



State of Wisconsin
1999 - 2000 LEGISLATURE

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MES:kg&is:hmh

1999 ASSEMBLY BILL 710

February 2, 2000 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to
Committee on Urban and Local Affairs.

1 **AN ACT to repeal** 30.13 (5), 60.51, 66.01 (14), 66.021 (2m) (title), 66.021 (13),
2 66.033 (title), 66.035, 66.04 (1m) (title), 66.0495 (1) (title), 66.0495 (1) (a) (title),
3 66.0495 (1) (b) (title), 66.0495 (1) (d) (title), 66.0495 (2) (title) and (a) (title),
4 66.0495 (2) (b) (title), 66.0495 (3) (title), 66.05 (1g) and (1m) (a), 66.05 (8) (d),
5 66.051 (1) (c), 66.06, 66.066 (2) (j), 66.067, 66.068 (1), 66.068 (5), 66.069 (1)
6 (title), 66.071 (intro.), 66.074, 66.075, 66.081, 66.10, 66.111, 66.12 (1) (d), 66.123
7 (title), 66.13, 66.14 (title), 66.197, 66.29 (9) (a), 66.295, 66.30 (4), 66.30 (6) (a),
8 66.345, 66.37, 66.39, 66.395 (3) (q), 66.40 (3) (d), 66.40 (3) (r), 66.405 (3) (c), 66.41
9 (title), 66.421 (title), 66.424 (title), 66.425 (title), 66.43 (3) (b), 66.43 (16), 66.431
10 (2m) (f), 66.434 (title), 66.44, 66.47 (6), 66.51 (4), 66.54 (2), 66.54 (3) (title), 66.54
11 (8), 66.60 (16), 66.645, 66.695 (title), 66.697 (title), 66.698 (title), 66.699, 66.73,
12 66.80 (1), 66.80 (3), 66.92, 66.94 and 66.97 to 66.99; **to renumber** 66.01 (3a),
13 66.01 (12), 66.01 (15), 66.021 (1) (intro.) and (a), 66.021 (16), 66.034, 66.036,
14 66.037, 66.04 (title), 66.04 (1m) (a) and (b), 66.04 (3), 66.0485, 66.0495 (title),

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2 66.076 (5) (b), 66.083 (title), 66.085 (2), 66.091, 66.092, 66.117, 66.119 (1) (b) 7.
3 to 9. and (c), (2) and (3) (title), 66.12 (1) (c), 66.12 (2) and (3) (title), (a) and (c),
4 66.122 (title), 66.146, 66.182, 66.184, 66.187, 66.189, 66.199, 66.225, 66.28
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7 66.31, 66.312, 66.33, 66.35, 66.375, 66.38, 66.40 (title), 66.403 (title), 66.405
8 (title), 66.406 (title), 66.408 (title), 66.416 (title), 66.417 (title), 66.43 (title),
9 66.43 (17), 66.431 (title), 66.431 (5r), 66.46 (2) (f) 1. L., 66.46 (4) (h) 2. to 4., (i)
10 and (k), (4m) and (5) (title) and (a), 66.46 (5) (be) to (cm), 66.46 (6) (am) 2. c., 3.
11 and 4. and (b) to (dm), 66.46 (6) (e) 1. b. and c. and 2., 66.46 (6c) and (6m), 66.46
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13 66.47 (title), 66.527 (title), 66.54 (6) (title), 66.54 (9) (title), 66.54 (12) (title),
14 66.55, 66.606, 66.609, 66.696 (title), 66.74, 66.75 (1m) (f) 3., 66.77, 66.905,
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17 200.15; **to renumber and amend** 66.01 (title) and (1) to (3), 66.01 (4) to (8),
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18 66.186, 66.19, 66.192, 66.196, 66.20, 66.21, 66.22, 66.23, 66.24, 66.25, 66.26,
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3 (9), 66.404, 66.405 (1), (2), (2m) and (3) (intro.) and (a), 66.405 (3) (d) to (s),
4 66.406 (1), (2) and (3) (intro.) and (a) to (g), 66.406 (3) (h), 66.406 (4) (intro.), (a)
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7 (1), 66.96 (2), 66.96 (3) to (5), 69.945 (9) and (10), 200.06 (2), 200.12 and 200.14;
8 **to consolidate, renumber and amend** 66.30 (3n) and (3p); **to amend** 20.155
9 (1) (g), 29.05 (6), 30.16 (2), 30.772 (3) (f), 33.47 (5), 60.23 (20), 60.23 (27), 60.24
10 (3) (j), 61.73, 62.03 (1), subchapter II (title) of chapter 62 [precedes 62.50], 67.01
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17 755.045 (2), 823.21, 823.215, 893.33 (5), 893.76, 893.765, 946.15 and 946.82 (4);
18 and **to create** 36.11 (19) (title), 62.63 (1), 62.69 (1), 62.69 (2) (b), subchapter I
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20 66.0119 (1) (c), 66.0123 (1), 66.0137 (title) and (1), 66.0139 (1), subchapter II
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23 66.0311 (title) and (1), 66.0313 (1), subchapter IV (title) of chapter 66 [precedes
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4 66.0601 (1) (title), 66.0601 (1) (b) (title), 66.0601 (1) (c) (title), 66.0603 (title),
5 66.0627, subchapter VII (title) of chapter 66 [precedes 66.0701], 66.0707 (2),
6 66.0709 (title), 66.0709 (1), 66.0711 (1), 66.0713 (10) (title), 66.0715 (title),
7 66.0715 (1), 66.0719 (1), 66.0721 (title), 66.0727 (4), 66.0729 (6), subchapter
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13 (title) of chapter 66 [precedes 66.1001], 66.1003 (1), 66.1019 (title), subchapter
14 XI (title) of chapter 66 [precedes 66.1101], subchapter XII (title) of chapter 66
15 [precedes 66.1201], 66.1201 (9) (x), subchapter XIII (title) of chapter 66
16 [precedes 66.1301], 66.1331 (3) (Lm), 67.16, 120.25 (title), chapter 200 (title),
17 subchapter I (title) of chapter 200 [precedes 200.01] and subchapter II (title) of
18 chapter 200 [precedes 200.21] of the statutes; **relating to:** the reorganization
19 and modernization of chapter 66 of the statutes.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the joint legislative council in the bill.

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

PREFATORY NOTE: This bill is recommended by the joint legislative council's special committee on general municipal law recodification. The special committee was directed

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to recodify chapter 66 of the statutes by the process of reorganization into logical subchapters, sections and subunits, repeal of unnecessary or archaic and obsolete language, relocation of those provisions more appropriately placed elsewhere in the statutes and modernization of language where appropriate. The special committee was directed to refrain from recommending substantive changes that would significantly affect relationships between governmental units or engender substantial controversy in the legislative process.

The basis of current ch. 66 was itself a recodification. [Chapter 396, laws of 1921, effective January 1, 1922.] The creation of ch. 66 was part of an ongoing effort by the revisor of statutes to revise and reorganize Wisconsin statutes relating to municipal law. That effort was the basis for the current organization, by chapter, of Wisconsin statutes relating to cities, villages, towns, counties and to local units of government generally. The original purpose of ch. 66 was to locate in one chapter those statutory provisions applicable to more than one general purpose unit of local government.

When first established, ch. 66 consisted of 11 individual statutory sections, comprising about 17 pages of Wisconsin statutes. When the special committee began the recodification process, ch. 66 consisted of 273 individual sections, comprising 160 pages of the statutes. The expansion of ch. 66 over time has resulted in a vast number of disparate statutory provisions, with little apparent thought given to the internal organization of the chapter. Consequently, the chapter is unwieldy and difficult to use.

