



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 04/19/2005 (Per: ARG)



☞ The 2003 drafting file for LRB 03-2508

has been transferred to the drafting file for

2005 LRB 05-~~2746~~
2987

☞ This cover sheet, the final request sheet, and the final version of the 2003 draft were copied on yellow paper, and returned to the original 2003 drafting file.

☞ The attached 2003 draft was incorporated into the new 2005 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2005 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2003 DRAFTING REQUEST

Bill

Received: **04/09/2003**

Received By: **tfast**

Wanted: **As time permits**

Identical to LRB:

For: **Joseph Leibham (608) 266-2056**

By/Representing: **Brett Davis**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Munis - miscellaneous
Transportation - miscellaneous**

Extra Copies: **TNF, PJH - 1**

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Wisconsin Aerospace Authority Act

Instructions:

See Attached

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>
/?	tfast 10/15/2003			_____			S&L Tax
/P1	agary 10/30/2003	kfollett 11/04/2003	jfrantze 11/12/2003	_____	mbarman 11/12/2003		
		kfollett 11/12/2003		_____			

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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/?	tfast 10/15/2003 agary	1 P1 11/12	11/12	<i>[Signature]</i> 11/12			State Tax

FE Sent For:

<END>



Joe Leibham

Steve -

Enclosed is sample legislation
creating a "Wisconsin Aerospace
Authority Act."

Rob mentioned I send
the language to you. Please
call with questions.

Brett Davis

266-2056

ENABLING LEGISLATION FOR
WISCONSIN SPACEPORT AND AEROSPACE AUTHORITY

AN ACT relating to the creation of a development corporation for spaceport facilities; granting the power of eminent domain and the right to issue bonds.

BE ENACTED BY THE LEGISLATURE OF THE STATE OF WISCONSIN:

01. **Short title** – This act may be cited as the “Wisconsin Aerospace Authority Act.”
02. **Wisconsin Aerospace Authority; creation; purpose.** It is the intent of the Legislature to provide a defined direction for space-related economic growth, educational development, and government and industry participation, to ensure a prosperous and dynamic economic climate, to develop, promote and attract and maintain space-related businesses in the State of Wisconsin.

The Legislature hereby establishes, forms and creates the Wisconsin Aerospace Authority, which is created and incorporated as a public corporation, body political and subdivision of the State of Wisconsin, with the support of education and industry, to establish facilities and complementary activities to develop and provide commercial and non-commercial space-related business opportunities for industry, education and government, which shall have all the powers, rights, duties, privileges and authority as provided under the laws of this State.

It shall be the Wisconsin Aerospace Authority’s purpose and responsibility to implement projects within the State to develop and improve space-related economic growth, to provide coordination among space-related businesses, aerospace industries, the Wisconsin Space Grant Consortium, space-related tourism and the Wisconsin Spaceport Launch Center located in Sheboygan, Wisconsin. To carry out these duties and responsibilities, the Wisconsin Aerospace Authority has the authority to advise and cooperate with municipalities, regional authorities, state agencies, federal agencies, educational organizations, and industry and business and any other persons, entities, or organizations interested in the promotion of space-related industry.

The Wisconsin Aerospace Authority shall not be considered or construed as an “office,” “department,” or “agency” as defined in Wis. Stat. § 15.02.

03. **Definitions.**
 1. **“Authority”** means the Wisconsin Aerospace Authority created by this Act.

2. **“Board”** or **“Board of Directors”** means the governing body of the Authority.
3. **“Bonds”** means revenue bonds, assessment bonds, or any other bonds or obligations, of any type issued, by the Authority for the purpose of funding projects authorized by this Act.
4. **“Complementary Activity”** means any space business incubator, space tourism activity, educational activity, space tourism-related activity, and space-related research and development activity.
5. **“Costs”** means all costs, fees, charges, expenses, and amounts associated with the developmental projects by the Authority.
6. **“Entertainment Expenses”** means the actual, necessary and reasonable costs of providing hospitality for business clients, business guests, which costs are defined or prescribed by the rules adopted by the Authority.
7. **“Federal Aid”** means any property, funding, financial assistance, or administrative or planning assistance provided by the United States to the Authority.
8. **“Financing Agreement”** means a lease, lease-purchase agreement, purchase and sale agreement, lease with option to purchase, sale or installment sale agreement, consulting agreement, whether title passes in whole or in part, or not at all, at any time, in relation to the completion of any project, loan agreement or agreement for financing under this Act, including any agreements, guarantees, or security instruments or financial instruments forming a part of, or related to, providing assurance of payment of any obligations under such financing agreement.
9. **“Landing Area”** means a geographical designated by the Authority within the spaceport territory for, or intended for, landing and surface maneuvering of any launch or other space vehicle, or a vehicle related to the launch of space vehicles.
10. **“Launch Area”** means the geographical area designated by the Authority within the spaceport territory for, or intended for, the launch of any other launch or space vehicle, or any vehicle associated with the launch of any space vehicle.
11. **“Launch Pad”** means any launch pad used by the Wisconsin Spaceport for the launching of space vehicles.

12. **“Launch Facility”** means any facilities used to support the launch or landing of any space vehicle or any sport vehicle thereof, including, but not limited to, the facilities located in Sheboygan, Wisconsin.
13. **“Payload”** means any property, cargo, or person to be transported aboard any vehicle launched by or from the Spaceport, or such lands at the Spaceport.
14. **“Person”** means any individual, child, university, firm, association, partnership, joint venturer, corporation, limited liability partnership, limited liability company, trust, fiduciary, nation, government, agency, subdivision of the State or any other group or combination thereof.
15. **“Project”** means any project, development, improvement, property, launch system, landing system, utility, facility, system, road, service, which may include coordination with the Wisconsin Space Grant Consortium, or any other person; any rocket or capsule, module, laboratory, launch facility, assembly facility, control facility, tracking facility, administrative facility, reusable vehicle, airplane, space plane, or any other space-related transportation vehicle or facility; any equipment or instruments to be used with or in connection with, any of the foregoing, any type of technology, intellectual property, intellectual property protection or intellectual property development in coordination with any of the foregoing including without limitation, any patent, copyright, trademark, service mark, trade secret, proprietary information or confidential information for, among other things, computer software, computer hardware, equipment, electrical utility system, plant, business incubator, start up aerospace company, research and development company, educational resource development organization, research and development facility, storage facility or consulting service; or any tourism-related initiative or entity, including any space launch-related activity, space museums sponsored or promoted by the Authority, or educational initiatives sponsored or promoted by the Authority.
16. **“Range” or “Protected Launch and Landing Area”** means the geographical area designated by the Authority, or other appropriate body, as the area for launching of rockets, missiles, or launch vehicles, reusable space vehicles, or any other vehicles designed to operate at high altitude or in space.
17. **“Recovery”** means the recovery of space vehicles, payloads, and space-related vehicles, instruments or equipment which have been launched from, or have landed at the spaceport.

