

political subdivision ←

1 or devices posing a danger to life or property in their storage, transportation or use
 2 immediately after taking possession of the substances, materials or devices without
 3 a public auction. The ~~city, village, town or county municipality~~ by ordinance or
 4 resolution, may establish disposal procedures. Procedures may include provisions
 5 authorizing an attempt to return to the rightful owner substances, materials or
 6 devices which have a commercial value in the normal business usage and do not pose
 7 an immediate threat to life or property. If enacted, ~~any such provision~~ a disposal
 8 procedure shall include a presumption that if the substance, material or device
 9 appears to be or is reported stolen an attempt will be made to return the substance,
 10 material or device to the rightful owner.

11 (4) Except as provided in s. 968.20 (3), ~~1st class cities~~ ^{a plain} ~~a 1st class city~~ shall
 12 dispose of abandoned or unclaimed dangerous weapons or ammunition without a
 13 public auction 12 months after taking possession of them if the owner has not
 14 requested their return. ~~Disposition~~ Disposal procedures shall be established by
 15 ordinance or resolution and may include provisions authorizing an attempt to return
 16 to the rightful owner any dangerous weapons or ammunition which appear to be
 17 stolen or are reported stolen. If enacted, ~~any such provision~~ a disposal procedure
 18 shall include a presumption that if the dangerous weapons or ammunition appear
 19 to be or ^{are} reported stolen an attempt will be made to return the dangerous weapons
 20 or ammunition to the rightful owner. The dangerous weapons or ammunition shall
 21 be are subject to sub. ⁽⁴⁾ (5).

22 (5) A ~~city, village, town or county municipality~~ may retain or dispose of any
 23 abandoned, unclaimed or seized dangerous weapon or ammunition only under s.
 24 968.20.

AS DEFINITIONS 216-

plain

1 SECTION 301. 66.285 of the statutes is renumbered 66.0135, and 66.0135 (1)
2 (intro.), (c) and (d), (2) (a) and (b) 2. and (4) (intro.), as renumbered, are amended to
3 read:

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66.0135 (1) (intro.) In this section, and s. 66.286:

5 (c) "Local governmental unit" means a political subdivision of this state, a
6 special purpose district in this state, an agency or corporation of such a political
7 subdivision or special purpose district, or a combination or subunit of any of the
8 foregoing.

plain & move

9 (d) "Subcontractor" has the meaning given in s. 66.29 (1) (d) 66.0901.

10

(2) INTEREST PAYABLE TO PRINCIPAL CONTRACTORS (a) Except as provided in sub.

11 (4) or as otherwise specifically provided, an agency that does not pay timely the
12 amount due on an order or contract shall pay interest on the balance due from the
13 31st day after receipt of a properly completed invoice or receipt and acceptance of the
14 property or service under the order or contract, whichever is later, or, if the agency
15 does not comply with s. 66.286 sub. (7), from the 31st day after receipt of an
16 improperly completed invoice or receipt and acceptance of the property or service
17 under the order or contract, whichever is later, at the rate specified in s. 71.82 (1) (a)
18 compounded monthly.

19 (b) 2. Within 30 days after receipt of a properly completed invoice or receipt and
20 acceptance of the property or service under the order or contract, or, if the agency does
21 not comply with s. 66.286 sub. (7), within 30 days after receipt of an improperly
22 completed invoice or receipt and acceptance of the property or service under the order
23 or contract, whichever is later.

24 (4) EXCEPTIONS. (intro.) Subsection (2) does not apply to any of the following:

25 SECTION 302. 66.286 of the statutes is renumbered 66.0135 (7).

1

SECTION 303. 66.29 (title) of the statutes ^{and (1) (title)} ~~is~~ ^{are} renumbered 66.0901 (title) ^{and (1) (title)}

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SECTION 304. 66.29 (1) (a) of the statutes is renumbered 66.0901 (1) (b) and

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amended to read:

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66.0901 (1) (b) ~~In this section, "person~~ ^{Person} means an individual,

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partnership, association, limited liability company, corporation or joint stock

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company, lessee, trustee or receiver.

SEC. 7 CR. 66.0901 (1) (intro.) # 66.0901 (1) (intro.) In this section:

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SECTION 305. 66.29 (1) (b) of the statutes is renumbered 66.0901 (1) (a) and

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amended to read:

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66.0901 (1) (a) "Municipality" means the state ~~and any~~ or a town, city, village,

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school district, board of school directors, sewer district, drainage district, technical

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college district or ~~any~~ other public or quasi-public corporation, officer, board or other

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public body charged with the duty of receiving bids for and awarding any public

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contracts.

14

SECTION 306. 66.29 (1) (c) and (d) and (2) to (8) of the statutes are renumbered

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66.0901 (1) (c) and (d) and (2) to (8) and amended to read:

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66.0901 (1) (c) ~~The term "public~~ ^{Public} contract" ~~shall mean and include any~~

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means a contract for the construction, execution, repair, remodeling, or improvement

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of any a public work, or building, or for the furnishing of supplies, or material of any

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kind ~~whatsoever~~, proposals for which are required to be advertised for by law.

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(d) "Subcontractor" means a person whose relationship to the principal

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contractor is substantially the same as to a part of the work as the latter's

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relationship is to the proprietor. A "subcontractor" takes a distinct part of the work

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in such a way that the "subcontractor" does not contemplate doing merely personal

24

service.

WR: 500X

1 (2) BIDDER'S PROOF OF RESPONSIBILITY. ~~Every~~ A municipality, ~~board or public~~
2 ~~body upon all contracts subject to this section~~ intending to enter into a public contract
3 ~~may, before delivering any form for bid proposals, plans and specifications pertaining~~
4 ~~thereto to any person, excepting~~ except materialmen, suppliers and others not
5 intending to submit a direct bid, ~~require~~ such ~~the~~ person to submit a full and
6 complete statement sworn to before an officer authorized by law to administer oaths,
7 of. The statement shall consist of information relating to financial ability,
8 equipment, experience in the work prescribed in said ~~the~~ public contract, and of such *plain*
9 other matters *as the municipality, board, public body or officer thereof may require*
10 requires for the protection and welfare of the public in the performance of any a
11 public contract; ~~such.~~ The statement shall be in writing on a standard form of a
12 questionnaire as that is adopted for such use and furnished by the municipality,
13 ~~board or public body or officer thereof, to be furnished by such municipality, board,~~
14 ~~public body or officer thereof.~~ Such ¹ The statement shall be filed in the manner and
15 place designated by the municipality, board, public body or such officer thereof. ¹ Such
16 statements ¹ The statement shall not be received less than 5 days prior to the time set
17 for opening of bids. The contents of ~~said statements~~ the statement shall be
18 confidential and ~~shall~~ may not be disclosed except upon the written order of ~~such~~ the
19 person furnishing the same ² the statement, or ² for necessary use by the public body
20 in qualifying ~~such~~ the person, or in cases of action against, or by ~~such,~~ the person or
21 municipality. The governing body of the municipality or ~~such~~ the committee, board
22 or employe as is charged with, or delegated by the governing body with, the duty of
23 receiving bids and awarding contracts ~~or to whom the governing body has delegated~~
24 ~~the power~~ shall properly evaluate the sworn statements filed relative to financial
25 ~~ability, equipment and experience in the work prescribed~~ statement and shall find

1 the maker of ~~such~~ the statement either qualified or unqualified. This subsection
2 shall does not apply to ~~cities of the first a 1st class city~~.

3 (3) PROOF OF RESPONSIBILITY, CONDITION PRECEDENT. No bid shall be received from
4 any person who has not submitted the ~~sworn~~ statement as provided in sub. (2),
5 provided that any prospective bidder who has once qualified to the satisfaction of the
6 municipality, committee, board, ~~public body or officer~~ employe, and who wishes to
7 become a bidder upon subsequent public contracts under the same jurisdiction of ~~the~~
8 ~~same, to whose satisfaction the prospective bidder has qualified under sub. (2),~~ need
9 not separately qualify on each public contract unless required so to do by the said
10 municipality, committee, board, ~~public body or officers~~ employe.

11 (4) REJECTION OF BIDS. ~~Whenever~~ If the municipality, committee, board, ~~public~~
12 ~~body or officer~~ employe is not satisfied with the sufficiency of the answer contained
13 in the ~~questionnaire and financial statement~~ provided under sub. (2), ~~it~~ the
14 municipality, committee, board or employe may reject ~~said bid~~, or disregard the ~~same~~
15 bid.

16 (5) CORRECTIONS OF ERRORS IN BIDS. ~~Whenever any~~ If a person shall ~~submit~~
17 submits a bid or proposal for the performance of public work under any public
18 contract to be let by ~~the a~~ municipality, board, ~~public body or officer thereof, who shall~~
19 ~~claim and the bidder claims that a~~ mistake, omission or error has been made in
20 preparing the bid, the bidder shall, before the bids are opened, make known the fact
21 that an error, omission or mistake has been made, ~~and in that case.~~ If the bidder
22 makes this fact known, the bid shall be returned to the bidder unopened and the
23 bidder shall may not be entitled to bid upon the public contract at hand unless the
24 ~~same~~ it is readvertised and relet upon the readvertisement. ~~In case any~~ If a bidder
25 ~~shall make~~ makes an error ~~or~~, omission or mistake and shall ~~discover the same~~

1 discovers it after the bids are opened, the bidder shall immediately and without delay
2 give written notice and make known the fact of the mistake, omission or error which
3 has been committed and submit to the municipality, ~~board, public body or officers~~
4 ~~thereof~~, clear and satisfactory evidence of the mistake, omission or error and that the
5 same it was not caused by any careless act or omission on the bidder's part in the
6 exercise of ordinary care in examining the plans, or specifications and in conforming
7 with the provisions of this section, ~~and in case of~~. If the discovery and notice of a
8 mistake, omission or error causes a forfeiture, shall the bidder may not be entitled
9 to recover the moneys or certified check forfeited as liquidated damages unless it
10 shall be is proven before a court of competent jurisdiction in an action brought for the
11 recovery of the amount forfeited, that in making the mistake, error or omission the
12 bidder was free from carelessness, negligence or inexcusable neglect. plain

13 (6) ~~SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS.~~ On these
14 In public contracts calling contracts for the construction, repair, remodeling or
15 improvement of any a public building or structure, other than highway structures
16 and facilities, the a municipality may bid projects based on a single or multiple
17 division of the work. ~~Contracts~~ Public contracts shall be awarded according to the
18 division of work selected for bidding. The municipality may set out in any public
19 contract reasonable and lawful conditions as to the hours of labor, wages, residence,
20 character and classification of ~~workmen~~ workers to be employed by any contractor,
21 ~~and to classify such~~ contractors as to their financial responsibility, competency and
22 ability to perform work and ~~to set up a classified list of contractors pursuant thereto;~~
23 ~~and such.~~ The municipality may also reject the bid of any person, if such the person
24 has not been classified pursuant to the said questionnaire for the kind or amount of
25 work in said the bid.

1 (7) BIDDER'S CERTIFICATE. ~~On all contracts~~ When bidding on a public contract,
2 the bidder shall incorporate and make a part of the bidder's proposal for the doing
3 of any work or labor or ~~the~~ furnishing of any material in or about any public work
4 or contract of the municipality a sworn statement by the bidder, or if not an
5 individual by one authorized, that the bidder or authorized person ~~so swearing~~ has
6 examined and carefully prepared the proposal from the plans and specifications and
7 has checked the same in detail before submitting the proposal or bid to the
8 municipality, ~~board, department or officer charged with the letting of bids and also~~
9 ~~at the same time as.~~ As a part of the proposal, the bidder also shall submit a list of
10 the subcontractors the bidder proposes to contract with, and the class of work to be
11 performed by each, ~~provided that,~~ In order to qualify for inclusion in the bidder's list
12 a subcontractor ~~must~~ shall first submit a bid in writing, to the general contractor at
13 least 48 hours prior to the time of the bid closing, ~~which list shall,~~ The list may not
14 be added to ~~nor~~ or altered without the written consent of the municipality. A proposal
15 of a bidder ~~shall~~ is not be invalid if any subcontractor and the class of work to be
16 performed by the subcontractor has been omitted from a proposal; ~~such~~ the omission
17 shall be considered as inadvertent, or ~~that~~ the bidder will perform the work
18 personally.

19 (8) SETTLEMENT OF DISPUTES; DEFAULTS. Whenever there is a dispute between ~~the~~
20 a contractor or surety or the municipality as to ~~the determination~~ whether there is
21 a compliance with the provisions of ~~the~~ a public contract as to the hours of labor,
22 wages, residence, character, and classification of ~~workmen~~ workers employed by ~~any~~
23 the contractor, the determination of the municipality ~~shall be~~ is final, ~~and in case of~~
24 ~~violation of said.~~ If a violation of these provisions occurs, the municipality may

Article 2
is

2 R.N.
3 Sec. #

1 declare the contract in default and request the surety to perform or relet upon

2 advertisement the remaining portion of the public contract.

66.29(9)(title); 66.0901(9)(title)

SECTION 307. 66.29 (9)(a) of the statutes is repealed.

NOTE: Repeals the separate definition of "municipality". The definition is restated in SECTION 184 of this bill.

4 SECTION 308. 66.29 (9) (b) of the statutes is renumbered 66.0901 (9) (b) and
5 amended to read:

6 66.0901 (9) (b) *Retained percentages.* As the work progresses under any a
7 contract involving \$1,000 or more for the construction, execution, repair, remodeling
8 or improvement of any a public work or building or for the furnishing of any supplies
9 or materials, regardless of whether or not proposals for which the contract are
10 required to be advertised by law, the municipality, from time to time, shall grant to
11 the contractor an estimate of the amount and proportionate value of the work done,
12 which shall ~~entitle~~ entitles the contractor to receive the amount ~~thereof of the~~
13 estimate, less the retainage, from the proper fund. ~~On all such contracts, the~~ The
14 retainage shall be an amount equal to 10% of ~~said the~~ estimate until 50% of the work
15 has been completed. At 50% completion, further partial payments shall be made in
16 full to the contractor and no additional amounts may be retained unless the architect
17 or engineer certifies that the job is not proceeding satisfactorily, but amounts
18 previously retained shall not be paid to the contractor. At 50% completion or any time
19 ~~thereafter~~ after 50% completion when the progress of the work is not satisfactory,
20 additional amounts may be retained but ~~in no event shall~~ the total retainage may not
21 be more than 10% of the value of the work completed. Upon substantial completion
22 of the work, an amount retained may be paid to the contractor. When the work has
23 been substantially completed except for work which cannot be completed because of

1 weather conditions, lack of materials or other reasons which in the judgment of the
 2 municipality are valid reasons for noncompletion, the municipality may make
 3 additional payments, retaining at all times an amount sufficient to cover the
 4 estimated cost of the work still to be completed or ~~in the alternative~~ may pay out the
 5 entire amount retained and receive from the contractor guarantees in the form of a
 6 bond or other collateral sufficient to ensure completion of the job. For the purposes
 7 of this section, estimates may include any fabricated or manufactured materials and
 8 components specified, previously paid for by the contractor and delivered to the work
 9 or properly stored and suitable for incorporation in the work embraced in the
 10 contract.

