

1983 Senate Bill 259

Date of enactment: June 22, 1983
Date of publication: June 28, 1983

1983 Wisconsin Act 24

AN ACT to repeal 59.91, 66.54 (11) (b) 3, 67.01 (8) (e) and 67.12 (12) (f); to renumber and amend 67.10 (2); to amend 27.065 (7) (b) and (9) (b) and (c), 30.35 (3), 60.307 (6) and (7), 66.059 (2), 66.066 (2) (a) 1 and (m) 2, 66.073 (12) (a), 66.25 (10), 66.38 (4) (a), 66.40 (14) (a), 66.43 (14), 66.431 (5) (a) 4.c, 66.51 (3), 66.521 (4) (c), 66.54 (10) (b) and (11) (b) 2, 66.94 (15) (c), 67.01 (8) (intro.), 67.08 (1), 67.09, 67.10 (9), 67.12 (1) (c) and (8), 67.12 (12) (d), 67.125, 67.13 (2), 67.156 (2), 88.54 (7) and 213.09 (7) (b); to repeal and recreate 66.40 (14) (c); and to create 67.09 (3), 67.10 (2) (a) to (j) and 67.12 (9) (c) of the statutes, relating to executing and registering municipal obligations.

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

SECTION 1. 27.065 (7) (b) and (9) (b) and (c) of the statutes are amended to read:

27.065 (7) (b) Such certificates or bonds shall be in such form and bear such interest not exceeding 6% per year as the county board may prescribe, shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. They may be made payable to the bearer with interest coupons attached, and the county board may bind the county to make good deficiencies in the collection up to but not exceeding the principal and interest, at the rate fixed, and for the time specified, upon such terms and conditions as the county board may prescribe. ~~In cases where~~ If the county board makes good any such deficiencies the county shall thereupon become the owner of the certificate or bond and shall succeed to all the rights of such owner hereunder in addition to all other rights of the county provided by law in cases of delinquent taxes on lands.

(9) (b) After the expiration of said 30 days the county board may issue special improvement bonds covering all of the assessments except such as the owners have filed notices of election to pay as provided in this section. ~~Said bonds shall be signed by the chairman of the county board and the county clerk, be sealed with the corporate seal of the county, and contain such recitals as may be necessary to show~~ These bonds shall be executed as provided in s. 67.08 (1) and shall include a statement that they are chargeable to the particular property, specifying the same against which parcels assessments have been made to pay the cost of improvement. Such recitals ~~This statement~~ need not set forth the particular description of ~~said lands~~ the property at length but shall be sufficient ~~if they contain~~ it contains a reference to the record of such description in the office of the register of deeds of the county, and such particular description of all lands covered by said assessments shall be recorded in the office of the register of deeds of the county wherein said lands are situated in addition to being filed in the office of the county clerk.

(c) Said bonds may be annual or semiannual interest coupon bonds or ~~registered~~ bonds that are registered under s. 67.09 without interest coupons, as the county board may direct, the total issue in each case shall be payable in annual instalments for a period not exceeding 10 years from the date of issue, and shall draw interest at a rate not exceeding 6% per year, interest payable annually or semiannually, as the county board may direct; such bonds may be of such denomination as the county board shall determine and

shall be sold at not less than par. The proceeds of the sale of such bonds shall be credited by the county treasurer to the special fund for the improvement of such streets or parkways, and may be paid to the contractor for such work when payment is due him and the county board shall so direct, or the contractor may take such bonds as payment for work done with the permission of the county board.

SECTION 2. 30.35 (3) of the statutes is amended to read:

30.35 (3) FORM OF THE BONDS OR NOTES. Revenue bonds, refunding bonds and bond anticipation notes shall be in the form designated by the governing body and, shall be signed by those persons who regularly execute instruments of indebtedness on behalf of the municipality. ~~Any of such signatures may be in facsimile form, except that at least one shall be a manual signature executed as provided in s. 67.08 (1) and may be registered under s. 67.09.~~

SECTION 3. 59.91 of the statutes is repealed.

SECTION 4. 60.307 (6) and (7) of the statutes are amended to read:

60.307 (6) Every bond so issued by a town sanitary district shall be a negotiable instrument, payable to bearer, ~~but may be or registered as to principal, and under s. 67.09,~~ shall mature in a period not exceeding 20 years from the date thereof of the bonds and shall bear interest. It Each bond shall contain a statement of the equalized value of all of the taxable property in the district, the aggregate amount of the existing bonded indebtedness of such district, and that a direct annual irrepealable tax has been levied by the district sufficient to pay the interest thereon when it falls due and also to pay and discharge the principal thereof at maturity.