This bill:

1. Reorganizes ch. 66 by:
 - a. Internally reorganizing the chapter by creating 13 subchapters and relocating provisions within the chapter.
 - b. Reorganizing some individual sections within ch. 66 by combining them with other sections, dividing single sections into 2 or more sections and internally reorganizing single sections.
 - c. Relocating whole or partial provisions of ch. 66 outside of ch. 66 where appropriate (including the relocation of provisions dealing with metropolitan sewage districts into a new chapter, ch. 200, and moving whole sections of ch. 66 that pertain solely to 1st class cities to subch. II of ch. 62, relating to cities).
2. Makes nonsubstantive, editorial changes to modernize language and reflect modern drafting style, including, in a few instances, comprehensive editorial changes by entirely restating the current provision.
3. Repeals several entire sections and portions of sections that the special committee concluded are no longer necessary.
4. Makes substantive changes that the special committee concluded are relatively noncontroversial.

The special committee explicitly intends that, unless expressly noted, this bill makes no substantive changes in the statutory provisions treated by the bill. Substantive changes in the bill are identified in notes to the provisions substantively affected. If a question arises about the effect of any modification made by this bill, the special committee intends that the revisions in this bill be construed to have the same effect as the prior statutes.

For convenience, a table of contents listing all section numbers of reorganized ch. 66 and the newly created subchapters is included in this prefatory note. Also, a finding aid is included at the end of the bill which identifies the treatment by this bill of current statutory provisions within ch. 66.

The remainder of this note consists of a table of contents for reorganized ch. 66:

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2

CHAPTER 66
GENERAL MUNICIPAL LAW

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Subchapter IV	Regulation
Subchapter V	Officers and Employes
Subchapter VI	Finance; Revenues
Subchapter VII	Special Assessments
Subchapter VIII	Public Utilities
Subchapter IX	Public Works and Projects
Subchapter X	Planning, Housing and Transportation
Subchapter XI	Development
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SUBCHAPTER I***GENERAL POWERS; ADMINISTRATION***

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1 **SECTION 1.** 20.155 (1) (g) of the statutes, as affected by 1997 Wisconsin Act 229,
2 is amended to read:

3 20.155 (1) (g) *Utility regulation.* The amounts in the schedule for the
4 regulation of utilities. Ninety percent of all moneys received by the commission
5 under s. 196.85, 196.855 or ~~200.10~~ 201.10 (3), except moneys received from mobile
6 home park operators under s. 196.85 (2g), shall be credited to this appropriation.
7 Ninety percent of all receipts from the sale of miscellaneous printed reports and
8 other copied material, the cost of which was originally paid under this paragraph,
9 shall be credited to this appropriation.

10 **SECTION 2.** 29.05 (6) of the statutes is amended to read:

11 29.05 (6) **ACCESS TO STORAGE PLACES.** For purposes of enforcing this chapter, the
12 department and its wardens shall be permitted by the owner or occupant of any cold
13 storage warehouse or building used for the storage or retention of wild animals, or
14 carcasses or parts thereof, to enter and examine said premises subject to ~~ss. 66.122~~
15 ~~and 66.123~~ s. 66.0119; and the owner or occupant, or the agent, servant, or employe
16 of the owner, shall deliver to any such officer any wild animal, or carcass or part

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1 thereof, in his or her possession during the closed season therefor, whether taken
2 within or without the state.

3 **SECTION 3.** 30.13 (5) of the statutes is repealed.

 NOTE: Replaced by s. 66.0495, which is renumbered s. 30.13 (5). See SECTIONS
 120 to 133 of this bill.

4 **SECTION 4.** 30.16 (2) of the statutes is amended to read:

5 30.16 (2) REMOVAL OF OBSTRUCTIONS TO NAVIGATION; WHARVES AND PIERS;
6 ALTERNATIVE. As an alternative to the procedure specified under sub. (1), the
7 governing body of a city, village or town may remove that portion of a wharf or pier
8 which constitutes an unlawful obstruction to navigation as provided under s.
9 66.0495 30.15 (5m).

10 **SECTION 5.** 30.772 (3) (f) of the statutes is amended to read:

11 30.772 (3) (f) In addition to, or as an alternative to, the penalties specified in
12 par. (e), the governing body of a municipality may remove unlawful moorings as
13 provided under and pursuant to the procedures of s. ~~66.0495~~ 30.15 (5m).

14 **SECTION 6.** 33.47 (5) of the statutes is amended to read:

15 33.47 (5) Any special assessment or special charge levied shall be in accordance
16 with s. ~~66.60~~ ss. 66.0627 and 66.0703 to the extent ~~it is~~ that those sections are
17 applicable to and not in conflict with this subsection.

18 **SECTION 7.** 36.11 (19) (title) of the statutes is created to read:

19 36.11 (19) (title) FURNISHING OF SERVICES TO SCHOOL DISTRICTS.

20 **SECTION 8.** 60.23 (20) of the statutes is amended to read:

21 60.23 (20) DISPOSITION OF DEAD ANIMALS. Notwithstanding ss. 59.54 (21) and
22 95.50 (3), dispose of any dead animal within the town or contract for the removal and
23 disposition with any private disposal facility. A town may enter into a contract with

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1 any other governmental unit under s. ~~66.30~~ 66.0301 to provide for the removal and
2 disposition. A town may recover its costs under this subsection by ~~levying a special~~
3 ~~assessment under s. 66.345~~ imposing a special charge under s. 66.0627.

NOTE: Reflects the repeal of s. 66.345 and the amendment of s. 66.0627, as
renumbered. See SECTIONS 170 and 372 of this bill.

4 **SECTION 9.** 60.23 (27) of the statutes is amended to read:

5 60.23 (27) TOWN HOUSING AUTHORITIES, BLIGHTED AREAS. Engage in certain
6 housing and redevelopment activities. The provisions of ss. ~~66.40~~ 66.1201 to ~~66.425,~~
7 ~~66.43,~~ ~~66.431~~ 66.1211, 66.1301 to 66.1329, 66.1331 to 66.1333 and ~~66.4325~~ 66.1335,
8 except the provisions of s. ~~66.40~~ 66.1201 (10) and any other provisions that conflict
9 with statutes relating to towns and town boards, shall apply to towns, and the powers
10 and duties conferred and imposed by ss. ~~66.40~~ 66.1201 to ~~66.425,~~ ~~66.43,~~ ~~66.431~~
11 66.1211, 66.1301 to 66.1329, 66.1331 to 66.1333 and ~~66.4325~~ 66.1335, except the
12 powers and duties conferred and imposed by s. ~~66.40~~ 66.1201 (10) and any other
13 powers that conflict with statutes relating to towns and town boards, upon mayors,
14 common councils and specified city officials are hereby conferred upon town board
15 chairpersons, town boards and town officials performing duties similar to the duties
16 of such ~~the~~ the specified city officials and common councils respectively. Any town
17 housing authorities created under this subsection shall be entitled to may
18 participate in any state grants-in-aid for housing in the same manner as city
19 housing authorities created under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211.

20 **SECTION 10.** 60.24 (3) (j) of the statutes is amended to read:

21 60.24 (3) (j) Appoint, at his or her discretion, one or more commissioners of
22 noxious weeds under ss. ~~66.96 to 66.99~~ s. 66.0517.

NOTE: Amends the reference to the town board chairperson's duty to appoint
one or more commissioners of noxious weeds to reflect that the appointment
duty is made optional. See SECTION 154 of this bill.

