

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

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

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

19 **114.67 Cooperation with governmental units.** To enhance the efficiency
20 and effectiveness of the authority, the state, any political subdivision of the state,
21 municipality, or other governmental unit may enter into cooperative agreements
22 with the authority for furnishing any facility or service of the state, political
23 subdivision, body politic, or other governmental unit to the authority, including fire
24 and police protection, and may otherwise provide, to the extent permitted by law, any
25 funds, property, or services to the authority.

1 **114.68 Political activities.** (1) No employee of the authority may directly
2 or indirectly solicit or receive subscriptions or contributions for any partisan political
3 party or any political purpose while engaged in his or her official duties as an
4 employee. No employee of the authority may engage in any form of political activity
5 calculated to favor or improve the chances of any political party or any person seeking
6 or attempting to hold partisan political office while engaged in his or her official
7 duties as an employee or engage in any political activity while not engaged in his or
8 her official duties as an employee to such an extent that the person's efficiency during
9 working hours will be impaired or that he or she will be tardy or absent from work.
10 Any violation of this section is adequate grounds for dismissal.

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

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

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

20 **114.69 Liability limited.** (1) Neither the state nor any political subdivision
21 of the state nor any officer, employee, or agent of the state or ^{of} a political subdivision
22 who is acting within the scope of employment or agency is liable for any debt,
23 obligation, act, or omission of the authority.

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

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

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

6 (3) The authority may not issue bonds unless the issuance is first authorized
7 by a bond resolution. Bonds shall bear the dates, mature at the times not exceeding
8 30 years from their dates of issue, bear interest at the rates, be payable at the times,
9 be in the denominations, be in the form, carry the registration and conversion
10 privileges, be executed in the manner, be payable in lawful money of the United
11 States at the places, and be subject to the terms of redemption, that the bond
12 resolution provides. The bonds shall be executed by the manual or facsimile
13 signatures of the officers of the authority designated by the board. The bonds may
14 be sold at public or private sale at the price, in the manner, and at the time
15 determined by the board. Pending preparation of definitive bonds, the authority may
16 issue interim receipts or certificates that the authority shall exchange for the
17 definitive bonds.

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

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

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

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

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

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

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

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

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

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

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

1 which the bond resolution is submitted to the committee, the cochairpersons of the
2 committee notify the authority that the committee has scheduled a meeting to review
3 the bond resolution, the authority may proceed with any commitment for the
4 issuance of bonds under the bond resolution only upon approval by the committee.

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

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

23 (2) Nothing in this chapter authorizes the authority to create a debt of the state,
24 and all bonds issued by the authority under this chapter are payable, and shall state
25 that they are payable, solely from the funds pledged for their payment in accordance

1 with the bond resolution authorizing their issuance or in any trust indenture or
2 mortgage or deed of trust executed as security for the bonds. The state is not liable
3 for the payment of the principal of or interest on any bonds of the authority or for the
4 performance of any pledge, mortgage, obligation, or agreement which may be
5 undertaken by the authority. The breach of any pledge, mortgage, obligation, or
6 agreement undertaken by the authority does not impose any pecuniary liability upon
7 the state or any charge upon its general credit or against its taxing power.

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

15 **114.74 Refunding bonds.** (1) The authority may issue bonds to fund or
16 refund any outstanding bond, including the payment of any redemption premium on
17 the outstanding bond and any interest accrued or to accrue to the earliest or any
18 subsequent date of redemption, purchase, or maturity.

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

1 **114.75 Limit on amount of outstanding bonds.** The authority may not
2 have outstanding at any one time bonds in an aggregate principal amount exceeding
3 \$100,000,000, excluding bonds issued to refund outstanding bonds.

4 **114.76 Bonds exempt from taxation.** The state covenants with the
5 purchasers and all subsequent holders and transferees of bonds issued by the
6 authority, in consideration of the acceptance of any payment for the bonds, that its
7 fees, charges, gifts, grants, revenues, receipts, and other moneys received or to be
8 received, pledged to pay or secure the payment of such bonds shall at all times be free
9 and exempt from all state, city, county, or other taxation provided by the laws of the
10 state.

11 **114.77 Funding of certain project costs.** (1) In this section, “spaceport
12 improvement project” means any project to acquire, construct, develop, plan, design,
13 establish, create, improve, enlarge, reconstruct, or equip any spaceport or spaceport
14 facility.

15 (2) The costs of spaceport improvement projects involving federal aid, in excess
16 of the federal government’s share, shall be borne by the authority and the state,
17 except that the state shall pay not more than 50%^{percent} of such excess costs, nor more than
18 \$10,000,000 for the cost of a building project or building improvement project and no
19 part of the cost of hangars. The secretary, upon agreement with the authority, may
20 advance up to 10%^{percent} of the amount of any federal aid grant agreement for the payment
21 of project costs of a federal aid project, subject to reimbursement upon final
22 liquidation and settlement of the project with the authority and federal government.

23 (3) The costs of spaceport improvement projects not involving federal aid shall
24 be borne by the authority and the state. The state shall pay not more than 80%^{percent} of
25 such costs, which may include the cost of the land, the cost of lands or interest in

1 lands deemed necessary for the protection of the aerial approaches, the cost of
2 formulating the project application, and preparing the plans and specifications, and
3 the cost of construction and of all facilities deemed necessary for the operation of the
4 spaceport. The state shall not contribute more than \$10,000,000 for the cost of a
5 building project or building improvement project and no part of the cost of hangars.

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

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

15 (6) All state funds provided under this section shall be paid from the
16 appropriation accounts under s. 20.395 (2) (dq), (dv), and (dx).

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

25 **SECTION 74.** 219.09 (1) (g) of the statutes is created to read:

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

2 **SECTION 75.** 230.03 (3) of the statutes is amended to read:

3 230.03 (3) “Agency” means any board, commission, committee, council, or
4 department in state government or a unit thereof created by the constitution or
5 statutes if such board, commission, committee, council, department, unit, or the
6 head thereof, is authorized to appoint subordinate staff by the constitution or
7 statute, except a legislative or judicial board, commission, committee, council,
8 department, or unit thereof or an authority created under subch. II of ch. 114 or chs.
9 231, 232, 233, 234, 235, or 237. “Agency” does not mean any local unit of government
10 or body within one or more local units of government that is created by law or by
11 action of one or more local units of government.

12 **SECTION 76.** 281.75 (4) (b) 3. of the statutes is amended to read:

13 281.75 (4) (b) 3. An authority created under subch. II of ch. 114 or ch. 231, 233,
14 234, or 237.

15 **SECTION 77.** 285.59 (1) (b) of the statutes is amended to read:

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

24 **SECTION 78.** 560.032 (1) of the statutes is amended to read:

1 560.032 (1) ALLOCATION. The department, by rule, shall establish under 26
 2 USC 146 and administer a system for the allocation of the volume cap on the issuance
 3 of private activity bonds, as defined under 26 USC 141 (a), among all municipalities,
 4 as defined in s. 67.01 (5), and any corporation formed on behalf of those
 5 municipalities, and among this state, the Wisconsin Health and Educational
 6 Facilities Authority, the Wisconsin Aerospace Authority, and the Wisconsin Housing
 7 and Economic Development Authority.

8 **SECTION 79. Nonstatutory provisions.**

9 (1) DEFINITIONS. In this ^{CS} section:

10 (a) "Authority" has the meaning given in section 114.60 (3) of the statutes.

11 (b) "Board" has the meaning given in section 114.60 (4) of the statutes.

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

16 (a) Three members appointed under section 114.61 (1) (a) of the statutes and
 17 one member appointed under section 114.61 (1) (b) of the statutes, for terms expiring
 18 on June 30, 2005.

19 (b) Two members appointed under section 114.61 (1) (a) of the statutes and one
 20 member appointed under section 114.61 (1) (b) of the statutes, for terms expiring on
 21 June 30, 2006.

22 (c) Three members appointed under section 114.61 (1) (a) of the statutes, for
 23 terms expiring on June 30, 2007.

24 (3) TIME FOR INITIAL APPOINTMENT OF BOARD MEMBERS. Nominations of board
 25 members under sub^{section} (2) and section 114.61 (1) (a) of the statutes and appointments

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SECTION 79

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1 of board members under sub^{section} (2) and section 114.61 (1) (b) of the statutes shall be
2 made no later than 60 days after the effective date of this subsection.