(7) The bonds shall be executed in the name of the town sanitary district, ~~by the president and secretary, and shall be sealed with the seal of the district, provided that such district has a seal as provided in s. 67.08 (1).~~ The bonds shall be negotiated and sold, or otherwise disposed of, for not less than par and accrued interest, by the commission, and such negotiation and sale or other disposition may be effected by disposition from time to time of portions only of the entire issue, when the purpose for which the bonds have been authorized does not require an immediate realization upon all of them.

SECTION 5. 66.059 (2) of the statutes is amended to read:

66.059 (2) The governing body of the municipality proposing to issue public improvement bonds shall adopt a resolution authorizing their issuance. The resolution shall set forth the amount of bonds authorized, or a sum not to exceed a stated amount, and the purpose for which the bonds are to be issued. The resolution shall prescribe the terms, form and contents of the bonds and such other matters as the governing body deems necessary or advisable. The bonds may be in any denomination of not less than \$1,000, shall bear interest payable annually or semiannually, shall be payable not later than 20 years from the date of the bonds, at such times and places as the governing body determines, and may be subject to redemption prior to maturity on such terms and conditions as the governing body determines. The bonds may be issued either payable to bearer with interest coupons attached thereto, ~~registrable as to principal only or as to both principal and interest, or may be issued in fully registered form or may be registered under s. 67.09.~~ The bonds may be sold at public competitive sale or by private negotiation at the discretion of the governing body. Sections 67.08, ~~67.09~~ and 67.10 apply to public improvement bonds, except insofar as they are in conflict herewith, in which case this section controls.

SECTION 6. 66.066 (2) (a) 1 and (m) 2 of the statutes are amended to read:

66.066 (2) (a) 1. The board or council shall order the issuance and sale of bonds bearing interest payable semiannually, ~~executed by the chief executive and the clerk as provided in s. 67.08 (1)~~ and payable at such times not exceeding 40 years from the date thereof, and at such places, as the board or council of such municipality shall determine,

which bonds shall be payable only out of the special redemption fund. Each such bond shall state plainly upon its face that it is payable only from the special redemption fund, naming the ordinance creating it and that it does not constitute an indebtedness of such municipality. The bonds may be issued either as registered bonds under s. 67.09 or as coupon bonds payable to bearer. ~~Coupon and bearer bonds may be registered as to principal in the holder's name on the books of such municipality, such registration being noted on the bond by the clerk or other designated officer, after which no transfer shall be valid unless made on the books of such municipality by the registered holder and similarly noted on the bond. Any bond so registered as to principal may be discharged from such registration by being transferred to bearer after which it shall be transferable by delivery but may be again registered as to principal as before. The registration of the bonds as to the principal shall not restrain the negotiability of the coupons by delivery merely, but the coupons may be surrendered and the interest made payable only to the registered holder of the bonds. If the coupons are surrendered, the surrender and cancellation thereof shall be noted on the bond and thereafter interest on the bond shall be payable to the registered holder or order in cash or at his option by check or draft payable at the place or one of the places where the coupons were payable. Such bonds, Bonds shall be sold in such manner and upon such terms as the board or council deems for the best interests of said municipality.~~

(m) 2. Such bond anticipation notes and any renewals thereof may be issued for periods of up to 5 years in the aggregate; ~~they~~. These notes shall mature within 5 years of the date of the notes originally issued and, shall be executed as are mortgage bonds; they provided in s. 67.08 (1) and may be registered under s. 67.09. ~~These notes shall recite on the face thereof include a statement that they are payable from proceeds of mortgage bonds issued under this section. The rate of interest borne by said bond anticipation notes shall not exceed the maximum rate of interest authorized to be borne by said mortgage bonds. Such bond anticipation notes shall not be deemed a general obligation of the town, village, city or power district issuing them, and no lien shall be created or attached with respect to any property of the utility as a consequence of the issuance of such notes.~~

SECTION 7. 66.073 (12) (a) of the statutes is amended to read:

66.073 (12) (a) Bonds of an electric company shall be authorized by resolution of the board of directors and may be issued under such resolution or under a trust indenture or other security instrument in one or more series and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in ~~such form, either the form of coupon bonds or registered, carry such conversion or registration privileges~~ bonds under s. 67.09, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium), as such resolution, trust indenture or other security instrument may provide, and without limitation by the provisions of any other law limiting amounts, maturities or interest rates.

