

1 the circuit court within 30 days after a copy of the order of the board, commission or  
2 local health officer has been served upon the person. The petition shall state the  
3 substance of the order appealed from and the grounds upon which the person  
4 believes the order to be improper. A copy of the petition shall be served upon the  
5 board, commission or local health officer whose determination is appealed. The copy  
6 shall be served personally or by registered or certified mail within the 30-day period  
7 provided in this paragraph. A reply or answer shall be filed by the board, commission  
8 or local health officer within 15 days after the receipt of the petition. A copy of the  
9 written proceedings of the hearing held by the board, commission or local health  
10 officer which led to service of the order being appealed shall be included with the  
11 reply or answer when filed. If it appears to the court that the petition is filed for  
12 purposes of delay, the court shall, upon application of the municipality, promptly  
13 dismiss the petition. Either party to the proceedings may then petition the court for  
14 an immediate hearing on the order. The court shall review the order and the copy  
15 of written proceedings of the hearing conducted by the board, commission or local  
16 health officer, shall take testimony that the court determines is appropriate, and,  
17 following a hearing upon the order without a jury, shall make its determination. If  
18 the court affirms the determination made by the board, commission or local health  
19 officer, the court shall fix a time within which the order appealed from ~~shall become~~  
20 becomes operative.

21 (5) GENERAL POWERS CONFERRED UPON MUNICIPALITIES. The governing body of  
22 ~~any a municipality shall have and there is hereby expressly conferred upon it~~ has all  
23 powers necessary and incidental to effect a program of urban renewal, including  
24 functions with respect to rehabilitation and conservation for the restoration and  
25 removal of blighted, deteriorated or deteriorating areas, and ~~such~~ the local governing

1 body is hereby authorized to may adopt such resolutions or ordinances as ~~may be~~  
2 required for the purpose of carrying out that program and the objectives and  
3 purposes of this section. In connection with the planning, undertaking and financing  
4 of the urban renewal program or projects, the governing body of any municipality  
5 and all public officers, agencies and bodies shall have all the rights, powers,  
6 privileges and immunities which they have with respect to a redevelopment project  
7 under s. ~~66.43~~ 66.1331.

8 (6) ASSISTANCE TO URBAN RENEWAL BY MUNICIPALITIES AND OTHER PUBLIC BODIES.

9 ~~Any A~~ public body is authorized to may enter into agreements, which may extend  
10 over any period notwithstanding any provision or rule of law to the contrary, with any  
11 other public body ~~or bodies~~ respecting action to be taken pursuant to any of the  
12 powers granted by this section, including the furnishing of funds or other assistance  
13 in connection with an urban renewal plan or urban renewal project.

14 (7) ~~POWERS~~ POWERS HEREIN GRANTED TO BE SUPPLEMENTAL AND NOT IN DEROGATION.

15 (a) Nothing in this section shall may be construed to abrogate or impair the powers  
16 of the courts or of any department of any municipality to enforce any provisions of  
17 its charter ~~or its~~, ordinances or regulations, nor to prevent or punish violations  
18 thereof of its charter, ordinances or regulations.

19 (b) Nothing in this section shall may be construed to impair or limit ~~in any way~~  
20 the power of the municipality to define and declare nuisances and to cause their  
21 removal or abatement, by summary proceedings or otherwise.

22 (c) The powers conferred by this section ~~shall be~~ are in addition and  
23 supplemental to the powers conferred by any other law; ~~and this~~. This section shall  
24 be construed liberally to effectuate ~~the its~~ purposes hereof and ~~the its~~ enumeration  
25 therein of specific powers shall does not operate to restrict the meaning of any

1 general grant of power contained in this section or to exclude other powers  
2 comprehended in such the general grant.

3 SECTION 421. 66.436 of the statutes is renumbered 66.1339 and amended to  
4 read:

5 **66.1339 Villages to have certain city powers.** Villages shall have all of the  
6 powers of cities under ss. ~~66.395, 66.1201 to 66.425, 66.1329, 66.43, 66.431, 66.4325,~~  
7 ~~66.435, 66.1331 to 66.1337 and 66.46~~ <sup>66.1105,</sup> and ~~66.1105.~~

8 SECTION 422. 66.437 of the statutes is renumbered 66.1341 and amended to  
9 read:

10 **66.1341 Towns to have certain city powers.** Towns shall have all of the  
11 powers of cities under ss. ~~66.40 to 66.425, 66.1201 to 66.1329, 66.43, 66.431, 66.4325,~~  
12 ~~66.505 and 66.509,~~ <sup>2</sup> ~~66.1331 to 66.1335, 66.0923 and 66.0925,~~ and ~~66.0923 and 66.0925,~~ except the powers under  
13 s. ~~66.40~~ 66.1201 (10) and any other powers that conflict with statutes relating to  
14 towns and town boards.

15 SECTION 423. 66.44 of the statutes is repealed.

NOTE: Repealed as no longer necessary. The section authorizes housing authorities to develop and administer housing projects to provide housing for persons and their families engaged in war industries or activities.

16 SECTION 424. 66.45 of the statutes is renumbered 66.0315 and amended to  
17 read:

18 **66.0315 Municipal cooperation; federal rivers, harbors or water**  
19 **resources projects.** Any A county, town, city or village acting under its powers and  
20 in conformity with state law may enter into an agreement with an agency of the  
21 federal government to cooperate in the construction, operation or maintenance of  
22 any federally authorized rivers, harbors or water resources management or control  
23 project or to assume any potential liability appurtenant to such a project and may

1 do all things necessary to consummate the agreement. If such a project will affect  
 2 more than one municipality, the municipalities affected may jointly enter into such  
 3 an agreement under this section with an agency of the federal government carrying  
 4 such terms and provisions concerning the division of costs and responsibilities as  
 5 may be mutually agreed upon. The affected municipalities ~~concerned~~ may by  
 6 agreement submit any determinations of the division of construction costs,  
 7 responsibilities, or any other liabilities among them to an arbitration board. The  
 8 determination of ~~such a~~ the arbitration board shall be final. This section shall not  
 9 be construed as a grant or delegation of power or authority to any county, town, city,  
 10 village or other local municipality to do any work in or place any structures in or on  
 11 any navigable water except as it is otherwise expressly authorized by state law to do.

12 **SECTION 425.** 66.46 of the statutes, as affected by 1997 Wisconsin Acts 3 ~~and~~  
 13 <sup>11, 237 and 252</sup> 27, is renumbered 66.1105, and 66.1105 (2) (a) 1. b., (e), (f) 1. (intro.), b. and h., (i) and  
 14 (j) (3) (a), (b), ~~and (e)~~ <sup>and (f)</sup> (4) (a), (b), (e), (f), (gm) 1. to 3. and 4. a. and b. and (h) 1., (5)  
 15 (b), (d) to (g), (6) (a) and (e) 1. (intro.) and 3., (7) (intro.) (a) and (b) ~~and (9) (a) (intro.)~~  
 16 <sup>and</sup> 4. to 7. and 9. (b) 2. to 4. and 5. a. and b. and (10) (b), as renumbered, are amended  
 17 to read: *and*

18 66.1105 (2) (a) 1. b. An area which is predominantly open and which consists  
 19 primarily of an abandoned highway corridor, as defined in s. ~~66.431~~ 66.1333 (2m) (a),  
 20 or that consists of land upon which buildings or structures have been demolished and  
 21 which because of obsolete platting, diversity of ownership, deterioration of  
 22 structures or of site improvements, or otherwise, substantially impairs or arrests the  
 23 sound growth of the community.

24 (e) "Planning commission" means a plan commission created under s. 62.23, a  
 25 board of public land commissioners if the city has no plan commission, or a city plan

1 committee of the local legislative body, if the city has neither ~~such~~ a commission nor  
2 ~~such~~ a board.

3 (f) 1. (intro.) “Project costs” mean any expenditures made or estimated to be  
4 made or monetary obligations incurred or estimated to be incurred by the city which  
5 are listed in a project plan as costs of public works or improvements within a tax  
6 incremental district or, to the extent provided in subd. 1. k., without the district, plus  
7 any incidental costs ~~incidental thereto~~, diminished by any income, special  
8 assessments, or other revenues, including user fees or charges, other than tax  
9 increments, received or reasonably expected to be received by the city in connection  
10 with the implementation of the plan. For any tax incremental district for which a  
11 project plan is approved on or after July 31, 1981, only a proportionate share of the  
12 costs permitted under this subdivision may be included as project costs to the extent  
13 that they benefit the tax incremental district. To the extent the costs benefit the  
14 municipality outside the tax incremental district, a proportionate share of the cost  
15 is not a project cost. ~~The project costs~~ “Project costs” include, ~~but are not limited to:~~

16 b. Financing costs, including, but not limited to, all interest paid to holders of  
17 evidences of indebtedness issued to pay for project costs and any premium paid over  
18 the principal amount ~~thereof~~ of the obligations because of the redemption of ~~such the~~  
19 obligations prior to maturity.

20 h. The amount of any contributions made under s. ~~66.431~~ 66.1333 (13) in  
21 connection with the implementation of the project plan.

22 (i) “Tax increment” means that amount obtained by multiplying the total  
23 county, city, school and other local general property taxes levied on all taxable  
24 property within a tax incremental district in a year by a fraction having as a  
25 numerator the value increment for that year in ~~such the~~ district and as a

1 do all things necessary to consummate the agreement. If such a project will affect  
 2 more than one municipality, the municipalities affected may jointly enter into such  
 3 an agreement under this section with an agency of the federal government carrying  
 4 such terms and provisions concerning the division of costs and responsibilities as  
 5 may be mutually agreed upon. The affected municipalities concerned may by  
 6 agreement submit any determinations of the division of construction costs,  
 7 responsibilities, or any other liabilities among them to an arbitration board. The  
 8 determination of ~~such a~~ the arbitration board shall be final. This section shall not  
 9 be construed as a grant or delegation of power or authority to any county, town, city,  
 10 village or other local municipality to do any work in or place any structures in or on  
 11 any navigable water except as it is otherwise expressly authorized by state law to do.

*WFO  
JG*

12 **SECTION 425.** 66.46 of the statutes, as affected by 1997 Wisconsin Acts 3, ~~and~~  
 13 <sup>237 and 252</sup> 27, is renumbered 66.1105, and 66.1105 (2) (a) 1. b., (e), (f) 1. (intro.), b. and h., (i) and  
 14 (j), (3) (a), (b), ~~and (e)~~, <sup>and (f) (c)</sup> (4) (a), (b), (e), (f), (gm) 1. to 3. and 4. a. and b. and (h) 1., (5)  
 15 (b), (d) to (g), (6) (a) and (e) 1. (intro.) and 3., (7) (intro.) (a) and (b) and (9) (a) (intro.)  
 16 4. to 7. and 9., (b) 2. to 4. and 5. a. and b. and (10) (b), as renumbered, are amended  
 17 to read:

18 66.1105 (2) (a) 1. b. An area which is predominantly open and which consists  
 19 primarily of an abandoned highway corridor, as defined in s. ~~66.431~~ 66.1333 (2m) (a),  
 20 or that consists of land upon which buildings or structures have been demolished and  
 21 which because of obsolete platting, diversity of ownership, deterioration of  
 22 structures or of site improvements, or otherwise, substantially impairs or arrests the  
 23 sound growth of the community.

24 (e) "Planning commission" means a plan commission created under s. 62.23, a  
 25 board of public land commissioners if the city has no plan commission, or a city plan

1 committee of the local legislative body, if the city has neither ~~such~~ a commission nor  
2 ~~such~~ a board.

3 (f) 1. (intro.) “Project costs” mean any expenditures made or estimated to be  
4 made or monetary obligations incurred or estimated to be incurred by the city which  
5 are listed in a project plan as costs of public works or improvements within a tax  
6 incremental district or, to the extent provided in subd. 1. k., without the district, plus  
7 any incidental costs ~~incidental thereto~~, diminished by any income, special  
8 assessments, or other revenues, including user fees or charges, other than tax  
9 increments, received or reasonably expected to be received by the city in connection  
10 with the implementation of the plan. For any tax incremental district for which a  
11 project plan is approved on or after July 31, 1981, only a proportionate share of the  
12 costs permitted under this subdivision may be included as project costs to the extent  
13 that they benefit the tax incremental district. To the extent the costs benefit the  
14 municipality outside the tax incremental district, a proportionate share of the cost  
15 is not a project cost. ~~The project costs~~ “Project costs” include, ~~but are not limited to:~~

16 b. Financing costs, including, but not limited to, all interest paid to holders of  
17 evidences of indebtedness issued to pay for project costs and any premium paid over  
18 the principal amount ~~thereof~~ of the obligations because of the redemption of ~~such the~~  
19 obligations prior to maturity.

20 h. The amount of any contributions made under s. ~~66.431~~ 66.1333 (13) in  
21 connection with the implementation of the project plan.

22 (i) “Tax increment” means that amount obtained by multiplying the total  
23 county, city, school and other local general property taxes levied on all taxable  
24 property within a tax incremental district in a year by a fraction having as a  
25 numerator the value increment for that year in ~~such the~~ district and as a

1 denominator that year's equalized value of all taxable property in the district. In any  
2 year, a tax increment is "positive" if the value increment is positive; it is "negative"  
3 if the value increment is negative.

4 (j) "Tax incremental base" means the aggregate value, as equalized by the  
5 department of revenue, of all taxable property located within a tax incremental  
6 district on the date as of which such the district is created, determined as provided  
7 in sub. (5) (b). The base of districts created before October 1, 1980, ~~shall exclude~~ does  
8 not include the value of property exempted under s. 70.111 (17).

9 (3) (a) Create tax incremental districts and ~~to~~ define the boundaries of such the  
10 districts;

11 (b) Cause project plans to be prepared, ~~to~~ approve such the plans, and ~~to~~  
12 implement the provisions and effectuate the purposes of such the plans;

13 (e) Enter into any contracts or agreements, including agreements with  
14 bondholders, determined by the local legislative body to be necessary or convenient  
15 to implement the provisions and effectuate the purposes of project plans. ~~Such~~ The  
16 contracts or agreements may include conditions, restrictions, or covenants which  
either run with the land or which otherwise regulate the use of land.

17  
18 (4) (a) Holding of a public hearing by the planning commission at which  
19 interested parties are afforded a reasonable opportunity to express their views on the  
20 proposed creation of a tax incremental district and the proposed boundaries thereof  
21 of the district. Notice of such the hearing shall be published as a class 2 notice, under  
22 ch. 985. ~~Prior to such~~ <sup>before</sup> publication, a copy of the notice shall be sent by first class mail  
23 to the chief executive officer or administrator of all local governmental entities  
24 having the power to levy taxes on property located within the proposed district and  
25 to the school board of any school district which includes property located within the

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1 proposed district. For any a county with no chief executive officer or administrator,  
2 ~~this~~ notice shall be sent to the county board chairperson.

3 (b) Designation by the planning commission of the boundaries of a tax  
4 incremental district recommended by it ~~to be created~~ and submission of ~~such the~~  
5 recommendation to the local legislative body.

6 (e) At least 30 days before adopting a resolution under par. (gm), holding of a  
7 public hearing by the planning commission at which interested parties are afforded  
8 a reasonable opportunity to express their views on the proposed project plan. The  
9 hearing may be held in conjunction with the hearing provided for in par. (a). Notice  
10 of the hearing shall be published as a class 2 notice, under ch. 985. The notice shall  
11 include a statement advising that a copy of the proposed project plan will be provided  
12 on request. ~~Prior to such~~ <sup>Before</sup> publication, a copy of the notice shall be sent by 1st class  
13 mail to the chief executive officer or administrator of all local governmental entities  
14 having the power to levy taxes on property within the district and to the school board  
15 of any school district which includes property located within the proposed district.  
16 For any a county with no chief executive officer or administrator, ~~this~~ notice shall be  
17 sent to the county board chairperson.

18 (f) Adoption by the planning commission of a project plan for each tax  
19 incremental district and submission of the plan to the local legislative body. The plan  
20 shall include a statement listing the kind, number and location of all proposed public  
21 works or improvements within the district or, to the extent provided in sub. (2) (f) 1.  
22 k., outside the district, an economic feasibility study, a detailed list of estimated  
23 project costs, and a description of the methods of financing all estimated project costs  
24 and the time when the related costs or monetary obligations ~~related thereto~~ are to  
25 be incurred. The plan shall also include a map showing existing uses and conditions

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1 of real property in the district; a map showing proposed improvements and uses in  
2 the district; proposed changes of zoning ordinances, master plan, if any, map,  
3 building codes and city ordinances; a list of estimated nonproject costs; and a  
4 statement of the proposed method for the relocation of any persons to be displaced.