18. **"Spaceport"** means any area of land or water, or any natural or manmade object or facility located therein, developed by the Authority under this Act which area is intended solely for the public use, or for the launching, landing, take off, or operation of spacecraft and aircraft and includes any adjacent areas which are used for or intended to be used for, public use spaceport buildings or any other spaceport facilities, projects or rights-of-way.
 19. **"Spaceport Launch Facilities"** shall be defined by the Authority and shall include any launch pad, landing area, launch control center, affixed launch-support equipment or any other equipment related to the launching or landing of space-related vehicles and equipment.
 20. **"Spaceport System"** means programs, organizations, operations, and infrastructure developed by the Authority for the development, creation, and promotion of facilities or activities to enhance and provide commercial and non-commercial space-related developmental opportunities for business, industry, education and government within the State.
 21. **"Space Grant"** means the Wisconsin Space Grant Consortium.
04. **Spaceport territory.** The following property shall constitute Spaceport Territory:
1. Certain real property located in Sheboygan County, located in Section 23, T15N, R23E, Sheboygan, Sheboygan County, Wisconsin as more particularly described in the Certificate of Airport Site Approval by the Wisconsin Department of Transportation, dated November 10, 2000.
 2. Any other real property to be designated pursuant to the terms of this Act.
05. **Powers of the Authority.** The Authority shall have the power to:
1. Exercise all powers granted to corporations under Wis. Stat. § 180, *et seq.* and § 181, *et seq.*
 2. Sue and be sued by its name in any court of law or in equity.
 3. Adopt and use a corporate seal and alter the same at pleasure.

4. Review and make recommendations with respect to a strategy to guide and facilitate the future of space-related educational and commercial development. The Authority shall in coordination with the Federal Government, private industry, and Space Grant develop a business plan which shall address the expansion of spaceport locations, space launch capacity, spaceport projects, and complementary activities, which shall include, but not be limited to, a detailed analysis of:
 - (a) The Authority and the commercial space industry.
 - (b) Products, services description – potential, technologies, skills.
 - (c) Market research and evaluation – customers, competition, economics.
 - (d) Marketing plan and strategy.
 - (e) Design and development plan – tasks, difficulties, costs.
 - (f) Manufacturing locations, facilities, and operations plans.
 - (g) Management organization – roles and responsibilities.
 - (h) Overall schedule (monthly).
 - (i) Important risks, assumptions, and problems.
 - (j) Community impact – economic, human development, community development.
 - (k) Financial plan (monthly for first year, quarterly for next 3 years).
 - (l) Proposed Authority offering – financing, capitalization use of funds.
5. Acquire property, real, personal, intangible, tangible, or mixed, within its territorial limits, in fee simple or any lesser interest or estate, by purchase, gift, devise, or lease, on such terms and conditions as the board may deem necessary or desirable, and sell or otherwise dispose of the same and of any of the assets and properties of the Authority.

6. Make and execute any and all contracts, and other instruments necessary or convenient to the exercise of its powers, including financing agreements with persons or spaceport users to facilitate the financing, construction, leasing, or sale of any project.
7. Whenever deemed necessary by the board, lease as lessor to or from any person, public or private, any facilities or property for the use of the Authority and carry out any of the purposes of the Authority.
8. Appoint, through its board of directors, an executive director.
9. Own, acquire, construct, develop, create, reconstruct, equip, operate, maintain, extend and improve launch pads, landing areas, ranges, payload assembly buildings, payload processing facilities, space business incubators, launch vehicles, payloads, space flight hardware, facilities and equipment for the construction of payloads, space flight hardware, rockets and other launch vehicles, and other spaceport facilities and other space-related systems, including educational, cultural, and parking facilities and space-related initiatives.
10. Undertake a program of advertising to the public promoting space-related businesses or any aerospace projects of the Authority, and expend monies and undertake such activities of the Authority to carry out such advertising and promotional parking as the board from time to time may determine.
11. Own, acquire, construct, reconstruct, equip, operate, maintain, extend, and improve transportation facilities appropriate to meet the transportation requirements of the Authority and activities conducted within the spaceport territory.
12. Own, acquire, construct, reconstruct, equip, operate, maintain, extend and improve electric power plants, transmission lines and related facilities, gas mains and facilities of any nature for the production or distribution of natural gas, transmission lines and related facilities and plants and facilities for the generation and transmission of power through traditional and new and experimental sources of power and energy; purchase electric power, natural gas, and other sources of power for distribution within any spaceport territory; develop and operate water and sewer systems and waste collection and disposal; and develop and operate such new and experimental public utilities; including, but not limited to, centrally distributed heating and air conditioning facilities and services, closed-circuit television systems, and computer services and facilities, as the board may from

time to time determine. However, the Authority shall not construct any system, work, project or utility authorized to be constructed under this paragraph in the event that a system, work, project or utility of a similar character is being actually operated by a municipality or private company in the municipality or territory adjacent thereto, unless such municipality or private company consents to such construction.

13. Designate, set aside, and maintain lands and areas within or without the territorial limits of any spaceport territory as conservation areas or bird and wildlife sanctuaries, stock such areas with animals and plant life and stock water areas with fish and other aquatic life; promulgate and enforce rules and regulations with respect thereto and protect and preserve the natural beauty thereof; and do all acts necessary or desirable in order to qualify such lands and areas as conservation areas and sanctuaries under any of the laws of the state or under federal law.
14. Subject to the rules of the appropriate water management district, own, acquire, construct, reconstruct, equip, maintain, operate, extend, and improve water and flood control facilities. The Legislature hereby finds and declares the Authority eligible to receive monies, disbursements, and assistance from the state available to flood control or water management districts and navigation districts or agencies.
15. Own, acquire, construct, reconstruct, equip, maintain, operate, extend and improve public safety facilities for the spaceport, including security stations, security vehicles, fire stations, water mains and plugs, and fire trucks and other vehicles and equipment; hire employees, security officers, and firefighters; and undertake such works and construct such facilities determined by the board to be necessary or desirable to promote and ensure public safety within the spaceport territory.
16. Hire, through its executive director, a safety officer with substantial experience in public safety procedures and programs for space vehicle launching and related hazardous operations. The safety officer shall monitor and report on the safety and hazards of ground-based space operations to the executive director.
17. Establish a personnel management system for hiring employees and setting employee benefit packages. The personnel of the Authority shall not be considered to be within the state employment system.

18. Establish procedures, rules, and rates governing per diem and travel expenses of its employees, the members of the board of directors, and other persons authorized by the board to incur such expenses. Such rules are subject to provisions of state law or rules pertaining to per diem and travel expenses of public officers, employees or other persons authorized by an agency head to incur such expenses.
19. Examine, develop, and utilize new concepts, designs and idea; own, acquire, construct, reconstruct, equip, operate, maintain, extend and improve experimental spaceport facilities and services; and otherwise undertake, sponsor, finance and maintain such research activities, experimentation, and development as the board may from time to time determine, in connection with any of the projects that the Authority is authorized to undertake pursuant to the powers and authority vested in it by this Act, and in order to promote the development and utilization of new concepts, designs, and ideas in the fields of space exploration, commercialization of the space industry, and spaceport facilities.
20. Issue revenue bonds, assessment bonds, or any other bonds or obligations authorized by the provisions of this Act or any other law, or any combination of the foregoing, and pay all or part of the cost of the acquisition, construction, reconstruction, extension, repair, improvement or maintenance of any project or combination of projects, including payloads, and space flight hardware and equipment for research, development and educational activities to provide for any facility, service, or other activity of the Authority, and provide for the retirement of any bonds or obligations of the Authority, or for any combination of the foregoing purposes. The Authority must provide 14 days' written notice to the presiding officers and appropriate chairs of both houses of the Legislature prior to presenting a bond proposal to the Governor and Cabinet. If either presiding officer or appropriate chair objects to the bonding proposal within the 14-day notice period, the bond issuance may be approved only by a vote of two-thirds of the members of the Governor and Cabinet.
21. Make expenditures for entertainment and travel expenses and business clients, guests, and other authorized persons as provided in this Act.
22. In connection with any financing agreement, fix and collect fees, loan payments, rental payments, and other charges for the use of any project in such amount as to provide sufficient monies to pay the principal of and interest on bonds as the same become due and payable, if so provided in the bond resolution or trust agreement, and to create reserves for such purposes. The fees, rents, payments, and charges

and all other revenues and proceeds derived from the project in connection with which the bonds of any issue shall have been issued, except such part hereof as may be necessary for such reserves or any expenditures as may be provided in the resolution authorizing the issuance of the bonds or in the trust agreement securing the same, shall be set aside, at the time as may be specified in the resolution or trust agreement, in a sinking fund which may be pledged to and charge with the payment of the principal of and the interest on such bonds as the same become due and the redemption price or the purchase price of the bonds retired by call or purchase as therein provided. Such pledge shall be valid and binding from the time the pledge is made. The fees, rents, charges, and other revenues and monies so pledged and thereafter received by or on behalf of the Authority shall immediately be subject the lien of any such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the Authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded, except in the records of the Authority. The use and disposition of money to the credit of the sinking fund shall be subject to the provisions of the resolution authorizing the issuance of such bonds or the provisions of such trust agreement.