11 **SECTION 309.** 66.293 of the statutes, as affected by 1997 Wisconsin Act ^(S) 35, is
 12 renumbered 66.0903, and 66.0903 (title), (1) (g), (3) (am) and (bm), (9), (10) (a) and
 13 (b), (11) (a) and (b) 1. to 5. and (12) (a) and (d), as renumbered, are amended to read:

14 ^(B) 66.0903 ⁽¹⁾ (title) ~~CONTRACTOR'S FAILURE TO COMPLY WITH MUNICIPAL MUNICIPAL~~
 15 ~~PREVAILING WAGE AND HOUR SCALE SCALES.~~ ^{(B) - No (CS)}

16 (g) 1. "Prevailing Except as provided in subd. 2., "prevailing wage rate" for any
 17 trade or occupation engaged in the erection, construction, remodeling, repairing or
 18 demolition of any project of public works in any area means the hourly basic rate of
 19 pay, plus the hourly contribution for health insurance benefits, vacation benefits,
 20 pension benefits and any other bona fide economic benefit, paid directly or indirectly,
 21 for a majority of the hours worked in the trade or occupation on projects in the area,
 22 ~~or if,~~

23 2. If there is no rate at which a majority of the hours worked in the trade or
 24 occupation on projects in the area is paid, then the "prevailing wage rate" for any
 25 trade or occupation engaged in the erection, construction, remodeling, repairing or

1 demolition of any project of public works in any area ~~shall be~~ means the average
2 hourly basic rate of pay, weighted by the number of hours worked, plus the average
3 hourly contribution, weighted by the number of hours worked, for health insurance
4 benefits, vacation benefits, pension benefits and any other bona fide economic
5 benefit, paid directly or indirectly for all hours worked at the hourly basic rate of pay
6 of the highest-paid 51% of hours worked in that trade or occupation on projects in
7 that area.

8 (3) (am) ~~Every~~ A local governmental unit, before making a contract by direct
9 negotiation or soliciting bids on a contract, for the erection, construction, remodeling,
10 repairing or demolition of any project of public works, including a highway, street or
11 bridge construction project, shall apply to the department to determine the
12 prevailing wage rate and prevailing hours of labor for each trade or occupation
13 required in the work contemplated. The department shall make ~~such~~ investigations
14 and hold ~~such~~ public hearings as ~~may be~~ necessary to define the trades or occupations
15 that are commonly employed on projects that are subject to this section and to inform
16 itself as to the prevailing wage rates and prevailing hours of labor in all areas of the
17 state for those trades or occupations, with a view to ascertaining the prevailing wage
18 rate and prevailing hours of labor for each ~~such~~ trade or occupation. The department
19 shall issue its determination within 30 days after receiving the request and shall file
20 the ~~same~~ determination with the requesting local governmental unit applying
21 therefor.

22 (bm) Any person may request a recalculation of any portion of a determination
23 within 30 days after the initial determination date if the person submits evidence
24 with the request showing that the prevailing wage rate or prevailing hours of labor
25 for any given trade or occupation included in the initial determination does not

1 represent the prevailing wage rate or prevailing hours of labor for that trade or
2 occupation in the area. ~~Such~~ The evidence shall include wage rate and hours of labor
3 information for work performed in the contested trade or occupation in the area
4 within the previous 12 months. The department shall affirm or modify the initial
5 determination within 15 days after the date on which the department receives the
6 request for recalculation.

7 (9) COMPLIANCE. (a) When the department finds that a local governmental unit
8 has not requested a determination under sub. (3) (am) or that a local governmental
9 unit, contractor or subcontractor has not physically incorporated a determination
10 into a contract or subcontract as required under this section or has not notified a
11 minor subcontractor of a determination in the manner prescribed by the department
12 by rule promulgated under sub. (3) (dm), the department shall notify the local
13 governmental unit, contractor or subcontractor of ~~such~~ the noncompliance and shall
14 file the determination with the local governmental unit, contractor or subcontractor
15 within 30 days after ~~such~~ Plain notice.

16 (b) Upon completion of a project and before receiving final payment for his or
17 her work on the project, each agent or subcontractor shall furnish the contractor with
18 an affidavit stating that the agent or subcontractor has complied fully with the
19 requirements of this section. A contractor may not authorize final payment until
20 ~~such an~~ the affidavit is filed in proper form and order.

21 (c) Upon completion of a project and before receiving final payment for his or
22 her work on the project, each contractor shall file with the local governmental unit
23 authorizing the work an affidavit stating that the contractor has complied fully with
24 the requirements of this section and that the contractor has received an affidavit
25 under par. (b) from each of the contractor's agents and subcontractors. A local

1 governmental unit may not authorize a final payment until ~~such an~~ the affidavit is
2 filed in proper form and order. If a local governmental unit authorizes a final
3 payment before ~~such~~ an affidavit is filed in proper form and order or if the
4 department determines, based on the greater weight of the credible evidence, that
5 any person specified in sub. (4) has been or may have been paid less than the
6 prevailing wage rate or less than 1.5 times the hourly basic rate of pay for all hours
7 worked in excess of the prevailing hours of labor and requests that the local
8 governmental unit withhold all or part of the final payment, but the local
9 governmental unit fails to do so, the local governmental unit is liable for all back
10 wages payable up to the amount of that final payment.

11 (10) ~~RECORDS, INSPECTION, ENFORCEMENT~~ (a) Each contractor, subcontractor or
12 contractor's or subcontractor's agent thereof performing work on a project that is
13 subject to this section shall keep full and accurate records clearly indicating the
14 name and trade or occupation of every person described in sub. (4) and an accurate
15 record of the number of hours worked by each of those persons and the actual wages
16 paid ~~therefor~~ for the hours worked.

17 (b) The department or the contracting local governmental unit may demand
18 and examine, and ~~it shall be the duty of~~ every contractor, subcontractor and
19 contractor's or subcontractor's agent thereof ~~to~~ shall keep, and furnish ~~to~~ upon
20 request by the department or local governmental unit, copies of payrolls and other
21 records and information relating to the wages paid to persons described in sub. (4)
22 for work to which this section applies. The department may inspect records in the
23 manner provided in chs. 103 to 106. Every contractor, subcontractor or agent
24 performing work on a project that is subject to this section is subject to the
25 requirements of chs. 103 to 106 relating to the examination of records.

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(11) ~~LIABILITY AND PENALTIES~~ (a) Any contractor, subcontractor or contractor's

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or subcontractor's agent thereof, who fails to pay the prevailing wage rate

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determined by the department under sub. (3) or who pays less than 1.5 times the

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hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor

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determined under sub. (3), ~~shall be~~ is liable to any affected employe in the amount

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of his or her unpaid wages or his or her unpaid overtime compensation and in an

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additional equal amount as liquidated damages. An action to recover the liability

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may be maintained in any court of competent jurisdiction by any employe for and in

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behalf of that employe and other employes similarly situated. No employe may be

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a party plaintiff to ~~any such~~ the action unless the employe consents in writing to

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become ~~such~~ a party and the consent is filed in the court in which the action is

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brought. Notwithstanding s. 814.04 (1), the court shall, in addition to any judgment

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awarded to the plaintiff, allow reasonable attorney fees and costs to be paid by the

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defendant.

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(b) 1. Except as provided in subds. 2., 4. and 6., any contractor, subcontractor

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or contractor's or subcontractor's agent thereof who violates this section may be fined

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not more than \$200 or imprisoned for not more than 6 months or both. Each day that

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any such violation continues ~~shall be considered~~ is a separate offense.

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2. Whoever induces any individual who seeks to be or is employed on any

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project that is subject to this section to give up, waive or return any part of the wages

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to which the individual is entitled under the contract governing ~~such~~ the project, or

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who reduces the hourly basic rate of pay normally paid to an employe for work on a

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project that is not subject to this section during a week in which the employe works

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both on a project that is subject to this section and on a project that is not subject to

1 this section, by threat not to employ, by threat of dismissal from ~~such~~ employment
2 or by any other means is guilty of an offense under s. 946.15 (1).

3 3. Any person employed on a project that is subject to this section who
4 knowingly permits a contractor, subcontractor or contractor's or subcontractor's
5 agent thereof to pay him or her less than the prevailing wage rate set forth in the
6 contract governing ~~such~~ the project, who gives up, waives or returns any part of the
7 compensation to which he or she is entitled under the contract, or who gives up,
8 waives or returns any part of the compensation to which he or she is normally
9 entitled for work on a project that is not subject to this section during a week in which
10 the person works both on a project that is subject to this section and on a project that
11 is not subject to this section, is guilty of an offense under s. 946.15 (2).

12 4. Whoever induces any individual who seeks to be or is employed on any
13 project that is subject to this section to permit any part of the wages to which the
14 individual is entitled under the contract governing ~~such~~ the project to be deducted
15 from the individual's pay is guilty of an offense under s. 946.15 (3), unless the
16 deduction would be permitted under 29 CFR 3.5 or 3.6 from an individual who is
17 working on a project that is subject to 40 USC 276c.

18 5. Any person employed on a project that is subject to this section who
19 knowingly permits any part of the wages to which he or she is entitled under the
20 contract governing ~~such~~ the project to be deducted from his or her pay is guilty of an
21 offense under s. 946.15 (4), unless the deduction would be permitted under 29 CFR
22 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

23 (12) ~~Department~~ (a) Except as provided under pars. (b) and (c), the department
24 shall notify any local governmental unit applying for a determination under sub. (3)
25 and any local governmental unit exempted under sub. (6) of the names of all persons

1 whom the department has found to have failed to pay the prevailing wage rate
2 determined under sub. (3) or has found to have paid less than 1.5 times the hourly
3 basic rate of pay for all hours worked in excess of the prevailing hours of labor
4 determined under sub. (3) at any time in the preceding 3 years. The department shall
5 include with any ~~such~~ ^{plain} name the address of ~~such~~ [✓] the person and shall specify when
6 ~~such~~ [✓] the person failed to pay the prevailing wage rate and when ~~such~~ [✓] the person paid
7 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
8 prevailing hours of labor. A local governmental unit may not award any contract to
9 ~~such~~ [✓] the person unless otherwise recommended by the department or unless at least
10 3 years have elapsed from the date the department issued its findings or the date of
11 final determination by a court of competent jurisdiction, whichever is later.

12 (d) Any person submitting a bid on a project that is subject to this section shall
13 be required, on the date the person submits the bid, to identify any construction
14 business in which the person, or a shareholder, officer or partner of the person, if the
15 person is a business, owns, or has owned at least a 25% interest on the date the person
16 submits the bid or at any other time within 3 years preceding the date the person
17 submits the bid, if the business has been found to have failed to pay the prevailing
18 wage rate determined under sub. (3) or to have paid less than 1.5 times the hourly
19 basic rate of pay for all hours worked in excess of the prevailing hours of labor
20 determined under sub. (3).

21 **SECTION 310.** 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.

1 **SECTION 311.** 66.296 (title) of the statutes is renumbered 66.1003 (title) and
2 amended to read:

3 **66.1003 (title) Discontinuance of streets and alleys a public way.**

4 **SECTION 312.** 66.296 (1) of the statutes is renumbered 66.1003 (2) and amended
5 to read:

6 66.1003 (2) ~~The whole or any part of any road, street, slip, pier, lane or paved~~
7 ~~alley, in any 2nd, 3rd or 4th class city or in any village or town, may be discontinued~~
8 ~~by the common council or village or town board~~ common council of any city, except
9 a 1st class city, or a village or town board may discontinue all or part of a public way
10 upon the written petition of the owners of all the frontage of the lots and lands
11 abutting upon the ~~portion thereof~~ public way sought to be discontinued, and of the
12 owners of more than one-third of the frontage of the lots and lands abutting on that
13 portion of the remainder ~~thereof~~ of the public way which lies within 2,650 feet of the
14 ends of the portion to be discontinued, or lies within so much of that 2,650 feet ~~as shall~~ *plain*
15 ~~be that~~ *is* within the corporate limits of the city, village or town. The beginning and
16 ending of an alley shall be considered to be within the block in which it is located.
17 This subsection does not apply to a highway upon the line between 2 towns that is
18 subject to s. 80.11.

19 **SECTION 313.** 66.296 (1m) of the statutes is renumbered 66.1003 (3) and
20 amended to read:

21 66.1003 (3) ~~The whole or any part of any unpaved alley in any 2nd, 3rd or 4th~~
22 ~~class city or in any village or town may be discontinued by the common council or~~
23 ~~village or town board~~ common council of any city, except a 1st class city, or a village
24 or town board may discontinue all or part of an unpaved alley upon the written
25 petition of the owners of more than 50% of the frontage of the lots and lands abutting

1 upon the portion ~~thereof of the unpaved alley~~ sought to be discontinued. The
2 beginning and ending of an unpaved alley shall be considered to be within the block
3 in which it is located. This subsection does not apply to a highway upon the line
4 between 2 towns that is subject to s. 80.11.

5 **SECTION 314.** 66.296 (2) of the statutes is renumbered 66.1003 (4), and 66.1003
6 (4) (a) to (c), as renumbered, are amended to read:

7 66.1003 (4) (a) ~~As an alternative~~ Notwithstanding subs. (2) and (3),
8 proceedings covered by this section may be initiated by the common council or village
9 or town board by the introduction of a resolution declaring that since the public
10 interest requires it, ~~the whole or any part of any road, street, slip, pier, lane or alley~~
11 in the city, village or town is thereby a public way or an unpaved alley is vacated and
12 discontinued. No discontinuance of a public way under this subsection may result
13 in a landlocked parcel of property.

14 (b) A hearing on the passage of ~~such a~~ resolution under par. (a) shall be set by
15 the common council or village or town board on a date which shall not be less than
16 40 days ~~thereafter~~ after the date ^{on which} the resolution is introduced. Notice of the hearing
17 shall be given as provided in sub. (5) (8), except that in addition notice of ~~such the~~
18 hearing shall be served on the owners of all of the frontage of the lots and lands
19 abutting upon the ~~portion thereof~~ public way or unpaved alley sought to be
20 discontinued in a manner provided for the service of summons in circuit court at least
21 30 days before ~~such the~~ hearing. When ~~such~~ service cannot be made within the city,
22 village or town, a copy of the notice shall be mailed to the owner's last-known address
23 at least 30 days before the hearing.