1 **IN CITIES OF THE FIRST**2 **CLASS CITIES**3 **SECTION 15.** 62.63 (1) of the statutes is created to read:4 62.63 (1) ESTABLISHMENT OF FUNDS. By a majority vote of the members–elect,
5 the common council of a 1st class city may create, establish, maintain and administer
6 annuity and benefit funds for city officers and employes, including officers and
7 employes of boards, agencies, departments and divisions of the city government and
8 of a housing authority established under s. 66.1201.

NOTE: Restates s. 66.80 (1) and (3) repealed by SECTIONS 570 and 572 of this bill.

9 **SECTION 16.** 62.69 (1) of the statutes is created to read:

10 62.69 (1) APPLICATION. This section applies to 1st class cities.

NOTE: Restates s. 66.071 (intro.), repealed by SECTION 196 of this bill.

11 **SECTION 17.** 62.69 (2) (b) of the statutes is created to read:12 62.69 (2) (b) In this subsection, all acts authorized to be done by the
13 commissioner of public works, except enforcement of regulations approved by the
14 common council, shall be approved by the common council before the acts may take
15 effect.

NOTE: Restates a portion of s. 66.071 (1) (b) that is repealed by SECTION 199 of this bill.

16 **SECTION 18.** 66.01 (title) and (1) to (3) of the statutes are renumbered 66.0101
17 (title) and (1) to (3), and 66.0101 (2) and (3), as renumbered, are amended to read:18 66.0101 (2) (a) ~~A “charter ordinance” is any ordinance which enacts, amends~~
19 ~~or repeals the whole or any part of the charter of a city or village, or makes the~~
20 ~~election mentioned in sub. (4). Such city or village may enact a charter ordinance.~~
21 A charter ordinance shall be so designated, shall require as a charter ordinance,
22 requires a two–thirds vote of the members–elect of the legislative body of such the

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1 city or village, and shall be is subject to referendum as hereinafter ~~prescribed~~
2 provided in this section.

3 (b) ~~Every~~ A charter ordinance which ~~that~~ amends or repeals ~~the whole or any~~
4 ~~part of~~ a city or village charter shall designate specifically the portion of the charter
5 so ~~that is~~ amended or repealed, and every A charter ordinance which ~~that~~ makes
6 the election ~~mentioned in~~ under sub. (4) shall designate specifically each enactment
7 of the legislature or portion thereof, of the enactment that is made inapplicable to
8 such the city or village by the election ~~mentioned in~~ sub. (4).

9 (3) ~~Every enactment, amendment or repeal of the whole or any part of the~~
10 ~~charter of any city or village~~ A charter ordinance shall be published as a class 1
11 notice, under ch. 985, and shall be recorded by the clerk in a permanent book kept
12 for that purpose, with a statement of the manner of its adoption, ~~and a.~~ A certified
13 copy thereof of the charter ordinance shall be filed by said the clerk with the secretary
14 of state. The secretary of state shall keep a separate index of all charter ordinances,
15 arranged alphabetically by city and village and summarizing each ordinance, and
16 annually shall issue ~~such a list~~ the index of charter ordinances filed during the 12
17 months prior to July 1.

NOTE: "Charter ordinance" is now defined in a separate subsection. See
SECTION 27 of this bill.

18 **SECTION 19.** 66.01 (3a) of the statutes is renumbered 66.0101 (12).

19 **SECTION 20.** 66.01 (4) to (8) of the statutes are renumbered 66.0101 (4) to (8)
20 and amended to read:

21 66.0101 (4) ~~Any~~ A city or village may elect ~~in the manner prescribed in~~ under
22 this section that ~~the whole or any part of any laws~~ law relating to the local affairs and
23 government of such the city or village other than such those enactments of the

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1 legislature of statewide concern as shall with uniformity affect every city or every
2 village shall not apply to such the city or village, and thereupon such laws or parts
3 thereof shall cease when the election takes effect, the law ceases to be in effect in such
4 the city or village.

5 (5) ~~Any city or village by charter ordinance may make the election mentioned~~
6 ~~in sub. (4) of this section, or enact, amend or repeal the whole or any part of its~~
7 ~~charter; but such~~ A charter ordinance shall does not take effect until 60 days after
8 its passage and publication. If within such ~~60 days~~ the 60-day period a petition
9 conforming to the requirements of s. 8.40 and signed by a number of electors of the
10 city or village equal to not less than 7% of the votes cast ~~therein~~ in the city or village
11 for governor at the last general election ~~shall be~~ is filed in the office of the clerk of said
12 the city or village demanding that such ~~the~~ ordinance be submitted to a vote of the
13 electors, it shall may not take effect until it is submitted to a referendum and
14 approved by a majority of the electors voting ~~thereon~~. Said in the referendum. The
15 petition and the proceedings for its submission shall be are governed by s. 9.20 (2)
16 to (6).

17 (6) ~~Any~~ A charter ordinance may be initiated ~~in the manner provided in~~ under
18 s. 9.20 (1) to (6), but alternative adoption thereof of the charter ordinance by the
19 legislative body ~~shall be~~ is subject to referendum as ~~provided in~~ under sub. (5) of this
20 section.

21 (7) ~~Any~~ A charter ordinance may be submitted to a referendum by the
22 legislative body, ~~in the manner prescribed in~~ under s. 9.20 (4) to (6), without initiative
23 petition, and ~~shall become~~ becomes effective when approved by a majority of the
24 electors voting ~~thereon~~ in the referendum.

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1 (8) ~~Every charter, charter amendment or~~ A charter ordinance enacted or
2 approved by a vote of the electors ~~shall control and prevail~~ controls over any prior or
3 subsequent act of the legislative body of the city or village. ~~Whenever~~ If the electors
4 of any city or village by a majority vote have adopted or determined to continue to
5 operate under either ch. 62 or 64, or have determined the method of selection of
6 members of the governing board, the question shall not again be submitted to the
7 electors, nor action taken ~~thereon~~ on the question, within a period of 2 years. Any
8 election to change or amend the charter of any city or village, other than a special
9 election as provided in s. 9.20 (4), shall be held at the time provided by statute for
10 holding the spring election.

11 **SECTION 21.** 66.01 (9) to (11) of the statutes are renumbered 66.0101 (9) (a), (b)
12 and (d) and amended to read:

13 66.0101 (9) (a) The legislative body of ~~any~~ a city or village, by resolution
14 adopted by a two-thirds vote of its members-elect may, and upon petition complying
15 with s. 9.20 shall, submit to the electors ~~in the manner prescribed in~~ under s. 9.20
16 (4) to (6) the question of holding a charter convention under one or more plans
17 proposed in ~~said~~ the resolution or petition.

18 (b) The ballot shall be in substantially the following form:

19 Shall a charter convention be held?

20 YES NO

21 If a charter convention be is held what plan do you favor?

22 PLAN 1 PLAN 2

23 [Repeat for each plan proposed.]

24 Mark an [X] in the square to the RIGHT of the plan that you select.

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1 (c) If a majority of the electors voting ~~thereon~~ vote for a charter convention, such
2 the convention shall be held pursuant to the plan favored by a majority of the total
3 votes cast for all plans. If no plan receives a majority, the 2 plans receiving the
4 highest number of votes shall be again submitted to the electors and a convention
5 shall ~~thereupon~~ be held pursuant to the plan favored by a majority of the votes cast.