23. Exercise the right and power of eminent domain in spaceport territory.
06. **Development of Sheboygan facility.** The spaceport facility at Sheboygan, Wisconsin, may only be developed in accordance with the recommendations of the Authority, the Army Corps of Engineers and the Wisconsin Department of Natural Resources upon the condition that construction at the site shall not cause significant degradation of the water quality or injure aquatic life in Lake Michigan.
07. **Board of Directors.**
1. There is created within the Authority a board of directors consisting of ten members, 9 of whom shall be regular members and 1 of whom shall be a permanent member. Of the 9 regular members 7 shall be appointed by the Governor, one shall be a State Senator selected by the President of the Senate and one shall be a State Representative selected by the Speaker of the House of Representatives, all of whom shall be subject to confirmation of the Senate at the next regular session of the Legislature, each of whom shall serve a noncompensable term of three (3) years or until a successor is appointed and qualified. The permanent member shall be the Director of the Wisconsin Space

Grant Consortium. Each Board member must be a resident of the State and must have experience in the aerospace, education, finance or commercial space industry or other significant relevant and applicable experience.

2. The term of each regular member shall commence on the date of appointment and terminate on June 30 of the year of the end of the term, when applicable. Regular members shall be divided into three (3) equal groups and each group shall serve staggered terms so that one-third of the Board of Directors' terms expire each year. No regular member shall serve more than three consecutive three-year terms. A regular member may be re-appointed to additional terms of office after a one-year absence from the Board. Membership on the Board may not preclude any member from holding any other private or public office.

08. **Powers and duties of the board of directors.**

1. Vacancies shall filled for the balance of the unexpired term.
2. Initial appointments to the Board shall be made no later than sixty (60) days after the date this Act takes effect.
3. The Board shall hold its initial meetings no later than thirty (30) days after the members have been appointed. The Board shall appoint an executive director. Meetings shall be held no less than semi-annually. Meetings may be held more frequently at the request of the executive director. A majority of the regular members of the Board shall constitute a quorum and the majority vote of all voting members present is necessary for any action taken by the Board.
4. The Governor has the authority to remove from the Board any regular member appointed by the Governor for cause as is defined by the laws of the State of Wisconsin. Unless prior written consent shall be issued by the executive director, a regular member's absence from two consecutive Board meetings shall result in the removal of said member and a vacancy in the office to which that member was appointed.

09. **Exercise by authority of its powers within municipalities and other political subdivisions.** The Authority shall have the power to exercise any of its rights, powers, privileges, and authority in any and all portions of any spaceport territory lying within the boundaries of any municipal corporation or any political subdivision currently existing or created hereafter, whose boundaries lie wholly or partially within the geographical limits of the Aerospace Authority, to the same extent and in the same manner as in areas of the

spaceport territory not incorporated as part of a municipality or political subdivision. With respect to any municipal corporation or other political subdivision whose boundaries lie partly within or without the geographical limits of the spaceport territory, the Authority shall have the power to exercise its rights, powers, duties, and authority only within the portion of such municipal corporation or the political subdivision lying within the boundaries of the spaceport territory.

- .10 **Condemnation of land for spaceport.** Any lands acquired, owned, controlled or occupied by municipalities or political subdivisions for the purposes enumerated in this Act, shall be and hereby are declared to be acquired, owned, controlled and occupied for a public purpose, and as a matter of public necessity, such municipalities and political subdivisions shall have the right to acquire property for such purpose or purposes under the powers of eminent domain and as for a public necessity including property owned by other municipal corporations and political subdivisions and including any street, highway, park, parkway or alley, provided that no state truck highway shall be so acquired without the prior consent of the Wisconsin Department of Transportation. Whenever the municipality or political subdivision shall own all lands or access rights on both sides of such street, highway, park, parkway or alley, it may, within the limits where it has ownership or access rights on both sides, notwithstanding any other provisions of law, vacate and close such public way by resolution of the governing body of the municipality or political subdivision acquiring it and no damages shall be assessed against such municipality or political subdivision by reason of such closing. If such closing shall leave any part of the such street, highway, park, parkway or alley without access to another public street or highway, the municipality or such political subdivision effecting such closing shall immediately provide such access at its expense.
- .11 **Purchase of land for spaceport.** Private property needed by a municipality or political subdivision for a spaceport, landing area or launch pad or property or rights for the protection of aerial approaches thereof, shall be acquired by purchase if the municipality or political subdivision is able to agree with the terms thereof, and otherwise by combination, as provided in Wis. Stat. § 32.05. The purchase price or award for real property acquired for a spaceport or landing area, launch pad or launch facility or property or rights for the protection of aerial approaches thereof, may be paid for the appropriation of monies available therefor, or wholly or partly from the proceeds of the sale of bonds by the Authority, municipality or political subdivision, as such body determines, subject to Chapter 67. Such property or rights may be acquired by gift which the Authority and respective governing bodies are authorized to accept.

.11.1 Spaceport Standards and approval.

1. **Public spaceport information.** No person shall operate a spaceport within the State that is open to the general public unless effective runway and landing strip lanes are properly reported, published and marked in accordance with applicable federal aviation regulations and federal obstruction standards.
2. **Traverse way clearance.** No person shall operate a spaceport within the State unless all runways and landing strips are so located that approaching and departing space vehicles clear all public roads, highways, railroads, waterways, and other traverse ways by height which complies with applicable federal standards.
3. **Spaceport site approval.** No person shall construct or otherwise establish a new spaceport or activate a spaceport within the State unless the Secretary of Transportation issues a certificate of approval for the location of the proposed spaceport. No charge shall be made for application for approval. The Secretary may issue a certificate for approval if the Secretary determines that the location of the spaceport is compatible with existing and planned transportation facilities in then area.

.11.2 Spaceport protection.

