

CHAPTER 70

Assembly Bill 64

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CHAPTER 70

AN ACT to create 88.15 (5m) and 88.16 (1m) of the statutes, relating to transition under the drainage district law.

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

SECTION 1. 88.15 (5m) of the statutes is created to read:

88.15 (5m) The time for filing and approving the report required by sub. (2) is extended one year from the dates specified in sub. (5) with the following results:

(a) The report specified in sub. (2) may be filed at any time prior to January 1, 1966, and approved prior to January 1, 1967. This extension of time does not affect the validity of any report which has been approved in accordance with the terms of subs. (2) to (5) prior to the effective date of this subsection (1965).

(b) A town drain for which the report required by sub. (2) has not been filed within the time specified in sub. (5) but for which such report is filed within the time specified in par. (a) is deemed to have continued in existence as a town drain after January 1, 1965, notwithstanding any provision to the contrary in chapter 572, laws of 1963. Any action taken by such town drain between January 1, 1965, and the time its report is approved under this subsection or January 1, 1967, whichever occurs first, is declared to be valid if it would be valid under the law applicable to such town drain as of December 31, 1964.

SECTION 2. 88.16 (1m) of the statutes is created to read:

88.16 (1m) The time for making an election to operate under this section is hereby extended for one year from the dates specified in sub. (1), with the following results:

(a) The petition specified in sub. (1) may be filed at any time prior to September 1, 1965, for an election to start operating under this section on January 1, 1966. This extension of time does not affect the validity of any election which has been made in accordance with the terms of sub. (1) prior to the effective date of this subsection (1965).

(b) A drainage district and its board which make an election to operate under this section by filing its petition as authorized by par. (a) is deemed to have continued in existence as a chapter 89 district and board after January 1, 1965, notwithstanding any provision to the contrary in chapter 572, laws of 1963. Any action taken by such district or board prior to January 1, 1966, which would be valid under chapter 89, 1963 stats., is declared to be valid. Any action taken by a county drainage board on the supposition that such drainage district came under its jurisdiction on January 1, 1965, also is declared to be valid. Any records or funds which have been transferred to the clerk of court under s. 88.15 (6) shall be returned to the district, except for funds which have been disbursed on behalf of such district during the period between the transfer of the funds and the election to operate under this section.

Approved May 27, 1965.