6 (d) Such A charter convention shall ~~have power to~~ may adopt a charter or
7 amendments to the existing charter. Such The charter or charter amendments
8 adopted by such the convention shall be certified, as soon as ~~may be~~ practicable, by
9 the presiding officer and secretary ~~thereof~~ of the convention to the city or village clerk
10 and shall ~~thereupon~~ be submitted to the electors ~~in the manner prescribed in~~ as
11 provided under s. 9.20 (4) to (6), without the alternative ~~mentioned therein~~ provided
12 in s. 9.20 (4) to (6), and shall take effect ~~only~~ when approved by a majority of the
13 electors voting ~~thereon~~.

14 **SECTION 22.** 66.01 (12) of the statutes is renumbered 66.0101 (10).

15 **SECTION 23.** 66.01 (14) of the statutes is repealed.

NOTE: Repealed as obsolete. The subsection provides as follows:

“(14) All laws relating to public instruction, under article X, sections 1 to 5, of the constitution, remain and shall continue in force for the establishment, administration and government of the district schools as heretofore, until amended or repealed by the legislature. The term “district schools” as here used, in addition to common schools includes, among others, any and all public high schools, trade schools, technical colleges, auxiliary departments for instruction of pupils who are deaf or of impaired speech or blind, and truancy or parental schools.”.

Municipalities no longer enact general laws relating to public instruction.

16 **SECTION 24.** 66.01 (15) of the statutes is renumbered 66.0101 (11).

17 **SECTION 25.** 66.01 (16) of the statutes is renumbered 61.188 and amended to
18 read:

19 **61.188 Certain villages may become cities by charter ordinance.** Any
20 village having a population of 1,000 or more may proceed under ~~this section~~ s.

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1 66.0101 to organize as a city of the appropriate class. The village may by charter or
 2 charter ordinance adopted under ~~this section s. 66.0101~~ elect not to be governed by
 3 ch. 62 or ~~this chapter 66~~ in whole or in part or may create such that system of
 4 government as is ~~deemed~~ considered by the village to be most appropriate for its
 5 situation. The charter or charter ordinance may include ~~provision for~~ the following,
 6 ~~without limitation because of enumeration:~~ method of election of members of the
 7 council by districts, at-large or by a combination of methods, procedure for election
 8 of the first common council, creation and selection of all administrative officers,
 9 departments, boards and commissions, powers and duties of all officers, boards and
 10 commissions and terms of office. The charter or charter ordinance ~~shall~~ may not alter
 11 those provisions of ch. 62 dealing with police and fire departments or chs. 115 to 121
 12 dealing with education. Any village incorporated after August 12, 1959, may not
 13 become a city under this ~~subsection~~ section unless it meets the standards for
 14 incorporation in ss. ~~66.015 and 66.016~~ 66.0205 and 66.0207.

15 **SECTION 26.** Subchapter I (title) of chapter 66 [precedes 66.0101] of the statutes
 16 is created to read:

CHAPTER 66**SUBCHAPTER I****GENERAL POWERS; ADMINISTRATION**

20 **SECTION 27.** 66.0101 (1m) of the statutes is created to read:

21 66.0101 (1m) In this section, "charter ordinance" means an ordinance that
 22 enacts, amends or repeals the charter, or any part of the charter, of a city or village
 23 or that makes the election under sub. (4).

NOTE: Provides a general definition of "charter ordinance" for the statutory provision relating to home rule and charter ordinances. See the treatment of current s. 66.01 by SECTIONS 18 to 25 of this bill.

ASSEMBLY BILL 710**SECTION 28**

1 **SECTION 28.** 66.0103 of the statutes is created to read:

2 **66.0103 Code of ordinances. (1)** The governing body of a city, village, town
3 or county may authorize the preparation of a code of some or all of its general
4 ordinances. The code may be enacted by an ordinance that incorporates the code by
5 reference. A copy of the code shall be available for public inspection not less than 2
6 weeks before it is enacted. After the code is enacted, a copy shall be maintained and
7 available for public inspection in the office of the city, village, town or county clerk.

8 **(2)** Publication of a code enacted under sub. (1), in book or pamphlet form,
9 meets the publication requirements of ss. 59.14, 60.80, 61.50 (1) and 62.11 (4) (a).

NOTE: Restates current s. 66.035.

10 **SECTION 29.** 66.0117 (1) of the statutes is created to read:

11 66.0117 **(1)** In this section:

12 (a) “Local governmental unit” means a city, village, town, county, school
13 district, technical college district, town sanitary district or public inland lake
14 protection and rehabilitation district.

15 (b) “Statement” means all of the following:

16 1. A certified transcript of a judgment.

17 2. A judgment creditor’s affidavit of the amount due on a judgment, of
18 payments made on the judgment and that the judgment has not been appealed.

NOTE: Creates a definition for s. 66.0117, relating to judgments against local governmental units. The definition differs from the current language of s. 66.09 by removing a community center from the list of local governmental bodies to which the law applies. It appears that a community center is not treated as a local governmental unit anywhere else in the statutes. The term “community centre” first appeared in this section when separate statutes were consolidated and revised in chapter 396, laws of 1921.

19 **SECTION 30.** 66.0119 (1) (c) of the statutes is created to read:

20 66.0119 **(1)** (c) “Public building” has the meaning given in s. 101.01 (12).

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1 **SECTION 31.** 66.012 of the statutes is renumbered 66.0215 and amended to
2 read:

3 **66.0215 ~~Towns may become~~ Incorporation of certain towns adjacent**
4 **to 1st class cities.** (1) PETITION. ~~Whenever~~ If the resident population of ~~any a~~ a town
5 exceeds 5,000 as shown by the last federal census or by a census ~~herein provided for~~
6 ~~and under sub. (2), if the town~~ is adjacent to a ~~city of the first~~ 1st class ~~city~~ city and
7 contains an equalized valuation in excess of \$20,000,000 and ~~if~~ a petition has been
8 ~~presented and signed by 100 or more persons, each an elector and taxpayer of said~~
9 ~~the town, and, in addition thereto, said petition contains~~ containing the signatures
10 of at least ~~one-half~~ 50% of the owners of real estate in ~~said the town which petition~~
11 ~~requests and requesting~~ submission of the question to the electors of the town ~~and,~~
12 is filed with the clerk of the town, the procedure for becoming a ~~fourth~~ 4th class city
13 is initiated.

14 (2) REFERENDUM. At the next regular meeting of the town board, ~~said town~~
15 ~~following the filing of the petition under sub. (1), the~~ board by resolution shall provide
16 for a referendum by the electors of ~~said the~~ the town. The resolution shall ~~observe~~
17 ~~conform to~~ the requirements of s. 5.15 (1) and (2) and shall determine the numbers
18 and boundaries of each ward of the proposed city, ~~and~~ and the time of voting, which shall
19 ~~may~~ not be earlier than 6 weeks after the adoption of ~~said the~~ said resolution ~~and said.~~
20 ~~The~~ resolution may direct that a census be taken of the resident population of ~~such~~
21 ~~the~~ the territory as it may be on ~~some a~~ a day not more than 10 weeks previous to the date
22 of the election, exhibiting the name of every head of a family and the name of every
23 person ~~who is~~ who is a resident in good faith of ~~such the~~ the territory on ~~such that~~ that day, and the
24 lot or quarter section of land on which that person resides, which shall be verified by
25 the ~~affixed~~ affixed affidavit of the person taking the ~~same affixed thereto~~ same census.

ASSEMBLY BILL 710**SECTION 31**

1 **(3) NOTICE OF REFERENDUM.** Notice of the referendum shall be given by
2 publication of the resolution in a newspaper published in such the town, if there be
3 is one, otherwise in a newspaper designated in the resolution, once a week for 4
4 successive weeks, the first publication to be not more than 4 weeks before the
5 referendum.