24 (c) ~~No~~ Except as provided in this paragraph, no discontinuance of the whole or
25 any part of ~~any road, street, slip, pier, lane or paved alley shall~~ a public way may be

1 ordered under this subsection if a written objection to the proposed discontinuance
 2 is filed with the city, village or town clerk by any of the owners abutting on the ~~portion~~
 3 public way sought to be discontinued or by the owners of more than one-third of the
 4 frontage of the lots and lands abutting on ~~that portion~~ of the remainder thereof of the
 5 public way which lies within 2,650 feet from the ends of the ~~portion~~ public way
 6 proposed to be discontinued; or which lies within ~~so much of said that portion of the~~
 7 2,650 feet as shall be that is within the corporate limits of the city, village or town.
 8 If a written objection is filed, the discontinuance may be ordered only by the favorable
 9 vote of two-thirds of the members of the common council or village or town board
 10 voting on the proposed discontinuance. An owner of property abutting on a
 11 discontinued public way whose property is damaged by the discontinuance may
 12 recover damages as provided in ch. 32. The beginning and ending of an alley shall
 13 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.

14 **SECTION 315.** 66.296 (2m) of the statutes is renumbered 66.1003 (5).

15 **SECTION 316.** 66.296 (3), (4) and (5) of the statutes are renumbered 66.1003 (6),

16 (7) and (8) and amended to read:

1 66.1003 (6) Whenever any of the lots or lands subject to this section is owned
 2 by the state, county, city, village or town, or by a minor or incompetent person, or the
 3 title thereof to the lots or lands is held in trust, ~~as to all lots and lands so owned or~~
 4 held, petitions for discontinuance or objections to discontinuance may be signed by
 5 the governor, chairperson of the board of supervisors of the county, mayor of the city,
 6 president of the village, chairperson of the town board, guardian of the minor or
 7 incompetent person, or the trustee, respectively, and the signature of any private
 8 corporation may be made by its president, secretary or other principal officer or
 9 managing agent.

10 (7) The city council or village or town board may by resolution discontinue any
 11 alley or any portion thereof of an alley which has been abandoned, ~~at any time after~~
 12 the expiration of 5 years from the date of the recording of the plat by which it was
 13 dedicated. Failure or neglect to work or use any alley or any portion thereof of an
 14 alley for a period of 5 years next preceding the date of notice provided for in sub. (5)
 15 (8) shall be considered an abandonment for the purpose of this section.

16 (8) Notice stating when and where the petition or resolution under this section
 17 will be acted upon and stating what ~~road, street, slip, pier, lane or alley, or part~~
 18 thereof, public way or unpaved alley is proposed to be discontinued, shall be
 19 published as a class 3 notice, under ch. 985.

20 SECTION 317. 66.296 (6) of the statutes is renumbered 66.1003 (9).

21 SECTION 318. 66.297 of the statutes is renumbered 62.73 and amended to read:
 22 (B) 62.73 (B) Discontinuance of public grounds.
 23 (1) ~~In every city of the 1st class, the~~ The common council of a 1st class
 24 city may vacate in whole or in part such highways, streets, alleys, grounds,
 25 waterways, public walks and other public grounds within the corporate limits of the
 city as ~~in its opinion~~ that it determines the public interest requires to be vacated or

plain

plain

1 are of no public utility, subject to s. 80.32 (4). ~~Such proceedings~~ Proceedings under
2 this section shall be commenced either by a petition presented to the common council
3 signed by the owners of all property which abuts ~~upon~~ the portion of the public
4 facilities proposed to be vacated, or by a resolution adopted by the common council.
5 The requirements of s. 840.11 shall apply to proceedings under this section.

6 (2) All petitions or resolutions shall be referred to a committee of the common
7 council for a public hearing on ~~such~~ the proposed discontinuance and at least 7 days
8 shall elapse between the date of the last service and the date of ~~such~~ the hearing.
9 A notice of ~~such~~ hearing shall be served on the owners of record of all property which
10 abuts ~~upon~~ the portion of the public facilities proposed to be vacated, in the manner
11 provided for service of a summons.

12 (3) If the common council initiates a discontinuance proceeding by resolution
13 without a petition signed by all of the owners of the property which abuts the public
14 facility proposed to be discontinued, any owner of property abutting ~~such~~ the public
15 facility whose property is damaged ~~thereby~~ by the discontinuance may recover ~~such~~
16 damages as provided in ch. 32.

17 (4) The common council may ~~also~~ order that an assessment of benefits be made
18 and when so ordered the assessment shall be made as provided in s. ~~66.60~~ 66.0703.

19 **SECTION 319.** 66.298 of the statutes is renumbered 66.0905 and amended to
20 read:

21 **66.0905 Pedestrian malls.** After referring the matter to the plan commission
22 for report under s. 62.23 (5), or the town zoning committee under s. 60.61 (4), and
23 after holding a public hearing on the matter with publication of a Class 1 notice of
24 the hearing, the governing body of any city or village, or any town board acting under
25 s. 60.61 or 60.62, may by ordinance designate any street, road or public way or any

1 part thereof of a street, road or public way wholly within its jurisdiction as a
2 pedestrian mall and prohibit or limit ~~the use thereof by vehicular traffic in the~~
3 pedestrian mall. Creation of such a pedestrian mall shall fall under this section
4 does not constitute a discontinuance or vacation of such the street, road or public way
5 under s. ~~66.296~~ 66.1003 or 236.43.

6 **SECTION 320.** 66.299 of the statutes is renumbered 66.0131, and 66.0131 (1)(a),
7 as renumbered, is amended to read:

8 66.0131 (1) (a) “Local governmental unit” means a political subdivision of this
9 state, a special purpose district in this state, an agency or corporation of ~~such~~ a
10 political subdivision or special purpose district, or a combination or subunit of any
11 of the foregoing.

12 **SECTION 321.** 66.30 (title), (1) and (2) of the statutes are renumbered 66.0301
13 (title), (1) and (2), and 66.0301 (2), as renumbered, is amended to read:

14 66.0301 (2) In addition to the provisions of any other statutes specifically
15 authorizing cooperation between municipalities, unless ~~such~~ those statutes
16 specifically exclude action under this section, any municipality may contract with
17 other municipalities and with federally recognized Indian tribes and bands in this
18 state, for the receipt or furnishing of services or the joint exercise of any power or duty
19 required or authorized by law. If municipal or tribal parties to a contract have
20 varying powers or duties under the law, each may act under the contract to the extent
21 of its lawful powers and duties. A contract under this subsection may bind the
22 contracting parties for the length of time specified in the contract. This section shall
23 be interpreted liberally in favor of cooperative action between municipalities and
24 between municipalities and Indian tribes and bands in this state.

NOTE: The underscored sentence restates s. 66.30 (4), which is repealed by SECTION 326 of this ~~bill~~ bill.

1 SECTION 322. 66.30 (2g) of the statutes is renumbered 66.0311 (2) and amended
2 to read:

3 66.0311 (2) Any municipality, housing authority, development authority or
4 redevelopment authority authorized under ss. ~~66.40 to 66.435~~ 66.1201 to 66.1211
5 and 66.1301 to 66.1337:

6 (a) To issue bonds or obtain other types of financing in furtherance of its
7 statutory purposes may cooperate with any other municipality, housing authority,
8 development authority or redevelopment authority similarly authorized under ss.
9 ~~66.40 to 66.435~~ 66.1201 to 66.1211 and 66.1301 to 66.1337 for the purpose of jointly
10 issuing bonds or obtaining other types of financing.

11 (b) To plan, undertake, own, construct, operate and contract with respect to any
12 housing project in accordance with its statutory purposes under ss. ~~66.40 to 66.435~~
13 66.1201 to 66.1211 and 66.1301 to 66.1337, may cooperate for the joint exercise of
14 such functions with any other municipality, housing authority, development
15 authority or redevelopment authority so authorized.

16 SECTION 323. 66.30 (2m) of the statutes is renumbered ~~36.82~~ and ~~36.82(1)~~ to

17 ~~36.82(1)~~, as renumbered, are amended to read:

18 ^{36.11 (19) (a) (a) ^} ~~36.82(1)~~ The university of Wisconsin ^{board} ~~System~~ may furnish, and school districts
19 may accept, services for educational study and research projects and they may enter
20 into contracts under ~~this section~~ s. 66.0301 for that purpose.

21 ^(b) A group of school districts, if authorized by each school board, may form a
22 nonprofit-sharing corporation to contract with the state or the ~~university of~~

36.11 (19)
(a)
a
to
ac
(c)

1 ~~Wisconsin system~~ ^{boone} System for the furnishing of the services specified in ~~par. (a)~~ ^{stet} ~~(a)~~

2 ~~(a)~~ ^(c)

3 ~~(b)~~ The corporation shall be organized under ch. 181 and shall have the powers

4 there applicable. Members of the ^{school} boards specified in ~~par. (b)~~ ^{stet} ~~(b)~~ may serve as

5 incorporators, directors and officers of the corporation.

6 SECTION 324. 66.30 (3) and (3m) of the statutes are renumbered 66.0301 (3) and

7 (4) and amended to read:

8 66.0301 (3) Any such contract under sub. (2) may provide a plan for

9 administration of the function or project, ~~which may include, without limitation~~

10 ~~because of enumeration, but is not limited to~~ ^{including} provisions as to proration of the

11 expenses involved, deposit and disbursement of funds appropriated, submission and

12 approval of budgets, creation of a commission, selection and removal of

13 commissioners, and formation and letting of contracts.

14 (4) A commission created by contract under sub. (2) may finance the

15 acquisition, development, remodeling, construction and equipment of land,

16 buildings and facilities for regional projects under s. ~~66.066~~ 66.0621. Participating

17 municipalities acting jointly or separately may finance ~~such~~ the projects, or an

18 agreed share of the cost thereof of the projects, under ch. 67.

19 SECTION 325. 66.30 (3n) and (3p) of the statutes are consolidated, renumbered

20 66.0301 (5) ^(intro.) and amended to read:

21 66.0301 (5) No commission created by contract under this section is authorized

22 under sub. (2) may, directly or indirectly, ^{plan} ~~to acquire~~ do any of the

23 (a) Acquire ² construct or lease facilities used or useful in the business of a public

24 utility engaged in production, transmission, delivery or furnishing of heat, light,

following

1 power, natural gas or communications service, by any method except those set forth
2 under this chapter or ch. 196, 197 or 198.

3 ~~(3p) The authority now or hereafter conferred by law on commissions created~~
4 ~~by contract under this section shall not include the right, power or authority to~~
5 ~~establish~~ (b) Establish, lay out, construct, improve, discontinue, relocate, widen or
6 maintain any road or highway outside the corporate limits of a village or city or to
7 acquire lands for ~~such~~ those purposes except upon approval of the department of
8 transportation and the county board of the county and the town board of the town
9 in which the road is to be located.

10 SECTION 326. 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 321 of this ~~draft~~ bill

11 SECTION 327. 66.30 (5) (intro.), (a) and (b) of the statutes are renumbered
12 66.0303 (2), (3) and (4) and amended to read:

13 66.0303 (2) Any A municipality may contract with municipalities of another
14 state for the receipt or furnishing of services or the joint exercise of any power or duty
15 required or authorized by statute to the extent that laws of ~~such~~ the other state or
16 of the United States permit ~~such~~ the joint exercise.

17 (3) ~~Every~~ An agreement made under this ~~subsection~~ section shall, prior to and
18 as a condition precedent to taking effect, be submitted to the attorney general who
19 shall determine whether the agreement is in proper form and compatible with the
20 laws of this state. The attorney general shall approve any agreement submitted
21 ~~hereunder~~ under this subsection unless the attorney general finds that it does not
22 meet the conditions set forth ~~herein~~ in this section and details in writing addressed
23 to the concerned municipal governing bodies the specific respects in which the

1 proposed agreement fails to meet the requirements of law. Failure to disapprove an
2 agreement submitted hereunder under this subsection within 90 days of its
3 submission shall ~~constitute~~ constitutes approval thereof. The attorney general,
4 upon submission of an agreement hereunder, shall transmit a copy of the agreement
5 to the governor who shall consult with any state department or agency affected by
6 the agreement. The governor shall forward to the attorney general any comments
7 the governor may have concerning the agreement.

8 (4) An agreement entered into under this subsection shall have section has the
9 status of an interstate compact, but in any case or controversy involving performance
10 or interpretation thereof of or liability thereunder under the agreement, the
11 municipalities party thereto shall be to the agreement are real parties in interest and
12 the state may commence an action to recoup or otherwise make itself whole for any
13 damages or liability which it may incur by reason of being joined as a party therein.

14 Such ^{the} The action by the state may be maintained against any municipality whose act
15 or omission caused or contributed to the incurring of damage or liability by the state.

16 ^{sec. RP, 66.30 (c) (a)}
SECTION 328. 66.30 (6) ^{are b (b) to (h)} of the statutes, as affected by 1997 Wisconsin Acts 3,
17 27 and 39, ^{(1) (intro.), (2), (3), (5) and} is renumbered 120.25, and 120.25 (1) ^{(1) to (6)} ~~(intro.), (6) and (7)~~
18 as renumbered, are amended to read:

19 ~~120.25 (1) (intro.) In this subsection section:~~

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20 (B) (2) (3) (intro.) School district boards entering into a contract under this subsection
21 section may, without limitation because of enumeration:

22 (B) (3) (4) A contract entered into under this subsection section shall at all times be
23 limited to a period of 50 years but may, by mutual written consent of all participants,
24 be modified or extended beyond the initial term.

1 (B) (5) ~~101~~ At least 30 days prior to entering into a contract under this subsection
 2 ~~section~~ or a modification or extension of the contract, the school boards ~~of the districts~~
 3 involved or their designated agent shall file the proposed agreement with the state
 4 superintendent ~~of public instruction~~ to enable the department to assist and advise
 5 the school boards involved in regard to the applicable recognized accounting
 6 procedure for the administration of the school aid programs. The state
 7 superintendent shall review the terms of the proposed contract to ensure that each
 8 participating ^{school} district's interests are protected.

9 (6) ~~101~~ School ~~district~~ boards entering into a contract under this subsection ~~section~~
 10 shall designate for each employe providing services under the contract either a
 11 school district entering into the contract or a cooperative educational service agency
 12 ~~under ch. 116~~ as the employer for purposes of compliance with s. 111.70, teacher's
 13 retirement, worker's compensation and unemployment insurance.

14 SECTION 329. 66.301 of the statutes is renumbered 66.1019 (1).

15 SECTION 330. 66.302 of the statutes is renumbered 66.1019 (2).

16 SECTION 331. ~~66.303 of the statutes is renumbered 66.1019 (3).~~

17 SECTION 332. 66.304 of the statutes is renumbered 66.1017.

18 SECTION 333. ✓ 66.305 (title) of the statutes is renumbered 66.0313 (title).

19 SECTION 334. 66.305 (1) and (2) of the statutes are renumbered 66.0313 (2) and
 20 (3) and amended to read:

21 66.0313 (2) Upon the request of any law enforcement agency, including county
 22 law enforcement agencies as provided in s. 59.28 (2), the law enforcement personnel
 23 of any other law enforcement agency may assist the requesting agency within the
 24 latter's jurisdiction, notwithstanding any other jurisdictional provision. For
 25 purposes of ss. 895.35 and 895.46, ~~such~~ law enforcement personnel while acting in

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1 response to such request a request for assistance, shall be deemed employees of the
2 requesting agency.

