

2003 DRAFTING REQUEST

Bill

Received: 03/05/2004

Received By: mshovers

Wanted: As time permits

Identical to LRB:

For: Mary Lazich (608) 266-5400

By/Representing: Kathy

This file may be shown to any legislator: NO

Drafter: mshovers

May Contact:

Addl. Drafters:

Subject: Munis - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Sen.Lazich@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Expand definition of "public utility"; insert missing word in statutes

Instructions:

See Attached. Draft revisor's bill, LRB -4346/1, as a regular bill

Drafting History:

| <u>Vers.</u> | <u>Drafted</u>         | <u>Reviewed</u>        | <u>Typed</u>          | <u>Proofed</u> | <u>Submitted</u>      | <u>Jacketed</u>        | <u>Required</u> |
|--------------|------------------------|------------------------|-----------------------|----------------|-----------------------|------------------------|-----------------|
| /?           | mshovers<br>03/05/2004 | kfollett<br>03/05/2004 |                       |                |                       |                        |                 |
| /1           |                        |                        | chaugen<br>03/05/2004 |                | mbarman<br>03/05/2004 | Inorthro<br>03/05/2004 |                 |

03/09/2004 03:46:48 PM  
Page 1

LRB-4439

FE Sent For:

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| /?           | mshovers<br>03/05/2004 | kfollett<br>03/05/2004 |                       | _____          |                       |                 |                 |
| /1           |                        |                        | chaugen<br>03/05/2004 | _____          | mbarman<br>03/05/2004 |                 |                 |

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<END>

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1?           | mshovers       | llkf<br>3/5/04  | ch<br>3-5    | ch 3-5<br>jk   |                  |                 |                 |
| 11 MES       |                | 3/5/04          |              |                |                  |                 |                 |
| FE Sent For: |                |                 |              |                |                  |                 |                 |

<END>



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-44397  
MES.....

CJS+ (FNR)  
KJF

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

today

gen

1 AN ACT ...; relating to: expanding the definition of public utility in the  
2 municipal revenue obligations statute and inserting a missing word into the  
3 cultural arts district statute.

**Analysis by the Legislative Reference Bureau**

Under current law, the definition of "public utility" in the municipal revenue obligations statute means any revenue producing facility or enterprise owned by a municipality and operated for a public purpose, and includes garbage incinerators, swimming pools, tennis courts, municipal halls, courthouses, jails, schools, hospitals, child care centers, local professional baseball park facilities, and any other necessary public works projects undertaken by a municipality.

This bill adds local professional football stadium facilities and local cultural arts facilities to that definition.

This bill also inserts the missing word "or" into a statute relating to employees and directors of, and persons executing bonds for, cultural arts districts. As affected by this bill, the provision will be consistent with the treatment of employees and directors of, and persons executing bonds for, local exposition districts, local professional baseball park districts, and local professional football stadium districts.

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

4

(END)



**2003 BILL**

1 **AN ACT relating to:** amending and revising sections 66.0621 (1) (b) and 229.844  
2 (8) (c) of the statutes for the purpose of reconciling conflicts and repelling  
3 unintended repeals (Revisor's Correction Bill).

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

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, commas before the last item in a series are added throughout this bill.

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

4 **SECTION 1** 66.0621 (1) (b) of the statutes is amended to read:  
5 66.0621 (1) (b) "Public utility" means any revenue producing facility or  
6 enterprise owned by a municipality and operated for a public purpose as defined in  
7 s. 67.04 (1) (b) including garbage incinerators, toll bridges, swimming pools, tennis  
8 courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting,  
9 city halls, village halls, town halls, courthouses, jails, schools, cooperative

**BILL**

1 educational service agencies, hospitals, homes for the aged or indigent, child care  
 2 centers, as defined in s. 231.01 (3c), regional projects, waste collection and disposal  
 3 operations, sewerage systems, local professional baseball park facilities, local  
 4 professional football stadium facilities, local cultural arts facilities, and any other  
 5 necessary public works projects undertaken by a municipality.

NOTE: 1999 Wis. Act 65 authorized the creation of a local cultural arts districts and included local cultural arts facilities within the definition of "public utility" in s. 66.067. 1999 Wis. Act 167 authorized the creation of a local professional football district and included local professional football stadium facilities within the definition of "public utility" in s. 66.067. 1999 Wis. Act 150 repealed s. 66.067 without taking into account the treatments by Acts 65 and 167. It appears there was no intent in the Act 150 repeal to effect any substantive change. A note accompanying the repeal of s. 66.067 in Act 150 states that the act "(r)epeals s. 66.067, relating to permissible public works projects, since the substance of the section has been incorporated into s. 66.0621 (1) (b)." Further, the prefatory note to Act 150 states:

This bill is recommended by the joint legislative council's special committee on general municipal law recodification. The special committee was directed to recodify chapter 66 of the statutes by the process of reorganization into logical subchapters, sections and subunits, repeal of unnecessary or archaic and obsolete language, relocation of those provisions more appropriately placed elsewhere in the statutes and modernization of language where appropriate. The special committee was directed to refrain from recommending substantive changes that would significantly affect relationships between governmental units or engender substantial controversy in the legislative process.

6 SECTION ~~21~~ 229.844 (8) (c) of the statutes is amended to read:

7 229.844 (8) (c) No director, employee of the district nor any other person  
 8 executing any agreements with respect to any bonds or other obligations under this  
 9 subsection is personally liable on the obligations or subject to any personal liability  
 10 or accountability by reason of the issuance of such obligations.

NOTE: Inserts missing word. This provision relating to employees and directors of and persons executing bonds for cultural arts districts, created by 1999 Wis. Act 65, is amended for consistency and parallel construction with ss. 229.48 (6), 229.72 (6), and 229.829 (3), which provide identical treatment of employees and directors of and persons executing bonds for local exposition districts, local professional baseball park districts, and local professional football stadium districts, respectively.



**Northrop, Lori**

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**From:** Connolly, Cathy  
**Sent:** Friday, March 05, 2004 3:16 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 03-4439/1 Topic: Expand definition of "public utility"; insert missing word in statutes

It has been requested by <Connolly, Cathy> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-4439/1 Topic: Expand definition of "public utility"; insert missing word in statutes