1. **Spaceport protection.** It is declared that to be in the public interest that the navigable airspace over the state and aerial approaches to any spaceport be maintained in a condition best suited for safe operation and to that end the bulk, height, location, and use of any building or structure, or an other object, and the use of land, may be regulated, or any building, structure, or other object may be removed. It is the legislative intent that this section shall not supersede Wis. Stat. § 59.69(4), but that it shall be supplemental to such section.
2. **Procedure to obtain protection privileges.** The aerial approaches to any spaceport owned and operated by corporations organized to provide aeronautic facilities to the general public may be protected in the following manner: The owner of the spaceport shall prepare and record with the register of deeds plans and specifications showing the land affected, the owner of each parcel or interest thereon, whether public or private, the regulations to be imposed one each parcel and the structures,

buildings or other objects to be removed. The owner or managing body of the spaceport may negotiate and acquire from the owners of the various parcels or interest therein, whether public or private, by deeds the protection privileges shown by the plans and specifications. Referring in the deed to the plans and specifications, and briefly describing the plans and specifications, shall be considered sufficient legal description to convey the protection privileges set forth in the plans and specifications in the property to the grantor. In case the owner of the spaceport is unable to obtain by negotiations the desired protection privileges, he or she may acquire the protection privileges by eminent domain in the manner set forth in Ch. 32, except as to lands and buildings of railway companies that are necessary to, or are used in connection with the operation of a railway. In case the protection privileges sought extent into more than one county the plans and specifications shall be recorded with the register of deeds of each county. In case any parcel of land lies in more than one county, eminent domain proceedings may be instituted in the circuit court of any county in which the parcel is situated, provided a certified copy of the final judgment with a description of the property involved is recorded with the register of deeds of all counties in which the parcel of land or interest therein lies.

3. **Notice; claim for damages.** In case of any spaceport landing area or launch area owned by any city, village, town or county or any union of them, the commission or other body in charge of the operation and control of the spaceport, landing area or launching area may prepare and record without charge with the register of deeds and specifications showing the protection privileges sought as described in Sub. 1. The owner or managing authority in charge shall send by registered mail with return receipt to each owner at his or her last-known address a notice stating that the plans and specifications have been recorded with the register of deeds' office, stating the county, time of recording, the record number, and a brief description of the parcel of land or interest therein affected. If the address of the owner cannot be ascertained or the registered letter is returned unclaimed, notice shall be sent by registered mail to the person on possession of the premises. If no person is in possession, then the notice shall be posted in a conspicuous place on the land involved and published as a class 3 notice, under Ch. 985 in the area affected. The right of the owner to claim for damages for the protection regulations, imposed in the plans and specifications, or the removal of obstructions shall be forever barred, unless the owner files a claim for damages with the commission or

other body in charge within 6 months from the receipt of the notice from the commission, or other body in charge, or the posting and last publication. The claim shall be verified and shall state the amount of damages claimed. The commission or other body in charge may pay the damages, if it has available funds, and the payment shall operate as a conveyance. If no claims for payment are filed or if payment is made, the commission or other body in charge shall file an affidavit for each parcel setting forth the rights acquired which shall be recorded by the register of deeds without charge and when so recorded has the same effect as any recorded instrument. If any owner is a minor or incompetent, the notice must be sent by registered mail to the owner's guardian, if he or she has one, and if there is none, the circuit court of the county in which the land or a larger part, is located upon shall upon application of the commission or the body in charge appoint a guardian to receive the notice, and to protect the rights of the owner. Any funds payable to the owner shall be cared for in the manner provided in Ch. 881. If the commission or the body in charge determines that the damages claimed are excessive, it shall so report to the governing body that established the spaceport, landing area or launching area in question and with its consent may acquire in the name of the governmental body the protection privilege desired in the manner set forth in Sub. 1 or it may deposit with the county clerk an award and notify the owner of the land involved in the method specified in this subsection. The landowner may accept the award without prejudice to his or her right to claim and contest for a greater sum. The landowner may, within a period of 6 months after notice of the award, proceed as provided in Ch. 32 to have the damages appraised.

4. **Exercise of power and authority.** The power and authority to protect spaceports conferred in Subs. 1 and 2 may be exercised from time to time; amended plans and specifications may be recorded in the register of deeds' office, and new protection privileges acquired from time to time in the methods provided by this section.
5. **Encroachments.** The duty to prevent encroachments by growth of trees or other vegetation, or otherwise, upon the protection privileges acquired by any spaceport, landing area, launching area, shall be upon the owner or owners of the parcel of land affected by the protection privileges only in cases where the owner owners have received compensation for the protection privilege. Any such encroachment is declared to be a private nuisance and may be abated in the manner prescribed in Ch. 823. In cases

where no compensation has been paid for the protection privilege, encroachments shall be removed by the owner or the authority in charge of the spaceport, landing area or launching area and shall be, in the case of a publicly owned spaceport, landing area or launching area, a city, village, town or county charge as the case may be. In removing such encroachments, the owner or authority in charge of the spaceport, landing area or launching area in question, may go upon the land and remove the encroachment without being liable for damages in so doing.

6. **Encroachments a private nuisance.** It shall be unlawful for anyone to build, create, cause to be built or created, any object, plant, or cause to be planted, any tree or trees or other vegetation, which shall encroach upon any acquired protection privilege. In addition to the penalty set forth in § .26, such encroachment is declared to be a private nuisance and may be removed in the manner prescribed in Ch. 823.
7. **Permit for erection of high structures required.** No person shall erect anywhere within a Landing Area, Launch Area, Range, or Protected Launch and Landing Area, any building, structure, tower or any other object the height of which exceeds the limitations set forth in sub. 6 without filing an application and procuring a permit from the Secretary of Transportation.
8. **Power to control erection of high structures.** For the purposes of Sub.5, the power and authority to control the erection of buildings, structures, tower and other objects by the Secretary of Transportation shall be limited to those objects that would either extend to a height of more than 500 feet above the ground or surface of the water within one mile of the nearest boundary of the nearest spaceport within the state, or above a height determined by the ratio of one foot vertical to 40 feet horizontal from the nearest boundary of the nearest spaceport within the state; however, this power and authority shall not extend to objects located within areas zoned under § 62.23(7) where the zoning ordinance enacted under said subsection controls the height of structures.
9. **Rules, regulations, standards and criteria.** In carrying out Sub. 6, the Secretary of Transportation may perform such acts, issue and amend such orders and make, promulgate, and amend and enforce such reasonable rules, regulations and procedures and establish such minimum standards and criteria governing erection of buildings, structures, towers, and

hazards in the interest of the safe operation of aircraft it deems necessary in the public interest and safety.

10. **Conflicting authority.** Wherein conflicting authority arises over the control of the erection of a building, structure, tower or hazard between the Secretary of Transportation and any political subdivision of the state, the Secretary of Transportation may overrule rules and regulations adopted by any political subdivision under the laws of the state after a public hearing wherein all parties thereto have been given an opportunity to be heard. The Secretary may refer such matters to the Division of Hearing and Appeals which shall hear and decide the matter after notice and hearing.
11. **Violations and penalties.** Each day that any person violates any of the provisions of Subs 5, 6, 7, and 8 may be considered as a separate violation in determining penalties under § .26.

.11.3 Spaceport approach protection

1. **Powers of municipalities.**

- (a) Any county, city, village or town that is the owner of a site for a spaceport which has been approved for such purpose by the appropriate agencies of the state and federal government may protect the aerial approaches to such site by ordinance regulating, restricting and determining the use, location, height, number of stories and size of buildings and structures and objects of natural growth in the vicinity of such site and may divide the territory to be protected into several areas and impose different regulations and restrictions with respect to such areas. The provisions of such ordinance shall be effective whether the site and the lands affected by such ordinance are located within or without the limits of such county, city, village or town, and whether or not such buildings, structures and objects of natural growth are in existence on the effective date of the ordinance. Such regulations, restrictions and determinations are declared to be for the purpose of promoting the public safety, welfare and convenience, and may be adopted, enforced and administered without the consent of any other governing body. Any ordinance adopted under this section may be amended from time to time in the same manner as is provided for

the adoption of the original ordinance in Sub. 2. The authority granted in this section shall be independent and exclusive of any other authority granted in the statutes.

