19 a county board member in a county having a population over 500,000 may not accept  
20 compensation for serving on the commission. Of the persons first appointed,  
21 one-third shall hold office for one year, one-third for 2 years, and one-third for 3  
22 years from the first day of February next following their appointment, and until their  
23 respective successors are appointed and qualified. All succeeding terms shall be for  
24 3 years. Any vacancy shall be filled for the unexpired term in the same manner as

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1 original appointments. Every person appointed as a member of the commission shall  
2 take and file the official oath.

3 **(7) DESIGNATION OF COMMISSIONS AS COOPERATING AGENCIES UNDER FEDERAL LAW.**

4 (a) The commission may be the official agency of the ~~municipality~~ local governmental  
5 unit to accept assistance under title II of the federal economic opportunity act of  
6 1964. No assistance shall be accepted with respect to any matter to which objection  
7 is made by the legislative body creating ~~such~~ the commission, but if the commission  
8 is established on an intergovernmental basis and ~~such~~ objection is made by any  
9 participating legislative body ~~said~~, assistance may be accepted with the approval of  
10 a majority of the legislative bodies participating in ~~such~~ the commission.

11 (b) The commission may be the official agency of the ~~municipality~~ local  
12 governmental unit to accept assistance from the community relations service of the  
13 U.S. department of justice under title X of the federal civil rights act of 1964 to  
14 provide assistance to communities in resolving disputes, disagreements or  
15 difficulties relating to discriminatory practices based on sex, race, color or national  
16 origin which may impair the rights of persons in the ~~municipality~~ local governmental  
17 unit under the constitution or laws of the United States or which affect or may affect  
18 interstate commerce.

19 **SECTION 450.** 66.434 (title) of the statutes is repealed.

20 **SECTION 451.** 66.434 of the statutes is renumbered 46.30 (5) and amended to  
21 read:

22 **46.30 (5) CITY, VILLAGE OR TOWN ASSISTANCE.** A city, village or town may  
23 appropriate funds for promoting and assisting ~~any a~~ a community action agency ~~under~~  
24 ~~s. 46.30.~~

**ASSEMBLY BILL 710****SECTION 452**

1           **SECTION 452.** 66.435 of the statutes is renumbered 66.1337, and 66.1337 (2),  
2 (2m) (a) (intro.), 2. and 4. and (b) and (3) to (7), as renumbered, are amended to read:

3           66.1337 **(2)** FINDINGS. It is hereby found and declared that there exists in  
4 municipalities of the state slum, blighted and deteriorated areas which constitute a  
5 serious and growing menace injurious to the public health, safety, morals and  
6 welfare of the residents of the state, and the findings and declarations made before  
7 August 3, 1955 in s. ~~66.43 (2)~~ 66.1331 are in all respects affirmed and restated; that  
8 ~~while certain. Certain~~ slum, blighted or deteriorated areas, ~~or portions thereof,~~ may  
9 require acquisition and clearance, as provided in s. ~~66.43~~ 66.1331, since the  
10 prevailing condition of decay may make impracticable the reclamation of the area by  
11 conservation or rehabilitation in ~~such~~ a manner that eliminates, remedies or  
12 prevents the conditions and evils ~~hereinbefore enumerated may be eliminated,~~  
13 ~~remedied or prevented, and to~~ of these areas. To the extent feasible salvable slum  
14 and blighted areas should be conserved and rehabilitated through voluntary action  
15 and the regulatory process; ~~and all.~~ All acts and purposes provided for by this section  
16 are for and constitute public uses and are for and constitute public purposes, ~~and that~~  
17 ~~moneys.~~ Moneys expended in connection with such powers under this section are  
18 ~~declared to be~~ for public purposes and to preserve the public interest, safety, health,  
19 morals and welfare. Any municipality in carrying out the provisions of this section  
20 shall afford maximum opportunity consistent with the sound needs of the  
21 municipality as a whole to the rehabilitation or redevelopment of areas by private  
22 enterprise.

23           **(2m)** (a) (intro.) “Rehabilitation or conservation work” ~~may include~~ includes  
24 any of the following:

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1           2. Acquisition of real property and demolition, removal or rehabilitation of  
2 buildings and improvements ~~thereon~~ on the property where necessary to eliminate  
3 unhealthful, unsanitary or unsafe conditions, lessen density, reduce traffic hazards,  
4 eliminate obsolete or other uses detrimental to the public welfare, ~~or~~ to otherwise  
5 remove or prevent the spread of blight or deterioration, or to provide land for needed  
6 public facilities.

7           4. The disposition, for uses in accordance with the objectives of the urban  
8 renewal project, of any property ~~or part thereof~~ acquired in the area of the project.  
9 The disposition shall be in the manner prescribed in this section for the disposition  
10 of property in a redevelopment project area.

11           (b) “Urban renewal project” ~~may include~~ includes undertakings and activities  
12 for the elimination and for the prevention of the development or spread of slums or  
13 blighted, deteriorated or deteriorating areas and may involve any work or  
14 undertaking for such this purpose constituting a redevelopment project or any  
15 rehabilitation or conservation work, or any combination of such the undertaking or  
16 work.

17           **(3) URBAN RENEWAL PROJECTS.** ~~In addition to its authority under any other~~  
18 ~~section, a~~ A municipality ~~is authorized to~~ may plan and undertake urban renewal  
19 projects.

20           **(4) WORKABLE PROGRAM.** (a) 1. The governing body of the municipality, or such  
21 the public officer or public body as that it designates, including a housing authority  
22 organized and created under s. ~~66.40~~ 66.1201, a redevelopment authority created  
23 under s. ~~66.431~~ 66.1333 or a community development authority created under s.  
24 ~~66.4325, is authorized to~~ 66.1335, may prepare a workable program for utilizing  
25 appropriate private and public resources to eliminate, and prevent the development

**ASSEMBLY BILL 710****SECTION 452**

1 or spread of, slums and urban blight and deterioration, to encourage needed urban  
2 rehabilitation, to provide for the redevelopment of blighted, deteriorated or slum  
3 areas, or to undertake those activities or other feasible activities that may be suitably  
4 employed to achieve ~~the~~ these objectives ~~of such a program~~. The governing body may  
5 by resolution or ordinance provide the specific means by which a workable program  
6 can be effectuated and may confer upon its officers and employes the power required  
7 to carry out a program of rehabilitation and conservation for the restoration and  
8 removal of blighted, deteriorated or deteriorating areas. If a municipality finds that  
9 there exists in the municipality dwellings or other structures that are unfit for  
10 human habitation due to dilapidation, defects that increase the hazards of fire,  
11 accidents or other calamities, lack of ventilation, light or sanitary facilities or other  
12 conditions, rendering the dwellings or other structures unsanitary, dangerous or  
13 detrimental to the health, safety or morals, or otherwise inimical to the welfare of  
14 the residents of the municipality, the municipality may enact the resolutions or  
15 ordinances that it considers appropriate and effectual in order to prevent those  
16 conditions and may require ~~or cause~~ the repair, closing, demolition or removal of the  
17 dwellings or other structures. ~~For the purposes of the resolutions or ordinances, a~~  
18 “dwelling”

19 2. In this subsection:

20 a. “Dwelling” means any building, structure or part of the building or structure  
21 that is used and occupied for human habitation or intended to be so used and includes  
22 any appurtenances belonging to it or usually enjoyed with it. ~~The term “structure”~~  
23 also

24 b. “Structure” includes fences, garages, sheds, and any type of store or  
25 commercial, industrial or manufacturing building.

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1           3. The ordinances or resolutions under subd. 1. shall require that, if there are  
2 reasonable grounds to believe that there has been a violation of the ordinances or  
3 resolutions, notice of the alleged violation shall be given to the alleged responsible  
4 person by appropriately designated public officers or employees of ~~such~~ the  
5 municipality. Every such notice shall be in writing; include a description of the real  
6 estate sufficient for identification; include a statement of the reason for issuance;  
7 specify a time for the performance of any act that the notice requires; and be served  
8 upon the alleged responsible person. The notice of violation is properly served on the  
9 person if a copy of it is delivered to the person personally; is left at the person's usual  
10 place of abode, in the presence of someone in the family of suitable age and discretion  
11 who shall be informed of the contents of the notice; is sent by registered mail or by  
12 certified mail with return receipt requested to the person's last-known address; or,  
13 if the registered or certified letter with the copy of the notice is returned showing the  
14 letter has not been delivered to the person, by posting a copy of the notice in a  
15 conspicuous place in or about the dwelling or other structure affected by the notice.

16 ~~Any~~

17           4. A person affected by ~~such~~ a notice under subd. 3. may request and shall be  
18 granted a hearing on the matter before a board or commission established by the  
19 governing body of ~~such~~ the municipality or before a local health officer. The person  
20 shall file in the office of the designated board or commission or the local health officer  
21 a written petition requesting the hearing and setting forth a statement of the  
22 grounds for it within 20 days after the day the notice was served. Within 10 days  
23 after receipt of the petition, the designated board or commission or the local health  
24 officer shall set a time and place for the hearing and shall give the petitioner written  
25 notice of it. At the hearing the petitioner ~~shall have an opportunity to~~ may be heard

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1 and to show cause why the notice should be modified or withdrawn. The hearing  
2 before the designated board or commission or the local health officer shall be  
3 commenced not later than 30 days after the date on which the petition was filed.  
4 Upon written application of the petitioner to the designated board or commission or  
5 the local health officer, the date of the hearing may be postponed for a reasonable  
6 time beyond the 30-day period, if, in the judgment of the board, commission or local  
7 health officer, the petitioner has submitted a good and sufficient reason for such a  
8 postponement. Any notice served under this section ~~shall become~~ becomes an order  
9 if a written petition for a hearing is not filed in the office of the designated board or  
10 commission or the local health officer within 20 days after such ~~the~~ notice is served.  
11 The designated board or commission or the local health officer may administer oaths  
12 and affirmations ~~in connection with the conduct of any hearing held under this~~  
13 ~~section.~~

14 5. After the hearing the designated board or commission or the local health  
15 officer shall sustain, modify or cancel the notice given under subd. 3., depending  
16 upon its findings as to whether the provisions of the resolutions or ordinances have  
17 been complied with. The designated board or commission or the local health officer  
18 may also modify any notice so as to authorize a variance from the provisions of the  
19 resolutions or ordinances when, because of special conditions, enforcement of the  
20 provisions of the resolutions or ordinances will result in practical difficulty or  
21 unnecessary hardship, if the intent of the resolutions or ordinances will be observed  
22 and public health and welfare secured. If the designated board or commission or the  
23 local health officer sustains or modifies the notice, the sustained or modified notice  
24 is an order, and the persons affected by the order shall comply with all provisions of  
25 the order within a reasonable period of time, as determined by the board, commission

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1 or local health officer. The proceedings at the hearing, including the findings and  
2 decisions of the board, commission or local health officer, shall be reduced to writing  
3 and entered as a matter of public record in the office of the board, commission or local  
4 health officer. The record shall also include a copy of every notice or order issued in  
5 connection with the matter. A copy of the written decision of the board, commission  
6 or local health officer shall then be served, in the same manner prescribed for service  
7 of notice under subd. 3., on the person who filed the petition for hearing.

8 6. If the local health officer finds that an emergency exists that requires  
9 immediate action to protect the public health, the local health officer may, without  
10 notice or hearing, issue an order reciting the existence of ~~such an~~ the emergency and  
11 requiring that action be taken that the local health officer determines is necessary  
12 to meet the emergency. This order ~~shall be~~ is effective immediately. Any person to  
13 whom the order is directed shall comply with it, but shall be afforded a hearing as  
14 specified in this ~~section~~ subsection if the person immediately files a written petition  
15 with the local health officer requesting the hearing. After the hearing, depending  
16 upon the findings of the local health officer as to whether an emergency still exists  
17 that requires immediate action to protect the public health, the local health officer  
18 shall continue the order in effect or modify or revoke it.

19 (b) ~~Any~~ A person aggrieved by the determination of ~~any~~ a board, commission  
20 or local health officer, following review of an order issued under this ~~section~~  
21 subsection, may appeal directly to the circuit court of the county in which the  
22 dwelling or other structure is located by filing a petition for review with the clerk of  
23 the circuit court within 30 days after a copy of the order of the board, commission or  
24 local health officer has been served upon the person. The petition shall state the  
25 substance of the order appealed from and the grounds upon which the person

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1 believes the order to be improper. A copy of the petition shall be served upon the  
2 board, commission or local health officer whose determination is appealed. The copy  
3 shall be served personally or by registered or certified mail within the 30-day period  
4 provided in this paragraph. A reply or answer shall be filed by the board, commission  
5 or local health officer within 15 days after the receipt of the petition. A copy of the  
6 written proceedings of the hearing held by the board, commission or local health  
7 officer which led to service of the order being appealed shall be included with the  
8 reply or answer when filed. If it appears to the court that the petition is filed for  
9 purposes of delay, the court shall, upon application of the municipality, promptly  
10 dismiss the petition. Either party to the proceedings may ~~then~~ petition the court for  
11 an immediate hearing on the order. The court shall review the order and the copy  
12 of written proceedings of the hearing conducted by the board, commission or local  
13 health officer, shall take testimony that the court determines is appropriate, and,  
14 following a hearing upon the order without a jury, shall make its determination. If  
15 the court affirms the determination made by the board, commission or local health  
16 officer, the court shall fix a time within which the order appealed from ~~shall become~~  
17 becomes operative.

18 **(5) GENERAL POWERS CONFERRED UPON MUNICIPALITIES.** The governing body of  
19 ~~any a municipality shall have and there is hereby expressly conferred upon it~~ has all  
20 powers necessary and incidental to effect a program of urban renewal, including  
21 functions with respect to rehabilitation and conservation for the restoration and  
22 removal of blighted, deteriorated or deteriorating areas, and ~~such~~ the local governing  
23 body ~~is hereby authorized to~~ may adopt such resolutions or ordinances ~~as may be~~  
24 required for the purpose of carrying out that program and the objectives and  
25 purposes of this section. In connection with the planning, undertaking and financing

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1 of the urban renewal program or projects, the governing body of any municipality  
2 and all public officers, agencies and bodies shall have all the rights, powers,  
3 privileges and immunities which they have with respect to a redevelopment project  
4 under s. ~~66.43~~ 66.1331.

5 (6) ASSISTANCE TO URBAN RENEWAL BY MUNICIPALITIES AND OTHER PUBLIC BODIES.  
6 Any A public body ~~is authorized to~~ may enter into agreements, which may extend  
7 over any period notwithstanding any provision or rule of law to the contrary, with any  
8 other public body ~~or bodies~~ respecting action to be taken pursuant to any of the  
9 powers granted by this section, including the furnishing of funds or other assistance  
10 in connection with an urban renewal plan or urban renewal project.

11 (7) POWERS HEREIN GRANTED TO BE SUPPLEMENTAL AND NOT IN DEROGATION. (a)  
12 Nothing in this section ~~shall~~ may be construed to abrogate or impair the powers of  
13 the courts or of any department of any municipality to enforce any provisions of its  
14 charter ~~or its~~ ordinances or regulations, nor to prevent or punish violations thereof  
15 of its charter, ordinances or regulations.

16 (b) Nothing in this section ~~shall~~ may be construed to impair or limit ~~in any way~~  
17 the power of the municipality to define and declare nuisances and to cause their  
18 removal or abatement, by summary proceedings or otherwise.

19 (c) The powers conferred by this section ~~shall be~~ are in addition and  
20 supplemental to the powers conferred by any other law; ~~and this~~. This section shall  
21 be construed liberally to effectuate the its purposes hereof and the its enumeration  
22 therein of specific powers ~~shall~~ does not operate to restrict the meaning of any  
23 general grant of power contained in this section or to exclude other powers  
24 comprehended in such the general grant.

**ASSEMBLY BILL 710****SECTION 453**

1           **SECTION 453.** 66.436 of the statutes is renumbered 66.1339 and amended to  
2 read:

3           **66.1339 Villages to have certain city powers.** Villages shall have all of the  
4 powers of cities under ss. ~~66.395~~ 66.1105, 66.1201 to ~~66.425, 66.43, 66.431, 66.4325,~~  
5 ~~66.435 and 66.46~~ 66.1329 and 66.1331 to 66.1337.

6           **SECTION 454.** 66.437 of the statutes is renumbered 66.1341 and amended to  
7 read:

8           **66.1341 Towns to have certain city powers.** Towns shall have all of the  
9 powers of cities under ss. ~~66.40 to 66.425, 66.43, 66.431, 66.4325, 66.505 and 66.508~~  
10 66.0923, 66.0925, 66.1201 to 66.1329 and 66.1331 to 66.1335, except the powers  
11 under s. ~~66.40~~ 66.1201 (10) and any other powers that conflict with statutes relating  
12 to towns and town boards.

13           **SECTION 455.** 66.44 of the statutes is repealed.

NOTE: Repealed as no longer necessary. The section authorizes housing  
authorities to develop and administer housing projects to provide housing for  
persons and their families engaged in war industries or activities.

14           **SECTION 456.** 66.45 of the statutes is renumbered 66.0315 and amended to  
15 read:

16           **66.0315 Municipal cooperation; federal rivers, harbors or water**  
17 **resources projects.** Any A county, town, city or village acting under its powers and  
18 in conformity with state law may enter into an agreement with an agency of the  
19 federal government to cooperate in the construction, operation or maintenance of  
20 any federally authorized rivers, harbors or water resources management or control  
21 project or to assume any potential liability appurtenant to ~~such~~ a project and may  
22 do all things necessary to consummate the agreement. If ~~such~~ a project will affect  
23 more than one municipality, the municipalities affected may jointly enter into ~~such~~

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1 an agreement under this section with an agency of the federal government carrying  
2 such any terms and provisions concerning the division of costs and responsibilities  
3 as may be that are mutually agreed upon. The affected municipalities ~~concerned~~  
4 may by agreement submit any determinations of the division of construction costs,  
5 responsibilities, or any other liabilities among them to an arbitration board. The  
6 determination of ~~such a~~ the arbitration board shall be final. This section shall not  
7 be construed as a grant or delegation of power or authority to any county, town, city,  
8 village or other local municipality to do any work in or place any structures in or on  
9 any navigable water except as it is otherwise expressly authorized by state law to do.

10 **SECTION 457.** 66.46 (title), (1) and (2) (intro.), (a) to (e) and (f) 1. (intro.) and a.  
11 to k. of the statutes are renumbered 66.1105 (title), (1) and (2) (intro.), (a) to (e) and  
12 (f) 1. (intro.) and a. to k., and 66.1105 (2) (a) 1. b., (e) and (f) 1. (intro.), b. and h., as  
13 renumbered, are amended to read:

14 66.1105 (2) (a) 1. b. An area which is predominantly open and which consists  
15 primarily of an abandoned highway corridor, as defined in s. ~~66.431~~ 66.1333 (2m) (a),  
16 or that consists of land upon which buildings or structures have been demolished and  
17 which because of obsolete platting, diversity of ownership, deterioration of  
18 structures or of site improvements, or otherwise, substantially impairs or arrests the  
19 sound growth of the community.

20 (e) “Planning commission” means a plan commission created under s. 62.23, a  
21 board of public land commissioners if the city has no plan commission, or a city plan  
22 committee of the local legislative body, if the city has neither ~~such~~ a commission nor  
23 ~~such~~ a board.

24 (f) 1. (intro.) “Project costs” mean any expenditures made or estimated to be  
25 made or monetary obligations incurred or estimated to be incurred by the city which

**ASSEMBLY BILL 710****SECTION 457**

1 are listed in a project plan as costs of public works or improvements within a tax  
2 incremental district or, to the extent provided in subd. 1. k., without the district, plus  
3 any incidental costs ~~incidental thereto~~, diminished by any income, special  
4 assessments, or other revenues, including user fees or charges, other than tax  
5 increments, received or reasonably expected to be received by the city in connection  
6 with the implementation of the plan. For any tax incremental district for which a  
7 project plan is approved on or after July 31, 1981, only a proportionate share of the  
8 costs permitted under this subdivision may be included as project costs to the extent  
9 that they benefit the tax incremental district. To the extent the costs benefit the  
10 municipality outside the tax incremental district, a proportionate share of the cost  
11 is not a project cost. ~~The project costs~~ “Project costs” include, ~~but are not limited to:~~

12 b. Financing costs, including, but not limited to, all interest paid to holders of  
13 evidences of indebtedness issued to pay for project costs and any premium paid over  
14 the principal amount ~~thereof~~ of the obligations because of the redemption of ~~such the~~  
15 obligations prior to maturity.

16 h. The amount of any contributions made under s. ~~66.431~~ 66.1333 (13) in  
17 connection with the implementation of the project plan.

18 **SECTION 458.** 66.46 (2) (f) 1. L. of the statutes, as created by 1999 Wisconsin  
19 Act 9, is renumbered 66.1105 (2) (f) 1. L.

20 **SECTION 459.** 66.46 (2) (f) 2. and 3. and (g) to (m), (3) and (4) (intro.) and (a) to  
21 (gs) of the statutes are renumbered 66.1105 (2) (f) 2. and 3. and (g) to (m), (3) and (4)  
22 (intro.) and (a) to (gs), and 66.1105 (2) (i) and (j), (3) (a), (b), (e) and (f) and (4) (a), (b),  
23 (c), (e), (f) and (gm) 1. to 3. and 4. a. and b., as renumbered, are amended to read:

24 66.1105 (2) (i) “Tax increment” means that amount obtained by multiplying the  
25 total county, city, school and other local general property taxes levied on all taxable

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1 property within a tax incremental district in a year by a fraction having as a  
2 numerator the value increment for that year in such the district and as a  
3 denominator that year's equalized value of all taxable property in the district. In any  
4 year, a tax increment is "positive" if the value increment is positive; it is "negative"  
5 if the value increment is negative.

6 (j) "Tax incremental base" means the aggregate value, as equalized by the  
7 department of revenue, of all taxable property located within a tax incremental  
8 district on the date as of which such the district is created, determined as provided  
9 in sub. (5) (b). The base of districts created before October 1, 1980, ~~shall exclude~~ does  
10 not include the value of property exempted under s. 70.111 (17).

11 **(3)** (a) Create tax incremental districts and to define the boundaries of such the  
12 districts;

13 (b) Cause project plans to be prepared, to approve such the plans, and to  
14 implement the provisions and effectuate the purposes of such the plans;

15 (e) Enter into any contracts or agreements, including agreements with  
16 bondholders, determined by the local legislative body to be necessary or convenient  
17 to implement the provisions and effectuate the purposes of project plans. ~~Such~~ The  
18 contracts or agreements may include conditions, restrictions, or covenants which  
19 either run with the land or which otherwise regulate the use of land.

20 (f) Designate, by ordinance or resolution, the local housing authority, the local  
21 redevelopmental authority, or both jointly, or the local community development  
22 authority, as agent of the city, to perform all acts, except the development of the  
23 master plan of the city, which are otherwise performed by the planning commission  
24 under this section and s. ~~66.435~~ 66.1337.

**ASSEMBLY BILL 710****SECTION 459**

1           **(4)** (a) Holding of a public hearing by the planning commission at which  
2 interested parties are afforded a reasonable opportunity to express their views on the  
3 proposed creation of a tax incremental district and the proposed boundaries thereof  
4 of the district. Notice of ~~such~~ the hearing shall be published as a class 2 notice, under  
5 ch. 985. ~~Prior to such~~ Before publication, a copy of the notice shall be sent by first  
6 class mail to the chief executive officer or administrator of all local governmental  
7 entities having the power to levy taxes on property located within the proposed  
8 district and to the school board of any school district which includes property located  
9 within the proposed district. For ~~any~~ a county with no chief executive officer or  
10 administrator, ~~this~~ notice shall be sent to the county board chairperson.

11           (b) Designation by the planning commission of the boundaries of a tax  
12 incremental district recommended by it ~~to be created~~ and submission of ~~such~~ the  
13 recommendation to the local legislative body.

14           (c) Identification of the specific property to be included under par. (gm) 4. as  
15 blighted or in need of rehabilitation or conservation work. Owners of the property  
16 identified shall be notified of the proposed finding and the date of the hearing to be  
17 held under par. (e) at least 15 days prior to the date of the hearing. In cities with a  
18 redevelopment authority under s. ~~66.431~~ 66.1333, the notification required under  
19 this paragraph may be provided with the notice required under s. ~~66.431~~ 66.1333 (6)  
20 (b) 3., if the notice is transmitted at least 15 days prior to the date of the hearing to  
21 be held under par. (e).

22           (e) At least 30 days before adopting a resolution under par. (gm), holding of a  
23 public hearing by the planning commission at which interested parties are afforded  
24 a reasonable opportunity to express their views on the proposed project plan. The  
25 hearing may be held in conjunction with the hearing provided for in par. (a). Notice

**ASSEMBLY BILL 710**

1 of the hearing shall be published as a class 2 notice, under ch. 985. The notice shall  
2 include a statement advising that a copy of the proposed project plan will be provided  
3 on request. ~~Prior to such~~ Before publication, a copy of the notice shall be sent by 1st  
4 class mail to the chief executive officer or administrator of all local governmental  
5 entities having the power to levy taxes on property within the district and to the  
6 school board of any school district which includes property located within the  
7 proposed district. For any a county with no chief executive officer or administrator,  
8 ~~this~~ notice shall be sent to the county board chairperson.

9 (f) Adoption by the planning commission of a project plan for each tax  
10 incremental district and submission of the plan to the local legislative body. The plan  
11 shall include a statement listing the kind, number and location of all proposed public  
12 works or improvements within the district or, to the extent provided in sub. (2) (f) 1.  
13 k., outside the district, an economic feasibility study, a detailed list of estimated  
14 project costs, and a description of the methods of financing all estimated project costs  
15 and the time when the related costs or monetary obligations ~~related thereto~~ are to  
16 be incurred. The plan shall also include a map showing existing uses and conditions  
17 of real property in the district; a map showing proposed improvements and uses in  
18 the district; proposed changes of zoning ordinances, master plan, if any, map,  
19 building codes and city ordinances; a list of estimated nonproject costs; and a  
20 statement of the proposed method for the relocation of any persons to be displaced.  
21 The plan shall indicate how creation of the tax incremental district promotes the  
22 orderly development of the city. The city shall include in the plan an opinion of the  
23 city attorney or of an attorney retained by the city advising whether the plan is  
24 complete and complies with this section.

**ASSEMBLY BILL 710****SECTION 459**

1 (gm) 1. Describes the boundaries, which may, but need not, be the same as those  
2 recommended by the planning commission, of a tax incremental district with  
3 sufficient definiteness to identify with ordinary and reasonable certainty the  
4 territory included ~~therein~~ in the district. The boundaries shall include only those  
5 whole units of property as are assessed for general property tax purposes. Property  
6 standing vacant for an entire 7-year period immediately preceding adoption of the  
7 resolution creating a tax incremental district may not comprise more than 25% of the  
8 area in the tax incremental district, unless the tax incremental district is suitable  
9 for industrial sites under subd. 4. a. and the local legislative body implements an  
10 approved project plan to promote industrial development within the meaning of s.  
11 ~~66.52~~ 66.1101. In this subdivision, “vacant property” includes property where the  
12 fair market value or replacement cost value of structural improvements on the parcel  
13 is less than the fair market value of the land. In this subdivision, “vacant property”  
14 does not include property acquired by the local legislative body under ch. 32 or  
15 property included within the abandoned Park East freeway corridor or the  
16 abandoned Park West freeway corridor in Milwaukee ~~county~~ County.

17 2. Creates ~~such~~ the district as of a date ~~therein~~ provided in the resolution. If  
18 the resolution is adopted during the period between January 2 and September 30,  
19 then ~~such~~ the date shall be the next preceding January 1. If ~~such~~ the resolution is  
20 adopted during the period between October 1 and December 31, then ~~such~~ the date  
21 shall be the next subsequent January 1. If the resolution is adopted on January 1,  
22 the district ~~shall have been~~ is created as of the date of the resolution on that January  
23 1.

24 3. Assigns a name to ~~such~~ the district for identification purposes. The first ~~such~~  
25 district created shall be known as “Tax Incremental District Number One, City of

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1     ....”. Each subsequently created district shall be assigned the next consecutive  
2     number.

3           4. a. Not less than 50%, by area, of the real property within ~~such~~ the district  
4     is at least one of the following: a blighted area; in need of rehabilitation or  
5     conservation work, as defined in s. ~~66.435~~ 66.1337 (2m) (b); or suitable for industrial  
6     sites within the meaning of s. ~~66.52~~ 66.1101 and has been zoned for industrial use;  
7     and

8           b. The improvement of ~~such~~ the area is likely to enhance significantly the value  
9     of substantially all of the other real property in ~~such~~ the district. It ~~shall~~ is not be  
10    necessary to identify the specific parcels meeting ~~such~~ the criteria; and

11           **SECTION 460.** 66.46 (4) (h) 1. of the statutes, as affected by 1999 Wisconsin Act  
12    9, is renumbered 66.1105 (4) (h) 1. and amended to read:

13           66.1105 **(4)** (h) 1. Subject to subds. 2., 3. and 4., the planning commission may  
14    ~~at any time~~, by resolution, adopt an amendment to a project plan, ~~which.~~ The  
15    amendment ~~shall be~~ is subject to approval by the local legislative body and approval  
16    ~~of the amendment shall require~~ requires the same findings as provided in par. (g).  
17    Any amendment to a project plan is also subject to review by a joint review board,  
18    acting under sub. (4m). Adoption of an amendment to a project plan shall be  
19    preceded by a public hearing held by the plan commission at which interested parties  
20    shall be afforded a reasonable opportunity to express their views on the amendment.  
21    Notice of the hearing shall be published as a class 2 notice, under ch. 985. The notice  
22    shall include a statement of the purpose and cost of the amendment and shall advise  
23    that a copy of the amendment will be provided on request. ~~Prior to such~~ Before  
24    publication, a copy of the notice shall be sent by 1st class mail to the chief executive  
25    officer or administrator of all local governmental entities having the power to levy

**ASSEMBLY BILL 710****SECTION 460**

1 taxes on property within the district and to the school board of any school district  
2 which includes property located within the proposed district. For any a county with  
3 no chief executive officer or administrator, this notice shall be sent to the county  
4 board chairperson.

5 **SECTION 461.** 66.46 (4) (h) 2. to 4., (i) and (k), (4m) and (5) (title) and (a) of the  
6 statutes, as affected by 1999 Wisconsin Act 9, are renumbered 66.1105 (4) (h) 2. to  
7 4., (i) and (k), (4m) and (5) (title) and (a).

8 **SECTION 462.** 66.46 (5) (b) of the statutes is renumbered 66.1105 (5) (b) and  
9 amended to read:

10 66.1105 (5) (b) Upon application in writing by the city clerk, in such a form as  
11 prescribed by the department of revenue ~~may prescribe~~, the department shall  
12 determine according to its best judgment from all sources available to it the full  
13 aggregate value of the taxable property and, except as provided in par. (bm), of the  
14 city-owned property in the tax incremental district. The department shall certify  
15 this aggregate valuation to the city clerk, and the aggregate valuation ~~shall~~  
16 ~~constitute~~ constitutes the tax incremental base of the tax incremental district. The  
17 city clerk shall complete these forms and submit the application on or before  
18 December 31 of the year the tax incremental district is created, as defined in sub. (4)  
19 (gm) 2.

20 **SECTION 463.** 66.46 (5) (be) to (cm) of the statutes, as affected by 1999 Wisconsin  
21 Act 9, are renumbered 66.1105 (5) (be) to (cm).

22 **SECTION 464.** 66.46 (5) (d) to (g) and (6) (title), (a) and (am) 1. and 2. a. and b.  
23 of the statutes are renumbered 66.1105 (5) (d) to (g) and (6) (title), (a) and (am) 1. and  
24 2. a. and b., and 66.1105 (5) (d) to (g) and (6) (a), as renumbered, are amended to read:

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1           66.1105 (5) (d) The department of revenue shall may not certify the tax  
2 incremental base as provided in par. (b) until it determines that each of the  
3 procedures and documents required by sub. (4) (a), (b), (gm) or (h) and par. (b) has  
4 been timely completed and all notices required under sub. (4) (a), (b), (gm) or (h)  
5 timely given. The facts supporting any document adopted or action taken to comply  
6 with sub. (4) (a), (b), (gm) or (h) shall are not be subject to review by the department  
7 of revenue under this paragraph.

8           (e) It is a rebuttable presumption that any property within a tax incremental  
9 district acquired or leased as lessee by the city, or any agency or instrumentality  
10 ~~thereof of the city~~, within the one year immediately preceding the date of the creation  
11 of such the district was so acquired or leased in contemplation of the creation of such  
12 the district. ~~Such~~ The presumption may be rebutted by the city with proof that such  
13 the property was so leased or acquired primarily for a purpose other than to reduce  
14 the tax incremental base. If such the presumption is not rebutted, in determining  
15 the tax incremental base of such the district, but for no other purpose, the taxable  
16 status of such the property shall be determined as ~~though such~~ if the lease or  
17 acquisition had not occurred.

18           (f) The city assessor shall identify upon the assessment roll returned and  
19 examined under s. 70.45 those parcels of property which are within each existing tax  
20 incremental district, specifying ~~thereon~~ the name of each district. A similar notation  
21 shall also appear on the tax roll made by the city clerk under s. 70.65.

22           (g) The department of revenue shall annually give notice to the designated  
23 finance officer of all governmental entities having the power to levy taxes on property  
24 within each district as to the equalized value of such the property and the equalized  
25 value of the tax increment base. ~~Such~~ The notice shall also explain that the tax

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1 increment allocated to a city shall be paid to the city as provided under sub. (6) (b)  
2 from the taxes collected.

3       **(6)** (a) If the joint review board approves the creation of the tax incremental  
4 district under sub. (4m), positive tax increments with respect to a tax incremental  
5 district are allocated to the city which created the district for each year commencing  
6 after the date when a project plan is adopted under sub. (4) (g). The department of  
7 revenue ~~shall~~ may not authorize allocation of tax increments until it determines from  
8 timely evidence submitted by the city that each of the procedures and documents  
9 required under sub. (4) (d) to (f) ~~have~~ has been completed and all related notices given  
10 in a timely manner. The department of revenue may authorize allocation of tax  
11 increments for any tax incremental district only if the city clerk and assessor  
12 annually submit to the department all required information on or before the 2nd  
13 Monday in June. The facts supporting any document adopted or action taken to  
14 comply with sub. (4) (d) to (f) ~~shall~~ are not be subject to review by the department of  
15 revenue under this paragraph. ~~Thereafter~~ After the allocation of tax increments is  
16 authorized, the department of revenue shall annually authorize allocation of the tax  
17 increment to the city that created ~~such a~~ the district until the department of revenue  
18 receives a notice under sub. (8) and the notice has taken effect under sub. (8) (b), 27  
19 years after the tax incremental district is created if the district is created before  
20 October 1, 1995, 38 years after the tax incremental district is created if the district  
21 is created before October 1, 1995, and the project plan is amended under sub. (4) (h)  
22 3. or 23 years after the tax incremental district is created if the district is created  
23 after September 30, 1995, whichever is sooner.

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1           **SECTION 465.** 66.46 (6) (am) 2. c., 3. and 4. and (b) to (dm) of the statutes, as  
2 affected by 1999 Wisconsin Act 9, are renumbered 66.1105 (6) (am) 2. c., 3. and 4. and  
3 (b) to (dm).

4           **SECTION 466.** 66.46 (6) (e) 1. (intro.) and a. of the statutes are renumbered  
5 66.1105 (6) (e) 1. (intro.) and a., and 66.1105 (6) (e) 1. (intro.), as renumbered, is  
6 amended to read:

7           66.1105 **(6)** (e) 1. (intro.) Before the date on which a tax incremental district  
8 terminates under sub. (7) (a), but not later than the date on which a tax incremental  
9 district terminates under sub. (7) (am), a planning commission may amend under  
10 sub. (4) (h) the project plan of such a the tax incremental district to allocate positive  
11 tax increments generated by that tax incremental district to another tax incremental  
12 district created by that planning commission if all of the following conditions are met:

13           **SECTION 467.** 66.46 (6) (e) 1. b. and c. and 2. of the statutes, as affected by 1999  
14 Wisconsin Act 9, are renumbered 66.1105 (6) (e) 1. b. and c. and 2.

15           **SECTION 468.** 66.46 (6) (e) 3. of the statutes is renumbered 66.1105 (6) (e) 3. and  
16 amended to read:

17           66.1105 **(6)** (e) 3. A project plan that is amended under sub. (4) (h) to authorize  
18 the allocation of positive tax increments under subd. 1. may authorize such an the  
19 allocation for a period not to exceed 5 years, except that if the planning commission  
20 determines that the allocation may be needed for a period longer than 5 years, the  
21 planning commission may authorize such an the allocation for up to an additional  
22 5 years if the project plan is amended under sub. (4) (h) during the 4th year of the  
23 allocation. In no case may positive tax increments under subd. 1. be allocated from  
24 one donor tax incremental district for a period longer than 10 years.

**ASSEMBLY BILL 710****SECTION 469**

1           **SECTION 469.** 66.46 (6c) and (6m) of the statutes, as affected by 1999 Wisconsin  
2 Act 9, are renumbered 66.1105 (6c) and (6m).

3           **SECTION 470.** 66.46 (7) (intro.) and (a) of the statutes are renumbered 66.1105  
4 (7) (intro.) and (a) and amended to read:

5           66.1105 (7) TERMINATION OF TAX INCREMENTAL DISTRICTS. (intro.) ~~The existence~~  
6 ~~of a~~ A tax incremental district ~~shall terminate~~ terminates when the earlier of the  
7 following occurs:

8           (a) That time when the city has received aggregate tax increments with respect  
9 to ~~such~~ the district in an amount equal to the aggregate of all project costs under the  
10 project plan and any amendments to the project plan for ~~such~~ the district, except that  
11 this paragraph does not apply to a district whose positive tax increments have been  
12 allocated under sub. (6) (d), (dm) or (e) until the district to which the allocation is  
13 made has paid off the aggregate of all of its project costs under its project plan.

14           **SECTION 471.** 66.46 (7) (am) and (ar) of the statutes, as affected by 1999  
15 Wisconsin Act 9, are renumbered 66.1105 (7) (am) and (ar).

16           **SECTION 472.** 66.46 (7) (b) and (8) to (14) of the statutes are renumbered  
17 66.1105 (7) (b) and (8) to (14), and 66.1105 (7) (b), (9) (a) (intro.), 4. to 7. and 9. and  
18 (b) 2. to 4. and 5. a. and b. and (10) (b), as renumbered, are amended to read:

19           66.1105 (7) (b) The local legislative body, by resolution, dissolves the district  
20 at which time the city ~~shall become~~ becomes liable for all unpaid project costs  
21 actually incurred which are not paid from the special fund under sub. (6) (c), except  
22 this paragraph does not make the city liable for any tax incremental bonds or notes  
23 issued.

24           **(9)** (a) (intro.) Payment of project costs may be made by any one or more of the  
25 following methods ~~or any combination thereof~~:

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1           4. Payment out of the proceeds of the sale of public improvement bonds issued  
2 by it under s. ~~66.059~~ 66.0619;

3           5. Payment as provided under s. ~~66.54~~ 66.0713 (2) (c), (d) (e) and (4) or 67.16;

4           6. Payment out of the proceeds of revenue bonds or notes issued by it under s.  
5 ~~66.066~~ 66.0621;

6           7. Payment out of the proceeds of revenue bonds issued by it under s. ~~66.51~~  
7 66.0913;

8           9. Payment out of the proceeds of revenue bonds issued by the city as provided  
9 by s. ~~66.521~~ 66.1103, for a purpose specified in that section.

10           (b) 2. Tax incremental bonds or notes shall be authorized by resolution of the  
11 local legislative body without the necessity of a referendum or any elector approval,  
12 but ~~such a~~ a referendum or election may be held, through the procedures provided in  
13 s. ~~66.521~~ 66.1103 (10) (d). ~~Such~~ The resolution shall state the name of the tax  
14 incremental district, the amount of bonds or notes authorized, and the interest rate  
15 or rates to be borne by ~~such~~ the bond or notes. ~~Such~~ The resolution may prescribe  
16 the terms, form and content of ~~such~~ the bonds or notes and ~~such~~ any other matters  
17 as that the local legislative body deems useful.

18           3. Tax incremental bonds or notes may not be issued in an amount exceeding  
19 the aggregate project costs. ~~Such~~ The bonds or notes shall mature over a period not  
20 exceeding 23 years from the date ~~thereof~~ of issuance or a period terminating with the  
21 date of termination of the tax incremental district, whichever period terminates  
22 earlier. ~~Such~~ The bonds or notes may contain a provision authorizing the redemption  
23 ~~thereof~~ of the bonds or notes, in whole or in part, at stipulated prices, at the option  
24 of the city, on any interest payment date and shall provide the method of selecting  
25 the bonds or notes to be redeemed. The principal and interest on ~~such~~ the bonds and

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1 notes may be payable at any time and at any place. ~~Such~~ The bonds or notes may  
2 be payable to bearer or may be registered as to the principal or principal and interest.  
3 ~~Such~~ The bonds or notes may be in any denominations. ~~Such~~ The bonds or notes may  
4 be sold at public or private sale. ~~Insofar as they are~~ To the extent consistent with this  
5 subsection, the provisions of ch. 67 relating to procedures for issuance, form,  
6 contents, execution, negotiation, and registration of municipal bonds and notes are  
7 ~~incorporated herein by reference~~ apply to bonds or notes issued under this  
8 subsection.

9 4. Tax incremental bonds or notes are payable only out of the special fund  
10 created under sub. (6) (c). Each ~~such~~ bond or note shall contain ~~such~~ the recitals as  
11 are necessary to show that it is only so payable and that it does not constitute an  
12 indebtedness of ~~such~~ the city or a charge against its general taxing power. The local  
13 legislative body shall irrevocably pledge all or a part of ~~such~~ the special fund to the  
14 payment of ~~such~~ the bonds or notes. ~~Such~~ The special fund or the designated part  
15 thereof ~~of the fund~~ may thereafter ~~then~~ be used only for the payment of ~~such~~ the  
16 bonds or notes and interest ~~thereon~~ on the bonds or notes until the ~~same~~ bonds or  
17 notes have been fully paid; and a holder of ~~such~~ the bonds or notes or of any coupons  
18 appertaining thereto ~~shall have~~ to the bonds or notes has a lien against ~~such~~ the  
19 special fund for payment of ~~such~~ the bonds or notes and interest ~~thereon~~ on the bonds  
20 or notes and may either at law or in equity protect and enforce ~~such~~ the lien.

21 5. a. Create a lien for the benefit of the bondholders upon any public  
22 improvements or public works financed ~~thereby~~ by the bonds or notes or the revenues  
23 ~~therefrom~~ from the bonds or notes; or

24 b. Make ~~such~~ covenants and do any ~~and all such~~ acts, not inconsistent with the  
25 Wisconsin constitution, ~~as may be necessary or convenient or desirable~~ in order to

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1 additionally secure ~~such~~ the bonds or notes or tend to make the bonds or notes more  
2 marketable according to the best judgment of the local legislative body.

3 **(10)** (b) If the boundaries of 2 or more tax incremental districts overlap, in  
4 determining how positive tax increments generated by that area which is within 2  
5 or more districts are allocated among ~~such~~ the overlapping districts, but for no other  
6 purpose, the aggregate value of the taxable property in ~~such~~ the area as equalized  
7 by the department of revenue in any year as to each earlier created district is ~~deemed~~  
8 ~~to be~~ that portion of the tax incremental base of the district next created which is  
9 attributable to ~~such~~ the overlapped area.

10 **SECTION 473.** 66.462 (title) and (1) of the statutes, as affected by 1999  
11 Wisconsin Act 9, are renumbered 66.1106 (title) and (1).

12 **SECTION 474.** 66.462 (2) (title) of the statutes is renumbered 66.1106 (2) (title).

13 **SECTION 475.** 66.462 (2) of the statutes, as affected by 1999 Wisconsin Act 9,  
14 section 1634a, is renumbered 66.1106 (2) (a) and amended to read:

15 66.1106 **(2)** (a) A political subdivision that develops, and whose governing body  
16 approves, a written proposal to remediate environmental pollution may use an  
17 environmental remediation tax increment to pay the eligible costs of remediating  
18 environmental pollution on contiguous parcels of property that are located within  
19 the political subdivision and that are not part of a tax incremental district created  
20 under s. ~~66.46~~ 66.1105, as provided in this section, except that a political subdivision  
21 may use an environmental remediation tax increment to pay the cost of remediating  
22 environmental pollution of groundwater without regard to whether the property  
23 above the groundwater is owned by the political subdivision. No political subdivision  
24 may submit an application to the department under sub. (4) until the joint review  
25 board approves the political subdivision's written proposal under sub. (3).

**ASSEMBLY BILL 710****SECTION 476**

1           **SECTION 476.** 66.462 (2) (b) and (3) (title) and (a) to (c) of the statutes, as affected  
2 by 1999 Wisconsin Act 9, are renumbered 66.1106 (2) (b) and (3) (title) and (a) to (c).

3           **SECTION 477.** 66.462 (3) (d) of the statutes is renumbered 66.1106 (3) (d) and  
4 amended to read:

5           66.1106 **(3)** (d) If a joint review board convened by a city or village under s. ~~66.46~~  
6 66.1105 (4m) is in existence when a city or village seeks to act under this section, the  
7 city or village may require the joint review board convened under s. ~~66.46~~ 66.1105  
8 (4m) to exercise the functions of a joint review board that could be convened under  
9 this subsection.

10           **SECTION 478.** 66.462 (4) to (10) of the statutes, as affected by 1999 Wisconsin  
11 Act 9, are renumbered 66.1106 (4) to (10).

12           **SECTION 479.** 66.465 of the statutes is renumbered 66.1107, and 66.1107 (1) (a),  
13 (c) and (e) 5. and (2) (intro.), (a), (b) and (c) 1. and 2., as renumbered, are amended  
14 to read:

15           66.1107 **(1)** (a) An “area in need of rehabilitation” is a neighborhood or area in  
16 which buildings, by reason of age, obsolescence, inadequate or outmoded design, or  
17 physical deterioration have become economic or social liabilities, or both; in which  
18 such these conditions impair the economic value of such the neighborhood or area,  
19 infecting it with economic blight, and which is characterized by depreciated values,  
20 impaired investments, and reduced capacity to pay taxes; in which the existence of  
21 such these conditions and the failure to rehabilitate such the buildings results in a  
22 loss of population from the neighborhood or area and further deterioration,  
23 accompanied by added costs for creation of new public facilities and services  
24 elsewhere; in which it is difficult and uneconomic for individual owners  
25 independently to undertake to remedy such the conditions; in which it is necessary

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1 to create, with proper safeguards, inducements and opportunities for the  
2 employment of private investment and equity capital in the rehabilitation of ~~such~~ the  
3 buildings; and in which the presence of ~~such~~ these buildings and conditions has  
4 resulted, among other consequences, in a severe shortage of financial resources  
5 available to finance the purchase and rehabilitation of housing and an inability or  
6 unwillingness on the part of private lenders to make loans for and an inability or  
7 unwillingness on the part of present and prospective owners of ~~such~~ housing to invest  
8 in the purchase and rehabilitation of housing in ~~such~~ the neighborhood or area.

9 (c) “Municipality” means ~~any a~~ a city, village or town ~~in this state~~.

10 (e) 5. It is an area within which the effect of ~~such~~ existing detrimental  
11 conditions ~~as may exist~~ is to discourage private lenders from making loans for and  
12 present or prospective property owners from investing in the purchase and  
13 rehabilitation of housing.

14 **(2) DESIGNATION OF REINVESTMENT NEIGHBORHOODS OR AREAS.** (intro.) ~~Any~~ A  
15 municipality may designate reinvestment neighborhoods or areas after complying  
16 with the following steps:

17 (a) Holding of a public hearing by the planning commission or by the local  
18 governing body at which interested parties are afforded a reasonable opportunity to  
19 express their views on the proposed designation and boundaries of a reinvestment  
20 neighborhood or area ~~and the proposed boundaries thereof~~. Notice of ~~such~~ the  
21 hearing shall be published as a class 2 notice, under ch. 985. ~~Prior to such~~ Before  
22 publication, a copy of the notice shall be sent by 1st class mail to the Wisconsin  
23 housing and economic development authority, and a copy shall be posted in each  
24 school building and in at least 3 other places of public assembly within the  
25 reinvestment neighborhood or area proposed to be designated.

