



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-0220/1  
MS/JK/JTK/MG/CH:lk:jf

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RMA

**2007 BILL**

WANTED!  
Fri 2-16-07

Regen

1 AN ACT *to repeal* 23.09 (26) (am) 4.; *to renumber* 23.305 (1) (a) to (i); *to*  
2 *renumber and amend* 23.09 (26) (a); *to amend* 5.02 (5), 5.02 (21), 5.15 (1) (c),  
3 5.58 (3), 5.68 (2), 5.68 (3), 7.10 (1) (a), 7.51 (3) (b), 7.51 (3) (d), 7.51 (4) (b), 7.51  
4 (5) (a) 2., 3. and 5. and (b), 9.10 (1) (a), 9.10 (2) (d), 9.10 (3) (a), 9.10 (4) (a), 9.10  
5 (4) (d), 9.10 (7), 10.05, 10.07 (1), 11.26 (1) (d) 2., 11.26 (2) (e) 2., 11.31 (1) (h)  
6 (intro.), 17.13 (intro.), 17.13 (3), 20.370 (5) (cr), 20.370 (5) (ct), 20.370 (5) (ct),  
7 20.370 (5) (cu), 23.09 (19) (a) 2., 23.09 (20) (ab) 2., 23.09 (20m) (a) 1., 23.09 (26)  
8 (title), 23.09 (26) (am) (intro.), 23.09 (26) (am) 1., 23.09 (26) (am) 3., 23.09 (26)  
9 (b), 23.09 (26) (d), 23.175 (1) (a), 23.305 (1) (intro.), 23.305 (2), 23.33 (8) (c), 23.33  
10 (9) (c), 23.33 (11) (a), 25.50 (1) (d), 27.01 (3), 27.02 (1), 27.03 (2), 27.05 (intro.),  
11 27.06, 27.075 (1), 27.075 (2), 27.075 (3), 27.075 (4), 27.08 (1), 27.08 (3), 30.277  
12 (1b) (a), 40.02 (28), 66.0301 (1) (a), 66.0617 (1) (a), 66.0617 (1) (c), 66.0617 (1)  
13 (d), 66.0617 (1) (g), 66.0617 (1) (h), 66.0617 (2) (a), 66.0617 (3), 66.0617 (4) (a)  
14 (intro.), 66.0617 (4) (b), 66.0617 (5), 66.0617 (6) (intro.), 66.0617 (6) (b), 66.0617

**BILL**

1 (7), 66.0617 (8), 66.0617 (9), 66.0617 (10), 67.01 (5), 71.26 (1) (bm), 350.01 (11m),  
2 350.04 (3) (a), 350.04 (3) (b), 350.12 (4) (b) 1., 350.12 (4) (b) 3., 350.12 (4) (bg) 1.,  
3 350.12 (4) (bg) 2., 350.12 (4) (bm) (intro.), 350.12 (4) (bm) 1., 350.12 (4) (bm) 2.,  
4 350.12 (4) (br), 350.138 (1) (d), 350.138 (1) (f) and 350.18 (1); **to repeal and**  
5 **recreate** 40.02 (28); and **to create** 5.15 (2) (f) 5., 5.58 (1u), 5.60 (6u), 7.53 (3m),  
6 8.10 (3) (kw), 8.10 (6) (e), 8.11 (2f), 11.02 (8), 17.01 (11m), 17.27 (1f), 23.09 (26)  
7 (ac), 23.09 (26) (am) 3m., 23.09 (26) (ar), 23.09 (26) (bg), 23.09 (26) (h), 23.305  
8 (1) (am), 23.33 (1) (im), 27.16, 27.161, 27.162, 27.163, 27.164, 27.165, 66.0617  
9 (1) (am), 66.0617 (2) (am), 66.0617 (6) (h), 70.11 (37m), 77.25 (18m), 77.54 (9a)  
10 (i), 350.01 (2m) and 350.01 (9j) of the statutes; **relating to:** authorizing the  
11 creation of local park districts, authorizing a local park district to levy a  
12 property tax, authorizing a local park district to apply for funding from certain  
13 programs administered by the Department of Natural Resources, and  
14 authorizing a local park district to impose impact fees and issue debt.

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***Analysis by the Legislative Reference Bureau*****CREATION AND DISSOLUTION OF A DISTRICT**

This bill authorizes one or more municipalities (cities, villages, or towns), one or more counties, or any combination of political subdivisions (municipalities or counties) to create a local park district (district). A district is a local unit of government that is a body corporate and politic and that is separate and distinct from, and independent of, the state and the sponsoring political subdivisions which created it and that are within its jurisdiction.

Subject to a number of conditions, a district may be created by one of two methods. Under both methods, an election of the district's commissioners must take place. Under the first method, the governing bodies of one or more political subdivisions may adopt an enabling resolution that declares the need for establishing the district and contains a description of the boundaries of the proposed district. The participating counties or municipalities need not be contiguous. Each political subdivision that adopts a substantially similar enabling resolution within 90 days, beginning with the date of adoption of the first enabling resolution, may be part of the initial jurisdiction of a district.

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Under the second method, a district consisting of one or more political subdivisions may be created by a petition and referendum. The petition may be circulated on or after January 1 of any year and may be filed no later than 5 p.m. on the third Tuesday in February. The petition must be filed in every political subdivision whose park facilities are proposed to be included in the district. If it is signed by at least 100 qualified electors residing in each political subdivision whose park facilities are proposed to be included in the district, a referendum is held at the next succeeding spring election. A district is then created with a jurisdiction that consists of each of the political subdivisions in which the referendum question is approved, except that no district may be created unless the referendum question is approved in at least one political subdivision.

Before a district may be created, the governing bodies of each of the involved political subdivisions must reach an agreement that includes a number of components, including a method to transfer title of the municipal or county park facilities to the district and a method to select an arbitrator who will decide certain issues that the relevant political subdivisions are unable to resolve. On the date that a district is created, which is always on a January 1 following the initially elected commissioners taking office, all assets and liabilities of the political subdivisions with respect to park and recreational functions become assets and liabilities of the district, all tangible personal property of the political subdivisions related to park and recreational functions is transferred to the district, and all incumbent employees of the political subdivisions having functions related to parks and recreation become employees of the district.

In connection with park facilities, the powers of a district include the authority to: acquire, develop, maintain, improve, operate, and manage the park facilities; operate recreational facilities or programs; enter into contracts; employ personnel; impose an impact fee on developers for park facilities; issue debt for capital improvements to park facilities; and levy a property tax to carry out its functions. The bill also grants these districts eligibility for various local aid programs that are administered by the Department of Natural Resources. These programs include the local park aids program, the urban green space program, and funding for county snowmobile trails.