6 **(4) VOTING PROCEDURE.** The referendum shall be conducted in the same manner
7 as elections for supervisors of the town board. The question appearing on the ballot
8 shall be "Shall the town of become a 4th class city?". Below the question shall
9 appear 2 squares. To the left of one square shall appear the words "For a city" and
10 to the left of the other square shall appear the words "Against a city". The inspectors
11 shall make a return to the clerk of such the town.

12 **(5) CERTIFICATE OF INCORPORATION.** If a majority of the votes are cast in favor
13 of a city the clerk shall certify the fact to the secretary of state, together with the
14 result of the census, if any, and 4 copies of a description of the legal boundaries of the
15 town and 4 copies of a plat thereof, whereupon ~~the~~ of the town. The secretary of state
16 shall then issue a certificate of incorporation, and record the ~~same~~ certificate in a
17 book kept for that purpose. Two copies of the description and plat shall be forwarded
18 by the secretary of state to the department of transportation and one copy to the
19 department of revenue.

20 **(6) CITY POWERS.** ~~Every~~ A city thus incorporated shall ~~thenceforth~~ be under this
21 section is a body corporate and politic, with the powers and privileges of a municipal
22 corporation at common law and conferred by ch. 62.

23 **(7) EXISTING ORDINANCES.** (a) Ordinances in force in the territory or any part
24 thereof, ~~so far as~~ of the territory, to the extent not inconsistent with ch. 62, shall
25 continue in force until altered or repealed.

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1 (b) A county shoreland zoning ordinance enacted under s. 59.692 that is in force
2 in any part of the territory ~~shall continue~~ continues in force until altered under s.
3 59.692 (7) (ad).

4 (8) INTERIM OFFICERS. All officers of the town embracing the territory ~~thus~~
5 incorporated as a city ~~shall continue~~ in their powers and duties ~~as theretofore~~ until
6 the first meeting of the common council at which a quorum is present. Until a city
7 clerk ~~shall have been~~ is chosen and qualified all oaths of office and other papers shall
8 be filed with the town clerk, with whom the petition was filed, who shall deliver them
9 with the petition to the city clerk when the city clerk ~~shall have~~ is qualified.

10 (9) FIRST CITY ELECTION. Within 10 days after incorporation of the city, the town
11 board ~~with~~ and the town clerk ~~of which~~ who received the petition was filed shall fix
12 a time for the first city election, designate the polling place or places, and name 3
13 inspectors of election for each place. Ten days' previous notice of the election shall
14 be given by the clerk by publication in the newspapers selected under sub. (3) and
15 by posting notices in 3 public places in the city. Failure to give such notice does not
16 invalidate the election. The election shall be conducted as is prescribed by chs. 5 to
17 12, except that no registration of voters ~~shall~~ may be required. The inspectors shall
18 make returns to the board which shall, within one week after the election, canvass
19 the returns and declare the result. The clerk shall notify the officers-elect and issue
20 certificates of election. If the first election is on the first Tuesday in April the officers
21 so elected ~~shall~~ and their appointees commence and hold their offices as for a regular
22 term, ~~as shall also their appointees~~. Otherwise they ~~shall~~ commence within 10 days
23 and hold until the regular city election and the qualification of their successors, and
24 the term of their appointees ~~shall expire~~ expires as soon as successors qualify.

25 **SECTION 32.** 66.0123 (1) of the statutes is created to read:

ASSEMBLY BILL 710**SECTION 32**

1 66.0123 (1) In this section, “governmental unit” means a town board or school
2 board.

3 **SECTION 33.** 66.013 of the statutes is renumbered 66.0201, and 66.0201 (1) and
4 (2) (intro.), as renumbered, are amended to read:

5 66.0201 (1) PURPOSE. It is ~~declared to be~~ the policy of this state that the
6 development of territory from town to incorporated status proceed in an orderly and
7 uniform manner and that toward this end each proposed incorporation of territory
8 as a village or city be reviewed as provided in ss. ~~66.013 to 66.019~~ 66.0201 to 66.0213
9 to assure compliance with certain minimum standards which take into account the
10 needs of both urban and rural areas.

11 (2) DEFINITIONS. (intro.) ~~As used in~~ In ss. ~~66.013~~ 66.0201 to ~~66.019~~ 66.0213,
12 unless the context requires otherwise:

13 **SECTION 34.** 66.0137 (title) and (1) of the statutes are created to read:

14 **66.0137** (title) **Provision of insurance.** (1) DEFINITION. In this section, “local
15 governmental unit” means a city, village, town, county, school district (as
16 enumerated in s. 67.01 (5)), sewerage district, drainage district and, without
17 limitation because of enumeration, any other political subdivision of the state should
18 be s. 345.05 (1) (c).

19 **SECTION 35.** 66.0139 (1) of the statutes is created to read:

20 66.0139 (1) In this section, “political subdivision” means a city, village, town
21 or county.

22 **SECTION 36.** 66.014 of the statutes is renumbered 66.0203, and 66.0203 (1), (2)
23 (a) to (e), (3), (4) (a), (7) (a), (8) (b), (9) (a), (d) to (f) and (h) and (10), as renumbered,
24 are amended to read:

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1 66.0203 (1) NOTICE OF INTENTION. At least 10 days and not more than 20 days
2 before the circulation of an incorporation petition, a notice setting forth that the
3 petition is to be circulated and including an accurate description of the territory
4 involved shall be published within the county in which said the territory is located
5 as a class 1 notice, under ch. 985.

6 (2) (a) The petition for incorporation of a village or city shall be in writing
7 signed by 50 or more persons who are both electors and freeholders in the territory
8 to be incorporated if the population of the proposed village or city includes 300 or
9 more persons; otherwise by 25 or more ~~such electors and freeholders~~ persons who are
10 both electors and freeholders in the territory to be incorporated.

11 (b) The petition shall be addressed to and filed with the circuit court of a county
12 in which all or a major part of the territory to be incorporated is located; ~~and the.~~ The
13 incorporation petition shall be is void unless filed within 6 months of the date of
14 publication of the notice of intention to circulate.

15 (c) The petition shall designate a representative of the petitioners, and an
16 alternate, who shall be an elector or freeholder in the territory, and state that
17 person's address; describe the territory to be incorporated with sufficient accuracy
18 to determine its location and have attached ~~thereto~~ to the petition a scale map
19 reasonably showing the boundaries ~~thereof~~ of the territory; specify the current
20 resident population of the territory by number in accordance with the definition
21 given in s. ~~66.013~~ 66.0201 (2) (b); set forth facts substantially establishing the
22 required standards for incorporation ~~required herein~~; and request the circuit court
23 to order a referendum and to certify the incorporation of the village or city when it
24 is found that all requirements have been met.

ASSEMBLY BILL 710**SECTION 36**

1 (e) No person who has signed a petition shall be permitted to may withdraw his
2 or her name ~~therefrom~~ from the petition. No additional signatures shall may be
3 added after a petition is filed.

4 **(3) HEARING; COSTS.** (a) Upon the filing of the petition the circuit court shall
5 by order fix a time and place for a hearing giving preference to ~~such~~ the hearing over
6 other matters on the court calendar.

7 (b) The court may ~~in its discretion~~ by order allow costs and disbursements as
8 provided for actions in circuit court in any proceeding under this subsection.

9 (c) The court may ~~in its discretion~~, upon notice to all parties who have appeared
10 in the hearing and after a hearing ~~thereon~~ on the issue of bond, order the petitioners
11 or any of the opponents to post bond in ~~such~~ an amount as ~~that it deems~~ considers
12 sufficient to cover ~~such~~ disbursements.