- (b) When a spaceport site is jointly owned by 2 or more units of government, such ordinance may be adopted by joint action of the governing bodies of such units. In such case, such governing bodies shall meet jointly to select a joint commission consisting of one member from each governing body selected by that governing body, and, if there be 2, the members so selected shall elect a third member. Such joint commission shall elect a chairperson and a secretary, and shall have authority to formulate a tentative ordinance and hold public hearings as provided in sub. (2). At least 15 days' written notice of the meeting to select a joint commission shall be given to each governing body by filing a copy of such written notice with the clerk thereof. Such notice may be given on the initiative of one such governing body or jointly by more than one. The governing bodies that attend such meeting may proceed jointly. If one attends, or if only one favors an ordinance, it may proceed alone without appointing a commission but no ordinance applicable to a jointly owned spaceport shall be adopted by a governing body acting alone unless it has given notice of meeting to select a joint commission as provided by this subsection, and such ordinance shall be as effective as if adopted by the joint bodies.
- (c) As an alternative to the procedure for the appointment of members of the joint commission provided in paragraph (b), the governing bodies of the units of government which jointly own a spaceport site may by separate resolution of each governing body designate an existing subunit of any one of the governing bodies to act as the joint commission. In such case, the designated subunit shall elect a chairperson and secretary, formulate a tentative ordinance and hold public hearings as provided in sub. (2). No tentative ordinance formulated under this paragraph is effective unless it is adopted by all of the governing bodies of the units of government which jointly own the airport site.

- (d) An ordinance adopted under paragraph (b) or (c) may be amended in the same manner as is provided for the adoption of the original ordinance in paragraph (b) or (c).

2. **Formulation of ordinance, public hearing.**

- (a) Except as provided by sub.(1)(b) or (c), the county park commission in the case of any county except any county with a county executive or county administrator in which case the county park manager, the city or village plan commission in the case of a city or village, or if there is no such commission or manager, a committee of the governing body or bodies of the county, city, village or town which owns the spaceport site shall formulate a tentative ordinance and hold a public hearing or hearings thereon in some public place within the county, city, village or town. Notice of the hearings shall be given by publication of a class 3 notice, under Ch. 985, in the area affected by the proposed ordinance.
- (b) The regulations, restrictions and determines shall include, among other things, provisions for the limitation of the height of buildings, structures, and objects of natural growth not more than 5 miles from the boundaries of the spaceport site. Such regulations, restrictions, and determinations shall specify the maximum permissible height of buildings, structures and objects of natural growth and may specify such maximum permissible height as a ratio between the permissible maximum height of the building, structure or object of natural growth above the level of the spaceport site and its distance from the nearest point on the boundary of the spaceport site.
- (c) Should a greater restriction be deemed necessary for the proper protection of any part of the area affected, such greater restriction shall be secured by purchase or by the exercise of the right of eminent domain in the manner provided by Ch. 32.
- (d) The height restrictions shall not apply to legal fences or to farm crops which are cut at least once each year.

3. **Nonconforming uses.** The lawful use of land, buildings and structures existing at the time of the adoption or amendment of any ordinance under the authority of this section may be continued, although such use does not conform with the provisions of the ordinance. The expansion or enlargement of a nonconforming use shall be in conformity with the ordinance. The governing body of the owner of the spaceport site may remove such nonconforming use or acquire the necessary air right over the same by purchase or by exercise of the right of eminent domain in the manner provided by Ch. 32.

4. **Board of appeals.**

(a) Any ordinance enacted under this section shall provide for a board of appeals. If the county, city, village or town which is the owner of the spaceport has enacted a zoning ordinance under provision of law other than this section, the board of adjustment or board of appeals set up by that ordinance shall also function as the board of appeals under the ordinance enacted under this section.

(b) If there is no such board of appeals or board of adjustment, any regulations adopted under this section shall provide for a board of appeals. Where the spaceport is owned jointly, the ordinance shall provide for a joint board of appeals. Such board shall be constituted and have all the powers, duties and functions as provided in § 62.23(7)(e), but not more than 2 members of such board shall be owners or occupants of the area affected by the ordinance.

5. **Enforcement.** The governing body of the county, city, village or town owning the spaceport site may provide for the enforcement of any ordinance or regulations enacted pursuant to this section. Such enforcement may be by a system of permits or any other appropriate method. The governing body enacting the ordinance may provide for the punishment of a violation of the ordinance by fine or imprisonment, or both.

.12 **Advance land acquisition loan program.**

1. **Purpose.** The purpose of this section is to promote the state's interest in preserving and improving a safe and efficient aerospace transportation system by means of a program to provide loans for advance land acquisition for spaceport projects.

2. **Administration.** The department shall administer an advance land acquisition loan program to assist a county, city, village or town or an owner of a public-use spaceport in acquiring land necessary for spaceport projects. The department shall have all powers necessary and convenient to implement this section, including the following powers:
- (a) To specify conditions of eligibility for loans under this section. Such conditions shall include the requirement that the land to be acquired must be part of a planned spaceport improvement project or a land acquisition project that is essential to future spaceport development or to the safety of aircraft using the spaceport.
 - (b) To receive applications for loans under this section and to prescribe the form, nature and extent of the information which shall be contained in applications.
 - (c) To establish standards for the approval of loans under this section. No loan may be made for an amount greater than 80% of the department's assessment of the value of the property.
 - (d) To enter into loan agreements with applicants to ensure the proper use and prompt repayment of loans under this section. The loan agreement shall include the requirements that the loan be repaid within a period not to exceed 10 years and that the proceeds of any state or federal land acquisition funding received under § .18 be fully pledged to repayment of the loan. The department may not make a loan for more than 80% of the estimated land acquisition costs, including the costs of any necessary project plans and environmental studies. The loan agreement shall require that the department be designed to act as the loan recipient's agent in the acquisition of the land. Title to the land acquired shall be held by the loan recipient, but the department may retain a security interest in the land until the loan is repaid. The loan agreement shall require the payment of interest and reasonable costs incurred by the department.
 - (e) To acquire lands under § .10 and .11 as the designated agent of a loan recipient.
 - (f) To audit and inspect the records of loan recipients.

3. **Funds.** The department may make loans under this section from the appropriation under § 20.395(2)(dv). The total outstanding balance of loans under this subsection may not exceed \$10,000,000.
4. **Rules.** The department may adopt rules as necessary to implement this section.
- .13 **Furnishing facilities and services within the spaceport territory.** The Authority shall have the power to construct, develop, create, maintain, manage and operate its projects within the geographical limits of the Spaceport Territory, including any portions of the Spaceport Territory located inside the boundaries of any municipality or other political subdivision, and offer, supply, manage, and furnish the facilities and services provided for in this Act to, and to establish and collect fees, rentals or other charges from persons, public or private, in the geographical limits of the Spaceport Territory and for the use of the Authority itself.
- .14 **Exclusive authority.** This Act specifically provides that the Authority shall have exclusive power and authority to regulate and operate the spaceports in the state.
- .15 **Rates, fees, rentals, tolls, fares and charges; procedure for adoption and modification; minimum revenue requirements.**
 1. To recover the costs of the spaceport facility, the Authority shall have the power to establish, set, prescribe and collect rates, fees, rentals, tolls, fares or other charges and to revise the same from time to time for the facilities and services furnished or to be furnished by the Authority and the spaceport, including, but not limited to, launch pads, landing areas, ranges, payload assembly and processing facilities, visitor and tourist facilities, fielding facilities, transportation facilities, parking and other related facilities, shall have the power to provide for all powers provided by law for penalties against any user, person or property for any such rates, fees, rentals, tolls, fares or other charges that are delinquent.
 2. The Board shall have the power to enter into contracts for the use for the projects of the Authority and for the services and facilities furnished or to be furnished by the Authority, including, but not limited to, launch services, landing areas, payload and assembly and processing and other aerospace-related services or activities for such consideration or on such terms and conditions as the Board may approve. Such contracts and the revenues and charges received or to be received by the Authority therefrom may be used as security or collateral for any of the bonds issued by the Authority.