3 (4) INITIAL MEETING OF BOARD. The board shall hold its initial meeting no later
4 than 30 days after all members are appointed, or no more than 120 days after a
5 majority of members are appointed, whichever is earlier.

6

7

(END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2508/P1dn

ARG: *[Signature]*

Date

ATTN: Brett Davis

In the interest of getting the attached draft to you as soon as possible, I have prepared this draft creating the Wisconsin Aerospace Authority (WAA), and requiring it to establish a Sheboygan Spaceport, in preliminary form. An analysis will be provided in a subsequent draft. The attached draft is complete, other than the analysis, but in any subsequent draft I will need to involve other drafters, particularly in the areas of taxation, employment, bonding, and local governments, to review the draft to ensure that I haven't missed anything or caused unintended consequences. Please review this draft carefully to ensure that it is consistent with your intent.

draft The attached draft calls for state funding. The draft creates the mechanism or structure for the funding but does not increase any appropriation to provide funding. That is, the costs associated with this bill would have to be absorbed within the specified appropriation in DOT's budget, meaning that current airport and aeronautical funding would have to be cut back to accommodate any funding under this bill. Do you want to increase any appropriations to provide additional funding?

The draft should also include a limit on bonding authority for the ^{WAA} Authority. I arbitrarily picked \$100,000,000 as the limit in created s. 114.75. Please advise if you would like to establish a different bonding limit. X

You may wish to discuss the funding issues with analysts from the Legislative Fiscal Bureau. I note that, to "get off the ground," WAA will probably need some guaranteed and specifically earmarked funds for start-up costs.

This draft treats numerous statutory provisions governing state operations that generally encompass other authorities created under state law. The draft should be reviewed to ensure that the policy choices represented by these treatments are consistent with your intent. For example, the draft:

1. Provides that WAA employees are not state employees and are not included in the state system of personnel management, because they are exempted from the definition of "agency" under s. 230.03(3). However, the draft includes WAA in the definition of "state agency" in s. 40.02(54)(j), which nonetheless allows employees of WAA to participate in the system for state retirement benefits and health insurance coverage.
2. Adds WAA to the definition of "agency" in s. 13.62(2) for the purposes of the law regulating lobbying.

3. By amending s. 13.94 (4) (a) 1., makes WAA subject to audit by the Legislative Audit Bureau.

4. Makes WAA subject to s. 16.41, which requires agencies and authorities to provide financial information to the Department of Administration.

5. Makes WAA subject to s. 16.417, relating to dual employment. X

6. Includes WAA in the definition in s. 16.70 (2) so that it is not generally subject to the state purchasing laws. X

7. Does not treat ss. 19.31 (1) and 19.82 (1), so the open records and open meetings laws by default apply to WAA. X

8. Applies the code of ethics for public officials and employees to WAA because it is not exempted under s. 19.42 (5) and because of proposed s. 19.42 (10) (q).

9. By treatment of s. 16.004 (12) (a), exempts WAA from rules promulgated by the Department of Administration governing surveillance of employees.

10. By treatment of s. 16.75 (1m), exempts WAA from requirements to use life cycle cost estimates in purchasing. X

11. By treatment of s. 16.765, requires the WAA to include nondiscrimination requirements in contracts.

12. By treatment of s. 24.61 (2) (a), authorizes the Board of Commissioners of Public Lands to invest the trust funds that it manages in bonds issued by WAA.

13. By treatment of s. 25.17 (3) (b), authorizes the State Investment Board to invest funds over which it has investment authority in bonds issued by WAA.

14. By treatment of s. 25.50 (1) (d), authorizes WAA to invest assets or funds held by WAA in the State Investment Board's local government pooled-investment fund.

15. By treatment of s. 66.0603 (1m), authorizes local governments to invest in bonds issued by WAA.

16. By treatment of s. 77.54 (9a) (a), excludes sales to WAA from the sales tax.

17. Does not treat s. 103.49 (1) (f), the state's prevailing wage law.

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20. By treatment of s. 560.032 (1), includes WAA in allocation of the federal volume cap on private activity bonds. Stats

21. Does not include a detailed treatment related to the confidentiality of trade secrets because trade secrets are already exempt from the open records laws. s. 19.36 (5). X

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22. Includes provisions in subch. II of ch. 114 specifying that WAA property, and interest on WAA bonds, are tax-exempt. The tax drafter may determine that additional treatments are necessary. X

23. Includes provisions in subch. II of ch. 114, and treatments in ch. 32, specifying WAA's condemnation powers. The local government's drafter may determine that additional treatments are necessary. X X

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Aaron R. Gary
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2508/P1dn
ARG:kjf:jf

November 12, 2003

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State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-2508/PZ

ARG:kjf:jf

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODU

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1 **AN ACT to renumber and amend** 114.136 (2) (b); **to amend** 7.33 (1) (c), 13.172
2 (1), 13.62 (2), 13.94 (4) (a) 1., 16.002 (2), 16.004 (4), 16.004 (5), 16.004 (12) (a),
3 16.01 (1), 16.045 (1) (a), 16.41 (4), 16.417 (1) (b), 16.52 (7), 16.528 (1) (a), 16.53
4 (2), 16.54 (9) (a) 1., 16.70 (2), 16.75 (1m), 16.765 (1), (2), (4), (5), (6), (7) (intro.)
5 and (d) and (8), 16.838 (1) (b), 16.85 (2), 16.865 (8), 20.395 (2) (dq), 20.395 (2)
6 (dv), 20.395 (2) (dx), 23.175 (1) (b), 25.50 (1) (d), 32.01 (1), 32.05 (intro.), 71.26
7 (1) (be), 77.54 (9a) (a), 84.072 (3), 85.02, 100.45 (1) (dm), 101.177 (1) (d), chapter
8 114 (title), 114.002 (intro.), 114.002 (1), 114.002 (3), 114.04, 114.05, 114.07,
9 114.105, 114.11 (title), 114.11 (1) to (5) (intro.), 114.12, 114.13, 114.134 (title),
10 114.134 (1), (2), (3) and (4) (c), 114.135 (title), 114.135 (intro.), (1), (2), (3), (4),
11 (6), (7) and (8), 114.136 (title), 114.136 (1) (a), (b), and (c), (2) (a), (3), (4) and (5),
12 114.151, 114.31 (1) and (4), 114.33 (12), 114.37 (title), 230.03 (3), 281.75 (4) (b)
13 3., 285.59 (1) (b) and 560.032 (1); and **to create** 19.42 (10) (q), 24.61 (2) (a) 10.,
14 25.17 (3) (b) 13., 32.02 (11m), 40.02 (54) (j), 66.0603 (1m) (a) 3u., 70.11 (38m),
15 71.05 (1) (c) 7., 71.26 (1m) (h), 71.45 (1t) (h), subchapter I (title) of chapter 114

1 [precedes 114.001], 114.002 (11m), 114.002 (18r), (18s) and (18t), 114.375,
2 subchapter II of chapter 114 [precedes 114.60] and 219.09 (1) (g) of the statutes;
3 **relating to:** creating the Wisconsin Aerospace Authority to develop and
4 operate spaceports and related facilities and services and other aerospace
5 facilities and services and providing the authority with the power of
6 condemnation, authorizing municipalities to develop and operate spaceports,
7 and making an appropriation

Analysis by the Legislative Reference Bureau

Insert ANAL → ~~This is a preliminary draft. An analysis will be provided in a later version.~~
This bill will be referred to the Joint Survey Committee on Tax Exemptions for
a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state and local* fiscal estimate, which will be
printed as an appendix to this bill.

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

8 **SECTION 1.** 7.33 (1) (c) of the statutes is amended to read:

9 7.33 (1) (c) “State agency” has the meaning given under s. 20.001 (1) and
10 includes an authority created under subch. II of ch. 114 or ch. 231, 232, 233, 234, or
11 237.

12 **SECTION 2.** 13.172 (1) of the statutes is amended to read:

13 13.172 (1) In this section, “agency” means an office, department, agency,
14 institution of higher education, association, society or other body in state
15 government created or authorized to be created by the constitution or any law, which
16 is entitled to expend moneys appropriated by law, including the legislature and the
17 courts, and any authority created in subch. II of ch. 114 or ch. 231, 233, or 234.

