

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0613/P9dn
EVM:sac:jm

December 20, 2013

ATTN: Rob Kovach

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. Would you like s. 66.0809 (3m) (b) to read more generically, e.g., “if a person has paid the municipality the amount . . . the municipality shall transfer the lien . . . to that person?”
2. Should s. 66.0809 (3m) (b) have an option of cancelling the lien?
3. This draft does not contain treatment of s. 62.69. Section 66.0809 is a relatively generic provision governing municipal public utilities. Generally, its provisions would apply to a public utility of a 1st class city, including, presumably, the Milwaukee water system under s. 62.69. However, since the Milwaukee water system has specific rules under s. 62.69, generally, where the rules conflict, the more specific statute governs.

That said, if you want complete conformity between the Milwaukee water system and municipal public utilities, repealing s. 62.69 should have this effect. Similarly, simply repealing the specific arrearage collection procedure in s. 62.69 (2) (f) should make the collection procedure in s. 66.0809 applicable.

How much of s. 66.0809 do you want to apply to the Milwaukee water system? Just the changes in s. 66.0809 (3m)? All of the changes to s. 66.0809 made in this draft? Are there any provisions of existing s. 62.69 that do not correspond to provisions treated in this draft that you would like repealed or amended? For example, s. 62.69 (2) (e) does not conform to s. 66.0809 (3) (a), but s. 66.0809 (3) (a) is not significantly amended in this draft.

Please let me know if you would like any changes made to the attached draft or if you have any questions.

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