



State of Wisconsin  
1997 - 1998 LEGISLATURE

LRBs0233/1  
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**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1997 ASSEMBLY BILL 316**

September 3, 1997 - Offered by COMMITTEE ON WAYS AND MEANS.

1     **AN ACT** *to amend* 60.557 (2) and 62.13 (8); and *to repeal and recreate* 61.65  
2           (8) of the statutes; **relating to:** state reimbursement of cities, villages and  
3           towns for fire calls on state or federal highways and granting rule-making  
4           authority.

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

5           **SECTION 1.** 60.557 (2) of the statutes is amended to read:  
6           60.557 (2) If a town incurs costs for a fire call, as defined by rule by the  
7           department of transportation, on a state trunk highway or any highway that is a part  
8           of the national system of interstate highways and maintained by the department of  
9           transportation, the department of transportation shall reimburse the town up to  
10          \$500 for the costs, even if the fire equipment is not actually used, if the town submits  
11          written proof that the town has made a reasonable effort, as defined by rule by the

1 department of transportation, to collect the cost from the person to whom the fire call  
2 was provided or the person's insurer under an applicable policy insuring against loss  
3 to property. If the town collects the cost from such person or the person's insurer after  
4 the department reimburses the town, the town shall return the amount collected to  
5 the department.

6 **SECTION 2.** 61.65 (8) of the statutes is repealed and recreated to read:

7 61.65 (8) If a village incurs costs for a fire call, as defined by rule by the  
8 department of transportation, on a state trunk highway or any highway that is a part  
9 of the national system of interstate highways and maintained by the department of  
10 transportation, the department of transportation shall reimburse the village up to  
11 \$500 for the costs, even if the fire equipment is not actually used, if the village  
12 submits written proof that the village has made a reasonable effort, as defined by  
13 rule by the department of transportation, to collect the costs from the person to whom  
14 the fire call was provided or the person's insurer under an applicable policy insuring  
15 against loss to property. If the village collects the costs from such person or the  
16 person's insurer after the department reimburses the village, the village shall return  
17 the amount collected to the department.

18 **SECTION 3.** 62.13 (8) of the statutes is amended to read:

19 62.13 (8) FIRE DEPARTMENT. The council may provide by ordinance for either a  
20 paid or a volunteer fire department and for the management and equipment of either  
21 insofar as not otherwise provided for by law. ~~In the case where a combination of paid~~  
22 ~~and volunteer fire department is provided for, such city shall be reimbursed by the~~  
23 ~~department of transportation, not to exceed \$500 for any fire calls on a state trunk~~  
24 ~~highway or on any highway that is a part of the national system of interstate~~  
25 ~~highways and is maintained by the department of transportation~~ If a city incurs

1 costs for a fire call, as defined by rule by the department of transportation, on a state  
2 trunk highway or any highway that is a part of the national system of interstate  
3 highways and maintained by the department of transportation, the department of  
4 transportation shall reimburse the city up to \$500 for the costs, even if the fire  
5 equipment is not actually used, if the city submits written proof that the city has  
6 made a reasonable effort, as defined by rule by the department of transportation, to  
7 collect the costs from the person to whom the fire call was provided or the person's  
8 insurer under an applicable policy insuring against loss to property. If the city  
9 collects the costs from such person or the person's insurer after the department  
10 reimburses the city, the city shall return the amount collected to the department.

11 **SECTION 4. Initial applicability.**

12 (1) This act first applies to fire calls that occur on the effective date of this  
13 subsection.

14 (END)