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1 (b) Designation by the planning commission of the boundaries of a  
2 reinvestment neighborhood or area recommended by it to be designated and  
3 submission of such the recommendation to the local legislative body.

4 (c) 1. Describes the boundaries of a reinvestment neighborhood or area with  
5 sufficient definiteness to identify with ordinary and reasonable certainty the  
6 territory included therein. ~~Such in the neighborhood or area. The~~ boundaries may,  
7 but need not, be the same as those recommended by the planning commission.

8 2. Designates such the reinvestment neighborhood or area as of a date provided  
9 in the resolution.

10 **SECTION 480.** 66.47 (title) of the statutes is renumbered 66.0927 (title).

11 **SECTION 481.** 66.47 (1) to (5) of the statutes are renumbered 66.0927 (1) to (5),  
12 and 66.0927 (2), (3) and (4), as renumbered, are amended to read:

13 66.0927 **(2)** COUNTY-CITY HOSPITALS. ~~Any~~ A county and city or cities partly or  
14 wholly within the county may by ordinance jointly construct or otherwise acquire,  
15 equip, furnish, operate and maintain a ~~general county-city~~ hospital. ~~Such~~ The  
16 hospital is subject to ch. 150.

17 **(3)** FINANCING. The governing bodies of the respective county and city or cities  
18 ~~shall have the power to~~ may borrow money, appropriate funds, and levy taxes needed  
19 to carry out the purposes of this section. Funds to be used for the purposes specified  
20 in this section may be provided by the respective county, city or cities by general  
21 obligation bonds issued under ch. 67 or by revenue bonds issued under s. ~~66.51.~~ ~~Any~~  
22 ~~bonds~~ 66.0913. Bonds issued pursuant to under this section shall be executed on  
23 behalf of the county by the county board chairperson and the county clerk and on  
24 behalf of a city by ~~the~~ its mayor or other chief executive officer ~~thereof~~ and by the city  
25 clerk.

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1           **(4) COST SHARING.** The ordinance shall provide for a sharing of all of the cost  
2 of construction or other acquisition, equipment, furnishing, operation and  
3 maintenance of ~~such a~~ a hospital on an agreed percentage basis.

4           **SECTION 482.** 66.47 (6) of the statutes is repealed.

NOTE: Repealed as archaic. This subsection validates all actions of a county and city taken before April 17, 1949 in the construction or other acquisition, equipment, furnishing, operation and maintenance of a joint county-city hospital which would have been valid had s. 66.47 been in effect when the actions were taken. There appears to be no need to continue the validation.

5           **SECTION 483.** 66.47 (7) to (15) of the statutes are renumbered 66.0927 (7) to (15)

6 and amended to read:

7           **66.0927 (7) (a) ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS.**

8 When all members have qualified the board shall meet at the place designated in the  
9 ordinance and organize by electing from its membership a president, a vice  
10 president, a secretary and a treasurer, each to hold office for one year. The board may  
11 combine the offices of secretary and treasurer ~~may be combined if the board so~~  
12 ~~decides.~~ Members shall receive ~~such~~ compensation as ~~shall be~~ provided in the  
13 ordinance, and shall be reimbursed their actual and necessary expenses. With the  
14 approval of the board, the treasurer may appoint an assistant treasurer, who need  
15 not be a member of the board, to perform ~~such~~ services as ~~shall be~~ specified by the  
16 board.

17           (b) Members, and any assistant treasurer, shall qualify by taking the official  
18 oath, and the treasurer and any assistant treasurer shall furnish a bond in ~~such a~~ a  
19 sum ~~as shall be~~ specified by the board and ~~be~~ in the form and conditioned as provided  
20 in s. 19.01 (2) and (3). The oaths and bonds shall be filed with the county clerk. The  
21 cost of the bond shall be paid by the board.

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1           **(8) POWERS OF BOARD.** The board ~~shall have power~~ may, subject to provisions of  
2 the ordinance:

3           (a) ~~To contract~~ Contract for the construction or other acquisition, equipment  
4 or furnishing of a ~~general county-city~~ hospital.

5           (b) ~~To contract~~ Contract for the construction or other acquisition of additions  
6 or improvements to, or alterations in, such a hospital and the equipment or  
7 furnishing of ~~any such~~ an addition.

8           (c) ~~To employ~~ Employ a manager of the a hospital and other necessary  
9 personnel and fix their compensation.

10           (d) ~~To enact~~ Enact, amend and repeal rules and regulations, ~~not inconsistent~~  
11 ~~with law~~, for the admission to, and government of patients at, the a hospital, for the  
12 regulation of the board's meetings and deliberations, and for the government,  
13 operation and maintenance of the hospital and the hospital employes thereof.

14           (e) ~~To contract~~ Contract for and purchase all fuel, food, equipment, furnishings  
15 and supplies reasonably necessary for the proper operation and maintenance of the  
16 a hospital.

17           (f) ~~To audit~~ Audit all accounts and claims against the a hospital or against the  
18 board, and, if approved, pay the ~~same~~ accounts and claims from the fund specified  
19 in sub. (10). All expenditures made pursuant to this section shall be within the limits  
20 of the ordinance.

21           (g) ~~To sue~~ Sue and be sued, and to collect or compromise any ~~and all~~ obligations  
22 due to the hospital; ~~all~~. All money received shall be paid into the joint hospital fund.

23           (h) ~~To make such~~ Make studies and recommendations to the county board and  
24 city council or city councils relating to the operation of the a hospital ~~or the building~~

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1 of facilities therefor as the board ~~may deem~~ considers advisable or ~~said~~ the governing  
2 bodies request.

3 (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

4 **(9)** BUDGET. The board shall annually, ~~prior to~~ before the time of the  
5 preparation of either the county or city budget under s. 65.90, prepare a budget of  
6 its anticipated receipts and expenditures for the ensuing fiscal year and determine  
7 the proportionate cost to the county and the participating city or cities ~~pursuant to~~  
8 under the terms of the ordinance. A certified copy of the budget, which shall include  
9 a statement of the net amount required from the county and city or cities, shall be  
10 delivered to the clerks of the respective municipalities. ~~It shall be the duty of the~~ The  
11 county board and the common council of the city or cities to shall consider ~~such~~ the  
12 budget, and determine the amount to be raised by the respective municipalities in  
13 the proportions determined by the ordinance. ~~Thereupon~~ After this determination,  
14 the county and city or cities respectively shall levy a tax sufficient to produce the  
15 amount to be raised by ~~said~~ the county and city or cities.

16 **(10)** HOSPITAL FUND. A joint county–city hospital fund shall be created and  
17 established in a public depository to be specified in the ordinance. The treasurer of  
18 the respective county and city or cities shall pay ~~or cause to be paid~~ into ~~such~~ the fund  
19 the ~~respective amounts to be paid thereto by such county and city or cities as specified~~  
20 by the ordinance and resolutions of the respective municipalities when ~~such~~ the  
21 amounts have been collected. All of the moneys which ~~shall~~ come into ~~said~~ the fund  
22 are ~~hereby~~ appropriated to the board for the execution of its functions as provided  
23 by the ordinance and the resolutions of the respective municipalities. The moneys  
24 in the fund shall be paid out by the treasurer of the hospital board only upon the  
25 approval or direction of the board.

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1           **(11) CORRELATION OF LAWS.** (a) In any case where a bid is a prerequisite to  
2 contract in connection with a county or city hospital under s. ~~66.29~~ 66.0901, it shall  
3 is also be a prerequisite to a valid contract by the board; ~~and for such.~~ For this  
4 purpose, the board ~~shall be deemed~~ is a municipality and the contract a public  
5 contract under s. ~~66.29~~ 66.0901.

6           (b) All statutory requirements, not inconsistent with the provision of this  
7 section, applicable to general county or city hospitals ~~shall~~ apply to hospitals referred  
8 to in this section.

9           **(12) REPORTS.** The board shall report its activities to the county board and the  
10 city council or councils annually, or oftener as either of ~~said~~ the municipalities ~~may~~  
11 require requires.

12           **(14) POWERS OF VILLAGES.** Villages shall have all of the powers granted to cities  
13 under subs. (1) to (12) and whenever any village ~~shall exercise such~~ exercises these  
14 powers the word “city” wherever it appears in subs. (1) to (12) means “village” unless  
15 the context otherwise requires. Any village participating in the construction or other  
16 acquisition of a ~~general county village~~ hospital or in the its operation thereof,  
17 pursuant to this section, ~~shall have the power to~~ may enter into lease agreements  
18 leasing such the hospital and the its equipment and furnishings therein to a  
19 nonprofit corporation.

20           **(15) POWERS OF TOWNS.** Towns shall have all of the powers granted to cities  
21 under subs. (1) to (12) and whenever any town ~~shall exercise such~~ exercises these  
22 powers the word “city” wherever it appears in subs. (1) to (12) means “town” unless  
23 the context otherwise requires. Any town participating in the construction or other  
24 acquisition of a ~~general county town~~ hospital or in the its operation thereof,  
25 ~~pursuant to,~~ under this section, ~~shall have the power to~~ may enter into lease

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1 agreements leasing such the hospital and the its equipment and furnishings therein  
2 to a nonprofit corporation.

3 **SECTION 484.** 66.48 of the statutes is renumbered 66.0917 and amended to  
4 read:

5 **66.0917 Art museums.** Any A city, village or town may establish, purchase  
6 land and erect buildings for, and equip, manage and control an art museum ~~or~~  
7 ~~museums; or.~~ A city, village or town may enter into a contract with any art museum  
8 or art institute located in the city, village or town for the education of the people  
9 thereof in art, for such compensation as shall be determined by the governing body  
10 of the city, village or town. Any A city, village or town may levy taxes, issue bonds,  
11 or appropriate money for the purposes in this section.

12 **SECTION 485.** 66.49 of the statutes is renumbered 66.0919 and amended to  
13 read:

14 **66.0919 Civic centers. (1) RECREATION AND AMUSEMENT.** Any A city, village  
15 or town may by ordinance, enacted by a majority of all the members–elect, as defined  
16 in s. 59.001 (2m), of the board or council, provide for the erection, maintenance and  
17 operation of a public auditorium, opera house, or other recreation and amusement  
18 building. The erection and contracts ~~therefor shall be~~ are governed by the provisions  
19 of law applicable to other public buildings ~~therein~~ in the city, village or town. The  
20 board or council shall adopt regulations for maintenance and operation.

21 **(2) REST ROOMS.** Any A city, village or town may erect, purchase, lease, or take  
22 by gift or devise, land and buildings for public rest rooms, and may equip, maintain  
23 and operate ~~the same~~ them.

24 **(3) COMFORT STATIONS.** Every A city, village ~~and~~ or town may provide and  
25 maintain a sufficient number of public comfort stations for both sexes. The

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1 department of health and family services shall establish regulations governing their  
2 location, construction, equipment and maintenance and may prescribe minimum  
3 standards that shall be uniform throughout the state. The board or council may  
4 establish further regulations.

5 (4) COMFORT STATIONS AND REST ROOMS. The state, ~~every~~ or a county, city, village,  
6 ~~and~~ or town maintaining places of public assemblage or camp sites may also provide  
7 and maintain a sufficient number of suitable and adequate public comfort stations  
8 for both sexes and may establish rest rooms separate or in connection with such the  
9 comfort stations.

10 (5) PUBLIC CONCERTS. ~~Any~~ A town, village or city may conduct public concerts  
11 in auditoriums and such other public places within its boundaries as the board or  
12 council ~~shall determine.~~ Such determines. The concerts shall be conducted by the  
13 department having charge of such the place and the expenses thereof ~~above~~ in excess  
14 of receipts, if any, shall be paid out of such a fund as determined by the board or  
15 council ~~shall determine.~~ A fee to said attend the concerts may be charged for the  
16 purpose of defraying the expenses thereof in whole or in part.

17 **SECTION 486.** 66.50 of the statutes is renumbered 66.0127, and 66.0127 (1), as  
18 renumbered, is amended to read:

19 66.0127 (1) In any a city, village or town, ~~however organized,~~ in which a  
20 municipal hospital is located, the board of trustees or other governing board of the  
21 municipal hospital ~~shall have power and authority~~ may, except as otherwise  
22 provided by ordinance, do any of the following:

23 (a) ~~To prescribe~~ Prescribe rules of order for the regulation of their its own  
24 meetings and deliberations and ~~to alter, amend or repeal the same from time to time;~~

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1           (b) ~~To promulgate, amend and repeal~~ Promulgate rules relating to the  
2 government, operation and maintenance of the hospital and relating to the employes  
3 of the hospital;.

4           (c) ~~To contract~~ Contract for and purchase all fuel, food and other supplies  
5 reasonably necessary for the operation and maintenance of the hospital;.

6           (d) ~~To promulgate, amend and repeal~~ Promulgate rules for the admission to and  
7 government of patients at the hospital;.

8           (e) ~~To contract~~ Contract for the construction, installation or making of  
9 additions or improvements to or alterations of such the hospital ~~whenever such~~ if the  
10 additions, improvements or alterations have been ordered and funds have been  
11 provided ~~therefor~~ by the city council or village or town board;.

12           (f) ~~To engage~~ Employ all necessary employes at the hospital ~~for a period not to~~  
13 ~~exceed one year under any one contract and at a salary not to exceed the sum of \$25~~  
14 ~~per week, excluding board and laundry, unless a larger salary is expressly authorized~~  
15 ~~by the city council or village or town board;.~~

NOTE: Section 66.50 (1) (f) provides that the board of trustees or other governing board of a municipal hospital may engage all necessary employes for a period not to exceed one year under any one contract and at a salary not exceeding the sum of \$25 per week, excluding board and laundry, unless a larger salary is expressly authorized by the city council or village or town board. Renumbered s. 66.0127 (1) (f) removes these limits on the terms of employe contracts and on employe salaries.

16           (g) ~~To audit~~ Audit all accounts and claims against the hospital or against the  
17 board of trustees and, if approved, the city, village or town clerk and treasurer shall  
18 pay the accounts and claims in the manner provided by s. ~~66.042~~ 66.0607.

19           **SECTION 487.** 66.501 of the statutes is renumbered 66.0129, and 66.0129 (1),  
20 (4) (intro.), (5) and (6), as renumbered, are amended to read:

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1           66.0129 (1) POWERS AND DUTIES OF GOVERNING BODY. For the purpose of  
2 providing adequate hospital facilities in the state of Wisconsin to serve cities, villages  
3 and towns and the hospital service area, ~~and; providing~~ all lands, buildings,  
4 improvements, facilities or equipment or other capital items necessary or desirable  
5 in connection with the hospital ~~and the ultimate acquisition of; ultimately acquiring~~  
6 the hospital by the city, village or town, ~~for the acquisition of; acquiring~~ lands for  
7 future hospital development, ~~and to refinance; and refinancing~~ indebtedness created  
8 by a nonprofit corporation for ~~the purpose of~~ acquiring lands or providing hospital  
9 buildings or additions or improvements to the hospital buildings, ~~or for any one or~~  
10 ~~more of these purposes,~~ the governing body of any a city, village or town shall have  
11 the following powers may:

12           (a) Without limitation by any other statute, ~~to~~ sell and convey title to a  
13 nonprofit corporation any land and any existing buildings on the land owned by the  
14 city, village or town for ~~such~~ that consideration and upon ~~such~~ the terms and  
15 conditions as ~~in the judgment of~~ that the governing body of the city, village or town  
16 determines are in the public interest.

17           (b) ~~To lease~~ Lease to a nonprofit corporation for terms not exceeding 40 years  
18 each any land and existing buildings on the land that are owned by the city, village  
19 or town upon ~~such~~ the terms, conditions and rentals as ~~in the judgment of~~ that the  
20 governing body of the city, village or town determines are in the public interest.

21           (c) ~~To lease~~ Lease or sublease from the nonprofit corporation, for terms not  
22 exceeding 40 years, and ~~to~~ make available for public use, any lands or any ~~such~~ land  
23 and existing buildings conveyed or leased to the corporation under pars. (a) and (b),  
24 and any new buildings erected upon the land or upon any other land owned by the  
25 corporation, upon the terms, conditions and rentals, subject to available

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1 appropriations, and ultimate acquisition, that ~~in the judgment of~~ the governing body  
2 of the city, village or town determines are in the public interest. With respect to any  
3 property conveyed to the nonprofit corporation under par. (a), the lease from the  
4 nonprofit corporation may be subject or subordinated to one or more mortgages of  
5 ~~such~~ the property granted by the corporation.

6 (d) ~~To apply~~ Apply all net revenues derived from the operation of any lands or  
7 buildings to the payment of rentals due and to become due under any lease or  
8 sublease made under par. (c).

9 (e) ~~To pledge~~ Pledge and assign all or ~~any~~ part of the revenues derived from the  
10 operation of any lands or new buildings as security for the payment of rentals due  
11 and to become due under any lease or sublease of the new buildings made under par.  
12 (c).

13 (f) ~~To covenant~~ Covenant and agree in any lease or sublease made under par.  
14 (c) to impose fees, rentals or other charges for the use and occupancy or other  
15 operation of the new buildings in an amount which together with other moneys of the  
16 city, village or town available for ~~such~~ that purpose will produce net revenue  
17 sufficient to pay the rentals due and to become due under the lease or sublease.

18 (g) ~~To apply~~ Apply all or any part of the revenues derived from the operation  
19 of any lands or existing buildings to the payment of rentals due and to become due  
20 under ~~any~~ a lease or sublease made under par. (c).

21 (h) ~~To pledge~~ Pledge and assign all or any part of the revenues derived from the  
22 operation of any lands or existing buildings to the payment of rentals due and to  
23 become due under ~~any~~ a lease or sublease made under par. (c).

24 (i) ~~To covenant~~ Covenant and agree in ~~any~~ a lease or sublease made under par.  
25 (c) to impose fees, rentals or other charges for the use and occupancy or other

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1 operation of any lands or existing buildings in an amount calculated to produce net  
2 revenues sufficient to pay the rentals due and to become due under such the lease  
3 or sublease.

4 (j) ~~To operate~~ Operate the hospital, until it is ultimately acquired, in such a  
5 manner ~~as to provide~~ that provides revenues sufficient to pay the costs of operation  
6 and maintenance of the hospital and ~~to provide for~~ the payments due the nonprofit  
7 corporation.

8 (4) POWERS AND DUTIES OF NONPROFIT CORPORATION. (intro.) In addition to all  
9 other powers granted to nonprofit corporations, the nonprofit corporation ~~shall have~~  
10 has the following additional powers and duties when leasing hospital facilities to a  
11 city, village or town:

12 (5) BIDS FOR CONSTRUCTION. The nonprofit corporation shall let all contracts  
13 exceeding \$1,000 for the construction, maintenance or repair of hospital facilities to  
14 the lowest responsible bidder after advertising for bids by the publication of a class  
15 2 notice under ch. 985. Sections ~~66.29~~ 66.0901 and ~~66.293~~ shall 66.0903 apply to such  
16 bids and contracts under this subsection.

17 (6) DEFINITIONS. Unless the context otherwise requires, ~~the terms “buildings”~~  
18 in this section:

19 (a) “Buildings”, “new buildings” and “existing buildings” ~~as used in this section~~  
20 include all buildings, structures, improvements, facilities, equipment or other  
21 capital items which the governing body of the city, village or town determines ~~to be~~  
22 are necessary or desirable for the purpose of providing hospital facilities. ~~The term~~  
23 “nonprofit

24 (b) “Nonprofit corporation” means a nonstock corporation organized under ch.  
25 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

**ASSEMBLY BILL 710**

1           **SECTION 488.** 66.504 of the statutes is renumbered 66.0921, and 66.0921 (3),  
2 as renumbered, is amended to read:

3           **66.0921 (3) FINANCING.** A municipality may borrow money, appropriate funds  
4 and levy taxes needed to carry out the purposes of this section. Funds to be used for  
5 the purposes specified in this section may be provided by a municipality by general  
6 obligation bonds issued under ch. 67. Funds to be used for the purposes specified in  
7 this section may be provided by a county, city, village or town by revenue bonds issued  
8 under s. ~~66.066~~ 66.0621. Any bonds issued under this section shall be executed on  
9 behalf of the municipality by ~~the~~ its chief executive officer and clerk thereof.

10           **SECTION 489.** 66.505 (title) and (1) to (4) of the statutes are renumbered  
11 66.0923 (title) and (1) to (4), and 66.0923 (3) and (4), as renumbered, are amended  
12 to read:

13           **66.0923 (3) FINANCING.** The governing bodies of the respective county and city  
14 or cities ~~shall have the power to~~ may borrow money, appropriate funds, and levy taxes  
15 needed to carry out the purposes of this section. Funds to be used for the purposes  
16 specified in this section may be provided by the respective county, city or cities by  
17 general obligation bonds issued under ch. 67 or by revenue bonds issued under s.  
18 ~~66.51~~ 66.0913 or by the issuance of both general obligation bonds under ch. 67 and  
19 revenue bonds issued under s. ~~66.51~~. ~~Any bonds~~ 66.0913. ~~Bonds~~ issued pursuant  
20 ~~to~~ under this section shall be executed on behalf of the county by the county board  
21 chairperson and the county clerk and on behalf of a city by ~~the~~ its mayor or other chief  
22 executive officer ~~thereof~~ and by the city clerk.

23           **(4) COST SHARING.** The ordinance shall provide for a sharing of all of the cost  
24 of construction or other acquisition, equipment, furnishing, operation and  
25 maintenance of ~~such~~ an auditorium on an agreed percentage basis.

**ASSEMBLY BILL 710****SECTION 490**

1           **SECTION 490.** 66.505 (6) to (11) of the statutes are renumbered 66.0923 (6) to  
2 (11) and amended to read:

3           **66.0923 (6)** ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS. (a)  
4 When all members have qualified the board shall meet at the place designated in the  
5 ordinance and organize by electing from its membership a president, a vice  
6 president, a secretary and a treasurer, each to hold office for one year. The board may  
7 combine the offices of secretary and treasurer ~~may be combined if the board so~~  
8 ~~decides~~. Members may receive ~~such~~ compensation as ~~may be~~ provided in the  
9 ordinance and shall be reimbursed their actual and necessary expenses for their  
10 services. However, members serving on the board because of holding another office  
11 or position shall not receive compensation other than any actual and necessary  
12 expenses for their services. With the approval of the board, the treasurer may  
13 appoint an assistant secretary and assistant treasurer, who need not be members of  
14 the board, to perform ~~such~~ services ~~as shall be~~ specified by the board.

15           (b) Members, and any assistant secretary and assistant treasurer, shall qualify  
16 by taking the official oath, and the treasurer and any assistant treasurer shall  
17 furnish a bond in ~~such a~~ sum ~~as shall be~~ specified by the board and be in the form  
18 and conditioned as provided in s. 19.01 (2) and (3). The oaths and bonds shall be filed  
19 with the county clerk. The cost of the bond shall be paid by the board.

20           **(7)** POWERS OF BOARD. The board ~~shall have power~~ may, subject to provisions  
21 of the ordinance, do all of the following:

22           (a) ~~To contract~~ Contract for the construction or other acquisition, equipping or  
23 furnishing of a county-city an auditorium, ~~and may~~; accept and use donated services  
24 and gifts, grants or donations of money or property ~~and use the same~~ for the purposes  
25 given and consistent with this section; ~~and may~~ contract for and authorize the

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1 installation of equipment and furnishings in all or part of the auditorium, ~~or any part~~  
2 thereof by private individuals, persons or corporations by donations, loan, lease or  
3 concession.

4 (b) ~~To contract~~ Contract for the construction or other acquisition of additions  
5 or improvements to, or alterations in, such an auditorium and the equipment or  
6 furnishing of any such addition; and may contract for or authorize the installation  
7 of equipment and furnishings in such all or part of the addition, ~~or any part thereof~~,  
8 by private individuals, persons or corporations by donation, loan or concession.

9 (c) ~~To employ~~ Employ a manager of the an auditorium and other necessary  
10 personnel and fix their compensation.

11 (d) ~~To enact~~ Enact, amend and repeal rules and regulations, ~~not inconsistent~~  
12 ~~with law~~, for the leasing of, charges for admission to, and government of audiences  
13 and participants in events at the an auditorium, for the regulation of the board's  
14 meetings and deliberations, and for the government, operation and maintenance of  
15 the auditorium and the auditorium's employes thereof.

16 (e) ~~To contract~~ Contract for, purchase or hire all fuel, equipment, furnishings,  
17 and supplies, services and help reasonably necessary for the proper operation and  
18 maintenance of the an auditorium, ~~and to~~; contract for, purchase, hire, promote,  
19 conduct and operate, either by lease of the all or part of an auditorium building ~~or~~  
20 ~~parts thereof~~ or by direct operation by the an auditorium board, meetings, concerts,  
21 theatricals, sporting events, conventions and other entertainment or events suitable  
22 to be held at the auditorium; and ~~to~~ handle and make all proper arrangements for  
23 the sale and disposition of admission tickets to auditorium events and the  
24 establishment of seating arrangements and priorities.

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1           (f) ~~To audit~~ Audit all accounts and claims against the an auditorium or against  
2 the board, and, if approved, pay the same accounts and claims from the fund specified  
3 in sub. (9). All expenditures made pursuant to this section shall be within the limits  
4 of the ordinance.

5           (g) ~~To sue~~ Sue and be sued, and ~~to collect or compromise any and all obligations~~  
6 due to the an auditorium; ~~all.~~ All money received shall be paid into the joint  
7 auditorium fund.

8           (h) ~~To make such~~ Make studies and recommendations to the county board and  
9 city council relating to the operation of the an auditorium ~~or the building of facilities~~  
10 ~~therefor~~ as the board may ~~deem~~ considers advisable or ~~said~~ the governing bodies  
11 request.

12           (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

13           **(8)** BUDGET. The board shall annually, ~~prior to~~ before the time of the  
14 preparation of either the county or city budget under s. 65.90, prepare a budget of  
15 its anticipated receipts and expenditures for the ensuing fiscal year and determine  
16 the proportionate cost to the county and the participating city pursuant to under the  
17 terms of the ordinance. A certified copy of the budget, which shall include a  
18 statement of the net amount required from the county and city, shall be delivered to  
19 the clerks of the respective municipalities. ~~It shall be the duty of the~~ The county  
20 board and the common council of the city ~~to~~ shall consider such the budget, and  
21 determine the amount to be raised by the respective municipalities in the  
22 proportions determined by the ordinance. ~~Thereupon~~ After this determination, the  
23 county and city respectively shall levy a tax sufficient to produce the amount to be  
24 raised by ~~said~~ the county and city.

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1           **(9) AUDITORIUM FUND.** A joint county–city auditorium fund shall be created and  
2 established in a public depository to be specified in the ordinance. The treasurer of  
3 the respective county and city shall pay ~~or cause to be paid~~ into such the fund the  
4 ~~respective amounts to be paid thereto by such county and city~~ as specified by the  
5 ordinance and resolutions of the respective municipalities when such the amounts  
6 have been collected. All of the moneys which shall come into said the fund are hereby  
7 appropriated to the board for the execution of its functions as provided by the  
8 ordinance and the resolutions of the respective municipalities. The moneys in the  
9 fund shall be paid out by the treasurer of the auditorium board only upon the  
10 approval or direction of the board.

11           **(10) CORRELATION OF LAWS.** (a) ~~In any case where~~ If a bid is a prerequisite to  
12 contract in connection with a county or city auditorium under s. ~~66.29~~ 66.0901, it  
13 ~~shall~~ is also be a prerequisite to a valid contract by the board; ~~and for such.~~ For this  
14 purpose the board ~~shall be deemed~~ is a municipality and the contract a public  
15 contract under s. ~~66.29~~ 66.0901.

16           (b) All statutory requirements, not inconsistent with the provisions of this  
17 section, and applicable to city auditoriums ~~shall~~, apply to auditoriums provided for  
18 in this section.

19           **(11) REPORTS.** The board shall report its activities to the county board and the  
20 city council annually, or oftener as either of said the municipalities ~~may require~~  
21 requires.

22           **SECTION 491.** 66.508 of the statutes is renumbered 66.0925, and 66.0925 (3) to  
23 (11), as renumbered, are amended to read:

24           66.0925 **(3) FINANCING.** The governing bodies of the respective county and city  
25 ~~shall have the power to~~ may borrow money, appropriate funds, and levy taxes needed

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1 to carry out the purposes of this section. Funds to be used for the purposes specified  
2 in this section may be provided by the respective county or city by general obligation  
3 bonds issued under ch. 67 or by revenue bonds issued under s. ~~66.51~~ 66.0913 or by  
4 the issuance of both general obligation bonds under ch. 67 and revenue bonds issued  
5 under s. ~~66.51~~. ~~Any bonds~~ 66.0913. Bonds issued pursuant to under this section  
6 shall be executed on behalf of the county by the county board chairperson and the  
7 county clerk and on behalf of a city by ~~the~~ its mayor or other chief executive officer  
8 thereof and by the city clerk.

9 (4) COST SHARING. The ordinance shall provide for a sharing of all of the cost  
10 of construction or other acquisition, equipment, furnishing, operation and  
11 maintenance of ~~such a~~ a safety building on an agreed percentage basis.

12 (5) SAFETY BUILDING BOARD. The ordinance shall provide for the establishment  
13 of a joint county-city safety building board to be composed of 3 members to be  
14 appointed by the county board, one for a one-year, one for a 2-year and one for a  
15 3-year term, ~~and~~; 3 members to be appointed by the city council, one for a one-year,  
16 one for a 2-year and one for a 3-year term, ~~and~~; and one additional member appointed  
17 by the other members for a 3-year term. The membership of ~~such~~ the board shall  
18 include the chairperson of the county board and the mayor of the city, who shall be  
19 initially designated as members for the 3-year terms. Their respective successors  
20 shall be appointed and confirmed in like manner for terms of 3 years. All appointees  
21 shall serve until their successors are appointed and qualified. Terms shall begin as  
22 specified in the ordinance. If a member of the board ceases to hold a city or county  
23 office, membership on the board also terminates. Vacancies shall be filled for the  
24 unexpired term in the manner in which the original appointment was made.  
25 Members of the board shall be officials of the county or city.

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1           **(6) ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS.** (a) When  
2 all members have qualified the board shall meet at the place designated in the  
3 ordinance and organize by electing from its membership a president, a vice  
4 president, a secretary and a treasurer, each to hold office for one year. The board may  
5 combine the offices of secretary and treasurer ~~may be combined if the board so~~  
6 ~~decides.~~ Members may receive such compensation as ~~may be~~ provided in the  
7 ordinance and shall be reimbursed their actual and necessary expenses for their  
8 services. The board may appoint an assistant secretary and assistant treasurer, who  
9 need not be members of the board, to perform such services as ~~shall be~~ specified by  
10 the board.

11           (b) Members, and any assistant secretary and assistant treasurer, shall qualify  
12 by taking the official oath, and the treasurer and any assistant treasurer shall  
13 furnish a bond in ~~such a~~ sum as ~~shall be~~ specified by the board and be in the form  
14 and conditioned as provided in s. 19.01 (2) and (3). The oaths and bonds shall be filed  
15 with the county clerk. The cost of the bond shall be paid by the board.

16           **(7) POWERS OF BOARD.** The board ~~shall have power~~ may, subject to provisions  
17 of the ordinance:

18           (a) ~~To contract~~ Contract for the construction or other acquisition, equipping or  
19 furnishing of a county-city safety building, ~~and may;~~ accept and use donated services  
20 and gifts, grants or donations of money or property ~~and use the same~~ for the purposes  
21 given and consistent with this section; ~~and may~~ contract for and authorize the  
22 installation of equipment and furnishings in all or part of the safety building, ~~or any~~  
23 ~~part thereof~~ by private individuals, persons or corporations by donations, loan, lease  
24 or concession.

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1           (b) ~~To contract~~ Contract for the construction or other acquisition of additions  
2 or improvements to, or alterations in, such a safety building and the equipment or  
3 furnishing of ~~any such~~ all or part of the addition; and ~~may~~ contract for or authorize  
4 the installation of equipment and furnishings in such all or part of the addition, ~~or~~  
5 ~~any part thereof~~, by private individuals, persons or corporations by donation, loan  
6 or concession.

7           (c) ~~To employ~~ Employ a superintendent of the a safety building and other  
8 necessary personnel and fix their compensation.

9           (d) ~~To enact~~ Enact, amend and repeal rules and regulations, not inconsistent  
10 with law, for the regulation of the board's meetings and deliberations, and for the  
11 government, operation and maintenance of the a safety building and the safety  
12 building's employes thereof.

13           (e) ~~To contract~~ Contract for, purchase or hire all fuel, equipment, furnishings,  
14 and supplies, services and help reasonably necessary for the proper operation and  
15 maintenance of the a safety building.

16           (f) ~~To audit~~ Audit all accounts and claims against the a safety building or  
17 against the a board, and, if approved, pay the ~~same~~ accounts or claims from the fund  
18 specified in sub. (9). All expenditures made pursuant to this section shall be within  
19 the limits of the ordinance.

20           (g) ~~To sue~~ Sue and be sued, and to collect or compromise any ~~and all~~ obligations  
21 due to the a safety building; ~~all.~~ All money received shall be paid into the joint safety  
22 building fund.

23           (h) ~~To make such~~ Make studies and recommendations to the county board and  
24 city council relating to the operation of the a safety building ~~or the building of~~

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1 facilities therefor as the board may ~~deem~~ considers advisable or said the governing  
2 bodies request.

3 (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

4 **(8)** BUDGET. The board shall annually, ~~prior to~~ before the time of the  
5 preparation of either the county or city budget under s. 65.90, prepare a budget of  
6 its anticipated receipts and expenditures for the ensuing fiscal year and determine  
7 the proportionate cost to the county and the city pursuant to the terms of the  
8 ordinance. A certified copy of the budget, which shall include a statement of the net  
9 amount required from the county and city, shall be delivered to the clerks of the  
10 respective municipalities. ~~It shall be the duty of the~~ The county board and the  
11 common council of the city ~~to~~ shall consider ~~such~~ the budget, and determine the  
12 amount to be raised by the respective municipalities in the proportions determined  
13 by the ordinance. ~~Thereupon~~ After this determination, the county and city  
14 respectively shall levy a tax sufficient to produce the amount to be raised by ~~said~~ the  
15 county and city.

16 **(9)** SAFETY BUILDING FUND. A joint county–city safety building fund shall be  
17 created and established in a public depository to be specified in the ordinance. The  
18 treasurer of the respective county and city shall pay ~~or cause to be paid~~ into ~~such~~ the  
19 fund the ~~respective amounts to be paid thereto by such county and city as specified~~  
20 by the ordinance and resolutions of the respective municipalities when ~~such~~ the  
21 amounts have been collected. All of the moneys which shall come into ~~said~~ the fund  
22 are ~~hereby~~ appropriated to the board for the execution of its functions as provided  
23 by the ordinance and the resolutions of the respective municipalities. The moneys  
24 in the fund shall be paid out by the treasurer of the safety building board only upon  
25 the approval or direction of the board.

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1           **(10) CORRELATION OF LAWS.** In any case where a bid is a prerequisite to contract  
2 in connection with a county or city safety building under s. ~~66.29~~ 66.0901, it shall ~~is~~  
3 also be a prerequisite to a valid contract by the board; ~~and for such.~~ For this purpose  
4 the board ~~shall be deemed~~ is a municipality and the contract a public contract under  
5 s. ~~66.29~~ 66.0901.

6           **(11) REPORTS.** The board shall report its activities to the county board and the  
7 city council annually, or oftener as either of ~~said~~ the municipalities may require.

8           **SECTION 492.** 66.51 (title), (1), (2) and (3) of the statutes are renumbered  
9 66.0913 (title), (1), (2) and (3) and amended to read:

10           **66.0913** (title) ~~Revenue bonds for counties and cities~~ City and county  
11 projects, individual or joint; revenue bonding. **(1)** (a) ~~Every~~ A county or city,  
12 or both jointly, may construct, purchase, acquire, develop, improve, operate or  
13 maintain a county or city building, or both jointly, for a courthouse, safety building,  
14 city hall, hospital, armory, library, auditorium and music hall, municipal parking  
15 lots or other parking facilities, or municipal center or any combination thereof of the  
16 foregoing, or a ~~university~~ University of Wisconsin college campus, as defined in s.  
17 36.05 (6m), if the operation of ~~such~~ the college campus has been approved by the  
18 board of regents of the ~~university~~ University of Wisconsin system System.

19           (b) The county board, common council ~~of any city~~, or both jointly, ~~are authorized~~  
20 ~~in their discretion~~ may, for any of its corporate purposes as set forth in this  
21 subsection, ~~to~~ issue bonds on which the principal and interest are payable from the  
22 income and revenues of ~~such~~ the project financed with the proceeds of ~~such~~ the bonds  
23 or with ~~such~~ the proceeds together with the proceeds of a grant from the federal  
24 government to aid in the financing and construction thereof of the project. In the case  
25 of municipal parking lots or other parking facilities ~~such~~ the bonds may in addition

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1 be payable as to both principal and interest from income and revenues from other  
2 similar projects, parking meters, parking fees, or any other income or revenue  
3 obtained through parking, or any combination thereof of these methods.

4 (c) The credit of the county, or city, or both jointly, shall ~~may~~ not be pledged to  
5 the payment of such the bonds, but shall be the bonds are payable only from the  
6 income and revenues described in par. (b) or the funds received from ~~the~~ their sale  
7 or disposal thereof. If the county board, or common council ~~of a city~~, or both jointly,  
8 so determine, such the bonds shall be secured either by a trust indenture pledging  
9 such the revenues or by a mortgage on the property comprising such the project and  
10 the revenues ~~therefrom~~ from the project.

11 (2) The bonds or other evidences of indebtedness shall state ~~upon~~ on their face  
12 that the bonds are not a debt of the county, or city, or both jointly, ~~shall not be a debt~~  
13 ~~thereof or be~~ and that the county or city, or both jointly, are not liable therefor for the  
14 indebtedness. Any indebtedness created by this section shall is not be considered an  
15 indebtedness of such the county or city and shall not be included in such amounts of  
16 determining the constitutional 5% debt limitations.

17 (3) The provisions of s. ~~66.066~~ 66.0621 relating to the issuance of revenue bonds  
18 by cities for public utility purposes, insofar as applicable, and the provisions of ss.  
19 67.08 (1) and 67.09 relating to the execution and registration of municipal  
20 obligations apply to the issuance of revenue bonds under this section.

21 **SECTION 493.** 66.51 (4) of the statutes is repealed.

NOTE: Repealed as archaic. The subsection validates all actions of a county or city before December 4, 1955, in connection with the construction or other acquisition, equipping, furnishing, operation and maintenance of a joint county-city safety building which would have been valid had ss. 66.51 (1) and 66.508 been in effect when the actions were taken. There appears to be no need to continue the validation.

**ASSEMBLY BILL 710****SECTION 494**

1           **SECTION 494.** 66.52 of the statutes is renumbered 66.1101 and amended to  
2 read:

3           **66.1101 Promotion of industry; industrial sites. (1)** It is declared to be  
4 the policy of the state to encourage and promote the development of industry to  
5 provide greater employment opportunities and to broaden the state's tax base to  
6 relieve the tax burden of residents and home owners. It is recognized that the  
7 availability of suitable sites is a prime factor in influencing the location of industry  
8 but that existing available sites may be encroached upon by the development of other  
9 uses unless protected from such encroachment by purchase and reservation. It is  
10 further recognized that cities, villages and towns have broad power to act for the  
11 commercial benefit and the health, safety and public welfare of the public. However,  
12 to implement that power, legislation authorizing borrowing is necessary. It is,  
13 therefore, ~~declared to be~~ the policy of the state to authorize cities, villages and towns  
14 to borrow for the reservation and development of industrial sites, and the  
15 expenditure of funds therefor for that purpose is determined to be a public purpose.

16           **(2)** For financing purposes, the purchase, reservation and development of  
17 industrial sites undertaken by ~~any a~~ city, village or town is a public utility within the  
18 meaning of s. ~~66.066~~ 66.0621. In financing under that section, rentals and fees shall  
19 ~~be~~ are considered as to be revenue. Any indebtedness created ~~hereunder~~ under this  
20 section shall not be included in arriving at the constitutional debt limitation.

21           **(3)** Sites purchased for industrial development under this section or pursuant  
22 ~~to~~ under any other authority may be developed by the city, village or town by the  
23 installation of utilities and roadways but not by the construction of buildings or  
24 structures. ~~Any such~~ The sites may be sold or leased for industrial purposes but only  
25 for a fair consideration to be determined by the governing body.

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1           **SECTION 495.** 66.521 (title) and (1) to (6) of the statutes are renumbered 66.1103  
2 (title) and (1) to (6), and 66.1103 (1) (a), (2) (d), (f) to (h), (k) 1., 4., 11. and 20. and (L),  
3 (3) (intro.), (b) 1. and 2., (d), (e) and (f), (4) (a) (intro.) and (c) to (f), (4m) (c), (5) (a),  
4 (b) (intro.) and 1. to 5. and (c) to (f) and (6) (a) and (b), as renumbered, are amended  
5 to read:

6           **66.1103 (1) (a)** It is found and declared that industries located in this state have  
7 been induced to move their operations in whole or in part to, or to expand their  
8 operations in, other states to the detriment of state, county and municipal revenue  
9 raising through the loss or reduction of income and franchise taxes, real estate and  
10 other local taxes, ~~and thereby~~ causing an increase in unemployment; that such  
11 conditions now exist in certain areas of the state and may well arise in other areas;  
12 that economic insecurity due to unemployment is a serious menace to the general  
13 welfare of not only the people of the affected areas but of the people of the entire state;  
14 that unemployment results in obligations to grant public assistance and in the  
15 payment of unemployment insurance; that the absence of new economic  
16 opportunities has caused workers and their families to migrate elsewhere to find  
17 work and establish homes, which has resulted in a reduction of the tax base of  
18 counties, cities and other local governmental jurisdictions impairing their financial  
19 ability to support education and other local governmental services; that security  
20 against unemployment and the preservation and enhancement of the tax base can  
21 best be provided by the promotion, attraction, stimulation, rehabilitation and  
22 revitalization of commerce, industry and manufacturing; and that there is a need to  
23 stimulate a larger flow of private investment funds from banks, investment houses,  
24 insurance companies and other financial institutions. It is therefore ~~declared to be~~  
25 the policy of this state to promote the right to gainful employment, business

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1 opportunities and general welfare of the its inhabitants thereof and to preserve and  
2 enhance the tax base by authorizing municipalities to acquire industrial buildings  
3 and to finance such the acquisition through the issuance of revenue bonds for the  
4 purpose of fulfilling the aims of this section ~~and such~~. These purposes are hereby  
5 declared to be public purposes for which public money may be spent and the necessity  
6 in the public interest for the provisions ~~herein enacted~~ of this section is declared a  
7 matter of legislative determination.

8 (2) (d) “Equip” means to install or place on or in any building or improvements  
9 or the site ~~thereof~~ of the building or improvements equipment of any kind, including,  
10 ~~without limiting the generality of the foregoing~~, machinery, utility service  
11 connections, pollution control facilities, building service equipment, fixtures,  
12 heating equipment and air conditioning equipment.

13 (f) “Improve”, “improving”, “improvements” and “facilities” embrace any real  
14 or personal property or mixed property ~~of any kind~~ of whatever useful life that can  
15 be used or that will be useful in an industrial project including, ~~but not limited to~~,  
16 sites for buildings, equipment or other improvements, rights-of-way, roads, streets,  
17 sidings, foundations, tanks, structures, pipes, pipelines, reservoirs, lagoons,  
18 utilities, materials, equipment, fixtures, machinery, furniture, furnishings,  
19 improvements, instrumentalities, pollution control facilities, and other real,  
20 personal or mixed property ~~of every kind~~.

21 (g) “Indenture” means an instrument under which bonds may be issued and the  
22 rights and security of the bondholders are defined, whether such the instrument is  
23 in the form of an indenture of trust, deed of trust, resolution of the governing body,  
24 mortgage, security agreement, instrument of pledge or assignment or any similar

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1 instrument or any combination of the foregoing these forms and whether or not such  
2 the instrument creates a lien on property.

3 (h) “Initial resolution” means a resolution of the governing body expressing an  
4 intention, which may be subject to conditions ~~therein~~ stated in the resolution, to  
5 issue revenue bonds under this section in an amount stated, or a sum not to exceed  
6 a stated amount, on behalf of a specified eligible participant, for a stated purpose.

7 (k) 1. Assembling, fabricating, manufacturing, mixing or processing facilities  
8 for any products of agriculture, forestry, mining or manufacture, even though such  
9 the products may require further treatment before delivery to the ultimate  
10 consumer;

11 4. Pollution control facilities, including any connected environmental studies  
12 and monitoring systems ~~connected therewith~~;

13 11. Recreational facilities, convention centers and trade centers, as well as  
14 related hotels, motels or marinas ~~related thereto~~;

15 20. A shopping center, or an office building, convention or trade center, hotel,  
16 motel or other nonresidential facility, which is located in or adjacent to a blighted  
17 area as defined by s. ~~66.43~~ 66.1105 (2) (a), 66.1331 (3) (a), ~~66.431~~ or 66.1333 (2m) (b)  
18 ~~or 66.46 (2) (a)~~ or in accordance with a redevelopment plan or urban renewal plan  
19 adopted under s. ~~66.43~~ 66.1331 (5) or ~~66.431~~ 66.1333 (6).

20 (L) “Revenue agreement” includes any lease, sublease, instalment or direct  
21 sales contract, service contract, take or pay contract, loan agreement or similar  
22 agreement ~~wherein~~ providing that an eligible participant agrees to pay the  
23 municipality an amount of funds sufficient to provide for the prompt payment of the  
24 principal of, and interest on, the revenue bonds and agrees to cause construct the  
25 project ~~to be constructed~~.

**ASSEMBLY BILL 710****SECTION 495**

1           **(3) POWERS.** (intro.) ~~Any~~ A municipality may:

2           (b) 1. To finance all or ~~any~~ part of the costs of the construction, equipping,  
3           reequipping, acquisition, purchase, installation, reconstruction, rebuilding,  
4           rehabilitation, improving, supplementing, replacing, maintaining, repairing,  
5           enlarging, extending or remodeling of industrial projects and the improvement of  
6           sites ~~therefor~~ for industrial projects;

7           2. To fund the whole or ~~any~~ part of any revenue bonds ~~theretofore~~ issued by such  
8           the municipality, including any premium payable with respect ~~thereto~~ to the bonds  
9           and any interest accrued or to accrue ~~thereon~~ on the bonds; or

10          (d) Mortgage all or ~~any~~ part of the industrial project or assign the revenue  
11          agreements in favor of the holders of the bonds issued ~~therefor~~ for the industrial  
12          project and in connection ~~therewith~~ may with the mortgage or assignment  
13          irrevocably waive any rights it would otherwise have to redeem the mortgaged  
14          premises in the event of foreclosure.

15          (e) Sell and convey the industrial project and site, including without limitation  
16          the sale and conveyance ~~thereof~~ subject to a mortgage, for ~~such~~ the price and at ~~such~~  
17          the time as that the governing body determines, but no sale or conveyance of any  
18          industrial project or site shall may be made ~~in any manner as to impair~~ that impairs  
19          the rights or interests of the holders of any bonds issued for the industrial project.

20          (f) Finance an industrial project which is located entirely within the geographic  
21          limits of the municipality or some contiguous part of which is located within and  
22          some contiguous part outside the geographic limits of the municipality; or, finance  
23          an industrial project which is located entirely outside the geographic limits of the  
24          municipality, but only if the revenue agreement ~~with respect to such~~ for the project  
25          also relates to another project of the same eligible participant ~~some~~, part of which is

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1 located within such the geographic limits. ~~Exercise of the~~ of the municipality. The  
2 power granted by this subsection shall not give rise to any paragraph does not  
3 include the power on the part of such municipality to annex, tax, zone or exercise any  
4 other municipal power with respect to that part of such the project located outside  
5 of the geographic limits of such the municipality.