5 The plan shall indicate how creation of the tax incremental district promotes the  
6 orderly development of the city. The city shall include in the plan an opinion of the  
7 city attorney or of an attorney retained by the city advising whether the plan is  
8 complete and complies with this section.

9 (gm) 1. Describes the boundaries, which may, but need not, be the same as those  
10 recommended by the planning commission, of a tax incremental district with  
11 sufficient definiteness to identify with ordinary and reasonable certainty the  
12 territory included ~~therein~~ in the district. The boundaries shall include only those  
13 whole units of property as are assessed for general property tax purposes. Property  
14 standing vacant for an entire 7-year period immediately preceding adoption of the  
15 resolution creating a tax incremental district may not comprise more than 25% of the  
16 area in the tax incremental district, unless the tax incremental district is suitable  
17 for industrial sites under subd. 4. a. and the local legislative body implements an  
18 approved project plan to promote industrial development within the meaning of s.  
19 ~~66.52~~ 66.1101. In this subdivision, “vacant property” includes property where the  
20 fair market value or replacement cost value of structural improvements on the parcel  
21 is less than the fair market value of the land. In this subdivision, “vacant property”  
22 does not include property acquired by the local legislative body under ch. 32 or  
23 property included within the abandoned Park East freeway corridor or the  
24 abandoned Park West freeway corridor in Milwaukee ~~county~~ County.

1           2. Creates such the district as of a date ~~therein~~ provided in the resolution. If  
2 the resolution is adopted during the period between January 2 and September 30,  
3 then ~~such~~ the date shall be the next preceding January 1. If ~~such~~ the resolution is  
4 adopted during the period between October 1 and December 31, then ~~such~~ the date  
5 shall be the next subsequent January 1. If the resolution is adopted on January 1,  
6 the district ~~shall have been~~ is created as of the date of the resolution on that January  
7 1.

8           3. Assigns a name to such the district for identification purposes. The first ~~such~~  
9 district created shall be known as "Tax Incremental District Number One, City of  
10 ....". Each subsequently created district shall be assigned the next consecutive  
11 number.

12           4. a. Not less than 50%, by area, of the real property within ~~such~~ the district  
13 is at least one of the following: a blighted area; in need of rehabilitation or  
14 conservation work, as defined in s. 66.435 66.1337 (2m) (b); or suitable for industrial  
15 sites within the meaning of s. 66.52 66.1101 and has been zoned for industrial use;  
16 and

17           b. The improvement of ~~such~~ the area is likely to enhance significantly the value  
18 of substantially all of the other real property in ~~such~~ the district. It ~~shall~~ is not be  
19 necessary to identify the specific parcels meeting ~~such~~ the criteria; and

20           (h) 1. Subject to <sup>subds. 2 and 3. ← plain</sup> ~~subds. 2 and 3~~, the planning commission may ~~at any time~~, by  
21 resolution, adopt an amendment to a project plan, ~~which~~. The amendment shall be  
22 is subject to approval by the local legislative body and approval ~~of the amendment~~  
23 ~~shall require~~ requires the same findings as provided in par. (g). Any amendment to  
24 a project plan is also subject to review by a joint review board, acting under sub. (4m).  
25 Adoption of an amendment to a project plan shall be preceded by a public hearing

1 held by the plan commission at which interested parties shall be afforded a  
2 reasonable opportunity to express their views on the amendment. Notice of the  
3 hearing shall be published as a class 2 notice, under ch. 985. The notice shall include  
4 a statement of the purpose and cost of the amendment and shall advise that a copy  
5 of the amendment will be provided on request. ~~Prior to such~~ <sup>Before</sup> publication, a copy of  
6 the notice shall be sent by 1st class mail to the chief executive officer or administrator  
7 of all local governmental entities having the power to levy taxes on property within  
8 the district and to the school board of any school district which includes property  
9 located within the proposed district. For ~~any a~~ county with no chief executive officer  
10 or administrator, this notice shall be sent to the county board chairperson.

11 (5) (b) Upon application in writing by the city clerk, in such ~~the~~ <sup>a</sup> form as ~~the~~ <sup>that</sup>  
12 department of revenue ~~may prescribe~~ prescribes, the department shall determine  
13 according to its best judgment from all sources available to it the full aggregate value  
14 of the taxable property and, except as provided in par. (bm), of the city-owned  
15 property in the tax incremental district. The department shall certify this aggregate  
16 valuation to the city clerk, and the aggregate valuation ~~shall constitute~~ constitutes  
17 the tax incremental base of the tax incremental district. The city clerk shall complete  
18 these forms and submit the application on or before December 31 of the year the tax  
19 incremental district is created, as defined in sub. (4) (gm) 2.

20 (d) The department of revenue ~~shall~~ may not certify the tax incremental base  
21 as provided in par. (b) until it determines that each of the procedures and documents  
22 required by sub. (4) (a), (b), (gm) or (h) and par. (b) has been timely completed and  
23 all notices required under sub. (4) (a), (b), (gm) or (h) timely given. The facts  
24 supporting any document adopted or action taken to comply with sub. (4) (a), (b), (gm)

1 or (h) ~~shall~~ are not be subject to review by the department of revenue under this  
2 paragraph.

3 (e) It is a rebuttable presumption that any property within a tax incremental  
4 district acquired or leased as lessee by the city, or any agency or instrumentality  
5 ~~thereof of the city~~, within the one year immediately preceding the date of the creation  
6 of ~~such~~ the district was so acquired or leased in contemplation of the creation of ~~such~~  
7 the district. ~~Such~~ The presumption may be rebutted by the city with proof that ~~such~~  
8 the property was so leased or acquired primarily for a purpose other than to reduce  
9 the tax incremental base. If ~~such~~ the presumption is not rebutted, in determining  
10 the tax incremental base of ~~such~~ the district, but for no other purpose, the taxable  
11 status of ~~such~~ the property shall be determined as ~~though such~~ if the lease or  
12 acquisition had not occurred.

13 (f) The city assessor shall identify upon the assessment roll returned and  
14 examined under s. 70.45 those parcels of property which are within each existing tax  
15 incremental district, specifying ~~thereon~~ the name of each district. A similar notation  
16 shall ~~also~~ appear on the tax roll made by the city clerk under s. 70.65.

17 (g) The department of revenue shall annually give notice to the designated  
18 finance officer of all governmental entities having the power to levy taxes on property  
19 within each district as to the equalized value of ~~such~~ the property and the equalized  
20 value of the tax increment base. ~~Such~~ The notice shall also explain that the tax  
21 increment allocated to a city shall be paid to the city as provided under sub. (6) (b)  
22 from the taxes collected.

23 ~~(6) ALLOCATION OF POSITIVE TAX INCREMENTS~~ (a) If the joint review board  
24 approves the creation of the tax incremental district under sub. (4m), positive tax  
25 increments with respect to a tax incremental district are allocated to the city which

*plain text*

*38 years after the tax incremental district is created if the district is created before October 1, 1995, and the project plan is amended under sub. (4)(h) 3.*

1 created the district for each year commencing after the date when a project plan is  
 2 adopted under sub. (4) (g). The department of revenue shall may not authorize  
 3 allocation of tax increments until it determines from timely evidence submitted by  
 4 the city that each of the procedures and documents required under sub. (4) (d) to (f)  
 5 ~~have~~ has been completed and all related notices given in a timely manner. The  
 6 department of revenue may authorize allocation of tax increments for any tax  
 7 incremental district only if the city clerk and assessor annually submit to the  
 8 department all required information on or before the 2nd Monday in June. The facts  
 9 supporting any document adopted or action taken to comply with sub. (4) (d) to (f)  
 10 ~~shall~~ are not be subject to review by the department of revenue under this paragraph.  
 11 ~~Thereafter~~ After <sup>the</sup> allocation of tax increments is authorized, the department of  
 12 revenue shall annually authorize allocation of the tax increment to the city that  
 13 created ~~such a~~ the district until the department of revenue receives a notice under  
 14 sub. (8) and the notice has taken effect under sub. (8) (b), 27 years after the tax  
 15 incremental district is created if the district is created before October 1, 1995, or 23  
 16 years after the tax incremental district is created if the district is created after  
 17 September 30, 1995, whichever is sooner.

18 (e) 1. (intro.) Before the date on which a tax incremental district terminates  
 19 under sub. (7) (a), but not later than the date on which a tax incremental district  
 20 terminates under sub. (7) (am), a planning commission may amend under sub. (4) (h)  
 21 the project plan of ~~such a~~ the tax incremental district to allocate positive tax  
 22 increments generated by that tax incremental district to another tax incremental  
 23 district created by that planning commission if all of the following conditions are met:

24 3. A project plan that is amended under sub. (4) (h) to authorize the allocation  
 25 of positive tax increments under subd. 1. may authorize ~~such an~~ the allocation for a

1 period not to exceed 5 years, except that if the planning commission determines that  
2 the allocation may be needed for a period longer than 5 years, the planning  
3 commission may authorize ~~such an~~ the allocation for up to an additional 5 years if  
4 the project plan is amended under sub. (4) (h) during the 4th year of the allocation.  
5 In no case may positive tax increments under subd. 1. be allocated from one donor  
6 tax incremental district for a period longer than 10 years.

7 (7) TERMINATION OF TAX INCREMENTAL DISTRICTS. (intro.) ~~The existence of a~~ A tax  
8 incremental district ~~shall terminate~~ terminates when the earlier of the following  
9 occurs:

10 (a) That time when the city has received aggregate tax increments with respect  
11 to ~~such~~ the district in an amount equal to the aggregate of all project costs under the  
12 project plan and any amendments to the project plan for ~~such~~ the district, except that  
13 this paragraph does not apply to a district whose positive tax increments have been  
14 allocated under sub. (6) (d), (dm) or (e) until the district to which the allocation is  
15 made has paid off the aggregate of all of its project costs under its project plan.

16 (b) The local legislative body, by resolution, dissolves the district at which time  
17 the city ~~shall become~~ becomes liable for all unpaid project costs actually incurred  
18 which are not paid from the special fund under sub. (6) (c), except this paragraph does  
19 not make the city liable for any tax incremental bonds or notes issued.

20 (9) ~~FINANCING OF PROJECT COSTS~~ (a) (intro.) Payment of project costs may be  
21 made by any one or more of the following methods ~~or any combination thereof~~:

22 4. Payment out of the proceeds of the sale of public improvement bonds issued  
23 by it under s. ~~66.059~~ 66.0619;

24 5. Payment as provided under s. ~~66.54~~ 66.0713 (2) (c), (d) ~~(e)~~ and (4) or 67.16;

1           6. Payment out of the proceeds of revenue bonds or notes issued by it under s.  
2 ~~66.066~~ 66.0621;

3           7. Payment out of the proceeds of revenue bonds issued by it under s. ~~66.51~~  
4 66.0913;

5           9. Payment out of the proceeds of revenue bonds issued by the city as provided  
6 by s. ~~66.521~~ 66.1103, for a purpose specified in that section.

7           (b) 2. Tax incremental bonds or notes shall be authorized by resolution of the  
8 local legislative body without the necessity of a referendum or any elector approval,  
9 but ~~such a~~ referendum or election may be held, through the procedures provided in  
10 s. ~~66.521~~ 66.1103 (10) (d). ~~Such~~ The resolution shall state the name of the tax  
11 incremental district, the amount of bonds or notes authorized, and the interest rate  
12 or rates to be borne by ~~such~~ the bond or notes. ~~Such~~ The resolution may prescribe  
13 the terms, form and content of ~~such~~ the bonds or notes and ~~such~~ other matters <sup>that</sup> ~~as~~  
14 local legislative body deems useful.

15           3. Tax incremental bonds or notes may not be issued in an amount exceeding  
16 the aggregate project costs. ~~Such~~ The bonds or notes shall mature over a period not  
17 exceeding 23 years from the date ~~thereof~~ of issuance or a period terminating with the  
18 date of termination of the tax incremental district, whichever period terminates  
19 earlier. ~~Such~~ The bonds or notes may contain a provision authorizing the redemption  
20 thereof of the bonds or notes, in whole or in part, at stipulated prices, at the option  
21 of the city, on any interest payment date and shall provide the method of selecting  
22 the bonds or notes to be redeemed. The principal and interest on ~~such~~ the bonds and  
23 notes may be payable at any time and at any place. ~~Such~~ The bonds or notes may  
24 be payable to bearer or may be registered as to the principal or principal and interest.  
25 ~~Such~~ The bonds or notes may be in any denominations. ~~Such~~ The bonds or notes may

1 be sold at public or private sale. ~~Insofar as they are~~ To the extent consistent with this  
2 subsection, the provisions of ch. 67 relating to procedures for issuance, form,  
3 contents, execution, negotiation, and registration of municipal bonds and notes ~~are~~  
4 ~~incorporated herein by reference~~ apply to bonds or notes issued under this  
5 subsection.

6 4. Tax incremental bonds or notes are payable only out of the special fund  
7 created under sub. (6) (c). Each ~~such~~ the bond or note shall contain ~~such~~ the recitals as  
8 ~~are~~ necessary to show that it is only so payable and that it does not constitute an  
9 indebtedness of ~~such~~ the city or a charge against its general taxing power. The local  
10 legislative body shall irrevocably pledge all or a part of ~~such~~ the special fund to the  
11 payment of ~~such~~ the bonds or notes. ~~Such~~ The special fund or the designated part  
12 ~~thereof~~ of the fund may thereafter ~~then~~ be used only for the payment of ~~such~~ the  
13 bonds or notes and interest ~~thereon~~ on the bonds or notes until the same the bonds  
14 or notes have been fully paid; and a holder of ~~such~~ the bonds or notes or of any coupons  
15 appertaining thereto ~~shall have~~ to the bonds or notes has a lien against ~~such~~ the  
16 special fund for payment of ~~such~~ the bonds or notes and interest ~~thereon~~ on the bonds  
17 or notes and may either at law or in equity protect and enforce ~~such~~ the lien.

18 5. a. Create a lien for the benefit of the bondholders upon any public  
19 improvements or public works financed ~~thereby~~ by the bonds or notes or the revenues  
20 ~~therefrom~~ from the bonds or notes; or

21 b. Make ~~such~~ covenants and do any and ~~all such~~ acts, not inconsistent with the  
22 Wisconsin constitution, ~~as may be~~ necessary or convenient or desirable in order to  
23 additionally secure ~~such~~ the bonds or notes or tend to make the bonds or notes more  
24 marketable according to the best judgment of the local legislative body.

1           (10) (b) If the boundaries of 2 or more tax incremental districts overlap, in  
2 determining how positive tax increments generated by that area which is within 2  
3 or more districts are allocated among ~~such~~ the overlapping districts, but for no other  
4 purpose, the aggregate value of the taxable property in ~~such~~ the area as equalized  
5 by the department of revenue in any year as to each earlier created district is ~~deemed~~  
6 ~~to be~~ that portion of the tax incremental base of the district next created which is  
7 attributable to ~~such~~ the overlapped area.

8           **SECTION 426.** 66.462 of the statutes, as created by 1997 Wisconsin Act 27, is  
9 renumbered 66.1106, and 66.1106 (2) and (3) (d), as renumbered, are amended to  
10 read:

11           66.1106 (2) **USE OF ENVIRONMENTAL REMEDIATION TAX INCREMENTS.** A political  
12 subdivision that develops, and whose governing body approves, a written proposal  
13 to remediate environmental pollution on property owned by the political subdivision  
14 may use an environmental remediation tax increment to pay the eligible costs of  
15 remediating environmental pollution on property that is not part of a tax  
16 incremental district created under s. ~~66.46~~ 66.1105 and that is owned by the political  
17 subdivision at the time of the remediation and then transferred to another person  
18 after the property is remediated, as provided in this section. No political subdivision  
19 may submit an application to the department under sub. (4) until the joint review  
20 board approves the political subdivision's written proposal under sub. (3).

21           (3) (d) If a joint review board convened by a city or village under s. ~~66.46~~ 66.1105  
22 (4m) is in existence when a city or village seeks to act under this section, the city or  
23 village may require the joint review board convened under s. ~~66.46~~ 66.1105 (4m) to  
24 exercise the functions of a joint review board that could be convened under this  
25 subsection.