.16 **Additional powers of board.** The Board shall have the power within any Spaceport Territory to:

1. Adopt regulations to prohibit or control the pollution of air and water, and require certain location and placement of electrical power, telephone, and other utility lines, cables, pipes and ducts.
2. Provide the Spaceport Territory into zones or districts of such number, shape and borders as the Board may be deem best suited to carry out the purpose of this Act, and within the forest district to make regulations and restrictions provided for in subsection 1 above.

.17 **Issuance and management of bonds.**

1. The Board shall have the authority to borrow money and issue bonds; execute notes, debentures, and other forms of indebtedness; apply for and accept advances, loans, grants, contributions, and other forms of financial assistance from a municipality or political subdivision, where state or federal, or from any sources, public or private, for the purposes of this Act and give such security as may be required and enter into and carry out contracts or agreements in connection with the securities.
2. The Board has the authority to issue bonds to finance its activities under this section and issuer refunding bonds for the payment and retirement of bonds previously issued by it. Bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues and funds of the Authority derived from or in connection with its projects and activities. Payment of the bonds, both as principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or any other source, and of any projects or activities of the Authority, and by a mortgage of all or part of the projects or activities. Bonds issued under this section are not an indebtedness within the meaning of any constitutional statutory limitation or restriction of the state or any political subdivision thereof other than the Authority issuing the bonds, and are not subject to any law or charter relating to the authorization, issuance of sale of bonds. Bonds issued under this section are declared to be issued for an essential public and governmental purpose and, together with interest and income, are exempt from all taxes. The bonds may be sold or exchanged at public sale or by private negotiation with bond underwriters as the Authority provides. The bonds may be sold or exchanged at any price that the Authority determines. If sold or exchanged at public sale, the sale shall be held after a class

If notice under Chapter 985, published before the sale in a newspaper having general circulation in the city and any other media or publication that the Authority determines. Bonds may also be sold to the federal government at private sale, without publication of a notice, not less than par and if less than all the authorized principal amount of the bonds is sold to the federal government, the balance may be sold at private sale at not less than par and at interest cost to the Authority that does not exceed the interest cost to the Authority of the portion of the bonds sold to the federal government. Any provision to the contrary notwithstanding, any bonds issued under this section are fully negotiable. Any suit, action, or proceeding involving the validity or enforceability of any bond issued under this section with the security for any bond, any bond reciting in substance that has been issued by the Authority in connection with the project or activity under this section is deemed to have been issued for that purpose and the project or activity is deemed to have been planned, located, and carried on in accordance with this Act.

.18 **Federal and other funds and aid.** The Authority is authorized to accept and receive federal monies, property and other monies or properties, either public or private, for the acquisition, operation, construction, management, enlargement, improvement, maintenance, equipment or development of programs, facilities and sites therefor, and to comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure for federal monies.

.19 **State and Authority's share of costs.**

1. The cost of spaceport improvement projects involving federal aid, in excess of the federal government's share, shall be borne by the Authority and the state, except that the state shall pay no more than one-half of such excess costs, nor more than \$10,000,000.00 or the cost of a building project or building improvement project and no part of the cost of hangers. The secretary, upon agreement with the Authority, may advance up to 10% of the amount of any federal aid grant agreement for the payment of project costs of the federal aid project, subject to reimbursement upon final liquidation in settlement of the project with the Authority and federal government.
2. The cost of projects not involving federal aid shall be borne by the Authority and the state. The state shall pay not more than 80% of such costs, which may include the cost of the land, the cost of land or interest in lands deemed necessary for the protection of aerial approaches, the cost of formulating the project application, and preparing the plans and specifications and the cost of construction and of all

facilities deemed necessary for the operation of the spaceport. The state shall not contribute more than \$10,000,000.00 for the cost of a building project or building improvement project and no part of the cost of hangers.

3. The percentage of the cost borne by the state shall be determined by the Department on the basis of the relative importance of the specific project to the state's spaceport development program as a whole.
4. The state shall promote the development of a spaceport system in the state and to promote the development of joint spaceports in the state and in the adjoining states which mutually benefit the citizens of this state and those of adjoining states. The secretary may use the funds provided by the state to assist the Authority in matching the federal aid that may become available to the state or available for specific projects or joint projects within the state or an adjoining state.

.20 Cooperative agreements with the state, counties and municipalities.

1. The state and local political subdivisions thereof, public bodies and agencies thereof, or any of them, whether now existing or hereafter created, are authorized to cooperate with the Authority in carrying out any of the purposes and projects of the Authority, to enter into cooperative agreements with the Authority, to provide in any such cooperative agreements for the making of loans, gifts, grants, or contributions to the Authority and the granting and conveyance to the Authority of any real or personal property of any kind or nature, or any interest therein, for the carrying out of the purposes and projects of the Authority; to covenant in any such cooperative agreements to pay all or any part of the costs of acquisition, planning, development, management, construction, re-construction, improvement, operation and maintenance of any projects of the Authority; and to pay all or any part of the principal and interest on any bonds of the Authority.
2. The state and political subdivisions thereof, public bodies and agencies thereof, or any of them, whether now existing or hereafter created, and the Authority created by this Act, or further authorized to enter into cooperative agreements to provide for the furnishing of the Authority to any state or political subdivision thereof, public body or agency thereof, or any of the facilities and services of the Authority or by the state or any subdivision thereof, public body or agency thereof, to the Authority and to persons within the spaceport territory of facilities and services of the type that the Authority is authorized to furnish or undertake, or such other facilities and services as may be determined necessary or desirable by

the Board, for carrying out the purposes of this Act. Without limitation of the foregoing, such cooperative agreements may provide for the furnishing by any political subdivision of fire and police protection for the Authority and persons and property within the Authority, and for the providing to the Authority of any services deemed necessary or desirable by the Board for the proper functioning of the Authority.

3. Without limitation of the foregoing, the Board may undertake and finance any of the projects of the Authority, in whole or in part, jointly with any municipality or municipalities now existing or hereafter created, or in any manner combine the projects of the Authority with the projects of such municipality or municipalities.
- .21 **Criminal jurisdiction.** All crimes, torts, and other wrongs committed by or against an aeronaut or an astronaut or passenger while in flight over the state shall be governed by the laws of the state; and the question of whether damage occasioned by or to a spacecraft while in flight over the state constitutes a tort, crime or other wrong, by or against the owner of such spacecraft, shall be determined under the laws of this state.
- .22 **Contracts, grants and contributions.** The Authority shall have the power to make and enter all contracts and agreements necessary or incidental for the performance of the functions of the Authority and the execution of its powers and to contract with and to accept and receive grants or loans of money, material or property from, any person, public or private, as the Board shall determine to be necessary, or desirable to carry out the purposes of this Act, in connection with any such contract, grant, or loan and may agree to such covenants, terms, and conditions as the Board shall deem appropriate.
- .23 **Trade secrets.** Any information held by the Authority which is a trade secret, as defined in Wis. Stat. § 134, *et seq.*, including trade secrets of the Authority, any spaceport user, or space industry business is confidential and is exempt from any public disclosure laws of the state and may not be disclosed. If the Authority determines that any information requested by the public will reveal a trade secret, it shall, in writing, inform the person making the request of that determination. The determination is a final order as defined in Wis. Stat. § [REDACTED]. Any meeting or portion of a meeting of the Authority's Board is exempt from the opening meetings law requirements when the Board is discussing trade secrets. Any public record generated during the closed portions of such meetings, such as minutes, tape recordings and notes, is confidential and is exempt from open meeting laws requirements.
- .24 **Sovereign immunity.** The Authority shall be granted sovereign immunity in the same manner as stated under the laws and Constitution of the State of Wisconsin. The state, by

this section, hereby waives the sovereign immunity granted to the same extent as waived by the state under state law.