18 **SECTION 3.** 13.62 (2) of the statutes is amended to read:

1 13.62 (2) “Agency” means any board, commission, department, office, society,
2 institution of higher education, council or committee in the state government, or any
3 authority created in subch. II of ch. 114 or ch. 231, 232, 233, 234, or 237, except that
4 the term does not include a council or committee of the legislature.

5 **SECTION 4.** 13.94 (4) (a) 1. of the statutes is amended to read:

6 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
7 credentialing board, commission, independent agency, council or office in the
8 executive branch of state government; all bodies created by the legislature in the
9 legislative or judicial branch of state government; any public body corporate and
10 politic created by the legislature including specifically the Fox River Navigational
11 System Authority and the Wisconsin Aerospace Authority, a professional baseball
12 park district, a local professional football stadium district, a local cultural arts
13 district and a family care district under s. 46.2895; every Wisconsin works agency
14 under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch.
15 49; technical college district boards; development zones designated under s. 560.71;
16 every county department under s. 51.42 or 51.437; every nonprofit corporation or
17 cooperative to which moneys are specifically appropriated by state law; and every
18 corporation, institution, association or other organization which receives more than
19 50% of its annual budget from appropriations made by state law, including
20 subgrantee or subcontractor recipients of such funds.

21 **SECTION 5.** 16.002 (2) of the statutes is amended to read:

22 16.002 (2) “Departments” means constitutional offices, departments and
23 independent agencies and includes all societies, associations and other agencies of
24 state government for which appropriations are made by law, but not including
25 authorities created in subch. II of ch. 114 or chs. 231, 232, 233, 234, 235, and 237.

1 **SECTION 6.** 16.004 (4) of the statutes is amended to read:

2 **16.004 (4) FREEDOM OF ACCESS.** The secretary and such employees of the
3 department as the secretary designates may enter into the offices of state agencies
4 and authorities created under subch. II of ch. 114 or chs. 231, 233, 234, and 237, and
5 may examine their books and accounts and any other matter which in the secretary's
6 judgment should be examined and may interrogate the agency's employees publicly
7 or privately relative thereto.

8 **SECTION 7.** 16.004 (5) of the statutes is amended to read:

9 **16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE.** All state agencies and
10 authorities created under subch. II of ch. 114 or chs. 231, 233, 234, and 237, and their
11 officers and employees, shall cooperate with the secretary and shall comply with
12 every request of the secretary relating to his or her functions.

13 **SECTION 8.** 16.004 (12) (a) of the statutes is amended to read:

14 **16.004 (12) (a)** In this subsection, "state agency" means an association,
15 authority, board, department, commission, independent agency, institution, office,
16 society or other body in state government created or authorized to be created by the
17 constitution or any law, including the legislature, the office of the governor and the
18 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,
19 the Wisconsin Aerospace Authority, and the Fox River Navigational System
20 Authority.

21 **SECTION 9.** 16.01 (1) of the statutes is amended to read:

22 **16.01 (1)** In this section, "agency" means any office, department, agency,
23 institution of higher education, association, society or other body in state
24 government created or authorized to be created by the constitution or any law which

1 is entitled to expend moneys appropriated by law, including the legislature and the
2 courts, and any authority created under subch. II of ch. 114 or ch. 231, 233 or 234.

3 **SECTION 10.** 16.045 (1) (a) of the statutes is amended to read:

4 16.045 (1) (a) “Agency” means an office, department, independent agency,
5 institution of higher education, association, society or other body in state
6 government created or authorized to be created by the constitution or any law, which
7 is entitled to expend moneys appropriated by law, including the legislature and the
8 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 232,
9 233, 234, 235, or 237.

10 **SECTION 11.** 16.41 (4) of the statutes is amended to read:

11 16.41 (4) In this section, “authority” means a body created under subch. II of
12 ch. 114 or ch. 231, 233, 234, or 237.

13 **SECTION 12.** 16.417 (1) (b) of the statutes is amended to read:

14 16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or
15 ch. 231, 232, 233, 234, 235, or 237.

16 **SECTION 13.** 16.52 (7) of the statutes is amended to read:

17 16.52 (7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency
18 which is authorized to maintain a contingent fund under s. 20.920 may establish a
19 petty cash account from its contingent fund. The procedure for operation and
20 maintenance of petty cash accounts and the character of expenditures therefrom
21 shall be prescribed by the secretary. In this subsection, “agency” means an office,
22 department, independent agency, institution of higher education, association,
23 society or other body in state government created or authorized to be created by the
24 constitution or any law, which is entitled to expend moneys appropriated by law,

1 including the legislature and the courts, but not including an authority created in
2 subch. II of ch. 114 or ch. 231, 233, 234, or 237.

3 **SECTION 14.** 16.528 (1) (a) of the statutes is amended to read:

4 16.528 (1) (a) “Agency” means an office, department, independent agency,
5 institution of higher education, association, society or other body in state
6 government created or authorized to be created by the constitution or any law, which
7 is entitled to expend moneys appropriated by law, including the legislature and the
8 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 233,
9 234, or 237.

10 **SECTION 15.** 16.53 (2) of the statutes is amended to read:

11 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed
12 invoice, the agency shall notify the sender of the invoice within 10 working days after
13 it receives the invoice of the reason it is improperly completed. In this subsection,
14 “agency” means an office, department, independent agency, institution of higher
15 education, association, society or other body in state government created or
16 authorized to be created by the constitution or any law, which is entitled to expend
17 moneys appropriated by law, including the legislature and the courts, but not
18 including an authority created in subch. II of ch. 114 or ch. 231, 233, 234, or 237.

19 **SECTION 16.** 16.54 (9) (a) 1. of the statutes is amended to read:

20 16.54 (9) (a) 1. “Agency” means an office, department, independent agency,
21 institution of higher education, association, society or other body in state
22 government created or authorized to be created by the constitution or any law, which
23 is entitled to expend moneys appropriated by law, including the legislature and the
24 courts, but not including an authority created in subch. II of ch. 114 or ch. 231, 233,
25 234, or 237.

1 **SECTION 17.** 16.70 (2) of the statutes is amended to read:

2 16.70 (2) “Authority” means a body created under subch. II of ch. 114 or ch. 231,
3 232, 233, 234, 235, or 237.

4 **SECTION 18.** 16.75 (1m) of the statutes is amended to read:

5 16.75 (1m) The department shall award each order or contract for materials,
6 supplies or equipment on the basis of life cycle cost estimates, whenever such action
7 is appropriate. Each authority other than the University of Wisconsin Hospitals and
8 Clinics Authority and the Wisconsin Aerospace Authority shall award each order or
9 contract for materials, supplies or equipment on the basis of life cycle cost estimates,
10 whenever such action is appropriate. The terms, conditions and evaluation criteria
11 to be applied shall be incorporated in the solicitation of bids or proposals. The life
12 cycle cost formula may include, but is not limited to, the applicable costs of energy
13 efficiency, acquisition and conversion, money, transportation, warehousing and
14 distribution, training, operation and maintenance and disposition or resale. The
15 department shall prepare documents containing technical guidance for the
16 development and use of life cycle cost estimates, and shall make the documents
17 available to local governmental units.

18 **SECTION 19.** 16.765 (1), (2), (4), (5), (6), (7) (intro.) and (d) and (8) of the statutes
19 are amended to read:

20 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
21 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
22 Aerospace Authority, and the Bradley Center Sports and Entertainment
23 Corporation shall include in all contracts executed by them a provision obligating the
24 contractor not to discriminate against any employee or applicant for employment
25 because of age, race, religion, color, handicap, sex, physical condition, developmental

1 disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m)
2 or national origin and, except with respect to sexual orientation, obligating the
3 contractor to take affirmative action to ensure equal employment opportunities.