A district is governed by a commission consisting of members who are elected on a nonpartisan ballot at the spring election, except that, in an even-numbered year, if the governing bodies of the political subdivisions whose park facilities are included in a district can agree upon the organizing arrangements by June 1 following the adoption of resolutions or referenda questions approving the creation of a district, the initial commissioners are elected on a nonpartisan ballot at a special election that is held concurrently with the general (November) election in that year. In districts having a population of 500,000 or more, there must be nine commissioners who must be elected from election districts of equal population, insofar as practicable. In other districts, the enabling resolution or petition must specify the number of commissioners and whether the commissioners are to be elected from election districts, at large, or by a combination of methods. The boundaries of election districts are initially prescribed by the ~~State Elections~~ Board

*pre-existing*  
*except for certain political subdivisions*  
*debt related to park facilities*

~~State Elections~~ Board  
*Government Accountability*

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and thereafter decennially by the commission. Vacancies are filled by appointment of the remaining members of the commission. Each commissioner must, at the time of taking office, reside within the park district and within the election district, if any, from which he or she is elected or for which he or she is appointed to fill a vacancy. The terms of commissioners are three years, ~~although~~ the initial terms are staggered such that the terms of approximately one-third of the members of the commission expire in each year.

Under the bill, the territory of a political subdivision may be in only one district, and no county may contain more than one district. If a city or village whose territory is in one district annexes territory that contains park facilities that are located in a different district, that district is required to transfer ownership of the park facilities that are located in the annexed territory to the district whose territory includes the annexing city or village. The bill requires the districts to negotiate a settlement to compensate the district from which the territory was annexed for the park facilities that were transferred. If the districts are unable to negotiate a settlement within 60 days after the annexation, the districts must agree on the selection of an arbitrator who will decide the settlement amount within 30 days after his or her appointment.

With the commission's approval, the initial jurisdiction of a district may be expanded to include any other political subdivision under procedures adopted by the commission. Any procedures for expansion must allow the governing body of a political subdivision to request inclusion in the district by resolution or at the request of electors through a petition and referendum procedure.

The bill also provides two methods for a political subdivision to withdraw from the district. Under the first method, if the governing body of a political subdivision adopts a resolution declaring its intention to withdraw from the district and the electors of the political subdivision approve the resolution in a referendum called for that purpose, the political subdivision may withdraw from the district. Under the second method, the electors of a political subdivision may petition the commission to submit the question of withdrawal of the political subdivision from a district, and the commission must then call a referendum in the political subdivision for the electors to vote on whether to approve the question. If the question submitted at the referendum is approved, the political subdivision must withdraw from the district. Under either method, however, the political subdivision and the district must negotiate a settlement to compensate the district for the park facilities that are located in the political subdivision. If the district and the political subdivision are unable to negotiate a settlement within 60 days after the political subdivision's resolution is either approved by the commission or approved in a referendum, the district and the political subdivision must agree on the selection of an arbitrator who must decide the settlement amount within 30 days after his or her appointment.

A district may dissolve by action of the commission, subject to payment of the district's debts and fulfillment of its other contractual obligations. If after withdrawal of a political subdivision, the territory that remains in the district does not consist of at least one political subdivision, the district must dissolve. If a district is dissolved, its assets, liabilities, employees, pending matters, and property must be apportioned to, and become the responsibility of, the sponsoring political

*except for cities and villages that are located in more than one county*

*if the county itself is part of the district*

*except that*

*and except that the terms of any initial commi*

*initial commissioners who are elected at the general election extends for five months longer than the terms of other initial commissioners*

**BILL**

*The district's property tax levy rate may not exceed one mill on each dollar of the full value of taxable property in the district.*

subdivisions and any other political subdivisions that joined the district. The commission is empowered to apportion these items among the responsible political subdivisions. If a question arises as to the the commission's actions during dissolution, the question must be resolved by an arbitrator who is selected under the previously agreed to procedure.

Under the bill, a political subdivision may make loans or lease or transfer property to a district. Generally, however, a political subdivision may not create a park or expend any funds to support park or recreational facilities, or impose an impact fee on a developer for park facilities, after a district levies a property tax.

**TAXATION**

When a district is created, the initial property tax levy of the district must be imposed by the commission in an amount that equals the total operating levy, of all participating political subdivisions, that is attributable to expenditures for park and recreational purposes in the year in which the district is authorized, or in the prior year — whichever is greater. Any increase in the ~~initial~~ property tax levy is subject to approval by the electors of a district at a referendum. The district must hold such a referendum at the first spring primary, spring election, September primary, general election, or special election held throughout the district that is held at least 45 days after the date on which the commission adopts a resolution to increase the levy. The district may use the tax revenue only for park and recreational purposes.

Under the bill, a district's income is exempt from the income tax, a district's property is exempt from the property tax, property transferred to a district is exempt from the real estate transfer fee, and sales of tangible personal property or services to the district are exempt from all state and local sales taxes and use taxes.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the 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:***

- 1           **SECTION 1.** 5.02 (5) of the statutes is amended to read:
- 2           5.02 (5) "General election" means the election held in even-numbered years on
- 3           the Tuesday after the first Monday in November to elect United States senators,
- 4           representatives in congress, presidential electors, state senators, representatives to
- 5           the assembly, district attorneys, state officers other than the state superintendent
- 6           and judicial officers, and county officers other than supervisors and county

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**BILL****SECTION 1**

1 executives, and in local park districts, to elect initial local park district  
2 commissioners.

3 **SECTION 2.** 5.02 (21) of the statutes is amended to read:

4 5.02 (21) "Spring election" means the election held on the first Tuesday in April  
5 to elect judicial, educational and municipal officers, nonpartisan county officers and,  
6 sewerage commissioners, and local park district commissioners.

7 **SECTION 3.** 5.15 (1) (c) of the statutes is amended to read:

8 5.15 (1) (c) The wards established by municipal governing bodies under this  
9 section on the basis of the published results of each federal decennial census of  
10 population shall govern the adjustment of supervisory districts under s. 59.10 (2) (a)  
11 and (3) (b) and of aldermanic districts under s. 62.08 (1) for the purpose of local  
12 elections beginning on January 1 of the 2nd year commencing after the year of the  
13 census until revised under this section on the basis of the results of the next  
14 decennial census of population unless adjusted under sub. (2) (f) 4. or 5., (6) (a), or  
15 (7), or unless adjusted, as a matter of statewide concern, in the enactment of  
16 legislative districts under article IV, section 3, of the constitution on the basis of the  
17 most recent decennial census of population.

18 **SECTION 4.** 5.15 (2) (f) 5. of the statutes is created to read:

19 5.15 (2) (f) 5. That part of a local park district required to create an election  
20 district under s. 27.161 (7) (b) 1. that has a population which is, as nearly as  
21 practicable, equal to other election districts in the local park district.

