

SENATE BILL 352

1 (22) Subject to any requirement of federal law and to any duty of the
2 department specified under this chapter, maintain exclusive jurisdiction over
3 spaceports of the authority.

4 **114.63 Duties of authority.** The authority shall do all of the following:

5 ~~(1) Establish a spaceport in this state in the city of Sheboygan in Sheboygan~~
6 ~~County.~~

7 (2) Promote this state's aerospace industry; analyze trends in the aerospace
8 industry and recommend actions to be taken by this state to compete in the global
9 aerospace industry; and coordinate access to commercial, technical, and general
10 aerospace information and services.

11 (3) Advertise and promote to the public the development and utilization of
12 spaceport facilities, spaceport services, aerospace facilities, and aerospace services
13 of the authority.

14 (4) Develop, promote, attract, and maintain space-related businesses in this
15 state, which may include expenditures for travel, entertainment, and hospitality for
16 business clients or guests or other authorized persons, but such expenditures shall
17 be limited to the uniform travel schedule amounts approved under s. 20.916 (8).

18 (5) Provide aerospace services to the aerospace industry and general public of
19 this state, provide commercial and noncommercial aerospace business opportunities
20 for industry, education, and government, and develop projects within this state to
21 foster and improve aerospace economic growth.

22 (6) Advise, cooperate, and coordinate with federal, state, and local
23 governmental units, the aerospace industry, educational organizations, businesses,
24 and the Wisconsin Space Grant Consortium, and any other person interested in the
25 promotion of space-related industry.

SENATE BILL 352

SECTION 74

1 (7) Furnish leadership in securing adequate funding for spaceports, spaceport
2 facilities, spaceport services, aerospace facilities, and aerospace services in this
3 state.

4 (8) Act as a central clearinghouse and source of information in this state for
5 spaceports, spaceport facilities, spaceport services, aerospace facilities, and
6 aerospace services, including furnishing such information to legislators, offices of
7 government, educational institutions, and the general public.

8 (9) Develop a business plan to promote and facilitate spaceport-related
9 educational and commercial development in this state, and to stimulate and improve
10 aerospace science, design, technology, and research in this state, which plan shall
11 include information about the authority and information and analysis about
12 space-related industry, technology, design, manufacturing, marketing, and

13 management. The business plan shall be developed in cooperation with the
14 Wisconsin Space Grant Consortium. ✓

15 (10) Assist any state agency, municipality, or other governmental unit, upon
16 its request, in the development of any spaceport or spaceport facility.

17 (11) Use the building commission as a financial consultant to assist and
18 coordinate the issuance of bonds under this subchapter.

19 (12) Comply with all applicable state and federal laws, including all
20 environmental and aeronautics laws, in the exercise of the powers specified under
21 this subchapter.

22 (13) Comply with all requirements under federal law related to the use or
23 expenditure of federal aid, and comply with all lawful restrictions or conditions
24 imposed by state law or by the terms of any gift, bequest, grant, loan, aid,
25 contribution, or financial assistance relating to the use or expenditure of such funds.

SENATE BILL 352

1 (14) To the extent permitted by applicable state and federal law, attempt to
2 involve and utilize, with respect to any facility or service provided by the authority,
3 disadvantaged individuals, disadvantaged businesses, and minority businesses, as
4 those terms are defined in s. 84.076 (1) (a) to (c).

5 (15) Establish a safety program that includes the development and
6 implementation of a loss prevention program, safety policies, and regular and
7 periodic facility and equipment inspections.

8 (16) Attempt to procure adequate liability and property insurance.

9 (17) Subject to s. 114.64, establish the authority's annual budget and monitor
10 the fiscal management of the authority.

11 **114.64 Annual reports.** (1) The authority shall keep an accurate account of
12 all of its activities and of all of its receipts and expenditures, and shall annually in
13 January make a report of its activities, receipts, expenditures, and financial
14 condition to the governor and the chief clerk of each house of the legislature, for
15 distribution to the legislature under s. 13.172 (2). The reports shall be in a form
16 approved by the state auditor.