3 (3) The provisions of s. ~~66.315~~ shall 66.0513 apply to this section. *created*

4 SECTION 335. 66.307 of the statutes, as ~~66.307~~ by 1997 Wisconsin Act 27, is
5 renumbered 66.1113, and 66.1113 (2) (c), as renumbered, is amended to read:

6 66.1113 (2) (c) If 2 or more contiguous political subdivisions that are premier
7 resort areas each impose the tax under s. 77.994, they may enter into a contract
8 under s. ~~66.30~~ 66.0301 to cooperate in paying for infrastructure expenses, in addition
9 to any other authority they have to act under s. ~~66.30~~ 66.0301.

10 SECTION 336. 66.31 of the statutes is renumbered 66.1009

11 SECTION 337. 66.312 of the statutes is renumbered 66.0511. *as affected by 1997 Wisconsin Act 176,*

12 SECTION 338. 66.315 of the statutes is renumbered 66.0513 and amended to
13 read:

14 **66.0513 Police, pay when acting outside county or municipality.** (1) Any *AA*
15 chief of police, sheriff, deputy sheriff, county traffic officer or other peace officer of
16 any city, county, village or town, who ~~shall be~~ is required by command of the governor,
17 sheriff or other superior authority to maintain the peace, or who responds to the
18 request of the authorities of another municipality, to perform police or peace duties
19 outside territorial limits of the city, county, village or town where employed as such
20 officer, ~~shall be~~ the officer is employed, is entitled to the same wage, salary, pension,
21 worker's compensation, and all other service rights for such this service as for service
22 rendered within the limits of the city, county, village or town where regularly
23 employed.

24 (2) All wage and disability payments, pension and worker's compensation
25 claims, damage to equipment and clothing, and medical expense arising under sub.

1 (1), shall be paid by the city, county, village or town regularly employing such peace
2 ~~the~~ officer. Upon making ~~such the~~ payment ~~such the~~ city, county, village or town shall
3 be reimbursed by the state, county or other political subdivision whose officer or
4 agent commanded the services out of which the payments arose.

5 SECTION 339. 66.32 of the statutes is renumbered 66.0105 and amended to
6 read:

7 **66.0105** (title) **Extraterritorial Jurisdiction of overlapping**
8 **extraterritorial powers.** The extraterritorial powers granted to cities and villages
9 by statute, including ss. 30.745, 62.23 (2) and (7a), ~~66.052~~ 66.0415, 236.10 and
10 254.57, may not be exercised within the corporate limits of another city or village.
11 Wherever these statutory extraterritorial powers overlap, the jurisdiction over the
12 overlapping area shall be divided on a line all points of which are equidistant from
13 the boundaries of each municipality concerned so that not more than one
14 municipality shall exercise power over any area.

15 SECTION 340. 66.325 of the statutes is renumbered 166.23, and 166.23 (title),
16 as renumbered, is amended to read:

17 **166.23** (title) **Emergency powers of cities, villages and towns.**

18 SECTION 341. 66.33 of the statutes is renumbered 281.695.

19 SECTION 342. 66.34 of the statutes is renumbered 92.115, and 92.115 (title), as
20 renumbered, is amended to read:

21 **92.115** (title) **Soil Municipal soil conservation on private lands.**

22 SECTION 343. 66.345 of the statutes is repealed.

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 161 of this ~~draft~~.

1 SECTION 344. 66.35 of the statutes is renumbered 285.54.

2 SECTION 345. 66.36 (title) of the statutes is renumbered 281.59 (13f) (title) and
3 amended to read:

4 ~~281.59 (13f) (title)~~ MUNICIPAL FINANCING; CLEAN WATER FUND PROJECT COSTS
5 FUNDING OF FINANCIAL ASSISTANCE.

6 SECTION 346. 66.36 of the statutes is renumbered 281.59 (13f), and 281.59 (13f)
7 (intro.) and (c) to (f), as renumbered, are amended to read:

8 281.59 (13f) (intro.) Subject to the terms and conditions of its financial
9 assistance agreement, a municipality may repay financial assistance costs received
10 ~~from the clean water fund~~ ^{under this section} by any lawful method, including any
11 ~~one of the following methods or any combination thereof of the methods:~~ ^{one of the following methods or any combination thereof of the methods:}

12 (c) Payment out of the proceeds of the sale of public improvement bonds issued
13 by it under s. ~~66.059~~ 66.0619.

14 (d) Payment out of the proceeds of revenue obligations issued by it under s.
15 ~~66.066~~ 66.0621.

16 (e) Payment as provided under s. 66.54 (2) (c), (d) or (e) 66.0709.

17 (f) Payment as provided under s. 66.076 (1) 66.0821 (2) (a) ¹⁰

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.

18 SECTION 347. 66.365 of the statutes is renumbered 283.87 (4) and amended to
19 read:

20 283.87 (4) AIDS TO MUNICIPALITIES; ENVIRONMENTAL DAMAGE COMPENSATION. The
21 department of natural resources may make grants to any county, city, village or town
22 for the acquisition or development of recreational lands and facilities from moneys

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1997
Public Works
Water Program
281.59
S. 281.59
this section

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SECTION 347

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. ~~282.87~~ 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.

no affected by 1997 Wisconsin Act 250,

5 SECTION 348. 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 349. 66.375 of the statutes is renumbered 66.1015.

7 SECTION 350. 66.38 of the statutes is renumbered 62.237.

8 SECTION 351. 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 268 of this ~~act~~.

bill

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SECTION 352. 66.395 ^{(title),} (1) to (2m) and (3) ^{(title) and} (a) to (p) of the statutes are renumbered
66.1213 ^{(title),} (1) to (3) and (4) ^{(title) and} (a) to (p), and 66.1213 (2), (3) and (4) (a), (h) to ^{(K),} (L) 1. (intro.)
and 2. and (m) to (o), as renumbered, are amended to read:

12 66.1213 (2) DECLARATION OF NECESSITY. It is declared that the lack of housing
13 facilities for elderly persons provided by private enterprise in certain areas creates
14 a public necessity to establish such safe and sanitary facilities for which public
15 moneys may be spent and private property acquired. The legislature declares that
16 to provide public housing for elderly persons is the performance of a governmental
17 function of state concern.

18 (3) DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility or
19 privilege under this section shall not, ~~with reference thereto,~~ be denied them in any

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 ^{on which} such ~~the~~ person intends to occupy the premises, or a family, the head of which, or that
8 person's spouse, is an elderly person ~~as defined herein~~ a person who is 62 years of age
9 or older on the date of the intent to occupy the premises.

10 (j) "Federal government" includes the United States of America, ^(L) ~~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

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 353.** 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 354.** 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) ~~(title)~~
19 (intro.) 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.

1

~~CREATION OF HOUSING AUTHORITIES~~ (a) When the council of a city by proper resolution declares at any time hereafter declares by resolution that there is need for an authority to function in the city, a public body corporate and politic shall then exist in the city and be known as the "housing authority" of the city. ~~Such~~ The authority shall then be authorized to may transact business and exercise any powers herein granted to it under this section.

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(c) In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of the authority, the authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers ~~hereunder~~ under this section upon proof of the adoption of a resolution by the council declaring the need for the authority. ~~Such~~ The resolution ~~or resolutions shall be deemed~~ is sufficient if it declares ~~that there is such~~ the need for an authority and finds ~~in substantially the foregoing terms (no further detail being necessary) that either or both of the above enumerated conditions exist~~ that the condition described in par. (b) exists in the city. A copy of such the resolution duly certified by the city clerk ~~shall be~~ is admissible evidence in any suit, action or proceeding.

17

~~SECTION 66.40 66.1201 APPLIES.~~ The provisions of s. ~~66.40~~ 66.1201 (5) to (24) (ag), (25) and (26) shall apply to housing authorities and providing housing for elderly persons under this section without reference to the income of ~~such~~ those persons.

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~~SECTIONS 66.401 66.1203 TO 66.404 66.1211 APPLY.~~ (intro.) The provisions of ss. ~~66.401 66.1203 to 66.404 66.1211~~ shall apply to housing authorities and providing housing for elderly persons under this section without reference to the income of ~~such~~ those persons, except as follows in any of the following:

as follows in any of the following:
↑
plain

1 (a) As set down by the federal housing authority in the case of housing projects
2 to the financing or subsidizing of which it is a party; ~~or~~.

3 (8) NOT APPLICABLE TO LOW-RENTAL HOUSING PROJECTS. This section ~~shall~~ does
4 not apply to projects required to provide low-rental housing only.

5 SECTION 355. 66.40 (title) of the statutes is renumbered 66.1201 (title).

6 SECTION 356. 66.40 (1) to (2m) and (3) (intro.) and (a) to (c) of the statutes are
7 renumbered 66.1201 (1) to (2m) and (3) (intro.) and (a) to (c), and 66.1201 (1), (2), (2m)
8 and (3) (intro.), (a) and (c), as renumbered, are amended to read:

9 66.1201 (1) SHORT TITLE. Sections ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 may be
10 referred to as the "Housing Authorities Law".

11 (2) FINDING AND DECLARATION OF NECESSITY. It is declared that there exist in the
12 state insanitary or unsafe dwelling accommodations and that persons of low income
13 are forced to reside in ~~such~~ insanitary or unsafe accommodations; that within the
14 state there is a shortage of safe or sanitary dwelling accommodations available at
15 rents which persons of low income can afford and that ~~such~~ these persons are forced
16 to occupy overcrowded and congested dwelling accommodations; that the aforesaid
17 conditions described in this subsection cause an increase in and spread of disease and
18 crime and constitute a menace to the health, safety, morals and welfare of the
19 residents of the state and impair economic values; that these conditions necessitate
20 excessive and disproportionate expenditures of public funds for crime prevention
21 and punishment, public health and safety, fire and accident protection, and other
22 public services and facilities; that these slum areas cannot be cleared, nor can the
23 shortage of safe and sanitary dwellings for persons of low income be relieved, through
24 the operation of private enterprise, and that the construction of housing projects for
25 persons of low income would, therefore, not be competitive with private enterprise;

1 that the clearance, replanning and reconstruction of the areas in which insanitary
2 or unsafe housing conditions exist and the providing of safe and sanitary dwelling
3 accommodations for persons of low income are public uses and purposes for which
4 public money may be spent and private property acquired and are governmental
5 functions of state concern; that it is in the public interest that work on ~~such~~ these
6 projects be commenced as soon as possible in order to relieve unemployment which
7 now constitutes an emergency; and the necessity in the public interest for the
8 provisions ~~hereinafter enacted of this section~~, is declared as a matter of legislative
9 determination.

10 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit, facility
11 or privilege under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 shall not, ~~with reference~~
12 ~~thereto~~, be denied them in any manner for any purpose nor be discriminated against
13 because of sex, race, color, creed, sexual orientation or national origin.

14 (3) DEFINITIONS. (intro.) ~~The following terms, wherever used or referred to in~~
15 ~~ss. 66.40 to 66.404 shall have the following respective meanings~~ In ss. 66.1201 to
16 66.1211, unless a different meaning clearly appears from the context:

17 (a) “Area of operation” includes the city for which a housing authority is created
18 ~~and~~, the area within 5 miles of the territorial boundaries ~~thereof of the city~~ but not
19 beyond the county limits of the county in which ~~such~~ the city is located and ~~provided~~
20 ~~further that in the case of all cities the area of operation shall be limited to the area~~
21 ~~within the limits of such~~ the city unless the city ~~shall annex~~ annexes the area of
22 operation, ~~but the area of operation of a housing authority shall~~, “Area of operation”
23 does not include any area which lies within the territorial boundaries of any city for
24 which another housing authority is created by this section.

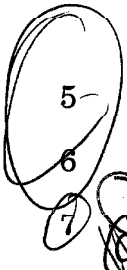


1 (c) "Bonds" ~~shall mean~~ means any bonds, interim certificates, notes,
2 debentures or other obligations of the authority issued pursuant to ss. ~~66.40 66.1201~~
3 to ~~66.404 66.1211~~.

4 SECTION 357. 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.

66.1201(3) (cm) to (n), as renumbered, are



5 SECTION 358. 66.40 (3) (e) to (g) of the statutes are renumbered 66.1201 (3) (e)
6 to (h) ~~of the statutes~~ and amended to read:

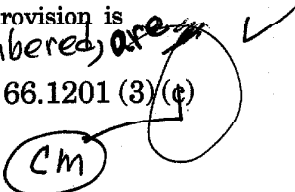
7 66.1201 (3) (e) "City clerk" and "mayor" ~~shall mean~~ the clerk and mayor,
8 respectively, of the city or the officers ~~thereof~~ of the city charged with the duties
9 customarily imposed on the clerk and mayor, respectively.

10 (d) "Commissioner" ~~shall mean~~ means one of the members of an authority
11 appointed in accordance with ss. ~~66.40 66.1201~~ to ~~66.404 66.1211~~.

12 (e) "Community facilities" ~~shall include~~ includes real and personal property,
13 and buildings and equipment for recreational or social assemblies, for educational,
14 health or welfare purposes and necessary utilities, when designed primarily for the
15 benefit and use of the housing authority or the occupants of the dwelling
16 accommodations, or for both.

17 (f) "Contract" ~~shall mean~~ means any agreement of an authority with or for the
18 benefit of an obligee whether contained in a resolution, trust indenture, mortgage,
19 lease, bond or other instrument.

20 (g) "Council" means the common council or other body charged with governing
21 the a city.



1 (h) “Federal government” ~~shall include~~ includes the United States of America,
2 ~~the federal emergency administration of public works or~~ and any agency, or
3 instrumentality, corporate or otherwise, of the United States of America.

4 (i) “Government” includes the state and federal governments and any
5 subdivision, agency or instrumentality, corporate or otherwise, of either of them.

6 (j) “Housing projects” ~~shall include~~ includes all real and personal property,
7 building and improvements, ~~stores, offices, lands for farming and gardening,~~ and
8 community facilities acquired or constructed ~~or to be acquired or constructed~~
9 pursuant to a single plan ~~or undertaking~~ (a) either to demolish, clear, remove, alter
10 or repair insanitary or unsafe housing, or ~~(b) to provide safe and sanitary dwelling~~
11 accommodations for persons of low income, or ~~for a combination of said (a) and (b)~~
12 both. The term “housing project” may also be applied to “Housing projects” includes
13 the planning of buildings and improvements, the acquisition of property, the
14 demolition of existing structures, the construction, reconstruction, alteration and
15 repair of the improvements and all other related work ~~in connection therewith~~.

16 (k) “Mortgage” ~~shall include~~ includes deeds of trust, mortgages, building and
17 loan contracts, land contracts or other instruments conveying real or personal
18 property as security for bonds and conferring a right to foreclose and cause a sale
19 thereof of the real property or personal property.