SECTION 8. 66.25 (10) of the statutes is amended to read:

66.25 (10) **BORROWING; INSTRUMENT.** Every bond so issued by a district shall be a negotiable instrument payable to bearer, or, in case of bonds which are registerable, to bearer or the registered owner, with interest coupons attached payable annually or semi-annually. They shall be payable not later than the termination of 20 years immediately following the date of the bonds; shall bear interest; shall specify the times and the place, or places, of payment of principal and interest; shall be numbered consecutively with the other bonds of the same issue ~~which shall begin with number one and continue upward, or, if so directed by the commission, shall begin with any other number and continue upward; shall bear on its face a name indicative of, shall include a statement of the purpose of issuance as specified therefor in the resolution; shall contain a statement of the value of all of the taxable property in the district according to the last preceding assess-~~

ment thereof for state and county taxes, the aggregate amount of the existing bonded indebtedness of such district, that a direct annual irrevocable tax has been levied by the district sufficient to pay the interest when it falls due, and also to pay and discharge the principal at maturity; and ~~may contain any other statement of fact not in conflict with the initial resolution shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09.~~ The entire issue may be composed of a single denomination, or 2 or more denominations.

SECTION 9. 66.38 (4) (a) of the statutes is amended to read:

66.38 (4) (a) The legislative body of any municipality may issue mortgage revenue bonds by resolution, to finance low-interest mortgage loans under this section. The resolution shall state the maximum dollar amount of authorized bonds and the purpose for which the municipality may issue the bonds. The resolution shall state the terms, form and content of the bonds. These bonds may be registered under s. 67.09.

SECTION 10. 66.40 (14) (a) of the statutes is amended to read:

66.40 (14) (a) Bonds of an authority shall be authorized by its resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form, ~~either coupon or registered~~ the form of coupon bonds or of bonds registered under s. 67.09, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption ~~(, with or without premium),~~ as such resolution, its trust indenture or mortgage may provide. Any bond reciting in substance that it has been issued by an authority to aid in financing a housing project to provide dwelling accommodations for persons of low income shall be conclusively deemed, in any suit, action or proceeding involving the validity or enforceability of such bond or the security therefor, to have been issued for a housing project of such character. Bonds of an authority are declared to be issued for an essential public and governmental purpose and to be public instrumentalities and, together with interest thereon and income therefrom, shall be exempt from taxes.

SECTION 11. 66.40 (14) (c) of the statutes is repealed and recreated to read:

66.40 (14) (c) The bonds shall be executed as provided in s. 67.08 (1).

SECTION 12. 66.43 (14) of the statutes is amended to read:

66.43 (14) LIMITED OBLIGATIONS. For the purpose of carrying out or administering a redevelopment plan or other functions authorized under this section, any city is hereby authorized ~~(without limiting its authority under any other law) to issue from time to time bonds of the city which are~~ may issue municipal obligations payable solely from and secured by a pledge of and lien upon any or all of the income, proceeds, revenues, funds and property of the city derived from or held by it in connection with redevelopment projects ~~undertaken pursuant to this section,~~ including the proceeds of grants, loans, advances or contributions from ~~the federal, state or county governments or from other sources (including financial assistance furnished by the city or any other public body).~~ Bonds any public or private source. Municipal obligations issued pursuant to this authority under this subsection may be registered under s. 67.09 but shall otherwise be in such form, mature at such time or times, bear interest at such rate or rates, be issued and sold in such manner, and contain such terms, covenants, and conditions as the local legislative body of the city shall, by resolution, determine. Such bonds ~~The municipal obligations~~ shall be fully negotiable, shall not require a referendum, and shall not be subject to the provisions of any other law or charter relating to the issuance or sale of ~~bonds~~ municipal obligations. Obligations under this section sold to the United States government need not be sold at public sale. ~~As used in this section, "bonds" shall mean any bonds (including refunding bonds), notes, interim certificates, debentures or other~~

obligations. In this subsection, “municipal obligation” has the meaning specified in s. 67.01 (2).

SECTION 13. 66.431 (5) (a) 4. c of the statutes is amended to read:

66.431 (5) (a) 4. c. To issue bonds ~~from time to time~~ in its discretion to finance its activities under this section, including, ~~without limiting the generality thereof,~~ the payment of principal and interest upon any advances for surveys and plans, and ~~shall have power to~~ may issue refunding bonds for the payment or retirement of such bonds previously issued by it. Such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the authority derived from or held in connection with its undertaking and carrying out of projects under this section; provided that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the federal government or other source, in aid of any projects or activities of the authority under this section, and by a mortgage of any such projects, or any part thereof, title to which is in the authority. Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction of the state, city or of any public body other than the authority issuing the bonds, and shall not be subject to any other law or charter relating to the authorization, issuance or sale of bonds. Bonds issued under this section are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempt from all taxes. Bonds issued under this section shall be authorized by resolution of the authority and may be issued in one or more series and shall bear such date, be payable upon demand or mature at such time, bear interest at such rate, be in such denomination, be in such form either with or without coupon or registered, carry such conversion or registration privileges, have such rank or priority, ~~be executed in such manner,~~ be payable in such medium of payment, at such place, and be subject to such terms of redemption ~~(with or without premium),~~ be secured in such manner, and have such other characteristics, as is provided by the resolution, trust indenture or mortgage issued pursuant thereto. Bonds issued under this section shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. Except as provided under sub. (5m) (a), such bonds may be sold at not less than par at public sale held after a class 2 notice, under ch. 985, published prior to such sale in a newspaper having general circulation in the city and in such other medium of publication as the authority determines or may be exchanged for other bonds on the basis of par. Such bonds may be sold to the federal government at private sale ~~(without publication of any notice),~~ at not less than par, and, if less than all of the authorized principal amount of such bonds is sold to the federal government, the balance may be sold at private sale at not less than par at an interest cost to the authority of not to exceed the interest cost to the authority of the portion of the bonds sold to the federal government. ~~In case any of the officials of the authority whose signatures appear on any bonds or coupons issued under this section cease to be such officials before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery.~~ Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this section shall be fully negotiable. In any suit, action or proceeding involving the validity or enforceability of any bond issued under this section or the security therefor, any such bond reciting in substance that it has been issued by the authority in connection with a project or activity under this section, shall be conclusively deemed to have been issued for such purpose and such project or activity shall be conclusively deemed to have been planned, located and carried out in accordance with this section.

SECTION 14. 66.51 (3) of the statutes is amended to read:

66.51 (3) The provisions of s. 66.066 relating to the issuance of revenue bonds by cities for public utility purposes, insofar as applicable ~~shall, and the provisions of ss. 67.08 (1) and 67.09 relating to the execution and registration of municipal obligations~~ apply to the issuance of revenue bonds under this section.

SECTION 15. 66.521 (4) (c) of the statutes is amended to read:

66.521 (4) (c) The bonds may be executed and delivered at any time; be in such form and denominations, without limitation as to the denomination of any bond, any other law to the contrary notwithstanding; ~~be of such tenor; be fully registered; registrable as to principal or in bearer form; be transferable; registered under s. 67.09;~~ be payable in one or more instalments and at such time, not exceeding 35 years from their date; be payable prior to maturity on such terms and conditions; be payable both with respect to principal and interest at such place in or out of this state; bear interest at such rate, either fixed or variable in accordance with such formula; be evidenced in such manner; and may contain other provisions not inconsistent ~~herewith, all as shall be provided in respect of the foregoing or other matters in the proceedings of the governing body where under the bonds are authorized to be issued~~ with this section as specified by the governing body.

SECTION 16. 66.54 (10) (b) and (11) (b) 2 of the statutes are amended to read:

66.54 (10) (b) The issue of such bonds shall be in an amount not to exceed the aggregate unpaid special assessments levied for the public improvement which such issue is to finance. A separate bond shall be issued for each separate assessment and said bond shall be secured by and be payable out of only the assessment against which it is issued. Such bonds shall mature in the same number of instalments as said special assessments. Such bonds shall carry coupons equal in number to the number of special assessments, which coupons shall be detachable and entitle the owner thereof to the payment of principal and interest collected on the underlying special assessments. ~~Such bond shall be signed by the chief executive and the clerk of the municipality and the corporate seal of the municipality shall be affixed thereto and the bond shall contain such recitals as may be necessary to show~~ executed as provided in s. 67.08 (1) and may be registered under s. 67.09. Each bond shall include a statement that it is payable only out of the special assessment on the particular property against which it is issued and the purpose for which same was levied and such other provisions as the governing body shall deem proper to insert.

(11) (b) 2. The issue of such bonds shall be in an amount not to exceed the aggregate unpaid special assessments levied for the public improvement or projects which such issue is to finance. Such bonds shall mature over substantially the same period of time in which the special assessment instalments are to be paid. Such bonds shall be bearer bonds or may be registered bonds ~~as to principal or as to principal and interest as determined by the governing body under s. 67.09.~~ The bonds shall be signed by the chief executive and the clerk of the municipality, ~~and the corporate seal of the municipality shall be affixed thereto, and it shall contain such recitals as are necessary to show~~ executed as provided in s. 67.08 (1) and shall include a statement that they are payable only from the special sinking fund provided for in subd. 4 and a fund created under sub. (15) for the collection and payment of such special assessment and such other provisions as the governing body deems proper to insert.

SECTION 17. 66.54 (11) (b) 3 of the statutes is repealed.