17 (2) (a) Within 180 days after the effective date of this paragraph [revisor
18 inserts date], or within 60 days after the authority receives from any public or private
19 source money sufficient to fund the cost of preparing a business plan, whichever is
20 later, the authority shall submit to the department of administration the business
21 plan specified under s. 114.63 (9) and an estimate of the costs of and funding for any
22 planned projects of the authority described in s. 114.62 (10).

23 (b) The authority shall update and resubmit the plan under par. (a) upon the
24 request of the department of administration.

SENATE BILL 352

SECTION 74

1 (3) For each fiscal year in which the authority receives operating revenues, the
2 authority shall submit to the department of administration an audited financial
3 statement, which shall include notes that explain in detail the specific sources of
4 funding contained in the financial statement.

5 **114.65 Maintenance of records.** (1) (a) Subject to rules promulgated by the
6 department of administration under s. 16.611, the authority may transfer to or
7 maintain in optical disk or electronic format any record in its custody and retain the
8 record in that format only.

9 (b) Subject to rules promulgated by the department of administration under s.
10 16.611, the authority shall maintain procedures to ensure the authenticity, accuracy,
11 reliability, and accessibility of records transferred to or maintained in optical disk or
12 electronic format under par. (a).

13 (c) Subject to rules promulgated by the department of administration under s.
14 16.611, if the authority transfers to or maintains in optical disk or electronic format
15 any records in its custody, the authority shall ensure that the records stored in that
16 format are protected from unauthorized destruction.

17 (2) (a) Any microfilm reproduction of an original record of the authority, or a
18 copy generated from an original record stored in optical disk or electronic format, is
19 considered an original record if all of the following conditions are met:

20 1. Any device used to reproduce the record on film or to transfer the record to
21 optical disk or electronic format and generate a copy of the record from optical disk
22 or electronic format accurately reproduces the content of the original.

23 2. The reproduction is on film which complies with the minimum standards of
24 quality for microfilm reproductions, as established by rule of the public records
25 board, or the copy generated from optical disk or electronic format comply with the

SENATE BILL 352

1 minimum standards of quality for such copies, as established by rule of the
2 department of administration under s. 16.611.

3 3. The film is processed and developed in accordance with the minimum
4 standards established by the public records board. This subdivision does not apply
5 to a copy generated from an electronic record.

6 4. The record is arranged, identified, and indexed so that any individual
7 document or component of the record can be located with the use of proper
8 equipment.

9 5. The custodian of the record designated by the authority executes a statement
10 of intent and purpose describing the record to be reproduced or transferred to optical
11 disk or electronic format and the disposition of the original record, and executes a
12 certificate verifying that the record was received or created and microfilmed or
13 transferred to optical disk or electronic format in the normal course of business and
14 files the statement in the offices of the authority.

15 (b) The statement of intent and purpose executed under par. (a) 5. is
16 presumptive evidence of compliance with all conditions and standards prescribed by
17 this subsection.

18 (3) (a) Any microfilm reproduction of a record of the authority meeting the
19 requirements of sub. (2) or copy of a record of the authority generated from an
20 original record stored in optical disk or electronic format in compliance with this
21 section shall be taken as, stand in lieu of, and have all the effect of the original
22 document and shall be admissible in evidence in all courts and all other tribunals or
23 agencies, administrative or otherwise, in all cases where the original document is
24 admissible.

SENATE BILL 352

1 (b) Any enlarged copy of a microfilm reproduction of a record of the authority
2 made as provided by this section or any enlarged copy of a record of the authority
3 generated from an original record stored in optical disk or electronic format in
4 compliance with this section that is certified by the custodian as provided in s. 889.08
5 shall have the same force as an actual-size copy.

6 (4) Notwithstanding any other provision of this subchapter, the authority shall
7 maintain the confidentiality of records or portions of records held by the authority
8 containing any trade secret, as specified under s. 19.36 (5). Notwithstanding subch.
9 V of ch. 19, any portion of any meeting of the authority concerning trade secrets shall
10 be conducted in closed session and shall in all respects, including in any written
11 record or audio or visual recording of the meeting, remain confidential.

12 **114.67 Cooperation with governmental units.** To enhance the efficiency
13 and effectiveness of the authority, the state, any political subdivision of the state,
14 municipality, or other governmental unit may enter into cooperative agreements
15 with the authority for furnishing any facility or service of the state, political
16 subdivision, body politic, or other governmental unit to the authority, including fire
17 and police protection, and may otherwise provide, to the extent permitted by law, any
18 funds, property, or services to the authority.