1           **SECTION 427.** 66.465 of the statutes is renumbered 66.1107, and 66.1107 (1)(a),  
2 (c) and (e) 5. and (2) (intro.), (a), (b) and (c) 1. and 2., as renumbered, are amended  
3 to read:

4           66.1107 (1) (a) An “area in need of rehabilitation” is a neighborhood or area in  
5 which buildings, by reason of age, obsolescence, inadequate or outmoded design, or  
6 physical deterioration have become economic or social liabilities, or both; in which  
7 ~~sueh~~ these conditions impair the economic value of ~~sueh~~ the neighborhood or area,  
8 infecting it with economic blight, and which is characterized by depreciated values,  
9 impaired investments, and reduced capacity to pay taxes; in which the existence of  
10 ~~sueh~~ these conditions and the failure to rehabilitate ~~sueh~~ the buildings results in a  
11 loss of population from the neighborhood or area and further deterioration,  
12 accompanied by added costs for creation of new public facilities and services  
13 elsewhere; in which it is difficult and uneconomic for individual owners  
14 independently to undertake to remedy ~~sueh~~ the conditions; in which it is necessary  
15 to create, with proper safeguards, inducements and opportunities for the  
16 employment of private investment and equity capital in the rehabilitation of ~~sueh~~ the  
17 buildings; and in which the presence of ~~sueh~~ these buildings and conditions has  
18 resulted, among other consequences, in a severe shortage of financial resources  
19 available to finance the purchase and rehabilitation of housing and an inability or  
20 unwillingness on the part of private lenders to make loans for and an inability or  
21 unwillingness on the part of present and prospective owners of ~~sueh~~ housing to invest  
22 in the purchase and rehabilitation of housing in ~~sueh~~ the neighborhood or area.

23           (c) “Municipality” means any a city, village or town ~~in this state~~.

24           (e) 5. It is an area within which the effect of ~~sueh~~ existing detrimental  
25 conditions ~~as may exist~~ is to discourage private lenders from making loans for and

1 present or prospective property owners from investing in the purchase and  
2 rehabilitation of housing.

3 (2) DESIGNATION OF REINVESTMENT NEIGHBORHOODS OR AREAS. (intro.) ~~Any~~ A  
4 municipality may designate reinvestment neighborhoods or areas after complying  
5 with the following steps:

6 (a) Holding of a public hearing by the planning commission or by the local  
7 governing body at which interested parties are afforded a reasonable opportunity to  
8 express their views on the proposed designation and boundaries of a reinvestment  
9 neighborhood or area ~~and the proposed boundaries thereof~~. Notice of such the  
10 hearing shall be published as a class 2 notice, under ch. 985. ~~Prior to such~~ Before  
11 publication, a copy of the notice shall be sent by 1st class mail to the Wisconsin  
12 housing and economic development authority, and a copy shall be posted in each  
13 school building and in at least 3 other places of public assembly within the  
14 reinvestment neighborhood or area proposed to be designated.

15 (b) Designation by the planning commission of the boundaries of a  
16 reinvestment neighborhood or area recommended by it to be designated and  
17 submission of such the recommendation to the local legislative body.

18 (c) 1. Describes the boundaries of a reinvestment neighborhood or area with  
19 sufficient definiteness to identify with ordinary and reasonable certainty the  
20 territory included ~~therein~~. Such in the neighborhood or area. ~~The~~ boundaries may,  
21 but need not, be the same as those recommended by the planning commission.

22 2. Designates such the reinvestment neighborhood or area as of a date provided  
23 in the resolution.

24 SECTION 428. 66.47 (title) of the statutes is renumbered 66.0927 (title).

1           **SECTION 429.** 66.47 (1) to (5) of the statutes are renumbered 66.0927 (1) to (5),  
2 and 66.0927 (2), (3) and (4), as renumbered, are amended to read:

3           66.0927 (2) COUNTY-CITY HOSPITALS. ~~Any A~~ county and city or cities partly or  
4 wholly within the county may by ordinance jointly construct or otherwise acquire,  
5 equip, furnish, operate and maintain a ~~general county-city~~ hospital. ~~Such~~ The  
6 hospital is subject to ch. 150.

7           (3) FINANCING. The governing bodies of the respective county and city or cities  
8 shall have the power to may borrow money, appropriate funds, and levy taxes needed  
9 to carry out the purposes of this section. Funds to be used for the purposes specified  
10 in this section may be provided by the respective county, city or cities by general  
11 obligation bonds issued under ch. 67 or by revenue bonds issued under s. 66.51  
12 66.0913. ~~Any bonds~~ Bonds issued pursuant to <sup>under</sup> this section shall be executed on behalf  
13 of the county by the county board chairperson and the county clerk and on behalf of  
14 a city by the its mayor or other chief executive officer thereof and by the city clerk.

15           (4) COST SHARING. The ordinance shall provide for a sharing of all of the cost of  
16 construction or other acquisition, equipment, furnishing, operation and  
17 maintenance of ~~such a~~ hospital on an agreed percentage basis.

18           **SECTION 430.** 66.47 (6) of the statutes is repealed.

NOTE: Repealed as archaic. This subsection validates all actions of a county and city taken before April 17, 1949 in the construction or other acquisition, equipment, furnishing, operation and maintenance of a joint county-city hospital which would have been valid had s. 66.47 been in effect when the actions were taken. There appears to be no need to continue the validation.

19           **SECTION 431.** 66.47 (7) to (15) of the statutes are renumbered 66.0927 (7) to (15)  
20 and amended to read:

21           66.0927 (7) ~~ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS~~ (a)

22           When all members have qualified the board shall meet at the place designated in the

SECTION 431

1 ordinance and organize by electing from its membership a president, a vice  
 2 president, a secretary and a treasurer, each to hold office for one year. The board may  
 3 combine the offices of secretary and treasurer ~~may be combined if the board so~~  
 4 decides. Members shall receive such compensation as shall be provided in the  
 5 ordinance, and shall be reimbursed their actual and necessary expenses. With the  
 6 approval of the board, the treasurer may appoint an assistant treasurer, who need  
 7 not be a member of the board, to perform ~~such~~ services as shall be specified by the  
 8 board.

9 (b) Members, and any assistant treasurer, shall qualify by taking the official  
 10 oath, and the treasurer and any assistant treasurer shall furnish a bond in such a  
 11 sum as shall be specified by the board and ~~be~~ in the form and conditioned as provided  
 12 in s. 19.01 (2) and (3). The oaths and bonds shall be filed with the county clerk. The  
 13 cost of the bond shall be paid by the board.

14 (8) POWERS OF BOARD. The board shall ~~have power~~ may, subject to provisions of  
 15 the ordinance:

16 (a) ~~To contract~~ Contract for the construction or other acquisition, equipment  
 17 or furnishing of a ~~general county~~ city hospital.

18 (b) ~~To contract~~ Contract for the construction or other acquisition of additions  
 19 or improvements to, or alterations in, such a hospital and the equipment or  
 20 furnishing of ~~any such~~ an addition.

21 (c) ~~To employ~~ Employ a manager of ~~the~~ a hospital and other necessary  
 22 personnel and fix their compensation.

23 (d) ~~To enact~~ Enact, amend and repeal rules and regulations, ~~not inconsistent~~  
 24 ~~with law~~, for the admission to, and government of patients at, ~~the~~ a hospital, for the

*APPEAL*  
*no change*

*plain*

4

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23

24

1 regulation of the board's meetings and deliberations, and for the government,  
2 operation and maintenance of the hospital and the hospital employes thereof.

3 (e) ~~To contract~~ Contract for and purchase all fuel, food, equipment, furnishings  
4 and supplies reasonably necessary for the proper operation and maintenance of the  
5 a hospital.

6 (f) ~~To audit~~ Audit all accounts and claims against the a hospital or against the  
7 board, and, if approved, pay the same accounts and claims from the fund specified  
8 in sub. (10). ~~All expenditures made pursuant to this section shall be within the limits~~  
9 ~~of the ordinance.~~

10 (g) ~~To sue~~ Sue and be sued, and ~~to~~ collect or compromise any ~~and all~~ obligations  
11 due to the hospital; ~~all~~. All money received shall be paid into the joint hospital fund.

12 (h) ~~To make such~~ Make studies and recommendations to the county board and  
13 city council or city councils relating to the operation of the a hospital ~~or the building~~  
14 ~~of facilities therefor~~ as the board may deem ~~it seems~~ <sup>considers</sup> advisable or ~~said~~ the governing  
15 bodies request.

16 (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

17 (9) BUDGET. The board shall annually, ~~prior to~~ <sup>before</sup> the time of the preparation of  
18 either the county or city budget under s. 65.90, prepare a budget of its anticipated  
19 receipts and expenditures for the ensuing fiscal year and determine the  
20 proportionate cost to the county and the participating city or cities ~~pursuant to~~ <sup>under</sup> the  
21 terms of the ordinance. A certified copy of the budget, which shall include a  
22 statement of the net amount required from the county and city or cities, shall be  
23 delivered to the clerks of the respective municipalities. ~~It shall be the duty of the~~ The  
24 county board and the common council of the city or cities ~~to~~ shall consider such the  
25 budget, and determine the amount to be raised by the respective municipalities in

1 the proportions determined by the ordinance. ~~Thereupon~~ After this determination,  
2 the county and city or cities respectively shall levy a tax sufficient to produce the  
3 amount to be raised by ~~said~~ the county and city or cities.

4 (10) HOSPITAL FUND. A joint <sup>✓</sup>county-city hospital fund shall be created and  
5 established in a public depository to be specified in the ordinance. The treasurer of  
6 the respective county and city or cities shall pay ~~or cause to be paid~~ into ~~such~~ the fund  
7 the ~~respective amounts to be paid thereto by such county and city or cities~~ as specified  
8 by the ordinance and resolutions of the respective municipalities when ~~such~~ the  
9 amounts have been collected. All of the moneys which ~~shall~~ come into ~~said~~ the fund  
10 are ~~hereby~~ appropriated to the board for the execution of its functions as provided  
11 by the ordinance and the resolutions of the respective municipalities. The moneys  
12 in the fund shall be paid out by the treasurer of the hospital board only upon the  
13 approval or direction of the board. STET

14 (11) CORRELATION OF LAWS (a) In any case where a bid is a prerequisite to  
15 contract in connection with a county or city hospital under s. ~~66.29~~ 66.0901, it ~~shall~~  
16 is also be a prerequisite to a valid contract by the board; ~~and for such.~~ For this  
17 purpose, the board shall be deemed is a municipality and the contract a public  
18 contract under s. ~~66.29~~ 66.0901.

19 (b) All statutory requirements, not inconsistent with the provision of this  
20 section, applicable to general county or city hospitals ~~shall~~ apply to hospitals referred  
21 to in this section.

22 (12) REPORTS. The board shall report its activities to the county board and the  
23 city council or councils annually, or oftener as either of ~~said~~ the municipalities ~~may~~

24 require ~~require~~ → requires  
*leave stricken* *phain*

1 (14) POWERS OF VILLAGES. Villages shall have all <sup>✓</sup>the powers granted to cities  
2 under subs. (1) to (12) and whenever any village shall exercise such exercises these  
3 powers the word "city" wherever it appears in subs. (1) to (12) means "village" unless  
4 the context otherwise requires. Any village participating in the construction or other  
5 acquisition of a general county-village hospital or in the its operation thereof,  
6 pursuant to this section, shall have the power to may enter into lease agreements  
7 leasing such the hospital and the its equipment and furnishings therein to a  
8 nonprofit corporation.

9 (15) POWERS OF TOWNS. Towns shall have all of the powers granted to cities  
10 under subs. (1) to (12) and whenever any town shall ~~exercise such~~ exercises these  
11 powers the word "city" wherever it appears in subs. (1) to (12) means "town" unless  
12 the context otherwise requires. Any town participating in the construction or other  
13 acquisition of a general county-town hospital or in the its operation thereof,  
14 pursuant to <sup>under</sup>this section, shall have the power to may enter into lease agreements  
15 leasing such the hospital and the its equipment and furnishings therein to a  
16 nonprofit corporation.

17 SECTION 432. 66.48 of the statutes is renumbered 66.0917 and amended to  
18 read:

19 **66.0917 Art museums.** Any A city, village or town may establish, purchase  
20 land and erect buildings for, and equip, manage and control an art museum ~~or~~  
21 museums; or. A city, village or town may enter into a contract with any art museum  
22 or art institute located in the city, village or town for the education of the people  
23 thereof in art, for such compensation as shall be determined by the governing body  
24 of the city, village or town. Any A city, village or town may levy taxes, issue bonds,  
25 or appropriate money for the purposes in this section.

1           **SECTION 433.** 66.49 of the statutes is renumbered 66.0919 and amended to  
2 read:

3           **66.0919 Civic centers.** (1) RECREATION AND AMUSEMENT. ~~Any~~ A city, village or  
4 town may by ordinance, enacted by a majority of all the members-elect, as defined  
5 in s. 59.001 (2m), of the board or council, provide for the erection, maintenance and  
6 operation of a public auditorium, opera house, or other recreation and amusement  
7 building. The erection and contracts ~~therefor shall be~~ are governed by the provisions  
8 of law applicable to other public buildings ~~therein in the city, village or town.~~ The  
9 board or council shall adopt regulations for maintenance and operation.

10           (2) REST ROOMS. ~~Any~~ A city, village or town may erect, purchase, lease, or take  
11 by gift or devise, land and buildings for public rest rooms, and may equip, maintain  
12 and operate ~~the same~~ them.

13           (3) COMFORT STATIONS. ~~Every~~ A city, village ~~and or~~ town may provide and  
14 maintain a sufficient number of public comfort stations for both sexes. The  
15 department of health and family services shall establish regulations governing their  
16 location, construction, equipment and maintenance and may prescribe minimum  
17 standards that shall be uniform throughout the state. The board or council may  
18 establish further regulations.

19           (4) COMFORT STATIONS AND REST ROOMS. The state, ~~every or a~~ county, city, village,  
20 ~~and or~~ town maintaining places of public assemblage or camp sites may also provide  
21 and maintain a sufficient number of suitable and adequate public comfort stations  
22 for both sexes and may establish rest rooms separate or in connection with ~~such~~ the  
23 comfort stations.

24           (5) PUBLIC CONCERTS. ~~Any~~ A town, village or city may conduct public concerts  
25 in auditoriums and ~~such~~ other public places within its boundaries ~~as~~ the board or

25

plain

1 council shall determine ~~determines~~ ~~Such~~ The concerts shall be conducted by the  
2 department having charge of ~~such~~ the place and the expenses thereof ~~above~~ in excess  
3 of receipts, if any, shall be paid out of ~~such~~ a fund as determined by the board or  
4 council ~~shall determine~~. A fee to ~~said~~ attend the concerts may be charged for the  
5 purpose of defraying ~~the~~ <sup>✓</sup> expenses thereof in whole or in part.

6 SECTION 434. 66.50 of the statutes is renumbered 66.0127, and 66.0127 (1), as  
7 renumbered, is amended to read:

8 66.0127 (1) In a city, village or town, ~~however organized~~, in which a  
9 municipal hospital is located, the board of trustees or other governing board of the  
10 municipal hospital ~~shall have power and authority~~ may, except as otherwise  
11 provided by ordinance, do any of the following:

12 (a) ~~To prescribe~~ Prescribe rules of order for the regulation of ~~their~~ its own  
13 meetings and deliberations ~~and to alter, amend or repeal the same from time to time,~~

14 (b) ~~To promulgate, amend and repeal~~ Promulgate rules relating to the  
15 government, operation and maintenance of the hospital and relating to the employes  
16 of the hospital;

17 (c) ~~To contract~~ Contract for and purchase all fuel, food and other supplies  
18 reasonably necessary for the operation and maintenance of the hospital;

19 (d) ~~To promulgate, amend and repeal~~ Promulgate rules for the admission to and  
20 government of patients at the hospital;

21 (e) ~~To contract~~ Contract for the construction, installation or making of  
22 additions or improvements to or alterations of ~~such~~ the hospital ~~whenever such~~ if the  
23 additions, improvements or alterations have been ordered and funds have been  
24 provided ~~therefor~~ by the city council or village or town board;

1           (f) ~~To engage~~ Employ all necessary employes at the hospital for a period not to  
 2       ~~exceed one year under any one contract and at a salary not to exceed the sum of \$25~~  
 3       ~~per week, excluding board and laundry, unless a larger salary is expressly authorized~~  
 4       ~~by the city council or village or town board;~~

5           (g) ~~To audit~~ Audit all accounts and claims against the hospital or against the  
 6       board of trustees and, if approved, the city, village or town clerk and treasurer shall  
 7       pay the accounts and claims in the manner provided by s. ~~66.042~~ 66.0607.

NOTE: Section 66.50 (1) (f) provides that the board of trustees or other governing board of a municipal hospital may engage all necessary employes for a period not to exceed one year under any one contract and at a salary not exceeding the sum of \$25 per week, excluding board and laundry, unless a larger salary is expressly authorized by the city council or village or town board. Renumbered s. 66.0127 (1) (f) removes these limits on the terms of employe contracts and on employe salaries.