22 **SECTION 5.** 5.58 (1u) of the statutes is created to read:

23 5.58 (1u) LOCAL PARK DISTRICT COMMISSIONERS. Except as authorized in s. 5.655,  
24 there shall be a separate ballot for the election of commissioners of any local park  
25 district. Arrangement of the names on the ballot shall be determined by the local

**BILL**

1 park district clerk in the same manner as provided under s. 5.60 (1) (b). The ballot  
2 shall be entitled "Official Primary Ballot for Commissioner of the .... Park District."  
3 The ballot shall also specify "At large" or "Election District .... " as required.

4 **SECTION 6.** 5.58 (3) of the statutes is amended to read:

5 5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent,  
6 for any judicial office, or for any elected seat on a metropolitan sewerage commission  
7 or town sanitary district commission; in counties having a population of 500,000 or  
8 more only 2 candidates for member of the board of supervisors within each district;,  
9 in counties having a population of less than 500,000 only 2 candidates for each  
10 member of the county board of supervisors from each district or numbered seat or  
11 only 4 candidates for each 2 members of the county board of supervisors from each  
12 district whenever 2 supervisors are elected to unnumbered seats from the same  
13 district; in 1st class cities only 2 candidates for any at-large seat and only 2  
14 candidates from any election district to be elected to the board of school directors;,  
15 in school districts electing school board members to numbered seats, or pursuant to  
16 an apportionment plan or district representation plan, only 2 school board  
17 candidates for each numbered seat or within each district; in a local park district,  
18 twice as many candidates as are to be elected commissioner within each of the  
19 election districts and from the district at large; and twice as many candidates as are  
20 to be elected members of other school boards or other elective officers receiving the  
21 highest number of votes at the primary shall be nominees for the office at the spring  
22 election. Only their names shall appear on the official spring ballot.

23 **SECTION 7.** 5.60 (6u) of the statutes is created to read:

24 5.60 (6u) LOCAL PARK DISTRICT COMMISSION. Except as authorized in s. 5.655, a  
25 separate ballot shall list the names of all candidates for commissioner of any local

**BILL****SECTION 7**

1 park district. Arrangement of the names on the ballot shall be determined by the  
2 local park district clerk in the manner provided under sub. (1) (b). The ballot shall  
3 be entitled "Official Ballot for Commissioner of the .... Park District." The ballot shall  
4 also specify "At large" or "Election District ...." as required.

5 **SECTION 8.** 5.68 (2) of the statutes is amended to read:

6 5.68 (2) Except as otherwise expressly provided, all costs for ballots, supplies,  
7 notices, and any other materials necessary in preparing or conducting any election  
8 shall be paid for by the county or municipality whose clerk or board of election  
9 commissioners is responsible for providing them. If a ballot is prepared for a school,  
10 technical college, sewerage or, sanitary, or local park district, the district shall pay  
11 for the cost of the ballot. If no other level of government is involved in a school,  
12 technical college, sewerage or, sanitary, or local park district election, the district  
13 shall pay for all costs of the ballots, supplies, notices, and other materials. If ballots,  
14 supplies, notices, or other materials are used for elections within more than one unit  
15 of local government, the costs shall be proportionately divided between the units of  
16 local government involved in the election. In a 1st class city, all costs otherwise  
17 attributable to a school district shall be paid by the city.

18 **SECTION 9.** 5.68 (3) of the statutes is amended to read:

19 5.68 (3) If voting machines are used or if an electronic voting system is used  
20 in which all candidates and referenda appear on the same ballot, the ballots for all  
21 national, state and county offices and for county and state referenda shall be  
22 prepared and paid for by the county wherein they are used. If the voting machine  
23 or electronic voting system ballot includes a municipal or a school, technical college,  
24 sewerage, local park, or sanitary district ballot, the cost of that portion of the ballot



**BILL**

1 shall be reimbursed to the county or paid for by the municipality or district, except  
2 as provided in a 1st class city school district under sub. (2).

3 **SECTION 10.** 7.10 (1) (a) of the statutes is amended to read:

4 7.10 (1) (a) Each county clerk shall provide ballots for every election in the  
5 county for all national, state and county offices, including metropolitan sewerage  
6 commission elections under s. 200.09 (11) (am), for municipal judges elected under  
7 s. 755.01 (4), for a local park district commission whenever the local park district is  
8 not coterminous with the boundaries of a single municipality, and for state and  
9 county referenda. The official and sample ballots shall be prepared in substantially  
10 the same form as those prescribed by the board under s. 7.08 (1) (a).

11 **SECTION 11.** 7.51 (3) (b) of the statutes is amended to read:

12 7.51 (3) (b) For ballots which relate only to municipal ~~or~~, school district, or local  
13 park district offices or referenda, the inspectors, in lieu of par. (a), after counting the  
14 ballots shall return them to the proper ballot boxes, lock the boxes, paste paper over  
15 the slots, sign their names to the paper, and deliver them and the keys therefor to  
16 the municipal ~~or~~, school district, or local park district clerk. The clerk shall retain  
17 the ballots until destruction is authorized under s. 7.23.

18 **SECTION 12.** 7.51 (3) (d) of the statutes is amended to read:

19 7.51 (3) (d) Except in municipalities where absentee ballots are canvassed  
20 under s. 7.52, all absentee certificate envelopes which have been opened shall be  
21 returned by the inspectors to the municipal clerk in a securely sealed carrier  
22 envelope which is clearly marked "used absentee certificate envelopes". The  
23 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when  
24 the ballots are used in a municipal ~~or~~, school district, or local park district election  
25 only, the municipal clerk shall transmit the used envelopes to the county clerk.

**BILL**

1           **SECTION 13.** 7.51 (4) (b) of the statutes is amended to read:

2           7.51 (4) (b) The chief inspector, or one of the inspectors appointed by him or her,  
3 immediately after the votes are tabulated or counted at each election, shall report  
4 the returns of the election to the municipal clerk ~~or~~, to the school district clerk for  
5 school district elections, except in 1st class cities, or to the local park district clerk  
6 for local park district elections. The clerk shall then make the returns public.

7           **SECTION 14.** 7.51 (5) (a) 2., 3. and 5. and (b) of the statutes are amended to read:

8           7.51 (5) (a) 2. After recording the votes, the inspectors shall seal in a carrier  
9 envelope outside the ballot bag or container one tally sheet and one poll list for  
10 delivery to the county clerk, unless the election relates only to municipal ~~or~~, school  
11 district, or local park district offices or referenda.

12           3. The inspectors shall also seal the inspectors' statement inside a separate  
13 carrier envelope, and shall similarly seal in a separate carrier envelope one tally  
14 sheet and one poll list for delivery to the municipal clerk. For school district  
15 elections, except in 1st class cities, the inspectors shall seal one tally sheet and one  
16 poll list for delivery to the school district clerk. For local park district elections, the  
17 inspectors shall seal one tally sheet and one poll list for delivery to the local park  
18 district clerk.