20 (L) “Obligee of the authority” or “obligee” ~~shall include~~ includes any
21 bondholder, trustee or trustees for any bondholders, any lessor demising property to
22 the authority used in connection with a housing project or any assignee ~~or assignees~~
23 ~~or such~~ of the lessor’s interest or any part thereof of the lessor’s interest, and the
24 ~~United States of America~~ federal government, when it is a party to any contract with
25 the authority.

1 (m) "Persons of low income" means persons or families who lack the amount of
2 income ~~which is necessary~~ (, as determined by the authority undertaking the housing
3 project), to enable them, without financial assistance, to live in decent, safe and
4 sanitary dwellings, without overcrowding.

5 (n) "Real property" ~~shall include~~ includes lands, lands under water, structures,
6 and any ~~and all~~ easements, franchises and incorporeal hereditaments and every
7 estate and right ~~therein in an estate~~, legal and equitable, including terms for years
8 and liens by way of judgment, mortgage or otherwise.

9 **SECTION 359.** 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.

10 **SECTION 360.** 66.40 (3) (s) and (t) and (4) to (26) of the statutes, as affected by
11 1997 Wisconsin Act 35, are renumbered 66.¹²⁰¹~~0001~~ (3) (p) and (q) and (4) to (26), and
12 66.¹²⁰¹~~0001~~ (3) (p) and (q), (4) to (8), (9) (intro.) and (a) to (f), (h) to (L) and (o) to ^W(~~w~~), (10)
13 (a), (b) (intro.) and 1. and (c) to (h), (11), (13) (a) 1. (intro.) ^{a.} and b., (b) and (c), (14) (a),
14 (b) ^{and (e)} and (d), (15) (intro.), (a) to (k), (L) (intro.) and 2. to 4. and (Lm) to (x), (16) (b)
15 (intro.), 1. and 2., (17) to (22), (24) (a) and (b) ^{1. (intro.) and 2.} (25) (a) to (f) and (h) and (26), as
16 renumbered, are amended to read:

17 66.¹²⁰¹~~0001~~ (3) (p) "State public body" means any city, town, ~~incorporated~~ village,
18 county, municipal corporation, commission, district, authority, other subdivision or
19 public body of the state.

20 (q) "Trust indenture" ~~shall include~~ includes instruments pledging the revenues
21 of real or personal properties.

22 (4) ^{CS} (a) When ~~the~~ a council of a city by proper resolution shall declare at any time
23 hereafter declares by resolution that there is need for an authority to function in the

1 city, a public body corporate and politic shall then exist exists in the city and shall
2 be known as the “housing authority” of the city. ~~Such~~ The authority ~~shall~~ may then
3 ~~be authorized to~~ transact business and exercise any powers herein granted to it
4 under this section.

5 (b) The council shall adopt a resolution declaring that there is need for a
6 housing authority in the city if it ~~shall find~~ finds that insanitary or unsafe inhabited
7 dwelling accommodations exist in the city or that there is a shortage of safe or
8 sanitary dwelling accommodations in the city available to persons of low income at
9 rentals they can afford. In determining whether dwelling accommodations are
10 unsafe or insanitary ~~said~~ the council may take into consideration the degree of
11 overcrowding, the percentage of land coverage, the light, air, space and access
12 available to the inhabitants of ~~such~~ the dwelling accommodations, the size and
13 arrangement of the rooms, the sanitary facilities, and the extent to which conditions
14 exist in ~~such~~ the buildings which endanger life or property by fire or other causes.

15 (c) In any suit, action or proceeding involving the validity or enforcement of or
16 relating to any contract of the authority, the authority shall be conclusively deemed
17 to have become established and authorized to transact business and exercise its
18 powers hereunder under this section upon proof of the adoption of a resolution by the
19 council declaring the need for the authority. ~~Such~~ The resolution ~~or resolutions shall~~
20 ~~be deemed~~ is sufficient if it declares that there is ~~such~~ a need for an authority and finds
21 ~~in substantially the foregoing terms (no further detail being necessary)~~ that either
22 or both of the ~~above enumerated~~ conditions described in par. (b) exist in the city. A
23 copy of ~~such~~ the resolution duly certified by the city clerk ~~shall be~~ is admissible
24 evidence in any suit, action or proceeding.

1 (5) APPOINTMENT, QUALIFICATIONS AND TENURE OF COMMISSIONERS. (a) When the
2 council ~~of a city~~ adopts a resolution under sub. (4), it shall promptly notify the mayor.
3 Upon receiving ~~such~~ the notice, the mayor shall, with the confirmation of the council,
4 appoint 5 persons as commissioners of the authority, except that the mayor of a 1st
5 class city that has created a housing authority before May 5, 1994, shall appoint 7
6 commissioners, at least 2 of whom shall be residents of a housing project acquired
7 or constructed by the authority. No commissioner may be connected in any official
8 capacity with any political party nor shall may more than 2 be officers of the city in
9 which the authority is created. The powers of each authority shall be vested in the
10 commissioners ~~thereof in office from time to time~~ of the authority.

11 (b) The first 5 commissioners who are first appointed shall be designated by the
12 mayor to serve for terms of 1, 2, 3, 4 and 5 years respectively from the date of their
13 appointment and the 2 additional commissioners appointed by the mayor of a 1st
14 class city under par. (a) shall be first appointed to terms of 3 and 5 years respectively.
15 Thereafter, the term of office shall be 5 years. A commissioner shall hold office until
16 his or her successor has been appointed and has qualified. Vacancies shall be filled
17 for the unexpired term in the same manner as other appointments. Three
18 commissioners shall constitute a quorum, except that in an authority with 7
19 commissioners, 4 commissioners shall constitute a quorum. The mayor shall file
20 with the city clerk a certificate of the appointment or reappointment of any
21 commissioner and ~~such~~ the certificate shall be is conclusive evidence of the proper
22 appointment of that commissioner if that commissioner has been confirmed under
23 this paragraph and has taken and filed the official oath before entering office. The
24 council of a city may pay commissioners a per diem and mileage and other necessary
25 expenses incurred in the discharge of their duties at rates established by the council.

1 (c) When the office of the first chairperson of the authority becomes vacant, the
2 authority shall select a chairperson from among its members. An authority shall
3 select from among its members a vice chairperson, and it may employ a secretary ~~(,~~
4 who shall be executive director), technical experts and ~~such~~ other officers, agents and
5 employes, permanent and temporary, ~~as it may require~~, and shall determine their
6 qualifications, duties and compensation. An authority may call upon the city
7 attorney or chief law officer of the city for ~~such~~ legal services ~~as it may require~~. An
8 authority may delegate to one or more of its agents or employes ~~such~~ powers or duties
9 ~~as it may deem proper~~ of the authority.

10 (6) DUTY OF THE AUTHORITY AND ITS COMMISSIONERS. The authority and its
11 commissioners shall ~~be under a statutory duty to~~ comply or ~~to~~ cause compliance
12 strictly with all provisions of ss. ~~66.40~~ 66.1201 to 66.404 and 66.1211, with the laws
13 of the state and ~~in addition thereto, with each and every term, provision and~~
14 ~~covenant in~~ with any contract of the authority ~~on its part to be kept or performed~~.

15 (7) INTERESTED COMMISSIONERS OR EMPLOYES. No commissioner or employe of an
16 authority shall may acquire any ~~interest~~ ^{interest} direct or indirect ~~in any housing project or~~
17 in any property included or planned to be included in any project or have any ~~interest~~
18 direct or indirect ^{interest} ~~in any contract or proposed contract~~ for insurance, materials or
19 services to be furnished or used in connection with any housing project. If ~~any a~~
20 commissioner or employe of an authority owns or controls ~~an interest~~ ^a direct or
21 indirect ^{interest} ~~in any property included or planned to be included in any housing project,~~
22 that person shall immediately disclose the ~~same~~ interest in writing to the authority
23 and ~~such~~ the disclosure shall be entered upon the minutes of the authority. Failure
24 to so disclose ~~such~~ the interest shall ~~constitute~~ constitutes misconduct in office.

1 (8) REMOVAL OF COMMISSIONERS. For inefficiency or neglect of duty or misconduct
2 in office, a commissioner of an authority may be removed by the mayor, but a
3 commissioner ~~shall~~ may be removed only after having been given a copy of the
4 charges at least 10 days ~~prior to~~ ^{before} the hearing ~~thereon~~ on the charges and ~~had an~~ ^{plein}
5 opportunity to be heard in person or by counsel. ~~In the event of the removal of any~~
6 ~~commissioner~~ If a commissioner is removed, a record of the proceedings, together
7 with the charges and findings ~~thereon~~, shall be filed in the office of the city clerk.
8 To the extent applicable, the provisions of s. 17.16 relating to removal for cause ~~shall~~
9 apply to any such removal.

10 (9) POWERS OF AUTHORITY. (intro.) An authority ~~shall constitute~~ is a public body
11 and a body corporate and politic, exercising public powers, and ~~having~~ has all the
12 powers necessary or convenient to carry out and effectuate the purposes and
13 provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, including the following powers in
14 addition to others ~~herein~~ granted in this section:

15 (a) Within its area of operation to prepare, carry out, acquire, lease and operate
16 housing projects approved by the council; to provide for the construction,
17 reconstruction, improvement, alteration or repair of any housing project or any part
18 thereof of a housing project.

19 (b) To take over by purchase, lease or otherwise any housing project undertaken
20 by any government and located within the area of operation of the authority when
21 approved by the council; to purchase, lease, obtain options upon, acquire by gift,
22 grant, bequest, devise, or otherwise, any real or personal property or any interest
23 therein in the real or personal property.

1 (c) To act as agent for any government in connection with the acquisition,
2 construction, operation or management of a housing project or any part thereof of a
3 housing project.

4 (d) To arrange or contract for the furnishing of services, privileges, works, or
5 facilities for, or in connection with, a housing project or the occupants thereof of a
6 housing project.

7 (e) To lease or rent any dwellings, houses, accommodations, lands, buildings,
8 structures or facilities embraced in any housing project and (, subject to the
9 limitations contained in this section), to establish and revise the rents or charges
10 therefor for the housing project.

11 (f) Within its area of operation to investigate into living, dwelling and housing
12 conditions and into the means and methods of improving ~~such~~ those conditions; and
13 to engage in research and studies on the subject of housing.

14 (h) To acquire by eminent domain any real property, including improvements
15 and fixtures ~~thereon~~ on the real property.

16 (i) To own, hold, clear and improve property, to insure or provide for the
17 insurance of the property or operations of the authority against ~~such~~ any risks as the
18 ~~authority may deem~~ advisable, to procure insurance or guarantees from the federal
19 government of the payment of any debts or parts thereof of debts secured by
20 mortgages made or held by the authority on any property included in any housing
21 project.

22 (j) To contract for sale and sell any part or all of the interest in real estate
23 acquired and to execute ~~such~~ contracts of sale and conveyances as the authority ~~may~~
24 ~~deem~~ considers desirable.

1 (k) In connection with any loan, to agree to limitations upon its right to dispose
2 of any housing project or part thereof of a housing project.

3 (L) In connection with any loan by a government, to agree to limitations upon
4 the exercise of any powers conferred upon the authority by ss. ~~66.40~~ 66.1201 to
5 ~~66.404~~ 66.1211.

6 (o) To make and ~~from time to time~~ amend and repeal bylaws, rules and
7 regulations not inconsistent with ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, to carry into
8 effect the powers and purposes of the authority.

9 (p) To exercise all or any part or combination of powers ~~herein~~ granted in this
10 section. No provisions of law with respect to the acquisition or disposition of property
11 by other public bodies ~~shall be~~ are applicable to an authority unless the legislature
12 ~~shall specifically so state~~ otherwise provided.

13 (q) ~~The To execute bonds, notes, debentures or other evidences of indebtedness~~
14 ~~the~~ bonds, notes, debentures or other evidences of indebtedness, ^{which, when} executed by a
15 housing authority ~~shall not be~~ are not a debt or charge against any city, county, state
16 or any other governmental authority, other than against the ~~housing~~ authority itself
17 and its available property, income or other assets in accordance with the terms
18 thereof of an evidence of indebtedness and of this section, and no individual liability
19 ~~shall attach~~ exists for any official act done by any member of the authority. No such
20 authority ~~shall have any power whatsoever to~~ may levy any tax or assessment.

21 (r) To provide by all means available under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211
22 housing projects for veterans and their families regardless of their income. ~~Such~~ The
23 projects ~~shall not be~~ are not subject to the limitations of s. ~~66.402~~ 66.1205.

24 (s) Notwithstanding the provisions of any law in conflict herewith, the housing
25 authority of any city is expressly authorized to acquire sites; to prepare, to carry out,

25

delete space

1 acquire, lease, construct and operate housing projects to provide temporary dwelling
2 accommodations for families regardless of income who are displaced under ss. ~~66.40~~
3 66.1201 to ~~66.43~~, 66.1331; to further slum clearance, urban redevelopment, and
4 blight elimination, ^e and to provide temporary dwelling accommodations for families
5 displaced by reason of any street widening, expressway or other public works project
6 causing the demolition of dwellings.

7 (t) To participate in an employe retirement or pension system of the city which
8 has declared the need for the authority and to expend funds of the authority for ~~such~~
9 this purpose.

10 (u) ~~Any 2 or more authorities may~~ To join or cooperate with one ~~another~~ or more
11 authorities in the exercise, either jointly or otherwise, of any ~~or all~~ of their powers
12 for the purpose of financing ^f, including the issuance of bonds, notes or other
13 obligations and giving security ~~therefor~~ for these obligations, planning,
14 undertaking, owning, constructing, operating or contracting with respect to a
15 housing project located within the area of operation of any one or more of ~~said~~ the
16 authorities. For ~~such~~ this purpose an authority may by resolution prescribe and
17 authorize any other housing authority, ~~so~~ joining or cooperating with it, to act on its
18 behalf with respect to any ~~or all~~ powers, as its agent or otherwise, in the name of the
19 authority ~~so~~ joining or cooperating or in its own name.

20 (v) To establish a procedure for ~~preservation of the~~ ^{preserving} records of the authority by
21 the use of microfilm, another reproductive device, optical imaging or electronic
22 formatting if authorized under s. 19.21 (4) (c). Any ~~such~~ ^{Plain} procedure shall assure that
23 copies of ~~such~~ ^{those} records that are open to public inspection continue to be available to
24 members of the public requesting them. A photographic reproduction of a record or
25 copy of a record generated from optical disk or electronic storage is deemed the same

add in par. (c) & change x-260

INS. 260 (3)

1 as an original record for all purposes if it meets the applicable standards established
2 in ss. 16.61 and 16.612.