8           SECTION 435. 66.501 of the statutes <sup>(, as affected by 1997 Wisconsin Act 79,</sup> is renumbered 66.0129, and 66.0129 (1),  
 9       (4) (intro.), (5) and (6), as renumbered, are amended to read:

10           66.0129 (1) POWERS AND DUTIES OF GOVERNING BODY. For the purpose of providing  
 11       adequate hospital facilities in the state of Wisconsin to serve cities, villages and  
 12       towns and the hospital service area, ~~and~~ providing all lands, buildings,  
 13       improvements, facilities or equipment or other capital items necessary or desirable  
 14       in connection with the hospital ~~and the ultimate acquisition of~~ ultimately acquiring  
 15       the hospital by the city, village or town, ~~for the acquisition of~~ acquiring lands for  
 16       future hospital development, ~~and to refinance; and refinancing~~ indebtedness created  
 17       by a nonprofit corporation for the purpose of acquiring lands or providing hospital  
 18       buildings or additions or improvements to the hospital buildings, <sup>plain</sup> ~~or for any one or~~  
 19       ~~more of these purposes;~~ <sup>✓</sup> the governing body of any a city, village or town shall have  
 20       the following powers may:

1 (a) Without limitation by any other statute, to sell and convey title to a  
2 nonprofit corporation any land and any existing buildings on the land owned by the  
3 city, village or town for ~~such~~ that consideration and upon ~~such~~ the terms and  
4 conditions ~~as in the judgment of~~ <sup>that</sup> the governing body of the city, village or town  
5 determines are in the public interest.

6 (b) ~~To lease~~ Lease to a nonprofit corporation for terms not exceeding 40 years  
7 each any land and existing buildings on the land that are owned by the city, village  
8 or town upon ~~such~~ the terms, conditions and rentals ~~as in the judgment of~~ <sup>that</sup> the  
9 governing body of the city, village or town determines are in the public interest.

10 (c) ~~To lease~~ Lease or sublease from the nonprofit corporation, for terms not  
11 exceeding 40 years, and to make available for public use, any lands or any ~~such~~ land  
12 and existing buildings conveyed or leased to the corporation under pars. (a) and (b),  
13 and any new buildings erected upon the land or upon any other land owned by the  
14 corporation, upon ~~the~~ the terms, conditions and rentals, subject to available  
15 appropriations, and ultimate acquisition, ~~that in the judgment of~~ that the governing body  
16 of the city, village or town determines are in the public interest. With respect to any  
17 property conveyed to the nonprofit corporation under par. (a), the lease from the  
18 nonprofit corporation may be subject or subordinated to one or more mortgages of  
19 ~~such~~ the property granted by the corporation.

20 (d) ~~To apply~~ Apply all net revenues derived from the operation of any lands or  
21 buildings to the payment of rentals due and to become due under any lease or  
22 sublease made under par. (c).

23 (e) ~~To pledge~~ Pledge and assign all or any part of the revenues derived from the  
24 operation of any lands or new buildings as security for the payment of rentals due

1 and to become due under any lease or sublease of the new buildings made under par.

2 (c).

3 (f) ~~To covenant~~ Covenant and agree in any lease or sublease made under par.

4 (c) to impose fees, rentals or other charges for the use and occupancy or other

5 operation of the new buildings in an amount which together with other moneys of the

6 city, village or town available for ~~such~~ that purpose will produce net revenue

7 sufficient to pay the rentals due and to become due under the lease or sublease.

8 (g) ~~To apply~~ Apply all or any part of the revenues derived from the operation

9 of any lands or existing buildings to the payment of rentals due and to become due

10 under any a lease or sublease made under par. (c).

11 (h) ~~To pledge~~ Pledge and assign all or any part of the revenues derived from the

12 operation of any lands or existing buildings to the payment of rentals due and to

13 become due under any a lease or sublease made under par. (c).

14 (i) ~~To covenant~~ Covenant and agree in any a lease or sublease made under par.

15 (c) to impose fees, rentals or other charges for the use and occupancy or other

16 operation of any lands or existing buildings in an amount calculated to produce net

17 revenues sufficient to pay the rentals due and to become due under ~~such~~ the lease

18 or sublease.

19 (j) ~~To operate~~ Operate the hospital, until it is ultimately acquired <sup>2</sup> in ~~such~~ a

20 manner as ~~to provide~~ that provides revenues sufficient to pay the costs of operation

21 and maintenance of the hospital and ~~to provide for the payments due the nonprofit~~

22 corporation.

CS Powers and duties of nonprofit corporation.

23 (4) (intro.) In addition to all other powers granted to nonprofit corporations, the

24 nonprofit corporation ~~shall have~~ has the following additional powers and duties

25 when leasing hospital facilities to a city, village or town:

1 (5) BIDS FOR CONSTRUCTION. The nonprofit corporation shall let all contracts  
2 exceeding \$1,000 for the construction, maintenance or repair of hospital facilities to  
3 the lowest responsible bidder after advertising for bids by the publication of a class  
4 2 notice under ch. 985. Sections ~~66.29~~ 66.0901 and ~~66.293~~ shall 66.0903 apply to such  
5 bids and contracts under this subsection. *the*

6 (6) DEFINITIONS. Unless context otherwise requires, the terms "buildings" in  
7 this section:

8 (a) "Buildings", "new buildings" and "existing buildings" as used in this section  
9 include all buildings, structures, improvements, facilities, equipment or other  
10 capital items which the governing body of the city, village or town determines to be *are*  
11 necessary or desirable for the purpose of providing hospital facilities. ~~The term~~  
12 "nonprofit

13 (b) "Nonprofit corporation" means a nonstock ~~nonprofit~~ corporation organized  
14 under ch. 181. *that is a nonprofit corporation as defined in s. 181.0103 (17)*

15 SECTION 436. 66.504 of the statutes is renum  
16 as renumbered, is amended to read:

17 66.0921 (3) FINANCING. A municipality may  
18 and levy taxes needed to carry out the purposes of  
19 the purposes specified in this section may be prov  
20 obligation bonds issued under ch. 67. Funds to be  
21 this section may be provided by a county, city, villag  
22 under s. ~~66.066~~ 66.0621. Any bonds issued under

23 behalf of the municipality by ~~the~~ *(title) and* its chief executive officer and clerk thereof.

24 SECTION 437. 66.505 ~~(1), (2), (3) and (4)~~ *(1), (2), (3) and (4)* of the statutes are renumbered 66.0923 *(title) and*

25 (1) to (4), and 66.0923 (3) and (4), as renumbered, are amended to read:

*was affected by 1997 Wisconsin Act 79,*

*delete*  
*Ed: This change takes effect 1/1/99 but I did not double draft it because it won't matter once this bill becomes a 1999 draft & because of the eff. date*  
*OK*

1           66.0923 (3) FINANCING. The governing bodies of the respective county and city  
 2 or cities ~~shall have the power to~~ may borrow money, appropriate funds, and levy taxes  
 3 needed to carry out the purposes of this section. Funds to be used for the purposes  
 4 specified in this section may be provided by the respective county, city or cities by  
 5 general obligation bonds issued under ch. 67 or, by revenue bonds issued under s.  
 6 ~~66.51~~ 66.0913 or by the issuance of both general obligation bonds under ch. 67 and  
 7 revenue bonds issued under s. ~~66.51~~ 66.0913. Any bonds ~~issued pursuant to~~ Bonds issued pursuant to ~~under~~  
 8 this section shall be executed on behalf of the county by the county board chairperson  
 9 and the county clerk and on behalf of a city by ~~the~~ its mayor or other chief executive  
 10 officer ~~thereof~~ and by the city clerk.

11           (4) COST SHARING. The ordinance shall provide for a sharing of all of the cost of  
 12 construction or other acquisition, equipment, furnishing, operation and  
 13 maintenance of ~~such~~ an auditorium on an agreed percentage basis. to

14           SECTION 438. 66.505 (6), ~~(7), (8), (9), (10) and~~ (11) of the statutes are  
 15 renumbered 66.0923 (6) to (11) and amended to read: STET

16           66.0923 (6) ~~ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS~~ (a)  
 17 When all members have qualified the board shall meet at the place designated in the  
 18 ordinance and organize by electing from its membership a president, a vice  
 19 president, a secretary and a treasurer, each to hold office for one year. The board may  
 20 combine the offices of secretary and treasurer ~~may be combined if the board so~~  
 21 ~~decides~~. Members may receive such compensation as ~~may be~~ provided in the  
 22 ordinance and shall be reimbursed their actual and necessary expenses for their  
 23 services. However, members serving on the board because of holding another office  
 24 or position shall not receive compensation other than any actual and necessary  
 25 expenses for their services. With the approval of the board, the treasurer may

1 appoint an assistant secretary and assistant treasurer, who need not be members of  
2 the board, to perform such services as shall be specified by the board.

3 (b) Members, and any assistant secretary and assistant treasurer, shall qualify  
4 by taking the official oath, and the treasurer and any assistant treasurer shall  
5 furnish a bond in such a sum as shall be specified by the board and ~~be~~ in the form  
6 and conditioned as provided in s. 19.01 (2) and (3). The oaths and bonds shall be filed  
7 with the county clerk. The cost of the bond shall be paid by the board.

8 (7) POWERS OF BOARD. The board shall have power may, subject to provisions of  
9 the ordinance, do all of the following:

10 (a) ~~To contract~~ Contract for the construction or other acquisition, equipping or  
11 furnishing of a county ~~city~~ an auditorium, and ~~may~~; accept and use donated services  
12 and gifts, grants or donations of money or property and use the same for the purposes  
13 given and consistent with this section; and ~~may~~ contract for and authorize the  
14 installation of equipment and furnishings in all or part of the auditorium, ~~or any part~~  
15 thereof by private individuals, persons or corporations by donations, loan, lease or  
16 concession.

17 (b) ~~To contract~~ Contract for the construction or other acquisition of additions  
18 or improvements to, or alterations in, such an auditorium and the equipment or  
19 furnishing of any such addition; and ~~may~~ contract for or authorize the installation  
20 of equipment and furnishings in such all or part of the addition, ~~or any part thereof~~,  
21 by private individuals, persons or corporations by donation, loan or concession.

22 (c) ~~To employ~~ Employ a manager of the an auditorium and other necessary  
23 personnel and fix their compensation.

24 (d) ~~To enact~~ Enact, amend and repeal rules and regulations, ~~not inconsistent~~  
25 ~~with law~~, for the leasing of, charges for admission to, and government of audiences

1 and participants in events at the an auditorium, for the regulation of the board's  
2 meetings and deliberations, and for the government, operation and maintenance of  
3 the auditorium and the auditorium's employes thereof.

4 (e) ~~To contract~~ Contract for, purchase or hire all fuel, equipment, furnishings,  
5 and supplies, services and help reasonably necessary for the proper operation and  
6 maintenance of the an auditorium, ~~and to~~ contract for, purchase, hire, promote,  
7 conduct and operate, either by lease of the all or part of an auditorium building or  
8 parts thereof or by direct operation by the an auditorium board, meetings, concerts,  
9 theatricals, sporting events, conventions and other entertainment or events suitable  
10 to be held at the auditorium; and to handle and make all proper arrangements for  
11 the sale and disposition of admission tickets to auditorium events and the  
12 establishment of seating arrangements and priorities.

13 (f) ~~To audit~~ Audit all accounts and claims against the an auditorium or against  
14 the board, and, if approved, pay the same accounts and claims from the fund specified  
15 in sub. (9). ~~All expenditures made pursuant to this section shall be within the limits~~  
16 ~~of the ordinance.~~

17 (g) ~~To sue~~ Sue and be sued, and to collect or compromise any ~~and all~~ obligations  
18 due to the an auditorium; ~~all~~. All money received shall be paid into the joint  
19 auditorium fund.

20 (h) ~~To make such~~ Make studies and recommendations to the county board and  
21 city council relating to the operation of the an auditorium or the building of facilities  
22 therefor as the board may deem ~~advisable~~ <sup>considers</sup> or said the governing bodies  
23 request.

24 (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

1           (8) BUDGET. The board shall annually, ~~prior to~~ <sup>before</sup> the time of the preparation of  
2 either the county or city budget under s. 65.90, prepare a budget of its anticipated  
3 receipts and expenditures for the ensuing fiscal year and determine the  
4 proportionate cost to the county and the participating city ~~pursuant to~~ <sup>under</sup> the terms of  
5 the ordinance. A certified copy of the budget, which shall include a statement of the  
6 net amount required from the county and city, shall be delivered to the clerks of the  
7 respective municipalities. ~~It shall be the duty of the~~ The county board and the  
8 common council of the city ~~to~~ shall consider ~~such~~ the budget, and determine the  
9 amount to be raised by the respective municipalities in the proportions determined  
10 by the ordinance. ~~Thereupon~~ After this determination, the county and city  
11 respectively shall levy a tax sufficient to produce the amount to be raised by ~~said~~ the  
12 county and city.

13           (9) AUDITORIUM FUND. A joint county-city auditorium fund shall be created and  
14 established in a public depository to be specified in the ordinance. The treasurer of  
15 the respective county and city shall pay ~~or cause to be paid~~ into ~~such~~ the fund the  
16 respective amounts ~~to be paid thereto by such county and city as~~ specified by the  
17 ordinance and resolutions of the respective municipalities when ~~such~~ the amounts  
18 have been collected. All of the moneys which ~~shall~~ come into ~~said~~ the fund are hereby  
19 appropriated to the board for the execution of its functions as provided by the  
20 ordinance and the resolutions of the respective municipalities. The moneys in the  
21 fund shall be paid out by the treasurer of the auditorium board only upon the  
22 approval or direction of the board.

23           (10) ~~(CORRELATION OF LAWS)~~ (a) ~~In any case where~~ Keep title ~~If~~ a bid is a prerequisite to  
24 contract in connection with a county or city auditorium under s. ~~66.29~~ 66.0901, it  
25 ~~shall~~ is also be a prerequisite to a valid contract by the board; ~~and for such~~ For this

1 purpose the board shall be deemed is a municipality and the contract a public  
2 contract under s. ~~66.29~~ 66.0901.

3 (b) All statutory requirements, not inconsistent with the provisions of this  
4 section, and applicable to city auditoriums shall, apply to auditoriums provided for  
5 in this section.

6 (11) REPORTS. The board shall report its activities to the county board and the  
7 city council annually, or oftener as either of said the municipalities ~~may require~~

8 ~~require.~~ requires

9 SECTION 439. 66.508 of the statutes is renumbered 66.0925, and 66.0925 (3) to  
10 (11), as renumbered, are amended to read:

11 66.0925 (3) FINANCING. The governing bodies of the respective county and city  
12 shall have the power to may borrow money, appropriate funds, and levy taxes needed  
13 to carry out the purposes of this section. Funds to be used for the purposes specified  
14 in this section may be provided by the respective county or city by general obligation  
15 bonds issued under ch. 67 or by revenue bonds issued under s. ~~66.51~~ 66.0913 or by

16 the issuance of both general obligation bonds under ch. 67 and revenue bonds issued  
17 under s. ~~66.51~~ 66.0913. Any bonds Bonds issued pursuant to this section shall be  
18 executed on behalf of the county by the county board chairperson and the county  
19 clerk and on behalf of a city by the its mayor or other chief executive officer thereof  
20 and by the city clerk.

21 (4) COST SHARING. The ordinance shall provide for a sharing of all of the cost of  
22 construction or other acquisition, equipment, furnishing, operation and  
23 maintenance of ~~such a~~ a safety building on an agreed percentage basis.

24 (5) SAFETY BUILDING BOARD. The ordinance shall provide for the establishment  
25 of a joint county-city safety building board to be composed of 3 members to be

1 appointed by the county board, one for a one-year, one for a 2-year and one for a  
2 3-year term, and 3 members to be appointed by the city council, one for a one-year,  
3 one for a 2-year and one for a 3-year term; and one additional member appointed  
4 by the other members for a 3-year term. The membership of such ~~the~~ board shall  
5 include the chairperson of the county board and the mayor of the city, who shall be  
6 initially designated as members for the 3-year terms. Their respective successors  
7 shall be appointed and confirmed in like manner for terms of 3 years. All appointees  
8 shall serve until their successors are appointed and qualified. Terms shall begin as  
9 specified in the ordinance. If a member of the board ceases to hold a city or county  
10 office, membership on the board also terminates. Vacancies shall be filled for the  
11 unexpired term in the manner in which the original appointment was made.  
12 Members of the board shall be officials of the county or city. STET

13 ~~(6) ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS.~~ (a) When  
14 all members have qualified the board shall meet at the place designated in the  
15 ordinance and organize by electing from its membership a president, a vice  
16 president, a secretary and a treasurer, each to hold office for one year. The board may  
17 combine the offices of secretary and treasurer ~~may be combined if the board so~~  
18 ~~decides.~~ Members may receive such compensation as ~~may be~~ provided in the  
19 ordinance and shall be reimbursed their actual and necessary expenses for their  
20 services. The board may appoint an assistant secretary and assistant treasurer, who  
21 need not be members of the board, to perform such services as shall be specified by  
22 the board.