19 **114.68 Political activities.** (1) No employee of the authority may directly
20 or indirectly solicit or receive subscriptions or contributions for any partisan political
21 party or any political purpose while engaged in his or her official duties as an
22 employee. No employee of the authority may engage in any form of political activity
23 calculated to favor or improve the chances of any political party or any person seeking
24 or attempting to hold partisan political office while engaged in his or her official
25 duties as an employee or engage in any political activity while not engaged in his or

SENATE BILL 352

1 her official duties as an employee to such an extent that the person's efficiency during
2 working hours will be impaired or that he or she will be tardy or absent from work.
3 Any violation of this section is adequate grounds for dismissal.

4 (2) If an employee of the authority declares an intention to run for partisan
5 political office, the employee shall be placed on a leave of absence for the duration
6 of the election campaign and if elected shall no longer be employed by the authority
7 on assuming the duties and responsibilities of such office.

8 (3) An employee of the authority may be granted, by the executive director, a
9 leave of absence to participate in partisan political campaigning.

10 (4) Persons on leave of absence under sub. (2) or (3) shall not be subject to the
11 restrictions of sub. (1), except as they apply to the solicitation of assistance,
12 subscription, or support from any other employee in the authority.

13 **114.69 Liability limited.** (1) Neither the state nor any political subdivision
14 of the state nor any officer, employee, or agent of the state or of a political subdivision
15 who is acting within the scope of employment or agency is liable for any debt,
16 obligation, act, or omission of the authority.

17 (2) All of the expenses incurred by the authority in exercising its duties and
18 powers under this chapter shall be payable only from funds of the authority.

19 **114.70 Issuance of bonds.** (1) The authority may issue bonds for any
20 corporate purpose. All bonds are negotiable for all purposes, notwithstanding their
21 payment from a limited source.

22 (2) The bonds of each issue shall be payable from sources specified in the bond
23 resolution under which the bonds are issued.

24 (3) The authority may not issue bonds unless the issuance is first authorized
25 by a bond resolution. Bonds shall bear the dates, mature at the times not exceeding

SENATE BILL 352**SECTION 74**

1 30 years from their dates of issue, bear interest at the rates, be payable at the times,
2 be in the denominations, be in the form, carry the registration and conversion
3 privileges, be executed in the manner, be payable in lawful money of the United
4 States at the places, and be subject to the terms of redemption, that the bond
5 resolution provides. The bonds shall be executed by the manual or facsimile
6 signatures of the officers of the authority designated by the board. The bonds may
7 be sold at public or private sale at the price, in the manner, and at the time
8 determined by the board. Pending preparation of definitive bonds, the authority may
9 issue interim receipts or certificates that the authority shall exchange for the
10 definitive bonds.

11 (4) Any bond resolution may contain provisions, which shall be a part of the
12 contract with the holders of the bonds that are authorized by the bond resolution,
13 regarding any of the following:

14 (a) Pledging or assigning specified assets or revenues of the authority.

15 (b) Setting aside reserves or sinking funds, and the regulation, investment, and
16 disposition of these funds.

17 (c) Limitations on the purpose to which or the investments in which the
18 proceeds of the sale of any issue of bonds may be applied.

19 (d) Limitations on the issuance of additional bonds, the terms upon which
20 additional bonds may be issued and secured, and the terms upon which additional
21 bonds may rank on a parity with, or be subordinate or superior to, the bonds
22 authorized by the bond resolution.

23 (e) Funding, refunding, advance refunding, or purchasing outstanding bonds.

SENATE BILL 352

1 (f) Procedures, if any, by which the terms of any contract with bondholders may
2 be amended, the amount of bonds the holders of which must consent to the
3 amendment, and the manner in which this consent may be given.

4 (g) Defining the acts or omissions to act that constitute a default in the duties
5 of the authority to the bondholders, and providing the rights and remedies of the
6 bondholders in the event of a default.

7 (h) Other matters relating to the bonds that the board considers desirable.

8 (5) Neither the members of the board nor any person executing the bonds is
9 liable personally on the bonds or subject to any personal liability or accountability
10 by reason of the issuance of the bonds, unless the personal liability or accountability
11 is the result of willful misconduct.