4 (2) Contracting agencies, the University of Wisconsin Hospitals and Clinics
5 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
6 Authority, and the Bradley Center Sports and Entertainment Corporation shall
7 include the following provision in every contract executed by them: “In connection
8 with the performance of work under this contract, the contractor agrees not to
9 discriminate against any employee or applicant for employment because of age, race,
10 religion, color, handicap, sex, physical condition, developmental disability as defined
11 in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but
12 not be limited to, the following: employment, upgrading, demotion or transfer;
13 recruitment or recruitment advertising; layoff or termination; rates of pay or other
14 forms of compensation; and selection for training, including apprenticeship. Except
15 with respect to sexual orientation, the contractor further agrees to take affirmative
16 action to ensure equal employment opportunities. The contractor agrees to post in
17 conspicuous places, available for employees and applicants for employment, notices
18 to be provided by the contracting officer setting forth the provisions of the
19 nondiscrimination clause”.

20 (4) Contracting agencies, the University of Wisconsin Hospitals and Clinics
21 Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
22 Authority, and the Bradley Center Sports and Entertainment Corporation shall take
23 appropriate action to revise the standard government contract forms under this
24 section.

1 (5) The head of each contracting agency and the boards of directors of the
2 University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational
3 System Authority, the Wisconsin Aerospace Authority, and the Bradley Center
4 Sports and Entertainment Corporation shall be primarily responsible for obtaining
5 compliance by any contractor with the nondiscrimination and affirmative action
6 provisions prescribed by this section, according to procedures recommended by the
7 department. The department shall make recommendations to the contracting
8 agencies and the boards of directors of the University of Wisconsin Hospitals and
9 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
10 Aerospace Authority, and the Bradley Center Sports and Entertainment
11 Corporation for improving and making more effective the nondiscrimination and
12 affirmative action provisions of contracts. The department shall promulgate such
13 rules as may be necessary for the performance of its functions under this section.

14 (6) The department may receive complaints of alleged violations of the
15 nondiscrimination provisions of such contracts. The department shall investigate
16 and determine whether a violation of this section has occurred. The department may
17 delegate this authority to the contracting agency, the University of Wisconsin
18 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
19 Wisconsin Aerospace Authority, or the Bradley Center Sports and Entertainment
20 Corporation for processing in accordance with the department's procedures.

21 (7) (intro.) When a violation of this section has been determined by the
22 department, the contracting agency, the University of Wisconsin Hospitals and
23 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
24 Aerospace Authority, or the Bradley Center Sports and Entertainment Corporation,
25 the contracting agency, the University of Wisconsin Hospitals and Clinics Authority,

1 the Fox River Navigational System Authority, the Wisconsin Aerospace Authority,
2 or the Bradley Center Sports and Entertainment Corporation shall:

3 (d) Direct the violating party to take immediate steps to prevent further
4 violations of this section and to report its corrective action to the contracting agency,
5 the University of Wisconsin Hospitals and Clinics Authority, the Fox River
6 Navigational System Authority, the Wisconsin Aerospace Authority, or the Bradley
7 center sports and entertainment corporation.

8 (8) If further violations of this section are committed during the term of the
9 contract, the contracting agency, the Fox River Navigational System Authority, the
10 Wisconsin Aerospace Authority, or the Bradley Center Sports and Entertainment
11 Corporation may permit the violating party to complete the contract, after complying
12 with this section, but thereafter the contracting agency, the Fox River Navigational
13 System Authority, the Wisconsin Aerospace Authority, or the Bradley Center Sports
14 and Entertainment Corporation shall request the department to place the name of
15 the party on the ineligible list for state contracts, or the contracting agency, the Fox
16 River Navigational System Authority, the Wisconsin Aerospace Authority, or the
17 Bradley Center Sports and Entertainment Corporation may terminate the contract
18 without liability for the uncompleted portion or any materials or services purchased
19 or paid for by the contracting party for use in completing the contract.

20 **SECTION 20.** 16.838 (1) (b) of the statutes is amended to read:

21 16.838 (1) (b) “Authority” means a body created under subch. II of ch. 114 or
22 ch. 231, 232, 233, 234, 235, or 237.

23 **SECTION 21.** 16.85 (2) of the statutes is amended to read:

24 16.85 (2) To furnish engineering, architectural, project management and other
25 building construction services whenever requisitions therefor are presented to the

1 department by any agency. The department may deposit moneys received from the
2 provision of these services in the account under s. 20.505 (1) (kc) or in the general
3 fund as general purpose revenue — earned. In this subsection, “agency” means an
4 office, department, independent agency, institution of higher education, association,
5 society or other body in state government created or authorized to be created by the
6 constitution or any law, which is entitled to expend moneys appropriated by law,
7 including the legislature and the courts, but not including an authority created in
8 subch. II of ch. 114 or ch. 231, 233, 234, or 237.

9 **SECTION 22.** 16.865 (8) of the statutes is amended to read:

10 16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a
11 proportionate share of the estimated costs attributable to programs administered by
12 the agency to be paid from the appropriation under s. 20.505 (2) (k). The department
13 may charge premiums to agencies to finance costs under this subsection and pay the
14 costs from the appropriation on an actual basis. The department shall deposit all
15 collections under this subsection in the appropriation account under s. 20.505 (2) (k).
16 Costs assessed under this subsection may include judgments, investigative and
17 adjustment fees, data processing and staff support costs, program administration
18 costs, litigation costs and the cost of insurance contracts under sub. (5). In this
19 subsection, “agency” means an office, department, independent agency, institution
20 of higher education, association, society or other body in state government created
21 or authorized to be created by the constitution or any law, which is entitled to expend
22 moneys appropriated by law, including the legislature and the courts, but not
23 including an authority created in subch. II of ch. 114 or ch. 231, 232, 233, 234, 235,
24 or 237.

25 **SECTION 23.** 19.42 (10) (q) of the statutes is created to read:

1 19.42 (10) (q) The executive director and members of the board of directors of
2 the Wisconsin Aerospace Authority.

3 **SECTION 24.** 20.395 (2) (dq) of the statutes is amended to read:

4 20.395 (2) (dq) *Aeronautics and astronautics assistance, state funds.* As a
5 continuing appropriation, the amounts in the schedule for the state's share of airport
6 projects under ss. 114.34 and 114.35 and spaceport projects; for developing air
7 marking and other air navigational facilities; for administration of the powers and
8 duties of the secretary of transportation under s. 114.31; for costs associated with
9 aeronautical activities under s. 114.31, except for the program under s. 114.31 (3) (b);
10 for the Wisconsin Aerospace Authority under subch. II of ch. 114; and for the
11 administration of other aeronautical and astronautical activities, except aircraft
12 registration under s. 114.20, authorized by law.

13 **SECTION 25.** 20.395 (2) (dv) of the statutes is amended to read:

14 20.395 (2) (dv) *Aeronautics and astronautics assistance, local funds.* All
15 moneys received by the state from any local unit of government or other source for
16 airports or other aeronautical activities under s. 114.33 or 114.37 and for spaceports,
17 for administration of the powers and duties of the secretary of the department of
18 transportation under s. 114.31, for costs associated with aeronautical activities
19 under s. 114.31, for the Wisconsin Aerospace Authority under subch. II of ch. 114 and
20 the loan program under s. 114.375, and for the administration of other aeronautical
21 and astronautical activities authorized by law, for such purposes.

22 **SECTION 26.** 20.395 (2) (dx) of the statutes is amended to read:

23 20.395 (2) (dx) *Aeronautics and astronautics assistance, federal funds.* All
24 moneys received from the federal government for airports or other aeronautical
25 activities under s. 114.32 or 114.33 and for spaceports, for administration of the

1 powers and duties of the secretary of transportation under s. 114.31, for costs
2 associated with aeronautical activities under s. 114.31, for the Wisconsin Aerospace
3 Authority under subch. II of ch. 114, and for the administration of other aeronautical
4 and astronautical activities authorized by law, for such purposes.

5 **SECTION 27.** 23.175 (1) (b) of the statutes is amended to read:

6 23.175 (1) (b) “State agency” means any office, department, agency, institution
7 of higher education, association, society or other body in state government created
8 or authorized to be created by the constitution or any law which is entitled to expend
9 moneys appropriated by law, including any authority created under subch. II of ch.
10 114 or ch. 231, 233, 234, or 237 but not including the legislature or the courts.

11 **SECTION 28.** 24.61 (2) (a) 10. of the statutes is created to read:

12 24.61 (2) (a) 10. Bonds of the Wisconsin Aerospace Authority.