13 **(4)** (a) Notice of the filing of the petition and of the date of the hearing ~~thereon~~
14 on the petition before the circuit court shall be published in the territory to be
15 incorporated, as a class 2 notice, under ch. 985, and given by certified or registered
16 mail to the clerk of each town in which the territory is located and to the clerk of each
17 metropolitan municipality of the metropolitan community in which the territory is
18 located. The mailing shall be not less than 10 days ~~prior to~~ before the time set for
19 the hearing.

20 **(7)** (a) No action to contest the validity of an incorporation on any grounds
21 ~~whatsoever~~, whether procedural or jurisdictional shall, may be commenced after 60
22 days from the date of issuance of the charter of incorporation by the secretary of state.

23 **(8)** (b) On the basis of the hearing the circuit court shall find if the standards
24 under s. ~~66.015~~ 66.0205 are met. If the court finds that the standards are not met,
25 the court shall dismiss the petition. If the court finds that the standards are met the

ASSEMBLY BILL 710

1 court shall refer the petition to the department and ~~thereupon~~ the department shall
2 determine whether ~~or not~~ the standards under s. ~~66.016~~ 66.0207 are met.

3 (9) (a) Upon receipt of the petition from the circuit court the department shall
4 make ~~such~~ any necessary investigation as ~~may be necessary~~ to apply the standards
5 under s. ~~66.016~~ 66.0207.

6 (d) Unless the court sets a different time limit, the department shall prepare
7 its findings and determination, citing the supporting evidence ~~in support thereof~~,
8 within 90 days after receipt of the ~~reference~~ referral from the court. The findings and
9 determination shall be forwarded by the department to the circuit court. Copies of
10 the findings and determination shall be sent by certified or registered mail to the
11 designated representative of the petitioners, and to all town and municipal clerks
12 entitled to receive mailed notice of the petition under sub. (4).

13 (e) The determination of the department made in accordance with the
14 standards under ss. ~~66.015, 66.016~~ 66.0205, 66.0207 and ~~66.021 (11)~~ 66.0217 (6) (c)
15 shall be either one of the following:

16 1. The petition as submitted ~~shall be~~ is dismissed;

17 2. The petition as submitted ~~shall be~~ is granted and an incorporation
18 referendum held;

19 3. The petition as submitted ~~shall be~~ is dismissed with a recommendation that
20 a new petition be submitted to include more or less territory as specified in the
21 department's findings and determination.

22 (f) If the department determines that the petition shall be dismissed under par.
23 (e) 1., the circuit court shall issue an order dismissing the petition. If the department
24 grants the petition, the circuit court shall order an incorporation referendum as
25 provided in s. ~~66.018~~ 66.0211.

ASSEMBLY BILL 710**SECTION 36**

1 (h) Except for an incorporation petition which describes the territory
2 recommended by the department under s. ~~66.014~~ 66.0203 (9) (e) 3., no petition for the
3 incorporation of the same or substantially the same territory may be entertained for
4 one year following the date of ~~the denial~~ dismissal under par. (f) of the petition or the
5 date of any election at which incorporation was rejected by the electors.

6 **(10) EXISTING ORDINANCES.** A county shoreland zoning ordinance enacted under
7 s. 59.692 that is in force in any part of the territory ~~shall continue~~ continues in force
8 until altered under s. 59.692 (7) (ad).

9 **SECTION 37.** 66.015 of the statutes is renumbered 66.0205, and 66.0205 (intro.)
10 and (5), as renumbered, are amended to read:

11 **66.0205 Standards to be applied by the circuit court.** (intro.) Before
12 referring the incorporation petition as provided in s. ~~66.014~~ 66.0203 (2) to the
13 department, the court shall determine whether the petition meets the formal and
14 signature requirements and shall further find that the following minimum
15 requirements are met:

16 **(5) STANDARDS WHEN NEAR ~~FIRST, SECOND~~ 1ST, 2ND OR ~~THIRD~~ 3RD CLASS CITY.** ~~Where~~
17 If the proposed boundary of a metropolitan village or city is within 10 miles of the
18 boundary of a 1st class city ~~of the first-class~~ or 5 miles of a 2nd or 3rd class city ~~of the~~
19 ~~second or third class~~, the minimum area requirements ~~shall be~~ are 4 and 6 square
20 miles for villages and cities, respectively.

21 **SECTION 38.** 66.016 of the statutes is renumbered 66.0207, and 66.0207 (1) (a)
22 and (b) and (2) (intro.) and (b), as renumbered, are amended to read:

23 **66.0207 (1) (a) Characteristics of territory.** The entire territory of the proposed
24 village or city shall be reasonably homogeneous and compact, taking into
25 consideration natural boundaries, natural drainage basin, soil conditions, present

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1 and potential transportation facilities, previous political boundaries, boundaries of
2 school districts, shopping and social customs. An isolated municipality shall have
3 a reasonably developed community center, including some or all of ~~such~~ features
4 such as retail stores, churches, post office, telecommunications exchange and similar
5 centers of community activity.

6 (b) *Territory beyond the core.* The territory beyond the most densely populated
7 one-half square mile specified in s. ~~66.015~~ 66.0205 (1) or the most densely populated
8 square mile specified in s. ~~66.015~~ 66.0205 (2) shall have an average of more than 30
9 housing units per quarter section or an assessed value, as defined in s. ~~66.021~~
10 66.0217 (1) (a) for real estate tax purposes, more than 25% of which is attributable
11 to existing or potential mercantile, manufacturing or public utility uses. The
12 territory beyond the most densely populated square mile as specified in s. ~~66.015~~
13 66.0205 (3) or (4) shall have the potential for residential or other urban land use
14 development on a substantial scale within the next 3 years. The department may
15 waive these requirements to the extent that water, terrain or geography prevents
16 ~~such~~ the development.

17 (2) (intro.) In addition to complying with each of the applicable standards set
18 forth in sub. (1) and s. ~~66.015~~, ~~any proposed incorporation~~ 66.0205 in order to be
19 approved for referendum, a proposed incorporation must be in the public interest as
20 determined by the department upon consideration of the following:

21 (b) *Level of services.* The level of governmental services desired or needed by
22 the residents of the territory compared to the level of services offered by the proposed
23 village or city and the level available from a contiguous municipality which files a
24 certified copy of a resolution as provided in s. ~~66.014~~ 66.0203 (6).

ASSEMBLY BILL 710**SECTION 39**

1 **SECTION 39.** 66.017 of the statutes is renumbered 66.0209, and 66.0209 (title),
2 (1), (2) and (4), as renumbered, are amended to read:

3 **66.0209 (title) Review of the action incorporation-related orders and**
4 **decisions.** (1) The order of the circuit court made under s. ~~66.014~~ 66.0203 (8) or (9)
5 (f) may be appealed to the court of appeals.

6 (2) The decision of the department made under s. ~~66.014~~ 66.0203 (9) shall be
7 is subject to judicial review under ch. 227.

8 (4) ~~Where an An incorporation referendum has been ordered by the circuit~~
9 ~~court under s. ~~66.014~~ 66.0203 (9) (f), the referendum shall may not be stayed pending~~
10 ~~the outcome of further litigation, unless the court of appeals or the supreme court,~~
11 ~~upon appeal or upon the filing of an original action in supreme court, concludes that~~
12 ~~a strong probability exists that the order of the circuit court or the decision of the~~
13 ~~department will be set aside.~~

14 **SECTION 40.** 66.018 of the statutes is renumbered 66.0211, and 66.0211 (title),
15 (2), (3) and (5), as renumbered, are amended to read:

16 **66.0211 (title) Referendum Incorporation referendum procedure.**

17 (2) NOTICE OF REFERENDUM. Notice of the referendum shall be given by
18 publication of the order of the circuit court in a newspaper having general circulation
19 in the territory. ~~Such publication~~ Publication shall be once a week for 4 successive
20 weeks, ~~the.~~ The first publication to may not be ~~not~~ more than 4 weeks before the
21 referendum.