12 (6) No less than 14 days prior to any commitment by the authority for the
13 issuance of bonds under this section, the authority shall submit the bond resolution
14 to the governor, to the chief clerk of each house of the legislature for distribution to
15 the legislature under s. 13.172 (2), and to the cochairpersons of the joint committee
16 on finance. If, within 14 days after the date on which the bond resolution is submitted
17 to the joint committee on finance, the cochairpersons of the committee do not notify
18 the authority that the committee has scheduled a meeting for the purpose of
19 reviewing the bond resolution, the authority may proceed with any commitment for
20 the issuance of bonds under the bond resolution. If, within 14 days after the date on
21 which the bond resolution is submitted to the committee, the cochairpersons of the
22 committee notify the authority that the committee has scheduled a meeting to review
23 the bond resolution, the authority may proceed with any commitment for the
24 issuance of bonds under the bond resolution only upon approval by the committee.

SENATE BILL 352

SECTION 74

1 **114.71 Bond security.** The authority may secure any bonds issued under this
2 chapter by a trust agreement, trust indenture, indenture of mortgage, or deed of
3 trust by and between the authority and one or more corporate trustees. The bond
4 resolution providing for the issuance of bonds so secured shall pledge some or all of
5 the revenues to be received by the authority, including to the extent permitted by law
6 any grant, aid, loan, or other contribution, or shall mortgage, assign, or grant
7 security interests in some or all of the property of the authority, or both, and may
8 contain provisions for protecting and enforcing the rights and remedies of the
9 bondholders that are reasonable and proper and not in violation of law. A bond
10 resolution may contain any other provisions that are determined by the board to be
11 reasonable and proper for the security of the bondholders.

12 **114.72 Bonds not public debt. (1)** The state is not liable on bonds of the
13 authority and the bonds are not a debt of the state. Each bond of the authority shall
14 contain a statement to this effect on the face of the bond. The issuance of bonds under
15 this chapter does not, directly, indirectly, or contingently, obligate the state or any
16 political subdivision of the state to levy any tax or to make any appropriation for
17 payment of the bonds. Nothing in this section prevents the authority from pledging
18 its full faith and credit to the payment of bonds issued under this chapter.

19 **(2)** Nothing in this chapter authorizes the authority to create a debt of the state,
20 and all bonds issued by the authority under this chapter are payable, and shall state
21 that they are payable, solely from the funds pledged for their payment in accordance
22 with the bond resolution authorizing their issuance or in any trust indenture or
23 mortgage or deed of trust executed as security for the bonds. The state is not liable
24 for the payment of the principal of or interest on any bonds of the authority or for the
25 performance of any pledge, mortgage, obligation, or agreement which may be

SENATE BILL 352

1 undertaken by the authority. The breach of any pledge, mortgage, obligation, or
2 agreement undertaken by the authority does not impose any pecuniary liability upon
3 the state or any charge upon its general credit or against its taxing power.

4 **114.73 State pledge.** The state pledges to and agrees with the holders of
5 bonds, and persons that enter into contracts with the authority under this chapter,
6 that the state will not limit or alter the rights vested in the authority by this chapter
7 before the authority has fully met and discharged the bonds, and any interest due
8 on the bonds, and has fully performed its contracts, unless adequate provision is
9 made by law for the protection of the bondholders or those entering into contracts
10 with the authority.

11 **114.74 Refunding bonds.** (1) The authority may issue bonds to fund or
12 refund any outstanding bond, including the payment of any redemption premium on
13 the outstanding bond and any interest accrued or to accrue to the earliest or any
14 subsequent date of redemption, purchase, or maturity.

15 (2) The authority may apply the proceeds of any bond issued to fund or refund
16 any outstanding bond to purchase, retire at maturity, or redeem any outstanding
17 bond. The authority may, pending application, place the proceeds in escrow to be
18 applied to the purchase, retirement at maturity, or redemption of any outstanding
19 bond at any time.

20 **114.75 Limit on amount of outstanding bonds.** The authority may not
21 have outstanding at any one time bonds in an aggregate principal amount exceeding
22 \$100,000,000, excluding bonds issued to refund outstanding bonds.