13 **SECTION 29.** 25.17 (3) (b) 13. of the statutes is created to read:

14 25.17 (3) (b) 13. Bonds issued by the Wisconsin Aerospace Authority.

15 **SECTION 30.** 25.50 (1) (d) of the statutes is amended to read:

16 25.50 (1) (d) “Local government” means any county, town, village, city, power
17 district, sewerage district, drainage district, town sanitary district, public inland
18 lake protection and rehabilitation district, local professional baseball park district
19 created under subch. III of ch. 229, family care district under s. 46.2895, local
20 professional football stadium district created under subch. IV of ch. 229, local
21 cultural arts district created under subch. V of ch. 229, public library system, school
22 district or technical college district in this state, any commission, committee, board
23 or officer of any governmental subdivision of this state, any court of this state, other
24 than the court of appeals or the supreme court, or any authority created under s.
25 114.61, 231.02, 233.02 or 234.02.

1 **SECTION 31.** 32.01 (1) of the statutes is amended to read:

2 32.01 (1) “Person” includes the state, a county, town, village, city, school district
3 or other municipal corporation, a board, commission, including a commission created
4 by contract under s. 66.0301, corporation, or housing authority created under ss.
5 66.1201 to 66.1211 or redevelopment authority created under s. 66.1333 or the
6 Wisconsin Aerospace Authority created under s. 114.61.

7 **SECTION 32.** 32.02 (11m) of the statutes is created to read:

8 32.02 (11m) The Wisconsin Aerospace Authority created under subch. II of ch.
9 114.

10 **SECTION 33.** 32.05 (intro.) of the statutes is amended to read:

11 **32.05 Condemnation for sewers and transportation facilities.** (intro.)

12 In this section, “mass transit facility” includes, without limitation because of
13 enumeration, exclusive or preferential bus lanes if those lanes are limited to
14 abandoned railroad rights-of-way or existing expressways constructed before
15 May 17, 1978, highway control devices, bus passenger loading areas and terminal
16 facilities, including shelters, and fringe and corridor parking facilities to serve bus
17 and other public mass transportation passengers, together with the acquisition,
18 construction, reconstruction and maintenance of lands and facilities for the
19 development, improvement and use of public mass transportation systems for the
20 transportation of passengers. This section does not apply to town highways created
21 or altered under ch. 80 except as to jury trials on appeals under ss. 80.24 and 80.25,
22 nor to proceedings in 1st class cities under subch. II. In any city, condemnation for
23 housing under ss. 66.1201 to 66.1211, for urban renewal under s. 66.1333, or for
24 cultural arts facilities under subch. V of ch. 229, may proceed under this section or
25 under s. 32.06 at the option of the condemning authority. Condemnation by a local

1 exposition district under subch. II of ch. 229 for any exposition center or exposition
2 center facility may proceed under this section or under s. 32.06 at the option of the
3 local exposition district. All other condemnation of property for public alleys, streets,
4 highways, airports, spaceports, mass transit facilities, or other transportation
5 facilities, gas or leachate extraction systems to remedy environmental pollution from
6 a solid waste disposal facility, storm sewers and sanitary sewers, watercourses or
7 water transmission and distribution facilities shall proceed as follows:

8 **SECTION 34.** 40.02 (54) (j) of the statutes is created to read:

9 40.02 (54) (j) The Wisconsin Aerospace Authority.

10 **SECTION 35.** 66.0603 (1m) (a) 3u. of the statutes is created to read:

11 66.0603 (1m) (a) 3u. Bonds issued by the Wisconsin Aerospace Authority.

12 **SECTION 36.** 70.11 (38m) of the statutes is created to read:

13 70.11 (38m) WISCONSIN AEROSPACE AUTHORITY. Notwithstanding the provisions
14 of s. 70.11 (intro.) that relate to leased property or that impose other limitations, all
15 property owned or leased by the Wisconsin Aerospace Authority, provided that use
16 of the property is primarily related to the purposes of the authority.

17 **SECTION 37.** 71.05 (1) (c) 7. of the statutes is created to read:

18 71.05 (1) (c) 7. The Wisconsin Aerospace Authority.

19 **SECTION 38.** 71.26 (1) (be) of the statutes is amended to read:

20 71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin
21 Hospitals and Clinics Authority or the Wisconsin Aerospace Authority.

22 **SECTION 39.** 71.26 (1m) (h) of the statutes is created to read:

23 71.26 (1m) (h) Those issued under s. 114.70.

24 **SECTION 40.** 71.45 (1t) (h) of the statutes is created to read:

25 71.45 (1t) (h) Those issued under s. 114.70.

1 **SECTION 41.** 77.54 (9a) (a) of the statutes is amended to read:

2 77.54 (9a) (a) This state or any agency thereof, the University of Wisconsin
3 Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, and the Fox
4 River Navigational System Authority.

5 **SECTION 42.** 84.072 (3) of the statutes is amended to read:

6 84.072 (3) IMPLIED CONSENT. Any municipality, county, or other person,
7 including the Wisconsin Aerospace Authority created under subch. II of ch. 114, that
8 accepts federal moneys from the appropriations under s. 20.395 (1) (bx), (2) (ax), (dx),
9 or (fx), or (3) (bx), (cx), or (ex), or accepts other federal moneys for highway, transit,
10 ~~or~~ airport, or spaceport purposes, after September 1, 2001, is considered to have
11 given consent to the unified certification disadvantage business program
12 administered under this section.

13 **SECTION 43.** 85.02 of the statutes is amended to read:

14 **85.02 Planning, promotion and protection.** The department may direct,
15 undertake and expend state and federal aid for planning, promotion and protection
16 activities in the areas of highways, motor vehicles, traffic law enforcement,
17 aeronautics and astronautics, railroads, waterways, specialized transportation
18 services, mass transit systems and for any other transportation mode. All state,
19 regional and municipal agencies and commissions created under authority of law
20 shall to the extent practicable, when dealing with transportation, follow the
21 recommendations made by the secretary.

22 **SECTION 44.** 100.45 (1) (dm) of the statutes is amended to read:

23 100.45 (1) (dm) “State agency” means any office, department, agency,
24 institution of higher education, association, society or other body in state
25 government created or authorized to be created by the constitution or any law which

1 is entitled to expend moneys appropriated by law, including the legislature and the
2 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
3 Center Sports and Entertainment Corporation, the University of Wisconsin
4 Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities
5 Authority, the Wisconsin Aerospace Authority, and the Fox River Navigational
6 System Authority.

7 **SECTION 45.** 101.177 (1) (d) of the statutes is amended to read:

8 101.177 (1) (d) “State agency” means any office, department, agency,
9 institution of higher education, association, society or other body in state
10 government created or authorized to be created by the constitution or any law which
11 is entitled to expend moneys appropriated by law, including the legislature and the
12 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
13 Center Sports and Entertainment Corporation, the University of Wisconsin
14 Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, and the
15 Wisconsin Health and Educational Facilities Authority.

16 **SECTION 46.** Chapter 114 (title) of the statutes is amended to read:

17 **CHAPTER 114**

18 **AERONAUTICS AND ASTRONAUTICS**

19 **SECTION 47.** Subchapter I (title) of chapter 114 [precedes 114.001] of the
20 statutes is created to read:

21 **CHAPTER 114**

22 **SUBCHAPTER I**

23 **AIR TRANSPORTATION**

24 **SECTION 48.** 114.002 (intro.) of the statutes is amended to read:

1 **114.002 Definitions.** (intro.) As used in this chapter, except as provided in
2 s. 114.60 or unless the context otherwise requires:

3 **SECTION 49.** 114.002 (1) of the statutes is amended to read:

4 114.002 (1) “Aeronautics” means the science and art of aircraft flight and
5 including but not limited to transportation by aircraft; the operation, construction,
6 repair or maintenance of aircraft, aircraft power plants and accessories, including
7 the repair, packing and maintenance of parachutes; the design, establishment,
8 construction, extension, operation, improvement, repair or maintenance of airports
9 or other air navigation facilities; and instruction in flying or ground subjects
10 pertaining thereto.

11 **SECTION 50.** 114.002 (3) of the statutes is amended to read:

12 114.002 (3) “Aircraft” means any contrivance invented, used, or designed for
13 navigation of or flight in the air, but does not include spacecraft.