6 (4) (a) (intro.) ~~All bonds~~ Bonds issued by a municipality under ~~the authority~~  
7 of this section shall be are limited obligations of the municipality. The principal of  
8 and interest on such the bonds shall be are payable solely out of the revenues derived  
9 pursuant to under the revenue agreement pertaining to the project to be financed by  
10 the bonds so issued under this section, or, in the event of if there is a default of such  
11 the agreement and to the extent that the municipality so provides in the proceedings  
12 of the governing body ~~whereunder~~ authorizing the bonds are authorized to be issued,  
13 out of any revenues derived from the sale, releasing or other disposition of the  
14 project, or out of any collateral securing the revenue agreement, or out of the  
15 proceeds of the sale of bonds. Bonds and interest coupons issued under this section  
16 ~~do are~~ not constitute an indebtedness of the municipality, within the meaning of any  
17 state constitutional provision or statutory limitation. Bonds and interest coupons  
18 issued under this section ~~do are~~ not constitute ~~nor give rise to~~ a charge against the  
19 municipality's general credit or taxing powers or a pecuniary liability of the  
20 municipality or a redevelopment authority under s. ~~66.431~~ 66.1333, including but  
21 not limited to:

22 (c) The bonds may be executed and delivered at any time; be in such the form  
23 and denominations, without limitation as to the denomination of any bond, any other  
24 law to the contrary notwithstanding; be registered under s. 67.09; be payable in one  
25 or more instalments and at such time, not exceeding 35 years from their date; be

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1 payable ~~prior to~~ before maturity on ~~such~~ the terms and conditions; be payable both  
2 with respect to principal and interest at ~~such~~ the place in or out of this state; bear  
3 interest at ~~such~~ the rate, either fixed or variable in accordance with ~~such~~ the formula;  
4 be evidenced in ~~such~~ the manner; and may contain other provisions not inconsistent  
5 with this section, as specified by the governing body.

6 (d) Unless otherwise expressly or implicitly provided in the proceedings of the  
7 governing body ~~whereunder~~ authorizing the bonds ~~are authorized~~ to be issued, bonds  
8 issued under this section ~~shall be~~ are subject to the general provisions of law, not  
9 inconsistent with this section, ~~presently existing or that may hereafter be enacted,~~  
10 respecting the authorization, execution and delivery of the bonds of ~~such~~ the  
11 municipality.

12 (e) ~~Any bonds,~~ Bonds issued under the authority of this section, may be sold at  
13 public or private sale in ~~such~~ the manner, at ~~such~~ the price and at ~~such~~ the time as  
14 ~~may be~~ determined by the governing body. The municipality may pay all expenses,  
15 premiums and commissions which the governing body ~~may deem~~ considers  
16 necessary or advantageous in connection with the authorization, sale and issuance  
17 ~~thereof~~ of the bonds.

18 (f) All bonds, issued under the authority of this section, and all interest coupons  
19 applicable ~~thereto,~~ ~~shall be construed to be~~ to the bonds, are negotiable instruments,  
20 even though they are payable solely from a specified source.

21 **(4m)** (c) Nothing in this subsection ~~may be deemed to require~~ requires a person  
22 with whom a municipality has entered into a revenue agreement to satisfy an  
23 estimate under par. (a) 2.

24 **(5)** (a) The principal of, and interest on, any bonds issued under authority of  
25 this section shall be secured by a pledge of the revenues out of which ~~such~~ the bonds

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1 shall be are made payable. ~~They~~ The bonds may, but need not, be secured by any one  
2 or more of the following:

3 1. A real estate mortgage or a security interest covering all or any part of the  
4 project from which the revenues so pledged may be derived;\_

5 2. A pledge of the revenue agreement; or

6 3. An assignment of the revenue agreement and any security given ~~therefor~~ for  
7 the revenue agreement.

8 (b) (intro.) The proceedings under which the bonds are authorized to be issued  
9 under this section, and any indenture given to secure the ~~same~~ bonds, may contain  
10 any agreements and provisions customarily contained in instruments securing  
11 bonds, including, but not limited to:

12 1. Provisions respecting custody of the proceeds from the sale of the bonds  
13 including their investment and reinvestment until used to defray the cost of the  
14 project;\_

15 2. Provisions respecting the fixing and collection of the proceeds under the  
16 revenue agreement pertaining to any project covered by ~~such~~ the proceedings or  
17 indenture;\_

18 3. The terms to be incorporated in the revenue agreement pertaining to ~~such~~  
19 the project;\_

20 4. The maintenance and insurance of ~~such~~ the project;\_

21 5. The creation, maintenance, custody, investment and reinvestment and use  
22 of special funds from the revenues of ~~such~~ the project; ~~and~~.\_

23 (c) A municipality may provide that proceeds from the sale of bonds and special  
24 funds from the revenues of the project and any funds held in reserve or debt service  
25 funds shall be invested and reinvested in ~~such~~ securities and other investments as

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1 are provided in the proceedings under which the bonds are authorized to be issued.  
2 The municipality may also provide that ~~such~~ the proceeds or funds or investments  
3 and the revenues derived pursuant to the revenue agreement shall be received, held  
4 and disbursed by one or more banks or trust companies located in or out of this state.  
5 A municipality may also provide that the project and improvements shall be  
6 constructed or installed by the municipality, the eligible participant or the eligible  
7 participant's designee or any one or more of them on real estate owned by the  
8 municipality, the eligible participant or the eligible participant's designee and that  
9 the bond proceeds shall be disbursed by the trustee bank or trust company during  
10 construction upon the estimate, order or certificate of the eligible participant or the  
11 eligible participant's designee. In making ~~such~~ agreements or provisions under this  
12 paragraph, a municipality shall may not obligate itself, except with respect to the  
13 project and the application of the revenues ~~therefrom~~ from the project, and shall may  
14 not incur a pecuniary liability or a charge upon its general credit or against its taxing  
15 powers.

16 (d) The proceedings authorizing any bonds under this section, or any indenture  
17 securing ~~such~~ the bonds, may provide that if there is a default in the payment of the  
18 principal of, or the interest on, ~~such~~ the bonds or in the performance of any agreement  
19 contained in ~~such~~ the proceedings or indenture, the payment and performance may  
20 be enforced by the appointment of a receiver with power to charge, collect and apply  
21 the revenues from the project in accordance with ~~such~~ the proceedings or the  
22 provisions of ~~such~~ the indenture.

23 (e) ~~Any~~ An indenture made under this section to secure bonds and which  
24 constitutes a lien on property may also provide that if there is a default in the  
25 payment ~~thereof~~ of the bonds or a violation of any agreement contained ~~therein~~ in

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1 the indenture, it may be foreclosed and the collateral sold under proceedings in any  
2 manner permitted by law. ~~Such~~ The indenture may also provide that ~~any a~~ trustee  
3 ~~thereunder~~ under or ~~any a~~ pledgee or assignee ~~thereof of~~ or the holder of any bonds  
4 secured ~~thereby by the indenture~~ may become the purchaser at any foreclosure sale  
5 if that person is the highest bidder ~~therefor~~.

6 (f) The revenue agreement may include such any provisions as that the  
7 municipality ~~deems~~ considers appropriate to effect the financing of the project,  
8 including a provision for payments ~~thereunder~~ to be made in instalments and the  
9 securing of the obligation for any ~~such~~ payments by lien or security interest in the  
10 undertaking either senior or junior to, or ranking equally with, any lien, security  
11 interest or rights of others.

12 **(6)** (a) ~~Prior to~~ Before the execution of a revenue agreement with respect to ~~any~~  
13 a project, the governing body ~~must~~ shall determine all of the following:

14 1. The amount necessary in each year to pay the principal of, and the interest  
15 on, the bonds proposed to be issued to finance such the project;

16 2. The amount necessary to be paid each year into any reserve funds which the  
17 governing body deems advisable to establish in connection with the retirement of the  
18 proposed bonds and the maintenance of the project; ~~and~~.

19 3. Unless the terms of the revenue agreement provide that the eligible  
20 participant ~~shall~~ is obligated to provide for maintenance of the project and the  
21 carrying of all proper insurance with respect ~~thereto~~ to the project, the estimated cost  
22 of maintaining the project in good repair and keeping it properly insured.

23 (b) The determination and findings of the governing body shall be embodied in  
24 the proceedings under which the proposed bonds are to be issued; but the ~~foregoing~~  
25 amounts specified in par. (a) need not be expressed in dollars and cents in the revenue

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1 agreement and proceedings under which the bonds are authorized to be issued, but  
2 may be set forth in the form of a formula. ~~Prior to~~ Before the issuance of the bonds  
3 authorized by this section the municipality shall enter into a revenue agreement  
4 providing for payment to the municipality or to the trustee for the account of the  
5 municipality of ~~such~~ those amounts as, based upon the ~~basis of such~~ determination  
6 and findings, that will be sufficient to pay the principal of, and interest on, the bonds  
7 issued to finance the project; to build up and maintain any reserves ~~deemed~~  
8 considered advisable by the governing body, in connection ~~therewith~~ with the project;  
9 and, unless the revenue agreement obligates the eligible participant to provide for  
10 the maintenance of and insurance on the project, to pay the costs of maintaining the  
11 project in good repair and keeping it properly insured.

12 **SECTION 496.** 66.521 (6m) of the statutes, as affected by 1999 Wisconsin Act 9,  
13 is renumbered 66.1103 (6m) and amended to read:

14 **SECTION 497.** 66.521 (7) to (13) of the statutes are renumbered 66.1103 (7) to  
15 (13), and 66.1103 (7) (intro.), (8), (9), (10) (a), (b) and (d), (11) (a), (12) (a) and (13) (b)  
16 (intro.), 1. (intro.) and b. and 2. (intro.), as renumbered, are amended to read:

17 **66.1103 (7) APPLICATION OF PROCEEDS LIMITED.** (intro.) The proceeds from the  
18 sale of ~~any~~ bonds, issued under this section, ~~shall~~ may be applied only for the purpose  
19 for which the bonds were issued and if, for any reason, any portion of ~~such~~ the  
20 proceeds are not needed for the purpose for which the bonds were issued, ~~such~~ the  
21 unneeded portion of ~~said~~ the proceeds shall be applied, directly or indirectly, to the  
22 payment of the principal or the interest on the bonds. The following costs may be  
23 financed as part of ~~any~~ a bond issue:

24 **(8) PURCHASE.** The municipality may, by or with the consent of the eligible  
25 participant, accept any bona fide offer to purchase the project which is sufficient to

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1 pay all the outstanding bonds, interest, taxes, special levies and other costs that have  
2 been incurred. The municipality may also, by or with the consent of the eligible  
3 participant, accept any bona fide offer to purchase any unimproved land which is a  
4 part of the project, if the purchase price is not less than the cost of ~~such~~ the land to  
5 the municipality computed on a prorated basis and if ~~such~~ the purchase price is  
6 applied directly or indirectly to the payment of the principal or interest on the bonds.

7 **(9)** PAYMENT OF TAXES. ~~When any~~ If an industrial project acquired by a  
8 municipality under this section is used by a private person as a lessee, sublessee or  
9 in any capacity other than owner, that person ~~shall be~~ is subject to taxation in the  
10 same amount and to the same extent as ~~though~~ if that person were the owner of the  
11 property. Taxes shall be assessed to ~~such~~ the private person using the real property  
12 and collected in the same manner as taxes assessed to owners of real property. When  
13 due, the taxes ~~shall~~ constitute a debt due from ~~such~~ the private person to the taxing  
14 unit and ~~shall be~~ are recoverable as provided by law, and ~~such~~ the unpaid taxes shall  
15 become a lien against the property with respect to which they were assessed,  
16 superior to all other liens, except a lien under s. 292.31 (8) (i) or 292.81, and shall be  
17 placed on ~~their~~ the tax roll when there has been a conveyance of the property in the  
18 same manner as are other taxes assessed against real property.

19 **(10)** (a) ~~Any~~ An action required or permitted by this section to be taken by a  
20 governing body may be taken at any lawful meetings thereof of the governing body.  
21 A simple majority of a quorum of ~~such~~ the governing body ~~shall be~~ is sufficient for  
22 ~~any such~~ the action under this section. The ayes and noes need not be taken with  
23 respect to ~~any such~~ the action and ~~such~~ the action need not be officially read ~~prior~~  
24 ~~to~~ before adoption. Failure to publish ~~any such~~ an action shall under this section does  
25 not affect the validity thereof of the action.

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1 (b) Upon the adoption of an initial resolution under this section, public notice  
2 of such ~~the~~ adoption shall be given to the electors of the municipality ~~prior to~~ before  
3 the issuance of the bonds ~~therein~~ described in the resolution, by publication as a class  
4 1 notice, under ch. 985. The notice need not set forth the full contents of the  
5 resolution, but shall state the maximum amount of the bonds; the name of the  
6 eligible participant; the purpose of the bonds; the net number of jobs which the  
7 project ~~which~~ the municipality would finance with the bond issue is expected to  
8 eliminate, create or maintain on the project site and elsewhere in this state which  
9 is required to be shown by the proposed eligible participant on the form submitted  
10 under sub. (4m) (a) 1.; and that the resolution was adopted under this section. A form  
11 of the public notice shall be attached to the initial resolution. Prior to adoption of the  
12 initial resolution, the open meeting notice given to members of the public under s.  
13 19.84 shall indicate that information with respect to the job impact of the project will  
14 be available at the time of consideration of the initial resolution. No other public  
15 notice of the authorization, issuance or sale of bonds under this section is required.

16 (d) The governing body may issue bonds under this section without submitting  
17 the proposition to the electors of the municipality for approval unless within 30 days  
18 from the date of publication of notice of adoption of the initial resolution for such ~~the~~  
19 bonds, a petition conforming to the requirements of s. 8.40, signed by not less than  
20 5% of the registered electors of the municipality, or, if there is no registration of  
21 electors in the municipality, by 10% of the number of electors of the municipality  
22 voting for the office of governor at the last general election as determined under s.  
23 115.01 (13), is filed with the clerk of the municipality requesting a referendum upon  
24 the question of the issuance of the bonds. If such a petition is filed, the bonds shall

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1 may not be issued until approved by a majority of the electors of the municipality  
2 voting thereon on the referendum at a general or special election.

3 (11) (a) With respect to the enforcement of any construction lien or other lien  
4 under ch. 779 arising out of the construction of projects financed under this section,  
5 no deficiency judgment or judgment for costs may be entered against the  
6 municipality. Projects financed under this section shall are not be deemed to be  
7 public works, public improvements or public construction within the meaning of ss.  
8 59.52 (29), 60.47, 61.55, 62.15, 779.14, 779.15 and 779.155 and contracts for the  
9 construction of such the projects shall are not be deemed to be public contracts within  
10 the meaning of ss. 59.52 (29) and ~~66.29~~ 66.0901 unless factors ~~such as and~~ including  
11 municipal control over the costs, construction and operation of the project and the  
12 beneficial ownership of the project warrant such the conclusion that they are public  
13 contracts.

14 (12) (a) In the absence of fraud, all bonds issued ~~prior to~~ before July 25, 1980,  
15 purportedly pursuant to under this section, and all proceedings taken purportedly  
16 ~~pursuant to~~ under this section ~~prior to~~ before that date for the authorization and  
17 issuance of those bonds or of bonds not yet issued, and the sale, execution and  
18 delivery of bonds issued ~~prior to~~ before July 25, 1980, are hereby validated, ratified,  
19 approved and confirmed, notwithstanding any lack of power, however patent, other  
20 than constitutional, of the issuing municipality or the governing body or municipal  
21 ~~officer thereof~~, to authorize and issue the bonds, or to sell, execute or deliver the same  
22 bonds, and notwithstanding any defects or irregularities, however patent, other than  
23 constitutional, in the proceeding or in the sale, execution or delivery of bonds issued  
24 ~~prior to~~ before July 25, 1980. All such bonds issued before July 25, 1980, are  
25 binding, legal obligations in accordance with their terms.

**ASSEMBLY BILL 710****SECTION 497**

1           **(13)** (b) (intro.) This section may be used to finance all or any part of the cost,  
2 tangible or intangible, whenever incurred, of providing an industrial project under  
3 this section, whether or not ~~such~~ the industrial project is in existence on the date of  
4 adoption of the initial resolution or of issuance of the bonds; whether new or  
5 previously used; whether or not previously owned by the eligible participant, the  
6 eligible participant's designee or a party affiliated with either; and notwithstanding  
7 that this section was not in effect or did not permit ~~such~~ the financing on the date of  
8 ~~such~~ adoption of the resolution or at the time ~~such~~ ownership was acquired, except  
9 as follows:

10           1. (intro.) No part of the costs of constructing or acquiring personal property  
11 owned by the eligible participant, the eligible participant's designee or a party  
12 affiliated with either at any time ~~prior to~~ before the date of adoption of the initial  
13 resolution may be so financed except ~~such~~ costs for:

14           b. Personal property which will either be substantially reconstructed,  
15 rehabilitated, rebuilt or repaired in connection with the financing or which  
16 represents less than 10% of the entire financing. Personal property ~~shall be deemed~~  
17 is considered owned only after 50% of the acquisition cost ~~thereof~~ of the personal  
18 property has been paid and ~~such~~ the property has been delivered and installed.

19           2. (intro.) No part of the costs of acquiring real property or of acquiring or  
20 constructing improvements ~~thereto~~ to the real property may be so financed except  
21 ~~such~~ costs:

22           **SECTION 498.** 66.526 of the statutes is renumbered 62.57 and amended to read:

23           **62.57 Uniform salaries in first 1st class cities.** The common council of any  
24 city ~~of the first a 1st class, however incorporated,~~ city may at any regular or special  
25 meeting, ~~at any time during the calendar year,~~ adopt a uniform and comprehensive

**ASSEMBLY BILL 710**

1 salary or wage ordinance, or both, based on a classification of officers, employments  
2 and positions in the city service ~~and of and including any and all offices and positions~~  
3 ~~whatsoever in the employment of such city~~, whether previously so classified or not,  
4 ~~provided if~~ provision has been made in the budget of the current year for the total  
5 sum of money required for the payment of the salaries and wages ~~for such~~  
6 employment and a tax levied ~~to include the same, with the following exception: That~~  
7 fund the wages and salaries. Wages under this section may be fixed at any such time  
8 by resolution ~~alone and that the.~~ The common council may, at any time during the  
9 calendar ~~year, at any such meeting,~~ determine a cost-of-living increment or  
10 deduction, to be paid in addition to such wages or salaries under this section, based  
11 on a proper finding of the United States bureau of labor statistics. ~~Any such~~ The  
12 common council may, ~~at any such meeting,~~ provide for overtime pay and  
13 compensatory time under s. 103.025 for employes who work in excess of 40 hours per  
14 week.

15 **SECTION 499.** 66.527 (title) of the statutes is renumbered 66.0123 (title).

16 **SECTION 500.** 66.527 (1) to (3) of the statutes are renumbered 66.0123 (2) to (4)  
17 and amended to read:

18 66.0123 **(2)** ~~Funds for the establishment, operation and maintenance of a~~  
19 ~~department of recreation may be provided by the governing body of any town or~~  
20 ~~school district~~ A governmental unit may, after compliance with s. 65.90, provide  
21 funds for the establishment, operation and maintenance of a department of public  
22 recreation.

23 **(3)** (a) ~~Any such~~ A governmental unit may delegate the power to establish,  
24 maintain and operate a department of public recreation to a ~~board of~~ recreation  
25 board, which shall consist of 3 members and shall be appointed by the chairperson

**ASSEMBLY BILL 710****SECTION 500**

1 or other presiding officer of the ~~governing body~~ governmental unit. The first  
2 appointments shall be made so that one member ~~will serve~~ serves one year, one ~~for~~  
3 serves 2 years and one ~~for~~ serves 3 years; ~~thereafter appointments shall be for terms~~  
4 of. After the first appointments, terms are 3 years.

5 (b) When 2 or more of the ~~aforesaid governing~~ governmental units desire to  
6 conduct, jointly, a department of public recreation, the joint recreation board shall  
7 consist of not less than 3 members ~~who shall be~~ selected by the presiding officers of  
8 ~~such~~ the governmental units acting jointly. Appointments shall be made for terms  
9 as provided in par. (a).

10 (c) The members of ~~any such~~ a recreation board shall serve gratuitously.

11 (d) ~~Such~~ A recreation board ~~is authorized to~~ may conduct the activities of ~~such~~  
12 ~~public recreation~~ the department, to of public recreation, expend funds therefor, ~~to,~~  
13 employ a supervisor of recreation, ~~to~~ employ assistants, ~~to~~ purchase equipment and  
14 supplies, and generally ~~to~~ supervise the administration, maintenance and operation  
15 of ~~such~~ the department of public recreation and recreational activities authorized by  
16 the recreation board.

17 (4) (a) ~~The public~~ A recreation board ~~has the right to~~ may conduct public  
18 recreation activities on property purchased or leased by ~~any such governing a~~  
19 governmental unit for recreational purposes and under its own custody, on other  
20 public property under the custody of any other public authority, body or board with  
21 the consent of ~~such~~ the public authority, body or board, or on private property with  
22 the consent of its owner, ~~and such.~~ The recreation board, with the approval of the  
23 appointing board authority, may accept gifts and bequests of land, money or other  
24 personal property, and use the ~~same~~ gifts and bequests in whole or in part, ~~or~~ the  
25 income ~~therefrom~~ from the gifts and bequests or the proceeds from the sale of any

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1 such property in the establishment, maintenance and operation of recreational  
2 activities.

3 (b) The A recreation board shall annually submit to the governing body  
4 governmental unit a report of its the board's activities and showing, including  
5 receipts and expenditures. ~~Such reports~~ The report shall be submitted not less than  
6 15 days ~~prior to~~ before the annual meeting of such the governmental unit.

7 (c) An audit shall be made of the accounts of ~~such recreational~~ the recreation  
8 board in the same manner as provided for audits for towns or school districts as the  
9 case may be.

10 (d) The persons selected by the recreation board shall furnish a surety bond in  
11 such an amount ~~as shall be fixed~~ by the governing body governmental unit.

12 **SECTION 501.** 66.53 of the statutes is renumbered 66.0733 (intro.) and amended  
13 to read:

14 **66.0733 Repayment of assessments in certain cases.** (intro.) ~~If in any city~~  
15 ~~or town any~~ a contract for improvements entered into by a governmental unit  
16 authorized to levy special assessments is declared void by any a court of last resort  
17 ~~on the following grounds: want of power to make such contract; made contrary to a~~  
18 ~~prohibition against contracting in any other than a specified way; or forbidden by~~  
19 ~~statute, and if the governing body of the city or town has not adopted the resolution~~  
20 ~~referred to in s. 66.295 (1) relating to payment of any person who has furnished any~~  
21 ~~benefits under the void contract, the governing body of the city or town may provide~~  
22 ~~that all persons who have paid all or any part of any assessment levied against the~~  
23 ~~abutting property owners by reason~~ because of the improvement may be reimbursed  
24 the amount of the assessment, paid from the fund, as that the governing body may

**ASSEMBLY BILL 710****SECTION 501**

1 ~~determine.~~ determines. This section applies to contracts for improvements that are  
2 void for any of the following reasons:

3 (1) There was insufficient authority to make the contract.

4 (2) The contract was made contrary to a prohibition against contracting in  
5 other than a specified way.

6 (3) The contract was prohibited by statute.

NOTE: Expands the scope of the provision to include any governmental entity  
authorized to levy special assessments.

Reflects the repeal of s. 66.295 by SECTION 336.

7 **SECTION 502.** 66.54 (title) of the statutes is renumbered 66.0713 (title) and  
8 amended to read:

9 **66.0713 (title) ~~Special improvement bonds; Contractor's certificates;~~**  
10 **general obligation–local improvement bonds; special assessment B bonds.**

11 **SECTION 503.** 66.54 (1) of the statutes is renumbered 66.0713 (1), and 66.0713  
12 (1) (intro.), (c) and (d), as renumbered, are amended to read:

13 66.0713 (1) DEFINITIONS. (intro.) ~~Wherever used or referred to in~~ In this  
14 section, unless a different meaning clearly appears from the context:

15 (c) ~~“Municipality”~~ “Local governmental unit” means county, city, village, town,  
16 farm drainage board, sanitary districts, utility districts, public inland lake  
17 protection and rehabilitation districts, and all other public boards, commissions or  
18 districts, except 1st class cities, authorized by law to levy special assessments for  
19 public improvements against the property benefited by the special improvements.

20 (d) “Public improvement” means the result of the performance of work or the  
21 furnishing of materials or both, for which special assessments are authorized to be  
22 levied against the property benefited ~~thereby~~ by the work or materials.

23 **SECTION 504.** 66.54 (2) of the statutes is repealed.

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NOTE: Repealed as unnecessary. The repealed subsection provides a noninclusive list of methods of funding public improvements by municipalities. Independent authority exists for these funding methods.

1           **SECTION 505.** 66.54 (3) (title) of the statutes is repealed.

2           **SECTION 506.** 66.54 (3) of the statutes is renumbered 66.0709 (2) and amended  
3 to read:

4           66.0709 (2) ~~Whenever~~ If it is determined that the cost of any a public  
5 improvement ~~about to be made~~ is to be paid, wholly in whole or in part, by special  
6 assessments against the property to be benefited by the improvement, the resolution  
7 authorizing such the public improvement shall provide ~~and require~~ that the whole,  
8 or any stated proportion, or no part of the estimated aggregate cost of such the public  
9 improvement, which is to be levied as special assessments, shall be paid into the  
10 ~~municipal~~ treasury of the local governmental unit in cash. ~~No such~~ The public  
11 improvement shall may not be commenced nor any contract for the improvement let  
12 ~~therefor unless and until such~~ the payment, ~~if any,~~ required by said the resolution,  
13 is paid into the treasury of the ~~municipality~~ local governmental unit by the owner  
14 or persons having an interest in the property to be benefited, ~~which.~~ The payment  
15 shall be credited ~~on~~ against the amount of the special assessments levied or to be  
16 levied against benefited property designated by the payer. ~~In the event that~~ If a  
17 preliminary payment is required by said the resolution, the refusal of one or more  
18 owners or persons having an interest in the property to be benefited to pay such any  
19 preliminary payments shall does not prevent the making of such the improvement,  
20 if the entire specified sum is obtained from the remaining owners or interested  
21 parties.

22           **SECTION 507.** 66.54 (4) (title) of the statutes is renumbered 66.0711 (title) and  
23 amended to read:

**ASSEMBLY BILL 710****SECTION 507**

1           **66.0711** (title) **Discount on ~~contract price~~ cash payments for public**  
2 **improvements.**

3           **SECTION 508.** 66.54 (4) of the statutes is renumbered 66.0711 (2) and amended  
4 to read:

5           66.0711 **(2)** Every bid ~~hereafter~~ received for any public improvement which is  
6 not to be paid wholly in cash shall contain a provision that all payments made in cash  
7 by the ~~municipality~~ local governmental unit as provided by contract or made on  
8 special assessments as ~~hereinafter provided shall be~~ are subject to a specified rate  
9 of discount. The ~~municipal~~ treasurer of the local governmental unit shall issue a  
10 receipt for every such payment made on any special assessment, stating the date and  
11 amount of the cash payment, the discount and the total credit including ~~such~~ the  
12 discount, on a specified special assessment ~~or assessments.~~ The treasurer shall on  
13 the same day deliver a duplicate of ~~such~~ the receipt to the clerk, who shall credit the  
14 specified assessments accordingly. All moneys so received shall be paid to the  
15 contractor as provided by the contract.

16           **SECTION 509.** 66.54 (5) of the statutes is renumbered 66.0713 (9) and amended  
17 to read:

18           66.0713 **(9)** ~~PAYMENT BY MUNICIPALITY LOCAL GOVERNMENTAL UNIT.~~ ~~Whenever any~~  
19 ~~such~~ If a public improvement has been paid for by the ~~municipality~~ local  
20 governmental unit, contractor's certificates as ~~provided for in~~ under sub. (6), ~~or~~ (2),  
21 general obligation-local improvement bonds as ~~provided for in~~ sub. (9) under s.  
22 67.16, or special assessment B bonds as ~~provided for in~~ under sub. (10) (4) may be  
23 issued to the ~~municipality~~ local governmental unit as the owner thereof of the  
24 certificates or bonds. All of the provisions of subs. (6), (9) and (10) (2) and (4) and s.  
25 67.16 applicable to the contractor or to the owner of ~~such~~ the contractor's certificates

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1 ~~or to such, the~~ general obligation–local improvement bonds or ~~to such the~~ special  
2 assessment B bonds shall be deemed to include the ~~municipality~~ local governmental  
3 unit which has paid for ~~such the~~ improvement and to which ~~such the~~ contractor’s  
4 certificates, general obligation–local improvement bonds or special assessment B  
5 bonds have been issued, except as otherwise provided in this section ~~otherwise~~  
6 ~~provided.~~

7 **SECTION 510.** 66.54 (6) (title) of the statutes is renumbered 66.0713 (2) (title).

8 **SECTION 511.** 66.54 (6) (a) and (b) of the statutes are renumbered 66.0713 (2)

9 (a) and (b) and amended to read:

10 66.0713 (2) (a) ~~Whenever any~~ If a public improvement has been made and has  
11 been accepted by the governing body of the ~~municipality~~ local governmental unit, it  
12 may ~~cause to be issued~~ issue to the contractor for ~~such the~~ public improvement, a  
13 contractor’s certificate as to each parcel of land against which special assessments  
14 have been levied for the unpaid balance of the amount chargeable ~~thereto~~ to the  
15 parcel, describing each parcel. ~~Such~~ The certificate shall be substantially in the  
16 following form:

17 \$....

No. ....

(name of ~~municipality~~ local governmental unit)

CONTRACTOR’S CERTIFICATE

FOR CONSTRUCTION OF ....

(name of ~~municipality~~ local governmental unit)

ISSUED PURSUANT TO

SECTION ~~66.54 (6)~~ 66.0713 (2), WIS. STATS.

24 We, the undersigned officers of the (name of ~~municipality~~), hereby local  
25 governmental unit), certify that (name and address of contractor) has performed the

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**SECTION 511**

1 work of constructing .... in .... benefiting the following premises, ~~to-wit:~~ (insert legal  
 2 description) in the (name of ~~municipality~~ local governmental unit) .... County,  
 3 Wisconsin, pursuant to a contract entered into by ~~said~~ (name of ~~municipality~~ local  
 4 governmental unit) with ~~the said~~ .... (name of contractor), dated ....., and that ....  
 5 entitled to the sum of .... dollars, ~~being~~ the unpaid balance due for ~~said~~ the work  
 6 chargeable to the property ~~hereinabove~~ described above.

7 ~~Now, therefore,~~ If the ~~said sum shall~~ unpaid balance due is not be paid to the  
 8 treasurer of (name of ~~municipality~~ local governmental unit) before the first day of the  
 9 following December, ~~next, the same~~ that amount shall be extended upon the tax roll  
 10 of the (name of ~~municipality~~ local governmental unit) against the property above  
 11 described as listed ~~therein~~ in the tax roll, and collected ~~for~~, as provided by law.

12 This certificate is transferable by indorsement but such an assignment or  
 13 transfer ~~shall be~~ by indorsement is invalid unless ~~the same shall be~~ recorded in the  
 14 office of the clerk of the (name of ~~municipality~~ local governmental unit) and the fact  
 15 of such the recording is indorsed on this certificate. THE HOLDER OF THIS CERTIFICATE  
 16 ~~SHALL HAVE~~ HAS NO CLAIM UPON THE (Name of ~~municipality~~) ~~IN ANY EVENT~~ local  
 17 governmental unit), EXCEPT FROM THE PROCEEDS OF THE SPECIAL ASSESSMENTS LEVIED  
 18 FOR SAID THE WORK AGAINST THE ABOVE DESCRIBED LAND.

19 This certificate shall bear interest from its date to the following January 1 ~~next~~  
 20 succeeding.

21 Given under our hands at (name of ~~municipality~~ local governmental unit),  
 22 this .... day of ....., .... (year)

23 .....  
 24 (Mayor, President, Chairperson)

25 Countersigned:

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1 ....

2 Clerk, (name of municipality local governmental unit)

3 ASSIGNMENT RECORD

4 Assigned by .... (Original Contractor) to .... (Name of Assignee) of ...  
5 (Address of Assignee) .... (Date and signature of clerk)

6 (b) ~~Such certificate shall in no event be a municipal~~ A contractor's certificate  
7 is not a liability of a local governmental unit and shall so state in boldface type  
8 printed on the face ~~thereof of the certificate~~. Upon issuance of said a certificate, the  
9 clerk of the ~~municipality~~ local governmental unit shall ~~at once~~ immediately deliver  
10 to the ~~municipal~~ treasurer of the local governmental unit a schedule of each such  
11 certificate showing the date, amount, number, date of maturity, person to whom  
12 issued and parcel of land against which the assessment is made. The treasurer shall  
13 ~~thereupon~~ notify, by mail, the owner of said the parcel, as the same owner appears  
14 on the last assessment roll, that payment is due on said the certificate at the office  
15 of said the treasurer, and if such the owner shall ~~pay such~~ pays the amount or part  
16 thereof so due, said the clerk shall ~~cause the same to be paid~~ pay that amount to the  
17 registered holder of said the certificate, and shall indorse such the payment on the  
18 face of said the certificate and on the clerk's record thereof of the certificate. The clerk  
19 shall keep a record of the names of the persons, firms or corporations to whom such  
20 contractor's certificates ~~shall be~~ are issued and of the assignees thereof of certificates  
21 when the fact of assignment is made known to such the clerk. Assignments of such  
22 contractor's certificates ~~shall be~~ are invalid unless recorded in the office of the clerk  
23 of the ~~municipality~~ local governmental unit and the fact of such recording ~~be~~ is  
24 indorsed on said the certificate. Upon final payment of the certificate, the same  
25 certificate shall be delivered to the treasurer of the ~~municipality~~ local governmental

**ASSEMBLY BILL 710****SECTION 511**

1 unit and by the treasurer delivered to ~~such~~ the clerk. On the first of each month, to  
2 and including December 1, the treasurer shall certify to the clerk a detailed  
3 statement of all payments made on ~~such~~ certificates.

4 **SECTION 512.** 66.54 (6) (c) of the statutes is renumbered 66.0713 (10) and  
5 amended to read:

6 66.0713 (10) After the expiration of 90 days from the date of ~~such~~ a contractor's  
7 ~~certificate or any general obligation local improvement bond~~ or special assessment  
8 B bond hereinafter provided for, the same shall be certificate or bond is conclusive  
9 evidence of the legality of all proceedings up to and including the issue thereof ~~of the~~  
10 certificate or bond and prima facie evidence of the proper construction of the  
11 improvement.

12 **SECTION 513.** 66.54 (6) (d) of the statutes is renumbered 66.0713 (2) (c) and  
13 amended to read:

14 66.0713 (2) (c) If ~~said certificates are~~ a contractor's certificate is not paid before  
15 December 1 in the year in which they are issued, the comptroller or clerk of the  
16 ~~municipality~~ local governmental unit shall thereupon include in the statement of  
17 special assessments to be placed in the next tax roll an amount sufficient to pay ~~such~~  
18 ~~certificates~~ the certificate, with interest thereon from the date of ~~such certificates~~ the  
19 certificate to the following January 1 ~~next succeeding~~, and thereafter the same  
20 proceedings for the collection of that amount shall be the same as the proceedings  
21 ~~shall be had as in the case~~ for the collection of general property taxes, except as  
22 otherwise provided in this section ~~otherwise provided~~. ~~Such.~~ The delinquent taxes  
23 shall be returned to the county treasurer in trust for collection and not for credit. All  
24 moneys collected by the ~~municipal~~ treasurer of the local governmental unit or by the  
25 county treasurer and remitted to the ~~municipal~~ treasurer of the local governmental

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1 unit on account of ~~such~~ the special assessments shall be delivered to the owner of the  
2 contractor's certificate on demand.

3 **SECTION 514.** 66.54 (7) of the statutes is renumbered 66.0715 (3), and 66.0715  
4 (3) (title), (a) to (f), (fm) 2. b. and 3. and (g), as renumbered, are amended to read:

5 66.0715 **(3)** (title) ANNUAL INSTALMENTS ~~OF SPECIAL ASSESSMENTS~~. (a) The  
6 governing body of ~~any municipality~~ a local governmental unit may provide that  
7 special assessments levied to defray the cost of ~~any~~ a public improvement or a project  
8 constituting part of a general public improvement, except sprinkling or oiling  
9 streets, may be paid in annual instalments.

10 (b) The first instalment shall include a proportionate part of the principal of  
11 the special assessment, determined by the number of instalments, together with  
12 interest on the whole assessment from ~~such~~ a date, not ~~prior to~~ before the date of the  
13 notice ~~hereinafter provided for~~ under par. (e), and to ~~such~~ that date, not later than  
14 December 31, in the year in which ~~same~~ the instalment is to be collected as ~~shall be~~  
15 determined by the governing body, ~~and each~~. Each subsequent instalment shall  
16 include ~~a like~~ the same proportion of the principal and one year's interest ~~upon~~ on  
17 the unpaid portion of ~~such~~ the assessment.

18 (c) The first instalment shall be entered in the first tax roll prepared after said  
19 the instalments ~~shall~~ have been determined as a special tax on the property upon  
20 which the special assessment was levied, and ~~thereafter this tax shall be treated in~~  
21 ~~all respects as any other municipal tax~~ of a local governmental unit, except as  
22 otherwise provided in this section ~~otherwise provided~~. ~~One of the subsequent~~  
23 instalments. Each subsequent instalment shall be entered ~~in a like manner and with~~  
24 ~~like effect in each of the~~ subsequent annual tax rolls ~~thereafter until all~~ instalments  
25 are levied.

**ASSEMBLY BILL 710****SECTION 514**

1 (d) If any instalment ~~so~~ entered in the tax roll ~~shall~~ is not be paid to the  
2 municipal treasurer of the local governmental unit with the other taxes it shall be  
3 returned to the county as delinquent and accepted and collected by the county in the  
4 same manner as delinquent general taxes on real estate, except as otherwise  
5 provided in this section ~~otherwise provided~~.

6 (e) ~~Whenever~~ If the governing body determines to permit ~~any~~ special  
7 assessments for ~~any a~~ local ~~improvements~~ improvement to be paid in instalments it  
8 shall publish a class 1 notice, under ch. 985. ~~Such~~ The notice shall be substantially  
9 in the following form:

10 INSTALMENT ASSESSMENT NOTICE

11 Notice is hereby given that a contract has been (or is about to be) let for (describe  
12 the improvement) and that the amount of the special assessment ~~therefor~~ for the  
13 improvement has been determined as to each parcel of real estate affected ~~thereby~~  
14 and a statement of the ~~same~~ assessment is on file with the.... clerk; it is proposed to  
15 collect the ~~same~~ special assessment in.... instalments, as provided for by section  
16 ~~66.54~~ 66.0715 of the Wisconsin statutes Statutes, with interest ~~thereon~~ at.... per cent  
17 percent per year; that all assessments will be collected in instalments as provided  
18 ~~above provided~~ except such assessments on property where the owner ~~of the same~~  
19 ~~shall file~~ files with the.... clerk within 30 days from date of this notice a written notice  
20 that the owner elects to pay the special assessment on the owner's property,  
21 describing the ~~same~~ property, to the.... treasurer on or before the ~~next succeeding~~  
22 following November 1, unless the election is revoked. If, after making ~~such~~ the  
23 election, ~~said~~ the property owner fails to make the payment to the.... treasurer, the....  
24 clerk shall place the entire assessment on the ~~next succeeding~~ following tax roll.

25 Dated....

**ASSEMBLY BILL 710**

1                                   .... [Clerk of (name of ~~municipality~~ local governmental unit)]

2                   (f) After the time for making an initial election to pay the special assessment  
3 in full under par. (e) expires, ~~any~~ the assessment may be paid in full before due, ~~only~~  
4 upon the payment of such that portion of the interest to become due ~~thereon~~ as the  
5 governing body ~~shall determine~~ determines.

6                   (fm) 2. b. Interest on that amount at the rate used by the ~~municipality~~ local  
7 governmental unit for instalment payments under par. (b), covering the period  
8 between the date that the initial election was made under par. (e) and the date on  
9 which the instalment is paid.

10                   3. If the first instalment has not been paid by property owners under par. (c)  
11 before the date on which payment in full would have been due for a property owner  
12 who initially elected to pay the special assessment in one lump sum, the next  
13 property tax bill sent to a person who revoked his or her initial election to make a  
14 lump sum payment shall be an amount calculated under par. (b) plus interest on that  
15 amount at the rate used by the ~~municipality~~ local governmental unit for instalment  
16 payments under par. (b), covering the period between the date that the initial  
17 election was made under par. (e) and the date on which the instalment is paid.

18                   (g) A schedule of the assessments and assessment instalments ~~thereof~~ shall be  
19 recorded in the office of the clerk of the ~~municipality~~ local governmental  
20 unit as soon as practicable.

21                   **SECTION 515.** 66.54 (8) of the statutes is repealed.

NOTE: Repealed as unnecessary. Authority to issue general obligation-local  
improvement bonds and special assessment B bonds is provided independently  
in other provisions of renumbered s. 66.54.

22                   **SECTION 516.** 66.54 (9) (title) of the statutes is renumbered 66.0713 (3) (title).

**ASSEMBLY BILL 710****SECTION 517**

1           **SECTION 517.** 66.54 (9) (a) of the statutes is renumbered 66.0713 (3) and  
2 amended to read:

3           66.0713 **(3)** For the purpose of anticipating the collection of special  
4 assessments payable in instalments as provided in ~~this section~~ s. 66.0621 (3) and  
5 after ~~such~~ the instalments have been determined, the governing body may issue  
6 general obligation–local improvement bonds ~~as more particularly described in this~~  
7 ~~subsection~~ under s. 67.16.

8           **SECTION 518.** 66.54 (9) (b) and (c) of the statutes are renumbered 67.16 (2) (b)  
9 and (c) and amended to read:

10           67.16 **(2)** (b) The issue of ~~such~~ general obligation–local improvement bonds  
11 shall be in an amount not ~~to exceed~~ exceeding the aggregate unpaid special  
12 assessments levied for the public improvement ~~which~~ such ~~that~~ the issue is to  
13 finance. A single issue of ~~such~~ the bonds may be used to finance one or more different  
14 local improvements for which special assessments are authorized to be made in the  
15 same year. Sections 67.035, 67.06, 67.07, 67.08 and 67.11, where not contrary to the  
16 provisions of this section, ~~shall be applicable to such~~ apply to the bonds. ~~Such~~ The  
17 bonds shall mature in the same number of instalments as ~~said~~ the ~~underlying~~ special  
18 assessments, but the date of maturity of each instalment of ~~said~~ the bonds shall be  
19 fixed in October, November or December. The first maturity of ~~such~~ the bonds may  
20 be in the ~~second~~ 2nd year following the date of levy of the first instalment of the  
21 underlying special assessment. At the time of ~~that~~ the ~~authorization of such~~ bonds  
22 ~~are authorized~~, the governing body of the ~~municipality~~ local governmental unit shall  
23 levy a tax upon all the taxable property of ~~said municipality~~ the local governmental  
24 unit sufficient to provide for the payment of the principal and interest of ~~said~~ the  
25 bonds at maturity, ~~which~~. The tax levy ~~shall be~~ is irrevocable. All collections of

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1 instalments of the special assessments levied to pay for ~~such~~ the public  
2 improvement, either before or after delinquency thereof, shall be placed by the  
3 ~~municipal~~ treasurer of the local governmental unit in a special debt service fund,  
4 designated and identified for ~~such~~ the issue of ~~such~~ the bonds, and shall be used only  
5 for the payment of said the bonds and interest of ~~such~~ the issue. The annual  
6 instalment of the irrepealable tax levied for the purpose of payment of ~~such~~ the bonds  
7 and interest ~~thereon~~, on the bonds shall be diminished by the amount on hand in ~~such~~  
8 the debt service fund on November 1 of each tax levy year after deducting any unpaid  
9 interest and principal due in that year, and said the amount so on hand in said the  
10 fund shall be applied to the payment of the next succeeding instalment of principal  
11 and interest named on said the bonds. Any deficiency in the debt service fund for the  
12 payment of ~~such~~ the bonds and interest ~~thereon~~ at maturity shall be paid out of the  
13 general fund of the ~~municipality~~ local governmental unit and ~~such~~ the general fund  
14 shall be reimbursed from the collection of ~~such~~ that part of the aforesaid irrepealable  
15 tax as that is actually levied. Any surplus in said the debt service fund after all bonds  
16 and interest ~~thereon~~ are fully paid, shall be paid into the general fund.

17 (c) If any instalment of the aforesaid special assessment so that is entered in  
18 the tax roll ~~shall is~~ not be paid to the ~~municipal~~ treasurer of the local governmental  
19 unit with the other taxes, it shall be returned to the county treasurer as delinquent  
20 in trust for collection.

NOTE: Provisions of s. 66.54 relating to general obligation–local improvement  
bonds are relocated to ch. 67, relating to general obligation debt. See, also,  
SECTION 623 of this bill.

21 **SECTION 519.** 66.54 (10) and (11) of the statutes are renumbered 66.0713 (4)  
22 and (5) and amended to read:

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1           66.0713 (4) SPECIAL ASSESSMENT B BONDS. (a) For the purpose of anticipating  
2 the collection of special assessments payable in instalments, as provided in this  
3 section ~~s. 66.0715 (3)~~ and after said ~~the~~ instalments have been determined, the  
4 governing body may issue special assessment B bonds payable out of the proceeds  
5 of ~~such~~ the special assessments as provided in this section. ~~Such~~ The bonds shall in  
6 ~~no event be~~ are not a general municipal liability of the local governmental unit.

7           (b) The issue of ~~such~~ special assessment B bonds shall be in an amount not to  
8 exceed ~~exceeding~~ the aggregate unpaid special assessments levied for the public  
9 improvement ~~which such~~ that the issue is to finance. A separate bond shall be issued  
10 for each separate assessment and ~~said~~ the bond shall be secured by and be payable  
11 out of only the assessment against which it is issued. ~~Such~~ The bonds shall mature  
12 in the same number of instalments as ~~said~~ the underlying special assessments. ~~Such~~  
13 The bonds shall carry coupons equal in number to the number of special assessments,  
14 ~~which.~~ The coupons shall be detachable and entitle the owner ~~thereof~~ of the bond to  
15 the payment of principal and interest collected on the underlying special  
16 assessments. ~~Such~~ The bond shall be executed as provided in s. 67.08 (1) and may  
17 be registered under s. 67.09. Each bond shall include a statement that it is payable  
18 only out of the special assessment on the particular property against which it is  
19 issued and the purpose for which ~~same~~ the assessment was levied and ~~such~~ other  
20 provisions as ~~that~~ the governing body shall deem proper to insert inserts.

21           (ba) Payments of principal and interest shall conform as nearly as ~~may be~~  
22 possible to the payments to be made on the instalments of the assessment, and the  
23 principal and interest to be paid on the bonds shall not exceed the principal and  
24 interest to be received, on the assessment. All collections of instalments of the special  
25 assessments levied to pay for ~~such~~ the public improvement, either before or after

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1 delinquency thereof, shall be placed by the municipal treasurer of the local  
2 governmental unit in a special debt service fund designated and identified for such  
3 the bond issue of bonds and shall be used only for the payment of said the bonds and  
4 interest of such the issue. Any surplus in said the debt service fund after all bonds  
5 and interest thereon are fully paid, shall be paid into the general fund.

6 (c) Such Special assessment B bonds ~~must~~ shall be registered in the name of  
7 the owner thereof on the records of the clerk of the municipality ~~by which said bonds~~  
8 were local governmental unit that issued the bonds. Upon transfer of the ownership  
9 of such the bonds the ~~fact of such transfer must~~ shall be noted upon the bond and on  
10 the record of the clerk of ~~such municipality~~ the local governmental unit. Any transfer  
11 not so recorded ~~shall be null and is~~ void and the clerk of the municipality ~~shall be~~  
12 entitled to local governmental unit may make payments of principal and interest to  
13 the owner of the bond as registered on the books of the municipality local  
14 governmental unit.