22 (3) RETURN. An incorporation referendum shall be conducted in the same
23 manner as an annexation referendum under s. ~~66.021~~ (5) ~~insofar as~~ 66.0217 (7) to
24 the extent applicable except that the ballot shall contain the words "For a city

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1 [village]” and “Against a city [village]”. The inspectors shall make a return to the
2 circuit court.

3 (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an
4 incorporation referendum are cast in favor of a village or city, the clerk of the circuit
5 court shall certify the fact to the secretary of state and supply the secretary of state
6 with a copy of a description of the legal boundaries of the village or city and the
7 associated population and a copy of a plat ~~thereof~~ of the village or city. Within 10 days
8 of receipt of the description and plat, the secretary of state shall forward 2 copies to
9 the department of transportation, and one copy each to the department of
10 administration, ~~one copy to~~ the department of revenue and ~~one copy to~~ the
11 department of commerce. The secretary of state shall issue a certificate of
12 incorporation and record the same certificate.

13 SECTION 41. 66.019 of the statutes is renumbered 66.0213 and amended to
14 read:

15 **66.0213 Powers of new village or city: elections; adjustment of taxes;**
16 **reorganization as village. (1) VILLAGE OR CITY POWERS.** ~~Every~~ A village or city
17 incorporated under ~~this section shall be~~ ss. 66.0201 to 66.0213 is a body corporate and
18 politic, with powers and privileges of a municipal corporation at common law and
19 conferred by these statutes.

20 (2) EXISTING ORDINANCES. (a) Ordinances in force in the territory incorporated
21 or any part ~~thereof, insofar as~~ of the territory, to the extent not inconsistent with chs.
22 61 and 62, ~~shall~~ continue in force until altered or repealed.

23 (b) A county shoreland zoning ordinance enacted under s. 59.692 that is in force
24 in any part of the territory ~~shall continue~~ continues in force until altered under s.
25 59.692 (7) (ad).

ASSEMBLY BILL 710**SECTION 41**

1 (3) INTERIM OFFICERS. All officers of the village or town embracing the territory
2 thus ~~that is~~ incorporated as a village or city shall continue in their powers and duties
3 until the first meeting of the board of trustees or common council at which a quorum
4 is present. Until a village or city clerk is chosen and qualified all oaths of office and
5 other papers shall be filed with the circuit court, with whom ~~whom~~ which the petition was
6 filed, ~~who~~. The court shall deliver them the oaths and other papers with the petition
7 to the village or city clerk when that clerk qualifies.

8 (4) FIRST VILLAGE OR CITY ELECTION. (a) Within 10 days after incorporation of
9 the village or city, the clerk of the circuit court with whom the petition was filed shall
10 fix a time for the first election, and where appropriate designate the polling place or
11 places, and name 3 inspectors of election for each place. The time for the election
12 shall be fixed no less than 40 nor more than 50 days after the date of the certificate
13 of incorporation issued by the secretary of state, irrespective of any other provision
14 in the statutes. Nomination papers shall conform to ch. 8 ~~insofar as~~ to the extent
15 applicable. ~~Such~~ Nomination papers shall be signed by not less than 5% nor more
16 than 10% of the total votes cast at the referendum election, and be filed no later than
17 15 days before the time fixed for the election. Ten days' previous notice of the election
18 shall be given by the clerk of the circuit court by publication in the newspapers
19 selected under s. ~~66.018~~ 66.0211 (2) and by posting notices in 3 public places in ~~such~~
20 the village or city, but failure to give ~~such~~ notice shall does not invalidate the election.

21 (b) The election shall be conducted as prescribed by ch. 6, except that no
22 registration of voters shall may be required. The inspectors shall make returns to
23 the clerk of the circuit court who shall, within one week after ~~such~~ the election,
24 canvass the returns and declare the result. The clerk shall notify the officers-elect
25 and issue certificates of election. If the first election is on the first Tuesday in April

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1 the officers so elected and their appointees shall commence and hold their offices as
2 for a regular term. Otherwise they shall commence within 10 days and hold their
3 offices until the regular village or city election and the qualification of their
4 successors and the terms of their appointees shall expire as soon as successors
5 qualify.

6 (5) TAXES LEVIED BEFORE INCORPORATION; HOW COLLECTED AND DIVIDED. ~~Whenever~~
7 If a village or city is incorporated ~~from territory within any town or towns~~, after the
8 assessment of taxes in any year and before the collection of such the taxes, the tax
9 so assessed shall be collected by the town treasurer of the town or the town treasurers
10 of the different towns of which such the village or city formerly constituted a part,
11 and all moneys collected from the tax levied for town purposes shall be divided
12 between the village or city and the town or the towns, as provided by s. ~~66.03~~ 66.0235
13 (13) (a) 1., for the division of property owned jointly by towns and villages.

14 (6) REORGANIZATION OF CITY AS VILLAGE. If the population of ~~the~~ any city falls
15 below 1,000 as determined by the United States census, the council may upon filing
16 of a petition conforming to the requirements of s. 8.40 containing the signatures of
17 at least 15% of the electors submit at any general or city election the question
18 whether the city shall reorganize as a village. If three-fifths of the votes cast on the
19 question are for reorganization the mayor and council shall record the return in the
20 office of the register of deeds ~~and~~, file a certified copy with the clerk of the circuit
21 court, and ~~shall~~ immediately call an election, to be conducted as are village elections,
22 for the election of village officers. Upon the qualification of such the officers, the
23 board of trustees shall declare the city reorganized as a village, and the
24 reorganization ~~shall be effected~~ is effective. The clerk shall certify a copy of the
25 declaration to the secretary of state who shall file the declaration and endorse a

ASSEMBLY BILL 710**SECTION 41**

1 memorandum thereof of the declaration on the record of the certificate of
2 incorporation of the city. Rights and liabilities of the city shall continue in favor of
3 or against the village. Ordinances, so far as within the power of the village, shall
4 remain in force until changed.

NOTE: Expands the scope of sub. (6) to include any city, not just a city
incorporated under ss. 66.013 to 66.019 (renumbered ss. 66.0201 to 66.0213), by
changing the reference to “the” city to “any” city.

5 **SECTION 42.** 66.02 of the statutes is renumbered 66.0229 and amended to read:

6 **66.0229 Consolidation.** Subject to s. ~~66.023~~ 66.0307 (7), any a town, village
7 or city may be consolidated with a contiguous town, village or city, by ordinance,
8 passed by a two-thirds vote of all the members of each board or council, fixing the
9 terms of the consolidation and ratified by the electors at a referendum held in each
10 municipality. The ballots shall bear the words, “for consolidation”, and “against
11 consolidation”, and if a majority of the votes cast ~~thereon~~ in each municipality are
12 for consolidation, the ordinances shall ~~then be in~~ take effect and have the force of a
13 contract. The ordinance and the result of the referendum shall be certified as
14 provided in s. ~~66.018~~ 66.0211 (5); if a town the certification shall be preserved as
15 provided in ss. ~~60.03 and 66.018~~ 66.0211 (5) and 66.0235, respectively. Consolidation
16 shall does not affect the preexisting rights or liabilities of any municipality and
17 actions ~~thereon~~ on those rights or liabilities may be commenced or completed as
18 though if there were no consolidation had been effected. ~~Any.~~ A consolidation
19 ordinance proposing the consolidation of a town and another municipality shall,
20 within 10 days after its adoption and prior to its submission to the voters for
21 ratification at a referendum, be submitted to the circuit court and the department
22 of administration for a determination whether such the proposed consolidation is in
23 the public interest. The circuit court shall determine whether the proposed

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1 ordinance meets the formal requirements of this section and shall then refer the
2 matter to the department of administration, which shall find as prescribed in s.
3 ~~66.014~~ 66.0203 whether the proposed consolidation is in the public interest in
4 accordance with the standards in s. ~~66.016~~ 66.0207. The department's findings shall
5 have the same status as incorporation findings under ss. ~~66.014~~ 66.0203 to ~~66.019~~
6 66.0213.