14 **SECTION 51.** 114.002 (11m) of the statutes is created to read:

15 114.002 (11m) “Astronautics” means the science and art of spacecraft flight
16 and all activities related thereto.

17 **SECTION 52.** 114.002 (18r), (18s) and (18t) of the statutes are created to read:

18 114.002 (18r) “Spacecraft” means any contrivance invented, used, or designed
19 for navigation or flight beyond the earth’s atmosphere, including rockets, missiles,
20 capsules, modules, and other vehicles, whether with or without passengers.

21 (18s) “Spacecraft launch or landing area” means any area used, or intended for
22 use, for launching or landing spacecraft or for surface maneuvering, positioning, or
23 preparation of spacecraft for imminent launching or immediately after landing,
24 including any launch pad, landing area, or launch or landing control center.

1 (18t) “Spaceport” means any area of land or water that is used, or intended for
2 use, as a spacecraft launch or landing area and any appurtenant areas that are used,
3 or intended for use, for spaceport buildings or other spaceport facilities or
4 rights-of-way, together with all spaceport buildings and facilities located thereon.

5 **SECTION 53.** 114.04 of the statutes is amended to read:

6 **114.04 Flying and landing, limitations.** Flight in aircraft or spacecraft over
7 the lands and waters of this state is lawful, unless at such a low altitude as to
8 interfere with the then existing use to which the land or water, or the space over the
9 land or water, is put by the owner, or unless so conducted as to be imminently
10 dangerous or damaging to persons or property lawfully on the land or water beneath.
11 The landing of an aircraft or spacecraft on the lands or waters of another, without
12 the person’s consent, is unlawful, except in the case of a forced landing. For damages
13 caused by a forced landing, however, the owner or lessee of the aircraft or spacecraft
14 or the aeronaut or astronaut shall be liable, as provided in s. 114.05.

15 **SECTION 54.** 114.05 of the statutes is amended to read:

16 **114.05 Damages by aircraft or spacecraft.** The liability of the owner, lessee
17 and pilot of every aircraft or spacecraft operating over the lands or waters of this
18 state for injuries or damage to persons or property on the land or water beneath,
19 caused by the ascent, descent or flight of such aircraft or spacecraft, or the dropping
20 or falling of the aircraft or spacecraft or of any object or material therefrom, shall be
21 determined by the law applicable to torts on land, except that there shall be a
22 presumption of liability on the part of the owner, lessee or pilot, as the case may be,
23 where injury or damage is caused by the dropping or falling of the aircraft or
24 spacecraft or of any object or material therefrom, which presumption may be
25 rebutted by proof that the injury or damage was not caused by negligence on the part

1 of the owner, lessee or pilot and the burden of proof in such case shall be upon such
2 owner, lessee or pilot to show absence of negligence on his or her part.

3 **SECTION 55.** 114.07 of the statutes is amended to read:

4 **114.07 Criminal jurisdiction.** All crimes, torts and other wrongs committed
5 by or against an aeronaut, astronaut, or passenger while in flight over this state shall
6 be governed by the laws of this state; and the question whether damage occasioned
7 by or to an aircraft or spacecraft while in flight over this state constitutes a tort, crime
8 or other wrong by or against the owner of such aircraft or spacecraft, shall be
9 determined by the laws of this state.

10 **SECTION 56.** 114.105 of the statutes is amended to read:

11 **114.105 Local regulation.** Any county, town, city or village may adopt any
12 ordinance in strict conformity with the provisions of this chapter and impose the
13 same penalty for violation of any of its provisions except that such ordinance shall
14 not provide for the suspension or revocation of pilot or aircraft licenses or certificates
15 and shall not provide for imprisonment except for failure to pay any fine which may
16 be imposed. No local authority shall enact any ordinance governing aircraft or
17 aeronautics or spacecraft or astronautics contrary to or inconsistent with the
18 provisions of this chapter or federal law. Every court in which a violation of such
19 ordinance is prosecuted shall make a written report of any conviction (including bail
20 or appearance money forfeiture) to the federal aviation administration.

21 **SECTION 57.** 114.11 (title) of the statutes is amended to read:

22 **114.11 (title) Local airports and spaceports; interstate reciprocity.**

23 **SECTION 58.** 114.11 (1) to (5) (intro.) of the statutes are amended to read:

24 **114.11 (1)** The governing body of any county, city, village or town in this state
25 is hereby authorized to acquire, establish, construct, own, control, lease, equip,

1 improve, maintain and operate airports or landing fields or landing and take-off
2 strips for the use of airplanes and other aircraft, or spaceports or spacecraft launch
3 or landing areas, either within or without the limits of such counties, cities, villages
4 and towns, and may use for such purpose or purposes any property suitable therefor
5 that is now or may at any time hereafter be owned or controlled by such county, city,
6 village or town, and may regulate the same, provided, such regulation shall not be
7 in conflict with such rules and regulations as may be made by the federal
8 government. The governing body of each and every county and municipality owning
9 an airport or landing field or landing and take-off strip, or spaceport or spacecraft
10 launch or landing area, in the state of Wisconsin shall cause the surroundings of such
11 airport, landing field or landing and take-off strip, or spaceport or spacecraft launch
12 or landing area, to be marked for aeronautical or astronautical purposes, and
13 maintain such marking, subject to and in accordance with law and such rules and
14 regulations as may from time to time be made by the federal government and in so
15 doing may cooperate with other states and subdivisions thereof and acquire rights
16 and easements in property outside of the state.

17 (2) The governing body of any county, city, village or town of this state is
18 authorized to acquire, establish, construct, own, control, lease, equip, improve,
19 maintain and operate airports or landing fields or landing and take-off strips or
20 other aeronautical facilities, or spaceports or spacecraft launch or landing areas or
21 other astronautical facilities, in an adjoining state whose laws permit, subject to the
22 laws of such state, but subject to the laws of this state in all matters relating to
23 financing such aeronautical or astronautical project.

24 (3) The governing body of any municipality or other political subdivision of an
25 adjoining state whose laws permit, is hereby authorized to acquire, establish,

1 construct, own, control, lease, equip, improve, maintain and operate airports, or
2 landing fields, or landing and take-off strips or other aeronautical facilities, or
3 spaceports or spacecraft launch or landing areas or other aeronautical facilities, in
4 this state, subject to all laws, rules and regulations of this state applicable to its
5 municipalities or other political subdivisions in such aeronautical or aeronautical
6 project, but subject to the laws of its own state in all matters relating to financing
7 such project. Such municipality or other political subdivision of an adjoining state
8 shall have all privileges, rights and duties of like municipalities or other political
9 subdivisions of this state, including the right to exercise the right of eminent domain.
10 This subsection shall not apply unless the laws of such adjoining state shall permit
11 municipalities or other political subdivisions of this state to acquire, establish,
12 construct, own, control, lease, equip, improve, maintain, operate and otherwise
13 control such airport, landing field or landing and take-off strips or other
14 aeronautical facilities, or spaceports or spacecraft launch or landing areas or other
15 aeronautical facilities, therein with all privileges, rights and duties applicable to the
16 municipalities or other political subdivisions of such adjoining state in such
17 aeronautical or aeronautical projects.

18 (4) The governing body of any county, city, village or town is authorized to
19 appropriate money to any town, city, village or other county, for the operation,
20 improvement or acquisition of an airport or spaceport by such town, city, village or
21 other county or any combination of such municipalities.

22 (5) (intro.) The governing body of any county, city, village or town in this state
23 may, together with any municipality or other political subdivision of an adjoining
24 state if, under the laws of that state, such municipality or other political subdivision

1 is similarly authorized, jointly sponsor an airport or spaceport project located in this
2 state or in the adjoining state.