3 ~~(10) EMINENT DOMAIN~~ (a) The authority ~~shall have the right to~~ may acquire by
4 eminent domain any real property, including fixtures and improvements, which it
5 ~~may deem~~ deems necessary to carry out the purposes of ss. ~~66.40~~ 66.1201 to ~~66.404~~
6 66.1211 after the adoption by it of a resolution declaring that the acquisition of the
7 property described ~~therein~~ in the resolution is in the public interest and necessary
8 for public use. The authority may exercise the power of eminent domain pursuant
9 to ch. 32 or pursuant to any other applicable statutory provisions, ~~now in force or~~
10 ~~hereafter enacted for the exercise of the power of eminent domain.~~

11 (b) (intro.) At any time at or after the filing for condemnation, and before the
12 entry of final judgment, the authority may file with the clerk of the court in which
13 the petition is filed, a declaration of taking signed by the duly authorized officer or
14 agent of the authority declaring that all or any part of the property described in the
15 petition is to be taken for the use of the authority. The declaration of taking ~~shall be~~
16 is sufficient if it sets forth all of the following:

17 1. A description of the property, ~~sufficient for the identification thereof, to~~
18 ~~which there may be attached a plat or map thereof.~~

19 (c) From the filing of the said ~~the~~ declaration of taking under par. (b) and the
20 deposit in court ~~to the use of the persons entitled thereto~~ of the amount of the
21 estimated compensation stated in said the declaration, title to the property specified
22 in said the declaration ~~shall vest~~ vests in the authority and ~~said the~~ property ~~shall~~
23 ~~be deemed to be~~ is condemned and taken for the use of the authority and the right
24 to just compensation for the ~~same shall vest~~ property vests in the persons entitled
25 ~~thereto to the~~ compensation. Upon the filing of the declaration of taking the court

1 shall designate a day (not exceeding 30 days after such the filing, except upon good
2 cause shown), on which the person in possession shall ~~be required to surrender~~
3 possession to the authority.

4 (d) The ultimate amount of compensation ~~shall be vested~~ vests in the manner
5 provided by law. If the amount so vested ~~shall exceed~~ exceeds the amount so
6 deposited in court by the authority, the court shall enter judgment against the
7 authority in the amount of such the deficiency together with interest at the rate of
8 ~~6 per cent~~ ^{8%} per year on such the deficiency from the date of the vesting of title to the
9 date of the entry of the final judgment (subject, ~~however,~~ to abatement for use,
10 income, rents or profits derived from such the property by the owner thereof
11 subsequent to the vesting of title in the authority) ~~and the~~. The court shall order the
12 authority to deposit the amount of such the deficiency in court.

13 (e) At any time ~~prior to~~ ^{before} the vesting of title of property in the authority the
14 authority may withdraw or dismiss its petition with respect to any ~~and all~~ of the
15 property ~~therein~~ described in the petition.

16 (f) Upon vesting of title to any property in the authority, all the right, title and
17 interest of all persons having an interest ~~therein or lien thereupon, shall be~~ in, or lien
18 upon, the property are divested immediately and such ~~these~~ persons thereafter shall
19 ~~be are~~ entitled only to receive compensation for such the property.

20 (g) Except as hereinabove provided in this subsection with reference to the
21 declaration of taking, the proceedings shall be as is ~~or may hereafter~~ be provided by
22 law for condemnation, and the deposit in court of the amount estimated by the
23 authority upon a declaration of taking, shall be disbursed as is ~~or may hereafter~~ be
24 provided by law for an award in condemnation proceedings.

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~~ may issue bonds from time
 15 to time in its discretion, ~~for any of its corporate purposes.~~ An authority may issue
 16 ~~such types of~~ any bonds as it may determine, [✓] including, [✓] without limiting the
 17 generality of the foregoing, [✓] bonds on which the principal and interest are payable;
 18 [✓] by any of the following methods

19 b. Exclusively from the income and revenues of certain designated housing
 20 projects whether or not they were financed in whole or in part with the proceeds of
 21 ~~such~~ the bonds; or ^{plain}

22 (b) Neither the commissioners of the authority nor any person executing the
 23 bonds shall be ^{is} ~~be~~ liable personally on the bonds by reason of the their issuance
 24 thereof.

25 (c) The bonds and other obligations of the authority ~~(and such bonds and~~
~~obligations shall so state on their face)~~ shall not be are not a debt of any ~~city or~~

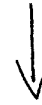
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1 municipality located within its boundaries or of the state ~~and neither~~ and this fact
2 shall be stated on their face. Neither the state nor any such city or municipality shall
3 be ~~not~~ ^{is} liable thereon for the bonds or other obligations, nor in any event shall are they
4 be payable out of any funds or properties other than those of the authority.

5 (14) ~~FORM AND SALE OF BONDS~~ (a) Bonds of an authority shall be authorized
6 by its resolution and may be issued in one or more series and shall bear such any date
7 or dates, mature at such any time or times, bear interest at such any rate or rates,
8 be in such any denomination or denominations, be in the form of coupon bonds or of
9 bonds registered under s. 67.09, carry such any conversion or registration privileges, that
10 have such any rank or priority, be executed in such any manner, be payable in such
11 any medium of payment, at such any place or places, and be subject to such any terms
12 of redemption, with or without premium, [✓] as such the resolution, its trust indenture
13 or mortgage may provide. Any bond reciting in substance that it has been issued by
14 an authority to aid in financing a housing project to provide dwelling
15 accommodations for persons of low income shall be conclusively deemed, in any suit,
16 action or proceeding involving the validity or enforceability of such the bond or the
17 security therefor for the bond, to have been issued for ^{such} a housing project of such
18 character. Bonds of an authority are declared to be issued for an essential public and
19 governmental purpose and to be are public instrumentalities and, together with
20 interest thereon and income therefrom, shall be, are exempt from taxes. provides

21 (b) The bonds may be sold at public or private sale as the authority may provide
22 The bonds may be sold at such any price or prices as determined by the authority
23 shall determine.

24 (d) The authority shall have power out of any funds available therefor to may
25 purchase, out of available funds, any bonds issued by it at a price not more than the



1 principal amount thereof of the bonds and the accrued interest; ~~provided, however,~~
2 ~~that bonds.~~ Bonds payable exclusively from the revenues of a designated project or
3 projects shall be purchased only out of any ~~such~~ revenues available ~~therefor~~ for that
4 purpose. All bonds so purchased shall be canceled. This paragraph ~~shall~~ does not
5 apply to the redemption of bonds.

6 (e) Any provision of any law to the contrary notwithstanding, any bonds,
7 interim certificates, or other obligations issued pursuant to ss. ~~66.40~~ 66.1201 to
8 ~~66.404~~ shall be 66.1211 are fully negotiable.

9 (15) PROVISIONS OF BONDS, TRUST INDENTURES, AND MORTGAGES. ^(intro.) In connection
10 with the issuance of bonds or the incurring of any obligation under a lease and in
11 order to secure the payment of ~~such~~ bonds or obligations, the authority ~~shall have~~
12 ~~power~~ may:

13 (a) ~~To pledge~~ Pledge by resolution, trust indenture, mortgage ~~(, subject to the~~
14 ~~limitations hereinafter imposed in this subsection),~~ or other contract ~~all or any part~~
15 of its rents, fees, or revenues.

16 (b) ~~To covenant~~ Covenant against mortgaging ~~all or any part of its property, real~~
17 ~~or personal, then owned or thereafter acquired,~~ or against permitting ~~or suffering~~
18 any lien thereon on its property.

19 (c) ~~To covenant~~ Covenant with respect to limitations on its right to sell, lease
20 or otherwise dispose of any housing project or any part thereof of a housing project,
21 or with respect to limitations on its right to undertake additional housing projects.

22 (d) ~~To covenant~~ Covenant against pledging ~~all or any part of its rents, fees and~~
23 ~~revenues to which its right then exists or the right to which may thereafter come into~~
24 ~~existence~~ or against permitting ~~or suffering~~ any lien thereon on its rents, fees and
25 revenues.

1 (e) ~~To provide~~ Provide for the release of property, rents, fees and revenues from
2 any pledge or mortgage, and ~~to~~ reserve rights and powers in, or the right to dispose
3 of, property which is subject to a pledge or mortgage.

4 (f) ~~To covenant~~ Covenant as to the bonds to be issued pursuant to any
5 resolution, trust indenture, mortgage or other instrument and as to the issuance of
6 such bonds in escrow or otherwise, and as to the use and disposition of the proceeds
7 thereof of the bonds.

8 (g) To provide Provide for the terms, form, registration, exchange, execution
9 and authentication of bonds.

10 (h) ~~To provide~~ Provide for the replacement of lost, destroyed or mutilated bonds.

11 (i) ~~To covenant~~ Covenant that the authority warrants the title to the premises.

12 (j) ~~To covenant~~ Covenant as to the rents and fees to be charged, the amount to
13 be raised each year or other period of time by rents, fees and other revenues and as
14 to the use and disposition to be made thereof of the revenues.

15 (k) ~~To covenant~~ Covenant as to the use of any ~~or all~~ of its property, ~~real or~~
16 ~~personal~~.

17 (L) (intro.) ~~To create or to authorize the creation of~~ Create special funds in
18 which ~~there shall be segregated~~ segregate all of the following:

19 2. ~~All of the~~ The rents, fees and revenues of any a housing project ~~or projects~~
20 ~~or parts thereof~~.

21 3. Any moneys held for the payment of the costs of operations and maintenance
22 of any such housing projects or as a reserve for the meeting of contingencies in the
23 operation and maintenance thereof of housing projects.

24 4. Any moneys held for the payment of the principal and interest on its bonds
25 or the sums due under its leases or as a reserve for such the payments; and,

1 (Lm) ~~To covenant~~ Covenant as to the use and disposal of the moneys held in
2 funds created under par. (L). *plain*

3 (m) ~~To redeem~~ Redeem the bonds, *plain* and to covenant for their redemption and to
4 provide the terms and conditions ~~thereof~~ of the bonds.

5 (n) ~~To covenant~~ Covenant against extending the time for the payment of its
6 bonds or interest ~~thereon, directly or indirectly,~~ on the bonds by any means ~~or in any~~
7 manner.

8 (o) ~~To prescribe~~ Prescribe the procedure, if any, by which the terms of any
9 contract with bondholders may be amended or abrogated, the amount of bonds the
10 holders of which must consent ~~thereto~~ to a contract amendment or abrogation and
11 the manner in which ~~such~~ consent may be given.

12 (p) ~~To covenant~~ Covenant as to the property maintenance of its property, the,
13 replacement ~~thereof, the~~ and insurance ~~to be carried thereon~~ and the use and
14 disposition of insurance moneys.

15 (q) ~~To vest~~ Vest in an obligee of the authority ~~the right, in the event of the failure~~
16 ~~of the authority, if the authority fails~~ to observe or perform any covenant on its part
17 to be kept or performed, the right to cure any ~~such~~ default and to advance any moneys *plain*
18 necessary for ~~such~~ that purpose, ~~and the~~. The moneys so advanced may be made an
19 additional obligation of the authority with ~~such~~ any interest, security and priority
20 as may be provided in any trust indenture, mortgage, lease or contract of the
21 authority ~~with reference thereto~~.

22 (r) ~~To covenant~~ Covenant and prescribe as to the events of default and terms
23 and conditions upon which any ~~or all~~ of its bonds ~~shall~~ become or may be declared *plain*
24 due before maturity and as to the terms and conditions upon which ~~such~~ the
25 declaration and its consequences may be waived.

1 (s) ~~To covenant~~ Covenant as to the rights, liabilities, powers and duties arising
2 upon the breach by it of any covenant, condition or obligation.

3 (t) ~~To covenant~~ Covenant to surrender possession of all or any part of any
4 housing project ~~or projects~~ upon the happening of an ~~event of a~~ default, as defined
5 in the contract, and to vest in an obligee the right to take possession and to use,
6 operate, manage and control ~~such housing projects or any part thereof~~, and to collect
7 and receive all rents, fees and revenues arising ~~therefrom~~ the housing projects in the
8 same manner as the authority itself might do and to dispose of the moneys collected
9 in accordance with the agreement of the authority with ~~such~~ the obligee.

10 (u) ~~To vest~~ Vest in a trust ~~or trustees~~ the right to enforce any covenant made
11 to secure, to pay, or in relation to the bonds, to provide for the powers and duties of
12 ~~such a trustee or trustees~~, to limit liabilities ~~thereof~~ of a trustee and to provide the
13 terms and conditions upon which the trustee ~~or trustees~~ or the holders of bonds
14 bondholders or any proportion of them may enforce any ~~such~~ covenant.

15 (v) ~~To make~~ Make covenants other than ~~and in addition to~~ the covenants herein
16 expressly authorized, of like or different character authorized in this subsection.

17 (w) ~~To execute~~ Execute all instruments ^{necessary or convenient} in the exercise
18 of the its powers ~~herein granted~~ or in the performance of its covenants or duties,
19 ~~which may contain such covenants and provisions, in addition to those above~~
20 ~~specified as the government or any purchaser of the bonds of the authority may~~
21 ~~reasonably require.~~

22 (x) ~~To make such~~ Make covenants and ~~to do any and all such acts and things~~
23 ~~as may be act~~ ^{necessary or convenient or desirable} in order to secure its bonds, or ⁱⁿ
24 the absolute discretion of the authority, ~~tend to make the bonds more marketable;~~
25 ~~notwithstanding that such covenants, acts or things may not be enumerated herein;~~

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1 ~~it being the intention hereof to give the authority power to do all things in the~~
2 ~~issuance of bonds, in the provisions for their security that are not inconsistent with~~
3 ~~the constitution of the state and no consent or approval of any judge or court shall~~
4 ~~be required thereof; provided, however, that the authority shall have no power to.~~
5 An authority may not mortgage all or any part of its property, real or personal, except
6 as provided in sub. (16).

7 (16) (b) (intro.) In connection with any project financed in whole or in part, or
8 otherwise aided by a government, whether through a donation of money or property,
9 a loan, the insurance or guarantee of a loan, or otherwise, the authority ~~shall also~~
10 ~~have power to~~ may do any of the following:

11 1. ~~Mortgage all or any part of its property, real or personal, then owned or~~
12 ~~thereafter acquired.~~

13 2. ~~Grant security interests in its property, real or personal, then owned or~~
14 ~~thereafter acquired.~~

15 (17) REMEDIES OF AN OBLIGEE OF AUTHORITY. An obligee of the authority ~~shall~~
16 ~~have the right in addition to all other rights which may be conferred on such obligee~~
17 ~~subject only to any contractual restrictions binding upon such obligee, subject to its~~
18 contract, may do any of the following:

19 (a) By mandamus, suit, action or proceeding ~~in law or equity~~, all of which may
20 be joined in one action, ~~to~~ compel the authority, and the its commissioners, officers,
21 agents or employes ~~thereof~~ to perform each and every term, provision and covenant
22 contained in any contract of the authority, and ~~to~~ require the carrying out of any ~~or~~
23 ~~all~~ covenants and agreements of the authority and the fulfillment of all duties
24 imposed upon the authority by ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211.