23 **114.76 Bonds exempt from taxation.** The state covenants with the
24 purchasers and all subsequent holders and transferees of bonds issued by the
25 authority, in consideration of the acceptance of any payment for the bonds, that its

SENATE BILL 352**SECTION 74**

1 fees, charges, gifts, grants, revenues, receipts, and other moneys received or to be
2 received, pledged to pay or secure the payment of such bonds shall at all times be free
3 and exempt from all state, city, county, or other taxation provided by the laws of the
4 state.

5 **114.77 Funding of certain project costs. (1)** In this section, “spaceport
6 improvement project” means any project to acquire, construct, develop, plan, design,
7 establish, create, improve, enlarge, reconstruct, or equip any spaceport or spaceport
8 facility.

9 (2) The costs of spaceport improvement projects involving federal aid, in excess
10 of the federal government’s share, shall be borne by the authority and the state,
11 except that the state shall pay not more than 50 percent of such excess costs, nor more
12 than \$10,000,000 for the cost of a building project or building improvement project
13 and no part of the cost of hangars. The secretary, upon agreement with the authority,
14 may advance up to 10 percent of the amount of any federal aid grant agreement for
15 the payment of project costs of a federal aid project, subject to reimbursement upon
16 final liquidation and settlement of the project with the authority and federal
17 government.

18 (3) The costs of spaceport improvement projects not involving federal aid shall
19 be borne by the authority and the state. The state shall pay not more than 80 percent
20 of such costs, which may include the cost of the land, the cost of lands or interest in
21 lands deemed necessary for the protection of the aerial approaches, the cost of
22 formulating the project application and preparing the plans and specifications, and
23 the cost of construction and of all facilities deemed necessary for the operation of the
24 spaceport. The state shall contribute not more than \$10,000,000 for the cost of a
25 building project or building improvement project and no part of the cost of hangars.

SENATE BILL 352

1 (4) The percentage of the costs borne by the state shall be determined by the
2 department on the basis of the relative importance of the specific project to any state
3 spaceport development program as a whole.

4 (5) The state shall promote the development of a spaceport system in this state
5 and promote the development of joint spaceports in this state and in adjoining states
6 which mutually benefit citizens of this state and those of adjoining states. The
7 secretary may use the funds provided by the state to assist the authority in matching
8 the federal aid that may become available to the state or available for specific projects
9 or joint projects within this state or in an adjoining state.

10 (6) All ~~state~~ funds provided ^{by the state} under this section shall be paid from the
11 appropriation accounts under s. 20.395 (2) ~~(dc), (dv), and (dw)~~. (mg), (mv), and (mx)

12 **114.78 Tax exemption.** The exercise of the powers granted by this subchapter ✓
13 will be in all respects for the benefit of the people of this state and for the increase
14 of their commerce, welfare, and prosperity, and, as the undertaking of the authority's
15 powers and duties under this subchapter will constitute the performance of an
16 essential public function, the authority shall not be required to pay any taxes or
17 assessments upon or in respect to any property acquired or used by the authority
18 under this subchapter and the authority's income therefrom shall at all times be free
19 from taxation of every kind by the state and by political subdivisions of the state.

20 **SECTION 75.** 219.09 (1) (g) of the statutes is created to read:

21 219.09 (1) (g) The Wisconsin Aerospace Authority.

22 **SECTION 76.** 230.03 (3) of the statutes is amended to read:

23 230.03 (3) "Agency" means any board, commission, committee, council, or
24 department in state government or a unit thereof created by the constitution or
25 statutes if such board, commission, committee, council, department, unit, or the

SENATE BILL 352**SECTION 76**

1 head thereof, is authorized to appoint subordinate staff by the constitution or
2 statute, except a legislative or judicial board, commission, committee, council,
3 department, or unit thereof or an authority created under subch. II of ch. 114 or chs.
4 231, 232, 233, 234, 235, or 237. "Agency" does not mean any local unit of government
5 or body within one or more local units of government that is created by law or by
6 action of one or more local units of government.

7 **SECTION 77.** 281.75 (4) (b) 3. of the statutes is amended to read:

8 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 231, 233,
9 234, or 237.