15 (d) Principal and interest collected on the underlying special assessments as  
16 ~~well as~~ and interest collected on the delinquent special assessments and on  
17 delinquent tax certificates issued ~~therefor~~ for the delinquent assessments shall be  
18 paid by the treasurer of the municipality local governmental unit out of the debt  
19 service fund created for the issue of such the bonds to the registered holder ~~thereof~~  
20 of the bonds upon the presentation and surrender of the coupons due attached to said  
21 the bonds. If any instalment of the aforesaid special assessment entered in the tax  
22 roll ~~shall is~~ not be paid to the municipal treasurer of the local governmental unit with  
23 the other taxes, it shall be returned to the county treasurer as delinquent in trust for  
24 collection.

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1 (e) If the tax certificate resulting from the delinquent special assessment is  
2 redeemed by any person, ~~firm or corporation~~ other than the county, the county  
3 treasurer shall pay to the ~~municipality~~, local governmental unit the full amount  
4 received ~~therefor~~ for the tax certificate, including interest, and the ~~municipal~~  
5 treasurer of the local governmental unit shall ~~thereupon then~~ pay the amount of such  
6 the remittance into a special debt service fund created for the payment of such the  
7 special assessment B bonds.

8 **(5) AREA-GROUPING OF AREA-GROUPED SPECIAL ASSESSMENTS ASSESSMENT B BONDS.**

9 (a) ~~Whenever~~ If the governing body determines to issue special assessment B bonds  
10 ~~pursuant to subs. (9) and (10)~~ under sub. (4), it may group the special assessments  
11 levied against benefited lands and issue such of the bonds against such the special  
12 assessments so grouped as a whole. All such of the bonds shall be equally secured  
13 by such the assessments without priority one over the other.

14 (b) ~~The~~ All of the following provisions ~~shall be applicable~~ apply to area-grouped  
15 special assessment B bonds issued under this section:

16 1. For the purpose of anticipating the collection of special assessments payable  
17 in instalments under this section and after said the instalments have been  
18 determined, the governing body may issue area-grouped special assessment B bonds  
19 payable out of the proceeds of such the special assessments as provided herein. ~~Such~~  
20 under sub. (4). The bonds shall in no event be are not a general municipal liability  
21 of the local governmental unit.

22 2. The issue of such the bonds shall be in an amount not to exceed exceeding  
23 the aggregate unpaid special assessments levied for the public improvement or  
24 projects which such the issue is to finance. ~~Such~~ The bonds shall mature over  
25 substantially the same period of time in which the special assessment instalments

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1 are to be paid. ~~Such~~ The bonds shall be bearer bonds or may be registered bonds  
2 under s. 67.09. The bonds shall be executed as provided in s. 67.08 (1) and shall  
3 include a statement that they are payable only from the special debt service fund  
4 provided for in subd. 4. and a fund created under sub. ~~(15)~~ (7) for the collection and  
5 payment of ~~such~~ the special assessment and ~~such~~ any other provisions as ~~that~~ the  
6 governing body deems proper to insert.

7 4. All collections of principal and interest on the underlying special  
8 assessments and instalments ~~thereof~~, either before or after delinquency and after  
9 issuance of a tax certificate under s. 74.57, shall be placed by the ~~municipal~~ treasurer  
10 of the local governmental unit in a special debt service fund created, designated and  
11 identified for the issue of ~~such~~ the bonds and used only for payment of ~~said~~ the bonds  
12 and interest ~~thereon~~ on the bonds to the holders of the bonds or coupons in  
13 accordance with the terms of the issue. Any surplus in the debt service fund, after  
14 all bonds and interest ~~thereon~~ on the bonds are fully paid, shall be paid into the  
15 general fund.

16 5. If the tax certificate is redeemed by any person other than the county, the  
17 county treasurer shall pay to the ~~municipality~~ local governmental unit the full  
18 amount received ~~therefor~~ for the certificate, including interest, and the municipal  
19 treasurer of the local governmental unit shall ~~thereupon~~ pay the amount of ~~such~~ the  
20 remittance into the special debt service fund created for the payment of ~~such~~ the  
21 bonds.

22 7. A holder of the bonds or of any coupons attached ~~thereto~~ shall have to the  
23 bonds has a lien against the special debt service fund created under subd. 4. for  
24 payment of ~~said~~ the bonds and interest ~~thereon~~ on the bonds and against any reserve  
25 fund created under sub. ~~(15)~~ (7) and may either at law or in equity protect and enforce

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1 such the lien and compel performance of all duties required by this section of the  
2 municipality local governmental unit issuing said the bonds.

3 **SECTION 520.** 66.54 (12) (title) of the statutes is renumbered 66.0719 (title).

4 **SECTION 521.** 66.54 (12) of the statutes is renumbered 66.0719 (2) and amended  
5 to read:

6 66.0719 (2) If a special assessment is levied for any public improvement, any  
7 amount collected on that special assessment or received from the county shall be  
8 deposited in the general fund of the municipality local governmental unit if the  
9 payment for the improvement was made out of its general fund, deposited in the  
10 funds and accounts of a public utility established under s. ~~66.066~~ 66.0621 (2) (c) if  
11 such the improvement was paid out of the proceeds of revenue obligations of the  
12 municipality local governmental unit or deposited in the debt service fund required  
13 for the payment of bonds or notes issued under ch. 67 if such the improvement was  
14 paid out of the proceeds ~~thereof~~ of the bonds or notes. That special assessment, when  
15 delinquent, shall be returned in trust for collection and the municipality ~~shall have~~  
16 local governmental unit has the same rights as provided in sub. (9) (c) s. 66.0713 (3)  
17 (c).

18 **SECTION 522.** 66.54 (15) and (15m) of the statutes are renumbered 66.0713 (7)  
19 and (8) and amended to read:

20 66.0713 (7) RESERVE FUND FOR SPECIAL ASSESSMENT B BONDS AND REFUNDING B  
21 BONDS. If the governing body determines to issue special assessment B bonds under  
22 sub. (10) (4) or refunding B bonds under sub. (16) (6), it may establish in its treasury  
23 a fund to be designated as a reserve fund for the particular bond issue, to be  
24 maintained until such the obligation is paid or otherwise extinguished. Any surplus  
25 in the reserve fund after all the bonds have been paid or canceled shall be carried into

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1 the general fund of the ~~municipal~~ local governmental unit's treasury. The source of  
2 said the fund shall be established either from proceeds of the bonds, the general fund  
3 of the ~~municipal~~ local governmental unit's treasury or by the levy of an irrevocable  
4 and irrevocable general tax. ~~Such~~ The bonds ~~shall in no event be~~ are not a general  
5 ~~municipal~~ liability of the local governmental unit.

6 **(8) PAYMENT OF B BONDS FROM TAX LEVY.** Any ~~municipality~~ local governmental  
7 unit authorized to issue special assessment B bonds, in addition to the special  
8 assessments or bond proceeds or other sources, may appropriate funds out of its  
9 annual tax levy for the payment of the bonds. The payment of such the bonds out of  
10 funds from a tax levy, ~~however,~~ may not be construed as constituting an obligation  
11 of ~~such municipality~~ the local governmental unit to make any other such  
12 appropriation.

13 **SECTION 523.** 66.54 (16) of the statutes is renumbered 66.0713 (6) and amended  
14 to read:

15 66.0713 **(6) REFUNDING B BONDS.** ~~Any municipality~~ A local governmental unit  
16 may issue refunding B bonds to refund any outstanding special assessment B bonds  
17 issued under sub. (10) or (11). ~~These~~ (4) or (5). ~~The~~ refunding B bonds shall be  
18 secured by and payable only from the special assessments levied to pay for the public  
19 improvements financed by the bonds to be refunded, and ~~shall~~ are not be a general  
20 ~~municipal~~ liability of the local governmental unit. If bonds issued under sub. (10) (4)  
21 are to be refunded, the provisions of sub. (10) (4) (b) to (e) shall apply to the refunding  
22 B bonds; if bonds issued under sub. (11) (5) are to be refunded, the provisions of sub.  
23 (11) (5) (b) shall apply to the refunding B bonds. If the governing body determines  
24 that it is necessary to amend the prior assessments in connection with the issuance  
25 of refunding B bonds under this section, it may reconsider and reopen the

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1 assessments under s. ~~66.60~~ 66.0703 (10). The notice and hearing ~~provided for~~ under  
2 s. ~~66.60~~ 66.0703 (10) may be waived under s. ~~66.60 (18)~~ 66.0703 (7) (b) by the owners  
3 of the property affected. If the assessments are amended, the refunding B bonds  
4 shall be secured by and payable from the special assessments as amended. If the  
5 assessments are amended, all direct and indirect costs reasonably attributable to the  
6 refunding of the bonds may be included in the cost of the public improvements being  
7 financed. If the governing body determines to issue refunding B bonds, it may create  
8 a reserve fund for the issue under sub. ~~(15)~~ (7).

9 **SECTION 524.** 66.55 of the statutes is renumbered 66.0617.

10 **SECTION 525.** 66.60 (title) of the statutes is renumbered 66.0703 (title) and  
11 amended to read:

12 **66.0703** (title) **Special assessments and charges, generally.**

13 **SECTION 526.** 66.60 (1), (2), (3) and (4) of the statutes are renumbered 66.0703  
14 (1), (4), (5) and (6), and 66.0703 (1), (4), (5) (intro.), (c) (intro.) and 3. and (d) and (6),  
15 as renumbered, are amended to read:

16 66.0703 **(1)** (a) Except as provided in sub. ~~(6m)~~ s. 66.0721, as a complete  
17 alternative to all other methods provided by law, any city, town or village may, by  
18 resolution of its governing body, levy and collect special assessments upon property  
19 in a limited and determinable area for special benefits conferred upon ~~such~~ the  
20 property by any municipal work or improvement; and may provide for the payment  
21 of all or any part of the cost of the work or improvement out of the proceeds of ~~such~~  
22 the special assessments.

23 (b) The amount assessed against any property for any work or improvement  
24 which does not represent an exercise of the police power shall may not exceed the  
25 value of the benefits accruing to the property ~~therefrom, and for those representing.~~

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1 If an assessment represents an exercise of the police power, the assessment shall be  
2 upon a reasonable basis as determined by the governing body of the city, town or  
3 village.

4 ~~(4) Prior to~~ Before the exercise of any powers conferred by this section, the  
5 governing body shall declare by preliminary resolution its intention to exercise ~~such~~  
6 the powers for a stated municipal purpose. ~~Such~~ The resolution shall describe  
7 generally the contemplated purpose, the limits of the proposed assessment district,  
8 the number of instalments in which the special assessments may be paid, or that the  
9 number of instalments will be determined at the hearing required under sub. (7), and  
10 direct the proper municipal officer or employe to make a report ~~thereon~~. ~~Such~~ on the  
11 proposal. The resolution may limit the proportion of the cost to be assessed.

12 (5) (intro.) The report required by sub. ~~(2)~~ (4) shall consist of:

13 (c) (intro.) ~~An~~ Except as provided in par. (d), an estimate, as to each parcel of  
14 property affected, of:

15 3. The net amount of ~~such~~ the benefits over damages or the net amount of ~~such~~  
16 the damages over benefits.

17 (d) A statement that the property against which the assessments are proposed  
18 is benefited, ~~where~~ if the work or improvement constitutes an exercise of the police  
19 power. ~~In such case~~ If this paragraph applies, the estimates required under par. (c)  
20 shall be replaced by a schedule of the proposed assessments.

21 (6) A copy of the report when completed shall be filed with the municipal clerk  
22 for public inspection. If property of the state may be subject to assessment under s.  
23 ~~66.64~~ 66.0705, the municipal clerk shall file a copy of the report with the state agency  
24 which manages the property. If the assessment to the property of the state for a  
25 project, as defined under s. ~~66.64~~ 66.0705 (2), is \$50,000 or more, the state agency

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1 shall submit a request for approval of the assessment, with its recommendation, to  
2 the building commission. The building commission shall review the assessment and  
3 shall determine within 90 days of the date on which the commission receives the  
4 report if the assessment is just and legal and if the proposed improvement is  
5 compatible with state plans for the facility which is the subject of the proposed  
6 improvement. If the building commission so determines, it shall approve the  
7 assessment. No project in which the property of the state is assessed at \$50,000 or  
8 more may be commenced and no contract on such the project may be let without  
9 approval of the assessment by the building commission under this subsection. The  
10 building commission shall submit a copy of its determination under this subsection  
11 to the state agency which that manages the property which is the subject of the  
12 determination.

13 **SECTION 527.** 66.60 (5) of the statutes is renumbered 66.0703 (2) and amended  
14 to read:

15 66.0703 (2) The cost of any work or improvement to be paid in whole or in part  
16 by special assessment on property may include the direct and indirect cost ~~thereof,~~  
17 the resulting damages ~~occasioned thereby,~~ the interest on bonds or notes issued in  
18 anticipation of the collection of the assessments, a reasonable charge for the services  
19 of the administrative staff of the city, town or village and the cost of any architectural,  
20 engineering and legal services, and any other item of direct or indirect cost ~~which~~  
21 that may reasonably be attributed to the proposed work or improvement. The  
22 amount to be assessed against all property for ~~any such~~ the proposed work or  
23 improvement shall be apportioned among the individual parcels in the manner  
24 designated by the governing body.

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1           **SECTION 528.** 66.60 (6) of the statutes is renumbered 66.0703 (1) (c) and  
2 amended to read:

3           66.0703 (1) (c) If any property ~~deemed~~ that is benefited ~~shall is~~ by reason of any  
4 ~~provision of law be exempt from assessment therefor, such, the~~ assessment shall be  
5 computed and shall be paid by the city, town or village.

6           **SECTION 529.** 66.60 (6a) of the statutes is renumbered 66.0703 (3) and amended  
7 to read:

8           66.0703 (3) A parcel of land against which ~~has been levied~~ a special assessment  
9 has been levied for the sanitary sewer or water main laid in one of the streets ~~upon~~  
10 ~~which it~~ that the parcel abuts, ~~shall be is~~ entitled to such a deduction or exemption  
11 as that the governing body determines to be reasonable and just under the  
12 circumstances of each case, when a special assessment is levied for the sanitary  
13 sewer or water main laid in the other street ~~upon which such~~ that the corner lot  
14 abuts. The governing body may allow a similar deduction or exemption from special  
15 assessments levied for any other public improvement.

16           **SECTION 530.** 66.60 (6m) of the statutes is renumbered 66.0721, and 66.0721  
17 (1) (intro.) and (b), (2) and (3) (b) and (c), as renumbered, are amended to read:

18           66.0721 (1) (intro.) In this subsection section:

19           (b) “Eligible farmland” means a parcel of 35 or more acres of contiguous land  
20 which is devoted exclusively to agricultural use which during the year preceding the  
21 year in which the land is subject to a special assessment under this ~~subsection~~ section  
22 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or  
23 which, during the 3 years preceding the year in which the land is subject to a special  
24 assessment under this ~~subsection~~ section, produced gross farm profits, as defined in  
25 s. 71.58 (4), of not less than \$18,000.

**ASSEMBLY BILL 710****SECTION 530**

1           (2) Except as provided in ~~par. (c)~~ sub. (3), no town sanitary district or town may  
2 levy any special assessment on eligible farmland for the construction of a sewerage  
3 or water system.

4           (3) (b) If after an initial special assessment for the construction of a sewerage  
5 or water system is levied in a service area any eligible farmland subject to ~~subd. 1.~~  
6 par. (a) or exempted from a special assessment under ~~par. (b)~~ sub. (2) is divided into  
7 2 or more parcels at least one of which is not devoted exclusively to agricultural use,  
8 the town sanitary district or town may levy on each parcel on which it has either  
9 levied a special assessment under ~~subd. 1. par. (a)~~ or has not levied a special  
10 assessment for the construction of a sewerage or water system a special assessment  
11 for that purpose that does not exceed the amount of the special assessment for that  
12 purpose that would have been levied on the parcel if the parcel had not been exempt  
13 under ~~par. (b)~~ sub. (2) or that has already been levied under ~~subd. 1. par. (a)~~. The  
14 special assessment shall be apportioned among the parcels resulting from the  
15 division in proportion to their area. The town sanitary district or town may also  
16 charge interest, from the date the eligible farmland is divided into 2 or more parcels  
17 at least one of which is not devoted exclusively to agricultural use, on the special  
18 assessment at an annual rate that does not exceed the average interest rate paid by  
19 the district or town on its obligations between the time the district or town first levies  
20 a special assessment for the construction of a sewerage or water system in the service  
21 area in which the eligible farmland is located and the time it levies the special  
22 assessment on that eligible farmland under this ~~subdivision~~ paragraph. This  
23 ~~subdivision~~ paragraph does not apply to any eligible farmland unless the town  
24 sanitary district or town records a lien on that eligible farmland in the office of the  
25 register of deeds within 90 days after it first levies a special assessment for the

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1 construction of a sewerage or water system for the service area in which the eligible  
2 farmland is located, describing either the applicability of ~~subd. 1. par. (a)~~ or the  
3 exemption under ~~par. (b) sub. (2)~~ and the potential for a special assessment under  
4 this ~~subdivision~~ paragraph.

5 (c) If, after a town sanitary district or town first levies a special assessment for  
6 the construction of a sewerage or water system in a service area, the eligible  
7 farmland in that service area exempted from the special assessment under ~~par. (b)~~  
8 sub. (2) is not devoted exclusively to agricultural use for a period of one year or more,  
9 the town sanitary district or town may levy on that eligible farmland the special  
10 assessment for the construction of a sewerage or water system that it would have  
11 levied if the eligible farmland had not been exempt under ~~par. (b) sub. (2)~~. The town  
12 sanitary district or town may also charge interest, from the date the eligible  
13 farmland has not been devoted exclusively to agricultural use for a period of at least  
14 one year, on the special assessment at an annual rate that does not exceed the  
15 average interest rate paid by the district or town on its obligations between the time  
16 the district or town first levies a special assessment for the construction of a sewerage  
17 or water system in the service area in which the eligible farmland is located and the  
18 time it levies the special assessment on that eligible farmland. This ~~subdivision~~  
19 paragraph does not apply to any land unless the town or special purpose district  
20 records a lien on that eligible farmland in the office of the register of deeds within  
21 90 days after it first levies a special assessment for the construction of a sewerage  
22 or water system in the service area in which the eligible farmland is located,  
23 describing the exemption under ~~par. (b) sub. (2)~~ and the potential for a special  
24 assessment under this ~~subdivision~~ paragraph.

**ASSEMBLY BILL 710****SECTION 531**

1           **SECTION 531.** 66.60 (7) of the statutes is renumbered 66.0703 (7) (a) and  
2 amended to read:

3           66.0703 **(7)** (a) Upon the completion and filing of the report required by sub.  
4 ~~(3) (4)~~, the city, town or village clerk shall prepare a notice ~~to be given~~ stating  
5 the nature of the proposed work or improvement, the general boundary lines of the  
6 proposed assessment district including, in the discretion of the governing body, a  
7 small map thereof, the place and time at which the report may be inspected, and the  
8 place and time at which all interested persons ~~interested~~, or their agents or  
9 attorneys, may appear before the governing body ~~or a committee thereof~~ of the  
10 governing body or the board of public works and be heard concerning the matters  
11 contained in the preliminary resolution and the report. ~~Such~~ The notice shall be  
12 published as a class 1 notice, under ch. 985, in the city, town or village and a copy of  
13 ~~such~~ the notice shall be mailed, at least 10 days before the hearing or proceeding, to  
14 every interested person whose post-office address is known, or can be ascertained  
15 with reasonable diligence. The hearing shall commence not less than 10 ~~and not~~ nor  
16 more than 40 days after ~~such~~ publication.

17           **SECTION 532.** 66.60 (8) to (12) and (15) of the statutes are renumbered 66.0703  
18 (8) to (12) and (13) and amended to read:

19           66.0703 **(8)** (a) After the hearing upon any proposed work or improvement, the  
20 governing body may approve, disapprove or modify, or it may rerefer the report  
21 prepared pursuant to under subs. ~~(2) (4)~~ and ~~(3) (5)~~ to the designated officer or  
22 employe with ~~such~~ directions as ~~it deems necessary~~ to change the plans and  
23 specifications and to accomplish a fair and equitable assessment.

24           (b) If an assessment of benefits ~~be~~ is made against any property and an award  
25 of compensation or damages ~~be~~ is made in favor of the same property, the governing

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1 body shall assess against or award in favor thereof of the property only the difference  
2 between such the assessment of benefits and the award of damages or compensation.

3 (c) When the governing body finally determines to proceed with the work or  
4 improvement, it shall approve the plans and specifications ~~therefor~~ and adopt a  
5 resolution directing that such the work or improvement be carried out and paid for  
6 in accordance with the report as finally approved ~~and that payment therefor be made~~  
7 ~~as therein provided~~.

8 (d) The city, town or village clerk shall publish the final resolution as a class  
9 1 notice, under ch. 985, in the assessment district and a copy of such the resolution  
10 shall be mailed to every interested person whose post-office address is known, or can  
11 be ascertained with reasonable diligence.

12 (e) When the final resolution is published, all work or improvements therein  
13 described in the resolution and all awards, compensations and assessments arising  
14 ~~therefrom~~ from the resolution are deemed legally then authorized and made, subject  
15 to the right of appeal under sub. (12).

16 **(9)** ~~Where~~ If more than a single type of project is undertaken as part of a general  
17 improvement affecting any property, the governing body may finally combine the  
18 assessments for all purposes as a single assessment on each property affected,  
19 ~~provided that~~ if each property owner shall be enabled to may object to ~~any such~~ the  
20 assessment for any single purpose or for more than one purpose.

21 **(10)** If the actual cost of any project shall, upon completion or after the receipt  
22 of bids, be is found to vary materially from the estimates, ~~or~~ if any assessment is void  
23 or invalid ~~for any reason~~, or if the governing body shall ~~determine~~ decides to  
24 reconsider and reopen any assessment, it is ~~empowered~~ may, after giving notice as  
25 provided in sub. (7) (a) and after a public hearing, ~~to~~ amend, cancel or confirm any

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1 such ~~the~~ prior assessment, ~~and thereupon.~~ A notice of the resolution amending,  
2 canceling or confirming such ~~the~~ prior assessment shall be given by the clerk as  
3 provided in sub. (8) (d). If the assessments are amended to provide for the refunding  
4 of special assessment B bonds under s. ~~66.54 (16)~~ 66.0713 (6), all direct and indirect  
5 costs reasonably attributable to the refunding of the bonds may be included in the  
6 cost of the public improvements being financed.

7 (11) If the cost of the project ~~shall be~~ is less than the special assessments levied,  
8 the governing body, without notice or hearing, shall reduce each special assessment  
9 proportionately and ~~where~~ if any assessments or instalments ~~thereof~~ have been paid  
10 the excess over cost shall be applied to reduce succeeding unpaid instalments, ~~where~~  
11 if the property owner has elected to pay in instalments, or refunded to the property  
12 owner.

13 (12) (a) ~~If any~~ A person having an interest in ~~any~~ a parcel of land affected by  
14 ~~any~~ a determination of the governing body, ~~pursuant to~~ under sub. (8) (c), (10) or (11),  
15 feels aggrieved thereby ~~that person~~ may, within 90 days after the date of the notice  
16 or of the publication of the final resolution ~~pursuant to~~ under sub. (8) (d), appeal  
17 ~~therefrom~~ the determination to the circuit court of the county in which such ~~the~~  
18 property is situated ~~by causing~~ located. The person appealing shall serve a written  
19 notice of appeal ~~to be served~~ upon the clerk of such ~~the~~ city, town or village and ~~by~~  
20 ~~executing~~ execute a bond to the city, town or village in the sum of \$150 with 2 sureties  
21 or a bonding company to be approved by the city, town or village clerk, conditioned  
22 for the faithful prosecution of such ~~the~~ appeal and the payment of all costs that may  
23 be adjudged against that person. The clerk, ~~in case such~~ if an appeal is taken, shall  
24 ~~make~~ prepare a brief statement of the proceedings ~~had~~ in the matter before the  
25 governing body, with its decision ~~thereon~~ on the matter, and shall transmit the ~~same~~

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1 statement with the original or certified copies of all the papers in the matter to the  
2 clerk of the circuit court.

3 (b) ~~Such~~ The appeal shall be tried and determined in the same manner as cases  
4 originally commenced in ~~such~~ circuit court, and costs awarded as provided in s.  
5 893.80.

6 (c) ~~In case any~~ If a contract has been made for making the improvement ~~such~~  
7 the appeal shall does not affect ~~such~~ the contract, and certificates or bonds may be  
8 issued in anticipation of the collection of the entire assessment for ~~such~~ the  
9 improvement, including the assessment on any property represented in ~~such~~ the  
10 appeal as if ~~such~~ the appeal had not been taken.

11 (d) Upon appeal ~~pursuant to~~ under this subsection, the court may, based ~~upon~~  
12 on the improvement as actually constructed, render a judgment affirming, annulling  
13 or modifying and affirming, as modified, the action or decision of the governing body.  
14 If the court finds that any assessment or any award of damages is excessive or  
15 insufficient, ~~such~~ the assessment or award need not be annulled, but the court may  
16 reduce or increase the assessment or award of damages and affirm the ~~same~~  
17 assessment or award as so modified.

18 (e) An appeal under this subsection ~~shall be~~ is the sole remedy of any person  
19 aggrieved by a determination of the governing body, whether or not the improvement  
20 was made according to the plans and specifications ~~therefor~~, and shall raise any  
21 question of law or fact, stated in the notice of appeal, involving the making of ~~such~~  
22 the improvement, the assessment of benefits or the award of damages or the levy of  
23 any special assessment ~~therefor~~. The limitation ~~provided for~~ in par. (a) shall does not  
24 apply to appeals based ~~upon~~ on fraud or ~~upon~~ on latent defects in the construction  
25 of the improvement discovered after ~~such~~ the period of limitation.

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1 (f) It shall be is a condition to the maintenance of such an appeal that any  
2 assessment appealed from shall be paid as and when the same assessment or any  
3 instalments thereof become due and payable, and upon. If there is a default in  
4 making such a payment, any such the appeal shall be dismissed.

5 **(13)** Every special assessment levied under this section shall be is a lien on the  
6 property against which it is levied on behalf of the municipality levying same the  
7 assessment or the owner of any certificate, bond or other document issued by public  
8 authority, evidencing ownership of or any interest in such the special assessment,  
9 from the date of the determination of such the assessment by the governing body.  
10 The governing body shall provide for the collection of such the assessments and may  
11 establish penalties for payment after the due date. The governing body shall provide  
12 that all assessments or instalments thereof which that are not paid by the date  
13 specified shall be extended upon the tax roll as a delinquent tax against the property  
14 and all proceedings in relation to the collection, return and sale of property for  
15 delinquent real estate taxes shall apply to such the special assessment, except as  
16 otherwise provided by statute.

17 **SECTION 533.** 66.60 (16) of the statutes is repealed.

NOTE: Restated as a separate section. See SECTION 170 of this bill.

18 **SECTION 534.** 66.60 (17) of the statutes is renumbered 66.0703 (14) and  
19 amended to read:

20 66.0703 **(14)** If any a special assessment or special charge levied pursuant to  
21 under this section shall be is held invalid because such statutes shall be this section  
22 is found to be unconstitutional, the governing body of such municipality may  
23 thereafter reassess such the special assessment or special charge pursuant to the  
24 provisions of under any applicable law.

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1           **SECTION 535.** 66.60 (18) of the statutes is renumbered 66.0703 (7) (b) and  
2 amended to read:

3           66.0703 (7) (b) ~~The governing body of any city, town or village may, without any~~  
4 ~~notice or hearing, levy and assess the whole or any part of the cost of any municipal~~  
5 ~~work or improvement as a special assessment upon the property specially benefited~~  
6 ~~thereby whenever notice and hearing thereon is in writing~~ requirements under par.  
7 (a) do not apply if they are waived, in writing, by all the owners of property affected  
8 by such the special assessment.

9           **SECTION 536.** 66.604 of the statutes is renumbered 66.0717 and amended to  
10 read:

11           **66.0717 Lien of special assessment.** A special assessment levied under any  
12 authority ~~whatsoever shall be~~ is a lien on the property against which it is levied on  
13 behalf of the municipality levying the ~~same~~ assessment or the owner of any  
14 certificate, bond or other document issued by the municipality, evidencing ownership  
15 of any interest in such the special assessment, from the date of the levy, to the same  
16 extent as a lien for a tax levied upon real property.

17           **SECTION 537.** 66.605 of the statutes is renumbered 66.0715 (2) and amended  
18 to read:

19           66.0715 (2) ~~SPECIAL ASSESSMENTS~~ DEFERRAL. (a) Notwithstanding any other  
20 statute, the due date of any special assessment levied against property abutting on  
21 or benefited by a public improvement may be deferred on such the terms and in such  
22 the manner as prescribed by its the governing body while no use of the improvement  
23 is made in connection with the property. ~~Such~~ A deferred special assessment may  
24 be paid in instalments within the time prescribed by the governing body. ~~Any such~~

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1 ~~A deferred~~ special assessment ~~shall be~~ is a lien against the property from the date  
2 of the levy.

3 (b) If a tax certificate is issued under s. 74.57 for property which is subject to  
4 a special assessment that is deferred under this section subsection, the governing  
5 body may provide that the amounts of any deferred special assessments are due on  
6 the date that the tax certificate is issued and are payable as are other delinquent  
7 special assessments from any moneys received under s. 75.05 or 75.36.

8 (c) The lien of any unpaid amounts of special assessments deferred under this  
9 section subsection with respect to which a governing body has not taken action under  
10 ~~sub. (2)~~ par. (b) is not merged in the title to property taken by the county under ch.  
11 75.

NOTE: This section is combined with s. 66.54 (7), relating to annual instalments  
of special assessments. See SECTIONS 204, 205 and 514 of this bill. Note that  
the definitions for the newly combined and renumbered section provided in  
SECTION 205 of this bill, which previously applied only to the provisions of  
renumbered s. 66.0715 that related to instalment payments, will now apply to  
deferral of special assessments as well.

12 **SECTION 538.** 66.606 of the statutes is renumbered 287.093.

13 **SECTION 539.** 66.608 of the statutes is renumbered 66.1109, and 66.1109 (3) (d),  
14 as renumbered, is amended to read:

15 66.1109 (3) (d) Either the board or the municipality, as specified in the  
16 operating plan as adopted, or amended and approved under this section, ~~shall have~~  
17 has all powers necessary or convenient to implement the operating plan, including  
18 the power to contract.

19 **SECTION 540.** 66.609 of the statutes is renumbered 66.1007.

20 **SECTION 541.** 66.610 of the statutes is renumbered 62.71, and 62.71 (title), (1),  
21 (2) (intro.), (a), (b), (e), (i) and (n), (3) (a) to (c), (4), (5) (b) (intro.) and 4. and (c) to (e),  
22 (6) (intro.), (b) and (c), (7) to (11) and (13), as renumbered, are amended to read:

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1           **62.71** (title) **Pedestrian malls in cities of the 1st class cities.** (1) PURPOSE.

2           The purpose of this section is to authorize ~~any city of the a~~ 1st class city to undertake,  
3           develop, finance, construct and operate pedestrian malls as local improvements.

4           **(2)** DEFINITIONS. (intro.) ~~As used in~~ In this section:

5           (a) “Annual pedestrian mall improvement” includes, ~~without limitation~~  
6           ~~because of enumeration,~~ any reconstruction, replacement or repair of trees,  
7           plantings, furniture, shelters or other pedestrian mall facilities.

8           (b) “Annual pedestrian mall improvement cost” includes, ~~without limitation~~  
9           ~~because of enumeration,~~ planning consultant fees, public liability and property  
10          damage insurance premiums, reimbursement of the city’s reasonable and necessary  
11          costs incurred in operating and maintaining a pedestrian mall, levying and  
12          collecting special assessments and taxes, publication costs, and any other costs  
13          related to annual improvements and the operation and maintenance of a pedestrian  
14          mall.

15          (e) “City” means a ~~city of the~~ 1st class city.

16          (i) “Intersecting street” means, unless the council declares otherwise, any  
17          street which meets or intersects a pedestrian mall, but includes only those portions  
18          ~~thereof of the intersecting street~~ which lay between the mall or mall intersection and  
19          the first intersection of such the intersecting street with a street open to general  
20          vehicular traffic.

21          (n) “Pedestrian mall improvement” means, ~~without limitation because of~~  
22          ~~enumeration,~~ includes any construction or installation of pedestrian thoroughfares,  
23          perimeter parking facilities, public seating, park areas, outdoor cafes, skywalks,  
24          sewers, shelters, trees, flower or shrubbery plantings, sculptures, newsstands,  
25          telephone booths, traffic signs, sidewalks, traffic lights, kiosks, water pipes, fire

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1 hydrants, street lighting, ornamental signs, ornamental lights, graphics, pictures,  
2 paintings, trash receptacles, display cases, marquees, awnings, canopies, overhead  
3 or underground radiant heating pipes or fixtures, walls, bollards, chains and all such  
4 other fixtures, equipment, facilities and appurtenances which, in the council's  
5 judgment, will enhance the movement, safety, convenience and enjoyment of  
6 pedestrians and benefit the city and the affected property owners.

7 (3) (a) Upon petition of ~~any~~ a community development advisory body or upon  
8 its own motion, the council may by resolution designate lands to be acquired,  
9 improved and operated as pedestrian malls or may by ordinance designate streets,  
10 including a federal, state, county or any other highway system with the approval of  
11 the jurisdiction responsible for maintaining that highway system, in or adjacent to  
12 business districts to be improved for primarily pedestrian uses. The council may  
13 acquire by gift, purchase, eminent domain, or otherwise, land, real property or  
14 rights-of-way for inclusion in a pedestrian mall district or for use in connection with  
15 pedestrian mall purposes. The council may also make improvements on mall  
16 intersections, intersecting streets or upon facilities acquired for parking and other  
17 related purposes, if ~~such~~ the improvements are necessary or convenient to the  
18 operation of the mall.

19 (b) In establishing or improving a pedestrian mall, the council may narrow any  
20 street designated a part of a pedestrian mall, reconstruct or remove any street vaults  
21 or hollow sidewalks existing by virtue of a permit issued by the city, construct  
22 crosswalks at any point on the pedestrian mall, or cause the roadway to curve and  
23 meander within the limits of the street without regard to the uniformity of width of  
24 the street or curve or absence of curve in the center line of ~~such~~ the street.

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1 (c) 1. Subject to subd. 2., the council may authorize the payment of the entire  
2 cost of any pedestrian mall improvement established under this section by  
3 appropriation from the general fund, by taxation or special assessments, and by the  
4 issuance of municipal bonds, general or particular special improvement bonds,  
5 revenue bonds, mortgages or certificates, or by any combination of ~~such~~ these  
6 financing methods.

7 2. If ~~such~~ a pedestrian mall improvement is financed by special assessments  
8 and special improvement bonds are not issued, ~~such~~ the special assessments, when  
9 collected, shall be applied to the payment of the principal and interest on any general  
10 obligation bonds issued or to the reduction of general taxes if ~~such~~ general obligation  
11 bonds or the general tax levy ~~are~~ is used to finance the improvement.

12 (4) PRELIMINARY FINDINGS. No pedestrian mall may be established under sub.  
13 (3) unless the council finds ~~that~~ all of the following:

14 (a) ~~The~~ That the proposed pedestrian mall will be located primarily in or  
15 adjacent to a business district.

16 (b) ~~There~~ That there exist reasonably convenient alternate routes for private  
17 vehicles to other parts of the city and state.

18 (c) ~~The~~ That the continued unlimited use by private vehicles of all or part of the  
19 streets ~~or parts thereof~~ in the proposed mall district endangers pedestrian safety.

20 (d) ~~Properties~~ That properties abutting the proposed mall can be reasonably  
21 and adequately provided with emergency vehicle services and delivery and receiving  
22 of merchandise or materials either from other streets or alleys or by the limited use  
23 of the pedestrian mall for ~~such~~ these purposes.

24 (e) ~~It~~ That it is in the public interest to use ~~such~~ all or part of the street ~~or~~  
25 ~~portions thereof~~ in the proposed mall district primarily for pedestrian purposes.

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1           (5) (b) (intro.) Upon receiving the authority under par. (a) and upon completion  
2 of the public hearing, the commissioner of public works shall prepare a report which  
3 shall include all of the following:

4           4. A description of the property necessary to be acquired or interfered with and  
5 the identity of the owner of each ~~such~~ parcel if the ~~same~~ owner can be readily  
6 ascertained by the commissioner.

7           (c) In preparing ~~such~~ the report under par. (b), the commissioner of public  
8 works shall consult with any community development advisory body which has been  
9 organized in the proposed pedestrian mall district.

10           (d) After referring the report described in par. (b) to the city plan commission  
11 for review and recommendations, the commissioner of public works shall submit  
12 ~~such~~ the report, with the city plan commission's recommendations, if any, to the  
13 council and shall file a copy in the office of the city clerk. The council may ~~then~~ refer  
14 the report and recommendations, with any necessary modifications ~~it deems~~  
15 necessary, to the board of assessment for action pursuant to subch. II of ch. 32.

16           (e) Notwithstanding any other provision of this section, if a petition protesting  
17 the establishment of a pedestrian mall or a pedestrian mall improvement, duly  
18 signed and acknowledged by the owners of 51% or more of the front footage of lands  
19 abutting all or part of a street ~~or part thereof~~ proposed as a pedestrian mall, is filed  
20 with the city clerk at any time prior to the conclusion of all proceedings required  
21 under this section, the council shall terminate its proceedings, and no proposal for  
22 the establishment of the ~~same~~ pedestrian mall or substantially the same pedestrian  
23 mall may be introduced or adopted within one year after ~~such~~ termination of  
24 proceedings under this paragraph.

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1           **(6) ORDINANCES; REQUIRED PROVISIONS.** (intro.) ~~Any~~ An ordinance establishing  
2           a pedestrian mall shall accomplish all of the following:

3           (b) Designate the streets, including intersecting streets, or parts thereof of  
4           streets to be used as a pedestrian mall.

5           (c) Limit the use of the surface of ~~such~~ all or part of a street or part thereof used  
6           as a pedestrian mall to pedestrian users and to emergency, public works,  
7           maintenance and utility transportation vehicles during such times as that the  
8           council determines appropriate to enhance the purposes and function of the  
9           pedestrian mall.

10          **(7) USE BY PUBLIC CARRIERS.** If the council finds that all or part of a street or part  
11          ~~thereof~~ which is designated as a pedestrian mall is served by a common carrier  
12          engaged in mass transportation of persons within the city and that continued use of  
13          ~~such~~ all or part of the street or part thereof by ~~such~~ the common carrier will benefit  
14          the city, the public and adjacent property, the council may permit ~~such~~ the carrier to  
15          use ~~such~~ all or part of the street or part thereof for ~~such~~ these purposes to the same  
16          extent and subject to the same obligations and restrictions ~~which~~ that are applicable  
17          to ~~such~~ the carrier in the use of other streets of the city. Upon like findings, the  
18          council may permit use of ~~such~~ all or part of the street or part thereof by taxicabs or  
19          other public passenger carriers.

20          **(8) PERMITS.** (a) If, at the time an ordinance establishing a pedestrian mall is  
21          ~~adopted~~ enacted, any property abutting ~~such~~ all or part of the pedestrian mall or part  
22          ~~thereof~~ does not have access to some other street or alley for the delivery or receiving  
23          of merchandise or materials, ~~such~~ the ordinance shall provide for either one of the  
24          following:

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1           1. The issuance of special access permits to the affected owners for ~~such~~ these  
2 purposes; ~~or~~.

3           2. The designation of the hours or days on which ~~such~~ the pedestrian mall may  
4 be used for ~~such~~ these purposes without unreasonable interference with the use of  
5 all or part of the mall ~~or part thereof~~ by pedestrians and other authorized vehicles.

6           (b) The council may issue temporary permits for closing all or part of a  
7 pedestrian mall ~~or any part thereof~~ to all vehicular traffic for the promotion and  
8 conduct of sidewalk art fairs, sidewalk sales, craft shows, entertainment programs,  
9 special promotions and for ~~such~~ other special activities consistent with the ordinary  
10 purposes and functions of the pedestrian mall.

11           **(9) EXCESS ESTIMATED COST; ASSESSMENT ADJUSTMENTS.** (a) If, after the  
12 completion of any pedestrian mall improvement, the commissioner of public works  
13 certifies that the actual cost is less than the estimated cost upon which any aggregate  
14 assessment is based, ~~such~~ the aggregate assessment shall be reduced, subject to par.  
15 (c), by a percentage amount of the excess estimated cost which is equal to the  
16 percentage of the estimated cost financed by ~~such~~ the aggregate assessment. The  
17 city comptroller shall certify to the city treasurer the amount that is refundable  
18 under this subsection.

19           (b) If ~~such~~ the aggregate assessment described in par. (a) has been fully  
20 collected, the city treasurer shall refund the excess assessment to the affected  
21 property owners on a proportional basis.

22           (c) If ~~such~~ the aggregate assessment described in par. (a) has not been fully  
23 collected, the amount of the refundable assessment shall be reduced by a sum  
24 determined by the council to be sufficient to cover anticipated assessment collection  
25 deficiencies, and the balance, if any, shall be refunded to the affected owners on a

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1 proportional basis. The treasurer shall deduct the appropriate amount from  
2 instalments due after the receipt of the certificate from the city comptroller.

3 **(10) ANNUAL COSTS; SPECIAL ACCOUNT.** (a) Concurrently with the submission of  
4 the plan, and annually thereafter by June 15 of each year, the city comptroller and  
5 the commissioner of public works, with the assistance of a community development  
6 advisory body, if any, shall furnish the council with a report estimating the cost of  
7 improving, operating and maintaining any pedestrian mall district for the next fiscal  
8 year. Under the plan in effect, ~~such~~ the report shall include itemized cost estimates  
9 of any proposed changes in the plan under consideration by the council and also a  
10 detailed summary of the estimated costs chargeable to all of the following categories:

11 1. The amount of the annual costs chargeable to the general fund. ~~Such~~ The  
12 amount may not exceed that amount which the city normally allocates from the  
13 general fund for maintenance and operation of a street of similar size and location  
14 not improved as a pedestrian mall.

15 2. The amount of the annual costs chargeable to owners of property in the  
16 district who are benefited by ~~such~~ annual mall improvements. The aggregate  
17 amount assessed against ~~such~~ the owners may not exceed the aggregate benefits  
18 accruing to all ~~such~~ assessable property.

19 3. The amount of the annual costs, if any, to be specially taxed against taxable  
20 property in the district. ~~Such~~ The amount shall be determined by deducting from the  
21 estimated annual costs the amounts under subds. 1. and 2. and the amount of  
22 anticipated rentals received from vendors using pedestrian mall facilities.

23 (b) Moneys appropriated and collected for annual pedestrian mall  
24 improvement costs shall be credited to a special account. The council may incur ~~such~~  
25 necessary annual costs ~~as it deems necessary~~, whether or not they have been

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1 included in the budget for that fiscal year, except that such nonbudgeted  
2 expenditures shall be included in the estimate required under par. (a) for the next  
3 following fiscal year. Any unexpended balances in ~~such~~ the special account  
4 remaining at the end of a fiscal year shall be carried over to the appropriate category  
5 of the estimate required under par. (a) for the ~~next~~ following fiscal year.

6 **(11) NUISANCES: LIMITATION OF LIABILITY.** (a) The installation of any furniture,  
7 structure or facility or the permitting of any use in a pedestrian mall district under  
8 a final plan adopted under this section ~~may~~ is ~~not be deemed~~ a nuisance or unlawful  
9 obstruction or condition by reason of the location of ~~such~~ the installation or use.

10 (b) ~~Such installation or use may not cause the~~ The city or any person acting  
11 under permit ~~to be~~ is not liable for injury to persons or property in the absence of  
12 negligence in the construction, maintenance, operation or conduct of ~~such~~ the  
13 installation or use under par. (a).

14 **(13) SUBSTANTIAL COMPLIANCE; VALIDITY.** Substantial compliance with the  
15 requirements of this section is sufficient to give effect to any proceedings ~~hereunder~~  
16 conducted under this section and any error, irregularity or informality not affecting  
17 substantial justice does not affect the validity of ~~such~~ the proceedings.

18 **SECTION 542.** 66.615 of the statutes is renumbered 66.0907, and 66.0907 (1),  
19 (2), (3) (a), (c) (intro.), 1. and 2., (d), (e) and (f), (5), (6), (7) and (10) (intro.), as  
20 renumbered, are amended to read:

21 66.0907 **(1) PART OF STREET; OBSTRUCTIONS.** Streets shall provide a right-of-way  
22 for vehicular traffic and, where the council ~~so~~ requires, a sidewalk on either or both  
23 sides ~~thereof; the~~ of the street. The sidewalk shall be for the use of persons on foot,  
24 and no person ~~shall be allowed to~~ may encumber the ~~same~~ sidewalk with boxes or

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1 other material; ~~but such.~~ The sidewalk shall be kept clear for the uses specified  
2 herein use of persons on foot.

3 (2) GRADE. ~~In all cases where~~ If the grades of sidewalks shall are not have been  
4 specially fixed by ordinance, the sidewalks shall be laid to the established grade of  
5 the street.

6 (3) (a) *Authority of council.* The council may ~~from time to time~~ by ordinance  
7 or resolution determine where sidewalks shall be constructed and establish the  
8 width, determine the material and prescribe the method of construction of standard  
9 sidewalks, ~~and the.~~ The standard so fixed may be different for different streets, ~~and.~~  
10 The council may order by ordinance or resolution sidewalks to be laid as provided in  
11 this subsection.

12 (c) *Notice.* (intro.) A copy of the ordinance, resolution or order directing such  
13 the laying, removal, replacement or repair of sidewalks shall be served upon the  
14 owner, or an agent, of each lot or parcel of land in front of which such the work is  
15 ordered. The board of public works, or either the street commissioner or the city  
16 engineer if so requested by the council, may serve the notice. Service of the notice  
17 may be made by any of the following methods:

- 18 1. Personal delivery; ~~;~~
- 19 2. Certified or registered mail; ~~or.~~

20 (d) *Default of owner.* ~~Whenever any such owner shall neglect~~ If the owner  
21 neglects for a period of 20 days after such service of notice under par. (c) to lay,  
22 remove, replace or repair ~~any such~~ the sidewalk the city may cause such the work  
23 to be done at the expense of such the owner. All work for the construction of sidewalks  
24 shall be let by contract to the lowest responsible bidder except as provided in s. 62.15  
25 (1).

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1           (e) *Minor repairs.* If the cost of repairs of any sidewalk in front of any lot or  
2 parcel of land does not exceed the sum of \$100, the board of public works, street  
3 commissioner or city engineer, if so required by the council, may immediately repair  
4 such the sidewalk, without notice or ~~letting the work by contract~~, and charge the cost  
5 thereof of the repair to the owner of such the lot or parcel of land, as provided in this  
6 section.

7           (f) *Expense.* The board of public works shall keep an accurate account of the  
8 expenses of laying, removing and repairing sidewalks in front of each lot or parcel  
9 of land, whether the work is done by contract or otherwise, and report the same  
10 expenses to the comptroller ~~who~~. The comptroller shall annually prepare a  
11 statement of the expense so incurred in front of each lot or parcel of land and report  
12 the same amount to the city clerk, ~~and the~~. The amount therein charged to each lot  
13 or parcel of land shall be entered by such the clerk in the tax roll as a special tax  
14 against said the lot or parcel of land, ~~and the same shall be collected in all respects~~  
15 like other taxes upon real estate. The council by resolution or ordinance may provide  
16 that the expense so incurred may be paid in up to 10 annual instalments and ~~upon~~  
17 ~~such determination~~, the comptroller shall prepare the expense statement as herein  
18 required ~~in such manner and with such frequency as the improved~~ to reflect the  
19 instalment payment schedule allows. If annual instalments for such ~~expense~~  
20 sidewalk expenses are authorized, the city clerk shall charge the amount to each lot  
21 or parcel of land and enter it on the tax roll as a special tax against such the lot or  
22 parcel each year until all instalments have been entered, and the same amount shall  
23 be collected ~~in all respects~~ like other taxes upon real estate. The council may provide  
24 that the street commissioner or city engineer shall perform the duties imposed by  
25 this section on the board of public works.