19           5. Upon receipt of the materials under subd. 4., the municipal clerk shall make  
20 sufficient copies of the inspectors' statement under sub. (4) (a) and seal one copy of  
21 the statement inside a carrier envelope together with the envelope containing any  
22 materials required to be delivered to the county clerk ~~or~~, the school district clerk, or  
23 the local park district clerk. The municipal clerk shall retain the original inspectors'  
24 statement.

**BILL**

1           (b) The municipal clerk shall deliver all ballots, statements, tally sheets, lists,  
2 and envelopes relating to a school district or local park district election to the school  
3 district or local park district clerk, respectively by 4 p.m. on the day following each  
4 such election. The municipal clerk shall deliver the ballots, statements, tally sheets,  
5 lists, and envelopes for his or her municipality relating to any county, technical  
6 college district, state, or national election to the county clerk no later than 4 p.m. on  
7 the day following each such election or, in municipalities where absentee ballots are  
8 canvassed under s. 7.52, by 4 p.m. on the 2nd day following each such election, and  
9 no later than 4 p.m. on the day after receiving any corrected returns under s. 6.221  
10 (6) (b). The person delivering the returns shall be paid out of the municipal treasury.  
11 Each clerk shall retain ballots, statements, tally sheets, or envelopes received by the  
12 clerk until destruction is authorized under s. 7.23 (1).

13           **SECTION 15.** 7.53 (3m) of the statutes is created to read:

14           **7.53 (3m) LOCAL PARK DISTRICT ELECTIONS.** The local park district clerk shall  
15 appoint 2 qualified electors of the district prior to the date of the election being  
16 canvassed, who shall, with the clerk, constitute the local park district board of  
17 canvassers. The clerk shall appoint another qualified elector of the district to fill any  
18 vacancy on the board of canvassers. If the clerk's office is vacant or the clerk cannot  
19 perform his or her duties, the chairperson of the local park district commission shall  
20 designate another qualified elector of the district to serve in lieu of the clerk. The  
21 canvass shall begin as soon as possible after receipt of the returns and shall continue,  
22 without adjournment, until completed. The board of canvassers may return  
23 defective returns to the municipal board of canvassers in the manner provided in s.  
24 7.60 (3). The board of canvassers shall prepare a written statement showing the  
25 numbers of votes cast for each person for each office and shall prepare a

**BILL**

1 determination showing the names of the persons who are elected to the local park  
2 district commission. Following each primary election, the board of canvassers shall  
3 prepare a statement certifying the names of the persons who have won nomination  
4 to the local park district commission. Each statement and determination shall be  
5 attested by each of the canvassers. The board of canvassers shall file each statement  
6 and determination in the local park district office.

7 **SECTION 16.** 8.10 (3) (kw) of the statutes is created to read:

8 8.10 (3) (kw) For commissioners of local park districts who are elected at large,  
9 not less than 40 nor more than 200 electors, and for commissioners of local park  
10 districts who are elected from election districts, not less than 200 nor more than 400  
11 electors in local park districts of 500,000 population or more, and not less than 20 nor  
12 more than 100 electors in districts of less than 500,000 population.

13 **SECTION 17.** 8.10 (6) (e) of the statutes is created to read:

14 8.10 (6) (e) For members of the local park district commission, with the local  
15 park district clerk.

16 **SECTION 18.** 8.11 (2f) of the statutes is created to read:

17 8.11 (2f) LOCAL PARK DISTRICT COMMISSION. A primary shall be held in a local  
18 park district whenever there are more than twice the number of candidates to be  
19 elected members of the local park district commission at large or from any election  
20 district.

21 **SECTION 19.** 9.10 (1) (a) of the statutes is amended to read:

22 9.10 (1) (a) The qualified electors of the state; of any county, city, village, or  
23 town; of any congressional, legislative, judicial, or school district; of any local park  
24 district or election district thereof; or of any prosecutorial unit may petition for the  
25 recall of any incumbent elective official by filing a petition with the same official or

**BILL**

1 agency with whom nomination papers or declarations of candidacy for the office are  
2 filed demanding the recall of the officeholder.

3 **SECTION 20.** 9.10 (2) (d) of the statutes is amended to read:

4 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless  
5 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the  
6 filing officer with whom the petition is filed. The petitioner shall append to the  
7 registration a statement indicating his or her intent to circulate a recall petition, the  
8 name of the officer for whom recall is sought and, in the case of a petition for the recall  
9 of a city, village, town, local park district, or school district officer, a statement of a  
10 reason for the recall which is related to the official responsibilities of the official for  
11 whom removal is sought. No petitioner may circulate a petition for the recall of an  
12 officer prior to completing registration. The last date ~~that~~ on which a petition for the  
13 recall of an officer may be offered for filing is 5 p.m. on the 60th day commencing after  
14 registration. After the recall petition has been offered for filing, no name may be  
15 added or removed. No signature may be counted unless the date of the signature is  
16 within the period provided in this paragraph.

17 **SECTION 21.** 9.10 (3) (a) of the statutes is amended to read:

18 9.10 (3) (a) This subsection applies to the recall of all elective officials other  
19 than city, village, town, local park district, and school district officials. City, village,  
20 town, local park district, and school district officials are recalled under sub. (4).

21 **SECTION 22.** 9.10 (4) (a) of the statutes is amended to read:

22 9.10 (4) (a) Within 10 days after a petition for the recall of a city, village, town,  
23 local park district, or school district official, is offered for filing, the officer against  
24 whom the petition is filed may file a written challenge with the ~~municipal clerk or~~  
25 ~~board of election commissioners or school district clerk official or agency with whom~~

**BILL**

1 it the petition is filed, specifying any alleged insufficiency. If a challenge is filed, the  
2 petitioner may file a written rebuttal to the challenge with the ~~clerk or board of~~  
3 ~~election commissioners~~ official or agency within 5 days after the challenge is filed.  
4 If a rebuttal is filed, the officer against whom the petition is filed may file a reply to  
5 any new matter raised in the rebuttal within 2 days after the rebuttal is filed. Within  
6 14 days after the expiration of the time allowed for filing a reply to a rebuttal, the  
7 ~~clerk or board of election commissioners~~ official or agency shall file the certificate or  
8 an amended certificate. Within 31 days after the petition is offered for filing, the  
9 ~~clerk or board of election commissioners~~ official or agency shall determine by careful  
10 examination of the face of the petition whether the petition is sufficient and shall so  
11 state in a certificate issued by the official or agency and attached to the petition. If  
12 the petition is found to be insufficient, the certificate shall state the particulars  
13 creating the insufficiency. The petition may be amended to correct any insufficiency  
14 within 5 days following the affixing of the original certificate. Within 2 days after  
15 the offering of the amended petition for filing, the ~~clerk or board of election~~  
16 ~~commissioners~~ official or agency shall again carefully examine the face of the petition  
17 to determine sufficiency and shall attach to the petition a certificate stating the  
18 findings. Immediately upon finding an original or amended petition sufficient,  
19 except in cities over 500,000 population, ~~the municipal clerk or school district clerk~~  
20 and except with regard to a commissioner of a local park district, the official shall  
21 transmit the petition to the governing body or to the school board. ~~Immediately~~  
22 Except with regard to a commissioner of a local park district, immediately upon  
23 finding an original or amended petition sufficient, in cities over 500,000 population,  
24 the board of election commissioners shall file the petition in its office. Immediately  
25 upon finding an original or amended petition sufficient, with regard to a member of

**BILL**

1 the local park district commission, the local park district clerk shall file the petition  
2 in his or her office and shall transmit a copy of the petition to the governing body of  
3 each city, village, and town that has territory within the jurisdiction of the local park  
4 district.