10 **SECTION 78.** 285.59 (1) (b) of the statutes is amended to read:

11 285.59 (1) (b) "State agency" means any office, department, agency, institution
12 of higher education, association, society or other body in state government created
13 or authorized to be created by the constitution or any law which is entitled to expend
14 moneys appropriated by law, including the legislature and the courts, the Wisconsin
15 Housing and Economic Development Authority, the Bradley Center Sports and
16 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
17 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
18 Authority, and the Wisconsin Health and Educational Facilities Authority.

19 **SECTION 79.** 560.032 (1) of the statutes is amended to read:

20 560.032 (1) ALLOCATION. The department, by rule, shall establish under 26
21 USC 146 and administer a system for the allocation of the volume cap on the issuance
22 of private activity bonds, as defined under 26 USC 141 (a), among all municipalities,
23 as defined in s. 67.01 (5), and any corporation formed on behalf of those
24 municipalities, and among this state, the Wisconsin Health and Educational

SENATE BILL 352

1 Facilities Authority, the Wisconsin Aerospace Authority, and the Wisconsin Housing
2 and Economic Development Authority.

3 SECTION 80. 893.80 (1) of the statutes is amended to read:

4 893.80 (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may
5 be brought or maintained against any volunteer fire company organized under ch.
6 213, the Wisconsin Aerospace Authority, or any political corporation, governmental
7 subdivision or agency thereof nor against any officer, official, agent or employee of
8 the corporation, subdivision or agency, or Wisconsin Aerospace Authority for acts
9 done in their official capacity or in the course of their agency or employment upon
10 a claim or cause of action unless:

11 (a) Within 120 days after the happening of the event giving rise to the claim,
12 written notice of the circumstances of the claim signed by the party, agent or attorney
13 is served on the volunteer fire company, Wisconsin Aerospace Authority, political
14 corporation, governmental subdivision or agency and on the officer, official, agent or
15 employee under s. 801.11. Failure to give the requisite notice shall not bar action on
16 the claim if the fire company, Wisconsin Aerospace Authority, corporation,
17 subdivision or agency had actual notice of the claim and the claimant shows to the
18 satisfaction of the court that the delay or failure to give the requisite notice has not
19 been prejudicial to the defendant fire company, Wisconsin Aerospace Authority,
20 corporation, subdivision or agency or to the defendant officer, official, agent or
21 employee; and

22 (b) A claim containing the address of the claimant and an itemized statement
23 of the relief sought is presented to the appropriate clerk or person who performs the
24 duties of a clerk or secretary for the defendant fire company, Wisconsin Aerospace
25 Authority, corporation, subdivision or agency and the claim is disallowed.

SENATE BILL 352

1 **SECTION 81.** 893.80 (1g) of the statutes is amended to read:

2 893.80 (1g) Notice of disallowance of the claim submitted under sub. (1) shall
3 be served on the claimant by registered or certified mail and the receipt therefor,
4 signed by the claimant, or the returned registered letter, shall be proof of service.
5 Failure of the appropriate body to disallow a claim within 120 days after
6 presentation of the written notice of the claim is a disallowance. No action on a claim
7 under this section against any defendant fire company, the Wisconsin Aerospace
8 Authority, or any corporation, subdivision or agency nor against any defendant
9 officer, official, agent or employee, may be brought after 6 months from the date of
10 service of the notice of disallowance, and the notice of disallowance shall contain a
11 statement to that effect.

12 **SECTION 82.** 893.80 (3) of the statutes is amended to read:

13 893.80 (3) Except as provided in this subsection, the amount recoverable by
14 any person for any damages, injuries or death in any action founded on tort against
15 any volunteer fire company organized under ch. 181 or 213, the Wisconsin Aerospace
16 Authority, or any political corporation, governmental subdivision or agency thereof
17 and against their officers, officials, agents or employees for acts done in their official
18 capacity or in the course of their agency or employment, whether proceeded against
19 jointly or severally, shall not exceed \$50,000. The amount recoverable under this
20 subsection shall not exceed \$25,000 in any such action against a volunteer fire
21 company organized under ch. 181 or 213 or its officers, officials, agents or employees.
22 If a volunteer fire company organized under ch. 181 or 213 is part of a combined fire
23 department, the \$25,000 limit still applies to actions against the volunteer fire
24 company or its officers, officials, agents or employees. No punitive damages may be
25 allowed or recoverable in any such action under this subsection.