23 (b) Members, and any assistant secretary and assistant treasurer, shall qualify  
24 by taking the official oath, and the treasurer and any assistant treasurer shall  
25 furnish a bond in such a sum ~~as shall be~~ specified by the board and ~~be~~ in the form

1 and conditioned as provided in s. 19.01 (2) and (3). The oaths and bonds shall be filed  
2 with the county clerk. The cost of the bond shall be paid by the board.

3 (7) POWERS OF BOARD. The board ~~shall have power~~ may, subject to provisions of  
4 the ordinance:

5 (a) ~~To contract~~ Contract for the construction or other acquisition, equipping or  
6 furnishing of a county-city safety building, ~~and may; accept and use~~ and use donated services  
7 and gifts, grants or donations of money or property ~~and use the same~~ for the purposes  
8 given and consistent with this section; ~~and may~~ contract for and authorize the  
9 installation of equipment and furnishings in all or part of the safety building, ~~or any~~  
10 ~~part thereof~~ by private individuals, persons or corporations by donations, loan, lease  
11 or concession.

12 (b) ~~To contract~~ Contract for the construction or other acquisition of additions  
13 or improvements to, or alterations in, ~~such a~~ safety building and the equipment or  
14 furnishing of ~~any such~~ all or part of the addition; ~~and may~~ contract for or authorize  
15 the installation of equipment and furnishings in ~~such~~ all or part of the addition, ~~or~~  
16 ~~any part thereof~~, by private individuals, persons or corporations by donation, loan  
17 or concession.

18 (c) ~~To employ~~ Employ a superintendent of ~~the a~~ safety building and other  
19 necessary personnel and fix their compensation.

20 (d) ~~To enact~~ Enact, amend and repeal rules and regulations, not inconsistent  
21 with law, for the regulation of the board's meetings and deliberations, and for the  
22 government, operation and maintenance of the a safety building and the safety  
23 building's employes thereof.

1 (e) ~~To contract~~ Contract for, purchase or hire all fuel, equipment, furnishings,  
2 and supplies, services and help reasonably necessary for the proper operation and  
3 maintenance of ~~the a~~ safety building.

4 (f) ~~To audit~~ Audit all accounts and claims against ~~the a~~ safety building or  
5 against ~~the a~~ board, and, if approved, pay the ~~same~~ accounts or claims from the fund  
6 specified in sub. (9). ~~All expenditures made pursuant to this section shall be within~~  
7 ~~the limits of the ordinance.~~

8 (g) ~~To sue~~ Sue and be sued, and ~~to~~ collect or compromise any ~~and all~~ obligations  
9 due to ~~the a~~ safety building; ~~all~~. All money received shall be paid into the joint safety  
10 building fund.

11 (h) ~~To make such~~ Make studies and recommendations to the county board and  
12 city council relating to the operation of ~~the a~~ safety building ~~or the building of~~  
13 ~~facilities therefor~~ as the board ~~may deem~~ ~~deems~~ <sup>considers</sup> advisable or said ~~the~~ governing  
14 bodies request.

15 (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

16 (8) BUDGET. The board shall annually, ~~prior to~~ <sup>before</sup> the time of the preparation of  
17 either the county or city budget under s. 65.90, prepare a budget of its anticipated  
18 receipts and expenditures for the ensuing fiscal year and determine the  
19 proportionate cost to the county and the city pursuant to the terms of the ordinance.  
20 A certified copy of the budget, which shall include a statement of the net amount  
21 required from the county and city, shall be delivered to the clerks of the respective  
22 municipalities. ~~It shall be the duty of the~~ The county board and the common council  
23 of the city ~~to~~ shall consider ~~such~~ the budget, and determine the amount to be raised  
24 by the respective municipalities in the proportions determined by the ordinance.

1 ~~Thereupon~~ After this determination, the county and city respectively shall levy a tax  
2 sufficient to produce the amount to be raised by said ~~the~~ county and city.

3 (9) SAFETY BUILDING FUND. A joint county-city safety building fund shall be  
4 created and established in a public depository to be specified in the ordinance. The  
5 treasurer of the respective county and city shall pay ~~or cause to be paid~~ into such the  
6 fund the ~~respective amounts to be paid thereto by such county and city as~~ specified  
7 by the ordinance and resolutions of the respective municipalities when ~~such~~ the  
8 amounts have been collected. All of the moneys which ~~shall~~ come into said the fund  
9 are hereby appropriated to the board for the execution of its functions as provided  
10 by the ordinance and the resolutions of the respective municipalities. The moneys  
11 in the fund shall be paid out by the treasurer of the safety building board only upon  
12 the approval or direction of the board.

13 (10) CORRELATION OF LAWS. In any case where a bid is a prerequisite to contract  
14 in connection with a county or city safety building under s. ~~66.29~~ 66.0901, it ~~shall is~~  
15 also be a prerequisite to a valid contract by the board; ~~and for such.~~ For this purpose  
16 the board ~~shall be deemed is~~ a municipality and the contract a public contract under  
17 s. ~~66.29~~ 66.0901.

18 (11) REPORTS. The board shall report its activities to the county board and the  
19 city council annually, or oftener as either of said the municipalities <sup>may require.</sup>

20

SECTION 440. 66.51 (title) ~~and~~ (1), (2) and (3) of the statutes <sup>are renumbered</sup>  
21 66.0913 (title) ~~and~~ (1), (2) and (3) and amended to read:

*as affected by 1997  
Wisconsin Act 237,*

22 **66.0913** (title) ~~Revenue bonds for counties and cities~~ City and county  
23 projects, individual or joint; revenue bonding. (1) (a) ~~Every~~ A county or city,  
24 or both jointly, may construct, purchase, acquire, develop, improve, operate or  
25 maintain a county or city building, or both jointly, for a courthouse, safety building,

1 city hall, hospital, armory, library, auditorium and music hall, municipal parking  
 2 lots or other parking facilities, or municipal center or any combination thereof of the  
 3 foregoing, or a university <sup>college campus, as defined in 0,36,05 (6m)</sup> University of Wisconsin ~~center~~, if the operation of such the  
 4 ~~center~~ <sup>college campus</sup> has been approved by the board of regents of the university University of  
 5 Wisconsin ~~system~~ System.

6 (b) The county board, common council of any city, ~~or both jointly~~ <sup>plain</sup> are authorized  
 7 ~~in their discretion~~ may, for any of its corporate purposes as set forth in this  
 8 subsection, to issue bonds on which the principal and interest are payable from the  
 9 income and revenues of such the project financed with the proceeds of such the bonds  
 10 or with such the proceeds together with the proceeds of a grant from the federal  
 11 government to aid in the financing and construction ~~thereof~~ of the project. In the case  
 12 of municipal parking lots or other parking facilities such the bonds may in addition  
 13 be payable as to both principal and interest from income and revenues from other  
 14 similar projects, parking meters, parking fees, or any other income or revenue  
 15 obtained through parking, or any combination ~~thereof~~ of these methods.

16 (c) The credit of the county, or city, or both jointly, ~~shall~~ may not be pledged to  
 17 the payment of such the bonds, but ~~shall be~~ the bonds are payable only from the  
 18 income and revenues described in par. (b) or the funds received from the their sale  
 19 or disposal ~~thereof~~. If the county board, or common council of a city, or both jointly,  
 20 so determine, such the bonds shall be secured either by a trust indenture pledging  
 21 such the revenues or by a mortgage on the property comprising such the project and  
 22 the revenues ~~therefrom~~ from the project.

23 (2) The bonds or other evidences of indebtedness shall state ~~upon~~ on their face  
 24 that the bonds are not a debt of the county, or city, or both jointly, ~~shall not be a debt~~  
 25 ~~thereof or be~~ liable therefor for the indebtedness. Any indcbtcdness created by this

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1 section shall ~~is not be considered~~ and that the county or city, or both jointly, are not  
2 an indebtedness of such ~~the~~ county or city and shall not be included in such amounts  
3 of determining the constitutional 5% debt limitations.

4 (3) The provisions of s. ~~66.066~~ 66.0621 relating to the issuance of revenue bonds  
5 by cities for public utility purposes, insofar as applicable, and the provisions of ss.  
6 67.08 (1) and 67.09 relating to the execution and registration of municipal  
7 obligations apply to the issuance of revenue bonds under this section.

8 **SECTION 441.** 66.51 (4) of the statutes is repealed.

NOTE: Repealed as archaic. The subsection validates all actions of a county or city before December 4, 1955, in connection with the construction or other acquisition, equipping, furnishing, operation and maintenance of a joint county-city safety building which would have been valid had ss. 66.51 (1) and 66.508 been in effect when the actions were taken. There appears to be no need to continue the validation.

9 **SECTION 442.** 66.52 of the statutes is renumbered 66.1101 and amended to  
10 read:

11 **66.1101** ~~66.1101~~ **Promotion of industry; industrial sites.** (1) It is declared  
12 to be the policy of the state to encourage and promote the development of industry  
13 to provide greater employment opportunities and to broaden the state's tax base to  
14 relieve the tax burden of residents and home owners. It is recognized that the  
15 availability of suitable sites is a prime factor in influencing the location of industry  
16 but that existing available sites may be encroached upon by the development of other  
17 uses unless protected from such encroachment by purchase and reservation. It is  
18 further recognized that cities, villages and towns have broad power to act for the  
19 commercial benefit and the health, safety and public welfare of the public. However,  
20 to implement that power, legislation authorizing borrowing is necessary. It is,  
21 therefore, ~~declared to be~~ the policy of the state to authorize cities, villages and towns

1 to borrow for the reservation and development of industrial sites, and the  
2 expenditure of funds ~~therefor~~ for that purpose is determined to be a public purpose.

3 (2) For financing purposes, the purchase, reservation and development of  
4 industrial sites undertaken by ~~any a~~ city, village or town is a public utility within the  
5 meaning of s. ~~66.066~~ 66.0621. In financing under that section, rentals and fees ~~shall~~  
6 ~~be are~~ considered as to be revenue. Any indebtedness created ~~hereunder~~ under this  
7 section shall not be included in arriving at the constitutional debt limitation.

8 (3) Sites purchased for industrial development under this section or ~~pursuant~~  
9 ~~to~~ under any other authority may be developed by the city, village or town by the installation  
10 of utilities and roadways but not by the construction of buildings or structures. ~~Any~~  
11 ~~such~~ The sites may be sold or leased for industrial purposes but only for a fair  
12 consideration to be determined by the governing body.

13 SECTION 443. 66.521 of the statutes, as affected by 1997 Wisconsin Acts 3, 27,  
14 and 39, is renumbered 66.1103, and 66.1103 (1) (a), (2) (d), (f) to (h), (k) 1., 4., 11. and  
15 20. and (L), (3) (intro.), (b) 1. and 2., (d), (e) and (f), (4) (a) (intro.), (c) to (f), (4m) (c),  
16 (5) (a) ~~(intro.) and 1.~~ <sup>plus</sup> (b) (intro.) and ~~2.~~ <sup>to</sup> 5. and (c) to (f), (6) (a) ~~(intro.) 1. and 2.~~ and  
17 (b), (7), (8), (9), (10) (a), (b), (d), (11) (a), (12) (a) and (13) (b) (intro.) ~~1.~~ <sup>and</sup> 1. (intro.), b.  
18 and 2. (intro.), as renumbered, <sup>and</sup> are amended to read: 35

19 66.1103 (1) (a) It is found and declared that industries located in this state have  
20 been induced to move their operations in whole or in part to, or to expand their  
21 operations in, other states to the detriment of state, county and municipal revenue  
22 raising through the loss or reduction of income and franchise taxes, real estate and  
23 other local taxes, ~~and thereby~~ causing an increase in unemployment; that such  
24 conditions now exist in certain areas of the state and may well arise in other areas;  
25 that economic insecurity due to unemployment is a serious menace to the general

1 welfare of not only the people of the affected areas but of the people of the entire state;  
2 that unemployment results in obligations to grant public assistance and in the  
3 payment of unemployment insurance; that the absence of new economic  
4 opportunities has caused workers and their families to migrate elsewhere to find  
5 work and establish homes, which has resulted in a reduction of the tax base of  
6 counties, cities and other local governmental jurisdictions impairing their financial  
7 ability to support education and other local governmental services; that security  
8 against unemployment and the preservation and enhancement of the tax base can  
9 best be provided by the promotion, attraction, stimulation, rehabilitation and  
10 revitalization of commerce, industry and manufacturing; and that there is a need to  
11 stimulate a larger flow of private investment funds from banks, investment houses,  
12 insurance companies and other financial institutions. It is therefore declared to be  
13 the policy of this state to promote the right to gainful employment, business  
14 opportunities and general welfare of the its inhabitants thereof and to preserve and  
15 enhance the tax base by authorizing municipalities to acquire industrial buildings  
16 and to finance <sup>Plain</sup> such acquisition through the issuance of revenue bonds for the  
17 purpose of fulfilling the aims of this section and such. These purposes are hereby  
18 declared to be public purposes for which public money may be spent and the necessity  
19 in the public interest for the provisions herein enacted of this section is declared a  
20 matter of legislative determination.

21 (2) (d) "Equip" means to install or place on or in any building or improvements  
22 or the site thereof of the building or improvements equipment of any kind, including,  
23 ~~without limiting the generality of the foregoing,~~ machinery, utility service  
24 connections, pollution control facilities, building service equipment, fixtures,  
25 heating equipment and air conditioning equipment.

1 (f) “Improve”, “improving”, “improvements” and “facilities” embrace any real  
2 or personal property or mixed property ~~of any kind~~ of whatever useful life that can  
3 be used or that will be useful in an industrial project including, ~~but not limited to,~~  
4 sites for buildings, equipment or other improvements, rights-of-way, roads, streets,  
5 sidings, foundations, tanks, structures, pipes, pipelines, reservoirs, lagoons,  
6 utilities, materials, equipment, fixtures, machinery, furniture, furnishings,  
7 improvements, instrumentalities, pollution control facilities, and other real,  
8 personal or mixed property ~~of every kind~~.

9 (g) “Indenture” means an instrument under which bonds may be issued and the  
10 rights and security of the bondholders are defined, whether ~~such~~ the instrument is  
11 in the form of an indenture of trust, deed of trust, resolution of the governing body,  
12 mortgage, security agreement, instrument of pledge or assignment or any similar  
13 instrument or any combination of ~~the foregoing~~ these forms and whether or not ~~such~~  
14 the instrument creates a lien on property.

15 (h) “Initial resolution” means a resolution of the governing body expressing an  
16 intention, which may be subject to conditions ~~therein~~ stated in the resolution, to  
17 issue revenue bonds under this section in an amount stated, or a sum not to exceed  
18 a stated amount, on behalf of a specified eligible participant, for a stated purpose.

19 (k) 1. Assembling, fabricating, manufacturing, mixing or processing facilities  
20 for any products of agriculture, forestry, mining or manufacture, even though ~~such~~  
21 the products may require further treatment before delivery to the ultimate  
22 consumer;

23 4. Pollution control facilities, including any connected environmental studies  
24 and monitoring systems ~~connected therewith~~;

66.1105(2)(a),<sup>404-</sup>

or

1 11. Recreational facilities, convention centers and trade centers, as well as  
2 related hotels, motels or marinas related thereto;

3 20. A shopping center, or an office building, convention or trade center, hotel,  
4 motel or other nonresidential facility, which is located in or adjacent to a blighted  
5 area as defined by s. ~~66.43~~ 66.1331 (3) (a), ~~66.431~~ 66.1333 (2m) (b) ~~or 66.46~~ 66.1105  
6 ~~(2) (a)~~ or in accordance with a redevelopment plan or urban renewal plan adopted  
7 under s. ~~66.43~~ 66.1331 (5) or ~~66.431~~ 66.1333 (6). plain

8 (L) "Revenue agreement" includes any lease, sublease, instalment or direct  
9 sales contract, service contract, take or pay contract, loan agreement or similar  
10 agreement wherein providing that an eligible participant agrees to pay the  
11 municipality an amount of funds sufficient to provide for the prompt payment of the  
12 principal of, and interest on, the revenue bonds and agrees to ease construct the  
13 project to be constructed.