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1           **(5) SNOW AND ICE.** The board of public works shall keep the sidewalks of the city  
2 clear of snow and ice in all cases where the owners or occupants of abutting lots fail  
3 to do so, and the expense of ~~so doing~~ clearing in front of any lot or parcel of land shall  
4 be included in the statement to the comptroller required by sub. (3) (f), ~~and~~ in the  
5 comptroller's statement to the city clerk and in the special tax to be levied ~~as therein~~  
6 ~~provided~~. The city may also impose a fine or penalty for neglecting to keep sidewalks  
7 clear of snow and ice.

8           **(6) REPAIR AT CITY EXPENSE.** ~~Whenever the~~ The council shall by resolution or  
9 ~~ordinance so determine,~~ may provide that sidewalks shall be kept in repair by and  
10 at the expense of the city, ~~or the council~~ may direct that a certain proportion of the  
11 cost of construction, reconstruction or repair be paid by the city and the balance by  
12 abutting property owners.

13           **(7) RULES.** The council may ~~from time to time make all needful rules and~~  
14 ~~regulations by ordinance for carrying the aforesaid~~ implement the provisions into  
15 effect, ~~for regulating of this section,~~ regulate the use of the sidewalks of the city and  
16 ~~preventing~~ prevent their obstruction.

17           **(10) APPLICATION OF SECTION; DEFINITIONS.** (intro.) The provisions of this section  
18 shall do not apply to 1st class cities but shall be applicable apply to towns and  
19 villages, and when applied to towns and villages:

20           **SECTION 543.** 66.616 of the statutes is renumbered 66.0909, and 66.0909 (1),  
21 as renumbered, is amended to read:

22           **66.0909 (1)** The standard for construction of curbs and sidewalks on each side  
23 of ~~any a~~ a city or village street, or ~~any a~~ a connecting highway or town road for which  
24 curbs and sidewalks have been prescribed by the governing body of the town, city or  
25 village having jurisdiction ~~thereover~~, shall include curb ramping providing access to

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1 crosswalks at intersections and other designated locations. Curb ramping includes  
2 the curb opening, the ramp and that part of the sidewalk or apron leading to and  
3 adjacent to the curb opening. Any person constructing new curbs or sidewalks or  
4 replacing curbs or sidewalks within 5 feet of a legal crosswalk in any city street,  
5 village street, connecting highway or town road shall comply with the standards for  
6 curb ramping under this section.

7 **SECTION 544.** 66.62 of the statutes is renumbered 66.0701 and amended to  
8 read:

9 **66.0701 Special assessments by local ordinance.** (1) Except as provided  
10 in s. ~~66.60 (6m)~~ 66.0721, in addition to other methods provided by law, the ~~common~~  
11 ~~council governing body of any a town, village or 2nd, 3rd or 4th class city, a village~~  
12 ~~board or a town board~~ may, by ordinance, provide that the cost of installing or  
13 constructing any public work or improvement shall be charged in whole or in part  
14 to the property benefited ~~thereby~~, and to make an assessment against ~~such the~~  
15 property benefited in ~~such the~~ manner as ~~such council or board that the governing~~  
16 body determines. ~~Such The~~ special assessment ~~shall be~~ is a lien against the property  
17 from the date of the levy.

18 (2) Every ~~such~~ ordinance under this section shall contain provisions for  
19 reasonable notice and hearing. Any person against whose land a special assessment  
20 is levied under ~~any such the~~ ordinance shall ~~have the right to~~ may appeal therefrom  
21 in the manner prescribed in s. ~~66.60~~ 66.0703 (12) within 40 days of the date of the  
22 final determination of the governing body.

23 **SECTION 545.** 66.625 of the statutes is renumbered 66.0911 and amended to  
24 read:

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1           **66.0911 Laterals and service pipes.** ~~Whenever~~ If the governing body shall  
2 by resolution ~~require~~ requires water, heat, sewer and gas laterals or service pipes to  
3 be constructed from the lot line or near the lot line to the main or from the lot line  
4 to the building to be serviced, or both, it may provide that when the work is done by  
5 the city, village or town or under a city, village or town contract, a record of the cost  
6 of constructing ~~such~~ the laterals or service pipes shall be kept and ~~such~~ the cost, or  
7 the average current cost of laying ~~such~~ the laterals or service pipes, shall be charged  
8 and be a lien against the lot or parcel served.

9           **SECTION 546.** 66.63 of the statutes is renumbered 66.0725 and amended to  
10 read:

11           **66.0725 Assessment of condemnation benefits. (1)** As a complete  
12 alternative to any other method provided by law, for the purpose of payment of the  
13 expenses, including ~~such~~ the excess of damages and all other expenses and costs,  
14 incurred for the taking of private property for the purpose set forth in ss. 32.02 (1),  
15 61.34 (3) and 62.22, the governing body of the a town, city or village may, by  
16 resolution, levy and assess the whole or any part of ~~such~~ the expenses, as a special  
17 assessment upon ~~such~~ the property ~~as they determine that the governing body~~  
18 determines is specially benefited thereby, ~~and they by the taking. The governing~~  
19 body shall include in said the levy the whole or any part of the excess of benefits over  
20 total damages, if any, ~~making therein~~ and make a list of every lot or parcel of land  
21 so assessed, the name of the owner thereof, if known, and the amount levied ~~thereon~~  
22 on the property.

23           **(2)** ~~Such~~ The resolution under sub. (1) shall be published as a class 2 notice,  
24 under ch. 985, and with a notice ~~therewith~~ that at a the time and place stated therein,  
25 the governing body will meet ~~at their usual place of meeting~~ and hear all objections

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1 ~~which may be made to such~~ the assessment ~~or to any part thereof~~. If such the  
2 resolution levies an assessment against property outside the corporate limits, notice  
3 ~~as provided herein~~ shall be given by mailing a copy of the resolution and the notice  
4 by registered mail to the last-known address of the owner of such the property. A  
5 copy of such the resolution shall be filed with the clerk of the town in which the  
6 property is located.

7 (3) At the time so fixed the governing body shall meet and hear ~~all such~~  
8 objections, and for that purpose may adjourn to a date set by the governing body, until  
9 the hearing is completed, and shall by resolution confirm or modify such the  
10 assessment in whole or in part. At any time before the first day of the next November  
11 ~~thereafter~~ any party liable may pay ~~any such~~ the assessment to the town, city or  
12 village treasurer. On ~~such first day of~~ November 1, if ~~any such~~ the assessment  
13 remains unpaid, the treasurer shall make a certified statement showing what  
14 assessments ~~so levied~~ under this section remain unpaid, and file the ~~same~~ statement  
15 with the clerk, who shall ~~extend the same upon~~ place the unpaid assessments on the  
16 tax roll of such municipality, ~~in addition to and as part of all other taxes therein levied~~  
17 ~~on such land, to be collected therewith~~ for collection.

18 (4) At the time of making out the tax roll, next after the filing of any assessment  
19 ~~to pay the expenses incurred in proceedings for the condemnation of lands outside~~  
20 ~~the corporate limits, the~~ The town clerk shall enter ~~in said~~ on the tax roll the benefits  
21 not offset by damages or an excess of benefits over damages which shall be are levied  
22 ~~on the land described as a special assessment~~ under this section by a city or village  
23 on land in the town and shall be ~~collected the same~~ collect the assessment in the same  
24 manner as other taxes. ~~Such amounts when~~ The assessments collected shall be paid  
25 over to the city or village treasurer to be applied in payment of any damages or excess

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1 of damages over benefits awarded by ~~such~~ the assessment; ~~and in case.~~ If the amount  
2 of ~~such~~ special assessments are is insufficient to pay all damages or excess of  
3 damages over benefits so awarded, ~~then~~ the difference shall be paid by the city or  
4 village. ~~Any such damages~~ Damages or excess of damages over benefits may be paid  
5 out of ~~such~~ the fund ~~prior to~~ before the collection of ~~such~~ the special assessments, ~~to~~  
6 be and reimbursed ~~therefrom~~ when collected.

7 (5) Any person against whose land an assessment of benefits is made ~~pursuant~~  
8 to ~~under~~ this section may appeal ~~therefrom~~ as prescribed in s. 32.06 (10) within 30  
9 days of the adoption of the resolution required under sub. (3).

10 **SECTION 547.** 66.635 of the statutes is renumbered 66.0731 and amended to  
11 read:

12 **66.0731 Reassessment of invalid condemnation and public**  
13 **improvement assessments. (1)** If in any an action, other than an action ~~pursuant~~  
14 ~~to s. 66.60 (12), for the recovery of damages arising from a failure to make a proper~~  
15 ~~assessment of benefits and damages, as provided by law, or failure to observe any~~  
16 ~~provision of law, or because of any act or defect in any proceeding in which benefits~~  
17 ~~and damages are assessed, and in any action to set aside any~~ under s. 66.0703 (12),  
18 involving a special assessment, special assessment certificate, bond or note or tax  
19 certificate based ~~upon such~~ on the special assessment, the court determines that  
20 ~~such~~ the assessment is invalid by reason of a defective assessment of benefits and  
21 damages, or for any cause, it shall stay all proceedings, frame an issue therein and  
22 summarily try the ~~same~~ issue and determine the amount ~~which~~ that the plaintiff  
23 justly ought to pay or which should be justly assessed against the property in  
24 question. ~~Such~~ That amount shall be ordered to be paid into court for the benefit of  
25 the parties entitled ~~thereto~~ to the amount within a fixed time ~~to be fixed~~. Upon

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1 compliance with said the order judgment shall be entered for the plaintiff with costs.  
2 If the plaintiff fails to comply with such the order the action shall be dismissed with  
3 costs.

4 (2) If the common council, village board or town board determines that any  
5 special assessment is invalid for any reason, it may reopen and reconsider such the  
6 assessment as provided in s. ~~66.60~~ 66.0703 (10).

7 **SECTION 548.** 66.64 of the statutes is renumbered 66.0705 and amended to  
8 read:

9 **66.0705 Special Property of public and private entities subject to**  
10 **special assessments for local improvements.** (1) (a) The property of the this  
11 state, except that held for highway right-of-way purposes or acquired and held for  
12 purposes under s. 85.09, and the property of every county, city, village, town, school  
13 district, sewerage district or commission, sanitary or water district or commission,  
14 or any public board or commission within this state, and of every corporation,  
15 company or individual operating any railroad, telegraph, telecommunications,  
16 electric light or power system, or doing any of the business mentioned in ch. 76, and  
17 of every other corporation or company ~~whatever, shall be~~ is in all respects subject to  
18 all special assessments for local improvements.

19 (b) Certificates and improvement bonds ~~therefor~~ for special assessments may  
20 be issued and the lien ~~thereof~~ of the special assessments enforced against such  
21 property described in par. (a), except property of the state, in the same manner and  
22 to the same extent as the property of individuals. ~~Such assessments shall~~ Special  
23 assessments on property described in par. (a) may not extend to the right, easement  
24 or franchise to operate or maintain railroads, telegraph, telecommunications or  
25 electric light or power systems in streets, alleys, parks or highways. The amount

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1 represented by any certificate or improvement bond issued ~~as aforesaid shall be~~  
2 under this paragraph is a debt due personally from such ~~the~~ corporation, company  
3 or individual, payable in the case of a certificate when the taxes for the year of its  
4 issue are payable, and in the case of a bond according to the terms ~~thereof~~ of the bond.

5 (2) In this subsection, “assessment” means a special assessment on property  
6 of the this state and “project” means any continuous improvement within overall  
7 project limits regardless of whether small exterior segments are left unimproved. If  
8 the assessment of a project is less than \$50,000, or if the assessment of a project is  
9 \$50,000 or more and the building commission approves the assessment under s.  
10 ~~66.60 (4)~~ 66.0703 (6), the state agency which manages the property shall pay the  
11 assessment from the revenue source which supports the general operating costs of  
12 the agency or program against which the assessment is made.

13 **SECTION 549.** 66.645 of the statutes is repealed.

NOTE: Repealed as unnecessary. The provision, which refers to special assessments levied under s. 66.64, provides for the collection and enforcement of those assessments. Collection and enforcement of special assessments are provided elsewhere in the statutes; for example, ss. 66.0701, 66.0703 (13), 66.0717 and 74.53.

14 **SECTION 550.** 66.65 (title) and (1) of the statutes are renumbered 66.0707 (title)

15 and (1) and amended to read:

16 **66.0707 (title) Assessment or special charge against city, village or**  
17 **town property abutting on improvement in adjacent city, village or town.**

18 (1) A city, village or town may levy special assessments for municipal work or  
19 improvement under s. ~~66.60 upon~~ 66.0703 on property in an adjacent city, village or  
20 town, if ~~such~~ the property abuts ~~upon~~ and benefits from ~~such~~ the work or  
21 improvement and if the governing body of the municipality where the property is  
22 located, by resolution approves ~~such~~ the levy. ~~In any such case the~~ by resolution. The

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1 owner of such ~~the~~ property shall be is entitled to the use of the work or improvement  
2 ~~upon~~ on which such ~~the~~ assessment is based ~~upon~~ on the same conditions as the  
3 owner of property within the city, village or town.

4 **SECTION 551.** 66.65 (2) of the statutes is renumbered 66.0707 (3) and amended  
5 to read:

6 66.0707 (3) A special assessment or special charge under this section shall be  
7 is a lien against the benefited property and shall be collected by the treasurer in the  
8 same manner as the taxes of the municipality and paid over by the treasurer to the  
9 treasurer of the municipality levying such ~~the~~ assessment.

NOTE: The scope of this provision is expanded to include special charges. See  
SECTION 192 of this bill.

10 **SECTION 552.** 66.694 of the statutes is renumbered 66.0727 and amended to  
11 read:

12 **66.0727 Special assessments against railroad for street improvement.**

13 (1) (a) If ~~any~~ a city, village or town causes ~~any~~ improves a street, alley or public  
14 highway within its corporate limits ~~to be improved,~~ including by grading, curbing,  
15 or paving ~~or otherwise improving the street, alley or public highway, where,~~ if the  
16 entire or partial cost of the improvement is assessed against abutting property, and  
17 if the street, alley or public highway is crossed by the track of ~~any~~ a railroad engaged  
18 as a common carrier, the common council or board of public works of the city, or the  
19 village or town board, shall, at any time after the completion and acceptance of the  
20 improvement by the municipality, file with the local agent of the railroad corporation  
21 operating the railroad a statement showing the amount chargeable to the railroad  
22 corporation for the improvement.

23 (b) The amount chargeable to the railroad corporation shall be ~~an~~ is the amount  
24 equal to the cost of constructing the improvement along the street, alley or public

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1 highway immediately in front of and abutting its right-of-way on each side of the  
2 street, alley or public highway at the point where the track crosses the street, alley  
3 or public highway, based upon the price per square yard, lineal foot or other unit of  
4 value used in determining the total cost of the improvement.

5 (2) The amount charged against ~~any~~ a railroad corporation for improving the  
6 street, alley or public highway, fronting or abutting its right-of-way, ~~shall~~ may not  
7 exceed the average amount per front foot assessed against the remainder of the  
8 property fronting or abutting on the improved street, alley or public highway ~~so~~  
9 ~~improved~~. The amount calculated under sub. (1) and contained in the statement  
10 ~~shall be~~ is due and payable by the railroad corporation to the municipality, ~~causing~~  
11 filing the statement ~~to be filed~~ within 30 days of the date when the statement ~~shall~~  
12 ~~be~~ is presented to the local representative of the railroad corporation.

13 **SECTION 553.** 66.695 (title) of the statutes is repealed.

14 **SECTION 554.** 66.695 of the statutes is renumbered 66.0727 (3) and amended  
15 to read:

16 66.0727 (3) If ~~any~~ a railroad corporation fails or refuses to pay ~~to any~~ a city,  
17 village or town the amount set forth in any statement or claim for ~~the making of~~  
18 street, alley or public highway improvements, ~~as provided in s. 66.694, under this~~  
19 section within the time specified in the statement, the city, village or town ~~shall have~~  
20 ~~a valid~~ has a claim for ~~such~~ that amount against the railroad corporation, and may  
21 maintain an action in any circuit court within this state to recover the amount in the  
22 statement.

23 **SECTION 555.** 66.696 (title) of the statutes is renumbered 66.0729 (title).

24 **SECTION 556.** 66.696 of the statutes is renumbered 66.0729 (1) and amended  
25 to read:

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1           66.0729 (1) If the track of ~~any~~ a railroad is laid upon or along ~~any~~ a street, alley  
2 or public highway within any city, village or town, the corporation operating the  
3 railroad shall maintain and improve the portion of the street, alley or public highway  
4 that is occupied by its tracks. The railroad corporation shall grade, pave or otherwise  
5 improve the portion of the street, alley or public highway ~~or portion thereof in such~~  
6 the manner and with such the materials as that the common council of the city or the  
7 village or town board determines. The railroad corporation is not required to pave  
8 or improve that portion of the street, alley or public highway occupied by it with  
9 different material or in a different manner from that in which the remainder of the  
10 street is paved or improved. The railroad corporation ~~shall be~~ is liable to pay for  
11 paving, grading or otherwise improving a street, alley or public highway only to the  
12 extent that the actual cost of the improvement exceeds the estimated cost of the  
13 improvement were the street, alley or public highway not occupied by the tracks of  
14 the railroad.

15           **SECTION 557.** 66.697 (title) of the statutes is repealed.

16           **SECTION 558.** 66.697 (1) and (2) of the statutes are renumbered 66.0729 (2) and  
17 (3) and amended to read:

18           66.0729 (2) If ~~any~~ a city, village or town orders ~~any~~ a street, alley or public  
19 highway to be paved, graded, curbed or improved, as provided in ~~s. 66.696 sub. (1),~~  
20 the clerk of the city, village or town shall ~~cause to be served upon~~ serve the local agent  
21 of the railroad corporation, a notice setting forth the action taken by the city, village  
22 or town relative to the improvement of the street, alley or public highway.

23           (3) If the railroad corporation elects to construct the street, alley or public  
24 highway improvement, it shall within 10 days of the receipt of the notice from the  
25 clerk of the city, village or town, file with the clerk a notice of its intention to construct

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1 the street, alley or public highway improvement, and it shall be allowed until the  
2 following June 30 thereafter to complete the work, unless the work is ordered after  
3 May 20 of any year, and in that case the railroad corporation shall be allowed 40 days  
4 from the time the clerk of the municipality presents the notice to the railroad agent,  
5 in which to complete the work.

6 **SECTION 559.** 66.698 (title) of the statutes is repealed.

7 **SECTION 560.** 66.698 (1) and (2) of the statutes are renumbered 66.0729 (4) and  
8 (5) and amended to read:

9 66.0729 (4) If any a city, village or town orders any a street, alley or public  
10 highway improved, ~~as provided in s. 66.696,~~ under sub. (1) and serves notice on the  
11 railroad corporation, ~~as provided in s. 66.697,~~ under sub. (2) and the railroad  
12 corporation elects not to construct the improvement or elects to construct the  
13 improvement but fails to construct the improvement within the time ~~provided in s.~~  
14 ~~66.697~~ under sub. (3), the city, village or town shall ~~proceed to~~ let a contract for the  
15 construction of the improvement, and cause improve the street, alley or public  
16 highway ~~to be improved as determined under s. 66.696, and when sub. (1).~~ When the  
17 improvement is completed and accepted by the city, village or town, the clerk of the  
18 city, village or town shall present to the local agent of the railroad corporation a  
19 statement of the actual cost of the improvement, and the railroad corporation shall,  
20 within 20 days of its receipt of the statement, ~~pay to~~ the treasurer of the city, village  
21 or town the amount shown by the statement.

22 (5) If any a railroad corporation fails to pay the cost of constructing any  
23 pavement or other street improvement ~~as provided under sub. (1),~~ the city, village or  
24 town causing responsible for the improvement ~~to be constructed shall have the right~~

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1 to may enforce collection of the amount by an action at law against the railroad  
2 corporation as provided in s. ~~66.695~~ 66.0727 (3).

3 **SECTION 561.** 66.699 of the statutes is repealed.

NOTE: Restated in renumbered ss. 66.0727 (4) and 66.0729 (6). See SECTIONS  
209 and 210 of this bill.

4 **SECTION 562.** 66.70 of the statutes is renumbered 66.0611 and amended to  
5 read:

6 **66.0611 Political subdivisions prohibited from levying tax on incomes.**

7 No county, city, village, town, or other unit of government authorized to levy taxes  
8 shall may assess, levy or collect any tax on income, or measured by income, and any  
9 such tax so assessed or levied is void.

10 **SECTION 563.** 66.73 of the statutes is repealed.

NOTE: Repeals s. 66.73, which authorizes a county, municipal or school board to  
annually provide for and appropriate funds for a program of citizenship  
education, including a ceremony of the induction to citizenship for those who  
have been enfranchised within the past year.

11 **SECTION 564.** 66.74 of the statutes is renumbered 66.0613.

12 **SECTION 565.** 66.75 (title), (1) and (1m) (a) to (e) and (f) 1. and 2. of the statutes  
13 are renumbered 66.0615 (title), (1) and (1m) (a) to (e) and (f) 1. and 2., and 66.0615  
14 (1) (dm) and (1m) (a) and (b) 2., as renumbered, are amended to read:

15 66.0615 **(1)** (dm) “Sponsoring municipality” means ~~any a~~ city, village or town  
16 that creates a district either separately or in combination with another city, village,  
17 town or county.

18 **(1m)** (a) The governing body of a municipality may enact an ordinance, and a  
19 district, under par. (e), may adopt a resolution, imposing a tax on the privilege of  
20 furnishing, at retail, except sales for resale, rooms or lodging to transients by  
21 hotelkeepers, motel operators and other persons furnishing accommodations that  
22 are available to the public, irrespective of whether membership is required for use

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1 of the accommodations. ~~Any~~ A tax imposed under this paragraph is not subject to  
2 the selective sales tax imposed by s. 77.52 (2) (a) 1. and may not be imposed on sales  
3 to the federal government and persons listed under s. 77.54 (9a). ~~Any~~ A tax imposed  
4 under this paragraph by a municipality shall be paid to the municipality and may  
5 be forwarded to a commission if one is created under par. (c), as provided in par. (d).  
6 Except as provided in par. (am), ~~any~~ a tax imposed under this paragraph by a  
7 municipality may not exceed 8%. Except as provided in par. (am), if a tax greater  
8 than 8% under this paragraph is in effect on May 13, 1994, the municipality  
9 imposing the tax shall reduce the tax to 8%, effective on June 1, 1994.

10 (b) 2. If 2 or more municipalities in a zone impose a room tax under par. (a), the  
11 municipalities shall enter into a contract under s. ~~66.30~~ 66.0301 to create a  
12 commission under par. (c). If no tourism entity exists in any of the municipalities in  
13 the zone that have formed a commission, the commission shall contract with another  
14 organization in the zone to perform the functions of the tourism entity. Each  
15 municipality in a single zone that imposes a room tax shall levy the same percentage  
16 of tax. If the municipalities are unable to agree on the percentage of tax for the zone,  
17 the commission shall set the percentage.

18 **SECTION 566.** 66.75 (1m) (f) 3. of the statutes, as affected by 1999 Wisconsin Act  
19 9, is renumbered 66.0615 (1m) (f) 3.

20 **SECTION 567.** 66.75 (1m) (f) 4. and 5., (2) and (3) of the statutes are renumbered  
21 66.0615 (1m) (f) 4. and 5., (2) and (3), and 66.0615 (2) (a) and (c), as renumbered, are  
22 amended to read:

23 66.0615 (2) (a) ~~Whenever the~~ If a municipality or district has probable cause  
24 to believe that the correct amount of room tax has not been assessed or that the tax  
25 return is not correct, inspect and audit the financial records of any person subject to

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1 sub. (1m) pertaining to the furnishing of accommodations to determine whether or  
2 not the correct amount of room tax is assessed and whether or not any room tax  
3 return is correct.

4 (c) Determine the tax under sub. (1m) according to its best judgment if any a  
5 person required to make a return fails, neglects or refuses to do so for the amount,  
6 in the manner and form and within the time prescribed by the municipality or  
7 district.

8 **SECTION 568.** 66.77 of the statutes is renumbered 59.605.

9 **SECTION 569.** 66.80 (title) of the statutes is renumbered 62.63 (title) and  
10 amended to read:

11 **62.63 (title) Benefit funds for officers and employes of first 1st class**  
12 **cities.**

13 **SECTION 570.** 66.80 (1) of the statutes is repealed.

NOTE: Restated as part of s. 62.63 (1), created by SECTION 15 of this bill.

14 **SECTION 571.** 66.80 (2) of the statutes is renumbered 62.63 (2) and amended  
15 to read:

16 **62.63 (2) RETIREMENT BOARD.** ~~Upon approval by~~ By a majority vote of the its  
17 ~~members of,~~ the common council of such a 1st class city ~~the common council shall~~ may  
18 ~~create a retirement board, the members of which shall serve without compensation,~~  
19 ~~which board shall have full power and authority to administer such~~ an annuity and  
20 ~~benefit fund, and to~~ under this section. The retirement board may make ~~such~~ rules  
21 and regulations under which all participants shall contribute to and receive benefits  
22 from ~~such~~ the fund. Members of the board shall serve without compensation. Three  
23 members of the ~~retirement~~ board shall be city employes elected by the members of  
24 the retirement system and shall serve 4-year terms and 5 members shall be

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1 appointed under s. ~~66.146~~ 62.51 and shall serve 3-year terms. The common council  
2 may provide for contribution by the city to such the annuity and benefit fund. The  
3 executive director of the retirement board shall be appointed under s. ~~66.146~~ 62.51.

4 **SECTION 572.** 66.80 (3) of the statutes is repealed.

NOTE: Restated as part of s. 62.63 (1), created by SECTION 15 of this bill.

5 **SECTION 573.** 66.805 of the statutes is renumbered 62.65 and amended to read:

6 **62.65 Death benefit payments to foreign beneficiaries.** ~~A retirement~~  
7 ~~system of any~~ The common council of a 1st class city of the first class may provide by  
8 ~~appropriate enactment of the local legislative body that~~ under the city's retirement  
9 system no beneficiary may be designated for the payment of any retirement  
10 allowance, pension or proceeds of a member of such the retirement system if such the  
11 beneficiary is not a resident of either the United States or Canada. If a beneficiary  
12 is designated who is neither a resident of the United States nor Canada, any  
13 contributions or retirement allowance which would have been paid to the beneficiary  
14 had the beneficiary been a resident of either the United States or Canada ~~shall be~~  
15 ~~deemed~~ is payable to the estate of the deceased member of such the retirement  
16 system. ~~The local legislative body of the city of the first class~~ common council may  
17 also provide by ~~appropriate enactment~~ that if a death benefit would be payable  
18 because of the death of a member of the retirement system and the designated  
19 beneficiary of such the death benefit is not a resident of either the United States or  
20 Canada, the death benefit which would have been paid had the designated  
21 beneficiary been a resident of either the United States or Canada, ~~shall be deemed~~  
22 is payable to the estate of the deceased member.

23 **SECTION 574.** 66.81 of the statutes is renumbered 62.63 (4) and amended to  
24 read:

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1           **62.63 (4)** EXEMPTION OF FUNDS AND BENEFITS FROM TAXATION, EXECUTION AND  
2 ASSIGNMENT. Except as provided in s. 49.852 and subject to s. 767.265, all moneys and  
3 assets of any a retirement system of any a 1st class city ~~of the first class~~ and all  
4 benefits and allowances ~~and every portion thereof~~, both before and after payment to  
5 any beneficiary, granted under ~~any such~~ the retirement system shall be are exempt  
6 from any state, county or municipal tax or from attachment or garnishment process,  
7 ~~and shall.~~ The benefits and allowances may not be seized, taken, detained or levied  
8 upon by virtue of any executions, or any process or proceeding ~~whatsoever~~ issued out  
9 of or by any court of this state, for the payment and ratification in whole or in part  
10 of any debt, claim, damage, demand or judgment against any member of or  
11 beneficiary under ~~any such~~ the retirement system, ~~and no.~~ No member of or  
12 beneficiary under ~~any such~~ the retirement system shall have ~~any right to~~ may assign  
13 any benefit or allowance, ~~or any part thereof~~, either by way of mortgage or otherwise;  
14 ~~however, this.~~ The prohibition shall ~~against assigning a benefit or allowance does~~  
15 not apply to assignments made for the payment of insurance premiums. The  
16 exemption from taxation ~~contained herein shall~~ under this section does not apply  
17 with respect to any tax on income.

18           **SECTION 575.** 66.82 of the statutes is renumbered 62.63 (3) and amended to  
19 read:

20           **62.63 (3)** INVESTMENT OF RETIREMENT FUNDS ~~IN 1ST CLASS CITIES~~. The board of any  
21 a retirement system ~~in~~ of a 1st class city, whose funds are independent of control by  
22 the investment board, ~~shall have the power in addition to others provided to~~ may  
23 invest funds from the system, in excess of the amount of cash required for current  
24 operations, in loans, securities and any other investments authorized for investment  
25 of funds of the public employe trust fund under s. 25.17 (3) (a) and (4). The

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1 independent retirement system board ~~shall be then~~ is subject to the conditions  
2 imposed on the investment board in making the investments under s. 25.17 (3) (e)  
3 to (g), (4), (7), (8) and (15) but is exempt from the operation of ch. 881. In addition  
4 to all other authority for the investment of funds granted to the board of any a  
5 retirement system of a 1st class city whose funds are independent of the control of  
6 the investment board, the retirement system board of the city may invest its funds  
7 in accordance with s. 206.34, 1969 stats. In making investments under this ~~section~~  
8 subsection, the board of a retirement system of a 1st class city may invest in shares  
9 of investments authorized under this ~~section~~ subsection.

10 **SECTION 576.** 66.88 of the statutes is renumbered 200.21, and 200.21 (intro.),  
11 (3), (4), (6), (7) and (10), as renumbered, are amended to read:

12 **200.21 Definitions.** (intro.) In ~~ss. 66.88 to 66.918~~ this subchapter:

13 **(3)** “Commission” means the metropolitan sewerage commission created under  
14 s. ~~66.882~~ 200.23.

15 **(4)** “District” means the metropolitan sewerage district created under s. ~~66.882~~  
16 200.23.

17 **(6)** “Local sewer” means any sewer constructed, operated or maintained by any  
18 municipality. “Local sewer” does not include any sewer that has been incorporated  
19 into the sewerage system under s. ~~66.896~~ 200.37 (2). If the classification of any sewer  
20 is unclear, the presumption shall be that the sewer is local.

21 **(7)** “Municipality” means any city, town, village, sanitary district organized  
22 under subch. IX of ch. 60 or metropolitan sewerage district organized under ss. ~~66.20~~  
23 200.01 to ~~66.26~~ 200.15 that is located wholly or partially within the district or that  
24 contracts for services under s. ~~66.898~~ 200.39.

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1           **(10)** “Sewerage service area” means the area of the district and the area for  
2 which service is provided by contract under s. ~~66.898~~ 200.39.

3           **SECTION 577.** 66.882 of the statutes is renumbered 200.23, and 200.23 (1) (a)  
4 and (b) 1. and (2) (a) (intro.) and (b), as renumbered, are amended to read:

5           200.23 **(1)** (a) Except as provided in par. (b), a commission is established under  
6 ~~ss. 66.88 to 66.918~~ this subchapter if the common council of any 1st class city passes  
7 a resolution of necessity by a majority vote of the members–elect.

8           (b) 1. On April 27, 1982, each metropolitan sewerage district organized under  
9 s. 59.96, 1979 stats., is reorganized as a district under ~~ss. 66.88 to 66.918~~ this  
10 subchapter and a commission is created under ~~ss. 66.88 to 66.918~~ this subchapter.

11           **(2)** (a) (intro.) Except as provided in s. ~~66.884~~ 200.25 (7), the mayor of the 1st  
12 class city shall appoint 7 individuals as members of the commission, each of whom  
13 shall have his or her principal residence in the 1st class city. Three of the  
14 commissioners appointed under this paragraph shall be elected officials. Each  
15 commissioner appointed under this paragraph may take his or her seat immediately  
16 upon appointment, pending confirmation or rejection by a majority of the  
17 members–elect of the common council. An appointee whose confirmation is pending  
18 may act within the scope of authority of a commissioner until the mayor withdraws  
19 the appointment or the common council rejects the appointment, whichever is  
20 earlier. The mayor shall withdraw any appointment that the common council rejects  
21 and may only resubmit the appointment for confirmation after at least one  
22 subsequent appointment is rejected. For the purposes of this paragraph, “elected  
23 official” means:

24           (b) Except as provided in s. ~~66.884~~ 200.25 (7), an executive council composed  
25 of the elected executive officer of each city, village and town that is wholly or partly

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1 within the boundaries of the district under s. ~~66.888~~ 200.29 (1), except a 1st class city,  
2 shall appoint 4 members of the commission by a majority vote of the members of the  
3 executive council. Each of these members shall have his or her principal residence  
4 within the district but outside the 1st class city. Three of these members shall be  
5 elected officials. Each commissioner appointed under this paragraph may take his  
6 or her seat immediately upon appointment.

7 **SECTION 578.** 66.884 of the statutes is renumbered 200.25, and 200.25 (1) (a)  
8 1. to 3. and (c), (2), (3), (4), (7) (a) and (8), as renumbered, are amended to read:

9 200.25 (1) (a) 1. Each commissioner appointed by the mayor of the 1st class city  
10 under s. ~~66.882~~ 200.23 (2) (a) who is not an elected officer serves for a 3-year term  
11 or until a successor is appointed, whichever is later.

12 2. Each commissioner appointed by the mayor of the 1st class city under s.  
13 ~~66.882~~ 200.23 (2) (a) who is an elected officer serves for a one-year term or until a  
14 successor is appointed, whichever is later.

15 3. Each commissioner appointed by the executive council under s. ~~66.882~~  
16 200.23 (2) (b) serves for a 3-year term or until a successor is appointed, whichever  
17 is later.

18 (c) Of the initial commissioners who are not elected officers appointed by the  
19 mayor of the 1st class city under s. ~~66.882~~ 200.23 (2) (a), one commissioner has a term  
20 of one year, one commissioner has a term of 2 years and 2 commissioners have a term  
21 of 3 years. One of the initial commissioners appointed by the executive council under  
22 s. ~~66.882~~ 200.23 (2) (b) has a term of one year, one of the initial commissioners has  
23 a term of 2 years and 2 of the initial commissioners have terms of 3 years.

24 **(2) SUCCESSORS.** The mayor shall appoint successors to commissioners  
25 appointed under s. ~~66.882~~ 200.23 (2) (a) and the executive council shall appoint

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1 successors to commissioners appointed under s. ~~66.882~~ 200.23 (2) (b), as provided in  
2 s. ~~66.882~~ 200.23. Each successor shall be appointed at least 6 weeks before the  
3 expiration of the preceding commissioner's term.

4 **(3) CHANGE OF RESIDENCE OR LOSS OF ELECTED STATUS.** Any commissioner  
5 appointed under s. ~~66.882~~ 200.23 (2) (a) who moves his or her principal residence  
6 outside the 1st class city and any commissioner appointed under s. ~~66.882~~ 200.23 (2)  
7 (b) who moves his or her principal residence outside the district or into the 1st class  
8 city shall resign. Any commissioner who is an elected official and who is not reelected  
9 or who otherwise leaves the elected office may serve not more than an additional 90  
10 days after leaving office or until a successor is appointed, whichever occurs first.

11 **(4) VACANCIES.** Vacancies occurring during the term of any commissioner shall  
12 be filled as provided under s. ~~66.882~~ 200.23, but only for the balance of the unexpired  
13 term. All vacancies shall be filled within 90 days. The balance of the unexpired term  
14 constitutes one term for the commissioner appointed to fill the vacancy. A  
15 commissioner appointed to fill a vacancy may be reappointed for subsequent full  
16 terms, as provided in sub. (1) (a).

17 **(7) (a)** Commencing in 1990, in the year immediately following the date when  
18 the federal decennial census of population becomes available in printed form, the  
19 commission shall reapportion the allocation of appointments between s. ~~66.882~~  
20 200.23 (2) (a) and (b) to reflect as nearly as possible the proportionate populations  
21 within the district of the 1st class city and of the cities, villages and towns that are  
22 represented on the executive council. As part of its reapportionment the commission  
23 may increase the number of seats to not more than 13 and may decrease the number  
24 of seats to not less than 9.

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1           **(8) REMOVAL FROM OFFICE.** Any commissioner appointed by the mayor under s.  
2   ~~66.882~~ 200.23 (2) (a) may be removed by the mayor. Any commissioner appointed by  
3   the executive council under s. ~~66.882~~ 200.23 (2) (b) may be removed by the same  
4   process as is used for appointment.

5           **SECTION 579.** 66.886 of the statutes is renumbered 200.27, and 200.27 (1), (2)  
6   (a) 1. and (b), (3) and (4), as renumbered, are amended to read:

7           **200.27 (1) QUORUM.** Six commissioners constitute a quorum for the transaction  
8   of business. If after reapportionment under s. ~~66.884~~ 200.25 (7) the number of  
9   commissioners is increased to 12 or 13, 7 commissioners constitute a quorum. If after  
10   reapportionment under s. ~~66.884~~ 200.25 (7) the number of commissioners is reduced  
11   to 9 or 10, 5 commissioners constitute a quorum.

12           **(2) (a) 1.** No resolution adopted by the commission under s. ~~66.91~~ 200.55 (1),  
13   (3) (c) or (6), 67.05 (1) or 67.12 (12), no schedule of charges under s. ~~66.076~~ 66.0821,  
14   ~~66.898~~ 200.39 (4), ~~66.899~~ 200.41 or ~~66.91~~ 200.55 (5) (b) 3., no decision to borrow  
15   against taxes under s. 67.12 (1) and no decision to borrow under s. 24.61 (3) (a) 7. is  
16   valid unless adopted by an affirmative vote of at least a two-thirds majority of all  
17   commissioners.

18           (b) If one or more resolutions authorizing full financing of the capital budget  
19   adopted under s. ~~66.908~~ 200.53 are not adopted on or before October 15 succeeding  
20   the annual adoption of the budget, the commission may by a vote of a simple majority  
21   of all commissioners annually levy taxes under s. ~~66.91~~ 200.55 (6) (a) 4. or otherwise  
22   appropriate a sum from any source for the purpose of financing the capital budget.  
23   The total levy and appropriation may not exceed \$40,000,000.

24           **(3) CHAIRPERSON.** The commission shall elect one commissioner as chairperson  
25   of the commission, for a term specified by rule by the commission. The chairperson

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1 is removable at pleasure by the commission. The chairperson shall preside over the  
2 meetings of the commission and shall perform other duties imposed upon the  
3 chairperson by ~~ss. 66.88 to 66.918~~ this subchapter or assigned by the commission.  
4 The commission may also appoint a vice chairperson who may exercise the powers  
5 and shall perform the duties of the chairperson in the absence or disability of the  
6 chairperson.

7 (4) SECRETARY. The commission shall appoint a secretary who is not a member  
8 of the commission. The secretary is removable at pleasure by the commission and  
9 shall receive the compensation the commission determines. The compensation shall  
10 be paid at the time and in the same manner that the salaries of other employes of the  
11 district are paid. The secretary shall maintain all records concerning the district and  
12 shall perform the other duties that are imposed upon the secretary by ~~ss. 66.88 to~~  
13 ~~66.918~~ this subchapter or that are assigned by the commission.

14 SECTION 580. 66.888 of the statutes is renumbered 200.29, and 200.29 (1) (b)  
15 and (c) 3. and (2) (b), as renumbered, are amended to read:

16 200.29 (1) (b) The initial boundary of a district created under s. ~~66.882~~ 200.23  
17 (1) (b) is the same as the boundary of the district created under s. 59.96 (5), 1979 stats.

18 (c) 3. Within 90 days after all commissioners have been appointed under s.  
19 ~~66.882~~ 200.23, the commission shall adopt rules concerning the factors to be  
20 considered in determining the redefined boundary of the district under subd. 2. The  
21 commission may also establish conditions by rule that shall apply if an area is not  
22 within the district after the boundary is redefined but is subsequently added to the  
23 district under par. (d). When adopting rules under this subdivision the commission  
24 shall consider, among other considerations:

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1           **(2)** (b) The name of a district created under s. ~~66.882~~ 200.23 (1) (b) is the  
2 Milwaukee metropolitan sewerage district.

3           **SECTION 581.** 66.89 of the statutes is renumbered 200.31, and 200.31 (intro.),  
4 as renumbered, is amended to read:

5           **200.31 General duties of the commission.** (intro.) Subject to ss. ~~66.88~~  
6 200.21 to ~~66.918~~ 200.65, the commission shall:

7           **SECTION 582.** 66.892 of the statutes is renumbered 200.33, and 200.33 (1) (b),  
8 as renumbered, is amended to read:

9           200.33 **(1)** (b) Except as provided in sub. (2), ss. ~~66.88~~ 200.21 to ~~66.918~~ 200.65  
10 do not authorize the commission to operate, maintain, rehabilitate or preserve local  
11 sewers or appurtenant local facilities constructed by a municipality or to separate  
12 combined storm and sanitary sewers.

13           **SECTION 583.** 66.894 of the statutes is renumbered 200.35, and 200.35 (1)  
14 (intro.), (2) (b), (5) (a) and (11) (a) and (c), as renumbered, are amended to read:

15           200.35 **(1)** GENERAL POWERS OF THE COMMISSION. (intro.) To the extent necessary  
16 to carry out its duties under s. ~~66.89~~ 200.31, the commission may project, plan,  
17 design, adopt, construct, operate and maintain:

18           **(2)** (b) Nothing in ss. ~~66.88~~ to ~~66.918~~ this subchapter authorizes the  
19 commission to lay or construct any part of the sewerage system after April 27, 1982,  
20 over, upon or under any land covered by any outlying waters, as defined in s. 29.001  
21 (63), unless the commission first obtains the prior consent of both houses of the  
22 legislature and the governor.

23           **(5)** (a) In its actions under ss. ~~66.88~~ to ~~66.918~~ this subchapter, the commission  
24 shall comply with local zoning and land use ordinances unless it finds that, in  
25 carrying out its responsibilities under ss. ~~66.88~~ to ~~66.918~~ this subchapter, deviation

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1 from these ordinances meets the test of public necessity, as that term is used for the  
2 purposes of ch. 32. The commission may only make determinations of public  
3 necessity by resolution. This paragraph does not authorize the commission to  
4 deviate from floodplain or shoreland zoning ordinances.

5 (11) (a) The commission may enter upon any land or water in the district for  
6 the purpose of making examinations, test borings, tests or surveys in the  
7 performance of its responsibilities under ~~ss. 66.88 to 66.918~~ this subchapter. The  
8 commission shall compensate for damage caused by its examinations, test borings,  
9 tests or surveys. The commission may examine any sewer or sewerage system to  
10 determine if the sewer or sewerage system is defective in operation, construction,  
11 design or supervision.

12 (c) If the consent of the owner cannot be obtained, the district shall obtain a  
13 special entry warrant prior to entry onto the land. To obtain a special entry warrant,  
14 the district shall petition the circuit court for the county in which the land to be  
15 entered is located and shall mail a copy of the petition by registered mail to the  
16 owner's last-known address, if any. If the court determines that entry onto the land  
17 is reasonably related to the performance of the district's responsibilities under ~~ss.~~  
18 ~~66.88 to 66.918~~ this subchapter, the court shall issue the warrant on the district's  
19 affidavit that the district intends to enter the land under this subsection, that the  
20 district has mailed, at least 5 days prior to the affidavit, a copy of the petition for the  
21 warrant to the owner as required in this paragraph and that the district has been  
22 otherwise unable to obtain the owner's consent.

23 **SECTION 584.** 66.896 of the statutes is renumbered 200.37, and 200.37 (2) (a)  
24 and (3), as renumbered, are amended to read:

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1           200.37 **(2)** (a) The commission may temporarily use any public sewer or drain,  
2 including any storm sewer or drain, in the district for the purposes of ~~ss. 66.88 to~~  
3 ~~66.918~~ this subchapter. The commission may incorporate with the sewerage system  
4 for use as an outfall sewer into a channeled watercourse or as an interceptor sewer  
5 any public sewer or drain, including any storm sewer or drain, and any of their  
6 appurtenances, either in their existing condition or with repairs or modifications as  
7 the commission may determine. The commission may condemn, close up, abolish,  
8 destroy, alter the functions or increase the flow of any of those public sewers and  
9 drains incorporated with the sewerage system as it deems necessary to carry out the  
10 purposes of ~~ss. 66.88 to 66.918~~ this subchapter. If the commission decides to  
11 incorporate or utilize a sewer or drain under this subsection, it shall use the  
12 procedures specified in par. (b).

13           **(3) POWER TO REQUIRE CONNECTION.** The commission may compel any owner or  
14 occupant of any premises located along the line of any interceptor sewer or along the  
15 line of any sewer of a municipality that is discharging sewage, refuse or industrial  
16 wastes of any kind into any river or canal within the drainage area of the district to  
17 change or rebuild any outlet, drain or sewer so as to discharge all the sewage, refuse  
18 or industrial wastes into the sewers of the town, city or village or into the district's  
19 interceptor sewer under rules adopted by the commission under s. ~~66.902~~ 200.45.

20           **SECTION 585.** 66.898 of the statutes is renumbered 200.39, and 200.39 (1) to  
21 (3), (4) (a) and (b) and (5) (a) (intro.) and 2., as renumbered, are amended to read:

22           200.39 **(1)** GENERAL POWER OF THE COMMISSION. Subject to subs. (2) to (6), the  
23 commission may contract with any city, town, village, sanitary district organized  
24 under subch. IX of ch. 60 or metropolitan sewerage district organized under ~~ss. 66.20~~  
25 ~~to 66.26~~ subch. I wholly or partially outside the boundaries of the district, but wholly

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1 or partially within the same general drainage area as the district for the  
2 transmission, treatment or disposal of sewage from any territory located in the city,  
3 town, village, sanitary district or metropolitan sewerage district. Each contract  
4 executed under this section shall specify the terms of payment of sewerage service  
5 charges by the contracting party.

6 **(2) PRIOR APPROVALS.** Before permitting any city, town, village, sanitary district  
7 or metropolitan sewerage district to connect its sewers with or use any of the district's  
8 interceptor sewers under this section, the sewers shall be approved as provided in  
9 s. ~~66.896~~ 200.37 (1). The governing body of the city, town, village, sanitary district  
10 or metropolitan sewerage district may enter into a contract under this section only  
11 by a vote of three-fourths of its members.

12 **(3) SERVICE CHARGES FOR OPERATION AND MAINTENANCE.** As part of any contract  
13 executed under this section, the commission may assess reasonable and just  
14 sewerage service charges against the contracting party with respect to operating and  
15 maintenance costs. These charges shall be established in accordance with s. ~~66.912~~  
16 200.59 and are subject to review under s. ~~66.912~~ 200.59. The schedule of service  
17 charges may, but need not, be uniform with any other schedule of charges established  
18 by the commission.

19 **(4) (a)** As part of any contract executed under this section, the commission may  
20 assess reasonable and just sewerage service charges against the contracting party  
21 with respect to capital costs. These sewerage service charges are subject to review  
22 under s. ~~66.912~~ 200.59. The schedule of sewerage service charges with respect to  
23 capital costs used in contracts executed under this section shall be uniform with the  
24 system used to recover capital costs within the district.

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1 (b) Except as provided in par. (c), the charges assessed under this subsection  
2 shall be established in accordance with s. ~~66.076~~ 66.0821 or ~~66.91~~ 200.55 (5). In  
3 computing the schedule of charges under this subsection, the commission may  
4 consider the factors specified in s. ~~66.076~~ 66.0821 (5) or ~~66.91~~ 200.55 (5). In  
5 computing the schedule of charges under this subsection, the commission may also  
6 consider the fact that sewerage service may not be available to or may be available  
7 to but not utilized by a part of the property located within the territorial limits of a  
8 contracting party at the time of computing the schedule.

9 (5) (a) (intro.) Any city, town, village, sanitary district organized under subch.  
10 IX of ch. 60 or metropolitan sewerage district organized under ~~ss. 66.20 to 66.26~~  
11 subch. I that contracts under this subsection may provide for the payment of charges  
12 from any available source, including:

13 2. Assessments upon and assessments of charges against the whole city, town,  
14 village, sanitary district organized under subch. IX of ch. 60 or metropolitan  
15 sewerage district organized under ~~ss. 66.20 to 66.26~~ subch. I or upon or against any  
16 part thereof that the governing body determines to be benefited by the service.