SENATE BILL 352

1 **SECTION 83.** 893.80 (4) of the statutes is amended to read:

2 893.80 (4) No suit may be brought against any volunteer fire company
3 organized under ch. 213, the Wisconsin Aerospace Authority, or any political
4 corporation, governmental subdivision or any agency thereof for the intentional torts
5 of its officers, officials, agents or employees nor may any suit be brought against such
6 corporation, subdivision or agency or volunteer fire company or the Wisconsin
7 Aerospace Authority or against its officers, officials, agents or employees for acts
8 done in the exercise of legislative, quasi-legislative, judicial or quasi-judicial
9 functions.

10 **SECTION 84.** 893.80 (5) of the statutes is amended to read:

11 893.80 (5) Except as provided in this subsection, the provisions and limitations
12 of this section shall be exclusive and shall apply to all claims against a volunteer fire
13 company organized under ch. 213, the Wisconsin Aerospace Authority, or any
14 political corporation, governmental subdivision or agency or against any officer,
15 official, agent or employee thereof for acts done in an official capacity or the course
16 of his or her agency or employment. When rights or remedies are provided by any
17 other statute against any political corporation, governmental subdivision or agency
18 or the Wisconsin Aerospace Authority or any officer, official, agent or employee
19 thereof for injury, damage or death, such statute shall apply and the limitations in
20 sub. (3) shall be inapplicable.

21 **SECTION 85.** 893.80 (7) of the statutes is amended to read:

22 893.80 (7) No suit may be brought against any city, town or village or any
23 governmental subdivision or agency thereof or the Wisconsin Aerospace Authority
24 or against any officer, official, agent or employee of any of those entities who, in good

SENATE BILL 352

SECTION 85

1 ~~faith, acts or fails to act to provide a notice to a property owner that a public nuisance~~
2 ~~under s. 823.113 (1) or (1m) (b) exists.~~

SECTION 86. Nonstatutory provisions.

4 (1) DEFINITIONS. In this SECTION:

5 (a) "Authority" has the meaning given in section 114.60 (3) of the statutes, as
6 created by this act.

7 (b) "Board" has the meaning given in section 114.60 (4) of the statutes, as
8 created by this act.

9 (2) TERMS OF INITIAL MEMBERS OF BOARD. Notwithstanding the length of terms
10 specified for the members of the board of the authority under section 114.61 (1) of the
11 statutes, as created by this act, the initial members of the board shall be appointed
12 for the following terms:

13 (a) Two members appointed under section 114.61 (1) (a) of the statutes, as
14 created by this act, and one member appointed under section 114.61 (1) (b) of the
15 statutes, as created by this act, for terms expiring on June 30, 2007.

16 (b) Two members appointed under section 114.61 (1) (a) of the statutes, as
17 created by this act, and one member appointed under section 114.61 (1) (b) of the
18 statutes, as created by this act, for terms expiring on June 30, 2008.

19 (c) Two members appointed under section 114.61 (1) (a) of the statutes, as
20 created by this act, for terms expiring on June 30, 2009.

21 (3) TIME FOR INITIAL APPOINTMENT OF BOARD MEMBERS. Nominations of board
22 members under subsection (2) and section 114.61 (1) (a) of the statutes, as created
23 by this act, and appointments of board members under subsection (2) and section
24 114.61 (1) (b) of the statutes, as created by this act, shall be made no later than 60
25 days after the effective date of this subsection.

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0342/lins
ARG:.....

INSERT ANAL-A:

(no P) , including proposed funding sources for capital expenditures by WAA, ✓

INSERT ANAL-B:

The substitute amendment creates state, federal, and local appropriations for the Department of Transportation (DOT) in the transportation fund for funding for WAA, but does not directly provide any funds. ✓

from ✓

**SENATE AMENDMENT ,
TO 2005 SENATE BILL 352**

Thaw bill section number

1 At the locations indicated, amend the bill as follows:

2 1. Page 7, line 13: after that line insert:

3 ~~SECTION 6r.~~ 13.95 (intro.) of the statutes is amended to read:

4 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be
5 known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau
6 shall be strictly nonpartisan and shall at all times observe the confidential nature
7 of the research requests received by it; however, with the prior approval of the
8 requester in each instance, the bureau may duplicate the results of its research for
9 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's
10 designated employees shall at all times, with or without notice, have access to all
11 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the
12 Wisconsin Aerospace Authority, and the Fox River Navigational System Authority

*insert
7-13*

1

and to any books, records or other documents maintained by such agencies or
authorities and relating to their expenditures, revenues, operations and structure.