.25 **Changing boundary lines; annexation and exclusion of lands; creation of municipalities within the geographical limits of any spaceport territory; limitations on the furnishing of services within annexed areas.**

1. The Board may enlarge the geographical limits of any spaceport territory to include any lands not then within any spaceport territory: (a) upon the written consent of the owners of all lands being included in any spaceport territory and the owners of not less than a majority in acreage of all the land then within any spaceport territory; or (b) by resolution of the Board approved at a special election called for such purpose, by vote of majority of freeholders residing within the area to be annexed and a majority of freeholders residing within any spaceport territory.
2. The Board may contract the geographical limits of any spaceport territory so as to exclude from any spaceport authority any land then within any spaceport territory: (a) upon the written consent of the owners of all land to be so excluded and of the owners of not less than a majority in acreage of all the land then within any spaceport territory; or (b) by resolution of the Board approved at a special election called for such purpose, by vote of a majority of freeholders residing within the area to be excluded and a majority of freeholders residing within any spaceport territory.
3. The Authority shall designate new landing areas and launch pad outside the presently designated spaceport territories by statutory amendment of Wis. Stat. § .04.

.26 **Enforcement and penalties.** The Board or aggrieved person may have recourse to such remedies in law and equity as may be necessary to ensure compliance with the provisions of this Act, including, but not limited to, injunctive relief to enjoin or restrain any person violating the provisions of this Act, and any bylaws, resolutions, regulations, rules, and orders adopted under this Act, and the court shall upon proof of such violation, have the duty to issue forthwith such temporary and permanent injunctions as are necessary to prevent further violation thereof. In case any building or structure is erected, constructed, altered, repaired or maintained or any building, structure, land or water is used, in violation of this Act, or if any other code, order, resolution or other regulation made under authority conferred by this Act or under law, the Board may institute any appropriate action or proceeding to prevent such unlawful erection, construction, repair,

maintenance or use, to restrain, correct or avoid such violation, to prevent the occupancy of such building, structure, land or water and to prevent any legal act, conduct, business or use in or about such premises, land or water.

.27 **Investment of funds.** The Board may, in its discretion, invest funds of the Authority in:

1. Direct obligations of or obligations guaranteed by the United States or for the payment of principal and interest of which the faith and credit of the United States is pledged;
2. Bonds or notes issued by any of the following federal agencies: (a) bank or cooperatives; (b) federal intermediate credits banks; (c) federal home loan banks systems; (d) federal land banks; (e) federal reserve banks; (f) or other Federal National Mortgage Association;
3. Public housing bonds issued by public housing authorities and secured by a pledge or annual contributions under an annual contribution contract or contracts with the United States;
4. Bonds or other interest-bearing obligations of any county, district, city or town located in the state for which faith and credit of such political subdivision is pledged; and
5. Any investment authorized by the laws of this state.

.28 **Insurance coverage of the authority; safety program.**

1. The Authority shall establish a safety program. The safety program shall include:
 - (a) the development and implementation of the loss prevention program which shall consist of a comprehensive authority by the safety program, including a statement, established by the Board, of safety policies and responsibility;
 - (b) provision for regular and periodic facility and equipment inspections;
 - (c) investigation of job-related employee accidents and other accidents occurring the premises of the Authority or within areas of its jurisdiction;

- (d) establishment of a program to provide increased safety awareness among employees, agents, and subcontractors of the Authority.
2. The Authority shall, if available:
- (a) secure insurance coverage within reasonable limits for liability which may arise as a consequence of its responsibilities; and
 - (b) if cost-effective, secure insurance coverage on its buildings, facilities, and property at reasonable levels.
- .29 **Participation by women, minorities and socially and economically disadvantaged business enterprises encouraged.** It is the intent of the Legislature and the public policy of this state that women, minorities and socially and economically disadvantaged business enterprises be encouraged to participate in all phases of economic and community development. Accordingly, to achieve such purpose, the Authority shall, in accordance with the applicable state and federal law, involve and utilize women, minorities and socially and economically disadvantaged business enterprises in all phases of the design, development, construction, maintenance, and operation of spaceport's developed under this Act.
- .30 **Exemption from taxes and assessments.** The property of the Authority's public property for essential and governmental purposes and its property and the Authority are exempt from all taxes and special assessments by any municipality or political subdivision of the state.
- .31 **Use of name; ownership rights to intellectual property.**
- 1. The corporate name of corporation incorporated or authorized to transact business in this state, or the name of any person or business entity transacting business in the state, may not use the words "Wisconsin Spaceport" or "Spaceport Wisconsin" in its name unless the Authority gives written approval for such use.
 - 2. Every right, interest, claim or demand of any kind in and to any patent, trademark, service mark, copyright, trade secret, certification mark, or other right acquired under the patent trademark laws of the United States or the state or any foreign country, or the application for the same, as is owned or held, acquired or developed by the Authority, under the authority and directions given it, is vested in the Authority for the use, benefit and purposes provided in this part. The Authority is vested with and is authorized to exercise any and all of the normal

incidents of such ownership, including the receipt and disposition of royalties. Sums received as royalties from any such rights are hereby appropriated to the Authority for any and all of the purposes and uses provided for in this part.

.32 Public loans or donations to or cooperation with Authority.

1. A public body, department, board or agency of the state may:
 - (a) Lend or donate money or property to the Authority;
 - (b) Cooperate with the Authority in the planning, structure, or operation of a project;
 - (c) Transfer to the Authority an interest in property, grant an easement, undertake otherwise authorized construction of facilities adjacent to a project;
 - (d) Furnish or approve otherwise authorized roads, streets, alleys and sidewalks;
 - (e) Purchase bonds of the Authority;
 - (f) Incur the entire expense of improvements made under this chapter;
 - (g) In general, do all things necessary or convenient to cooperate in the planning, structure, or operation of a project, except as may be required under this Act, a sale, conveyance, lease or agreement under this section may be made without appraisal, public notice, or advertisement or bidding.

Gary, Aaron

From: Davis, Brett
Sent: Monday, October 27, 2003 12:55 PM
To: Gary, Aaron
Subject: FW: Spaceport Sheboygan Legislation

Aaron -

I know you have been swamped with drafting requests, but I am just wondering if you have a version of the Spaceport Sheboygan legislation we can share with people yet. One of the people spearheading this project is meeting with the Governor this week and is hoping to have a copy of a draft to share. Will this be possible?

Thanks for your help.

Brett

-----Original Message-----

From: Chrissy Paape [mailto:chrissy@space-explorers.com]
Sent: Monday, October 27, 2003 12:45 PM
To: Davis, Brett
Cc: Hollie Miller
Subject: Re: Spaceport Sheboygan Legislation

Dear Brett,

I know this legislation has been set back until next year, however I was wondering if you might have an updated version of the Sheboygan Spaceport Legislation from the drafter? George French will be seeing the Governor this week and wanted to give him a copy of this. Our last copy on file was from January - 2003.