SECTION 18. 66.94 (15) (c) of the statutes is amended to read:

66.94 (15) (c) *Terms.* ~~They~~ Bonds or certificates issued under this subsection may bear such date or dates, may mature at such time or times not exceeding 40 years from the date of issue, may bear interest at such rate to be paid semiannually, may be in such form, ~~may carry such registration privileges,~~ may be executed in such manner, may be payable at such place, may be made subject to redemption in such manner and upon such

terms with or without premium as is stated on the face thereof, may be authenticated in such manner and may contain such terms and covenants as may be provided in such ordinance. These bonds and certificates may be registered under s. 67.09.

SECTION 19. 67.01 (8) (intro.) of the statutes is amended to read:

67.01 (8) (intro.) This chapter, except ss. 67.08 (1), 67.09 and 67.10, is not applicable:

SECTION 20. 67.01 (8) (e) of the statutes is repealed.

SECTION 21. 67.08 (1) of the statutes is amended to read:

67.08 (1) ~~Municipal bonds obligations~~ shall be executed in the name of and for the municipality issuing them by their qualified officers who shall, for that purpose, sign the same in their official capacities, as follows: ~~For~~ for a county, the chairman of the county board and the county clerk; for a city, the mayor or the city manager and the city clerk; for a village, the president and the village clerk; for a town, the chairman and the town clerk; for a metropolitan sewerage district established under ss. 66.88 to 66.918, the chairperson and secretary; for any other municipality, the president and clerk or secretary of the governing body. The facsimile signature of any of the officers executing a municipal ~~bond~~ obligation may be imprinted on the ~~bond~~ municipal obligation in lieu of the manual signature of the officer; but, unless a municipality has contracted with a fiscal agent under s. 67.10 (2) to authenticate the municipal obligation, at least one of the signatures appearing on each ~~bond~~ municipal obligation shall be a manual signature. ~~Bonds issued under this chapter~~ Municipal obligations bearing the signatures of officers in office on the date of the execution of the ~~bonds~~ are municipal obligations remain valid and binding ~~obligations, notwithstanding that even if~~ before the delivery of the ~~bonds~~ municipal obligations any or all of the persons whose signatures appear on the ~~bonds~~ municipal obligations have ceased to be officers of the municipality issuing them. Each ~~bond~~ municipal obligation issued by a municipality having an official or corporate seal shall be sealed with such seal or a printed facsimile of such seal. This subsection shall apply to mortgage revenue bonds under s. 66.066.

SECTION 22. 67.09 of the statutes is amended to read:

67.09 (title) Registration of municipal obligations. (1) All municipal ~~bonds issued by any municipality~~ obligations may be payable to bearer or may be registered as to the principal or principal and interest by the clerk or treasurer of the municipality issuing them or such other officers or agents, including fiscal agents under s. 67.10 (2), as the governing body of the municipality determines. ~~Registrations by municipal clerks or the other designated officers~~ shall be recorded in a bond register.

(2) The holder of any bearer ~~bond~~ municipal obligation registerable as herein provided may have the ownership thereof registered by the ~~officials~~ persons named in sub. (1) as therein provided, and such registration noted on the ~~bond~~ municipal obligation by or on behalf of the municipality. After such registration, no transfer thereof shall be valid unless made on the ~~records~~ bond register of the municipality by the registered owner in person or by his duly authorized attorney; and similarly noted on the ~~bond~~ municipal obligation, but the same may be discharged from registration by being in like manner transferred to bearer, and thereafter transferability by delivery shall be restored; but such bond may again be registered as to principal or as to principal and interest or transferred to bearer, as before. Registration only as to principal under this section shall not affect the negotiability of the appurtenant coupons, but every such coupon shall continue to be transferable by delivery merely and shall remain payable to bearer.

SECTION 23. 67.09 (3) of the statutes is created to read:

67.09 (3) Any municipality may establish a book entry system as a means of identifying the persons entitled to receive principal and interest payments on any of its municipal obligations, maintaining such a system itself or contracting for its maintenance.

SECTION 24. 67.10 (2) of the statutes is renumbered 67.10 (2) (intro.) and amended to read:

67.10 (2) FISCAL AGENTS. (intro.) The governing body of any municipality ~~that is indebted on account of outstanding municipal bonds~~ may appoint a fiscal agent located ~~in some city within or without the state, or, if deemed convenient, 2 such fiscal agents, each in a different city.~~ Every fiscal agent shall be an incorporated bank or trust company authorized by the laws of the United States or of the state in which it is located to do a banking or trust company business. ~~The treasurer of the municipality shall, when instructed by written communication from the municipality's governing body, deposit with such fiscal agent or agents such sums of money for the payment of the principal or interest of its bonds as may be specified for that purpose in such communication. or shall~~ be a Wisconsin governmental body or officer. This contract may create a trust relationship and may provide for the performance by the fiscal agent of any of the following functions:

SECTION 25. 67.10 (2) (a) to (j) of the statutes are created to read:

67.10 (2) (a) Distribution of municipal obligations.