5 **SECTION 23.** 9.10 (4) (d) of the statutes is amended to read:

6 9.10 (4) (d) Promptly upon receipt of a certificate or copy of the certificate issued  
7 under par. (a), the governing body, school board, or board of election commissioners  
8 shall call a recall election. The recall election shall be held on the Tuesday of the 6th  
9 week commencing after the date on which the certificate is filed, except that if  
10 Tuesday is a legal holiday the recall election shall be held on the first day after  
11 Tuesday which is not a legal holiday.

12 **SECTION 24.** 9.10 (7) of the statutes is amended to read:

13 9.10 (7) PURPOSE. The purpose of this section is to facilitate the operation of  
14 article XIII, section 12, of the constitution and to extend the same rights to electors  
15 of cities, villages, towns, local park districts, and school districts.

16 **SECTION 25.** 10.05 of the statutes is amended to read:

17 **10.05 Posting of notice.** Unless specifically designated elsewhere, this  
18 section applies to villages, towns and, school districts, and local park districts.  
19 Whenever a notice is required to be published, a village, town ~~or~~, school district, or  
20 local park district may post 3 notices in lieu of publication under ch. 985 whenever  
21 there is not a newspaper published within the village, town ~~or~~, school district, or local  
22 park district or whenever the governing body of the village, town ~~or~~, school district,  
23 or local park district chooses to post in order to supplement notice provided in a  
24 newspaper. Whenever the manner of giving notice is changed by the governing body,  
25 the body shall give notice of the change in the manner used before the change.

**BILL**

1 Whenever posting is used, the notices shall be posted no later than the day prescribed  
2 by law for publication, or, if that day falls within the week preceding the election to  
3 be noticed, at least one week before the election. All notices given for the same  
4 election shall be given in the same manner.

5 **SECTION 26.** 10.07 (1) of the statutes is amended to read:

6 10.07 (1) Except as provided in sub. (2) in the case of voting machine ballots,  
7 whenever any county clerk ~~or, any local park district clerk,~~ and one or more  
8 municipal or school district clerks within the same county are directed to publish any  
9 notice or portion of a notice under this chapter on the same date in the same  
10 newspaper, the text of which is identical, the clerks may publish one notice only. The  
11 cost of publication of such notice or the portion of the notice required shall be  
12 apportioned equally between the county and each municipality ~~or, school district, or~~  
13 local park district sharing in its publication.

14 **SECTION 27.** 11.02 (8) of the statutes is created to read:

15 11.02 (8) If the jurisdiction under sub. (3) is a local park district, the  
16 appropriate clerk is the local park district clerk.

17 **SECTION 28.** 11.26 (1) (d) 2. of the statutes is amended to read:

18 11.26 (1) (d) 2. One cent times the number of inhabitants of the jurisdiction ~~or,~~  
19 district, or election district, according to the latest federal census or the census  
20 information on which the district is based, as certified by the appropriate filing  
21 officer, but not more than \$3,000.

22 **SECTION 29.** 11.26 (2) (e) 2. of the statutes is amended to read:

23 11.26 (2) (e) 2. Three-fourths of one cent times the number of inhabitants of  
24 the jurisdiction ~~or, district, or election district~~, according to the latest federal census



**BILL**

1 or the census information on which the district is based, as certified by the  
2 appropriate filing officer, but not more than \$2,500.

3 **SECTION 30.** 11.31 (1) (h) (intro.) of the statutes is amended to read:

4 11.31 (1) (h) (intro.) Candidates for any local office, who are elected from a  
5 jurisdiction ~~or~~, district, or election district with less than 500,000 inhabitants  
6 according to the latest federal census or census information on which the district is  
7 based, as certified by the appropriate filing officer, an amount equal to the greater  
8 of the following:

9 **SECTION 31.** 17.01 (11m) of the statutes is created to read:

10 17.01 (11m) By a commissioner of a local park district, to the local park district  
11 commission. The local park district commission shall immediately give a copy of each  
12 resignation under this subsection to the clerk or board of election commissioners of  
13 each municipality that has territory within the jurisdiction of the district.

14 **SECTION 32.** 17.13 (intro.) of the statutes is amended to read:

15 **17.13 Removal of village, town, town sanitary district, school district,**  
16 **technical college and family care district, and local park district officers.**

17 (intro.) Officers of towns, town sanitary districts, villages, school districts, technical  
18 college districts and, family care districts, and local park districts may be removed  
19 as follows:

20 **SECTION 33.** 17.13 (3) of the statutes is amended to read:

21 17.13 (3) ALL OFFICERS. Any village, town, town sanitary district, school district  
22 ~~or~~, technical college district, or local park district officer, elective or appointive,  
23 including those embraced within subs. (1) and (2), by ~~the~~ a judge of the circuit court  
24 of the a circuit wherein the village, town, town sanitary district, school district ~~or~~,  
25 technical college district, or local park district is situated, for cause.

**BILL**

1           **SECTION 34.** 17.27 (1f) of the statutes is created to read:

2           17.27 (1f) LOCAL PARK DISTRICT COMMISSION. Except as provided in s. 9.10, a  
3 vacancy in the office of commissioner of a local park district may be filled for the  
4 residue of the unexpired term by temporary appointment of the remaining members  
5 of the local park district commission. If the vacancy occurs in any year after the first  
6 Tuesday in April and on or before December 1, the vacancy shall be filled for the  
7 residue of the unexpired term, if any, at the next spring election. If the vacancy  
8 occurs in any year after December 1 or on or before the first Tuesday in April, the  
9 vacancy shall be filled for the residue of the unexpired term, if any, at the 2nd  
10 succeeding spring election.