1 (b) By suit, action or proceeding ~~in equity to~~ enjoin any unlawful acts or things
2 ~~which may be unlawful~~, or the violation of any of the rights of ~~such~~ the obligee of the
3 authority.

4 (c) By suit, action or proceeding ~~in any court of competent jurisdiction to~~ cause
5 possession of any housing project or any part ~~thereof~~ of a housing project to be
6 surrendered to any obligee having the right to ~~such~~ possession pursuant to any
7 contract of the authority.

8 (18) ADDITIONAL REMEDIES CONFERRABLE BY MORTGAGE OR TRUST INDENTURE. Any
9 authority ~~shall have power~~ may by its trust indenture, mortgage, lease or other
10 contract ~~to~~ confer upon any obligee holding or representing a specified amount in
11 bonds, lease or other obligations, [✓] the right upon the happening of an “event of
12 default” as defined in ~~such an~~ ^{the} instrument:

13 (a) By suit, action or proceeding ~~in any court of competent jurisdiction to~~ obtain
14 the appointment of a receiver of any housing project of the authority or any part ~~or~~
15 ~~parts thereof~~ of a housing project. Upon appointment, a receiver may enter and take
16 possession of ~~such~~ the housing project or any part ~~or parts thereof~~ of the housing
17 project and operate and maintain ~~same~~ it, and collect and receive all fees, rents,
18 revenues or other charges thereafter arising ~~therefrom~~ [✓] in the same manner as the
19 authority itself might do ~~and~~. The receiver shall keep such the moneys in a separate
20 account or accounts and apply the ~~same~~ moneys in accordance with the obligations
21 of the authority as ~~the a court shall direct~~ directs.

22 (b) By suit, action or proceeding ~~in any court of competent jurisdiction to~~
23 require the authority and ~~the~~ its commissioners ~~thereof~~ to account as if it and they
24 were the trustees of an express trust.

1 (19) REMEDIES CUMULATIVE. All the rights and remedies hereinabove conferred
2 shall be cumulative and in this section are in addition to all other rights and remedies
3 that may be conferred upon ~~such~~ an obligee of the authority by law or by any contract
4 with the authority.

5 (20) SUBORDINATION OF MORTGAGE TO AGREEMENT WITH GOVERNMENT. The
6 authority may agree in any mortgage made by it that ~~such~~ the mortgage shall be is
7 subordinate to a contract for the supervision by a government of the operation and
8 maintenance of the mortgaged property and the construction of improvements
9 ~~thereon; in such event, any purchaser or purchasers on the mortgaged property. A~~
10 purchaser at a sale of the property of an authority pursuant to a foreclosure of ~~such~~
11 a mortgage or any other remedy in connection therewith with the foreclosure shall
12 obtain title subject to ~~such~~ the contract.

13 (21) CONTRACTS WITH FEDERAL GOVERNMENT. In addition to the powers conferred
14 upon the authority by other provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, the
15 authority is ~~empowered to~~ may borrow money or accept grants from the federal
16 government for ~~or in aid of~~ any housing project which ~~such~~ that the authority is
17 authorized to may undertake, ~~to~~ take over any land acquired by the federal
18 government for the construction or operation of a housing project, ~~to take over or~~ *plain*
19 lease or manage any housing project constructed or owned by the federal
20 government, and to these ends, ~~to~~ enter into such contracts, mortgages, trust
21 indentures, leases or other agreements as the federal government may require
22 including agreements that the federal government shall have the right to may
23 supervise and approve the construction, maintenance and operation of ~~such~~ the
24 housing project. ~~It is the purpose and intent of this section to authorize every council~~
25 ~~to do any and all things~~ A council may take any action necessary to secure the

1 financial aid and the cooperation of the federal government in the undertaking,
2 construction, maintenance and operation of any housing project which the authority
3 is empowered to may undertake.

4 (22) TAX EXEMPTION AND PAYMENTS IN LIEU OF TAXES. The property of an authority
5 is declared to be public property used for essential public and governmental purposes
6 and such the property and an authority shall be are exempt from all taxes of the state
7 or any state public body; ~~provided, however,~~ ^① ~~except~~ that the city in which a project
8 or projects [✓] are located may fix a sum to be paid annually in lieu of such taxes by the
9 authority for the services, improvements or facilities furnished to ~~such project or~~
10 ~~projects~~ the property of the authority by such the city, but in no event shall such sum.
11 The amount paid in lieu of taxes may not exceed the amount that would be levied as
12 the annual tax of such the city upon such the project ~~or projects~~.

13 (24) ~~BIDDING~~ (a) When a housing authority has the approval of the council for any
14 project authorized under sub. (9) (a) or (b), the authority shall complete and approve
15 plans, specifications and conditions ~~in connection therewith~~ for carrying out such the
16 project, and shall ~~then~~ advertise by publishing a class 2 notice, under ch. 985, for bids
17 for all work which the authority must do by contract. The authority is not required
18 to submit for bidding any contract in an amount of \$25,000 or less, but if the
19 estimated cost of the contract is between \$10,000 and \$25,000, the authority shall
20 give a class 2 notice, under ch. 985, of the proposed work before the contract is entered
21 into. A contract subject to bidding shall be awarded to the lowest qualified and
22 competent bidder. Section ~~66.29~~ shall apply 66.0901 applies to such the bidding.

23 ~~1.~~ 1. The contract provides for undertaking of the housing project on land not
24 owned at the time of the contract by the authority except the contract may provide
25 for undertaking of the housing project on land acquired and owned by a community

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1 development authority for the purpose of ss. ~~66.405 to 66.425, 66.43, 66.431 or 66.46~~
 2 66.1105, 66.1301 to 66.1329, 66.1331 or 66.1333 if the community development
 3 authority is proceeding under this paragraph as provided by s. ~~66.4325~~ 66.1335 (4);

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4 (25) (a) In any city or village the ~~city~~ council or village board by resolution or
 5 ordinance, or the electors by referendum under s. 9.20, may ~~provide that~~ require the
 6 authority ~~shall~~ to liquidate and dispose of a ~~particular~~ project ~~or projects~~ held and
 7 operated under ss. ~~66.40~~ 66.1201 to 66.404 ~~66.1211~~ or ~~66.43~~ 66.1331.

8 (b) ~~Whenever~~ If liquidation and disposal of a project is provided for under par.
 9 (a) the housing authority or other designated agency shall sell ~~such~~ the project to the
 10 highest bidder after public advertisement, or transfer it to any state public body
 11 authorized by law to acquire ~~such~~ the project. No ~~such~~ project shall ~~may~~ be sold for
 12 less than its fair market value as determined by a board of 3 licensed appraisers
 13 appointed by the ~~city~~ council or village board.

14 (c) The arrangements for the liquidation and disposal of a project shall provide
 15 for the payment and retirement of all outstanding obligations in connection with the
 16 project, together with interest ~~thereon~~ on the obligations and any premiums
 17 prescribed for the redemption of any bonds, notes or other obligations before
 18 maturity.

19 (d) Any proceeds remaining after payment of ~~such~~ the obligations under par.
 20 (c) shall be distributed in accordance with the federal law applicable at the time of
 21 the liquidation and disposal of the project. If no federal law is applicable to the
 22 liquidation and disposal of the project all ~~of such~~ remaining proceeds shall be paid
 23 to the city or village.

1 (e) If the highest bid received is insufficient for the payment of all obligations
2 set forth in par. (c) the project shall not be sold unless the city or village provides
3 sufficient additional funds to discharge ~~such~~ the obligations.

4 (f) In order to carry out this subsection an authority or other designated agency
5 shall exercise any option available to it for the payment and redemption of
6 outstanding obligations set forth in par. (c) before maturity, if the city or village
7 provides funds for ~~such~~ payment and redemption.

8 ✓ (h) ~~The term~~ In this subsection, “outstanding obligations” or “obligations” as
9 ~~used herein~~ includes bonds, notes or evidences of indebtedness, as well as aids,
10 grants, contributions or loans made by or received from any federal, state or local
11 political government or agency.

12 (26) DISSOLUTION OF HOUSING AUTHORITY. Any housing authority may be
13 dissolved upon adoption of an ordinance or resolution by the council or village board
14 concerned declaring that the need ~~therefor~~ for the authority no longer exists, that all
15 projects under ~~such~~ the authority’s jurisdiction have been disposed of, that there are
16 no outstanding obligations or contracts and that no further business remains to be
17 transacted by ~~such~~ the authority.

18 ↙ ↘ SECTION 361. 66.401 of the statutes is renumbered 66.1203 and amended to
19 read:

20 **66.1203 Housing authorities; operation not for profit.** (1) It is declared
21 to be the policy of this state that each housing authority shall manage and operate
22 its housing projects in an efficient manner ~~so as~~ to enable it to fix the rentals for
23 dwelling accommodations at the lowest possible rates consistent with its providing
24 decent, safe and sanitary dwelling accommodations, and that no housing authority

1 shall construct or operate any such project for profit, or as a source of revenue to the
2 city.

3 (2) ~~To this end an~~ An authority shall fix the rentals for dwellings in its projects
4 at no higher rates than it ~~shall find to be~~ finds necessary in order to produce revenues
5 which ~~(, together with all other available moneys, revenues, income and receipts of~~
6 ~~the authority from whatever sources derived),~~ will be sufficient to accomplish all of
7 the following:

8 (a) ~~To pay~~ Pay, as the same rentals become due, the principal and interest on
9 the bonds of the authority;

10 (b) ~~To meet~~ Meet the cost of, and ~~to provide for,~~ maintaining and operating the
11 projects ~~(, including the cost of any insurance),~~ and the administrative expenses of
12 the authority;

13 (c) ~~To create~~ (Create, during not less than the 6 years immediately succeeding
14 its issuance of any bonds), a reserve sufficient to meet the largest principal and
15 interest payments which will be due on ~~such~~ the bonds in any one year ~~thereafter~~
16 after the creation of the reserve and ~~to maintain such~~ the reserve.

17 **SECTION 362.** 66.402 of the statutes is renumbered 66.1205, and 66.1205 (1) (a)
18 and (b) and (2), as renumbered, are amended to read:

19 66.1205 (1) (a) It may rent or lease the dwelling accommodations ~~therein in a~~
20 housing project only to persons of low income and at rentals within the financial
21 reach of ~~such~~ persons of low income.

22 (b) It may rent or lease to a tenant dwelling accommodations consisting of the
23 number of rooms, but no greater number, ~~which~~ that it considers necessary to provide safe
24 and sanitary accommodations to the proposed occupants thereof, without
25 overcrowding.

1 (2) ~~Nothing contained in the housing authorities law, as hereby amended, shall~~
2 ~~be construed as limiting Sections 66.1201 to 66.1211 do not limit~~ the power of an
3 authority to do any of the following:

4 (a) ~~To invest Invest~~ in an obligee the right, ~~in the event of a default by if~~ the
5 authority defaults, to take possession of a housing project or cause the appointment
6 of a receiver ~~thereof of the housing project~~, free from all the restrictions imposed by
7 ~~said law, as amended under ss. 66.1201 to 66.1211~~, with respect to rentals, tenant
8 selection, manner of operation, or otherwise; ~~or~~

9 (b) Pursuant to s. ~~66.40~~ 66.1201 (16) ~~to vest in obligees the right, in the event~~
10 ~~of a default by if~~ the authority defaults, to acquire title to a housing project or the
11 property mortgaged by the housing authority, free from all the restrictions imposed
12 by ~~ss. 66.401 and 66.402~~ s. 66.1203 and this section.

13 **SECTION 363.** 66.4025 of the statutes ^{as affected by 1997 Wisconsin} ~~is~~ renumbered 66.1207, and 66.1207 (1),
14 (2) and (3) (intro.), as renumbered, are amended to read:

15 66.1207 (1) (a) Any person who secures or assists in securing dwelling
16 accommodations under s. ~~66.402~~ 66.1205 by intentionally making false
17 representations in order to receive more than \$1,000 ^{but} ~~and~~ less than \$2,500 in
18 financial assistance for which the person would not otherwise be entitled shall be
19 fined not more than \$10,000 or imprisoned for not more than 9 months or both.

20 (b) Any person who secures or assists in securing dwelling accommodations
21 under s. ~~66.402~~ 66.1205 by intentionally making false representations in order to
22 receive at least \$2,500 but not more than \$25,000 in financial assistance for which
23 the person would not otherwise be entitled shall be fined not more than \$10,000 or
24 imprisoned for not more than ³ years or both.

1 (c) Any person who secures or assists in securing dwelling accommodations
2 under s. ~~66.402~~ 66.1205 by intentionally making false representations in order to
3 receive more than \$25,000 in financial assistance for which the person would not
4 otherwise be entitled shall be fined not more than \$10,000 or imprisoned for not more
5 than ~~7~~ ⁷ years ^{and 6 months} or both.

6 (2) Any administrator or employe of an authority under s. ~~66.402~~ 66.1205 who
7 receives or solicits any commission or derives or seeks to obtain any personal
8 financial gain through any contract for the rental or lease of dwelling
9 accommodations under s. ~~66.402~~ 66.1205 shall be punished under s. 946.13.

10 (3) (intro.) Any person who receives assistance for dwelling accommodations
11 under s. ~~66.402~~ 66.1205, who has been notified by the authority of the obligation to
12 report an increase in income or assets that would reduce the amount of that
13 assistance and who intentionally fails to notify the authority of the receipt of such
14 income or assets is subject to one of the following:

15 **SECTION 364.** 66.403 (title) of the statutes is renumbered 66.1209 (title).

16 **SECTION 365.** 66.403 (intro.) and (1) to (7) of the statutes are renumbered
17 66.1209 (1) (intro.) and (a) to (g) and amended to read:

18 66.1209 (1) (intro.) For the purpose of aiding and cooperating in the planning,
19 undertaking, construction or operation of housing projects located within the area
20 in which it is authorized to may act, any state public body may ~~upon such terms, with~~
21 ~~or without consideration, as it may determine~~ [✓] do any of the following:

22 (a) Dedicate, sell, convey or lease any of its property to a housing authority or
23 the federal government;

1 (b) Cause parks, playgrounds, recreational, community, educational, water,
2 sewer or drainage facilities, or any other works which it is otherwise empowered to
3 may undertake, to be furnished adjacent to or in connection with housing projects;.

4 (c) Cause services to be furnished to the authority of the character which it is
5 otherwise empowered to may furnish;.

6 (d) Subject to the approval of the council, furnish, dedicate, close, pave, install,
7 grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other
8 places which it is otherwise empowered to may undertake;.

9 (e) Enter into agreements with a housing authority or the federal government
10 respecting action to be taken by the state public body pursuant to any of the powers
11 granted by ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211. The agreements may extend over any
12 period, notwithstanding any provision or rule of law to the contrary;.

13 (f) ~~Do any~~ ^{Any} and all things, necessary or convenient to aid and cooperate in the
14 planning, undertaking, construction or operation of such housing projects;.