14 (3) POWERS. (intro.) Any A municipality may:

15 (b) 1. To finance all or any part of the costs of the construction, equipping,  
16 reequipping, acquisition, purchase, installation, reconstruction, rebuilding,  
17 rehabilitation, improving, supplementing, replacing, maintaining, repairing,  
18 enlarging, extending or remodeling of industrial projects and the improvement of  
19 sites ~~therefor~~ for industrial projects;

20 2. To fund the whole or any part of any revenue bonds ~~theretofore~~ issued by such  
21 the municipality, including any premium payable with respect ~~thereto~~ to the bonds  
22 and any interest accrued or to accrue ~~thereon~~ on the bonds; or

23 (d) Mortgage all or any part of the industrial project or assign the revenue  
24 agreements in favor of the holders of the bonds issued ~~therefor~~ for the industrial  
25 project and in connection ~~therewith~~ may with the mortgage or assignment

1 irrevocably waive any rights it would otherwise have to redeem the mortgaged  
2 premises in the event of foreclosure.

3 (e) Sell and convey the industrial project and site, including without limitation  
4 the sale and conveyance thereof subject to a mortgage, for ~~such~~ <sup>that</sup> the price and at ~~such~~  
5 the time as ~~the~~ governing body determines, but no sale or conveyance of any  
6 industrial project or site shall may be made in any manner as to impair that impairs  
7 the rights or interests of the holders of any bonds issued for the industrial project.

8 (f) Finance an industrial project which is located entirely within the geographic  
9 limits of the municipality or some contiguous part of which is located within and  
10 some contiguous part outside the geographic limits of the municipality; or, finance  
11 an industrial project which is located entirely outside the geographic limits of the  
12 municipality, but only if the revenue agreement ~~with respect to such~~ for the project  
13 also relates to another project of the same eligible participant ~~some~~ <sup>of the municipality</sup> part of which is  
14 located within ~~such~~ the geographic limits. ~~Exercise of the~~ The power granted by this  
15 ~~subsection shall not give rise to any~~ paragraph does not include the power on the part  
16 ~~of such municipality to annex, tax, zone or exercise any other municipal power with~~  
17 ~~respect to that part of such~~ the project located outside of the geographic limits of ~~such~~  
18 the municipality.

19 (4) ~~Bonds~~ (a) (intro.) ~~All bonds~~ Bonds issued by a municipality under ~~the~~  
20 ~~authority of this section shall be~~ are limited obligations of the municipality. The  
21 principal of and interest on ~~such~~ the bonds shall be are payable solely out of the  
22 revenues derived ~~pursuant to~~ <sup>under</sup> the revenue agreement pertaining to the project to be  
23 financed by the bonds ~~so issued under this section, or, in the event of~~ if there is a  
24 default of ~~such~~ the agreement and to the extent that the municipality ~~so provides in~~  
25 the proceedings of the governing body ~~whereunder~~ authorizing the bonds ~~are~~

1 authorized to be issued, out of any revenues derived from the sale, releasing or other  
2 disposition of the project, or out of any collateral securing the revenue agreement,  
3 or out of the proceeds of the sale of bonds. Bonds and interest coupons issued under  
4 this section ~~do~~ are not ~~constitute~~ an indebtedness of the municipality, within the  
5 meaning of any state constitutional provision or statutory limitation. Bonds and  
6 interest coupons issued under this section ~~do~~ are not ~~constitute nor give rise to a~~  
7 charge against the municipality's general credit or taxing powers or a pecuniary  
8 liability of the municipality or a redevelopment authority under s. ~~66.431~~ 66.1333,  
9 including but not limited to:

10 (c) The bonds may be executed and delivered at any time; be in ~~such~~ the form  
11 and denominations, without limitation as to the denomination of any bond, any other  
12 law to the contrary notwithstanding; be registered under s. 67.09; be payable in one  
13 or more instalments and at <sup>✓</sup> such time, not exceeding 35 years from their date; be  
14 payable ~~prior to maturity~~ <sup>before</sup> on ~~such~~ the terms and conditions; be payable both with  
15 respect to principal and interest at ~~such~~ the place in or out of this state; bear interest  
16 at ~~such~~ the rate, either fixed or variable in accordance with ~~such~~ the formula; be  
17 evidenced in ~~such~~ the manner; and may contain other provisions not inconsistent  
18 with this section, <sup>✓</sup> as specified by the governing body.

19 (d) Unless otherwise expressly or implicitly provided in the proceedings of the  
20 governing body ~~whereunder~~ authorizing the bonds ~~are authorized~~ to be issued, bonds  
21 issued under this section shall be are subject to the general provisions of law, not  
22 inconsistent with this section, ~~presently existing or that may hereafter be enacted,~~  
23 respecting the authorization, execution and delivery of the bonds of ~~such~~ the  
24 municipality.

*plain*

1 (e) ~~Any bonds, Bonds~~ issued under the authority of this section, may be sold at  
 2 public or private sale in ~~such the~~ manner, at ~~such the~~ price and at ~~such the~~ time as  
 3 ~~may be~~ determined by the governing body. The municipality may pay all expenses,  
 4 premiums and commissions which the governing body ~~may deem~~ ~~deems~~ <sup>considers</sup> necessary  
 5 or advantageous in connection with the authorization, sale and issuance ~~thereof of~~  
 6 the bonds.

7 (f) All bonds, issued under the authority of this section and all interest coupons  
 8 applicable thereto, shall be ~~construed to be~~ to the bonds, ~~are~~ negotiable instruments,  
 9 even though they are payable solely from a specified source.

10 (4m) (c) Nothing in this subsection ~~may be deemed to require~~ requires a person  
 11 with whom a municipality has entered into a revenue agreement to satisfy an  
 12 estimate under par. (a) 2.

13 (5) ~~PLEDGE OF REVENUES AND PROCEEDINGS FOR ISSUANCE OF BONDS~~ (a) ~~(intro.)~~  
 14 The principal of, and interest on, any bonds issued under authority of this section  
 15 shall be secured by a pledge of the revenues out of which ~~such the~~ bonds shall be are  
 16 made payable. ~~They~~ The bonds may, but need not, be secured by any one or more of  
 17 the following:

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18 3. An assignment of the revenue agreement and any security given ~~therefor~~ for  
 19 the revenue agreement.

20 (b) (intro.) The proceedings under which the bonds are authorized to be issued  
 21 under this section, and any indenture given to secure the ~~same~~ bonds, may contain  
 22 any agreements and provisions customarily contained in instruments securing  
 23 bonds, including, but not limited to:

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1           2. Provisions respecting the fixing and collection of the proceeds under the  
2 revenue agreement pertaining to any project covered by ~~such~~ the proceedings or  
3 indenture; .

4           3. The terms to be incorporated in the revenue agreement pertaining to ~~such~~  
5 the project; .

6           4. The maintenance and insurance of ~~such~~ the project; .

7           5. The creation, maintenance, custody, investment and reinvestment and use  
8 of special funds from the revenues of ~~such~~ the project; ~~and~~ .

9           (c) A municipality may provide that proceeds from the sale of bonds and special  
10 funds from the revenues of the project and any funds held in reserve or debt service  
11 funds shall be invested and reinvested in ~~such~~ securities and other investments as  
12 ~~are~~ provided in the proceedings under which the bonds are authorized to be issued.  
13 The municipality may also provide that ~~such~~ the proceeds or funds or investments  
14 and the revenues derived pursuant to the revenue agreement shall be received, held  
15 and disbursed by one or more banks or trust companies located in or out of this state.  
16 A municipality may also provide that the project and improvements shall be  
17 constructed or installed by the municipality, the eligible participant or the eligible  
18 participant's designee or any one or more of them on real estate owned by the  
19 municipality, the eligible participant or the eligible participant's designee and that  
20 the bond proceeds shall be disbursed by the trustee bank or trust company during  
21 construction upon the estimate, order or certificate of the eligible participant or the  
22 eligible participant's designee. In making ~~such~~ agreements or provisions under this  
23 paragraph, a municipality shall may not obligate itself, except with respect to the  
24 project and the application of the revenues ~~therefrom~~ from the project, and shall may

1 not incur a pecuniary liability or a charge upon its general credit or against its taxing  
2 powers.

3 (d) The proceedings authorizing any bonds under this section, or any indenture  
4 securing ~~such~~ the bonds, may provide that if there is a default in the payment of the  
5 principal of, or the interest on, ~~such~~ the bonds or in the performance of any agreement  
6 contained in ~~such~~ the proceedings or indenture, the payment and performance may  
7 be enforced by the appointment of a receiver with power to charge, collect and apply  
8 the revenues from the project in accordance with ~~such~~ the proceedings or the  
9 provisions of ~~such~~ the indenture.

10 (e) ~~Any~~ An indenture made under this section to secure bonds and which  
11 constitutes a lien on property may also provide that if there is a default in the  
12 payment ~~thereof~~ of the bonds or a violation of any agreement contained ~~therein~~ in  
13 the indenture, it may be foreclosed and the collateral sold under proceedings in any  
14 manner permitted by law. ~~Such~~ The indenture may also provide that ~~any~~ a trustee  
15 ~~thereunder~~ under or ~~any~~ a pledgee or assignee ~~thereof~~ of or the holder of any bonds  
16 secured ~~thereby~~ by the indenture may become the purchaser at any foreclosure sale  
17 if that person is the highest bidder ~~therefor~~.

18 (f) The revenue agreement may include ~~such~~ provisions as <sup>that</sup> the municipality  
19 ~~deems~~ <sup>considers</sup> appropriate to effect the financing of the project, including a provision for  
20 payments ~~thereunder~~ to be made in instalments and the securing of the obligation  
21 for any ~~such~~ payments by lien or security interest in the undertaking either senior  
22 or junior to, or ranking equally with, any lien, security interest or rights of others.

23 ~~(6) DETERMINATION OF REVENUE PAYMENTS~~ (a) ~~(intro)~~ <sup>Before</sup> Prior to the execution of  
24 a revenue agreement with respect to ~~any~~ a project, the governing body ~~must~~ shall  
25 determine all of the following

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1 1. The amount necessary in each year to pay the principal of, and the interest  
2 on, the bonds proposed to be issued to finance such the project;

3 3. Unless the terms of the revenue agreement provide that the eligible  
4 participant ~~shall~~ is obligated to provide for maintenance of the project and the  
5 carrying of all proper insurance with respect ~~thereto~~ to the project, the estimated cost  
6 of maintaining the project in good repair and keeping it properly insured.

7 (b) The determination and findings of the governing body shall be embodied in  
8 the proceedings under which the proposed bonds are to be issued; but the ~~foregoing~~  
9 amounts specified in par. (a) need not be expressed in dollars and cents in the revenue  
10 agreement and proceedings under which the bonds are authorized to be issued, but  
11 may be set forth in the form of a formula. ~~Prior to~~ <sup>Before</sup> the issuance of the bonds  
12 authorized by this section the municipality shall enter into a revenue agreement  
13 providing for payment to the municipality or to the trustee for the account of the  
14 municipality of such those amounts as, based upon the ~~basis of~~ such determination  
15 and findings, that will be sufficient to pay the principal of, and interest on, the bonds  
16 issued to finance the project; to build up and maintain any reserves ~~deemed~~ <sup>considered</sup>  
17 advisable by the governing body, in connection ~~therewith~~ with the project; and,  
18 unless the revenue agreement obligates the eligible participant to provide for the  
19 maintenance of and insurance on the project, to pay the costs of maintaining the  
20 project in good repair and keeping it properly insured.

21 (7) APPLICATION OF PROCEEDS LIMITED. (intro.) The proceeds from the sale of any  
22 bonds, issued under this section, ~~shall~~ may be applied only for the purpose for which  
23 the bonds were issued and if, for any reason, any portion of such the proceeds are not  
24 needed for the purpose for which the bonds were issued, such the unneeded portion  
25 of said the proceeds shall be applied, directly or indirectly, to the payment of the

1 principal or the interest on the bonds. The following costs may be financed as part  
2 of ~~any a~~ bond issue:

3 (8) PURCHASE. The municipality may, by or with the consent of the eligible  
4 participant, accept any bona fide offer to purchase the project which is sufficient to  
5 pay all the outstanding bonds, interest, taxes, special levies and other costs that have  
6 been incurred. The municipality may also, by or with the consent of the eligible  
7 participant, accept any bona fide offer to purchase any unimproved land which is a  
8 part of the project, if the purchase price is not less than the cost of ~~such the~~ land to  
9 the municipality computed on a prorated basis and if ~~such the~~ purchase price is  
10 applied directly or indirectly to the payment of the principal or interest on the bonds.

11 (9) PAYMENT OF TAXES. ~~When any~~ If an industrial project acquired by a  
12 municipality under this section is used by a private person as a lessee, sublessee or  
13 in any capacity other than owner, that person ~~shall be~~ is subject to taxation in the  
14 same amount and to the same extent as ~~though if~~ if that person were the owner of the  
15 property. Taxes shall be assessed to ~~such the~~ private person using the real property  
16 and collected in the same manner as taxes assessed to owners of real property. When  
17 due, the taxes ~~shall~~ constitute a debt due from ~~such the~~ private person to the taxing  
18 unit and ~~shall be~~ are recoverable as provided by law, and ~~such the~~ unpaid taxes ~~shall~~  
19 become a lien against the property with respect to which they were assessed,  
20 superior to all other liens, except a lien under s. 292.31 (8) (i) or 292.81, and shall be  
21 placed on ~~their the~~ tax roll when there has been a conveyance of the property in the  
22 same manner as ~~are~~ other taxes assessed against real property.

23 (10) ~~Procedure~~ (a) Any An action required or permitted by this section to be  
24 taken by a governing body may be taken at any lawful meetings ~~thereof~~ of the  
25 governing body. A simple majority of a quorum of ~~such the~~ governing body ~~shall be~~

1 is sufficient for any such the action under this section. The ayes and noes need not  
2 be taken with respect to any such the action and such the action need not be officially  
3 read ~~prior to~~ <sup>before</sup> adoption. Failure to publish any such an action shall under this section  
4 does not affect the validity thereof of the action.

5 (b) Upon the adoption of an initial resolution under this section, public notice  
6 of such the adoption shall be given to the electors of the municipality ~~prior to~~ <sup>before</sup> the  
7 issuance of the bonds ~~therein~~ described in the resolution, by publication as a class  
8 1 notice, under ch. 985. The notice need not set forth the full contents of the  
9 resolution, but shall state the maximum amount of the bonds; the name of the  
10 eligible participant; the purpose of the bonds; the net number of jobs which the  
11 project ~~which~~ the municipality would finance with the bond issue is expected to  
12 eliminate, create or maintain on the project site and elsewhere in this state ~~which~~ <sup>Plain</sup>  
13 ~~is~~ <sup>Plain</sup> required to be shown by the proposed eligible participant on the form submitted  
14 under sub. (4m) (a) 1.; and that the resolution was adopted under this section. A form  
15 of the public notice shall be attached to the initial resolution. Prior to adoption of the  
16 initial resolution, the open meeting notice given to members of the public under s.  
17 19.84 shall indicate that information with respect to the job impact of the project will  
18 be available at the time of consideration of the initial resolution. No other public  
19 notice of the authorization, issuance or sale of bonds under this section is required.

20 (d) The governing body may issue bonds under this section without ~~submitting~~  
21 the proposition to the electors of the municipality for approval unless within 30 days  
22 from the date of publication of notice of adoption of the initial resolution for such the  
23 bonds, a petition conforming to the requirements of s. 8.40, signed by not less than  
24 5% of the registered electors of the municipality, or, if there is no registration of  
25 electors in the municipality, by 10% of the number of electors of the municipality

1 voting for the office of governor at the last general election as determined under s.  
2 115.01 (13), is filed with the clerk of the municipality requesting a referendum upon  
3 the question of the issuance of the bonds. If ~~such~~ a petition is filed, the bonds ~~shall~~  
4 may not be issued until approved by a majority of the electors of the municipality  
5 voting ~~thereon~~ on the referendum at a general or special election.

6 (11) ~~CERTAIN LAWS NOT APPLICABLE~~ (a) With respect to the enforcement of any  
7 construction lien or other lien under ch. 779 arising out of the construction of projects  
8 financed under this section, no deficiency judgment or judgment for costs may be  
9 entered against the municipality. Projects financed under this section ~~shall~~ are not  
10 be deemed to be public works, public improvements or public construction within the  
11 meaning of ss. 59.52 (29), 60.47, 61.55, 62.15, 779.14, 779.15 and 779.155 and  
12 contracts for the construction of ~~such~~ the projects ~~shall~~ are not be deemed to be public  
13 contracts within the meaning of ss. 59.52 (29) and ~~66.29~~ 66.0901 unless factors ~~such~~  
14 ~~as and~~ including municipal control over the costs, construction and operation of the  
15 project and the beneficial ownership of the project warrant ~~such~~ the conclusion that  
16 they are public contracts.