17 **SECTION 586.** 66.899 of the statutes is renumbered 200.41, and 200.41 (1) to  
18 (3), as renumbered, are amended to read:

19 200.41 (1) Notwithstanding ~~ss. 66.076~~ 66.0821 and ~~66.91~~ 200.55 (5), if the  
20 commission establishes a system to recover capital costs within the district on the  
21 basis of the value of property in the area to be served, as equalized under s. 70.57,  
22 the commission shall establish a system of sewerage service charges to recover  
23 capital costs which shall be used with respect to any area which is served by the  
24 district and which is outside the boundaries of the district and outside of any  
25 municipality which has contracted with the district under s. ~~66.898~~ 200.39. The

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1 charges shall be equal to the amount the commission would be authorized to levy as  
2 taxes upon the area served if the area were within the district's boundaries.

3 **(2)** Any charge made by the district under this section is reviewable under s.  
4 ~~66.912~~ 200.59 (5) if the charge has been paid.

5 **(3)** Section ~~66.91~~ 200.55 (5) (b) and (d) apply to charges assessed under this  
6 section.

7 **SECTION 587.** 66.90 of the statutes is renumbered 200.43, and 200.43 (1), as  
8 renumbered, is amended to read:

9 **200.43 (1) GENERAL POWER OF THE COMMISSION.** The commission may acquire by  
10 gift, purchase, lease or other methods of acquisition or by condemnation, any real  
11 property situated in the state and all tenements, hereditaments and appurtenances  
12 belonging or in any way appertaining to, or in any interest, franchise, easement,  
13 right or privilege therein, that may be needed for the purpose of projecting, planning,  
14 constructing and maintaining the sewerage system, that may be needed for the  
15 collection, transmission or disposal of all sewage or drainage of the district or that  
16 may be needed for improving any river or stream within the district under s. ~~66.894~~  
17 200.35 (8) (a) or (b).

18 **SECTION 588.** 66.902 of the statutes is renumbered 200.45, and 200.45 (1) (b),  
19 as renumbered, is amended to read:

20 **200.45 (1) (b)** The rules shall apply throughout the territory served by the  
21 sewerage system and, except as provided in s. ~~66.894~~ 200.35 (5), shall have  
22 precedence over any conflicting ordinance, code or regulation of or permit issued by  
23 any municipality within the territory.

24 **SECTION 589.** 66.904 (title), (1) and (2) (title) of the statutes are renumbered  
25 200.47 (title), (1) and (2) (title), and 200.47 (1), as renumbered, is amended to read:

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1           200.47 (1) GENERAL POWERS OF THE COMMISSION. The commission may enter into  
2 contracts, agreements or stipulations necessary to perform its duties and exercise its  
3 powers under ~~ss. 66.88 to 66.918~~ this subchapter, including contracts to purchase,  
4 lease or otherwise obtain the use of all necessary equipment, supplies and labor.

5           **SECTION 590.** 66.904 (2) (a) of the statutes, as affected by 1999 Wisconsin Act  
6 9, is renumbered 200.47 (2) (a) and amended to read:

7           200.47 (2) (a) Except as provided in par. (b), all work done and all purchases  
8 of supplies and materials by the commission shall be by contract awarded to the  
9 lowest responsible bidder complying with the invitation to bid, if the work or  
10 purchase involves an expenditure of \$20,000 or more. If the commission decides to  
11 proceed with construction of any sewer after plans and specifications for the sewer  
12 are completed and approved by the commission and by the department of natural  
13 resources under ch. 281, the commission shall advertise by a class 2 notice under ch.  
14 985 for construction bids. All contracts and the awarding of contracts are subject to  
15 s. ~~66.29~~ 66.0901.

16           **SECTION 591.** 66.904 (2) (b) to (e) and (3) to (5) of the statutes are renumbered  
17 200.47 (2) (b) to (e) and (3) to (5), and 200.47 (2) (cm) 1. and (e), as renumbered, are  
18 amended to read:

19           200.47 (2) (cm) 1. Except as provided under subd. 4., in determining the lowest  
20 responsible bid for any contract awarded prior to December 31, 1993, the  
21 commission may evaluate the multiplier effect on state revenues and tax receipts of  
22 contract moneys which will be spent in this state under the contract. The commission  
23 shall promulgate by rule any condition and evaluation criterion which it applies to  
24 a bid evaluated under this subdivision. If the commission accepts a bid evaluated  
25 under this subdivision, it shall file with the secretary of the commission a written

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1 report detailing the reasons for its acceptance. The secretary shall make the report  
2 available for public inspection. The commission shall include in the annual report  
3 prepared under s. ~~66.886~~ 200.27 (9) a summary of all bids accepted after an  
4 evaluation under this subdivision.

5 (e) Paragraphs (a) to (d) do not apply to contracts awarded under s. ~~66.905~~  
6 200.49.

7 **SECTION 592.** 66.905 of the statutes is renumbered 200.49.

8 **SECTION 593.** 66.906 of the statutes is renumbered 200.51, and 200.51 (1), as  
9 renumbered, is amended to read:

10 200.51 (1) GENERAL POWERS OF THE COMMISSION. The commission may appoint  
11 or employ professional or technical advisers and experts and other personnel the  
12 commission requires for the proper execution of its duties under ~~ss. 66.88 to 66.918~~  
13 this subchapter, fix their compensations and remove or discharge the employes at  
14 pleasure.

15 **SECTION 594.** 66.908 of the statutes is renumbered 200.53.

16 **SECTION 595.** 66.91 of the statutes is renumbered 200.55, and 200.55 (1) (a) to  
17 (c), (d) 1. (intro.) and 3., (e) (intro.) and (f) to (g), (1m), (3) (intro.) and (c), (5) (a), (c)  
18 2. and (d), (6) (a) 1. and (6m), as renumbered, are amended to read:

19 200.55 (1) (a) The district may issue bonds, notes or certificates for the  
20 purposes provided in s. ~~66.066~~ 66.0621. Except as provided in pars. (b) to (fa), the  
21 procedure for issuance of these bonds, notes or certificates is as specified in s. ~~66.066~~  
22 66.0621.

23 (b) The commission has the powers and duties specified for a board or council  
24 in s. ~~66.066~~ 66.0621. The district has the powers and duties specified for a

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1 municipality in s. ~~66.066~~ 66.0621. If s. ~~66.066~~ 66.0621 specifies that a board, council  
2 or municipality shall act by ordinance, the commission shall act by resolution.

3 (c) District bonds issued under s. ~~66.066~~ 66.0621 (2) (a) shall be executed by the  
4 chairperson and secretary of the commission rather than by a chief executive and  
5 clerk.

6 (d) 1. (intro.) Section ~~66.066~~ 66.0621 (2) (a) 2. does not apply to district bonds.  
7 District bonds shall either mature:

8 3. Notwithstanding s. ~~66.066~~ 66.0621 (2) (a) 1., district bonds shall be made  
9 payable within 50 years from the date of the bonds, whether the bonds mature  
10 serially or within a specified term of years.

11 (e) (intro.) Notwithstanding s. ~~66.066~~ 66.0621 (2) (c):

12 (f) Deeds or mortgages that secure principal and interest of bonds under s.  
13 ~~66.066~~ 66.0621 shall be executed by the commission chairperson and secretary  
14 rather than by a chief executive and clerk.

15 (fa) Notwithstanding any contrary provision of s. ~~66.066~~ 66.0621, the district  
16 may issue bond anticipation notes under s. ~~66.066~~ 66.0621 (2) (m) in the form of  
17 commercial paper. If the district issues such commercial paper, the district may  
18 borrow to pay the interest on such paper, may obtain credit and liquidity facilities  
19 and may delegate authority to any person to sell, execute, determine the interest  
20 rates, maturities and amounts of such paper and to conduct the issuance of such  
21 paper as provided by the commission in the resolution under s. ~~66.066~~ 66.0621 (2)  
22 (m) authorizing the issuance. Such issuance under a single resolution shall be  
23 deemed a single issue of securities issued as of the date of the sale of the first such  
24 paper and not as a series of refundings. A resolution authorizing the issuance of

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1 commercial paper under this paragraph and any taxes levied or any pledge made on  
2 such issuance is irrevocable as specified in the authorizing resolution.

3 (g) User charges and service charges established by the commission under sub.  
4 (5) or s. ~~66.076~~ 66.0821 to comply with any covenant concerning the sufficiency of the  
5 charges contained in a resolution or ordinance providing for the issuance of revenue  
6 bonds or notes under s. ~~66.066~~ 66.0621 shall be presumed reasonable in any review  
7 of the charges by the public service commission under s. ~~66.912~~ 200.59 (5).

8 **(1m)** INVESTMENT OF FUNDS. Notwithstanding any of the limits or restrictions  
9 in ss. ~~66.066~~ 66.0621 (2) (d) and (f), ~~66.069~~ (1) (c) 66.0811 (2) and 67.11 (2) on the debt  
10 instruments in which the district or commission may invest any of its funds that are  
11 not immediately needed, the district may invest any such funds in a debt instrument  
12 listed under s. ~~66.04~~ (2) 66.0605 (1).

13 **(3)** MARKETING REVENUE BONDS. (intro.) To enhance the marketability of district  
14 bonds or notes issued under s. ~~66.066~~ 66.0621, the commission may:

15 (c) Levy a direct, irrevocable, annual, general tax in an amount sufficient to  
16 provide for the payment of all the principal and interest on the issue as it matures.  
17 The amount of the levy entered on the tax roll and collected each year shall be  
18 reduced by the amount in the special redemption fund provided under s. ~~66.066~~  
19 66.0621 or in any similar fund that is available for payment of principal and interest  
20 on the issue during the ensuing year. The portion of the principal of the issue not paid  
21 or provided for is a debt of the district and shall be included in determining its debt  
22 limit under article XI, section 3, of the constitution.

23 **(5)** (a) For service provided to any user, the commission may establish, assess  
24 and collect service charges under s. ~~66.076~~ 66.0821 or under this subsection. For  
25 service to any user outside the district and not located in a municipality which has

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1 contracted with the district under s. ~~66.898~~ 200.39, the commission may establish,  
2 assess and collect service charges under s. ~~66.899~~ 200.41. Except as provided under  
3 s. ~~66.899~~ 200.41 (2), any charge made by the district under this subsection is  
4 reviewable under s. ~~66.912~~ 200.59 (5). The sewerage service charges established  
5 under s. ~~66.076~~ 66.0821 or under this subsection with respect to capital costs for  
6 service to any user shall be uniform.

7 (c) 2. The commission may classify users on the basis of uses and may establish  
8 separate charges for separate classes. In computing charges, the commission may  
9 consider any reasonable factor, including wastewater flow or drainage, delivery flow  
10 characteristics, water consumption, type and number of sewerage connections or  
11 plumbing fixtures, population served, lot size, portion of lot improved and assessed  
12 value of property served. The commission may also compute its fee schedules as  
13 needed to meet the requirements of s. ~~66.076~~ 66.0821 or of title II of the water  
14 pollution control act, 33 USC 1251 et seq.

15 (d) 1. Each sanitary district organized under subch. IX of ch. 60 and each  
16 metropolitan sewerage district organized under ss. ~~66.20 to 66.26~~ subch. I that is  
17 billed by the commission under par. (b) shall, within 5 days of receipt of a bill from  
18 the commission, in turn bill each city, town or village served by the sanitary district  
19 or metropolitan sewerage district organized under ss. ~~66.20 to 66.26~~ subch. I. Each  
20 city, town or village located within the district and billed under this paragraph or  
21 billed by the commission under par. (b) or under s. ~~66.076~~ 66.0821 shall, within 45  
22 days of receiving the bill, pay the full amount billed to the district. Each municipality  
23 may levy a reasonable penalty for late payment by the user to the municipality. Each  
24 municipality may provide for the payment of charges to it by any means specified in  
25 s. ~~66.898~~ 200.39 (5).

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1           2. Any city, town or village may collect and tax charges made by it to users in  
2 the same manner as water rates are taxed and collected under s. ~~66.069 (1) or 66.071~~  
3 ~~(1) (e) 62.69 (2) (f) or 66.0809~~. Charges taxed under this subdivision are a lien upon  
4 the property served, as provided in s. ~~66.091 (1) or 66.071 (1) (e) 62.69 (2) (f) or~~  
5 66.0809.

NOTE: Corrects an apparent incorrect cross-reference in the last sentence. The cross-reference to s. 66.091 (1) [renumbered s. 893.81] is to a provision dealing with local liability for mob damage, not with liens on property. It appears the correct cross-reference is to s. 66.0809 [former s. 66.069 (1)], which is also cross-referenced earlier in the sentence.

6           **(6)** (a) 1. To make payments to a county as provided in s. ~~66.882 200.23~~ (1) (b)  
7 2.;

8           **(6m)** TAX STABILIZATION FUND. The commission may establish a tax stabilization  
9 fund for any purpose authorized by ss. ~~66.88 to 66.918~~ this subchapter.

10           **SECTION 596.** 66.911 of the statutes is renumbered 200.57.

11           **SECTION 597.** 66.912 of the statutes is renumbered 200.59, and 200.59 (4) and  
12 (5), as renumbered, are amended to read:

13           200.59 **(4)** COLLECTION OF FEES BY MUNICIPALITIES. Every sanitary district  
14 organized under subch. IX of ch. 60 or metropolitan sewerage district organized  
15 under ss. ~~66.20 to 66.26~~ subch. I billed by a district under sub. (2) shall in turn bill  
16 every city, town or village served by the sanitary district or metropolitan sewerage  
17 district organized under s. ~~66.20 to 66.26~~ subch. I. Every city, town and village billed  
18 by a district under sub. (2), by a sanitary district or metropolitan sewerage district  
19 organized under ss. ~~66.20 to 66.26~~ subch. I under this subsection shall collect such  
20 charges from the individual sewer system users in the city, town or village and shall  
21 promptly remit the same to the district. The district may adopt rules for the  
22 establishment and administration of collection procedures and the settlement of

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1 such collections with the district as required by this section. Under such rules the  
2 district may provide for reimbursement of the municipality for the expense of  
3 collecting late payments of charges. Each municipality shall pay the district in full  
4 within 45 days after receiving a bill from the district. The district or, if the district  
5 does not act, every municipality is empowered to levy a penalty for late payment by  
6 the user to the municipality. Any city, town or village may collect under s. ~~66.076~~  
7 66.0821 (7) any charge which is due under this section and which is delinquent. In  
8 the event that any municipality does not remit such charges to the district within 45  
9 days of the billing date, the district may borrow moneys, repayable in not longer than  
10 18 months, sufficient to offset such uncollected charges.

11 (5) REVIEW BY PUBLIC SERVICE COMMISSION. Except as provided under s. ~~66.899~~  
12 200.41 (2), upon complaint to the public service commission by any user that charges,  
13 rules and practices under this section are unreasonable or unjustly discriminatory,  
14 according to the standards and criteria which the commission is required to follow  
15 under state or federal law, including, without limitation because of enumeration, this  
16 section, 33 USC 1251 et seq. and ch. 283, or upon complaint of a holder of a revenue  
17 bond or other evidence of debt, secured by a mortgage on the sewerage system or any  
18 part thereof or pledge of the income of sewerage service charges, that charges are  
19 inadequate, the public service commission shall investigate the complaint. If  
20 sufficient cause therefor appears, the public service commission shall set the matter  
21 for a public hearing upon 10 days' notice to the complainant and the commission.  
22 After the hearing, if the public service commission determines that the charges, rules  
23 or practices complained of are unreasonable or unjustly discriminatory, it shall  
24 determine and by order fix reasonable charges, rules and practices and shall make  
25 such other order respecting such complaint as may be just and reasonable. The

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1 proceedings under this subsection shall be governed, as far as applicable, by ss.  
2 196.26 to 196.40. The commission may submit the factual data, reports and analyses  
3 considered by it in establishing the charges, rules or practices subject to a complaint  
4 under this subsection. The public service commission shall give due weight to such  
5 data, reports and analyses. Judicial review of the determination of the public service  
6 commission may be had by any person aggrieved in the manner prescribed under ch.  
7 227. If any user pays a charge and the public service commission or court, on appeal  
8 from the public service commission, finds such charge, after reviewing a complaint  
9 filed under this subsection, to be excessive, the district shall refund to the user the  
10 excess plus the interest thereon computed at the rate then paid by the district for  
11 borrowing funds for a term of one year or less.

12 **SECTION 598.** 66.914 of the statutes is renumbered 200.61.

13 **SECTION 599.** 66.916 of the statutes is renumbered 200.63 and amended to  
14 read:

15 **200.63 Construction.** Nothing in ss. ~~66.88~~ 200.21 to ~~66.914~~ 200.61 in any way  
16 limits or takes away any of the powers of any municipality located in the district,  
17 relating to the construction, extension or repair of local or sanitary sewers or drains  
18 except that all plans and specifications for the construction of any local or sanitary  
19 sewers or extensions thereof shall be submitted to and approved in writing by the  
20 district before the sewers are constructed.

21 **SECTION 600.** 66.918 of the statutes is renumbered 200.65.

22 **SECTION 601.** 66.92 of the statutes is repealed.

NOTE: Repealed as no longer necessary. Furthermore, housing authorities may carry out housing projects for veterans. See s. 66.0807 (9) (r), as renumbered. [Current s. 66.04 (9) (s).] Section 66.92 authorizes counties, cities, villages and towns to promote and provide housing for veterans and directs the department

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of veterans affairs (DVA) and the Wisconsin housing and economic development authority to provide information and assistance for the local efforts.

1       **SECTION 602.** 66.925 of the statutes is renumbered 66.1013.

2       **SECTION 603.** 66.93 of the statutes is renumbered 45.051.

3       **SECTION 604.** 66.935 of the statutes is renumbered 66.0625, and 66.0625 (title)  
4 and (2), as renumbered, are amended to read:

5       **66.0625 (title) Mass Joint issuance of mass transit bonding.**

6       **(2)** In addition to the provisions of any other statutes specifically authorizing  
7 cooperation between political subdivisions or public transit bodies, unless ~~such~~ those  
8 statutes specifically exclude action under this section, any political subdivision or  
9 public transit body may, for mass transit purposes, issue bonds or, with any other  
10 political subdivision or public transit body, jointly issue bonds.

11       **SECTION 605.** 66.94 of the statutes, as affected by 1999 Wisconsin Act 9, is  
12 repealed.

NOTE: Section 66.94, relating to metropolitan transit authorities, is repealed.  
The statute, originally intended to apply to Milwaukee County and its  
municipalities, apparently has never been utilized nor does it appear likely to  
be utilized in the future.

13       **SECTION 606.** 66.943 of the statutes is renumbered 66.1021, and 66.1021 (1) (a),  
14 (5) (a), (7) (b), (9) and (10) to (12), as renumbered, are amended to read:

15       66.1021 **(1)** (a) ~~Any~~ A city, village or town may enact an ordinance for the  
16 establishment, maintenance and operation of a comprehensive unified local  
17 transportation system, the major portion of which is ~~or is to be~~ located within, or the  
18 major portion of the service of which is ~~or is to be~~ supplied to the inhabitants of ~~such,~~  
19 the city, village or town, and which system is used ~~or to be used~~ for the transportation  
20 of persons or freight.

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1           (5) (a) The first members of the transit commission shall be appointed for  
2 staggered 3-year terms. The term of office of each member thereafter appointed  
3 after the first members of the transit commission shall be 3 years.

4           (7) (b) For the purpose of receiving, considering and acting upon any  
5 complaints or applications that may be presented to it or for the purpose of  
6 conducting investigations or hearings on its own motion the transit commission shall  
7 hold regular meetings at least once a week except in the months of July and August  
8 and special meetings on the call of the chairperson or at the request of the city  
9 common council or village or town board.

10           (9) ~~Initial~~ The initial acquisition of the properties for the establishment of, and  
11 to comprise, the comprehensive unified local transportation system shall be is  
12 subject to s. ~~66.065~~ 66.0803 or ch. 197.

13           (10) (a) Any city, village, town or federally recognized Indian tribe or band may  
14 by contract under s. ~~66.30~~ 66.0301 establish a joint municipal transit commission  
15 with the powers and duties of city, village or town transit commissions under this  
16 section. Membership on ~~such a~~ the joint transit commission shall be as provided in  
17 the contract established under s. ~~66.30~~ 66.0301.

18           (b) Notwithstanding any other provision of this section, no joint municipal  
19 transit commission under par. (a) may provide service outside the corporate limits  
20 of the parties to the contract under s. ~~66.30~~ 66.0301 which establish the joint  
21 municipal transit commission unless the joint municipal transit commission  
22 receives financial support for the service ~~pursuant to~~ under a contract with a public  
23 or private organization for ~~such~~ the service. This paragraph does not apply to service  
24 provided by a joint municipal transit commission outside the corporate limits of the  
25 parties to the contract under s. ~~66.30~~ 66.0301 which establish the joint municipal

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1 transit commission if the joint municipal transit commission is providing the service  
2 on April 28, 1994, without receiving financial support from a public or private  
3 organization for the service, and elects to continue ~~such~~ the service.

4 (11) (a) In lieu of providing transportation services, a city, village or town may  
5 contract with a private organization for ~~such~~ the services.

6 (b) Notwithstanding any other provision of this section, no municipality may  
7 contract with a private organization to provide service outside the corporate limits  
8 of ~~such~~ the municipality unless the municipality receives financial support for the  
9 service ~~pursuant to~~ under a contract with a public or other private organization for  
10 ~~such~~ the service. This paragraph does not apply to service provided under par. (a)  
11 outside the corporate limits of a municipality if a private organization is providing  
12 the service on April 28, 1994, without receiving financial support from a public or  
13 private organization for the service, and the municipality elects to continue ~~such~~ the  
14 service.

15 (12) Notwithstanding any other provision of this section, no transit  
16 commission may provide service outside the corporate limits of the city which  
17 establishes the transit commission unless the transit commission receives financial  
18 support for the service ~~pursuant to~~ under a contract with a public or private  
19 organization for ~~such~~ the service. This subsection does not apply to service provided  
20 by a transit commission outside the corporate limits of the city which establishes the  
21 transit commission if the transit commission is providing the service on  
22 April 28, 1994, without receiving financial support from a public or private  
23 organization for the service, and elects to continue ~~such~~ the service.

24 **SECTION 607.** 66.944 of the statutes is renumbered 66.1023, and 66.1023 (1) (c),  
25 as renumbered, is amended to read:

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1           66.1023 **(1)** (c) Notwithstanding ~~s. 66.94 (29)~~ or any other law, no city, city  
2 transit commission or metropolitan transit authority may be required to contribute  
3 to more than one retirement fund for an affected employe.

4           **SECTION 608.** 66.945 (title), (1) to (7) and (8) (title) of the statutes are  
5 renumbered 66.0309 (title), (1) to (7) and (8) (title), and 66.0309 (2) (a) and (c), (2m),  
6 (3) (a) 2. and (b) (intro.), (5) and (7), as renumbered, are amended to read:

7           66.0309 **(2)** (a) A regional planning commission may be created by the governor,  
8 or ~~such a~~ state agency or official as the governor designates, upon petition in the form  
9 of a resolution by the governing body of a local governmental unit and the holding  
10 of a public hearing on ~~such~~ the petition. If the petition is joined in by the governing  
11 bodies of all the local units in the proposed region, including the county board of any  
12 county, part or all of which is in the proposed region, the governor may dispense with  
13 the hearing. Notice of any public hearing shall be given by the governor by mail at  
14 least 10 days in advance to the clerk of each local unit in the proposed region.

15           (c) Territory included within a regional planning commission that consists of  
16 one county or less in area also may be included in the creation of a multicounty  
17 regional planning commission. ~~Such~~ The creation does not require that the existing  
18 regional planning commission consisting of one county or less in area be terminated  
19 or altered, but upon creation of the multicounty commission, the existing commission  
20 shall cease to have authority to make charges upon participating local governmental  
21 units ~~pursuant to~~ under sub. (14) and shall adopt a name other than “regional  
22 planning commission”.

23           **(2m) LIMITATION ON TERRITORY.** No regional planning commission may be  
24 created to include territory located in 3 or more uniform state districts as established  
25 by 1970 executive order 22 dated August 24, 1970. Any existing regional planning

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1 commission which includes territory located in 3 or more such uniform state districts  
2 shall be dissolved no later than December 31, 1972.

3 (3) (a) 2. Two members from each participating county shall be appointed by  
4 the governor. At least one such appointee shall be a person, selected from a list of  
5 2 or more persons nominated by the county board, who has experience in local  
6 government in elective or appointive offices or who is professionally engaged in  
7 advising local governmental units in the fields of land-use planning, transportation,  
8 law, finance, engineering or recreation and natural resources development. The  
9 governor in making appointments hereunder under this subdivision shall give due  
10 weight to the place of residence of the appointees within the various counties  
11 encompassed by the region.

12 (b) (intro.) For any region which does not include a city of the first class 1st class  
13 city, the membership composition of a regional planning commission shall be in  
14 accordance with resolutions approved by the governing bodies of a majority of the  
15 local units in the region, and these units shall have in the aggregate at least half the  
16 population of the region. For the purposes of this determination a county, part or all  
17 of which is within the region, shall be counted as a local unit, but the population of  
18 an approving county shall not be counted. In the absence of the necessary approval  
19 by the local units, the membership composition of a commission shall be determined  
20 as follows:

21 (5) CHAIRPERSON; RULES OF PROCEDURE; RECORDS. Each regional planning  
22 commission shall elect its own chairperson and executive committee and shall  
23 establish its own rules of procedure, and may create and fill such other offices as it  
24 may determine necessary. The commission may authorize the executive committee  
25 to act for it on all matters pursuant to under rules adopted by it. The commission

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1 shall meet at least once each year. It shall keep a record of its resolutions,  
2 transactions, findings and determinations, which shall be a public record.

3 (7) ADVISORY COMMITTEES OR COUNCILS; APPOINTMENT. The regional planning  
4 commission may appoint advisory committees or councils whose membership may  
5 consist of individuals whose experience, training or interest in the program may  
6 qualify them to lend valuable assistance to the regional planning commission by  
7 acting in an advisory capacity in consulting with the regional planning commission  
8 on all phases of the commission's program. Members of such advisory bodies shall  
9 receive no compensation for their services but may be reimbursed for actual expenses  
10 incurred in the performance of their duties.

11 **SECTION 609.** 66.945 (8) (a) of the statutes, as affected by 1999 Wisconsin Act  
12 9, is renumbered 66.0309 (8) (a) and amended to read:

13 66.0309 (8) (a) 1. The regional planning commission may ~~conduct~~ take any of  
14 the following actions:

15 a. Conduct all types of research studies, collect and analyze data, prepare  
16 maps, charts and tables, and conduct all necessary studies for the accomplishment  
17 of its other duties; ~~it may, consistent,~~

18 b. Consistent with the elements specified in s. ~~66.0295~~ 66.1001, make plans for  
19 the physical, social and economic development of the region, and ~~may, consistent~~  
20 with the elements specified in s. ~~66.0295~~ 66.1001, adopt by resolution any plan or the  
21 portion of any plan so prepared as its official recommendation for the development  
22 of the region; ~~it may publicize,~~

23 c. Publicize and advertise its purposes, objectives and findings, and ~~may~~  
24 distribute reports ~~thereon; it may provide~~ concerning these items.

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1           d. Provide advisory services on regional planning problems to the local  
2 government units within the region and to other public and private agencies in  
3 matters relative to its functions and objectives, and may act as a coordinating agency  
4 for programs and activities of ~~such~~ local units and agencies as they relate to its  
5 objectives.

6           2. All public officials shall, upon request, furnish to the regional planning  
7 commission, within a reasonable time, ~~such~~ available information as it requires for  
8 its work. In general, the regional planning commission shall have all powers  
9 necessary to enable it to perform its functions and promote regional planning. The  
10 functions of the regional planning commission shall be solely advisory to the local  
11 governments and local government officials comprising the region.

12           **SECTION 610.** 66.945 (8) (b) of the statutes is renumbered 66.0309 (8) (b).

13           **SECTION 611.** 66.945 (9) and (10) of the statutes, as affected by 1999 Wisconsin  
14 Act 9, are renumbered 66.0309 (9) and (10) and amended to read:

15           **66.0309 (9) PREPARATION OF MASTER PLAN FOR REGION.** The regional planning  
16 commission shall have the function and duty of making and adopting a master plan  
17 for the physical development of the region. The master plan, with the accompanying  
18 maps, plats, charts, programs and descriptive and explanatory matter, shall show  
19 the commission's recommendations for ~~such~~ physical development and shall contain  
20 at least the elements described in s. ~~66.0295~~ 66.1001. The regional planning  
21 commission may amend, extend or add to the master plan or carry any part or subject  
22 matter into greater detail.

23           **(10) ADOPTION OF MASTER PLAN FOR REGION.** The master plan shall be made with  
24 the general purpose of guiding and accomplishing a coordinated, adjusted and  
25 harmonious development of the region which will, in accordance with existing and

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1 future needs, best promote public health, safety, morals, order, convenience,  
2 prosperity or the general welfare, as well as efficiency and economy in the process  
3 of development. The regional planning commission may adopt the master plan as  
4 a whole by a single resolution, or, as the work of making the whole master plan  
5 progresses, may by resolution adopt a part or parts thereof of the master plan, any  
6 such part to correspond with one or more of the elements specified in s. ~~66.0295~~  
7 66.1001. The resolution shall refer expressly to the maps, plats, charts, programs  
8 and descriptive and explanatory matter, and other matters intended by the regional  
9 planning commission to form the whole or any part of the plan, and the action taken  
10 shall be recorded on the adopted plan or part thereof of the adopted plan by the  
11 identifying signature of the chairperson of the regional planning commission and a  
12 copy of the plan or part thereof of the adopted plan shall be certified to the legislative  
13 bodies of the local governmental units within the region. The purpose and effect of  
14 adoption of the master plan shall be solely to aid the regional planning commission  
15 and the local governments and local government officials comprising the region in  
16 the performance of their functions and duties.

17 **SECTION 612.** 66.945 (11) to (16) of the statutes are renumbered 66.0309 (11)  
18 to (16), and 66.0309 (11), (12) (b) (intro.) and 1., (13), (14) (a) to (c), (d) (intro.) and 1.,  
19 (e) and (f), (15) and (16), as renumbered, are amended to read:

20 **66.0309 (11) MATTERS REFERRED TO REGIONAL PLANNING COMMISSION.** The officer  
21 or public body of a local governmental unit within the region having final authority  
22 ~~thereon~~ may refer to the regional planning commission, for its consideration and  
23 report, the following matters: The location of or acquisition of land for any of the  
24 items or facilities which are included in the adopted regional master plan. Within  
25 20 days after the matter is referred to the regional planning commission or such a

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1 longer period as may be stipulated by the referring officer or public body, the  
2 commission shall report its recommendations to the referring officer or public body.  
3 The report and recommendations of the commission shall be advisory only. State  
4 agencies A state agency may authorize the regional planning commission with the  
5 consent of the commission to act for ~~such~~ the agency in approving, examining or  
6 reviewing plats, under s. 236.12 (2) (a). ~~Regional planning commissions~~ A regional  
7 planning commission authorized by a local unit on November 1, 1980 to act for the  
8 local unit in approving plats may continue to so act until the commission withdraws  
9 its consent or the local unit its approval. A local unit may authorize a regional  
10 planning commission, with the consent of the commission, to conduct an advisory  
11 review of plats.

12 **(12)** (b) (intro.) In addition to the other powers specified in this section a  
13 regional planning commission may enter into a contract with any local unit within  
14 the region under s. ~~66.30~~ 66.0301 to make studies and offer advice on any of the  
15 following topics:

16 1. Land use, thoroughfares, community facilities, and public improvements;\_  
17 **(13)** AID FROM GOVERNMENTAL AGENCIES; GIFTS AND GRANTS. Aid, in any form, for  
18 the purpose of accomplishing the objectives of the regional planning commission may  
19 be accepted from all governmental agencies whether local, state or federal, if the  
20 conditions under which ~~such~~ aid is furnished are not incompatible with the other  
21 provisions of this section. The regional planning commission may accept gifts and  
22 grants from public or private individuals or agencies if the conditions under which  
23 ~~such~~ the grants are made are in accordance with the accomplishment of the  
24 objectives of the regional planning commission.

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1           **(14)** (a) For the purpose of providing funds to meet the expenses of a regional  
2 planning commission, the commission shall annually on or before October 1 prepare  
3 and approve a budget reflecting the cost of its operation and services to the local  
4 governmental units within the region. The amount of the budget charged to any local  
5 governmental unit shall be in the proportion of the equalized value for tax purposes  
6 of the land, buildings and other improvements ~~thereon of such~~ on the land of the local  
7 governmental unit, within the region, to the total ~~such~~ equalized value within the  
8 region. The amount charged to a local governmental unit shall not exceed .003 per  
9 cent of ~~such~~ equalized value under its jurisdiction and within the region, unless the  
10 governing body of ~~such~~ the unit expressly approves the amount in excess of ~~such~~ that  
11 percentage. All tax or other revenues raised for a regional planning commission shall  
12 be forwarded by the treasurer of the local unit to the treasurer of the commission on  
13 written order of the treasurer of the commission.

14           (b) Where one-half or more of the land within a county is within a region, the  
15 chairperson of the regional planning commission shall certify to the county clerk,  
16 ~~prior to~~ before August 1 of each year, the proportionate amount of the budget charged  
17 to the county for the services of the regional planning commission. Unless the county  
18 board finds ~~such~~ the charges unreasonable, and institutes the procedures ~~set forth~~  
19 ~~below for such a contingency~~ under par. (d), it shall take ~~such necessary~~ legislative  
20 action as necessary to provide the funds called for in the certified statement.

21           (c) Where less than one-half of the land within a county is within a region, the  
22 chairperson of the regional planning commission shall before August 1 of each year  
23 certify to the clerk of the local governmental unit involved a statement of the  
24 proportionate charges assessed to that local governmental unit. ~~Such~~ The clerk shall

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1 extend the amount shown in ~~such~~ the statement as a charge on the tax roll under s.  
2 281.43 (2).

3 (d) (intro.) If any local governmental unit makes a finding by resolution within  
4 20 days of the certification to its clerk that the charges of the regional planning  
5 commission are unreasonable, it may take any of the following actions:

6 1. Submit the issue to arbitration by 3 arbitrators, one to be chosen by the local  
7 governmental unit, one to be chosen by the regional planning commission and the  
8 third to be chosen by the first 2 arbitrators. If the arbitrators are unable to agree,  
9 the vote of 2 shall be the decision. They may affirm or modify the report, and shall  
10 submit their decision in writing to the local governmental unit and the regional  
11 planning commission within 30 days of their appointment unless the time be  
12 extended by agreement of the commission and the local governmental unit. The  
13 decision shall be binding. Election to arbitrate shall be waiver of right to proceed by  
14 action. Two-thirds of the expenses of arbitration shall be paid by the party  
15 requesting arbitration and the balance by the other, ~~or~~.

16 (e) By agreement between the regional planning commission and a local  
17 governmental unit, special compensation to the commission for unique and special  
18 services provided to ~~such~~ the local governmental unit may be arranged.

19 (f) The regional planning commission may accept from any local governmental  
20 unit supplies, the use of equipment, facilities and office space and the services of  
21 personnel as part or all of the financial support assessed against ~~such~~ the local  
22 governmental unit.

23 **(15) DISSOLUTION OF REGIONAL PLANNING COMMISSIONS.** Upon receipt of certified  
24 copies of resolutions recommending the dissolution of a regional planning  
25 commission adopted by the governing bodies of a majority of the local units in the

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1 region, including the county board of any county, part or all of which is within the  
2 region, and upon a finding that all outstanding indebtedness of the commission has  
3 been paid and all unexpended funds returned to the local units which supplied them,  
4 or that adequate provision has been made ~~therefor~~ for the outstanding indebtedness  
5 or unexpended funds, the governor shall issue a certificate of dissolution of the  
6 commission which shall ~~thereupon~~ then cease to exist.

7 **(16) WITHDRAWAL.** Within 90 days of the issuance by the governor of an order  
8 creating a regional planning commission, any local unit of government within the  
9 boundaries of ~~such~~ the region may withdraw from the jurisdiction of ~~such~~ the  
10 commission by a two-thirds vote of the members-elect of the governing body after  
11 a public hearing. Notice ~~thereof~~ of withdrawal shall be given to the commission by  
12 registered mail not more than 3 nor less than 2 weeks ~~prior thereto~~ before  
13 withdrawal and by publication of a class 2 notice, under ch. 985. A local unit may  
14 withdraw from a regional planning commission at the end of any fiscal year by a  
15 two-thirds vote of the members-elect of the governing body taken at least 6 months  
16 ~~prior to~~ before the effective date of ~~such~~ the withdrawal. However, ~~such~~ the local unit  
17 shall be responsible for its allocated share of the contractual obligations of the  
18 regional planning commission continuing beyond the effective date of its  
19 withdrawal.

20 **SECTION 613.** 66.948 of the statutes is renumbered 66.0411.

21 **SECTION 614.** 66.949 of the statutes is renumbered 66.0133, and 66.0133 (1) (c)  
22 and (3), as renumbered, are amended to read:

23 66.0133 **(1)** (c) “Performance contract” means a contract for the evaluation and  
24 recommendation of energy conservation and facility improvement measures, and for  
25 the implementation of one or more ~~such~~ of these measures.

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1           **(3) NOTICE.** Notwithstanding ss. 27.065 (5) (a), 30.32, 38.18, 43.17 (9) (a), 59.52  
2           (29) (a), 59.70 (11), 60.47 (2) to (4), 60.77 (6) (a), 61.55, 61.56, 61.57, 62.15 (1), 62.155,  
3           ~~66.24 (5) (d), 66.299 (2), 66.431 (5) (a) 2., 66.47 (11), 66.505 (10), 66.508 (10) and~~  
4           ~~66.904 (2)~~ 66.0131 (2), 66.0923 (10), 66.0925 (10), 66.0927 (11), 66.1333 (5) (a) 2.,  
5           200.11 (5) (d) and 200.47 (2), before entering into a performance contract under this  
6           section, a local governmental unit shall solicit bids or competitive sealed proposals  
7           from qualified providers. A local governmental unit may only enter into a  
8           performance contract if the contract is awarded by the governing body of the local  
9           governmental unit. The governing body shall give at least 10 days' notice of the  
10          meeting at which the body intends to award a performance contract. The notice shall  
11          include a statement of the intent of the governing body to award the performance  
12          contract, the names of all potential parties to the proposed performance contract, and  
13          a description of the energy conservation and facility improvement measures  
14          included in the performance contract. At the meeting, the governing body shall  
15          review and evaluate the bids or proposals submitted by all qualified providers and  
16          may thereafter award the performance contract to the qualified provider that best  
17          meets the needs of the local governmental unit, which need not be the lowest cost  
18          provider.

19           **SECTION 615.** 66.95 of the statutes is renumbered 66.0431 and amended to  
20          read:

21           **66.0431 Prohibiting operators from leaving keys in parked motor**  
22          **vehicles.** The governing body of ~~any a~~ city, village or town may by ordinance require  
23          every passenger motor vehicle to be equipped with a lock suitable to lock either the  
24          starting lever, throttle, steering apparatus, gear shift lever or ignition system;  
25          prohibit any person from permitting a motor vehicle in the person's custody from

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1 standing or remaining unattended on any street, road, or alley or in any other public  
2 place, except an attended parking area, unless either the starting lever, throttle,  
3 steering apparatus, gear shift or ignition of the vehicle is locked and the key for that  
4 lock is removed from the vehicle; and provide forfeitures for ~~such~~ violations. ~~The~~  
5 ~~foregoing provisions shall of the ordinance.~~ This section does not apply to motor  
6 vehicles operated by common carriers of passengers under ch. 194.

7 **SECTION 616.** 66.955 of the statutes is renumbered 23.235, and 23.235 (3), as  
8 renumbered, is amended to read:

9 23.235 (3) The department ~~of natural resources~~ may conduct research on the  
10 control of nuisance weeds. The secretaries of natural resources and of agriculture,  
11 trade and consumer protection may authorize any person to plant or cultivate  
12 nuisance weeds for the purpose of controlled experimentation.

13 **SECTION 617.** 66.96 (title) and (1) of the statutes are renumbered 66.0407 (title)  
14 and (1) (intro.), and 66.0407 (1) (intro.), as renumbered, are amended to read:

15 66.0407 (1) (intro.) The term “destroy” In this section:

16 (a) “Destroy” means the complete killing of weeds or the killing of weed plants  
17 above the surface of the ground by the use of chemicals, cutting, tillage, cropping  
18 system, pasturing livestock, or any or all of these in effective combination, at such  
19 a time and in such a manner as will effectually prevent ~~such~~ the weed plants from  
20 maturing to the bloom or flower stage.

21 **SECTION 618.** 66.96 (2) of the statutes is renumbered 66.0407 (1) (b) and  
22 amended to read:

23 66.0407 (1) (b) The term “noxious weeds” ~~as used in this chapter includes the~~  
24 ~~following:~~ “Noxious weed” means Canada thistle, leafy spurge and field bindweed  
25 (creeping Jenny) and any other ~~such weeds as~~ weed the governing body of any

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1 municipality or the county board of any county by ordinance or resolution declares  
2 to be noxious within its respective boundaries.

3 **SECTION 619.** 66.96 (3) to (5) of the statutes are renumbered 66.0407 (3) to (5),  
4 and 66.0407 (3), as renumbered, is amended to read:

5 66.0407 (3) ~~Every~~ A person owning, occupying or controlling land shall destroy  
6 all noxious weeds on ~~all lands which the person shall own, occupy or control~~ the land.  
7 The person having immediate charge of any public lands shall destroy all noxious  
8 weeds on ~~such~~ the lands. The highway patrolman on all federal, state or county  
9 trunk highways shall destroy all noxious weeds on that portion of the highway which  
10 that highway patrolman patrols. The town board ~~shall cause to be destroyed~~ is  
11 responsible for the destruction of all noxious weeds on the town highways.

12 **SECTION 620.** 66.97 to 66.99 of the statutes are repealed.

NOTE: Restated as s. 66.0517, with minor amendments. See SECTION 154.

13 **SECTION 621.** 67.01 (9) (h) of the statutes is amended to read:

14 67.01 (9) (h) To contractor's certificates, ~~general obligation–local improvement~~  
15 ~~bonds~~ or special assessment B bonds issued ~~pursuant to s. 66.54~~ under s. 66.0713  
16 ~~except as therein specified~~ provided in that section or to general obligation–local  
17 improvement bonds issued under s. 67.16, except as provided in that section.

18 **SECTION 622.** 67.05 (5) (b) of the statutes is amended to read:

19 67.05 (5) (b) No city or village may issue ~~any~~ bonds for any purposes other than  
20 for water systems, lighting works, gas works, bridges, street lighting, street  
21 improvements, street improvement funding, hospitals, airports, harbor  
22 improvements, river improvements, breakwaters and protection piers, sewerage,  
23 garbage disposal, rubbish or refuse disposal, any combination of sewage, garbage or  
24 refuse or rubbish disposal, parks and public grounds, swimming pools and band

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1 shells thereon, veterans housing projects, paying the municipality's portion of the  
2 cost of abolishing grade crossings, for the construction of police facilities and  
3 combined fire and police safety buildings, for the purchase of sites for engine houses,  
4 for fire engines and other equipment of the fire department, for construction of  
5 engine houses, and for pumps, water mains, reservoirs and all other reasonable  
6 facilities for fire protection apparatus or equipment for fire protection, for parking  
7 lots or other parking facilities, for school purposes, for libraries, for buildings for the  
8 housing of machinery and equipment, for acquiring and developing sites for industry  
9 and commerce as will expand the municipal tax base, for financing the cost of  
10 low-interest mortgage loans under s. ~~66.38~~ 62.237, for providing financial assistance  
11 to blight elimination, slum clearance, community development, redevelopment and  
12 urban renewal programs and projects under ss. ~~66.405~~ 66.1105, 66.1301 to ~~66.425~~,  
13 ~~66.43~~, ~~66.431~~, ~~66.4325~~, ~~66.435~~ and ~~66.46~~ 66.1329 and 66.1331 to 66.1337 or for  
14 ~~university~~ University of Wisconsin system System college campuses, as defined in  
15 s. 36.05 (6m), until the proposition for their issue for the special purpose thereof has  
16 been submitted to the electors of the city or village and adopted by a majority vote.  
17 Except as provided under sub. (15), if the common council of ~~any~~ a city or the village  
18 board of ~~any~~ a village declares its purpose to raise money by issuing bonds for any  
19 purpose other than those ~~above~~ specified in this subsection, it shall direct by  
20 resolution, which shall be recorded at length in the record of its proceedings, the clerk  
21 to call a special election for the purpose of submitting the question of bonding to the  
22 city or village electors. If a number of electors of a city or village equal to at least 15%  
23 of the votes cast for governor at the last general election in their city or village sign  
24 and file a petition conforming to the requirements of s. 8.40 with the city or village  
25 clerk requesting submission of the resolution, the city or village may not issue bonds

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1 for financing the cost of low-interest mortgage loans under s. ~~66.38~~ 62.237 without  
2 calling a special election to submit the question of bonding to the city or village  
3 electors for their approval.

4 **SECTION 623.** 67.16 of the statutes is created to read:

5 **67.16 General obligation–local improvement bonds. (1)** In this section:

6 (a) “Debt service fund” means the fund, however derived, set aside for the  
7 payment of principal and interest on bonds issued under this section.

8 (b) “Governing body” means the body or board vested by statute with the power  
9 to levy special assessments for public improvement.

10 (c) “Local governmental unit” means a county, city, village, town, farm drainage  
11 board, sanitary district, utility district, public inland lake protection and  
12 rehabilitation district or any other public board, commission or district, except a 1st  
13 class city, authorized by law to levy special assessments for public improvements  
14 against the property benefited by the special improvements.

15 (d) “Public improvement” means the result of the performance of work or the  
16 furnishing of materials or both, for which special assessments are authorized to be  
17 levied against the property benefited by the special assessment.

18 **(2)** (a) For the purpose of anticipating the collection of special assessments  
19 payable in instalments under s. 66.0621 (3), the governing body of a local  
20 governmental unit, after the instalments have been determined, may issue general  
21 obligation–local improvement bonds under this section.

22 **(3)** After the expiration of 90 days from the date of a general obligation–local  
23 improvement bond, the bond is conclusive evidence of the legality of all proceedings  
24 up to and including the issue of the bond and prima facie evidence of the proper  
25 construction of the improvement.

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NOTE: Provisions of s. 66.54 relating to general obligation–local improvement bonds are relocated to ch. 67, relating to general obligation debt. See ALSO SECTION 518 of this bill.

1           **SECTION 624.** 70.11 (18) of the statutes is amended to read:

2           70.11 **(18)** HOUSING. Property of housing authorities exempt from taxation  
3 under ~~ss. 66.39 (9) and 66.40 (22)~~ s. 66.1201 (22).

4           **SECTION 625.** 74.53 (1) (b) of the statutes is amended to read:

5           74.53 **(1)** (b) The cost of razing and removing property and restoring the site  
6 to a dust–free and erosion–free condition incurred under s. ~~66.05 (2), (5), (8) (bg) or~~  
7 ~~(10)~~ 66.0413 (1) (br) 2., (f), (g) or (i), (2) (d) or (4) or of filling an excavation incurred  
8 under s. ~~66.05 (6)~~ 66.0427 if the person owned the property when the property was  
9 razed and removed and the site restored or the excavation was filled.

10           **SECTION 626.** 85.20 (3) (b) 4. of the statutes is amended to read:

11           85.20 **(3)** (b) 4. The eligible applicant complies with any applicable provisions  
12 of ss. 59.58 (2) (j) 2., (k) 2. and (L) and (3) (h) 2. and (j), ~~66.94 (30m) and 66.943~~ 66.1021  
13 (10) (b), (11) (b) and (12) with respect to limitation on service.

14           **SECTION 627.** 87.01 (7) of the statutes is amended to read:

15           87.01 **(7)** “Public service corporation” means any corporation specified in s.  
16 ~~200.01~~ 201.01.