Thanks again,

Chrissy

----- Original Message -----

From: "Davis, Brett" <Brett.Davis@legis.state.wi.us>
To: <chrissy@space-explorers.com>
Sent: Wednesday, September 17, 2003 12:57 PM
Subject: FW: Spaceport Sheboygan Legislation

> Chrissy -

>
> Below is my communication with the drafter on the Sheboygan Spaceport
> legislation.

>
> Please keep in touch.

> Brett

> > -----Original Message-----

> > **From:** Fast, Timothy
> > **Sent:** Wednesday, September 17, 2003 1:56 PM
> > **To:** Davis, Brett
> > **Subject:** RE: Spaceport Sheboygan Legislation

> >
> > Brett -- Almost complete is correct. I am putting the final touches
> on
> > it. I am hoping that you'll have it next week, probably toward the

latter

> > end of it. We begin our move to 1 E. Main next week so I'm working to
get
> > it over to you without any hitches because of our move. Sorry not to
get
> > back to you sooner. I'm (still) only in (at most) half-days. --Tim

> > -----Original Message-----


> > From: Davis, Brett
> > Sent: Tuesday, September 16, 2003 9:23 AM
> > To: Fast, Timothy
> > Subject: Spaceport Sheboygan Legislation

> > Tim -

> > I assume the draft for the Spaceport Sheboygan legislation is almost
> > complete. Could you please let me know when I can expect a draft?

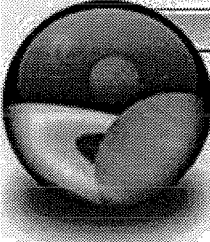
> > Thanks,

> > Brett



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News & Announcements

MARS EXPLORATION ROVER MISSION CHAT

THURSDAY, NOVEMBER 6 AT 12:30 P.M. CST
Hosted by:
Program Scientist
Dr. Catherine Weitz

The Mars Exploration Rovers (Spirit & Opportunity) are expected to land on Mars 11:41 AM PST on Tuesday, November 3, 2003. Dr. Weitz will be available for one hour to answer questions about NASA's current mission.

[▶ Click here](#)

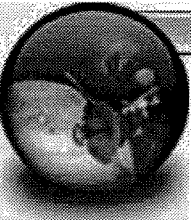


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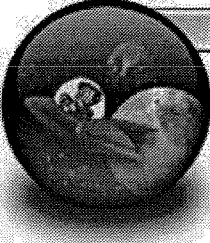
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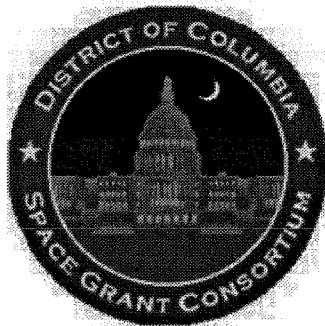


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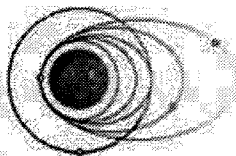


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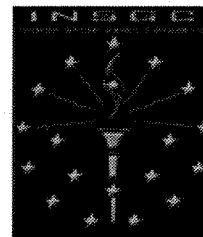


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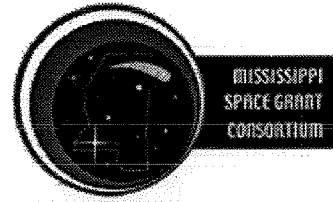


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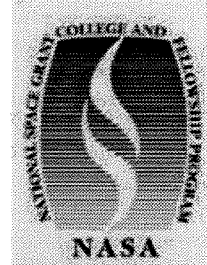


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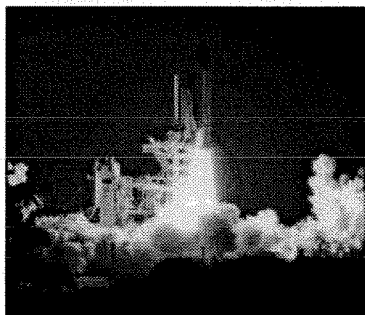
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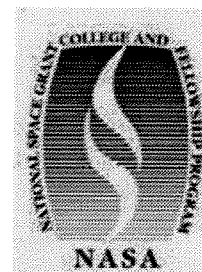
What is the Wisconsin Space Grant Consortium?

The Wisconsin Space Grant Consortium (WSGC), formed in 1991 is a Wisconsin-wide network of public and private universities and colleges, industries, government agencies, non-profit associations, and other entities. The purpose of the Consortium is to coordinate and improve Wisconsin's future in aerospace science, design, and technology. The focus of the Consortium is to stimulate aerospace research, education and outreach activities throughout the State. WSGC encourages cooperative programs among universities, aerospace industry, a government and encourages interdisciplinary, inter-university, and university/industry training, research, and public service. It aids in recruitment and training of professionals, especially women, underrepresented minorities, and the developmentally challenged careers in aerospace science, design, and technology.

Why was the Consortium formed?

In 1987, a joint congressional/NASA study panel addressed a number of issues facing the space and aerospace industries and the Nation, among them the need to ensure workers' preparation for a high-technology workforce and a decline in scholastic achievement, especially in mathematics and science. In September 1989, the National Space Grant College and Fellowship Program was inaugurated. There are now Space Grant Consortia in each of the 50 states plus the District of Columbia and Puerto Rico. Each Consortium develops a program most appropriate to the space and aerospace interests of the state.

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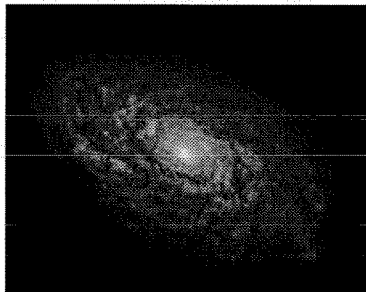
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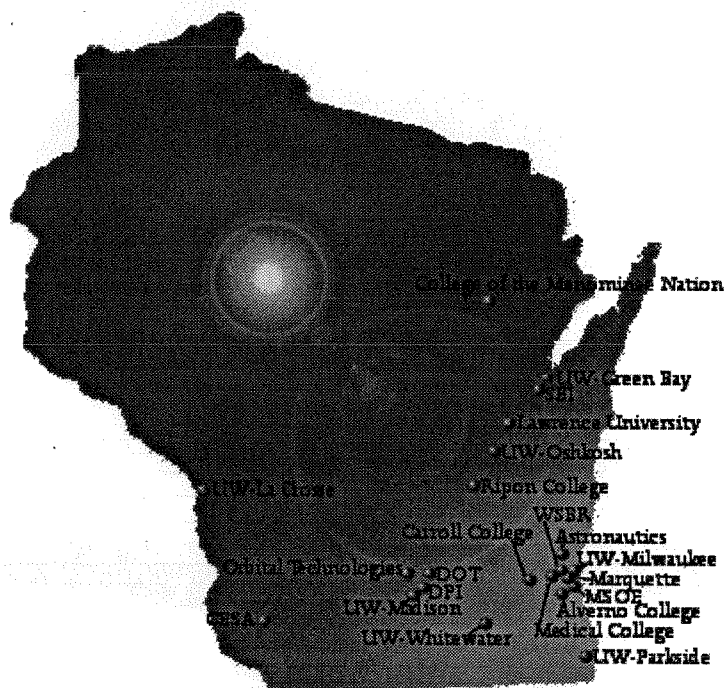
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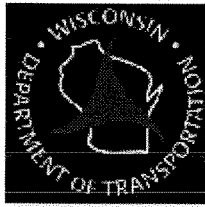
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