17 (12) (a) In the absence of fraud, all bonds issued ~~prior to~~ before July 25, 1980 <sup>2</sup>  
18 purportedly ~~pursuant to~~ under this section, and all proceedings taken purportedly  
19 ~~pursuant to~~ under this section ~~prior to~~ before that date for the authorization and issuance of those  
20 bonds or of bonds not yet issued, and the sale, execution and delivery of bonds issued  
21 ~~prior to~~ before July 25, 1980, are hereby validated, ratified, approved and confirmed,  
22 notwithstanding any lack of power, however patent, other than constitutional, of the  
23 issuing municipality or the governing body or municipal officer thereof, to authorize  
24 and issue the bonds, or to sell, execute or deliver the ~~same~~ bonds, and  
25 notwithstanding any defects or irregularities, however patent, other than

## SECTION 443

1 constitutional, in the proceeding or in the sale, execution or delivery of bonds issued  
2 ~~prior to~~ <sup>before</sup> July 25, 1980. All ~~such~~ <sup>before</sup> bonds ~~issued prior to~~ <sup>before</sup> July 25, 1980 are binding, legal  
3 obligations in accordance with their terms.

4 (13) (b) (intro.) This section may be used to finance all or any part of the cost,  
5 tangible or intangible, whenever incurred, of providing an industrial project under  
6 this section, whether or not ~~such~~ the industrial project is in existence on the date of  
7 adoption of the initial resolution or of issuance of the bonds; whether new or  
8 previously used; whether or not previously owned by the eligible participant, the  
9 eligible participant's designee or a party affiliated with either; and notwithstanding  
10 that this section was not in effect or did not permit ~~such~~ the financing on the date of  
11 ~~such~~ adoption of the resolution or at the time ~~such~~ ownership was acquired, except  
12 as follows:

13 1. (intro.) No part of the costs of constructing or acquiring personal property  
14 owned by the eligible participant, the eligible participant's designee or a party  
15 affiliated with either at any time ~~prior to~~ <sup>before</sup> the date of adoption of the initial resolution  
16 may be so financed except ~~such~~ costs for:

17 b. Personal property which will either be substantially reconstructed,  
18 rehabilitated, rebuilt or repaired in connection with the financing or which  
19 represents less than 10% of the entire financing. Personal property shall be ~~is~~  
20 ~~deemed~~ <sup>is considered</sup> ~~owned~~ only after 50% of the acquisition cost thereof of the personal property  
21 has been paid and ~~such~~ the property has been delivered and installed.

22 2. (intro.) No part of the costs of acquiring real property or of acquiring or  
23 constructing improvements ~~thereto~~ to the real property may be so financed except  
24 ~~such~~ costs:

25 SECTION 444. 66.526 of the statutes is renumbered 62.57 and amended to read:

1 **62.57** ~~(title)~~ **Uniform salaries in first 1st class cities.** The common council  
 2 of any city of the first a 1st class, however incorporated, city may at any regular or  
 3 special meeting, at any time during the calendar year, adopt a uniform and  
 4 comprehensive salary or wage ordinance, or both, based on a classification of officers,  
 5 employments and positions in the city service and of and including any and all offices  
 6 and positions whatsoever in the employment of such city, whether previously so  
 7 classified or not, provided if provision has been made in the budget of the current year  
 8 for the total sum of money required for the payment of the salaries and wages for such  
 9 employment and a tax levied to include the same, with the following exception: That  
 10 fund the wages and salaries. Wages under this section may be fixed at any such time  
 11 by resolution alone and that the. The common council may, at any time during the  
 12 calendar year, at such meeting, determine a cost-of-living increment or  
 13 deduction, to be paid in addition to such wages or salaries under this section, based  
 14 on a proper finding of the United States bureau of labor statistics. Any such The  
 15 common council may, at any such meeting, provide for overtime pay and  
 16 compensatory time under s. 103.025 for employes who work in excess of 40 hours per  
 17 week.

18 **SECTION 445.** 66.527 (title) of the statutes is renumbered 66.0123 (title).

19 **SECTION 446.** 66.527 (1) to (3) of the statutes are renumbered 66.0123 (2) to (4)  
 20 and amended to read:

21 66.0123 (2) Funds for the establishment, operation and maintenance of a  
 22 department of recreation may be provided by the governing body of any town or  
 23 school district. A governmental unit may after compliance with s. 65.90 provide funds  
 24 for the establishment, operation and maintenance of a department of public  
 25 recreation.

## SECTION 446

1           (3) (a) ~~Any such~~ A governmental unit may delegate the power to establish,  
2 maintain and operate a department of public recreation to a ~~board of~~ recreation  
3 board, which shall consist of 3 members and shall be appointed by the chairperson  
4 or other presiding officer of the ~~governing body~~ governmental unit. The first  
5 appointments shall be made so that one member ~~will serve~~ serves one year, one ~~for~~  
6 serves 2 years and one ~~for~~ serves 3 years; ~~thereafter appointments shall be for terms~~  
7 of <sup>and</sup> after the first appointments, terms are 3 years.

8           (b) When 2 or more of the ~~aforesaid governing~~ governmental units desire to  
9 conduct, jointly, a department of public recreation, the joint recreation board shall  
10 consist of not less than 3 members ~~who shall be~~ selected by the presiding officers of  
11 ~~such the~~ governmental units acting jointly. Appointments shall be made for terms  
12 as provided in par. (a).

13           (c) The members of ~~any such a~~ recreation board shall serve gratuitously.

14           (d) ~~Such A~~ recreation board ~~is authorized to~~ may conduct the activities of ~~such~~  
15 ~~public recreation~~ the department, to of public recreation, expend funds ~~therefor, to,~~  
16 employ a supervisor of recreation, ~~to~~ employ assistants, ~~to~~ purchase equipment and  
17 supplies, and generally ~~to~~ supervise the administration, maintenance and operation  
18 of ~~such the~~ department of public recreation and recreational activities authorized by  
19 the recreation board.

20           (4) (a) ~~The public A~~ recreation board ~~has the right to~~ may conduct public  
21 recreation activities on property purchased or leased by ~~any such governing a~~  
22 governmental unit for recreational purposes and under its own custody, on other  
23 public property under the custody of any other public authority, body or board with  
24 the consent of ~~such the~~ public authority, body or board, or on private property with  
25 the consent of its owner, and such. The recreation board, with the approval of the

1 appointing ~~board~~ <sup>✓</sup> authority, may accept gifts and bequests of land, money or other  
 2 personal property, and use the ~~same gifts and bequests~~ in whole or in part, or the  
 3 income ~~therefrom~~ from the gifts and bequests or the proceeds from the sale of any  
 4 such ~~land~~ <sup>(intro)</sup> property in the establishment, maintenance and operation of recreational  
 5 activities.

6 (b) The A recreation board shall annually submit to the governing body <sup>(the</sup>  
 7 governmental unit a report of ~~its~~ <sup>the board's</sup> activities and showing, including receipts and  
 8 expenditures. ~~Such reports~~ <sup>The report</sup> shall be submitted not less than 15 days ~~prior~~  
 9 <sup>before</sup> to the annual meeting of such the governmental unit.

10 (c) An audit shall be made of the accounts of ~~such recreational~~ the recreation  
 11 board in the same manner as provided for audits for towns or school districts as the  
 12 case may be.

13 (d) The persons selected by the recreation board shall furnish a surety bond in  
 14 such an amount as ~~shall be fixed by the governing body~~ governmental unit. <sup>(intro)</sup>

15 SECTION 447. 66.53 of the statutes is renumbered 66.0733 <sup>(intro)</sup> and amended to  
 16 read:

17 **66.0733 Repayment of assessments in certain cases.** <sup>(intro)</sup> ~~If in any city or town~~  
 18 any a contract for improvements entered into by a governmental unit authorized to  
 19 levy special assessments is declared void by any a court of last resort ~~on the following~~  
 20 ~~grounds: want of power to make such contract; made contrary to a prohibition~~  
 21 ~~against contracting in any other than a specified way; or forbidden by statute, and~~  
 22 ~~if the governing body of the city or town has not adopted the resolution referred to~~  
 23 ~~in s. 66.295 (1) relating to payment of any person who has furnished any benefits~~  
 24 ~~under the void contract, the governing body of the city or town~~ <sup>✓</sup> may provide that all  
 25 persons who have paid all or any part of any assessment levied against the abutting

1 property owners ~~by reason~~ because of the improvement <sup>that</sup> may be reimbursed the  
 2 amount of the assessment, paid from the fund, as the governing body ~~may determine~~ <sup>may determine</sup>  
 3 ~~determines.~~ This section applies to contracts for improvements that are void <sup>for</sup>  
 4 ~~because~~ of any of the following reasons

- 5 (1) There was insufficient authority to make the contract.
- 6 (2) The contract was made contrary to a prohibition against contracting in  
 7 other than a specified way.
- 8 (3) The contract was prohibited by statute.

NOTE: Expands the scope of the provision to include any governmental entity authorized to levy special assessments.

Reflects the repeal of s. 66.295 by SECTION 310.

9 SECTION 448. 66.54 (title) of the statutes is renumbered 66.0713 (title) and  
 10 amended to read:

11 **66.0713 (title) Special improvement bonds; Contractor's certificates;**  
 12 **general obligation local improvement bonds; special assessment B bonds.**

13 SECTION 449. 66.54 (1) of the statutes is renumbered 66.0713 (1), and 66.0713  
 14 (1) (intro.) and (d), as renumbered, are amended to read:

15 66.0713 (1) DEFINITIONS. (intro.) Wherever used or referred to in In this section,  
 16 unless a different meaning clearly appears from the context:

17 (d) "Public improvement" means the result of the performance of work or the  
 18 furnishing of materials or both, for which special assessments are authorized to be  
 19 levied against the property benefited thereby by the work or materials.

20 SECTION 450. 66.54 (2) of the statutes is repealed.

NOTE: Repealed as unnecessary. The repealed subsection provides a noninclusive list of methods of funding public improvements by municipalities. Independent authority exists for these funding methods.

21 SECTION 451. 66.54 (3) (title) of the statutes is repealed.

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WPO: fix it → use a single hyphen

1           **SECTION 452.** 66.54 (3) of the statutes is renumbered 66.0709 (2) and amended  
2 to read:

3           66.0709 (2) ~~Whenever~~ If it is determined that the cost of ~~any~~ a public  
4 improvement ~~about to be made~~ is to be paid, wholly in whole or in part, by special  
5 assessments against the property to be benefited by the improvement, the resolution  
6 authorizing such the public improvement shall provide ~~and require~~ that the whole,  
7 or any stated proportion, or no part of the estimated aggregate cost of such the public  
8 improvement, which is to be levied as special assessments, shall be paid into the  
9 municipal treasury <sup>of the local governmental unit</sup> in cash. ~~No such~~ The public improvement shall may not be  
10 commenced nor any contract for the improvement let therefor ~~unless and until such~~  
11 the payment, if any, required by said the resolution, is paid into the treasury of the  
12 municipality <sup>local governmental unit</sup> by the owner or persons having an interest in the property to be  
13 benefited, ~~which.~~ The payment shall be credited ~~on~~ against the amount of the special  
14 assessments levied or to be levied against benefited property designated by the  
15 payer. ~~In the event that~~ If a preliminary payment is required by said the resolution,  
16 the refusal of one or more owners or persons having an interest in the property to be  
17 benefited to pay such any preliminary payments shall does not prevent the making  
18 of such the improvement, if the entire specified sum is obtained from the remaining  
19 owners or interested parties.

20           **SECTION 453.** 66.54 (4) (title) of the statutes is renumbered 66.0711 (title) and  
21 amended to read:

22           **66.0711** (title) **Discount on contract price cash payments for public**  
23 **improvements.**

24           **SECTION 454.** 66.54 (4) of the statutes is renumbered 66.0711 (2) and amended  
25 to read:

1           66.0711 (2) Every bid hereafter received for any public improvement which is  
 2 not to be paid wholly in cash shall contain a provision that all payments made in cash  
 3 by the ~~municipality~~ <sup>local governmental unit</sup> as provided by contract or made on special assessments as  
 4 hereinafter provided shall be ~~are~~ subject to a specified rate of discount. The  
 5 ~~municipal treasurer~~ <sup>of the</sup> shall issue a receipt for every such payment made on any special  
 6 assessment, stating the date and amount of the cash payment, the discount and the  
 7 total credit including such the discount, on a specified special assessment or  
 8 assessments. The treasurer shall on the same day deliver a duplicate of such the  
 9 receipt to the clerk, who shall credit the specified assessments accordingly. All  
 10 moneys so received shall be paid to the contractor as provided by the contract.

11           **SECTION 455.** 66.54 (5) of the statutes is renumbered 66.0713 (9) and amended  
 12 to read:

13           66.0713 (9) PAYMENT BY ~~MUNICIPALITY~~ <sup>(2) local governmental unit</sup> Whenever any such ~~If a public~~  
 14 improvement has been paid for by the ~~municipality~~ <sup>local governmental unit</sup>, contractor's certificates as  
 15 provided for in under sub. (6) ~~(2)~~ <sup>(3)</sup> or ~~general obligation-local improvement bonds as~~  
 16 provided for in sub. (9) under s. 67.16, or special assessment B bonds as provided for  
 17 ~~in~~ under sub. (10) (4) may be issued to the ~~municipality~~ <sup>as the owner thereof of the</sup>  
 18 certificates or bonds. All of the provisions of subs. (6), (9) and (10) (2) and (4) and s.  
 19 67.16 applicable to the contractor or to the owner of such the contractor's certificates  
 20 or to such the general obligation-local improvement bonds or to such the special  
 21 assessment B bonds shall be deemed to include the ~~municipality~~ <sup>which has paid for</sup>  
 22 such the improvement and to which such the contractor's certificates, general  
 23 obligation-local improvement bonds or special assessment B bonds have been  
 24 issued, except as otherwise provided in this section ~~otherwise provided~~.

25           **SECTION 456.** 66.54 (6) (title) of the statutes is renumbered 66.0713 (2) (title).

*as affected by 1947 Wisconsin Act 250,*

↓ 1 ↓

SECTION 457. 66.54 (6) (a) and (b) of the statutes are renumbered 66.0713 (2)

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

3 66.0713 (2) (a) ~~Whenever any~~ If a public improvement has been made and has  
4 been accepted by the governing body of the ~~municipality~~ local governmental unit, it may cause to be issued  
5 issue to the contractor for ~~such~~ the public improvement, a contractor's certificate as  
6 to each parcel of land against which special assessments have been levied for the  
7 unpaid balance of the amount chargeable ~~thereto~~ to the parcel, describing each  
8 parcel. Such The certificate shall be substantially in the following form:

9 \$.... No. ....

10 (name of ~~municipality~~)

11 CONTRACTOR'S CERTIFICATE

12 FOR CONSTRUCTION OF ....

13 (name of ~~municipality~~)

14 ISSUED PURSUANT TO

15 SECTION ~~66.54 (6)~~ 66.0713 (2) WIS. STATS.

*centered*

16 We, the undersigned officers of the (name of ~~municipality~~), hereby certify that  
17 (name and address of contractor) has performed the work of constructing .... in ....  
18 benefiting the following premises, ~~to wit:~~ (insert legal description) in the (name of  
19 ~~municipality~~) .... County, Wisconsin, pursuant to a contract entered into by said  
20 (name of ~~municipality~~) with the said .... (name of contractor), dated ...., and that ....  
21 entitled to the sum of .... dollars, being the unpaid balance due for said the work  
22 chargeable to the property hereinabove described above.

23 Now, ~~THEREFORE~~, If the said sum shall unpaid balance due is not be paid to the  
24 treasurer of (name of ~~municipality~~) before the first day of the following December,  
25 next, ~~the same~~ that amount shall be extended upon the tax roll of the (name of

*plain*

local governmental unit

1 ~~municipality~~ against the property above described as listed therein in the tax roll,  
2 and collected for, as provided by law.

3 This certificate is transferable by indorsement but ~~such an~~ assignment or  
4 transfer shall be by indorsement is invalid unless the same shall be recorded in the  
5 office of the clerk of the (name of ~~municipality~~) and the fact of ~~such the~~ recording is  
6 indorsed on this certificate. ~~THE HOLDER OF THIS CERTIFICATE SHALL HAVE HAS NO CLAIM~~  
7 UPON THE (Name of ~~municipality~~) IN ANY EVENT EXCEPT FROM THE PROCEEDS OF THE  
8 SPECIAL ASSESSMENTS LEVIED FOR SAID THE WORK AGAINST THE ABOVE DESCRIBED LAND.