17           **SECTION 628.** 103.49 (1) (d), (3) (a) and (b), (4r), (5) (a) and (b), (6m) (a) to (e)  
18 and (7) (a) and (d) of the statutes are amended to read:

19           103.49 **(1)** (d) “Prevailing 1. Except as provided in subd. 2., “prevailing wage  
20 rate” for any trade or occupation engaged in the erection, construction, remodeling,  
21 repairing or demolition of any project of public works in any area means the hourly  
22 basic rate of pay, plus the hourly contribution for health insurance benefits, vacation  
23 benefits, pension benefits and any other bona fide economic benefit, paid directly or

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1 indirectly for a majority of the hours worked in the trade or occupation on projects  
2 in the area, ~~or if,~~

3 2. If there is no rate at which a majority of the hours worked in the trade or  
4 occupation on projects in the area is paid, ~~then the~~ “prevailing wage rate” for any  
5 trade or occupation engaged in the erection, construction, remodeling, repairing or  
6 demolition of any project of public works in any area ~~shall be~~ means the average  
7 hourly basic rate of pay, weighted by the number of hours worked, plus the average  
8 hourly contribution, weighted by the number of hours worked, for health insurance  
9 benefits, vacation benefits, pension benefits and any other bona fide economic  
10 benefit, paid directly or indirectly for all hours worked at the hourly basic rate of pay  
11 of the highest-paid 51% of hours worked in that trade or occupation.

12 **(3)** (a) Before bids are asked for any work to which this section applies, the state  
13 agency having the authority to prescribe the specifications shall apply to the  
14 department to determine the prevailing wage rate and prevailing hours of labor for  
15 each trade or occupation required in the work under contemplation in the area in  
16 which the work is to be done. The department shall make ~~such~~ investigations and  
17 hold ~~such~~ public hearings as ~~may be~~ necessary to define the trades or occupations  
18 that are commonly employed on projects that are subject to this section and to inform  
19 itself as to the prevailing wage rates and prevailing hours of labor in all areas of the  
20 state for those trades or occupations, with a view to ascertaining the prevailing wage  
21 rate and prevailing hours of labor for each ~~such~~ trade or occupation. The department  
22 shall issue its determination within 30 days after receiving the request and shall file  
23 the ~~same~~ determination with the requesting state agency ~~applying therefor~~. For the  
24 information of the employes working on the project, the prevailing wage rates and  
25 prevailing hours of labor determined by the department and the provisions of subs.

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1 (2) and (6m) shall be kept posted by the state agency in at least one conspicuous and  
2 easily accessible place on the site of the project.

3 (b) Any person may request a recalculation of any portion of a determination  
4 within 30 days after the initial determination date if the person submits evidence  
5 with the request showing that the prevailing wage rate or prevailing hours of labor  
6 for any given trade or occupation included in the initial determination does not  
7 represent the prevailing wage rate or prevailing hours of labor for that trade or  
8 occupation in the area. ~~Such~~ The evidence shall include wage rate and hours of labor  
9 information for work performed in the contested trade or occupation in the area  
10 within the previous 12 months. The department shall affirm or modify the initial  
11 determination within 15 days after the date on which the department receives the  
12 request for recalculation.

13 **(4r) COMPLIANCE.** (a) When the department finds that a state agency has not  
14 requested a determination under sub. (3) (a) or that a state agency, contractor or  
15 subcontractor has not physically incorporated a determination into a contract or  
16 subcontract as required under sub. (2) or has not notified a minor subcontractor of  
17 a determination in the manner prescribed by the department by rule promulgated  
18 under sub. (2), the department shall notify the state agency, contractor or  
19 subcontractor of ~~such~~ the noncompliance and shall file the determination with the  
20 state agency, contractor or subcontractor within 30 days after such notice.

21 (b) Upon completion of a project and before receiving final payment for his or  
22 her work on the project, each agent or subcontractor shall furnish the contractor with  
23 an affidavit stating that the agent or subcontractor has complied fully with the  
24 requirements of this section. A contractor may not authorize final payment until  
25 ~~such an~~ the affidavit is filed in proper form and order.

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1 (c) Upon completion of a project and before receiving final payment for his or  
2 her work on the project, each contractor shall file with the state agency authorizing  
3 the work an affidavit stating that the contractor has complied fully with the  
4 requirements of this section and that the contractor has received an affidavit under  
5 par. (b) from each of the contractor's agents and subcontractors. A state agency may  
6 not authorize a final payment until ~~such an~~ the affidavit is filed in proper form and  
7 order. If a state agency authorizes a final payment before ~~such an~~ affidavit is filed  
8 in proper form and order or if the department determines, based on the greater  
9 weight of the credible evidence, that any person specified in sub. (2m) has been or  
10 may have been paid less than the prevailing wage rate or less than 1.5 times the  
11 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor  
12 and requests that the state agency withhold all or part of the final payment, but the  
13 state agency fails to do so, the state agency is liable for all back wages payable up to  
14 the amount of the final payment.

15 (5) (a) Each contractor, subcontractor or contractor's or subcontractor's agent  
16 ~~thereof~~ performing work on a project that is subject to this section shall keep full and  
17 accurate records clearly indicating the name and trade or occupation of every person  
18 described in sub. (2m) and an accurate record of the number of hours worked by each  
19 of those persons and the actual wages paid ~~therefor~~ for the hours worked.

20 (b) It shall be the duty of the department to enforce this section. To this end  
21 it may demand and examine, and ~~it shall be the duty of~~ every contractor,  
22 subcontractor and contractor's and subcontractor's agent ~~thereof to~~ shall keep, and  
23 furnish ~~to~~ upon request by the department, copies of payrolls and other records and  
24 information relating to the wages paid to persons described in sub. (2m) for work to  
25 which this section applies. The department may inspect records in the manner

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1 provided in this chapter and chs. 104 to 106. Every contractor, subcontractor or agent  
2 performing work on a project that is subject to this section is subject to the  
3 requirements of ch. 101 relating to the examination of records. Section 111.322 (2m)  
4 applies to discharge and other discriminatory acts arising in connection with any  
5 proceeding under this section.

6 **(6m)** (a) Except as provided in pars. (b), (d) and (f), any contractor,  
7 subcontractor or contractor's or subcontractor's agent thereof who violates this  
8 section may be fined not more than \$200 or imprisoned for not more than 6 months  
9 or both. Each day that ~~any such~~ a violation continues ~~shall be considered~~ is a  
10 separate offense.

11 (b) Whoever induces any individual who seeks to be or is employed on any  
12 project that is subject to this section to give up, waive or return any part of the wages  
13 to which the individual is entitled under the contract governing ~~such~~ the project, or  
14 who reduces the hourly basic rate of pay normally paid to an employe for work on a  
15 project that is not subject to this section during a week in which the employe works  
16 both on a project that is subject to this section and on a project that is not subject to  
17 this section, by threat not to employ, by threat of dismissal from ~~such~~ employment  
18 or by any other means is guilty of an offense under s. 946.15 (1).

19 (c) Any person employed on a project that is subject to this section who  
20 knowingly permits a contractor, subcontractor or contractor's or subcontractor's  
21 agent thereof to pay him or her less than the prevailing wage rate set forth in the  
22 contract governing ~~such~~ the project, who gives up, waives or returns any part of the  
23 compensation to which he or she is entitled under the contract, or who gives up,  
24 waives or returns any part of the compensation to which he or she is normally  
25 entitled for work on a project that is not subject to this section during a week in which

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1 the person works both on a project that is subject to this section and on a project that  
2 is not subject to this section, is guilty of an offense under s. 946.15 (2).

3 (d) Whoever induces any individual who seeks to be or is employed on any  
4 project that is subject to this section to permit any part of the wages to which the  
5 individual is entitled under the contract governing ~~such~~ the project to be deducted  
6 from the individual's pay is guilty of an offense under s. 946.15 (3), unless the  
7 deduction would be permitted under 29 CFR 3.5 or 3.6 from an individual who is  
8 working on a project that is subject to 40 USC 276c.

9 (e) Any person employed on a project that is subject to this section who  
10 knowingly permits any part of the wages to which he or she is entitled under the  
11 contract governing ~~such~~ the project to be deducted from his or her pay is guilty of an  
12 offense under s. 946.15 (4), unless the deduction would be permitted under 29 CFR  
13 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

14 (7) (a) Except as provided under pars. (b) and (c), the department shall  
15 distribute to all state agencies and to the University of Wisconsin Hospitals and  
16 Clinics Authority a list of all persons whom the department has found to have failed  
17 to pay the prevailing wage rate determined under sub. (3) or has found to have paid  
18 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the  
19 prevailing hours of labor determined under sub. (3) at any time in the preceding 3  
20 years. The department shall include with any ~~such~~ name the address of ~~such~~ the  
21 person and shall specify when ~~such~~ the person failed to pay the prevailing wage rate  
22 and when ~~such~~ the person paid less than 1.5 times the hourly basic rate of pay for  
23 all hours worked in excess of the prevailing hours of labor. A state agency or the  
24 University of Wisconsin Hospitals and Clinics Authority may not award any contract  
25 to ~~such~~ the person unless otherwise recommended by the department or unless 3

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1 years have elapsed from the date the department issued its findings or date of final  
2 determination by a court of competent jurisdiction, whichever is later.

3 (d) Any person submitting a bid on a project that is subject to this section shall  
4 ~~be required~~, on the date the person submits the bid, ~~to~~ identify any construction  
5 business in which the person, or a shareholder, officer or partner of the person, if the  
6 person is a business, owns, or has owned at least a 25% interest on the date the person  
7 submits the bid or at any other time within 3 years preceding the date the person  
8 submits the bid, if the business has been found to have failed to pay the prevailing  
9 wage rate determined under sub. (3) or to have paid less than 1.5 times the hourly  
10 basic rate of pay for all hours worked in excess of the prevailing hours of labor  
11 determined under sub. (3).

NOTE: For consistency, s. 103.49 (prevailing wage rates for state building  
projects) is amended to make editorial changes that parallel those made to  
current s. 66.293 (prevailing wage rates for municipalities) by SECTION 335.

12 **SECTION 629.** 103.50 (1) (d), (7) (a) to (e) and (8) of the statutes are amended  
13 to read:

14 103.50 (1) (d) ~~“Prevailing~~ 1. Except as provided in subd. 2., “prevailing wage  
15 rate” for any trade or occupation in any area means the hourly basic rate of pay, plus  
16 the hourly contribution for health insurance benefits, vacation benefits, pension  
17 benefits and any other bona fide economic benefit, paid directly or indirectly, for a  
18 majority of the hours worked in the trade or occupation in the area, ~~or if~~.

19 2. If there is no rate at which a majority of the hours worked in the trade or  
20 occupation in the area is paid, then the prevailing wage rate shall be “prevailing  
21 wage rate” means the average hourly basic rate of pay, weighted by the number of  
22 hours worked, plus the average hourly contribution, weighted by the number of  
23 hours worked, for health insurance benefits, vacation benefits, pension benefits and

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1 any other bona fide economic benefit, paid directly or indirectly for all hours worked  
2 at the hourly basic rate of pay of the highest-paid 51% of hours worked in that trade  
3 or occupation in that area.

4 (7) (a) Except as provided in pars. (b), (d) and (f), any contractor, subcontractor  
5 or contractor's or subcontractor's agent thereof who violates this section may be fined  
6 not more than \$200 or imprisoned for not more than 6 months or both. Each day that  
7 ~~any such a violation continues shall be considered~~ is a separate offense.

8 (b) Whoever induces any individual who seeks to be or is employed on any  
9 project that is subject to this section to give up, waive or return any part of the wages  
10 to which the individual is entitled under the contract governing ~~such~~ the project, or  
11 who reduces the hourly basic rate of pay normally paid to an employe for work on a  
12 project that is not subject to this section during a week in which the employe works  
13 both on a project that is subject to this section and on a project that is not subject to  
14 this section, by threat not to employ, by threat of dismissal from ~~such~~ employment  
15 or by any other means is guilty of an offense under s. 946.15 (1).

16 (c) Any person employed on a project that is subject to this section who  
17 knowingly permits a contractor, subcontractor or contractor's or subcontractor's  
18 ~~agent thereof~~ to pay him or her less than the prevailing wage rate set forth in the  
19 contract governing ~~such~~ the project, who gives up, waives or returns any part of the  
20 compensation to which he or she is entitled under the contract, or who gives up,  
21 waives or returns any part of the compensation to which he or she is normally  
22 entitled for work on a project that is not subject to this section during a week in which  
23 the person works both on a project that is subject to this section and on a project that  
24 is not subject to this section, is guilty of an offense under s. 946.15 (2).

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1 (d) Whoever induces any individual who seeks to be or is employed on any  
2 project that is subject to this section to permit any part of the wages to which the  
3 individual is entitled under the contract governing ~~such~~ the project to be deducted  
4 from the individual's pay is guilty of an offense under s. 946.15 (3), unless the  
5 deduction would be permitted under 29 CFR 3.5 or 3.6 from an individual who is  
6 working on a project that is subject to 40 USC 276c.

7 (e) Any person employed on a project that is subject to this section who  
8 knowingly permits any part of the wages to which he or she is entitled under the  
9 contract governing ~~such~~ the project to be deducted from his or her pay is guilty of an  
10 offense under s. 946.15 (4), unless the deduction would be permitted under 29 CFR  
11 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC  
12 276c.

13 **(8) ENFORCEMENT AND PROSECUTION.** The department of transportation shall  
14 require adherence to subs. (2) and (6). The department of transportation may  
15 demand and examine, and ~~it shall be the duty of~~ every contractor, subcontractor and  
16 contractor's or subcontractor's agent thereof to shall keep and furnish ~~to~~ upon  
17 request by the department of transportation, copies of payrolls and other records and  
18 information relating to the wages paid to persons described in sub. (2m) for work to  
19 which this section applies. Upon request of the department of transportation or upon  
20 complaint of alleged violation, the district attorney of the county in which the work  
21 is located shall ~~make such investigation~~ investigate as necessary and prosecute  
22 violations in a court of competent jurisdiction. Section 111.322 (2m) applies to  
23 discharge and other discriminatory acts arising in connection with any proceeding  
24 under this section.

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NOTE: For consistency, s. 103.50 (prevailing wage rates for state highway projects) is amended to make editorial changes that parallel those made to current s. 66.293 (prevailing wage rates for municipalities) by SECTION 335.

1       **SECTION 630.** 117.132 (1m) (a) of the statutes is amended to read:

2           117.132 **(1m)** (a) “Annexed” means annexed or attached under s. ~~66.021,~~  
3       ~~66.022, 66.023, 66.024, 66.025 or 66.027~~ 66.0217, 66.0219, 66.0221, 66.0223,  
4       66.0225, 66.0227 or 66.0307.

5       **SECTION 631.** 119.04 (1) of the statutes, as affected by 1997 Wisconsin Act 77  
6       and 1999 Wisconsin Act 9, is amended to read:

7           119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
8       115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
9       (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to  
10       118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,  
11       118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,  
12       118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13  
13       (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35) ~~and~~, 120.14 and 120.25 are  
14       applicable to a 1st class city school district and board.

15       **SECTION 632.** 120.25 (title) of the statutes is created to read:

16       **120.25** (title) **School board cooperation in acquiring school facilities.**

17       **SECTION 633.** 182.025 (1) of the statutes is amended to read:

18           182.025 **(1)** Any domestic corporation formed to furnish water, heat, light,  
19       power, telegraph or telecommunications service or signals by electricity may, subject  
20       to the provisions of ch. ~~200~~ 201 and by an affirmative vote of at least two-thirds of  
21       its outstanding shares entitled to vote thereon, or any cooperative association  
22       organized under ch. 185 to furnish water, heat, light, power, telegraph or  
23       telecommunications service to its stockholders or members only may, by a vote of a

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1 majority of a quorum of its stockholders or members present at any regular or special  
2 meeting held upon due notice as to the purpose of the meeting or when authorized  
3 by the written consent of the holders of a majority of its capital stock outstanding and  
4 entitled to vote or of a majority of its members, mortgage or trust deed any or all of  
5 the property, rights and privileges and franchises that it may then own or thereafter  
6 acquire, to secure the payment of its bonds or notes to a fixed amount or in amounts  
7 to be from time to time determined by the board of directors, and may, in and by such  
8 mortgage or deed of trust, provide for the disposal of any of its property and the  
9 substitution of other property in its place. Every such mortgage or deed of trust may  
10 be recorded in the office of the register of deeds of the county in which such  
11 corporation is located at the time of such recording, and such record shall have the  
12 same effect as if the instrument were filed in the proper office as a chattel mortgage  
13 or financing statement, and so remain until satisfied or discharged without any  
14 further affidavit, continuation statement or proceeding whatever. For this purpose  
15 the location of such corporation shall be deemed to be: as to a corporation or a  
16 cooperative association not at the time subject to either s. 180.0501 or 185.08, the  
17 location designated in its articles as then in effect; as to a corporation subject to s.  
18 180.0501, the location of its registered office; and as to a cooperative association  
19 subject to s. 185.08, the location of its principal office or registered agent as  
20 designated thereunder.

21 **SECTION 634.** 182.031 (2) of the statutes is amended to read:

22 182.031 (2) POWERS; PLACE OF BUSINESS. Every such corporation shall possess  
23 all the rights and powers conferred upon corporations by chs. 180 and ~~200~~ 201. It  
24 may have its principal place of business without the state. If its principal place of  
25 business is outside the state, process in actions against it may be served as provided

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1 in s. 180.1510 for service on a foreign stock corporation authorized to transact  
2 business in this state.

3 **SECTION 635.** 182.70 (9) (a) of the statutes is amended to read:

4 182.70 **(9)** (a) The company may, after certification from the commission  
5 according to the procedures under ss. ~~200.03 and 200.04~~ 201.03 and 201.04, issue  
6 bonds or other obligations secured by pledge, assignment, mortgage or trust deed of  
7 its property.

8 **SECTION 636.** 182.71 (7) (c) of the statutes is amended to read:

9 182.71 **(7)** (c) The company may, after certification from the commission  
10 according to the procedures under ss. ~~200.03 and 200.04~~ 201.03 to 201.04, issue  
11 capital stock or negotiable bonds. The money received by the company upon account  
12 of capital stock or sale of its negotiable bonds shall be used to pay the original cost  
13 of purchase, construction or improvement of the reservoir system. All tolls collected  
14 under sub. (5) shall be applied only to the payment of cost of maintenance and  
15 operation of the system and payment of the net return on capital so that the capital  
16 stock and bonds of the corporation shall be maintained at par value at all times.

17 **SECTION 637.** 195.60 (2) of the statutes is amended to read:

18 195.60 **(2)** The office shall annually, within 90 days after the close of each fiscal  
19 year, ascertain the total of its expenditures during such year which are reasonably  
20 attributable to the performance of its duties relating to railroads. For purposes of  
21 such calculation, 90% of the expenditures so determined shall be expenditures of the  
22 office and 10% of the expenditures so determined shall be expenditures for state  
23 government operations. The office shall deduct therefrom all amounts chargeable  
24 to railroads under sub. (1) and s. ~~200.10~~ 201.10 (3). A sum equal to the remainder  
25 plus 10% of the remainder shall be assessed by the office to the several railroads in

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1 proportion to their respective gross operating revenues during the last calendar year,  
2 derived from intrastate operations. Such assessment shall be paid within 30 days  
3 after the bill has been mailed to the several railroads, which bill shall constitute  
4 notice of assessment and demand of payment thereof. The total amount which may  
5 be assessed to the railroads under authority of this subsection shall not exceed 1.75%  
6 of the total gross operating revenues of such railroads, during such calendar year,  
7 derived from intrastate operations. Ninety percent of the payment shall be credited  
8 to the appropriation account under s. 20.155 (2) (g). The railroads shall furnish such  
9 financial information as the office requires.

10 **SECTION 638.** 196.02 (7) of the statutes is amended to read:

11 196.02 (7) COMMISSION INITIATIVE. In any matter within its jurisdiction,  
12 including, but not limited to, chs. 197 and ~~200~~ 201 and this chapter, the commission  
13 may initiate, investigate and order a hearing at its discretion upon such notice as it  
14 deems proper.

15 **SECTION 639.** 196.195 (1) of the statutes is amended to read:

16 196.195 (1) REGULATION IMPOSED. Except as provided in this section and ss.  
17 196.202, 196.203, 196.215 and 196.219, a telecommunications utility is subject to  
18 every applicable provision of this chapter and ch. ~~200~~ 201.

19 **SECTION 640.** 196.195 (5) of the statutes is amended to read:

20 196.195 (5) COMMISSION ACTION. If after the proceedings under subs. (2), (3) and  
21 (4) the commission has determined that effective competition exists in the market  
22 for the telecommunications service which justifies a lesser degree of regulation and  
23 that lesser regulation in that market will serve the public interest, the commission  
24 may, by order, suspend any of the following provisions of law, except as provided  
25 under subs. (7) and (8): ch. ~~200~~ 201 and s. 196.02 (2); s. 196.05; s. 196.06; s. 196.07;

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1 s. 196.09; s. 196.10; s. 196.12; s. 196.13 (2); s. 196.19; tariffing requirements under  
2 s. 196.194; s. 196.196 (1) or (5); s. 196.20; s. 196.204 (7); s. 196.21; s. 196.22; s. 196.26;  
3 s. 196.28; s. 196.37; s. 196.49; s. 196.52; s. 196.58; s. 196.60; s. 196.604; s. 196.77; s.  
4 196.78; s. 196.79; and s. 196.805.

5 **SECTION 641.** 196.202 (2) of the statutes is amended to read:

6 196.202 (2) SCOPE OF REGULATION. A commercial mobile radio service provider  
7 is not subject to ch. ~~200~~ 201 or this chapter, except a commercial mobile radio service  
8 provider is subject to s. 196.218 (3) to the extent not preempted by federal law. If the  
9 application of s. 196.218 (3) to a commercial mobile radio service provider is not  
10 preempted, a commercial mobile radio service provider shall respond, subject to the  
11 protection of the commercial mobile radio service provider's competitive  
12 information, to all reasonable requests for information about its operations in this  
13 state from the commission necessary to administer the universal service fund.

14 **SECTION 642.** 196.203 (1) of the statutes, as affected by 1997 Wisconsin Act 140,  
15 is amended to read:

16 196.203 (1) Except as provided in this section, alternative telecommunications  
17 utilities are exempt from all provisions of ch. ~~200~~ 201 and this chapter.

18 **SECTION 643.** 196.203 (3) (a) of the statutes, as affected by 1997 Wisconsin Act  
19 140, is amended to read:

20 196.203 (3) (a) In response to a petition from any interested person, or upon  
21 its own motion, the commission shall determine whether the public interest requires  
22 that any provision of ch. ~~200~~ 201 or this chapter be imposed on a person providing  
23 or proposing to provide service as an alternative telecommunications utility in a  
24 relevant market. In making this determination, the commission may consider  
25 factors including the quality of service, customer complaints, concerns about the

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1 effect on customers of local exchange telecommunications utilities and the extent to  
2 which similar services are available from alternative sources.

3 **SECTION 644.** 196.203 (4) of the statutes is amended to read:

4 196.203 (4) The commission may impose any provision of ch. ~~200~~ 201 or this  
5 chapter on one or more, but not necessarily all, alternative telecommunications  
6 utilities providing service in a relevant market.

7 **SECTION 645.** 196.795 (5) (a) of the statutes is amended to read:

8 196.795 (5) (a) No holding company which is not a public utility and no  
9 nonutility affiliate is subject to any regulatory power of the commission except under  
10 this section, ss. 196.52, 196.525 and 196.84 and except under ch. ~~200~~ 201 if the  
11 commission has made a determination under sub. (7) (a) which makes such holding  
12 company a public service corporation, as defined under s. ~~200.01~~ 201.01 (2).

13 **SECTION 646.** 196.795 (5) (b) of the statutes is amended to read:

14 196.795 (5) (b) The commission has full access to any book, record, document  
15 or other information relating to a holding company system to the extent that such  
16 information is relevant to the performance of the commission's duties under ch. ~~200~~  
17 201, this chapter or any other statute applicable to the public utility affiliate. The  
18 commission may require a holding company to keep any record or document which  
19 is necessary for the commission to perform its duties under this section and which  
20 is consistent with generally accepted accounting and record-keeping practices of the  
21 particular type of business involved. Any information obtained under this  
22 paragraph is subject to sub. (9), when applicable.

23 **SECTION 647.** 196.80 (1m) (d) of the statutes is amended to read:

24 196.80 (1m) (d) Consolidate or merge with any Wisconsin corporation if  
25 substantially all of the assets of the corporation consist of the entire stock of the

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1 public utility. The total of the resulting securities outstanding of the possessor  
2 corporation which have not been authorized previously under ch. ~~200~~ 201 shall  
3 require authorization under ch. ~~200~~ 201 as a condition precedent to the merger or  
4 consolidation.

5 **SECTION 648.** 196.85 (1) of the statutes is amended to read:

6 196.85 (1) If the commission in a proceeding upon its own motion, on complaint,  
7 or upon an application to it deems it necessary in order to carry out the duties  
8 imposed upon it by law to investigate the books, accounts, practices and activities of,  
9 or make appraisals of the property of any public utility, power district or sewerage  
10 system or to render any engineering or accounting services to any public utility,  
11 power district or sewerage system, the public utility, power district or sewerage  
12 system shall pay the expenses attributable to the investigation, including the cost  
13 of litigation, appraisal or service. The commission shall mail a bill for the expenses  
14 to the public utility, power district or sewerage system either at the conclusion of the  
15 investigation, appraisal or services, or during its progress. The bill constitutes notice  
16 of the assessment and demand of payment. The public utility, power district or  
17 sewerage system shall, within 30 days after the mailing of the bill pay to the  
18 commission the amount of the special expense for which it is billed. Ninety percent  
19 of the payment shall be credited to the appropriation account under s. 20.155 (1) (g).  
20 The total amount in any one calendar year for which any public utility, power district  
21 or sewerage system is liable, by reason of costs incurred by the commission within  
22 the calendar year, including charges under s. ~~200.10~~ 201.10 (3), may not exceed  
23 four-fifths of one percent of its gross operating revenues derived from intrastate  
24 operations in the last preceding calendar year. Nothing in this subsection shall  
25 prevent the commission from rendering bills in one calendar year for costs incurred

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1 within a previous year. For the purpose of calculating the costs of investigations,  
2 appraisals and other services under this subsection, 90% of the costs determined  
3 shall be costs of the commission and 10% of the costs determined shall be costs of  
4 state government operations.

5 **SECTION 649.** 196.85 (2) of the statutes is amended to read:

6 196.85 (2) The commission shall annually, within 90 days of the  
7 commencement of each fiscal year, calculate the total of its expenditures during the  
8 prior fiscal year which are reasonably attributable to the performance of its duties  
9 relating to public utilities, sewerage systems and power districts under this chapter  
10 and chs. 66, 198 and ~~200~~ 201 and expenditures of the state for state government  
11 operations to support the performance of such duties. For purposes of such  
12 calculation, 90% of the expenditures so determined shall be expenditures of the  
13 commission and 10% of the expenditures so determined shall be expenditures for  
14 state government operations. The commission shall deduct from this total all  
15 amounts chargeable to public utilities, sewerage systems and power districts under  
16 sub. (1) and s. ~~200.10~~ 201.10 (3). The commission shall assess a sum equal to the  
17 remainder plus 10% of the remainder to the public utilities and power districts in  
18 proportion to their respective gross operating revenues during the last calendar year,  
19 derived from intrastate operations. If, at the time of payment, the prior year's  
20 expenditures made under this section exceeded the payment made under this section  
21 in the prior year, the commission shall charge the remainder to the public utilities  
22 and power districts in proportion to their gross operating revenues during the last  
23 calendar year. If, at the time of payment it is determined that the prior year's  
24 expenditures made under this section were less than the payment made under this  
25 section in the prior year, the commission shall credit the difference to the current

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1 year's payment. The assessment shall be paid within 30 days after the bill has been  
2 mailed to the public utilities and power districts. The bill constitutes notice of the  
3 assessment and demand of payment. Ninety percent of the payment shall be credited  
4 to the appropriation account under s. 20.155 (1) (g).

5 **SECTION 650.** Chapter 200 (title) of the statutes is renumbered chapter 201  
6 (title).

7 **SECTION 651.** Chapter 200 (title) of the statutes is created to read:

8 **CHAPTER 200**  
9 **METROPOLITAN**  
10 **SEWERAGE DISTRICTS**

11 **SECTION 652.** Subchapter I (title) of chapter 200 [precedes 200.01] of the  
12 statutes is created to read:

13 **CHAPTER 200**

14 **SUBCHAPTER I**

15 **DISTRICTS GENERALLY**

16 **SECTION 653.** 200.01 to 200.05 of the statutes, as affected by 1999 Wisconsin  
17 Act 9, are renumbered 201.01 to 201.05.

18 **SECTION 654.** 200.06 (title) and (1) of the statutes are renumbered 201.06 (title)  
19 and (1).

20 **SECTION 655.** 200.06 (2) of the statutes is renumbered 201.06 (2) and amended  
21 to read:

22 201.06 (2) The commission may attach to the issuance of any certificate under  
23 this chapter such terms, conditions or requirements as in its judgment are  
24 reasonably necessary to protect the public interest. Any public service corporation  
25 dissatisfied with any of the terms or conditions so imposed by the commission in such  
26 certificate of authority shall be limited in its remedy to an action to modify or set

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1     aside the commission order authorizing a certificate of authority, as provided by s.  
2     ~~200.08~~ 201.08. Any public service corporation issuing securities pursuant to any  
3     certificate of authority, not having brought any such action to set aside such order  
4     shall be deemed thereby to have waived any and all objections to the terms,  
5     conditions and requirements contained in such certificate of authority.

6           **SECTION 656.** 200.07 to 200.11 of the statutes, as affected by 1997 Wisconsin  
7     Act 283, are renumbered 201.07 to 201.11.

8           **SECTION 657.** 200.12 of the statutes is renumbered 201.12 and amended to  
9     read:

10          **201.12 Judicial sale of corporation, reorganization.** Whenever the  
11     rights, powers, privileges and franchises of any domestic public service corporation  
12     shall be sold at judicial sale or pursuant to the foreclosure of a mortgage, the  
13     purchaser shall, within 60 days after the sale, organize a new corporation pursuant  
14     to the laws respecting corporations for similar purposes and shall convey to the new  
15     corporation the rights, privileges and franchises which the former corporation had,  
16     or was entitled to have, at the time of the sale and which are provided by the statutes  
17     applicable to domestic public service corporations. The amount of securities that  
18     may be issued by the new corporation for the purpose of acquiring the property of the  
19     former corporation shall be determined in accordance with ss. ~~200.04, 200.05 and~~  
20     ~~200.06~~ 201.04, 201.05 and 201.06.

21          **SECTION 658.** 200.13 of the statutes is renumbered 201.13.

22          **SECTION 659.** 200.14 of the statutes is renumbered 201.14 and amended to  
23     read:

24          **201.14 Validation of securities issued without certificate.** Securities  
25     issued by any such corporation, for the issuance of which a certificate should have

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1 been, but through excusable neglect or mistake was not, applied for, may be validated  
2 by the commission upon application of such corporation, signed and verified by the  
3 president and secretary, and setting forth the information required by s. ~~200.05~~  
4 201.05 (1), and in addition thereto a concise statement of the reasons why such  
5 application was not made at the time such securities were issued. If the commission  
6 shall find and determine that such failure to make application was due to excusable  
7 neglect or mistake, and was not occasioned by any design to evade compliance with  
8 the law, and that such issue was otherwise in accordance with law, the commission  
9 shall issue to the corporation a validating certificate.

10 **SECTION 660.** 200.15 of the statutes is renumbered 201.15.

11 **SECTION 661.** Subchapter II (title) of chapter 200 [precedes 200.21] of the  
12 statutes is created to read:

13 **CHAPTER 200**

14 **SUBCHAPTER II**

15 **DISTRICTS INCLUDING**

16 **1ST CLASS CITIES**

17 **SECTION 662.** 289.33 (3) (d) of the statutes is amended to read:

18 289.33 (3) (d) “Local approval” includes any requirement for a permit, license,  
19 authorization, approval, variance or exception or any restriction, condition of  
20 approval or other restriction, regulation, requirement or prohibition imposed by a  
21 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by  
22 a town, city, village, county or special purpose district, including without limitation  
23 because of enumeration any ordinance, resolution or regulation adopted under s.  
24 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9),  
25 (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27),

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1 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23),  
2 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12), (16),  
3 (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6), 59.56  
4 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and  
5 (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8),  
6 (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and  
7 (11), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34, 61.35, 61.351, 61.354,  
8 62.11, 62.23, 62.231, 62.234, ~~66.01, 66.052, 66.24 (8)~~ 66.0101, 66.0415, 87.30, 91.73,  
9 196.58, 200.11 (8), 236.45, 281.43 or 349.16 or subch. VIII of ch. 60.

10 **SECTION 663.** 632.103 (2) (a) 1. of the statutes is amended to read:

11 632.103 (2) (a) 1. Costs incurred in the course of enforcing ~~s. 66.05~~ ss. 66.0413  
12 and 66.0427 or a local ordinance relating to demolition, with respect to the building  
13 or other structure for which the funds are withheld.

14 **SECTION 664.** 755.045 (2) of the statutes is amended to read:

15 755.045 (2) A municipal judge may issue civil warrants to enforce matters  
16 which are under the jurisdiction of the municipal court. Municipal judges are also  
17 authorized to issue inspection warrants under ~~ss. 66.122 and 66.123~~ s. 66.0119.

18 **SECTION 665.** 823.21 of the statutes is amended to read:

19 **823.21 Dilapidated buildings declared nuisances.** Any building which,  
20 under s. ~~66.05 (1m)~~ 66.0413 (1) (b) 1., has been declared so old, dilapidated or out of  
21 repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human  
22 habitation or has been determined to be unreasonable to repair under s. ~~66.05 (1m)~~  
23 66.0413 (1) (b) 1. is a public nuisance and may be proceeded against under this  
24 chapter.

25 **SECTION 666.** 823.215 of the statutes is amended to read:

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1           **823.215 Dilapidated wharves and piers in navigable waters declared**  
2           **nuisances.** Any wharf or pier in navigable waters which is declared so old,  
3           dilapidated or in need of repair that it is dangerous, unsafe or unfit for use under s.  
4           ~~66.0495 (1) (b)~~ 30.15 (5m) (a) 2. or repair is determined unreasonable under that  
5           section is a public nuisance and may be proceeded against under this chapter.

6           **SECTION 667.** 893.33 (5) of the statutes is amended to read:

7           893.33 (5) This section bars all claims to an interest in real property, whether  
8           rights based on marriage, remainders, reversions and reverter clauses in covenants  
9           restricting the use of real estate, mortgage liens, old tax deeds, death and income or  
10          franchise tax liens, rights as heirs or under will, or any claim of any nature, however  
11          denominated, and whether such claims are asserted by a person sui juris or under  
12          disability, whether such person is within or without the state, and whether such  
13          person is natural or corporate, or private or governmental, unless within the 30-year  
14          period provided by sub. (2) there has been recorded in the office of the register of  
15          deeds some instrument expressly referring to the existence of the claim, or a notice  
16          pursuant to this section. This section does not apply to any action commenced or any  
17          defense or counterclaim asserted, by any person who is in possession of the real  
18          estate involved as owner at the time the action is commenced. This section does not  
19          apply to any real estate or interest in real estate while the record title to the real  
20          estate or interest in real estate remains in a railroad corporation, a public service  
21          corporation as defined in s. ~~200.01~~ 201.01, an electric cooperative organized and  
22          operating on a nonprofit basis under ch. 185, or any trustee or receiver of a railroad  
23          corporation, a public service corporation or an electric cooperative, or to claims or  
24          actions founded upon mortgages or trust deeds executed by that cooperative or  
25          corporation, or trustees or receivers of that cooperative or corporation. This section

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1 also does not apply to real estate or an interest in real estate while the record title  
2 to the real estate or interest in real estate remains in the state or a political  
3 subdivision or municipal corporation of this state.

4 **SECTION 668.** 893.76 of the statutes is amended to read:

5 **893.76 Order to repair or remove building or restore site; contesting.**

6 An application under s. ~~66.05 (3)~~ 66.0413 (1) (h) to a circuit court for an order  
7 restraining the inspector of buildings or other designated officer from razing and  
8 removing a building or part of a building and restoring a site to a dust-free and  
9 erosion-free condition shall be made within 30 days after service of the order issued  
10 under s. ~~66.05 (1m)~~ 66.0413 (1) (b) or be barred.

11 **SECTION 669.** 893.765 of the statutes is amended to read:

12 **893.765 Order to remove wharves or piers in navigable waters;**  
13 **contesting.** An application under s. ~~66.0495 (3)~~ 30.15 (5m) (c) to circuit court for a  
14 restraining order prohibiting the removal of a wharf or pier shall be made within 30  
15 days after service of the order issued under s. ~~66.0495 (1)~~ 30.15 (5m) (a) or be barred.

16 **SECTION 670.** 946.15 of the statutes is amended to read:

17 **946.15 Public construction contracts at less than full rate. (1)** Any  
18 employer, or any agent or employe of an employer, who induces any person who seeks  
19 to be or is employed pursuant to a public contract as defined in s. ~~66.29~~ 66.0901 (1)  
20 (c) or who seeks to be or is employed on a project on which a prevailing wage rate  
21 determination has been issued by the department of workforce development under  
22 s. ~~66.293~~ 66.0903 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as  
23 defined in s. ~~66.293~~ 66.0903 (1) (d), under s. ~~66.293~~ 66.0903 (6) to give up, waive or  
24 return any part of the compensation to which that person is entitled under his or her  
25 contract of employment or under the prevailing wage rate determination issued by

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1 the department or local governmental unit, or who reduces the hourly basic rate of  
2 pay normally paid to an employe for work on a project on which a prevailing wage  
3 rate determination has not been issued under s. ~~66.293~~ 66.0903 (3) or (6), 103.49 (3)  
4 or 103.50 (3) during a week in which the employe works both on a project on which  
5 a prevailing wage rate determination has been issued and on a project on which a  
6 prevailing wage rate determination has not been issued, is guilty of a Class E felony.

7 (2) Any person employed pursuant to a public contract as defined in s. ~~66.29~~  
8 66.0901 (1) (c) or employed on a project on which a prevailing wage rate  
9 determination has been issued by the department of workforce development under  
10 s. ~~66.293~~ 66.0903 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as  
11 defined in s. ~~66.293~~ 66.0903 (1) (d), under s. ~~66.293~~ 66.0903 (6) who gives up, waives  
12 or returns to the employer or agent of the employer any part of the compensation to  
13 which the employe is entitled under his or her contract of employment or under the  
14 prevailing wage determination issued by the department or local governmental unit,  
15 or who gives up any part of the compensation to which he or she is normally entitled  
16 for work on a project on which a prevailing wage rate determination has not been  
17 issued under s. ~~66.293~~ 66.0903 (3) or (6), 103.49 (3) or 103.50 (3) during a week in  
18 which the person works part-time on a project on which a prevailing wage rate  
19 determination has been issued and part-time on a project on which a prevailing  
20 wage rate determination has not been issued, is guilty of a Class C misdemeanor.

21 (3) Any employer or labor organization, or any agent or employe of an employer  
22 or labor organization, who induces any person who seeks to be or is employed on a  
23 project on which a prevailing wage rate determination has been issued by the  
24 department of workforce development under s. ~~66.293~~ 66.0903 (3), 103.49 (3) or  
25 103.50 (3) or by a local governmental unit, as defined in s. ~~66.293~~ 66.0903 (1) (d),

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1 under s. ~~66.293~~ 66.0903 (6) to permit any part of the wages to which that person is  
2 entitled under the prevailing wage rate determination issued by the department or  
3 local governmental unit to be deducted from the person's pay is guilty of a Class E  
4 felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a  
5 person who is working on a project that is subject to 40 USC 276c.

6 **(4)** Any person employed on a project on which a prevailing wage rate  
7 determination has been issued by the department of workforce development under  
8 s. ~~66.293~~ 66.0903 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as  
9 defined in s. ~~66.293~~ 66.0903 (1) (d), under s. ~~66.293~~ 66.0903 (6) who permits any part  
10 of the wages to which that person is entitled under the prevailing wage rate  
11 determination issued by the department or local governmental unit to be deducted  
12 from his or her pay is guilty of a Class C misdemeanor, unless the deduction would  
13 be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that  
14 is subject to 40 USC 276c.

15 **SECTION 671.** 946.82 (4) of the statutes, as affected by 1999 Wisconsin Act 9,  
16 is amended to read:

17 946.82 **(4)** "Racketeering activity" means any activity specified in 18 USC 1961  
18 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission  
19 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),  
20 180.0129, 181.0129, 185.825, ~~200.09~~ 201.09 (2), 215.12, 221.0625, 221.0636,  
21 221.0637, 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2),  
22 940.01, 940.19 (3) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31,  
23 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) or (2g), 943.011,  
24 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d),  
25 943.201, 943.23 (1g), (1m), (1r), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30,

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1 943.32, 943.34 (1) (b) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4)  
2 (b) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34,  
3 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31,  
4 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05,  
5 948.08, 948.12 and 948.30.

