

No. 472, A.]

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CHAPTER 65.

AN ACT to amend 87.11 (1) and to repeal and recreate 87.11 (2) of the statutes, relating to interstate toll bridges.

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

SECTION 1. Subsection (1) of section 87.11 of the statutes is amended to read:

(87.11) (1) Any town, or any village or city however organized, bordering upon any navigable waters which form the boundary line between this and another state, may construct, maintain and operate a foot and * * * *vehicular* toll bridge over and across such *river or* waters, commencing at a point within or near the limits of such town, village or city, or may acquire, maintain and operate any such toll bridge which spans any such *river or* waters, whether such bridge is located wholly or partly only within the boundaries of this state and * * * *whether such bridge is located within or only partly within and partly without* the limits of such town, village or city.

SECTION 2. Subsection (2) of section 87.11 of the statutes is repealed and recreated to read:

(87.11) (2) (a) Before any such toll bridge is constructed or acquired under this section, a resolution authorizing the construction or acquisition thereof and specifying the method of payment therefor, shall be adopted by a majority of the members of the governing body of such town, village or city at a regular meeting, after publication of said resolution, at least one week previous in the official newspaper. The resolution shall include a general description of the property it is proposed to acquire or construct. Any town, village or city constructing or acquiring a toll bridge under this section may provide for the payment of the same or any part thereof from the general fund, from taxation, or from the proceeds of either municipal bonds, mortgage bonds, mortgage certificates or as otherwise provided by law. Such resolution shall not be of force or effect until 15 days after its passage and publication. If within said 15 days a petition shall be filed with the clerk of such municipality signed by 20 per cent of the electors thereof re-

questing that the question of acquiring such toll bridge be submitted to the said electors, such question shall be submitted at any general or regular municipal election that may be held not less than 10 nor more than 40 days from the date of filing such petition. In case no such general or regular municipal election is to be held within such stated period, then the governing body of such municipality shall order a special election to be held within 30 days from the filing of such petition upon the question of whether such toll bridge shall be acquired by said municipality. The question submitted to the electors shall specify the method of payment for such toll bridge as provided in the resolution for the acquisition thereof. If no such petition shall be filed, or if the majority of votes cast at such referendum election shall be in favor of the acquisition of such toll bridge, then the resolution of the governing body for the acquisition of such toll bridge shall be of full force and effect.

(b) Where such payment is to be made in whole or in part through the issuance of mortgage bonds or mortgage certificates, such bonds or certificates shall be issued in the manner provided in subsection (9) of section 66.06. The amount of all incidental expenses incurred in connection with the construction or acquisition of the bridge and in connection with the authorization and issuance of the bonds or certificates may be included in the amount for which bonds or certificates are issued. Such mortgage bonds or certificates shall be payable solely from the revenues to be derived from the operation of the bridge and shall not constitute a general indebtedness of the town, village or city. Any toll bridge property owned or acquired pursuant to this section is defined and declared to be a public utility. The provisions of subsection (10) of section 66.06 shall be applicable to the management of such bridge and the provisions of subsections (9) and (10) of section 66.06 shall govern insofar as they may be applicable.

SECTION 2. This act shall take effect upon passage and publication.

Approved April 29, 1941.