15 (g) Purchase or legally invest in any of the bonds of a housing authority and
16 exercise all of the rights of any holder of such the bonds;.

17 **SECTION 366.** 66.403 (8) and (9) of the statutes are renumbered 66.1209 (2) and
18 (3) and amended to read:

19 66.1209 (2) With respect to any housing project which a housing authority has
20 acquired or taken over from the federal government and which the housing authority
21 by resolution has found and declared to have been constructed in a manner that will
22 promote the public interest and afford necessary safety, sanitation and other
23 protection, no state public body shall may require any changes to be made in the
24 housing project or the manner of its construction or take any other action relating
25 to such the construction;.

1 (3) In connection with any public improvements made by a state public body in
2 exercising the powers ~~herein granted, such granted in ss. 66.1201 to 66.1211, the~~
3 state public body may incur the entire expense ~~thereof of the public improvements.~~
4 Any law or statute to the contrary notwithstanding, any sale, conveyance, lease or
5 agreement provided for in ss. ~~66.40 66.1201 to 66.404 66.1211~~ may be made by a state
6 public body without appraisal, public notice, advertisement or public bidding.

7 **SECTION 367.** 66.404 of the statutes is renumbered 66.1211 and amended to
8 read:

9 **66.1211 Housing authorities; contracts with city; assistance to counties**
10 **and municipalities.** (1) **CONTRACTS BETWEEN AUTHORITY AND CITY.** In connection
11 with any housing project located wholly or partly within the area in which it is
12 authorized to act, any city may agree with an authority or government that a certain
13 sum, subject to the limitations imposed by s. ~~66.40 66.1201~~ (22), or no sum shall be
14 paid by the authority in lieu of taxes for any year or period of years.

15 (2) **ADVANCES TO HOUSING AUTHORITY.** When any housing authority ~~which is~~
16 created for any city ~~becomes~~ is authorized to transact business and exercise its
17 powers ~~therein~~, the governing body of the city, may immediately make an estimate
18 of the amount of money necessary for the administrative expenses and overhead of
19 ~~such the~~ housing authority during the first year ~~thereafter~~ after the creation of the
20 housing authority, and may appropriate ~~such the~~ amount to the authority out of any
21 moneys in ~~such the~~ city treasury not appropriated to some other purposes. The
22 moneys ~~so~~ appropriated may be paid to the authority as a donation. Any city, town
23 or incorporated village located in whole or in part within the area of operation of a
24 housing authority ~~shall have the power from time to time to~~ may lend or donate
25 money to the authority ~~or to agree to take such action.~~ The housing authority, when

1 it has money available [✓] ~~therefor~~, ^{to pay back loans and reimbursements made} shall make reimbursements for all ~~such~~ loans made
2 to it. _{under this subsection}

3 (3) PROJECT SUBMITTED TO PLANNING COMMISSION. Before any housing project of
4 the character designated in s. ~~66.40~~ 66.1201 (9) (a) ~~be is~~ determined ~~upon~~ by the
5 authority, or any real estate acquired or agreed to be acquired for ~~such~~ the project or
6 the construction of any of the buildings begins or any application made for federal
7 loan or grant for ~~such~~ the project, the extent ~~thereof~~ of the project and the general
8 features of the proposed layout indicating in a general way the proposed location of
9 buildings and open spaces shall be submitted to the planning commission, if any, of
10 the city or political subdivision in which the proposed project is located, for the advice
11 of ~~such~~ the planning commission ~~upon~~ on the proposed location, extent, and general
12 features of the layout.

13 (4) COOPERATION WITH CITIES, VILLAGES AND COUNTIES. For the purpose of
14 cooperating with and assisting cities, villages and counties, a housing authority may
15 exercise its powers in ~~the~~ that territory within the boundaries of any city, village or
16 county not included in the area in which ~~such~~ that housing authority is then
17 authorized to function, or in any designated portion of ~~such~~ that territory, after the
18 governing body of ~~such~~ the city, village or county, ~~as the case may be~~, adopts a
19 resolution declaring that there is a need for the authority to function in ~~such~~ the
20 additional territory ~~or in such designated portion thereof~~. If a housing authority has
21 previously been authorized to exercise its powers in ~~such~~ the additional territory or
22 designated portion, ~~such~~ a resolution shall not be adopted unless ~~such~~ the housing
23 authority finds that ultimate economy would ~~thereby~~ be promoted, and ~~such~~ the
24 housing authority shall not initiate any housing project in ~~such~~ the additional
25 territory or designated portion ~~after~~ before the adoption of ~~such~~ the resolution.

1 (6) CONTROLLING STATUTES. Insofar as ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 are
2 inconsistent with any other law, the provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ shall
3 ~~be controlling~~ 66.1211 control.

4 (7) SUPPLEMENTAL NATURE OF STATUTE. The powers conferred by ss. ~~66.40~~
5 66.1201 to ~~66.404~~ shall be 66.1211 are in addition and supplemental to the powers
6 conferred by any other law.

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.

7 **SECTION 368.** 66.405 (title) of the statutes is renumbered 66.1301 (title).

8 **SECTION 369.** 66.405 (1), (2), (2m) and (3) (intro.) and (a) of the statutes are
9 renumbered 66.1301 (1), (2), (2m) and (3) (intro.) and (a) and amended to read:

10 66.1301 (1) ~~(a)~~ (a) SHORT TITLE. Sections ~~66.405~~ 66.1301 to ~~66.425~~ shall be known
11 and 66.1329 may be cited and referred to as the "Urban Redevelopment Law".

12 (2) FINDING AND DECLARATION OF NECESSITY. It is declared that in the cities of the
13 state substandard and insanitary areas exist which have resulted from inadequate
14 planning, excessive land coverage, lack of proper light, air and open space, defective
15 design and arrangement of buildings, lack of proper sanitary facilities, and the
16 existence of buildings, which, by reason of age, obsolescence, inadequate or
17 outmoded design, or physical deterioration have become economic or social
18 liabilities, or both; ~~that such.~~ These conditions are prevalent in areas where
19 substandard, insanitary, outworn or outmoded industrial, commercial or residential
20 buildings prevail; ~~that such.~~ These conditions impair the economic value of large
21 areas, infecting them with economic blight, and ~~that such~~ these areas are
22 characterized by depreciated values, impaired investments, and reduced capacity to
23 pay taxes, ~~that such.~~ These conditions are chiefly in areas which are so subdivided

1 into small parcels in divided ownerships and frequently with defective titles, that
2 their assembly for purposes of clearance, replanning, rehabilitation and
3 reconstruction is difficult and costly; ~~that the.~~ The existence of ~~such these~~ conditions
4 and the failure to clear, replan, rehabilitate or reconstruct these areas results in a
5 loss of population by the areas and further deterioration, accompanied by added costs
6 to the communities for creation of new public facilities and services elsewhere; ~~that~~
7 it. It is difficult and uneconomic for individual owners independently to undertake
8 to remedy ~~such these~~ conditions; ~~that it.~~ It is desirable to encourage owners of
9 property or holders of claims ~~thereon~~ on property in ~~such these~~ areas to join together
10 and with outsiders in corporate groups for the purpose of the clearance, replanning,
11 rehabilitation and reconstruction of ~~such these~~ areas by joint action; ~~that it.~~ It is
12 necessary to create, with proper safeguards, inducements and opportunities for the
13 employment of private investment and equity capital in the clearance, replanning,
14 rehabilitation and reconstruction of ~~such these~~ areas; ~~that such.~~ These conditions
15 require the employment of ~~such~~ capital on an investment rather than a speculative
16 basis, allowing however, the widest latitude in the amortization of any indebtedness
17 created ~~thereby~~; ~~that such.~~ These conditions further require the acquisition at fair
18 prices of adequate areas, the gradual clearance of ~~such the~~ areas through demolition
19 of existing obsolete, inadequate, unsafe and insanitary buildings and the
20 redevelopment of ~~such the~~ areas under proper supervision with appropriate
21 planning, land use and construction policies; ~~that the.~~ The clearance, replanning,
22 rehabilitation and reconstruction of ~~such these~~ areas on a large scale basis are
23 necessary for the public welfare; ~~that the.~~ The clearance, replanning, reconstruction
24 and rehabilitation of ~~such these~~ areas are public uses and purposes for which private
25 property may be acquired; ~~that such substandard.~~ Substandard and insanitary

1 areas constitute a menace to the health, safety, morals, welfare and reasonable
2 comfort of the citizens of the state; ~~that such.~~ These conditions require the aid of
3 redevelopment corporations for the purpose of attaining the ends ~~herein recited; that~~
4 ~~the~~ in this subsection. The protection and promotion of the health, safety, morals,
5 welfare and reasonable comfort of the citizens of the state are matters of public
6 concern; ~~and the necessity.~~ Sections 66.1301 to 66.1329 are in the public interest for
7 the ~~provisions hereinafter enacted is hereby declared as a matter of legislative~~
8 ~~determination.~~

9 (2m) DISCRIMINATION. Persons ~~otherwise~~ entitled to any right, benefit, facility
10 or privilege under ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329 shall not, ~~with reference~~
11 ~~thereto,~~ be denied them in any manner for any purpose nor be discriminated against
12 because of sex, race, color, creed, sexual orientation or national origin.

13 (3) DEFINITIONS. (intro.) ~~The following terms, as used in~~ In ss. ~~66.405~~ 66.1301
14 to ~~66.425,~~ shall 66.1329, unless a different intent clearly appears from the context,
15 ~~be construed as follows:~~

16 (a) "Area" means a portion of a city which its planning commission finds to be
17 substandard or insanitary, so that the clearance, replanning, rehabilitation or
18 reconstruction ~~thereof~~ of that portion is necessary or advisable to effectuate the
19 public purposes declared in sub. (2); ~~and may include any.~~ "Area" includes buildings
20 or improvements not in themselves substandard or insanitary, and any real property,
21 whether improved or unimproved, the inclusion of which is ~~deemed~~ ^{considered} necessary for the
22 effective clearance, replanning, reconstruction or rehabilitation of the area of which
23 such the buildings, improvements or real property form a part; and also includes ✓
24 vacant land which is in such proximity to other land or structures so as to impair that
25 the economic value thereof of the other land or structures is impaired.

1 **SECTION 370.** 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.

2 **SECTION 371.** 66.405 (3) (d) to (s) of the statutes are renumbered 66.1301 (3)
3 (d) to (s) and amended to read:

4 66.1301 (3) (d) “Development” ~~shall mean~~ means a specific work, repair or
5 improvement to put into effect a development plan and ~~shall include~~ includes the real
6 property, buildings and improvements owned, constructed, managed or operated by
7 a redevelopment corporation.

8 (e) “Development area” ~~shall mean~~ means that portion of an area to which a
9 development plan is applicable.

10 (f) “Development cost” ~~shall mean~~ means the amount determined by the
11 planning commission to be the actual cost of the development, or of the part thereof
12 of the development for which such the determination is made, ~~and shall include.~~
13 “Development cost” includes, among other costs, all of the following:

14 1. The reasonable costs of planning the development, including preliminary
15 studies and surveys, neighborhood planning, ~~and~~ architectural and engineering
16 services, and legal and incorporation expense, ~~the.~~

17 2. The actual cost, if any, of alleviating hardship to families occupying dwelling
18 accommodations in the development area where such hardship results from the
19 execution of the development plan, ~~the.~~

20 3. The reasonable costs of financing the development, including carrying
21 charges during construction, ~~working.~~

22 4. Working capital in an amount not exceeding ~~5 per cent~~ 5% of development
23 cost, ~~the.~~

Plain

① 5. The actual cost of the real property included in the development, ~~the actual~~
2 ~~cost~~ of demolition of existing structures, ~~the actual cost~~ and of utilities, landscaping
3 and roadways, ~~the~~.

4 6. The amount of special assessments subsequently paid, ~~the~~.

5 7. The actual cost of construction, equipment and furnishing of buildings and
6 improvements, including architectural, engineering and builder's fees, ~~the~~.

7 8. The actual cost of reconstruction, rehabilitation, remodeling or initial repair
8 of existing buildings and improvements, ~~reasonable~~.

9 9. Reasonable management costs until the development is ready for use, ~~and~~
10 ~~the~~.

11 10. The actual cost of improving that portion of the development area which is
12 to remain as open space, together with ~~such~~ additions to development cost ~~as shall~~
13 that equal the actual cost of additions to or changes in the development in accordance
14 with the original development plan or after approved changes in or amendments
15 thereto to the development plan.

16 (g) "Development plan" ~~shall mean~~ means a plan for the redevelopment of all
17 or any part of an area, and ~~shall include~~ includes any amendments thereto ^{that are} approved
18 in accordance with the requirements of s. ~~66.407~~ 66.1305 (1).

19 (h) "Local governing body" ~~shall mean the board of alderpersons,~~ means a
20 common council, council, commission or other board or body vested by the charter of
21 the a city or other law with jurisdiction to adopt or enact ordinances or local laws.

22 (n) "Mortgage" ~~shall mean~~ means a mortgage, trust indenture, deed of trust,
23 building and loan contract or other instrument creating a lien on real property, and
24 the indebtedness secured by each of them.

1 (o) "Neighborhood unit" ~~shall mean~~ means a primarily residential district
2 having the facilities necessary for well-rounded family living, such as schools, parks,
3 playgrounds, parking areas and local shopping districts.

4 (p) "Planning commission" ~~shall mean~~ means the official bureau, board,
5 commission or agency of ~~the a city established under the general city law or under~~
6 ~~a general or special charter and that is~~ authorized to prepare, adopt ~~and~~, amend or
7 modify a master plan for the development of the city.

8 (q) "Real property" shall include includes lands, buildings, improvements, land
9 under water, waterfront property, and any ~~and all~~ easements, franchises and
10 hereditaments, corporeal or incorporeal, and every estate, interest, privilege,
11 easement, franchise and right therein, ~~or appurtenant thereto~~ in or appurtenant to
12 the real property, legal or equitable, including rights-of-way, terms for years and
13 liens, charges, or encumbrances by mortgage, judgment or otherwise.

14 (r) "Redevelopment" ~~shall mean~~ means the clearance, replanning,
15 reconstruction or rehabilitation of an area or part thereof of an area, and the
16 provision of ~~such~~ industrial, commercial, residential or public structures or spaces
17 as may be appropriate, including recreational and other facilities incidental or
18 appurtenant ~~thereto~~ to the structures or spaces.

19 (s) "Redevelopment corporation" ~~shall mean~~ means a corporation carrying out
20 a redevelopment plan under ss. 66.405 66.1301 to 66.425 66.1329.

21 SECTION 372. 66.406 (title) of the statutes is renumbered 66.1303 (title).

22 SECTION 373. 66.406 (1), (2) and (3) (intro.) ^{and} (a) to (g) of the statutes are
23 renumbered 66.1303 (1), (2) and (3) (intro.) (a) to (g) and amended to read:

and