11           **SECTION 35.** 20.370 (5) (cr) of the statutes is amended to read:

12           20.370 (5) (cr) *Recreation aids — county snowmobile trail and area aids.* As  
13 a continuing appropriation, the amounts in the schedule from the snowmobile  
14 account in the conservation fund to provide state aid to counties and local park  
15 districts, as defined in s. 350.01 (2m), for snowmobile trails, facilities, and areas  
16 consistent with the requirements of ss. 23.09 (26) and 350.12 (4) (b).

17           **SECTION 36.** 20.370 (5) (ct) of the statutes, as affected by 2005 Wisconsin Act  
18 25 by section 247c, is amended to read:

19           20.370 (5) (ct) *Recreation aids — all-terrain vehicle project aids; gas tax*  
20 *payment.* As a continuing appropriation, the sum of an amount equal to the  
21 estimated all-terrain vehicle gas tax payment and an amount equal to the amount  
22 lapsed to the conservation fund on July 1, 2005, from the appropriation account  
23 under s. 20.370 (5) (cv), 2003 stats., to provide aid to towns, villages, cities, counties,  
24 local park districts, as defined in s. 23.33 (1) (im), and federal agencies for nonstate  
25 all-terrain vehicle projects.

**BILL**

1           **SECTION 37.** 20.370 (5) (ct) of the statutes, as affected by 2005 Wisconsin Act  
2 25 by section 247g and 2005 Wisconsin Act .... (this act), is amended to read:

3           20.370 (5) (ct) *Recreation aids — all-terrain vehicle project aids; gas tax*  
4 *payment.* As a continuing appropriation, an amount equal to the estimated  
5 all-terrain vehicle gas tax payment to provide aid to towns, villages, cities, counties,  
6 local park districts, as defined in s. 23.33 (1) (im), and federal agencies for nonstate  
7 all-terrain vehicle projects.

8           **SECTION 38.** 20.370 (5) (cu) of the statutes is amended to read:

9           20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a  
10 continuing appropriation, the amounts in the schedule from moneys received from  
11 all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) to provide aid to towns,  
12 villages, cities, counties, local park districts, as defined in s. 23.33 (1m), and federal  
13 agencies for nonstate all-terrain vehicle projects.

14           **SECTION 39.** 23.09 (19) (a) 2. of the statutes is amended to read:

15           23.09 (19) (a) 2. “Governmental unit” means a city, a village, a town, a county,  
16 a local park district created under s. 27.161, a lake sanitary district, as defined in s.  
17 30.50 (4q), a public inland lake protection and rehabilitation district, or the Kickapoo  
18 reserve management board.

19           **SECTION 40.** 23.09 (20) (ab) 2. of the statutes is amended to read:

20           23.09 (20) (ab) 2. “Municipality” means a city, a village, a town ~~or,~~ a county, or  
21 a local park district created under s. 27.161.

22           **SECTION 41.** 23.09 (20m) (a) 1. of the statutes is amended to read:

23           23.09 (20m) (a) 1. “Governmental unit” means a city, a village, a town, a county,  
24 a local park district created under s. 27.161, or the Kickapoo reserve management  
25 board.

**BILL**

CS  
AND PARK DISTRICT

**SECTION 42**

1           **SECTION 42.** 23.09 (26) (title) of the statutes is amended to read:

2           23.09 (26) (title) ~~AIDS TO COUNTIES~~ COUNTY AID FOR SNOWMOBILE PURPOSES.

3           **SECTION 43.** 23.09 (26) (a) of the statutes is renumbered 23.09 (26) (g) and  
4 amended to read:

5           23.09 (26) (g) The procedures in sub. (11) (a), (d), (e) and (f) shall apply to this  
6 subsection ~~except that the~~ The department shall consult with the snowmobile  
7 recreational council before adopting snowmobile trail construction standards, ~~the~~  
8 ~~restriction in sub. (11) (a) as to county lands is not applicable, the restriction in sub.~~  
9 ~~(11) (d) as to encumbrance of funds is not applicable and the restriction in sub. (11)~~  
10 ~~(e) as to requests for state aids exceeding available funds is not applicable.~~

11           **SECTION 44.** 23.09 (26) (ac) of the statutes is created to read:

12           23.09 (26) (ac) In this subsection:

- 13           1. "Local park district" has the meaning given in s. 350.01 (2m).
- 14           2. "Facility" means a parking area, shelter, or toilet.

15           **SECTION 45.** 23.09 (26) (am) (intro.) of the statutes is amended to read:

16           23.09 (26) (am) (intro.) Counties and local park districts may receive aids under  
17 this subsection distributed in accordance with s. 350.12 (4) to do any of the following:

18           **SECTION 46.** 23.09 (26) (am) 1. of the statutes is amended to read:

19           23.09 (26) (am) 1. Purchase lands or secure easements, leases, permits, or other  
20 appropriate agreements, written or oral, permitting use of private property for  
21 snowmobile trails, facilities, and areas, if such the easements, leases, permits, or  
22 other agreements provide public access to the trail, facility, or area. No lands  
23 purchased or leases, easements, permits, or agreements secured under authority of  
24 this section subsection may be acquired by ~~the county~~ through condemnation.  
25 Counties and local park districts shall certify to the department that such the lands,

**BILL**

1 easements, leases, permits, or other appropriate agreements have been secured.  
2 However, when bridges, culverts, ~~toilet facilities, parking lots or shelters or facilities~~  
3 are to be constructed under this section subsection and the improvements are  
4 estimated to cost in excess of \$3,000, the land underlying such these improvements  
5 must be purchased by the county or local park district or secured by the county or  
6 local park district by written easements or leases having a term of not less than 3  
7 years.

8 **SECTION 47.** 23.09 (26) (am) 3. of the statutes is amended to read:

9 23.09 (26) (am) 3. Develop and maintain snowmobile trails, facilities, and areas  
10 on public lands designated by the county board ~~or trails or areas under subd. 1. or~~  
11 ~~2 or by the local park district.~~

12 **SECTION 48.** 23.09 (26) (am) 3m. of the statutes is created to read:

13 23.09 (26) (am) 3m. Develop and maintain snowmobile trails, facilities, and  
14 areas under subd. 1. or 2.

15 **SECTION 49.** 23.09 (26) (am) 4. of the statutes is repealed.

16 **SECTION 50.** 23.09 (26) (ar) of the statutes is created to read:

17 23.09 (26) (ar) Counties may receive aids under this subsection distributed in  
18 accordance with s. 350.12 (4) to enforce laws in and on snowmobile trails, facilities,  
19 and areas.