3 **SECTION 59.** 114.12 of the statutes is amended to read:

4 **114.12 Condemnation of lands for airports and spaceports.** Any lands
5 acquired, owned, controlled or occupied by such counties, cities, villages and towns
6 for the purposes enumerated in s. 114.11 shall and are hereby declared to be
7 acquired, owned, controlled and occupied for a public purpose, and as a matter of
8 public necessity, and such cities, villages, towns or counties shall have the right to
9 acquire property for such purpose or purposes under the power of eminent domain
10 as and for a public necessity including property owned by other municipal
11 corporations and political subdivisions and including any street, highway, park,
12 parkway or alley, provided that no state trunk highway shall be so acquired without
13 the prior consent of the department. Whenever the county, city, village or town as
14 the case may be shall own all land or access rights on both sides of such street,
15 highway, park, parkway or alley, it may, within the limits where it has ownership or
16 access rights on both sides, notwithstanding any other provisions of law, vacate and
17 close such public way by resolution of the governing body of the county, city, village
18 or town acquiring it and no damages shall be assessed against such county, city,
19 village or town by reason of such closing, except as may be allowed in a particular
20 condemnation action where the lands or rights in lands necessary for such airport
21 or spaceport are so acquired. If such closing shall leave any part of such street,
22 highway, parkway or alley without access to another public street or highway, the
23 county, town, city or village effecting such closing shall immediately provide such
24 access at its expense.

25 **SECTION 60.** 114.13 of the statutes is amended to read:

1 **114.13 Purchase of land for airports and spaceports.** Private property
2 needed by a county, city, village or town for an airport or landing field or landing and
3 take-off strip, or for a spaceport or spacecraft launch or landing area, or property or
4 rights for the protection of the aerial approaches thereof, shall be acquired by
5 purchase if the city, village, town or county is able to agree with the owners on the
6 terms thereof, and otherwise by condemnation, as provided in s. 32.05. The purchase
7 price or award for real property acquired for an airport or landing field or landing and
8 take-off strip, or for a spaceport or spacecraft launch or landing area, or property or
9 rights for the protection of the aerial approaches thereof, may be paid for the
10 appropriation of moneys available therefor, or wholly or partly from the proceeds of
11 the sale of bonds of the city, village, town or county, as the governing body of such city,
12 village, town or county determines, subject to ch. 67. Such property or rights may
13 be acquired by gift, which the respective governing bodies are authorized to accept.

14 **SECTION 61.** 114.134 (title) of the statutes is amended to read:

15 **114.134 (title) Airport and spaceport standards and approval.**

16 **SECTION 62.** 114.134 (1), (2), (3) and (4) (c) of the statutes are amended to read:

17 **114.134 (1) PUBLIC AIRPORT AND SPACEPORT INFORMATION.** No person shall
18 operate an airport or spaceport within this state that is open to the general public
19 unless effective runway and landing strip lengths are properly reported, published
20 and marked in accordance with applicable federal aviation regulations and federal
21 obstruction standards.

22 **(2) TRAVERSE WAY CLEARANCE.** No person shall operate an airport or spaceport
23 within this state unless all runways and landing strips are so located that
24 approaching and departing aircraft or spacecraft clear all public roads, highways,

1 railroads, waterways or other traverse ways by a height which complies with
2 applicable federal standards.

3 (3) AIRPORT SITE APPROVAL. No person shall construct or otherwise establish a
4 new airport or spaceport or activate an airport or spaceport within this state unless
5 the secretary of transportation issues a certificate of approval for the location of the
6 proposed airport or spaceport. No charge shall be made for application or approval.
7 The secretary may issue a certificate of approval if the secretary determines that the
8 location of the proposed airport or spaceport is compatible with existing and planned
9 transportation facilities in the area.

10 (4) (c) At least 15 days before the date of the hearing a class 1 notice of any
11 public hearing shall be published, under ch. 985, in the official state newspaper and
12 in a paper of general circulation printed and published near the location of the
13 proposed airport or spaceport.

14 **SECTION 63.** 114.135 (title) of the statutes is amended to read:

15 **114.135 (title) Airport and spaceport protection.**

16 **SECTION 64.** 114.135 (intro.), (1), (2), (3), (4), (6), (7) and (8) of the statutes are
17 amended to read:

18 **114.135 Airport protection.** (intro.) It is declared to be in the public interest
19 that the navigable airspace over the state and the aerial approaches to any airport
20 or spaceport be maintained in a condition best suited for the safe operation of aircraft
21 or spacecraft and to that end the bulk, height, location and use of any building or
22 structure, or any other object, and the use of land, may be regulated, or any building,
23 structure or other object may be removed. It is the legislative intent that this section
24 shall not supersede s. 59.69 (4), but that it shall be supplemental to such section.

1 (1) PROCEDURE TO OBTAIN PROTECTION PRIVILEGES. The aerial approaches to any
2 airport or spaceport owned and operated by corporations organized to provide
3 aeronautic or astronautic facilities to the general public may be protected in the
4 following manner: The owner of the airport or spaceport shall prepare and record
5 with the register of deeds plans and specifications showing the land affected, the
6 owner of each parcel or interest therein, whether public or private, the regulations
7 to be imposed on each parcel and the structures, buildings or other objects to be
8 removed. The owner or managing body of the airport or spaceport may negotiate and
9 acquire from the owners of the various parcels or interest therein, whether public or
10 private, by deeds the protection privileges shown by the plans and specifications.
11 Referring in the deed to the plans and specifications, and briefly describing the plans
12 and specifications, shall be considered sufficient legal description to convey the
13 protection privileges set forth in the plans and specifications in the property of the
14 grantor. In case the owner of the airport or spaceport is unable to obtain by
15 negotiation the desired protection privileges, he or she may acquire the protection
16 privileges by eminent domain in the manner set forth in ch. 32, except as to lands and
17 buildings of railway companies that are necessary to, or are used in connection with
18 the operation of the railway. In case the protection privileges sought extend into
19 more than one county the plans and specifications shall be recorded with the register
20 of deeds of each county. In case any parcel of land lies in more than one county,
21 eminent domain proceedings may be instituted in the circuit court of any county in
22 which the parcel is situated, provided a certified copy of the final judgment with a
23 description of the property involved is recorded with the register of deeds of all
24 counties in which the parcel of land or interest therein lies.

1 (2) NOTICE; CLAIM FOR DAMAGES. In case of any airport landing field or landing
2 and take-off strip, or spaceport or spacecraft launch or landing area, owned by any
3 city, village, town or county or any union of them, the commission or other body in
4 charge of the operation and control of the airport, landing field or landing and
5 take-off strip, or spaceport or spacecraft launch or landing area, may prepare and
6 record without charge with the register of deeds plans and specifications showing the
7 protection privileges sought as described in sub. (1). The commission or other body
8 in charge shall send by registered mail with return receipt to each owner at his or
9 her last-known address a notice stating that the plans and specifications have been
10 recorded with the register of deeds' office, stating the county, time of recording, the
11 record number, and a brief description of the parcel of land or interest therein
12 affected. If the address of the owner cannot be ascertained or the registered letter
13 is returned unclaimed, notice shall be sent by registered mail to the person in
14 possession of the premises. If no person is in possession, then the notice shall be
15 posted in a conspicuous place on the land involved and published as a class 3 notice,
16 under ch. 985, in the area affected. The right of the owner to claim for damages for
17 the protection regulations imposed in the plans and specifications, or the removal of
18 obstructions shall be forever barred, unless the owner files a claim for damages with
19 the commission or other body in charge within 6 months from the receipt of the notice
20 from the commission, or other body in charge, or the posting and last publication.
21 The claim shall be verified and shall state the amount of damages claimed. The
22 commission or other body in charge may pay the damages, if it has available funds,
23 and the payment shall operate as a conveyance. If no claims for payment are filed
24 or if payment is made, the commission or other body in charge shall file an affidavit
25 for each parcel involved setting forth the rights acquired which shall be recorded by

1 the register of deeds without charge and when so recorded has the same effect as any
2 recorded instrument. If any owner is a minor or incompetent, the notice may be sent
3 by registered mail to the owner's guardian, if he or she has one, and if there is none
4 the circuit court of the county in which the land, or a larger part, is located shall upon
5 application of the commission or other body in charge appoint a guardian to receive
6 the notice, and to protect the rights of the owner. Any funds payable to the owner
7 shall be cared for in the manner provided in ch. 880. If the commission or other body
8 in charge determines that the damages claimed are excessive, it shall so report to the
9 governing body that established the airport, landing field or landing and take-off
10 strip, or spaceport or spacecraft launch or landing area, in question and with its
11 consent may acquire in the name of the governmental body the protection privilege
12 desired in the manner set forth in sub. (1) or it may deposit with the county clerk an
13 award and notify the owner of the land involved in the method specified in this
14 subsection. The landowner may accept the award without prejudice to his or her
15 right to claim and contest for a greater sum. The landowner may, within a period of
16 6 months after notice of the award, proceed as provided in ch. 32 to have the damages
17 appraised.

