

1985 Assembly Bill 7

Date of enactment: November 4, 1985
Date of publication: November 12, 1985

1985 Wisconsin Act 49

AN ACT to renumber and amend 24.66 (5); to amend 24.60 (2), 24.66 (2) (title), 66.886 (2) (a) 1 and 144.07 (4) (d); and to create 24.61 (3) (a) 5 to 8, 24.66 (2p), 24.66 (2r) and 24.66 (5) (b) of the statutes, relating to trust fund loans for town sanitary districts, metropolitan sewerage districts, joint sewerage districts and utility districts in towns, villages and 3rd and 4th class cities.

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

SECTION 1. 24.60 (2) of the statutes is amended to read:

24.60 (2) "Municipality" means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under s. 60.71, metropolitan sewerage district created under s. 66.22 or 66.882, joint sewerage system created under s. 144.07 (4), school district or vocational, technical and adult education district.

SECTION 2. 24.61 (3) (a) 5 to 8 of the statutes are created to read:

24.61 (3) (a) 5. A town sanitary district created under s. 60.71 for the purposes for which the district may issue its bonds under s. 60.78 (1).

6. A metropolitan sewerage district created under s. 66.22, as provided under s. 67.04 or otherwise authorized by law.

7. A metropolitan sewerage system created under s. 66.882, as provided under s. 67.04 or otherwise authorized by law.

8. A joint sewerage system created under s. 144.07 (4) for the purpose of exercising its powers under s. 144.07 (4).

SECTION 3. 24.66 (2) (title) of the statutes is amended to read:

24.66 (2) (title) FOR MUNICIPALITIES OTHER THAN SCHOOL DISTRICTS, PUBLIC INLAND LAKE DISTRICTS, TOWN SANITARY DISTRICTS OR SEWERAGE DISTRICTS.

SECTION 4. 24.66 (2p) of the statutes is created to read:

24.66 (2p) FOR SEWERAGE DISTRICTS. Every application for a loan under this section to a sewerage district created under s. 66.22 shall be approved and authorized by a majority of the commissioners of the district; to a sewerage district created under s. 66.882, as

provided under s. 66.886 (2) (a); and to a joint sewerage system created under s. 144.07 (4), as provided under s. 144.07 (4) (d).

SECTION 5. 24.66 (2r) of the statutes is created to read:

24.66 (2r) FOR TOWN SANITARY DISTRICTS. Every application for a loan under this section to a town sanitary district created under s. 60.71 shall be approved and authorized by a majority of the commissioners of the district.

SECTION 6. 24.66 (5) of the statutes is renumbered 24.66 (5) (a) and amended to read:

24.66 (5) (a) ~~Such~~ Every application for a loan under this section shall be accompanied also by a certified copy under the hand of the proper clerk of a recorded resolution adopted by the municipality applying for or approving the loan, levying, except as provided in par. (b), upon all the taxable property of the municipality a direct annual tax for the purpose of paying and sufficient to pay the interest on such proposed loan as it falls due, and also to pay and discharge the principal thereof within 20 years from the making of such loan. Such a levy shall become void and of no effect if the board declines to make the loan; otherwise it shall remain valid and irrevocable until the loan and all interest thereon shall be fully paid.

SECTION 7. 24.66 (5) (b) of the statutes is created to read:

24.66 (5) (b) To the extent that the proceeds of a loan to a municipality will be used in a utility district established under s. 66.072, the direct annual tax under par. (a) may be levied in whole or in part upon all taxable property within the utility district.

SECTION 8. 66.886 (2) (a) 1 of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

66.886 (2) (a) 1. No resolution adopted by the commission under s. 66.91 (1), (3) (c) or (6), 67.05 (1) or 67.12 (12), no schedule of charges under s. 66.076, 66.898 (4), 66.899 or 66.91 (5) (b) 3, ~~and~~ no decision to borrow against taxes under s. 67.12 (1) and no decision to borrow under s. 24.61 (3) (a) 7 is valid unless adopted by an affirmative vote of at least a two-thirds majority of all commissioners.

SECTION 9. 144.07 (4) (d) of the statutes is amended to read:

144.07 (4) (d) Such sewerage commission shall constitute a body corporate by the name of "(Insert name of governmental units or area) Sewerage Commis-

sion," by which in all proceedings it shall thereafter be known. It may purchase, take and hold real and personal property for its use and convey and dispose of the same. This grant of power shall be retroactive to September 13, 1935 for commissions formed prior to January 1, 1972. Except as provided in this subsection the sewerage commissioners shall have the power and proceed as a common council and board of public works in cities in carrying out the provisions of par. (c). All borrowing under s. 24.61 (3) (a) 5 and all bond issues and appropriations made by said sewerage commission shall be subject to the approval of the governing bodies of the respective governmental units.