20 **SECTION 51.** 23.09 (26) (b) of the statutes is amended to read:

21 23.09 (26) (b) ~~The county board of any county, which, by resolution, indicates~~  
22 ~~its desire~~ Any county or any local park district that wishes to receive aids under this  
23 subsection shall apply to the department on forms prescribed by the department and  
24 submit required documentation as ~~set forth~~ promulgated by rule on or before April

**BILL**

1     ~~15, beginning in 1978 of each year.~~ A decision on an aid application shall be made  
2     by the department on or before the following July 1, ~~beginning in 1978.~~

3             **SECTION 52.** 23.09 (26) (bg) of the statutes is created to read:

4             23.09 (26) (bg) The department shall review the aid application as it considers  
5     necessary to determine whether the approval of the application will best serve the  
6     public interest and need. In making its decision, the department shall give careful  
7     consideration to whether the proposal is an integral part of an official comprehensive  
8     land and water use plan for the area as well as the relationship of the proposal to  
9     similar proposals on other public lands.

10            **SECTION 53.** 23.09 (26) (d) of the statutes is amended to read:

11            23.09 (26) (d) Distribution of snowmobile trail development funds shall be  
12     limited to trails which provide a primary access route through one county and  
13     connect with another county's trails, provide access from population centers to main  
14     access trails or support a high volume of use. Counties and local park districts  
15     applying for aid for snowmobile trail development shall identify the type of trail for  
16     which aid is being sought on the forms under par. (b).

17            **SECTION 54.** 23.09 (26) (h) of the statutes is created to read:

18            23.09 (26) (h) Trails, areas, facilities, or other structures for which aid granted  
19     under this subsection is provided may not be converted to uses that are inconsistent  
20     with the purposes of this subsection without the approval of the department. The  
21     department shall not grant approval unless there is evidence that these uses are  
22     essential to and in accordance with an official comprehensive land and water use  
23     plan for the area. The department shall require that the proceeds from the sale or  
24     other disposal of trails, areas, facilities, or other structures for which aid is provided  
25     under this subsection be used to further the purposes of this subsection.

**BILL**

1           **SECTION 55.** 23.175 (1) (a) of the statutes is amended to read:

2           23.175 (1) (a) "Political subdivision" means a city, a village, a town or, a county,  
3           or a local park district created under s. 27.161.

4           **SECTION 56.** 23.305 (1) (intro.) of the statutes is amended to read:

5           23.305 (1) (intro.) In this section, ~~"spectator sports";~~

6           **(bm)** "Spectator sports" means events or contests in which the general public  
7           spectates but does not participate, including without limitation because of  
8           enumeration:

9           **SECTION 57.** 23.305 (1) (a) to (i) of the statutes are renumbered 23.305 (1) (bm)

10          1. to 9.

11          **SECTION 58.** 23.305 (1) (am) of the statutes is created to read:

12          23.305 (1) (am) "Local park district" means a local park district created under  
13          s. 27.161 but not with the participation of any city.

14          **SECTION 59.** 23.305 (2) of the statutes is amended to read:

15          23.305 (2) Notwithstanding ss. 23.30 and 28.04, the department may lease  
16          state park land or state forest land to towns, villages ~~or, counties,~~ or local park  
17          districts for outdoor recreational purposes associated with spectator sports.

18          **SECTION 60.** 23.33 (1) (im) of the statutes is created to read:

19          23.33 (1) (im) "Local park district" means a local park district created under  
20          s. 27.161.

21          **SECTION 61.** 23.33 (8) (c) of the statutes is amended to read:

22          23.33 (8) (c) *Trails.* A town, a village, a city, a county, or a local park district  
23          or the department may designate corridors through land which it owns or controls,  
24          or for which it obtains leases, easements or permission, for use as all-terrain vehicle  
25          trails.

**BILL**

1           **SECTION 62.** 23.33 (9) (c) of the statutes is amended to read:

2           23.33 (9) (c) *Signs.* In addition to the projects listed in par. (b), the department  
3 may provide aid under this subsection to a town, village, city ~~or~~, county, or local park  
4 district for up to ~~100%~~ 100 percent of the cost of placing signs developed under sub.  
5 (4z) (a) 2.

6           **SECTION 63.** 23.33 (11) (a) of the statutes is amended to read:

7           23.33 (11) (a) ~~Counties, towns, cities and villages~~ A county, city, town, or village  
8 may enact ordinances regulating all-terrain vehicles on all-terrain vehicle trails  
9 maintained by ~~or on all-terrain vehicle routes designated by~~ under the jurisdiction  
10 of the county, city, town, or village.

11           **SECTION 64.** 25.50 (1) (d) of the statutes is amended to read:

12           25.50 (1) (d) "Local government" means any county, town, village, city, power  
13 district, sewerage district, drainage district, town sanitary district, public inland  
14 lake protection and rehabilitation district, local professional baseball park district  
15 created under subch. III of ch. 229, family care district under s. 46.2895, local  
16 professional football stadium district created under subch. IV of ch. 229, local  
17 cultural arts district created under subch. V of ch. 229, local park district created  
18 under s. 27.161, public library system, school district or technical college district in  
19 this state, any commission, committee, board, or officer of any governmental  
20 subdivision of this state, any court of this state, other than the court of appeals or the  
21 supreme court, or any authority created under s. 114.61, 231.02, 233.02, or 234.02.

22           **SECTION 65.** 27.01 (3) of the statutes is amended to read:

23           27.01 (3) **TRANSFER OF STATE PARK LAND TO MUNICIPALITIES.** The department may  
24 not transfer the ownership of any state park or land within any state park to any  
25 county, city, village ~~or~~, town, county, or local park district created under s. 27.161



**BILL**

1 unless it the department receives the approval of the joint committee on finance  
2 regarding the appropriate level of reimbursement to be received by the state to  
3 reflect the state's cost in acquiring and developing the state park or land within the  
4 state park.

5 **SECTION 66.** 27.02 (1) of the statutes is amended to read:

6 27.02 (1) Except as provided under sub. (2) and except in counties that are part  
7 of a local park district created under s. 27.161, in every county with a population of  
8 at least 150,000, but less than 500,000, and in any other county with a population  
9 of less than 150,000 wherein the county board has by resolution provided for a county  
10 park commission subject to ss. 27.02 to 27.06, the chairperson of the county board  
11 shall appoint a county park commission consisting of 7 members, any number of  
12 which may be members of the county board. The appointments shall be made in  
13 writing and filed in the office of the county clerk. The term of each member, except  
14 county board members, is 7 years following July 1 of the year in which the  
15 appointment is made and until the appointment and qualification of a successor,  
16 except that the first 7 members shall be appointed respectively for such terms that  
17 on July 1 in each of the 7 years following the year in which they are appointed the  
18 term of one member will expire. After the original appointments one commissioner  
19 shall be appointed annually in the month of June to succeed the member whose term  
20 will expire on July 1 following, except that in counties with a population of at least  
21 150,000 but less than 500,000 the members shall be elected by the county board of  
22 supervisors. The term of any park commissioner appointed to the commission while  
23 serving as a county board member shall end when the commissioner's membership  
24 on the county board terminates, unless thereafter reappointed to the commission.