(b) Payment of debt service.

(c) Investment of funds.

(d) Registration of municipal obligations.

(e) Maintenance of a book entry system.

(f) Transfer of municipal securities.

(g) Maintenance of registration books.

(h) Accounting for payment of debt service.

(i) Accounting for and cancellation of municipal obligations.

(j) Authentication of municipal obligations.

SECTION 26. 67.10 (9) of the statutes is amended to read:

67.10 (9) (title) ACCOUNTING FOR AND CANCELLATION OF COUPONS AND OTHER MUNICIPAL OBLIGATIONS. (a) Any municipality issuing ~~bonds pursuant to this chapter municipal obligations~~ may account for and cancel coupons or ~~bonds in the manner provided for by either this paragraph or par. (b)~~ other municipal obligations as provided under this subsection. The municipality shall keep in a separate book, provided for the purpose, an accurate description of every ~~bond~~ municipal obligation issued, specifying its number, date, purpose, amount, rate of interest, when payable, and the coupons attached; and shall enter therewith a statement of the date and amount of each payment of principal or interest thereon. Every ~~such bond and coupon~~ or other municipal obligation paid or otherwise retired shall be forthwith marked "canceled" by the officer empowered by law to accept a ~~surrender of the instrument upon payment thereof, and be by him, may be~~ delivered to the governing body of the municipality, ~~and by that body and may be~~ immediately destroyed.

(b) ~~Or such~~ Any municipality, by resolution adopted by its legislative body, may elect to use the following procedure in accounting for and ~~the cancellation of coupons and bonds canceling coupons and other municipal obligations.~~ All coupons and ~~bonds~~ other municipal obligations paid by a fiscal agent ~~or paying agent as described in~~ under sub. (2), at their ~~respective~~ maturities, shall be canceled and destroyed by the fiscal agent ~~or paying agent who.~~ The fiscal agent shall periodically deliver a certificate to such effect to the municipality. A municipality following this procedure, and whose which has a treasurer or other designated officer or agent who is also a paying agent for outstanding coupons or bonds, other municipal obligations or which has more than one fiscal agent, or paying agent, may arrange for the delivery of canceled bonds and coupons and other municipal obligations to a designated fiscal agent or paying agent for the purpose of

having the coupons and ~~bonds~~ other municipal obligations destroyed. The designated fiscal agent ~~or paying agent~~ shall periodically furnish and deliver to the municipality a certificate evidencing the destruction of the coupons and ~~bonds~~ other municipal obligations. Any municipality, prior to authorizing the fiscal agent ~~or paying agent~~ to cancel and destroy coupons and ~~bonds~~ other municipal obligations, shall enter into an agreement with the fiscal agent ~~or paying agent~~ providing for such cancellation and destruction. The local governing body of any municipality operating under this paragraph may establish ~~such~~ rules or procedures as may be deemed appropriate so as to effectively it finds appropriate to carry out this provision effectively.

SECTION 27. 67.12 (1) (c) and (8) of the statutes are amended to read:

67.12 (1) (c) To evidence such indebtedness the municipality shall execute to the lender its promissory note or notes payable with interest on or before the ~~thirtieth day of August 30~~ following the next tax levy, and signed by the same officers who are required by law to sign municipal bonds, or, in. Each promissory note shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. In lieu of such executing a promissory note the municipality may deliver to the lender an order drawn on its treasurer payable with or without interest on or before ~~said thirtieth day of August the August 30 following the next tax levy~~. Nothing in this chapter contained shall be construed as abrogating or in any way affecting those provisions of law which allow any city affects any city's authority to receive taxes before the time when they are by law payable, and or to issue negotiable certificates in evidence thereof of their receipt.

(8) TEMPORARY BORROWING BY SCHOOL BOARD. The school board of any common or union high school district or unified school district may borrow money as needed to meet the immediate expenses of operating and maintaining the public instruction in each district during the current school year. No such loan or loans except loans made by town boards to school districts shall be made to extend beyond November 1 of the following year. The total amount borrowed may not exceed one-half the estimated receipts for the operation and maintenance of the school district for the current school year in which the borrowing occurs, as certified by the state superintendent of public instruction and the local school clerk. Such borrowing may be done any time on or after July 1 of one year until June 30 of the following year. ~~All such loans shall be evidenced by lawfully authorized and drawn school orders, each order, when paid, to~~ To evidence a school loan the school district shall deliver to the lender its tax and revenue anticipation promissory note or notes or its school order. Each note and each order shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. Each note or order, when paid, shall be received and returned to the treasurer of the board.