9 This certificate shall bear interest from its date to the following January 1 next  
10 succeeding.

local governmental unit

plain

(11) Given under our hands at (name of ~~municipality~~), this .... day of ...., ~~19~~ .... (year)

1997  
AUG 25 1997

flush right

flush left

centered

12 ....  
13 (Mayor, President, Chairperson)

14 Countersigned:

15 ....

16 Clerk, (name of ~~municipality~~)

17 ASSIGNMENT RECORD

18 Assigned by .... (Original Contractor) to .... (Name of Assignee) of ....  
19 (Address of Assignee) .... (Date and signature of clerk)

20 (b) ~~Such certificate shall in no event be~~ A contractor's certificate is not a  
21 municipal liability <sup>of a</sup> and shall so state in boldface type printed on the face thereof <sup>of</sup>

22 the certificate. Upon issuance of said a certificate, the clerk of the municipality shall  
23 at once immediately deliver to the municipal treasurer <sup>of the</sup> a schedule of each such

24 certificate showing the date, amount, number, date of maturity, person to whom  
25 issued and parcel of land against which the assessment is made. The treasurer shall

1 ~~thereupon~~ notify, by mail, the owner of said ~~the~~ parcel, as the ~~same~~ owner appears  
2 on the last assessment roll, that payment is due on said ~~the~~ certificate at the office  
3 of said ~~the~~ treasurer, and if such ~~the~~ owner shall ~~pay such~~ pays the amount or part  
4 ~~thereof so due, said the~~ clerk shall ~~cause the same to be paid~~ pay that amount to the  
5 registered holder of said ~~the~~ certificate, and shall indorse such ~~the~~ payment on the  
6 face of said ~~the~~ certificate and on the clerk's record ~~thereof of the certificate~~. The clerk  
7 shall keep a record of the names of the persons, firms or corporations to whom such  
8 contractor's certificates shall be are issued and of the assignees ~~thereof of certificates~~  
9 when the ~~fact of~~ assignment is ~~made~~ known to such ~~the~~ clerk. Assignments of such  
10 contractor's certificates shall be are invalid unless recorded in the office of the clerk  
11 of the ~~municipality~~ local governmental unit and the fact of such recording ~~be is~~ indorsed on said ~~the~~  
12 certificate. Upon final payment of the certificate, the ~~same~~ certificate shall be  
13 delivered to the treasurer of the ~~municipality~~ and by the treasurer delivered to such  
14 ~~the~~ clerk. On the first of each month, to and including December 1, the treasurer  
15 shall certify to the clerk a detailed statement of all payments made on such  
16 certificates.

17 **SECTION 458.** 66.54 (6) (c) of the statutes is renumbered 66.0713 (10) and  
18 amended to read:

19 66.0713 (10) After the expiration of 90 days from the date of such a contractor's  
20 ~~certificate or any general obligation local improvement bond or special assessment~~  
21 ~~B bond hereinafter provided for, the same shall be~~ certificate or bond is conclusive  
22 evidence of the legality of all proceedings up to and including the issue ~~thereof of the~~  
23 certificate or bond and prima facie evidence of the proper construction of the  
24 improvement.

1           **SECTION 459.** 66.54 (6) (d) of the statutes is renumbered 66.0713 (2) (c) and  
2 amended to read:

3           66.0713 (2) (c) If ~~said certificates are a contractor's certificate~~ is not paid before  
4 December 1 in the year in which they are issued, the comptroller or clerk of the  
5 ~~municipality~~ <sup>local governmental unit</sup> shall thereupon include in the statement of special assessments to be  
6 placed in the next tax roll an amount sufficient to pay such certificates ~~the certificate,~~  
7 with interest thereon from the date of such certificates ~~the certificate to the following~~  
8 January 1 next succeeding, and thereafter the same collection of that amount shall  
9 be the same as <sup>the</sup> proceedings shall be had as in the case for the collection of general  
10 property taxes, except as otherwise provided in this section otherwise provided.

11 Such <sup>The</sup> delinquent taxes shall be returned to the county treasurer in trust for  
12 collection and not for credit. All moneys collected by the <sup>of the local governmental unit</sup> ~~municipal treasurer~~ or by  
13 the county treasurer and remitted to the ~~municipal treasurer~~ on account of such ~~the~~  
14 special assessments shall be delivered to the owner of the contractor's certificate on  
15 demand.

16           **SECTION 460.** 66.54 (7) of the statutes is renumbered 66.0715 (3), and 66.0715  
17 (3) (title), (a) to (f) <sup>(fm) 2, b. and 3.</sup> and (g), as renumbered, are amended to read:

18           66.0715 (3) (title) ANNUAL INSTALMENTS OF SPECIAL ASSESSMENTS. (a) The  
19 governing body of any ~~a municipality~~ <sup>a local governmental unit</sup> may provide that special assessments levied  
20 to defray the cost of any a public improvement or a project constituting part of a  
21 general public improvement, except sprinkling or oiling streets, may be paid in  
22 annual instalments.

23           (b) The first instalment shall include a proportionate part of the principal of  
24 the special assessment, determined by the number of instalments, together with  
25 interest on the whole assessment from such a date, not prior to <sup>before</sup> the date of the notice

1 hereinafter provided for under par. (e), and to such <sup>✓</sup> that date, not later than  
 2 December 31, in the year in which ~~same~~ the instalment is to be collected as shall be  
 3 determined by the governing body, ~~and each.~~ Each subsequent instalment shall  
 4 include a like the same proportion of the principal and one year's interest ~~upon~~ on  
 5 the unpaid portion of ~~such~~ the assessment.

6 (c) The first instalment shall be entered in the first tax roll prepared after said  
 7 the instalments shall have been determined as a special tax on the property upon  
 8 which the special assessment was levied, and thereafter this tax shall be treated in  
 9 all respects as any other municipal tax <sup>of a local governmental unit</sup>, except as otherwise provided in this section  
 10 otherwise provided. ~~One of the subsequent instalments.~~ Each subsequent instalment  
 11 shall be entered ~~in a like manner and with like effect~~ in each of the subsequent  
 12 annual tax rolls thereafter until all instalments are levied.

13 (d) If any instalment ~~so~~ entered in the tax roll ~~shall~~ is not be paid to the  
 14 ~~municipal~~ treasurer <sup>of the local governmental unit</sup> with the other taxes it shall be returned to the county as  
 15 delinquent and accepted and collected by the county in the same manner as  
 16 delinquent general taxes on real estate, except as otherwise provided in this section  
 17 otherwise provided.

18 (e) ~~Whenever~~ If the governing body determines to permit any special  
 19 assessments for any a local improvements improvement to be paid in instalments it  
 20 shall publish a class 1 notice, under ch. 985. ~~Such~~ The notice shall be substantially  
 21 in the following form:

22 <sup>centered</sup> } INSTALMENT ASSESSMENT NOTICE

23 Notice is hereby given that a contract has been (or is about to be) let for (describe  
 24 the improvement) and that the amount of the special assessment ~~therefor~~ for the  
 25 improvement has been determined as to each parcel of real estate affected thereby

Statutes

percent

1 and a statement of the ~~same~~ assessment is on file with the.... clerk; it is proposed to  
 2 collect the ~~same~~ special assessment in.... instalments, as provided for by section  
 3 ~~66.54 66.0715~~ of the Wisconsin statutes, with interest ~~thereon~~ at.... percent per year;  
 4 that all assessments will be collected in instalments as provided above ~~provided~~  
 5 except such assessments on property where the owner of ~~the same~~ shall file files with  
 6 the.... clerk within 30 days from date of this notice a written notice that the owner  
 7 elects to pay the special assessment on the owner's property, describing the ~~same~~  
 8 property, to the.... treasurer on or before the ~~next succeeding~~ the following November  
 9 1, unless the election is revoked. If, after making ~~such~~ the election, ~~said~~ the property  
 10 owner fails to make the payment to the.... treasurer, the.... clerk shall place the entire  
 11 assessment on the ~~next succeeding~~ following tax roll.

12 *flush left.* { Dated....

13 *flush right.* { .... [Clerk of (name of municipality)]

local governmental unit

14 (f) After the time for making an initial election to pay the special assessment  
 15 in full under par. (e) expires, ~~any~~ the assessment may be paid in full before due, ~~only~~  
 16 upon the payment of ~~such~~ that portion of the interest to become due ~~thereon~~ as the  
 17 governing body ~~shall determine~~ determines.

*INS 426-17*

18 (g) A schedule of the assessments and assessment instalments ~~thereof~~ shall be  
 19 recorded in the office of the clerk of the municipality ~~forthwith~~ as soon as practicable.

20 SECTION 461. 66.54 (8) of the statutes is repealed.

NOTE: Repealed as unnecessary. Authority to issue general obligation-local improvement bonds and special assessment B bonds is provided independently in other provisions of renumbered s. 66.54.

21 SECTION 462. 66.54 (9) (title) of the statutes is renumbered 66.0713 (3) (title).

22 SECTION 463. 66.54 (9) (a) of the statutes is renumbered 66.0713 (3) and  
23 amended to read:

Don't display;  
SEC. 462  
ma. separately.

1 66.0713 (3) ~~GENERAL OBLIGATION-LOCAL IMPROVEMENT BONDS~~ For the purpose of  
2 anticipating the collection of special assessments payable in instalments as provided  
3 in ~~this section s. 66.0621 (3)~~ and after ~~such the~~ instalments have been determined,  
4 the governing body may issue general obligation-local improvement bonds as ~~more~~  
5 particularly described in this subsection under s. 67.16.

6 SECTION 464. 66.54 (9) (b) and (c) of the statutes are renumbered 67.16 (2) (b)  
7 and (c) and amended to read:

8 67.16 (2) (b) The issue of such general obligation-local improvement bonds  
9 shall be in an amount not to ~~exceed~~ exceeding the aggregate unpaid special  
10 assessments levied for the public improvement ~~which such that the~~ issue is to  
11 finance. A single issue of ~~such the~~ bonds may be used to finance one or more different  
12 local improvements for which special assessments are authorized to be made in the  
13 same year. ~~Sections 67.035, 67.06, 67.07, 67.08 and 67.11 and 67.16,~~ where not  
14 plain contrary to the provisions of this section, shall be ~~applicable to such~~ apply to the

15 bonds. ~~Such The~~ bonds shall mature in the same number of instalments as said the  
16 underlying special assessments, but the date of maturity of each instalment of said  
17 the bonds shall be fixed in October, November or December. The first maturity of  
18 ~~such the~~ bonds may be in the ~~second~~ <sup>and</sup> year following the date of levy of the first  
19 instalment of the underlying special assessment. At the time of <sup>that</sup> the authorization  
20 of ~~such bonds~~ are authorized, the governing body of the local governmental unit shall levy a tax  
21 upon all the taxable property of said ~~the~~ <sup>the</sup> municipality sufficient to provide for the  
22 payment of the principal and interest of said the bonds at maturity, ~~which.~~ The tax  
23 ~~levy shall be is~~ irrevocable. All collections of instalments of the special assessments  
24 levied to pay for ~~such the~~ public improvement, either before or after delinquency  
25 thereof, shall be placed by the ~~municipal~~ <sup>of the</sup> treasurer in a special debt service fund,

1 designated and identified for ~~such~~ the issue of ~~such~~ the bonds, and shall be used only  
 2 for the payment of ~~said~~ the bonds and interest of ~~such~~ the issue. The annual  
 3 instalment of the irrevocable tax levied for the purpose of payment of ~~such~~ the bonds  
 4 and interest ~~thereon~~ on the bonds, shall be diminished by the amount on hand in ~~such~~  
 5 the debt service fund on November 1 of each tax levy year after deducting any unpaid  
 6 interest and principal due in that year, and ~~said~~ the amount so on hand in ~~said~~ the  
 7 fund shall be applied to the payment of the next succeeding instalment of principal  
 8 and interest named on ~~said~~ the bonds. Any deficiency in the debt service fund for the  
 9 payment of ~~such~~ the bonds and interest ~~thereon~~ at maturity shall be paid out of the  
 10 general fund of the municipality and ~~such~~ the general fund shall be reimbursed from  
 11 the collection of ~~such~~ that part of the aforesaid irrevocable tax as is actually levied.

12 Any surplus in ~~said~~ the debt service fund after all bonds and interest ~~thereon~~ are  
 13 fully paid, shall be paid into the general fund.

14 (c) If any instalment of the aforesaid the special assessment so entered in the  
 15 tax roll ~~shall~~ is not be paid to the municipal treasurer with the other taxes, it shall  
 16 be returned to the county treasurer as delinquent in trust for collection.

NOTE: Provisions of s. 66.54 relating to general obligation-local improvement  
 bonds are relocated to ch. 67, relating to general obligation debt. See, also,  
 SECTION 537 of this ~~draft~~ bill.

17 **SECTION 465.** 66.54 (10) and (11) of the statutes are renumbered 66.0713 (4)  
 18 and (5) and amended to read:

19 66.0713 (4) SPECIAL ASSESSMENT B BONDS (a) For the purpose of anticipating  
 20 the collection of special assessments payable in instalments, as provided in ~~this~~  
 21 section s. 66.0715(3) and after ~~said~~ the instalments have been determined, the  
 22 governing body may issue special assessment B bonds payable out of the proceeds

1 of ~~such~~ the special assessments as provided in this section. ~~Such~~ The bonds shall in  
2 no event be are not a general ~~municipal~~ liability. of the local governmental  
unit

3 (b) The issue of ~~such~~ special assessment B bonds shall be in an amount not to  
4 ~~exceed~~ exceeding the aggregate unpaid special assessments levied for the public  
5 improvement ~~which such~~ that the issue is to finance. A separate bond shall be issued  
6 for each separate assessment and ~~said~~ the bond shall be secured by and be payable  
7 out of only the assessment against which it is issued. ~~Such~~ The bonds shall mature  
8 in the same number of instalments as ~~said~~ the underlying special assessments. ~~Such~~  
9 The bonds shall carry coupons equal in number to the number of special assessments,  
10 ~~which.~~ The coupons shall be detachable and entitle the owner ~~thereof~~ of the bond to  
11 the payment of principal and interest collected on the underlying special  
12 assessments. ~~Such~~ The bond shall be executed as provided in s. 67.08 (1) and may  
13 be registered under s. 67.09. Each bond shall include a statement that it is payable  
14 only out of the special assessment on the particular property against which it is  
15 issued and the purpose for which ~~same~~ the assessment was levied and ~~such~~ other  
16 provisions as the governing body shall deem proper to insert inserts.

17 (ba) Payments of principal and interest shall conform as nearly as ~~may be~~  
18 possible to the payments to be made on the instalments of the assessment, and the  
19 principal and interest to be paid on the bonds shall not exceed the principal and  
20 interest to be received, on the assessment. All collections of instalments of the special  
21 assessments levied to pay for ~~such~~ the public improvement, either before or after  
22 delinquency ~~thereof~~, shall be placed by the ~~municipal~~ treasurer in a special debt  
23 service fund designated and identified for ~~such~~ the bond issue of bonds and shall be  
24 used only for the payment of ~~said~~ the bonds and interest of such the issue. Any

1 surplus in said the debt service fund after all bonds and interest thereon are fully  
2 paid, shall be paid into the general fund.

3 (c) Such Special assessment B bonds must shall be registered in the name of  
4 the owner thereof on the records of the clerk of the municipality by which said bonds  
5 were that issued the bonds. Upon transfer of the ownership of such the bonds the  
6 fact of such transfer must shall be noted upon the bond and on the record of the clerk  
7 of such the municipality. Any transfer not so recorded shall be is null and is void and  
8 the clerk of the municipality shall be entitled to may make payments of principal and  
9 interest to the owner of the bond as registered on the books of the municipality.

10 (d) Principal and interest collected on the underlying special assessments as  
11 well as and interest collected on the delinquent special assessments and on  
12 delinquent tax certificates issued therefor for the delinquent assessments shall be  
13 paid by the treasurer of the municipality out of the debt service fund created for the  
14 issue of such the bonds to the registered holder thereof of the bonds upon the  
15 presentation and surrender of the coupons due attached to said the bonds. If any  
16 instalment of the aforesaid special assessment entered in the tax roll shall is not be  
17 paid to the municipal treasurer of the with the other taxes, it shall be returned to the  
18 county treasurer as delinquent in trust for collection.

19 (e) If the tax certificate resulting from the delinquent special assessment is  
20 redeemed by any person, firm or corporation other than the county, the county  
21 treasurer shall pay to the municipality of the the full amount received therefor for the tax  
22 certificate, including interest, and the municipal treasurer of the shall thereupon then pay  
23 the amount of such the remittance into a special debt service fund created for the  
24 payment of such the special assessment B bonds.