25 **SECTION 67.** 27.03 (2) of the statutes is amended to read:

**BILL**

1           27.03 (2) In any county with a county executive or a county administrator, other  
2 than in a county that is part of a local park district created under s. 27.161, the county  
3 executive or county administrator shall appoint and supervise a general manager of  
4 the park system. The appointment shall be subject to confirmation by the county  
5 board unless the county board, by ordinance, elects to waive confirmation or unless  
6 the appointment is made under a civil service system competitive examination  
7 procedure established under s. 59.52 (8) or ch. 63. In any county with a population  
8 of 500,000 or more, the general manager of the park system shall be in the  
9 unclassified civil service and is subject to confirmation by the county board unless  
10 the county board, by ordinance, elects to waive confirmation.

11           **SECTION 68.** 27.05 (intro.) of the statutes is amended to read:

12           **27.05 Powers of commission or general manager.** (intro.) The Except in  
13 a county that is part of a local park district created under s. 27.161, the county park  
14 commission, or the general manager in counties with a county executive or county  
15 administrator, shall have charge and supervision of all county parks and all lands  
16 acquired by the county for park or reservation purposes. The county park  
17 commission or general manager, subject to the general supervision of the county  
18 board and regulations prescribed by the county board, except as provided under s.  
19 27.03 (2), may do any of the following:

20           **SECTION 69.** 27.06 of the statutes is amended to read:

21           **27.06 Mill-tax appropriation.** The Except in a county that is part of a local  
22 park district created under s. 27.161, the county board may annually, at the same  
23 time that other county taxes are levied, levy a tax upon the taxable property of such  
24 county for the purchase of land and the payment of expenses incurred in carrying on

**BILL**

1 the work of the park commission. In every county having a population of 500,000 or  
2 more, the county park commission shall be subject to s. 59.60.

3 **SECTION 70.** 27.075 (1) of the statutes is amended to read:

4 27.075 (1) The Except in a county that is part of a local park district created  
5 under s. 27.161, the county board of any county with a population of less than 500,000  
6 is hereby vested with all powers of a local, legislative, and administrative character  
7 for the purpose of governing, managing, controlling, improving, and caring for public  
8 parks, parkways, boulevards, and pleasure drives; and to carry out these powers in  
9 districts which it may create for different purposes, or throughout the county, and for  
10 such purposes to levy county taxes, to issue bonds, assessment certificates, and  
11 improvement bonds, or any other evidence of indebtedness. The powers hereby  
12 conferred under this section may be exercised by the county board in any town, city  
13 or village city, village, or town, or part thereof located in such the county upon the  
14 request of any such town, city or village city, village, or town, evidenced by a  
15 resolution adopted by a majority vote of the members-elect of its governing body,  
16 designating the particular park function, duty, or act, and the terms, if any, upon  
17 which the same shall be exercised by the county board. Such The resolution shall  
18 state whether the authority or function is to be exercised exclusively by the county  
19 or jointly by the county and the town, city or village city, village, or town, and shall  
20 also state that the exercise of such the power by the county is in the public interest.  
21 Upon the receipt of the resolution, the county board may, by a resolution adopted by  
22 a majority vote of its membership, elect to assume the exercise of such the authority  
23 or function, upon the terms and conditions set forth in the resolution presented by  
24 the town, city or village city, village, or town. A city, village, or town that wishes to  
25 create or participate in a local park district under s. 27.161, or terminate its

## BILL

1 participation with a county under s. 27.161 (1) (a) 4., may negotiate the termination  
2 of any agreement entered into with a county under this subsection ~~or may remain~~  
3 ~~a party to the agreement.~~

4 **SECTION 71.** 27.075 (2) of the statutes is amended to read:

5 27.075 (2) The county board of any such county, or the commission of a local  
6 park district created under s. 27.161, may, by a resolution adopted by a majority of  
7 its membership, propose to the towns, cities and villages cities, villages, and towns  
8 located in such the county, or any of them, that it offers to exercise such the powers  
9 and functions therein in order that are necessary to consolidate municipal park  
10 services and functions in said the county. Such The resolution shall designate the  
11 particular function, duty, or act and the terms and conditions, if any, upon which the  
12 county board or district will perform the same. The powers conferred in sub. (1) and  
13 designated in such the resolution may thereafter be exercised by the county board,  
14 or commission, in each such town, city or village which shall accept such city, village,  
15 or town which accepts the proposal by the adoption of a resolution by a majority vote  
16 of the members-elect of its governing body, except that no governing body may accept  
17 any proposal described under this subsection unless it contains a provision under  
18 which the city, village, or town may terminate its agreement with the county or the  
19 district so that the city, village, or town may create or participate in a local park  
20 district under s. 27.161.

21 **SECTION 72.** 27.075 (3) of the statutes is amended to read:

22 27.075 (3) After the adoption of resolutions by the county board, the county  
23 board shall have full power to or the commission as defined in s. 27.16 (2), the board  
24 or commission may legislate upon and administer the entire subject matter  
25 committed to it, and among other things, to and may determine, where not otherwise

**BILL**

1 provided by law, the manner of exercising the power thus assumed. No county may  
2 exercise any power under this section in a local park district created under s. 27.161.

3 **SECTION 73.** 27.075 (4) of the statutes is amended to read:

4 27.075 (4) ~~The town, city or village concerned~~ A city, village, or town may enter  
5 into ~~necessary~~ contracts with the county, or the district as defined in s. 27.16 (4), and  
6 appropriate money to pay the county or the district, for the reasonable expenses  
7 incurred in rendering the park services assumed. ~~Such~~ The contract shall also  
8 provide a procedure for the termination of the contract by any city, village, or town  
9 that wishes to create or participate in a local park district under s. 27.161. The  
10 expenses may be certified, returned, and paid as are other county charges, and, in  
11 the case of services performed pursuant to under a proposal for the consolidation  
12 thereof of municipal park services initiated by the county board or district and made  
13 available to each ~~town, city and village~~ city, village, and town in the county on the  
14 same terms, the expenses thereof shall be certified, returned, and paid as county  
15 charges; but ~~in the event that each and every town, city and village~~ if every city,  
16 village, and town in the county ~~shall accept such~~ accepts the proposal of the county  
17 board or district the expenses thereof shall be paid by county or district taxes to be  
18 levied and collected as are other taxes for county purposes. ~~Said towns, cities and~~  
19 ~~villages are vested with all necessary power to do the things herein required, and to~~  
20 ~~do all things and to exercise or relinquish any of the powers herein provided or~~  
21 ~~contemplated.~~ The procedure herein provided in this section for the request or  
22 acceptance of the exercise of the powers conferred on the county board or district  
23 commission in cities and villages is ~~hereby prescribed~~ as a special method of  
24 determining the local affairs and government of such cities and villages pursuant to  
25 article XI, section 3, of the constitution.