SECTION 28. 67.12 (9) (c) of the statutes is created to read:

67.12 (9) (c) Instruments issued under this subsection shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09.

SECTION 29. 67.12 (12) (d) of the statutes is amended to read:

67.12 (12) (d) Such notes shall be ~~signed in the same manner and by the same officers as are required under s. 67.08 (1) to sign municipal bonds and shall carry on the face thereof~~ executed as provided in s. 67.08 (1), may be registered under s. 67.09 and shall include a statement specifying the provisions of the resolution authorizing the same or a digest thereof issuance or a reference to the same resolution so that it can be readily located; ~~and such notes shall be.~~ The notes are the general obligation of the county, city, village, town, school district, vocational, technical and adult education district, metropolitan sewerage district or town sanitary district issuing them.

SECTION 30. 67.12 (12) (f) of the statutes is repealed.

SECTION 31. 67.125 of the statutes is amended to read:

67.125 Temporary borrowing by cities, villages and towns. (1) In addition to the powers given under s. 67.12, any city, village or town which is in need of money to pay its current and ordinary expenses or to pay off valid obligations theretofore issued by such municipality under s. 67.12; may, by resolution adopted by at least a three-fourths' affirmative vote of all of the members-elect of its governing body, borrow money for such purposes in an amount not exceeding the portion of the uncollected delinquent taxes which are to be returned to such municipality ~~under the provisions of the law, when same shall have been collected~~ upon collection. Such loans shall be evidenced by ~~bonds or other evidence of indebtedness of the issuing municipality, bearing~~ municipal obligations that shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. ~~These municipal obligations shall bear interest and are payable at such times as the governing body shall determine, not exceeding, however, 5 years from the date of such bonds or evidences of indebtedness issuance.~~ All money received by such municipality from such delinquent taxes shall be paid into a sinking fund for the sole purpose of paying ~~said bonds or other evidences of indebtedness and the interest thereon~~ the interest and principal on these municipal obligations until the amount of such sinking fund ~~shall equal~~ equals the amount of interest and principal due and unpaid on ~~such bonds or other evidences of indebtedness.~~ ~~Such bonds or other evidences of indebtedness~~ the municipal obligations. ~~The municipal obligations shall be the general obligations of the issuing municipality issuing the same and the governing body shall before the issuance thereof levy by recorded resolution a direct annual tax sufficient in amount to pay, and for the express purpose of paying, the interest on such bonds or other evidences of indebtedness as it falls due and also to pay and discharge the principal thereof at maturity and principal on the municipal obligations.~~ Except as ~~herein~~ otherwise specifically provided ~~for in this subsection,~~ this chapter ~~relative to the issuance of bonds shall apply~~ applies to the issuance of ~~bonds or other evidences of indebtedness~~ municipal obligations under this subsection, but it shall not be necessary to submit the question of the issuance of such bonds or other evidences of indebtedness to the electors for approval.

(2) In addition to the powers given under s. 67.12 and in lieu of the power granted by sub. (1), any city, village or town which is in need of money to pay its current and ordinary expenses ~~or,~~ to pay off valid obligations theretofore issued by such municipality under s. 67.12; or to provide funds for public works; may by resolution adopted by at least a three-fourths' affirmative vote of all of the members-elect of its governing body; borrow money for such purposes in an amount not exceeding the portion of the uncollected delinquent taxes which are to be returned to such municipality ~~under the provisions of the law, when same shall have been collected~~ upon collection. Such loans shall be evidenced by ~~bonds or other evidences of indebtedness of the issuing municipality, bearing~~ municipal obligations that shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. ~~These municipal obligations shall bear interest at such rate and are payable at such times as the governing body shall determine, not exceeding, however, five 5 years from the date of such bonds or evidences of indebtedness~~ the municipal obligations. All money received by such municipality from such delinquent taxes shall be paid into a sinking fund for the sole purpose of paying ~~said bonds or other evidences of indebtedness and the interest thereon~~ the interest and principal on the municipal obligations until the amount of such sinking fund ~~shall equal~~ equals the amount of interest and principal due and unpaid on ~~such bonds or other evidences of indebtedness.~~ ~~Such bonds or other evidences of indebtedness shall not be~~ the municipal obligations. ~~The municipal obligations are not the general obligations of the issuing municipality issuing the same.~~ It shall not be necessary to submit the question of the issuance of ~~such bonds or other evidences of indebtedness~~ these municipal obligations to the electors for approval.