18 (3) EXERCISE OF POWER AND AUTHORITY. The power and authority to protect
19 airports or spaceports conferred in subs. (1) and (2) may be exercised from time to
20 time; amended plans and specifications may be recorded in the register of deeds'
21 office, and new protection privileges acquired from time to time in the methods
22 provided by this section.

23 (4) ENCROACHMENTS. The duty to prevent encroachments by growth of trees or
24 other vegetation, or otherwise, upon the protection privileges acquired by any
25 airport, landing field, landing and take-off strip, or spaceport or spacecraft launch

1 or landing area, shall be upon the owner or owners of the parcel of land affected by
2 the protection privilege only in cases where the owner or owners have received
3 compensation for the protection privilege. Any such encroachment is declared to be
4 a private nuisance and may be abated in the manner prescribed in ch. 823. In cases
5 where no compensation has been paid for the protection privilege, encroachments
6 shall be removed by the owner or the authority in charge of the airport, landing field,
7 or landing and take-off strip, or spaceport or spacecraft launch or landing area, and
8 shall be, in case of a publicly owned airport, landing field or landing and take-off
9 strip, or spaceport or spacecraft launch or landing area, a city, village, town or county
10 charge as the case may be. In removing such encroachments, the owner or authority
11 in charge of the airport, landing field or landing and take-off strip, or spaceport or
12 spacecraft launch or landing area, in question, may go upon the land and remove the
13 encroachment without being liable for damages in so doing.

14 (6) PERMIT FOR ERECTION OF HIGH STRUCTURES REQUIRED. No person shall erect
15 anywhere in this state, including within a spaceport or spacecraft launch or landing
16 area, any building, structure, tower or any other object the height of which exceeds
17 the limitations set forth in sub. (7) without first filing an application and procuring
18 a permit from the secretary of transportation.

19 (7) POWER TO CONTROL ERECTION OF HIGH STRUCTURES. For the purposes of sub.
20 (6) the power and authority to control the erection of buildings, structures, towers
21 and other objects by the secretary of transportation shall be limited to those objects
22 that would either extend to a height of more than 500 feet above the ground or surface
23 of the water within one mile of the location of the object or within one mile of a
24 spaceport, or above a height determined by the ratio of one foot vertical to 40 feet
25 horizontal measured from the nearest boundary of the nearest public airport or

1 spaceport within the state; however, this power and authority shall not extend to
2 objects of less than 150 feet in height above the ground or water level at the location
3 of the object or to objects located within areas zoned under s. 114.136 or to objects
4 located within areas zoned under s. 62.23 (7) where the zoning ordinance enacted
5 under said subsection controls the height of structures.

6 (8) RULES, REGULATIONS, STANDARDS AND CRITERIA. In carrying out sub. (6) the
7 secretary of transportation may perform such acts, issue and amend such orders and
8 make, promulgate and amend and enforce such reasonable rules, regulations and
9 procedures and establish such minimum standards and criteria governing erection
10 of buildings, structures, towers and hazards in the interest of the safe operation of
11 aircraft and spacecraft as it deems necessary in the public interest and safety.

12 **SECTION 65.** 114.136 (title) of the statutes is amended to read:

13 **114.136 (title) Airport and spaceport approach protection.**

14 **SECTION 66.** 114.136 (1) (a), (b), and (c), (2) (a), (3), (4) and (5) of the statutes
15 are amended to read:

16 114.136 (1) (a) Any county, city, village or town that is the owner of a site for
17 an airport or spaceport which has been approved for such purpose by the appropriate
18 agencies of the state and the federal government may protect the aerial approaches
19 to such site by ordinance regulating, restricting and determining the use, location,
20 height, number of stories and size of buildings and structures and objects of natural
21 growth in the vicinity of such site and may divide the territory to be protected into
22 several areas and impose different regulations and restrictions with respect to each
23 area. The provisions of such ordinance shall be effective whether the site and the
24 lands affected by such ordinance are located within or without the limits of such
25 county, city, village or town, and whether or not such buildings, structures and

1 objects of natural growth are in existence on the effective date of the ordinance. Such
2 regulations, restrictions and determinations are declared to be for the purpose of
3 promoting the public safety, welfare and convenience, and may be adopted, enforced
4 and administered without the consent of any other governing body. Any ordinance
5 adopted under this section may be amended from time to time in the same manner
6 as is provided for the adoption of the original ordinance in sub. (2). The authority
7 granted in this section shall be independent and exclusive of any other authority
8 granted in the statutes.

9 (b) When an airport or spaceport site is owned jointly by 2 or more units of
10 government, such ordinance may be adopted by joint action of the governing bodies
11 of such units. In such case, such governing bodies shall meet jointly to select a joint
12 commission consisting of one member from each governing body selected by that
13 governing body and, if there be 2, the members so selected shall elect a third member.
14 Such joint commission shall elect a chairperson and a secretary, and shall have
15 authority to formulate a tentative ordinance and hold public hearings as provided
16 in sub. (2). At least 15 days written notice of the meeting to select a joint commission
17 shall be given to each governing body by filing a copy of such written notice with the
18 clerk thereof. Such notice may be given on the initiative of one such governing body
19 or jointly by more than one. The governing bodies that attend such meeting may
20 proceed jointly. If one attends, or if only one favors an ordinance, it may proceed alone
21 without appointing a commission, but no ordinance applicable to a jointly owned
22 airport or spaceport shall be adopted by a governing body acting alone unless it has
23 given notice of meeting to select a joint commission as provided by this subsection,
24 and such ordinance shall be as effective as if adopted by the joint bodies.

1 (c) As an alternative to the procedure for the appointment of members of the
2 joint commission provided in par. (b), the governing bodies of the units of government
3 which jointly own an airport or spaceport site may by separate resolution of each
4 governing body designate an existing subunit of any one of the governing bodies to
5 act as the joint commission. In such case, the designated subunit shall elect a
6 chairperson and secretary, formulate a tentative ordinance and hold public hearings
7 as provided in sub. (2). No tentative ordinance formulated under this paragraph is
8 effective unless it is adopted by all of the governing bodies of the units of government
9 which jointly own the airport or spaceport site.

10 (2) FORMULATION OF ORDINANCE, PUBLIC HEARING. (a) Except as provided by sub.
11 (1) (b) or (c), the county park commission in the case of any county except any county
12 with a county executive or county administrator in which case the county park
13 manager, the city or village plan commission in the case of a city or village, or if there
14 is no such commission or manager, a committee of the governing body or bodies of the
15 county, city, village or town which owns the airport or spaceport site shall formulate
16 a tentative ordinance and hold a public hearing or hearings thereon in some public
17 place within the county, city, village or town. Notice of the hearings shall be given
18 by publication of a class 3 notice, under ch. 985, in the area affected by the proposed
19 ordinance.

20 (3) NONCONFORMING USES. The lawful use of land, buildings and structures
21 existing at the time of the adoption or amendment of any ordinance under the
22 authority of this section may be continued, although such use does not conform with
23 the provisions of the ordinance. The expansion or enlargement of a nonconforming
24 use shall be in conformity with the ordinance. The governing body of the owner of
25 the airport or spaceport site may remove such nonconforming use or acquire the

1 necessary air right over the same by purchase or exercise of the right of eminent
2 domain in the manner provided by ch. 32.

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

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

15 (5) ENFORCEMENT. The governing body of the county, city, village or town
16 owning the airport or spaceport site may provide for the enforcement of any
17 ordinance or regulations enacted pursuant to this section. Such enforcement may
18 be by a system of permits or any other appropriate method. The governing body
19 enacting the ordinance may provide for the punishment of a violation of the
20 ordinance by fine or imprisonment, or both.

21 **SECTION 67.** 114.136 (2) (b) of the statutes is renumbered 114.136 (2) (b) 1. and
22 amended to read:

23 114.136 (2) (b) 1. The regulations, restrictions and determinations shall
24 include, among other things, provisions for the limitation of the height of buildings,
25 structures and objects of natural growth located not more than 3 miles from the