6 **SECTION 672. Cross-reference changes.** In the sections of the statutes listed  
7 in Column A, the cross-references shown in Column B are changed to the  
8 cross-references shown in column C:

<b>A</b> Statute Sections	<b>B</b> Old Cross-Reference	<b>C</b> New Cross-Reference
5.01 (4) (a)	66.23 (11) (am)	200.09 (11) (am)
5.58 (2m)	66.23 (11) (am)	200.09 (11) (am)
5.60 (1) (b)	66.23 (11) (am)	200.09 (11) (am)
5.60 (4m)	66.23 (11) (am)	200.09 (11) (am)
6.50 (5)	66.05 (2)	66.0413 (1) (j)
7.10 (1) (a)	66.23 (11) (am)	200.09 (11) (am)
7.21 (2)	66.146	62.51
7.60 (4) (a)	66.23 (11) (am)	200.09 (11) (am)
7.60 (5)	66.23 (11) (am)	200.09 (11) (am)
7.70 (3) (d)	66.23 (11) (am)	200.09 (11) (am)
8.10 (6) (a)	66.23 (11) (am)	200.09 (11) (am)
8.11 (1) (b)	66.01	66.0101
13.48 (2) (f)	66.51	66.0913

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1	13.48 (2) (g)	66.60 (4)	66.0703 (6)
2	13.48 (14) (b)	66.60 (4)	66.0703 (6)
3	16.30 (2) (a)	66.395 or 66.40	66.1201 or 66.1213
4	16.30 (2) (b)	66.431 (5) (a) 9.	66.1333 (3)
5	16.30 (2) (b)	66.4325 (4)	66.1335 (4)
6	16.528 (1) (b)	66.29 (1) (d)	96.0901 (1) (d)
7	16.73 (1)	66.29	66.0901
8	16.73 (4) (a)	66.29	66.0901
9	16.855 (12)	66.29	66.0901
10	16.971 (4) (c) 2.	66.29 (1) (b)	66.0901 (1) (a)
11	17.12 (1)	66.146 (1) (b)	62.51 (1) (b)
12	17.27 (1m)	66.23 (11) (am)	200.09 (11) (am)
13	19.21 (8)	66.88 to 66.918	200.21 to 200.65
14	20.285 (1) (ep), as	66.034	66.1027
15	created by 1999 Wis.		
16	Act 9		
17	20.370 (2) (dv)	66.365	283.87 (4)
18	20.556 (1) (gg)	66.75 (1m) (a) and (b)	66.0615 (1m) (a) and (b)
19	20.835 (4) (gg)	66.75 (1m) (a) and (b)	66.0615 (1m) (a) and (b)
20	20.866 (2) (tc)	66.905 (2) (b)	200.49 (2) (b)
21	20.866 (2) (to)	66.905	200.49
22	24.60 (2)	66.22	200.05

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1	24.60 (2)	66.882	200.23
2	24.61 (3) (a) 6.	66.22	200.05
3	24.61 (3) (a) 7.	66.882	200.23
4	24.66 (2p)	66.22	200.05
5	24.66 (2p)	66.882	200.23
6	24.66 (2p)	66.882 (2) (a)	200.23 (2) (a)
7	24.66 (5) (b)	66.072	66.0827
8	24.67 (1) (i)	66.22	200.05
9	24.67 (1) (j)	66.882	200.23
10	24.67 (2) (c)	66.22	200.05
11	24.67 (2) (f)	66.882	200.23
12	27.065 (4) (b)	66.615	66.0907
13	27.065 (9) (h)	66.54	66.0713
14	27.10 (1) (b)	66.042	66.0607
15	27.10 (4) (g)	66.635	66.0731
16	30.126 (6) (d)	66.32	66.0105
17	30.126 (7) (c)	66.32	66.0105
18	30.16 (2)	66.0495	30.13 (5m)
19	30.30 (3) (c)	66.60	66.0703
20	30.30 (6)	66.45	66.0315
21	30.31 (5)	66.30	66.0301
22	30.31 (6)	66.60	66.0703

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1	30.31 (6)	66.60 (8) (d)	66.0703 (8) (d)
2	30.34 (3) (a)	66.066 (4)	66.0621 (5)
3	30.34 (3) (a)	66.521	66.1103
4	30.34 (3) (c)	66.066	66.0621
5	30.34 (3) (c)	66.066 (2) (b)	66.0621 (4) (b)
6	30.35 (2m)	66.066 (2) (a)	66.0621 (4) (a)
7	30.35 (2m)	66.066 (2) (i) and (m)	66.0621 (4) (i) and (L)
8	30.38 (13) (a)	66.521	66.1103
9	30.72 (2)	66.30 (5)	66.0303
10	30.77 (3) (dm) 1. b., as	66.299 (1) (a)	66.0131 (1) (a)
11	affected by 1999 Wis.		
12	Act 9		
13	30.772 (3) (f)	66.0495	30.13 (5m)
14	30.78 (3) (b)	66.32	66.0105
15	30.92 (1) (b)	66.299 (1) (a)	66.0131 (1) (a)
16	31.14 (2) (a)	66.60	66.0703
17	31.36 (2)	66.60	66.0703
18	31.38 (4)	66.60	66.0703
19	31.38 (6)	66.60	66.0703
20	32.01 (1)	66.40 to 66.404	66.1201 to 66.1211
21	32.01 (1)	66.30	66.0301
22	32.01 (1)	66.431	66.1333

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1	32.01 (11)	66.431	66.1333
2	32.02 (1)	66.30	66.0301
3	32.02 (11)	66.40 to 66.404	66.1201 to 66.1211
4	32.02 (11)	66.4325	66.1335
5	32.05 (intro.)	66.40 to 66.404	66.1201 to 66.1211
6	32.05 (intro.)	66.431	66.1333
7	32.05 (1) (a)	66.0375	66.0823
8	32.05 (1) (a)	66.22	200.05
9	32.05 (1) (a)	66.30	66.0301
10	32.05 (1) (a)	66.40 to 66.404	66.1201 to 66.1211
11	32.05 (1) (a)	66.431	66.1333
12	32.05 (1) (a)	66.4325	66.1335
13	32.05 (1) (a)	66.88 to 66.918	200.21 to 200.65
14	32.05 (3) (i)	66.40 to 66.404	66.1201 to 66.1211
15	32.05 (3) (i)	66.431	66.1333
16	32.05 (3) (i)	66.4325	66.1335
17	32.05 (9) (a) (intro.)	66.40 to 66.404	66.1201 to 66.1211
18	32.05 (9) (a) (intro.)	66.431	66.1333
19	32.05 (9) (a) (intro.)	66.4325	66.1335
20	32.07 (2)	66.0735	66.0823
21	32.07 (2)	66.30	66.0301
22	32.07 (2)	66.40 to 66.404	66.1201 to 66.1211

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1	32.07 (2)	66.431	66.1333
2	32.22 (1) (b)	66.40 to 66.404	66.1201 to 66.1211
3	32.22 (1) (b)	66.431	66.1333
4	32.22 (1) (b)	66.4325	66.1335
5	32.57 (2) (c)	66.610	62.71
6	32.57 (2) (c)	66.64 (2)	66.0705 (2)
7	32.58 (2) (a) 2. a.	66.079	66.0829
8	33.01 (9m)	66.88 (1)	200.21 (1)
9	33.22 (4)	66.30	66.0301
10	33.32 (1) (b)	66.60	66.0703
11	33.32 (2)	66.54 (7)	66.0715 (3)
12	33.32 (2m)	66.60 (15) or (16) (b)	66.0627 (4) or 66.0703
13			(13)
14	33.32 (5)	66.076	66.0821
15	34.05 (1)	66.04 (2)	66.0603 (1)
16	34.105 (1)	66.042 (1) to (5)	66.0607 (1) to (5)
17	34.105 (2)	66.042 (6)	66.0607 (6)
18	38.12 (2)	66.042 (6)	66.0607 (6)
19	38.20 (2) (d)	66.04 (2)	66.0603 (1)
20	38.20 (2) (e)	66.04 (2)	66.0603 (1)
21	40.22 (2) (j)	66.944	66.1023
22	44.42 (1) (intro.)	66.037 (4)	66.1111 (4)

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1	44.42 (2)	66.037 (4)	66.1111 (4)
2	44.60 (1) (b)	66.4325 (1)	66.1335 (1)
3	44.60 (1) (c)	66.405 (3) (s)	66.1301 (3) (s)
4	44.60 (1) (c)	66.431 (3)	66.1333 (3)
5	46.28 (1) (e) 6.	66.395, 66.40 or 66.4325	66.1201, 66.1213 or
6			66.1335
7	46.30 (2) (a) 3.	66.433	66.0125
8	46.30 (2) (b) 2.	66.433	66.0125
9	59.10 (2) (c)	66.196	66.0505
10	59.25 (3) (L)	66.12 (3) (c)	66.0317 (3) (c)
11	59.28 (2)	66.305	66.0313
12	59.28 (2)	66.315	66.0513
13	59.40 (3) (b)	66.04 (2)	66.0603 (1)
14	59.52 (6) (d) 2.	66.066	66.0621
15	59.52 (7)	66.30	66.0301
16	59.52 (29) (a)	66.29, 66.29 (2)	66.0901, 66.0901 (2)
17	59.53 (22) (a)	66.40 to 66.404	66.1201 to 66.1211
18	59.53 (22) (b)	66.40 to 66.404	66.1201 to 66.1211
19	59.53 (23) (b)	66.40 to 66.404	66.1201 to 66.1211
20	59.53 (23) (c)	66.40 to 66.404	66.1201 to 66.1211
21	59.56 (3) (h)	66.30	66.0301
22	59.58 (1) (b)	66.066	66.0621

**ASSEMBLY BILL 710****SECTION 672**

1	59.58 (2) (i)	66.065	66.0803
2	59.58 (2) (j) 1.	66.30	66.0301
3	59.58 (2) (j) 2.	66.30	66.0301
4	59.58 (3) (h) 1.	66.30	66.0301
5	59.58 (3) (h) 1.	66.30 (1)	66.0301 (1) (b)
6	59.58 (3) (h) 2.	66.30	66.0301
7	59.58 (6) (e) 4.	66.945	66.0309
8	59.692 (4) (a)	66.30	66.0301
9	59.692 (4) (a)	66.945	66.0309
10	59.692 (7) (ad) (intro.)	66.012, 66.014, 66.018 or	66.0203, 66.0211,
11		66.019	66.0213 or 66.0215
12	59.693 (9) (a)	66.30	66.0301
13	59.693 (9) (b)	66.945	66.0309
14	59.693 (9) (c)	66.30	66.0301
15	59.70 (13) (a) 10.	66.30 (5)	66.0303
16	59.70 (13) (c) 2.	66.299 (2)	66.0131 (2)
17	59.79 (9) (a)	66.91 (5)	200.55 (5)
18	59.79 (9) (a)	66.912	200.59
19	60.05 (5)	66.03	66.0235
20	60.079 (2) (c)	66.03	66.0235
21	60.23 (1)	66.30	66.0301
22	60.23 (2)	66.072	66.0827

**ASSEMBLY BILL 710**

1	60.23 (3) (g)	66.505	66.0923
2	60.23 (3) (g)	66.508	66.0925
3	60.23 (15)	66.296	66.1003
4	60.23 (20)	66.30	66.0301
5	60.23 (23)	66.051 (3)	66.0107 (3)
6	60.23 (27)	66.40 to 66.404	66.1201 to 66.1211
7	60.23 (27)	66.40 (10)	66.1201 (10)
8	60.23 (28)	66.508	66.0925
9	60.24 (1) (c) 2.	66.042	66.0607
10	60.24 (3) (i)	66.072 (2)	66.0827 (2)
11	60.32 (1) (a)	66.199	66.0507
12	60.34 (1) (a)	66.042	66.0607
13	60.307 (3) (a)	66.19 (2) (b)	66.0509 (2) (b)
14	60.43 (1)	66.041	66.0605
15	60.44 (2) (a) (intro.)	66.042	66.0607
16	60.45	66.042	66.0607
17	60.47 (3)	66.29	66.0901
18	60.47 (4)	66.30 (1) (a)	66.0301 (1) (a)
19	60.50 (3)	66.615	66.0907
20	60.53	66.625	66.0911
21	60.627 (8) (a)	66.30	66.0301
22	60.627 (8) (b)	66.945	66.0309

**ASSEMBLY BILL 710****SECTION 672**

1	60.627 (8) (c)	66.30	66.0301
2	60.72 (6)	66.072	66.0827
3	60.77 (5) (e)	66.069	66.0809
4	60.77 (5) (e)	66.076	66.0821
5	60.77 (5) (f)	66.60	66.0703
6	60.77 (5) (f)	66.60 (6m)	66.0721
7	60.77 (6) (a)	66.29	66.0901
8	60.78	66.066	66.0621
9	60.78	66.54	66.0713
10	60.79 (1) (b)	66.066	66.0621
11	60.79 (4) (c)	66.066	66.0621
12	60.79 (4) (d)	66.54 (9)	67.16
13	60.79 (4) (d)	66.54 (10)	66.0713 (4)
14	60.79 (4) (d)	66.60	66.0703
15	61.189 (4)	66.015	66.0205
16	61.189 (4)	66.016	66.0207
17	61.195	66.01	66.0101
18	61.197 (1) (e)	66.19	66.0509
19	61.197 (2)	66.01	66.0101
20	61.24	66.042	66.0607
21	61.354 (8) (a)	66.30	66.0301
22	61.354 (8) (b)	66.945	66.0309

**ASSEMBLY BILL 710**

1	61.354 (8) (c)	66.30	66.0301
2	61.55	66.29	66.0901
3	62.071 (3)	66.021	66.0217
4	62.075 (1)	66.03	66.0235
5	62.09 (1) (a)	66.018 (1)	66.0211 (1)
6	62.09 (1) (b)	66.01	66.0101
7	62.09 (3) (b) 5.	66.19	66.0509
8	62.09 (3) (b) 6.	66.01	66.0101
9	62.09 (3) (c)	66.01	66.0101
10	62.09 (11) (d)	66.042	66.0607
11	62.12 (6) (a)	66.042	66.0607
12	62.15 (10)	66.29 (9) (b)	66.0901 (9) (b)
13	62.175 (1)	66.916	200.63
14	62.23 (6) (am) 1. b.	66.31	62.1009
15	62.23 (7a) (a)	66.32	66.0105
16	62.23 (14)	66.54	66.0713
17	62.234 (8) (a)	66.30	66.0301
18	62.234 (8) (b)	66.945	66.0309
19	62.234 (8) (c)	66.30	66.0301
20	63.27	66.146	62.51
21	64.01 (1)	66.01	66.0101
22	64.01 (3)	66.01	66.0101

**ASSEMBLY BILL 710****SECTION 672**

1	64.11 (8)	66.19	66.0509
2	64.25	66.01	66.0101
3	65.07 (1) (c)	66.51 (1)	66.0913 (1)
4	66.949 (3)	66.299 (2)	66.0131 (2)
5	67.01 (1)	66.886 (4)	200.27 (4)
6	67.01 (2)	66.88 to 66.918	200.21 to 200.65
7	67.01 (5)	66.20 to 66.26	200.01 to 200.15
8	67.01 (5)	66.88 to 66.918	200.21 to 200.65
9	67.01 (9) (g)	66.059	66.0619
10	67.01 (9) (g)	66.06 to 66.078	62.69, 66.0621 and
11			66.0801 to 66.0827
12	67.01 (9) (g)	66.066 (2) (b)	66.0621 (4) (b)
13	67.01 (9) (g)	66.91 (1) (fa)	200.55 (1) (fa)
14	67.015	66.39 to 66.404	66.1201 to 66.1213
15	67.025	66.066, 66.46 (9) (b),	66.0621, 66.0713,
16		66.521 and 66.54	66.1103 and 66.1105 (9)
17			(b)
18	67.04 (2) (b)	66.38	62.237
19	67.045 (1) (b)	66.77 (1) (b)	59.605 (1) (b)
20	67.045 (2) (a)	66.77 (1) (b)	59.605 (1) (b)
21	67.05 (5) (a)	66.38	62.237
22	67.05 (5) (b)	66.38	62.237

**ASSEMBLY BILL 710**

1	67.05 (6)	66.20 to 66.26	200.01 to 200.15
2	67.05 (6)	66.88 to 66.918	200.21 to 200.65
3	67.05 (7) (f)	66.30	66.0301
4	67.08 (1)	66.88 to 66.918	200.21 to 200.65
5	67.10 (3)	66.04 (2)	66.0603 (1)
6	67.12 (12) (g)	66.30 (6)	120.25
7	67.25	66.431 (13)	66.1333 (13)
8	67.25	66.43	66.1331
9	67.25	66.431	66.1333
10	67.25	66.435	66.1337
11	70.043 (1)	66.058 (1) (d)	66.0435 (1) (d)
12	70.043 (2)	66.058 (1) (d)	66.0435 (1) (d)
13	70.105 (3) (a) 2.	66.40	66.1201
14	70.105 (3) (a) 2.	66.431	66.1333
15	70.11 (2)	66.0735	66.0823
16	70.111 (19) (b)	66.058	66.0435
17	70.112 (4)	66.64	66.0705
18	70.112 (7)	66.058	66.0435
19	70.27 (1)	66.60	66.0703
20	70.99 (3) (a)	66.30	66.0301
21	71.07 (9) (a) 3.	66.058 (3) (c)	66.0435 (3) (c)
22	71.07 (9) (a) 4.	66.40 (22)	66.1201 (22)

**ASSEMBLY BILL 710****SECTION 672**

1	71.26 (1) (b)	66.0735	66.0823
2	71.26 (1m) (b)	66.40	66.1201
3	71.26 (1m) (c)	66.431	66.1333
4	71.26 (1m) (d)	66.4325	66.1335
5	71.26 (1m) (g)	66.066	66.0621
6	71.36 (1m)	66.066	66.0621
7	71.36 (1m)	66.40	66.1201
8	71.36 (1m)	66.431	66.1333
9	71.36 (1m)	66.4325	66.1335
10	71.45 (1t) (b)	66.40	66.1201
11	71.45 (1t) (c)	66.431	66.1333
12	71.45 (1t) (d)	66.4325	66.1335
13	71.45 (1t) (g)	66.066	66.0621
14	71.52 (2)	66.058 (3) (c)	66.0435 (3) (c)
15	71.52 (7)	66.058 (3) (c)	66.0435 (3) (c)
16	71.53 (2) (e)	66.40 (22)	66.1201 (22)
17	71.54 (2) (c) 2.	66.40 (22)	66.1201 (22)
18	73.028	66.77	59.605
19	74.01 (5)	66.606 (1) (a) 2.	287.093 (1) (a) 2.
20	74.01 (5)	66.606 (2)	287.093 (2)
21	74.10	66.30	66.0301
22	74.67	66.03	66.0235

**ASSEMBLY BILL 710**

1	74.87 (4)	66.88 to 66.918	200.21 to 200.65
2	74.87 (8)	66.88 to 66.918	200.21 to 200.65
3	75.36 (1)	66.605	66.0715 (2)
4	75.36 (1)	66.605 (3)	66.0715 (2) (c)
5	75.61 (1)	66.635	66.0731
6	76.28 (1) (e) (intro.)	66.069 (2)	66.0813
7	77.10 (2) (c)	66.299 (1) (a)	66.0131 (1) (a)
8	77.16 (11m)	66.299 (1) (a)	66.0131 (1) (a)
9	77.52 (2) (a) 1.	66.058 (1) (d)	66.0435 (1) (d)
10	77.54 (9a) (c)	66.47	66.0927
11	77.54 (9a) (d)	66.20 to 66.26	200.01 to 200.15
12	77.54 (9a) (d)	66.88 to 66.918	200.21 to 200.65
13	77.54 (9a) (em)	66.0735	66.0823
14	77.54 (36)	66.058 (1) (d)	66.0435 (1) (d)
15	77.88 (8)	66.299 (1) (a)	66.0131 (1) (a)
16	77.994 (1) (intro.)	66.307	66.113
17	79.02 (2) (b)	66.77 (4)	59.605 (4)
18	79.02 (3)	66.77 (4)	59.605 (4)
19	79.03 (3) (b) 3.	66.46	66.1105
20	79.03 (3) (b) 3.	66.462	66.1106
21	79.03 (3) (b) 4. a.	66.46	66.1105
22	79.03 (3) (b) 4. a.	66.462	66.1106

**ASSEMBLY BILL 710****SECTION 672**

1	79.03 (4b)	66.77 (4)	59.605 (4)
2	79.04 (1) (intro.)	66.069 (2)	66.0813
3	79.04 (1) (intro.)	66.073	66.0736
4	79.04 (2) (a)	66.069 (2)	66.0813
5	79.04 (2) (a)	66.073	66.0736
6	79.05 (1) (a)	66.46	66.1105
7	79.05 (1) (c) 1.	66.46	66.1105
8	79.05 (1) (c) 2.	66.46	66.1105
9	80.12	66.60	66.0703
10	83.013 (1) (a)	66.0485	66.0141
11	84.07 (3)	66.96	66.0407
12	84.295 (4m) (d)	66.24 (5) (b)	200.11 (5) (b)
13	84.295 (4m) (e) 2.	66.20 to 66.26	200.01 to 200.15
14	84.40 (3)	66.29	66.0901
15	85.08 (2) (i)	66.30	66.0301
16	85.08 (2) (i)	66.943	66.1021
17	85.08 (4m) (b) 1.	66.30	66.0301
18	85.08 (4m) (b) 1.	66.943	66.1021
19	85.20 (1) (d)	66.30	66.0301 or 66.0303
20	85.243 (1) (b)	66.30	66.0301 or 66.0303
21	85.52 (1) (ag)	66.943	66.1021
22	86.13 (1)	66.694	66.0727

**ASSEMBLY BILL 710**

1	86.18 (4)	66.60	66.0703
2	86.18 (4)	66.60 (12)	66.0703 (12)
3	86.19 (1)	66.046	66.0429
4	86.21 (2) (b)	66.066	66.0621
5	86.21 (2) (b)	66.068	66.0805
6	86.25 (3)	66.60	66.0703
7	86.25 (4)	66.29	66.0901
8	86.30 (2) (dm) 1.	66.77 (4) (b)	59.605 (4) (b)
9	86.305	66.046 (3)	66.0429 (3)
10	87.076 (1)	66.60	66.0703
11	91.59 (3)	66.945	66.0309
12	101.055 (5) (b)	66.122	66.0119
13	101.65 (1) (b)	66.30	66.0301
14	101.76 (1) (b)	66.30	66.0301
15	101.86 (1) (b)	66.30	66.0301
16	103.49 (3) (ar)	66.293	66.0903
17	103.49 (3g)	66.293 (5)	66.0903 (5)
18	103.50 (4m)	66.293	66.0903
19	106.04 (1)	66.432 and 66.433	66.0125 and 66.1011
20	106.04 (1m) (h)	66.058 (1) (d)	66.0435 (1) (d)
21	107.25 (1) (b)	66.43 (3) (i)	66.1331 (3) (i)
22	109.09 (1)	66.293	66.0903

**ASSEMBLY BILL 710****SECTION 672**

1	111.322 (2m) (c)	66.293	66.0903
2	111.70 (5)	66.11 (2)	66.0501 (2)
3	115.86 (7) (b)	66.03	66.0235
4	117.09 (5) (d)	66.03 (2c) (a) 1.	66.0235 (2c) (a) 1.
5	117.10 (4)	66.03 (2c) (a) 1.	66.0235 (2c) (a) 1.
6	117.25 (2) (a)	66.03	66.0235
7	118.40 (3) (c)	66.30	66.0301
8	119.04 (1)	66.03 (3) (c)	66.0235 (3) (c)
9	119.49 (1) (a)	66.30 (6)	120.25
10	119.50 (3)	66.042 (5)	66.0607 (5)
11	120.10 (11)	66.527	66.0123
12	120.12 (3) (b)	66.03	66.0235
13	120.12 (7)	66.04 (2)	66.0603 (1)
14	120.13 (24)	66.30 (6)	120.25
15	120.16 (2)	66.042	66.0607
16	120.16 (2)	66.042 (3)	66.0607 (3)
17	120.16 (6)	66.042	66.0607
18	120.16 (6)	66.042 (3)	66.0607 (3)
19	121.004 (2)	66.46	66.1105
20	121.004 (2)	66.462	66.1106
21	121.54 (5)	66.30	66.0301
22	125.26 (1)	66.053 (1)	66.0433 (1)

**ASSEMBLY BILL 710**

1	125.27 (1) (a)	66.053 (1)	66.0433 (1)
2	125.27 (2) (b)	66.053 (1)	66.0433 (1)
3	134.42 (1) (a)	66.082 (2) (b)	66.0419 (2) (b)
4	134.42 (1) (b)	66.082 (2) (c)	66.0419 (2) (c)
5	145.20 (2) (h)	66.036	145.195
6	145.20 (4)	66.60	66.0703
7	145.245 (13)	66.122	66.0119
8	157.11 (9g) (a) 1. (intro.)	66.04 (2) (c)	66.0603 (1) (c)
9	157.12 (2) (c) 2.	66.057 (2)	157.129 (2)
10	157.128 (3) (a)	66.057	157.129
11	157.70 (2) (a)	66.122	66.0119
12	157.70 (6m) (a)	66.066 (1) (a)	66.0621 (1) (a)
13	165.55 (10) (intro.)	66.123	66.0119 (3)
14	165.755 (4)	66.12 (1) (b)	66.0114 (1) (b)
15	166.03 (7) (a)	66.30	66.0301
16	182.0175 (2) (am) 5.	66.047	66.0831
17	196.01 (5) (b) 5.	66.0735	66.0823
18	196.04 (4) (a) 1., as	66.082 (2) (b)	66.0419 (2) (b)
19	created by 1999 Wis.		
20	Act 9		

**ASSEMBLY BILL 710****SECTION 672**

1	196.04 (4) (a) 2. a., as	66.076	66.0821
2	created by 1999 Wis.		
3	Act 9		
4	196.04 (4) (a) 2. d., as	66.24 (2) or 66.89 (1)	200.11 (2) or 200.31 (1)
5	created by 1999 Wis.		
6	Act 9		
7	196.491 (2) (b) 7.	66.945	66.0309
8	196.50 (1) (c)	66.082	66.0419
9	196.52 (3) (b) 1.	66.0735	66.0823
10	196.80 (2)	66.06 to 66.078	62.69, 66.0621 and
11			66.0801 to 66.0827
12	196.85 (1m) (b)	66.082 (2) (b)	66.0419 (2) (b)
13	198.14 (4)	66.07	66.0817
14	198.14 (10)	66.066	66.0621
15	198.22 (12)	66.069 (1) (c)	66.0811 (2)
16	219.06 (1)	66.88 to 66.918	200.21 to 200.65
17	219.06 (1)	66.91	200.55
18	219.07	66.431	66.1333
19	224.77 (5) (b)	66.432	66.1011
20	227.01 (13) (t)	66.293	66.0903
21	229.21 (7)	66.51	66.0913
22	229.42 (1) (a) 5.	66.75 (1m) (a)	66.0615 (1m) (a)

**ASSEMBLY BILL 710**

1	229.42 (8)	66.75 (1m) (b)	66.0615 (1m) (b)
2	229.44 (5)	66.30	66.0301
3	229.44 (6)	66.30	66.0301
4	229.44 (15)	66.75 (1m) (a)	66.0615 (1m) (a)
5	229.44 (15)	66.75 (1m)	66.0615 (1m)
6	229.46 (1) (a)	66.905 (1) (a)	200.49 (1) (a)
7	229.47	66.75 (1m)	66.0615 (1m)
8	229.48 (1m)	66.75 (1m) (a) and (b)	66.0615 (1m) (a) and (b)
9	229.50 (1) (b) (intro.)	66.75 (1m) (b)	66.0615 (1m) (b)
10	229.65 (2)	66.066	66.0621
11	229.68 (5)	66.30	66.0301
12	229.68 (6)	66.30	66.0301
13	229.68 (8) (intro.)	66.066	66.0621
14	229.682 (2)	66.293	66.0903
15	229.74 (1) (intro.)	66.066 (2) (e)	66.0621 (4) (e)
16	231.17	66.04 (2) (a)	66.0603 (1) (a)
17	234.01 (9) (b)	66.395 or 66.40	66.1201 or 66.1213
18	234.49 (1) (f) 2.	66.465	66.1107
19	234.49 (1) (i)	66.395 or 66.40	66.1201 or 66.1213
20	234.49 (2) (a) 4.	66.395 or 66.40	66.1201 or 66.1213
21	234.622 (7)	66.058	66.0435
22	234.65 (6) (a) 1.	66.905 (1) (a)	200.49 (1) (a)

**ASSEMBLY BILL 710****SECTION 672**

1	234.76 (1) (e) 1.	66.43 (3) (a)	66.1331 (3) (a)
2	234.76 (2) (b) 1.	66.43 (3) (a)	66.1331 (3) (a)
3	236.10 (2)	66.32	66.0105
4	236.10 (4)	66.30	66.0301
5	236.10 (4)	66.945 (11)	66.0309 (11)
6	236.13 (2) (b)	66.54 (3)	66.0709
7	236.292 (2)	66.032 (1) (m)	66.0403 (1) (m)
8	236.445	66.296	66.1003
9	250.045 (2)	66.122	66.0119
10	251.09	66.30	66.0301
11	252.02 (1)	66.122	66.0119
12	254.11 (13)	66.184	66.0137 (4)
13	254.58	66.052	66.0415
14	281.19 (7)	66.076	66.0821
15	281.19 (7)	66.20 to 66.26	200.01 to 200.15
16	281.35 (1) (i)	66.072	66.0827
17	281.43 (4) (e)	66.076	66.0821
18	281.43 (1m)	66.024	66.0219
19	281.43 (1m)	66.024 (2)	66.0219 (2)
20	281.43 (1m)	66.024 (4)	66.0219 (4)
21	281.57 (8) (c) 2.	66.88 to 66.918	200.21 to 200.65
22	281.58 (8) (d)	66.30	66.0301

**ASSEMBLY BILL 710**

1	281.58 (13m) (a)	66.905 (2) (b)	200.49 (2) (b)
2	281.58 (14) (b) 7.	66.88 to 66.918	200.21 to 200.65
3	281.59 (9) (am)	s. 66.36	sub. (13f)
4	281.63 (4) (b)	66.905	200.49
5	281.65 (2) (am)	66.20 to 66.26	200.01 to 200.15
6	281.65 (2) (am)	66.88 to 66.918	200.21 to 200.65
7	281.68 (3) (a)	66.299 (1) (a)	66.0131 (1) (a)
8	281.69 (3) (a)	66.299 (1) (a)	66.0131 (1) (a)
9	281.77 (4) (c)	66.60	66.0703
10	283.13 (4) (c)	66.88 to 66.918	200.21 to 200.65
11	283.91 (2)	66.902 (1) or (2)	200.45 (1) or (2)
12	287.01 (5m)	66.299 (1) (a)	66.0131 (1) (a)
13	287.03 (1) (am)	66.35	285.54
14	287.09 (1) (d)	66.30	66.0301
15	292.11 (9) (e) 1.	66.431	66.1333
16	292.11 (9) (e) 1.	66.435 (4)	66.1337 (4)
17	292.35 (1) (bm)	66.431	66.1333
18	292.35 (1) (bm)	66.435 (4)	66.1337 (4)
19	292.35 (2g) (b) (intro.)	66.122	66.0119
20	302.336 (1)	66.30	66.0301
21	302.336 (4)	66.30	66.0301
22	302.44	66.30	66.0301

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1	345.05 (4)	66.09	66.0117
2	346.42	66.046 (2)	66.0429 (2)
3	346.655 (2) (b)	66.12 (1) (b)	66.0114 (1) (b)
4	349.02 (2) (b) 4.	66.051 (1) (bm)	66.0107 (1) (bm)
5	349.03 (2)	66.046 (1) and (3)	66.0429 (1) and (3)
6	452.17 (4) (b)	66.432	66.1011
7	560.03 (15) (intro.)	66.521	66.1103
8	560.034 (1)	66.521 (4m) (a) 1.	66.1103 (4m) (a) 1.
9	560.034 (1)	66.521 (4m) (b)	66.1103 (4m) (b)
10	560.034 (2)	66.521 (4m) (a)	66.1103 (4m) (a)
11	560.036 (2) (a)	66.911	200.57
12	560.097	66.521 (6m)	66.1103 (6m)
13	560.60 (6)	66.943	66.1021
14	562.05 (3r)	66.01	66.0101
15	601.41 (1)	66.184	66.0137 (4)
16	632.102 (3) (b) 6. a.	66.05	66.0413
17	632.103 (1) (a) 1.	66.05	66.0413
18	632.103 (2) (a) 1.	66.05	66.0413
19	632.895 (10) (a)	66.184	66.0137 (4)
20	700.41 (2) (e)	66.032	66.0403 (1) (k)
21	700.41 (2) (g)	66.032	66.0403 (1) (L)
22	700.41 (2) (h)	66.032 (1) (m)	66.0403 (1) (m)

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1	706.11 (1) (e)	66.521	66.1103
2	706.11 (1) (e)	66.521 (2) (n)	66.1103 (2) (n)
3	707.02 (4)	66.058 (1) (e)	66.0435 (1) (e)
4	709.02	66.073 (3) (h)	66.0825 (3) (h)
5	709.07	66.073 (3) (h)	66.0825 (3) (h)
6	710.15 (1) (b)	66.058 (1) (d)	66.0435 (1) (d)
7	755.01 (4)	66.30	66.0301
8	757.05 (1) (c), as affected	66.12 (1) (b)	66.0114 (1) (b)
9	by 1999 Wis. Act 9		
10	801.50 (5m)	66.882	200.23
11	802.10 (1)	66.12	66.0317
12	815.18 (6) (b) 2.	66.81	62.63 (4)
13	815.18 (13) (h)	66.81	62.63 (4)
14	823.02	66.20 to 66.26	200.01 to 200.15
15	823.02	66.88 to 66.918	200.21 to 200.65
16	823.07	66.052 (1)	66.0415 (1)
17	823.215	66.0495	30.13 (5) (a) 2.
18	844.22	66.032 (1) (m)	66.0403 (1) (m)
19	893.73 (2) (b)	66.021 (10) (a)	66.0217 (11)
20	893.765	66.0495 (3)	30.13 (5) (c)
21	893.765	66.0495 (1)	30.13 (5) (a)
22	938.237 (1)	66.119	66.0113

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1	938.237 (2)	66.119	66.0113
2	938.237 (2)	66.119 (3) (c) and (d),	66.0113 (3) (c) and (d),
3		66.12 (1)	66.0317 (1)
4	943.014 (2)	66.05	66.0413
5	946.13 (8)	66.521	66.1103
6	973.055 (2) (b)	66.12 (1) (b)	66.0114 (1) (b)
7	992.20 (1)	66.30 (1) (a)	66.0301 (1) (a)

**SECTION 673. Initial applicability.**

(1) The treatment of sections 60.23 (20) and 66.0627 of the statutes first applies to costs for removal and disposition of dead animals, conservation work and snow removal incurred on the effective date of this subsection.

(2) The treatment of sections 66.021 (3) (b) and 66.0217 (4) (a) 6. of the statutes first applies to notices of intent to circulate an annexation petition submitted for publication on the effective date of this subsection.

(3) The treatment of section 66.021 (4) (a) of the statutes first applies to annexation petitions first circulated on the effective date of this subsection.

(4) The treatment of section 66.025 of the statutes first applies to:

(a) Annexation ordinances enacted on the effective date of this paragraph.

(b) Actions to contest the validity of an annexation commenced on the effective date of this paragraph.

(5) The treatment of section 66.045 (3) of the statutes first applies to privileges applied for on the effective date of this subsection.

(6) The treatment of section 66.0707 (2) of the statutes first applies to costs incurred on the effective date of this subsection.

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1 (7) The treatment of section 66.296 (2) (a) and (c) of the statutes first applies  
 2 to discontinuance resolutions introduced on the effective date of this subsection.

3 **SECTION 674. Effective date.**

4 (1) This act takes effect on January 1, 2001.

NOTE: The following list shows the general treatment of provisions of ch. 66 by this bill. The left-hand column (“Current Section”) lists the current provisions of ch. 66. The right-hand column (“Treatment”) shows the general treatment of each provision by this bill.

<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.01 (1) to (3)	Renumbered s. 66.0101 (1) to (3)
66.01 (3a)	Renumbered s. 66.0101 (12)
66.01 (4) to (8)	Renumbered s. 66.0101 (4) to (8)
66.01 (9) to (11)	Renumbered s. 66.0101 (9) (a), (b) and (d)
66.01 (12)	Renumbered s. 66.0101 (10)
66.01 (14)	Repealed
66.01 (15)	Renumbered s. 66.0101 (11)
66.01 (16)	Renumbered s. 61.188
66.012	Renumbered s. 66.0215
66.013	Renumbered s. 66.0201
66.014	Renumbered s. 66.0203
66.015	Renumbered s. 66.0205
66.016	Renumbered s. 66.0207
66.017	Renumbered s. 66.0209
66.018	Renumbered s. 66.0211
66.019	Renumbered s. 66.0213 and substantively amended
66.02	Renumbered s. 66.0229
66.021 (1) (intro.) and (a)	Renumbered s. 66.0217 (1) (intro.) and (a)
66.021 (1) (am) to (e)	Renumbered s. 66.0217 (1) (c) to (g)
66.021 (2)	Renumbered s. 66.0217 (3)
66.021 (2m)	Renumbered s. 66.0217 (10) (b)
66.021 (3)	Renumbered s. 66.0217 (4) and substantively amended

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.021 (4)	Renumbered s. 66.0217 (5) and substantively amended
66.021 (5)	Renumbered s. 66.0217 (7)
66.021 (6)	Renumbered s. 66.0217 (10) (a)
66.021 (7)	Renumbered s. 66.0217 (8)
66.021 (8)	Renumbered s. 66.0217 (9)
66.021 (9)	Renumbered s. 66.0217 (12)
66.021 (10)	Renumbered s. 66.0217 (11)
66.021 (11)	Renumbered s. 66.0217 (6) and substantively amended
66.021 (12)	Renumbered s. 66.0217 (2)
66.021 (13)	Repealed
66.021 (15)	Renumbered s. 66.0221
66.021 (16)	Renumbered s. 66.0217 (13)
66.022	Renumbered s. 66.0227
66.023	Renumbered s. 66.0307
66.024	Renumbered s. 66.0219
66.025	Renumbered s. 66.0223 and substantively amended
66.026	Renumbered s. 66.0231
66.027	Renumbered s. 66.0225
66.028	Renumbered s. 66.0305
66.029	Renumbered s. 66.0233
66.0295	Renumbered s. 66.1001
66.03	Renumbered s. 66.0235
66.031	Renumbered s. 66.0401 (1)
66.032	Renumbered s. 66.0403
66.033	Combined with s. 66.031 and renumbered s. 66.0401 (2)
66.034	Renumbered s. 66.1027
66.035	Repealed; restated as s. 66.0103
66.036	Renumbered s. 145.195
66.037	Renumbered s. 66.1111
66.038	Repealed
66.04	Renumbered ss. 66.0601 and 66.0603

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.041	Renumbered s. 66.0605
66.042	Renumbered s. 66.0607
66.044	Renumbered s. 66.0609
66.045	Renumbered s. 66.0425; sub. (3) substantively amended
66.046	Renumbered s. 66.0429
66.047	Renumbered s. 66.0831
66.048	Renumbered s. 66.0915
66.0485	Renumbered s. 66.0141
66.049	Renumbered s. 66.0405 and substantively amended
66.0495	Renumbered s. 30.13 (5m)
66.05 (1g)	Repealed; restated as s. 66.0413 (1) (a) 1.
66.05 (1m) (a)	Repealed; restated as s. 66.0413 (1) (a) 2., (b) and (d)
66.05 (1m) (b)	Renumbered s. 66.0413 (1) (c)
66.05 (1m) (c)	Renumbered s. 66.0413 (1) (L) 1.
66.05 (1m) (d)	Renumbered s. 66.0413 (1) (e)
66.05 (2) (a)	Renumbered s. 66.0413 (1) (f) and (j)
66.05 (2) (b)	Renumbered s. 66.0413 (1) (g)
66.05 (2) (c)	Renumbered s. 66.0413 (1) (br) 2.
66.05 (3) and (5)	Renumbered s. 66.0413 (1) (h) and (i)
66.05 (5m)	Renumbered s. 66.0413 (1) (L) 2.
66.05 (6)	Renumbered s. 66.0427
66.05 (8) (a) to (bm)	Renumbered s. 66.0413 (2) (a) to (e)
66.05 (8) (d)	Repealed; restated as s. 66.0413 (2) (a) 2.
66.05 (9) and (10)	Renumbered s. 66.0413 (3) and (4)
66.051	Renumbered s. 66.0107
66.052	Renumbered s. 66.0415
66.053	Renumbered s. 66.0433
66.057	Renumbered s. 157.129
66.058	Renumbered s. 66.0435

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.0585	Combined with s. 66.058; renumbered s. 66.0435 (9)
66.059	Renumbered s. 66.0619
66.06	Repealed; replaced by s. 66.0801
66.061	Renumbered s. 66.0815; sub. (1) (a) substantively amended
66.064	Renumbered s. 66.0807 and substantively amended
66.065	Renumbered s. 66.0803
66.066	Renumbered s. 66.0621; sub. (2) (j) repealed
66.067	Repealed; substance included in renumbered s. 66.0621 (1) (b)
66.068 (1)	Repealed; restated as s. 66.0805 (1) and partially restated in renumbered s. 66.0805 (3)
66.068 (2) to (4)	Renumbered s. 66.0805 (2) to (4)
66.068 (5)	Repealed; restated in s. 66.0805 (4) (a)
66.068 (6) and (7)	Renumbered s. 66.0805 (5) and (6)
66.069 (1) (a) to (bn)	Renumbered s. 66.0809 (1) to (4)
66.069 (1) (c) and (d)	Renumbered s. 66.0811 (2) and (3)
66.069 (1) (e)	Renumbered s. 66.0811 (1)
66.069 (2)	Renumbered s. 66.0813
66.07	Renumbered s. 66.0817
66.071 (intro.)	Repealed; restated as s. 62.69 (1)
66.071 (1) (a)	Renumbered s. 62.69 (2) (c)
66.071 (1) (b)	Renumbered s. 62.69 (2) (a) and partially repealed; repealed portion restated as s. 62.69 (2) (b)
66.071 (1) (c) to (j)	Renumbered s. 62.69 (2) (d) to (L)
66.071 (2)	Renumbered s. 62.69 (3)
66.072	Renumbered s. 66.0827
66.073	Renumbered s. 66.0825
66.0735	Renumbered s. 66.0823
66.074	Repealed
66.075	Repealed

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<b><i>Current Section</i></b>	<b><i>Treatment</i></b>
66.076 (1)	Renumbered s. 66.0821 (2) (a); portion repealed, restated as s. 66.0821 (3) (a)
66.076 (1m)	Renumbered s. 66.0821 (1) (intro.) and (a)
66.076 (2)	Renumbered s. 66.0821 (3) (b)
66.076 (3)	Renumbered s. 66.0821 (6)
66.076 (4) and (5)	Renumbered s. 66.0821 (4) (a) and (b)
66.076 (6)	Renumbered s. 66.0821 (3) (c)
66.076 (7)	Renumbered s. 66.0821 (4) (c)
66.076 (8)	Renumbered s. 66.0821 (2) (b)
66.076 (9) and (10)	Renumbered s. 66.0821 (5) (a) and (b)
66.076 (11)	Renumbered s. 66.0821 (1) (b)
66.076 (12)	Renumbered s. 66.0821 (7)
66.077	Renumbered s. 66.0819
66.078	Renumbered s. 66.0623
66.079	Renumbered s. 66.0829
66.08	Renumbered s. 66.0723
66.081	Repealed
66.082	Renumbered s. 66.0419
66.083	Renumbered s. 66.0423
66.085	Renumbered s. 66.0421
66.09	Renumbered s. 66.0177
66.091	Renumbered s. 893.81
66.092	Renumbered s. 66.0409
66.10	Repealed
66.11	Renumbered s. 66.0501; s. 66.0501 (2) substantively amended
66.111	Repealed
66.113	Renumbered s. 66.0515; substantively amended
66.114	Renumbered s. 66.0111
66.115	Renumbered s. 66.0109
66.117	Renumbered s. 66.0115

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.119	Renumbered s. 66.0119
66.12	Renumbered s. 66.0114
66.121	Renumbered s. 75.377
66.122	Renumbered s. 66.0119
66.123	Combined with s. 66.122 and renumbered s. 66.0119 (3)
66.124	Renumbered s. 66.0417
66.125	Renumbered s. 66.0121
66.13	Repealed
66.14	Renumbered s. 62.09 (4) (d)
66.144	Renumbered s. 62.53
66.145	Renumbered s. 62.55
66.146	Renumbered s. 62.51
66.18	Renumbered s. 66.0137 (2)
66.182	Combined with s. 66.18 and renumbered s. 66.0137 (3)
66.184	Combined with s. 66.18 and renumbered s. 66.0137 (4)
66.185	Combined with s. 66.18 and renumbered s. 66.0137 (5)
66.186	Renumbered s. 62.61
66.187	Renumbered s. 62.59
66.189	Renumbered s. 62.67
66.19	Renumbered s. 66.0509
66.192	Renumbered s. 66.0503
66.196	Renumbered s. 66.0505
66.197	Repealed
66.199	Renumbered s. 66.0507
66.20	Renumbered s. 200.01
66.21	Renumbered s. 200.03
66.22	Renumbered s. 200.05
66.225	Renumbered s. 200.07
66.23	Renumbered s. 200.09
66.24	Renumbered s. 200.11
66.25	Renumbered s. 200.13

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.26	Renumbered s. 200.15
66.27	Renumbered s. 66.1025
66.28	Renumbered s. 66.0319
66.285	Renumbered s. 66.0135
66.286	Combined with s. 66.285 and renumbered s. 66.0135 (7)
66.29	Renumbered s. 66.0901
66.293	Renumbered s. 66.0903
66.295	Repealed
66.296	Renumbered s. 66.1003 and substantively amended
66.297	Renumbered s. 62.73
66.298	Renumbered s. 66.0905
66.299	Renumbered s. 66.0131
66.30 (1) and (2)	Renumbered s. 66.0301 (1) and (2)
66.30 (2g)	Renumbered s. 66.0311
66.30 (2m)	Renumbered s. 36.11 (19)
66.30 (3) and (3m)	Renumbered s. 66.0301 (3) and (4)
66.30 (3n) and (3p)	Consolidated, renumbered s. 66.0301 (5)
66.30 (4)	Repealed [substance placed in renumbered s. 66.0301 (2)]
66.30 (5)	Renumbered s. 66.0303
66.30 (6)	Renumbered s. 120.25
66.301	Renumbered s. 66.1019 (1)
66.302	Combined with s. 66.301 and renumbered s. 66.1019 (2)
66.303	Combined with s. 66.301 and renumbered s. 66.1019 (3)
66.304	Renumbered s. 66.1017
66.305	Renumbered s. 66.0313
66.307	Renumbered s. 66.1113
66.31	Renumbered s. 66.1009
66.312	Renumbered s. 66.0511
66.315	Renumbered s. 66.0513

**ASSEMBLY BILL 710****SECTION 674**

<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.32	Renumbered s. 66.0105
66.325	Renumbered s. 166.23
66.33	Renumbered s. 281.695
66.34	Renumbered s. 92.115
66.345	Repealed
66.35	Renumbered s. 285.54
66.36	Renumbered s. 281.59 (13f)
66.365	Renumbered s. 283.87 (4)
66.37	Repealed
66.375	Renumbered s. 66.1015
66.38	Renumbered s. 62.237
66.39	Repealed [sub. (1) relocated to s. 66.1201 (9) (x), as renumbered]
66.395	Renumbered s. 66.1213
66.40	Renumbered s. 66.1201
66.401	Renumbered s. 66.1203
66.402	Renumbered s. 66.1205
66.4025	Renumbered s. 66.1207
66.403	Renumbered s. 66.1209
66.404	Renumbered s. 66.1211; s. 66.1211 (4) substantively amended
66.405	Renumbered s. 66.1301
66.406	Renumbered s. 66.1303
66.407	Renumbered s. 66.1305
66.408	Renumbered s. 66.1307
66.41	Renumbered s. 66.1307 (2) (b)
66.411	Renumbered s. 66.1329
66.412	Renumbered s. 66.1309
66.413	Renumbered s. 66.1311
66.414	Renumbered s. 66.1313
66.415	Renumbered s. 66.1315
66.416	Renumbered s. 66.1317
66.417	Renumbered s. 66.1319
66.418	Renumbered s. 66.1321

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.419	Renumbered s. 66.1323 (1)
66.42	Renumbered s. 66.1325
66.421	Combined with s. 66.419; renumbered s. 66.1323 (2)
66.422	Renumbered s. 66.1327 (1)
66.424	Combined with s. 66.422; renumbered s. 66.1327 (2)
66.425	Combined with s. 66.422; renumbered s. 66.1327 (3)
66.43	Renumbered s. 66.1331
66.431	Renumbered s. 66.1333
66.432	Renumbered s. 66.1011
66.4325	Renumbered s. 66.1335
66.433	Renumbered s. 66.0125
66.434	Renumbered s. 46.30 (5)
66.435	Renumbered s. 66.1337
66.436	Renumbered s. 66.1339
66.437	Renumbered s. 66.1341
66.44	Repealed
66.45	Renumbered s. 66.0315
66.46	Renumbered s. 66.1105
66.462	Renumbered s. 66.1106
66.465	Renumbered s. 66.1107
66.47	Renumbered s. 66.0927; sub. (6) repealed
66.48	Renumbered s. 66.0917
66.49	Renumbered s. 66.0919
66.50	Renumbered s. 66.0127; sub. (1) (f) substantively amended
66.501	Renumbered s. 66.0129
66.504	Renumbered s. 66.0921
66.505	Renumbered s. 66.0923
66.508	Renumbered s. 66.0925
66.51	Renumbered s. 66.0913; sub. (4) repealed

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.52	Renumbered s. 66.1101
66.521	Renumbered s. 66.1103
66.526	Renumbered s. 62.57
66.527	Renumbered s. 66.0123
66.53	Renumbered s. 66.0733 and substantively amended
66.54 (1)	Renumbered s. 66.0713 (1)
66.54 (2)	Repealed
66.54 (3)	Renumbered s. 66.0709
66.54 (4)	Renumbered s. 66.0711
66.54 (5)	Renumbered s. 66.0713 (9)
66.54 (6) (a) and (b)	Renumbered s. 66.0713 (2) (a) and (b)
66.54 (6) (c)	Renumbered s. 66.0713 (10)
66.54 (6) (d)	Renumbered s. 66.0713 (2) (c)
66.54 (7)	Combined with s. 66.605 and renumbered s. 66.0715 (3)
66.54 (8)	Repealed
66.54 (9) (a)	Renumbered s. 66.0713 (3)
66.54 (9) (b) and (c)	Renumbered s. 67.16 (2) (b) and (c)
66.54 (10) and (11)	Renumbered s. 66.0713 (4) and (5)
66.54 (12)	Renumbered s. 66.0719
66.54 (15) and (15m)	Renumbered s. 66.0713 (7) and (8)
66.54 (16)	Renumbered s. 66.0713 (6)
66.55	Renumbered s. 66.0617
66.60 (1) to (4)	Renumbered s. 66.0703 (1), (4), (5) and (6)
66.60 (5)	Renumbered s. 66.0703 (2)
66.60 (6)	Renumbered s. 66.0703 (1) (c)
66.60 (6a)	Renumbered s. 66.0703 (3)
66.60 (6m)	Renumbered s. 66.0721
66.60 (7)	Renumbered s. 66.0703 (7) (a)
66.60 (8) to (12) and (15)	Renumbered s. 66.0703 (8) to (13)
66.60 (16)	Repealed; restated as s. 66.0627 and substantively amended

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.60 (17)	Renumbered s. 66.0703 (14)
66.60 (18)	Renumbered s. 66.0703 (7) (b)
66.604	Renumbered s. 66.0717
66.605	Combined with s. 66.54 (7) and renumbered s. 66.0715 (2)
66.606	Renumbered s. 287.093
66.608	Renumbered s. 66.1109
66.609	Renumbered s. 66.1007
66.610	Renumbered s. 62.71
66.615	Renumbered s. 66.0907
66.616	Renumbered s. 66.0909
66.62	Renumbered s. 66.0701
66.625	Renumbered s. 66.0911
66.63	Renumbered s. 66.0725
66.635	Renumbered s. 66.0731
66.64	Renumbered s. 66.0705
66.645	Repealed
66.65	Renumbered s. 66.0707 and substantively amended
66.694	Renumbered s. 66.0727
66.695	Combined with s. 66.694 and renumbered s. 66.0727 (3)
66.696	Renumbered s. 66.0729 (1)
66.697	Combined with s. 66.696 and renumbered s. 66.0729 (2) and (3)
66.698	Combined with ss. 66.696 and 66.697 and renumbered s. 66.0729 (4) and (5)
66.699	Repealed; substance included in renumbered ss. 66.0727 (4) and 66.0729 (6)
66.70	Renumbered s. 66.0611
66.73	Repealed
66.74	Renumbered s. 66.0613
66.75	Renumbered s. 66.0615
66.77	Renumbered s. 59.605

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.80 (1)	Repealed; restated as part of s. 62.63 (1)
66.80 (2)	Renumbered s. 62.63 (2)
66.80 (3)	Repealed; restated as part of s. 62.63 (1)
66.805	Renumbered s. 62.65
66.81	Combined with s. 66.80 and renumbered s. 62.63 (4)
66.82	Combined with s. 66.80 and renumbered s. 62.63 (3)
66.88	Renumbered s. 200.21
66.882	Renumbered s. 200.23
66.884	Renumbered s. 200.25
66.886	Renumbered s. 200.27
66.888	Renumbered s. 200.29
66.89	Renumbered s. 200.31
66.892	Renumbered s. 200.33
66.894	Renumbered s. 200.35
66.896	Renumbered s. 200.37
66.898	Renumbered s. 200.39
66.899	Renumbered s. 200.41
66.90	Renumbered s. 200.43
66.902	Renumbered s. 200.45
66.904	Renumbered s. 200.47
66.905	Renumbered s. 200.49
66.906	Renumbered s. 200.51
66.908	Renumbered s. 200.53
66.91	Renumbered s. 200.55; cross-reference in sub. (5) (d) 2. corrected
66.911	Renumbered s. 200.57
66.912	Renumbered s. 200.59
66.914	Renumbered s. 200.61
66.916	Renumbered s. 200.63
66.918	Renumbered s. 200.65
66.92	Repealed

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<i><b>Current Section</b></i>	<i><b>Treatment</b></i>
66.925	Renumbered s. 66.1013
66.93	Renumbered s. 45.051
66.935	Renumbered s. 66.0625
66.94	Repealed
66.943	Renumbered s. 66.1021
66.944	Renumbered s. 66.1023
66.945	Renumbered s. 66.0309
66.948	Renumbered s. 66.0411
66.949	Renumbered s. 66.0133
66.95	Renumbered s. 66.0431
66.955	Renumbered s. 23.235
66.96	Renumbered s. 66.0407 and substantively amended
66.97	Repealed. Substance in new s. 66.0517
66.98	Repealed. Substance in new s. 66.0517
66.99	Repealed. Substance in new s. 66.0517