SECTION 32. 67.13 (2) of the statutes is amended to read:

67.13 (2) (a) Bonds authorized to be issued under this section may be sold from time to time as ordered by resolutions adopted by the county board, and as the necessity for providing funds for construction arises. Any resolution authorizing any such sale shall specify the amount of the bonds to be sold, the dates and denominations of such bonds, the time of payment of principal and interest thereof, and the manner in which such bonds shall be negotiated; ~~and, Except as provided in par. (b), as part of any such resolution, or a any subsequent resolution confirming and approving the sale, the county board shall specify the interest rate which the bonds shall bear and the place of payment of principal and interest, and shall also levy the a direct annual irrevocable tax for each year sufficient to pay the interest and principal as it falls due; provided, however, the~~

(b) ~~The issuance of such bonds under this section may be conditioned upon all or part of the money for the interest thereon being privately contributed and deposited in the county treasury before the bonds are negotiated, in which case, the levy of taxes therefor under par. (a) may be suspended until necessary therefor. Such deposit shall be deemed is sufficient if it is in an amount actually invested to the satisfaction of the county treasurer and the securities are deposited in the county treasury to seasonably produce the money to pay such interest, and this shall apply to bonds heretofore issued, or voted to be issued on substantially such a similar plan. Nothing in this section shall require that all such~~

(c) ~~This section does not require that all bonds shall bear the same date of issuance or that the whole or any part of any bond issue authorized under this section must be sold at any specific time. The bonds shall not be sold for less than par and accrued interest. The bonds shall be signed by the chairman of the county board and the county clerk in their official capacities and be sealed with the county seal. They executed as provided in s. 67.08 (1) and may be registered under s. 67.09. The bonds shall be in the form approved by the department of transportation, and 3 certified copies of such approved form shall be furnished by the department of transportation to a county having voted to issue bonds pursuant to this section. The cost of printing the bonds, unless borne by the purchaser as part of the purchase price, shall be paid by the county as a county highway administrative cost. The amendment (1947) of this subsection and sub. (1) shall in no way invalidate any bonds issued, or any proceedings for the issuance of bonds taken prior to July 30, 1947.~~

SECTION 33. 67.156 (2) of the statutes is amended to read:

67.156 (2) Every such loan shall be evidenced by the issuance of negotiable interest payment coupon bonds bearing interest at a rate not exceeding ~~6 per cent %~~ per year and maturing serially in such amounts in not more than 10 years from date as may be specified in the resolution authorizing such bonds. Such bonds shall not exceed, with all other county indebtedness, the constitutional limit and shall be further limited in amount to the amount of all such tax certificates owned by such county and not otherwise pledged as collateral security for any loan to be determined by the county board as of the day such bonds are dated, and such finding shall be conclusive. The resolution authorizing such bonds shall specify the amount of the issue, the denomination thereof, the time and place of payment of principal and interest and the manner in which the same shall be negotiated and shall not be subject to any referendum vote or to any election requirement under this chapter. It shall also provide for the levy of a direct annual tax without limit as to rate or amount sufficient to pay the interest on such bonds as it falls due and the principal thereof within the time fixed therefor. ~~The bonds shall be signed by the chairman of the county board and the county clerk in their official capacities, and be sealed with the county seal executed as provided in s. 67.08 (1), may be registered under s. 67.09 and shall not be sold at less than 95 per cent % of par.~~

SECTION 34. 88.54 (7) of the statutes is amended to read:

88.54 (7) The board shall keep a record of all bonds and notes issued on behalf of a district. Such record shall show with respect to each bond and note the number, series, date, principal, rate of interest and date of maturity thereof, the date when interest is due thereon and any payments made. If a bond or note is refunded it shall be marked "Refunded by No.". The board shall execute all bonds or notes it offers to the public that mature after more than one year as provided in s. 67.08 (1) and may register these bonds or notes under s. 67.09.

SECTION 35. 213.09 (7) (b) of the statutes is amended to read:

213.09 (7) (b) Every bond so issued shall be a negotiable instrument payable to bearer but may be registered as to principal and shall mature in a period not exceeding 15 years from date thereof and bear interest at a rate not exceeding 6 ~~per cent~~ % per year. ~~Said~~ These bonds shall be executed by the chairman and town clerk and shall be sealed with the seal of such town provided that such town has a corporate seal as provided in s. 67.08 (1) and may be registered under s. 67.09. The bonds shall be negotiated and sold at not less than par and accrued interest by the town board in such manner as they shall deem to be for the best interests of the unincorporated village.