2

3

(END)

**SENATE AMENDMENT 1,
TO 2005 SENATE BILL 352**

November 29, 2005 - Offered by COMMITTEE ON JOB CREATION, ECONOMIC
DEVELOPMENT AND CONSUMER AFFAIRS.

1 At the locations indicated, amend the bill as follows:

2 1. Page 5, line 16: delete lines 16 to 20.

3 2. Page 6, line 1: delete lines 1 to 22.

4 3. Page 7, line 3: delete “, except the Wisconsin Aerospace Authority, and”.

5 4. Page 7, line 4: after “Authority” insert “and the Wisconsin Aerospace
6 Authority”.

7 5. Page 16, line 8: delete lines 8 to 15 and substitute:

8 SECTION 26m. 19.42 (10) (q) of the statutes is created to read:

9 19.42 (10) (q) The executive director and members of the board of directors of
10 the Wisconsin Aerospace Authority. *g*

11 (END)

insert
16-8

Thaw bill section number

**SENATE AMENDMENT 3,
TO 2005 SENATE BILL 352**

November 29, 2005 - Offered by COMMITTEE ON JOB CREATION, ECONOMIC DEVELOPMENT AND CONSUMER AFFAIRS.

At the locations indicated, amend the bill as follows:

1. Page 16, line 16: delete lines 16 to 25.

2. Page 17, line 1: delete lines 1 to 17 and substitute:

Thaw bill section number

SECTION ~~26~~[#]m. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

insert 17-1

2005-06 2006-07

20.395 Transportation, department of

(2) LOCAL TRANSPORTATION ASSISTANCE

(mq) Astronautics assistance, state

funds

SEG C

-0-

-0-

SECTION ~~27~~[#]m. 20.395 (2) (mq) of the statutes is created to read:

Thaw bill section number

Thaw bill
section
numbers

1 20.395 (2) (mq) *Aeronautics assistance, state funds.* As a continuing
2 appropriation, the amounts in the schedule for the state's share of spaceport projects
3 and for the Wisconsin Aerospace Authority under subch. II of ch. 114. ✓

insert 17-1
cont'd

4 ~~SECTION 29m.~~ 20.395 (2) (mv) of the statutes is created to read:

5 20.395 (2) (mv) *Aeronautics assistance, local funds.* All moneys received by
6 the state from any local unit of government or other source for spaceports and for the
7 Wisconsin Aerospace Authority under subch. II of ch. 114 and the loan program
8 under s. 114.375, for such purposes. ✓

9 ~~SECTION 29m.~~ 20.395 (2) (mx) of the statutes is created to read:

10 20.395 (2) (mx) *Aeronautics assistance, federal funds.* All moneys received
11 from the federal government for spaceports and for the Wisconsin Aerospace
12 Authority under subch. II of ch. 114, for such purposes. ✓

13 ~~3. Page 20, line 22: delete "or (fx)" and substitute "or (fx), or (mx)".~~

14 ~~4. Page 42, line 13: delete "(dv)" and substitute "(mv)".~~

insert
52-13

15 ~~5. Page 52, line 13: after "management." insert~~ The business plan shall also
16 include proposed funding sources for capital expenditures by the authority, based
17 upon of a feasibility study of potential funding sources conducted by the authority. ✓

18 ~~6. Page 63, line 11: delete "(dq), (dv), and (dx)" and substitute "(mq), (mv), and~~
19 ~~(mx)".~~

(END)

20

**SENATE AMENDMENT ,
TO 2005 SENATE BILL 352**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page ~~40~~, line 16: after "authority" insert *the following*, including establishing a
3 spaceport in the city of Sheboygan in Sheboygan County. *See*

4 **2.** Page 51, line 5: delete lines 5 and 6.

5 (END) ✓

insert
49-16