7 **SECTION 43.** Subchapter II (title) of chapter 66 [precedes 66.0201] of the
8 statutes is created to read:

9 **CHAPTER 66**

10 **SUBCHAPTER II**

11 **INCORPORATION;**

12 **MUNICIPAL BOUNDARIES**

13 **SECTION 44.** 66.021 (title) of the statutes is renumbered 66.0217 (title) and
14 amended to read:

15 **66.0217** (title) **Annexation of territory initiated by electors and**
16 **property owners.**

17 **SECTION 45.** 66.021 (1) (intro.) and (a) of the statutes are renumbered 66.0217
18 (1) (intro.) and (a).

19 **SECTION 46.** 66.021 (1) (am) to (e) of the statutes are renumbered 66.0217 (1)
20 (c) to (g), and 66.0217 (1) (d), (e) and (f), as renumbered, are amended to read:

21 66.0217 (1) (d) "Owner" means the holder of record of an estate in possession
22 in fee simple, or for life, in land or real property, or a vendee of record under a land
23 contract for the sale of an estate in possession in fee simple or for life but does not
24 include the vendor under a land contract. A tenant in common or joint tenant shall
25 ~~be considered such~~ is an owner to the extent of his or her interest.

ASSEMBLY BILL 710**SECTION 46**

1 (e) “Petition” includes the original petition and any counterpart ~~thereof~~ of the
2 original petition.

3 (f) “Real property” means land and the improvements ~~thereon~~ to the land.

4 **SECTION 47.** 66.021 (2) of the statutes is renumbered 66.0217 (3), and 66.0217
5 (3) (intro.) and (a) (title), as renumbered, are amended to read:

6 66.0217 (3) ~~METHODS~~ OTHER METHODS OF ANNEXATION. (intro.) Subject to s.
7 ~~66.023~~ 66.0307 (7), territory contiguous to ~~any a~~ a city or village may be annexed
8 ~~thereto~~ to the city or village in the following ways:

9 (a) (title) *Direct annexation by one-half approval.*

10 **SECTION 48.** 66.021 (2m) (title) of the statutes is repealed.

11 **SECTION 49.** 66.021 (2m) of the statutes is renumbered 66.0217 (10) (b) and
12 amended to read:

13 66.0217 (10) (b) ~~Whenever~~ For purposes of this section, if a number of electors
14 cannot be determined on the basis of reported election statistics, the number shall
15 be determined in accordance with s. 60.74 (6).

16 **SECTION 50.** 66.021 (3) of the statutes is renumbered 66.0217 (4), and 66.0217
17 (4) (title), (a) (intro.) and (b), as renumbered, are amended to read:

18 66.0217 (4) (title) NOTICE OF PROPOSED ANNEXATION. (a) (intro.) The An
19 annexation under sub. (3) shall be initiated by publishing in the territory proposed
20 for annexation a class 1 notice, under ch. 985, of intention to circulate an annexation
21 petition. The notice shall contain:

22 (b) The person who ~~causes~~ has the notice ~~to be~~ published shall serve a copy of
23 the notice, within 5 days after its publication, upon the clerk of each municipality
24 affected, upon the clerk of each school district affected and upon each owner of land
25 in a town if that land will be in a city or village after the annexation. ~~Such service~~

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1 Service may be either by personal service or by ~~registered~~ certified mail with return
2 receipt requested. If required under sub. (6) (a), a copy of the notice shall be mailed
3 to the department as provided in that paragraph.

NOTE: Revises the required service of notice of intention to circulate an annexation petition to include the method of certified mail, rather than registered mail. Certified mail is less expensive than registered mail and there appears to be no policy reason to require registered mail.

4 **SECTION 51.** 66.021 (4) of the statutes is renumbered 66.0217 (5) and amended
5 to read:

6 66.0217 (5) ~~PETITION~~ ANNEXATION PETITION. (a) ~~The~~ An annexation petition
7 under this section shall state the purpose of the petition, contain a legal description
8 of the territory proposed to be annexed and have attached thereto a scale map. The
9 petition shall also specify the population, ~~as defined in s. 66.013 (2) (b),~~ of the
10 territory. In this paragraph, "population" means the population of the territory as
11 shown by the last federal census, by any subsequent population estimate certified
12 as acceptable by the department or by an actual count certified as acceptable by the
13 department.

NOTE: In addition to the current methods, authorizes the population of the territory to be determined by an actual count, certified as acceptable by the department.

14 (b) No person who has signed a petition ~~shall be permitted to~~ may withdraw
15 his or her name ~~therefrom~~ from the petition. No additional signatures ~~shall~~ may be
16 added after a petition is filed.

17 (c) The circulation of the petition shall commence not less than 10 days nor
18 more than 20 days after the date of publication of the notice of intention to circulate.
19 The annexation petition ~~shall be~~ is void unless filed within 6 months of the date of
20 publication of the notice.

ASSEMBLY BILL 710**SECTION 52**

1 **SECTION 52.** 66.021 (5) of the statutes is renumbered 66.0217 (7) and amended
2 to read:

3 66.0217 (7) REFERENDUM. (a) *Notice.* 1. Within 60 days after the filing of the
4 petition under sub. (3), the common council or village board may accept or reject the
5 petition and if rejected no further action shall may be taken ~~thereon~~ on the petition.
6 Acceptance may consist of adoption of an annexation ordinance. Failure to reject the
7 petition ~~shall obligate~~ obligates the city or village to pay the cost of any referendum
8 favorable to annexation.

9 2. If the petition is not rejected the clerk of the city or village with whom the
10 annexation petition is filed shall give written notice ~~thereof~~ of the petition by
11 personal service or registered mail with return receipt requested to the clerk of any
12 town from which territory is proposed to be detached and shall give like notice to any
13 person who files a written request ~~therefor~~ with the clerk. ~~Such~~ The notice shall
14 indicate whether the petition is for direct annexation or whether it requests a
15 referendum on the question of annexation.

16 3. If the notice indicates that the petition is for a referendum on the question
17 of annexation, the town clerk shall give notice as provided in par. (c) of a referendum
18 of the electors residing in the area proposed for annexation to be held within 30 days
19 after the date of personal service or mailing of the notice required under this
20 paragraph. If the notice indicates that the petition is for direct annexation, no
21 referendum shall be held unless, within 30 days after the date of personal service or
22 mailing of the notice required under this paragraph, a petition conforming to the
23 requirements of s. 8.40 requesting a referendum is filed with the town clerk signed
24 by at least 20% of the electors residing in the area proposed to be annexed. If ~~such~~
25 a petition requesting a referendum is filed, the clerk shall give notice as provided in

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1 par. (c) of a referendum of the electors residing in the area proposed for annexation
2 to be held within 30 days of the receipt of the petition and shall mail a copy of such
3 the notice to the clerk of the city or village to which the annexation is proposed. ~~Any~~
4 The referendum shall be held at ~~some~~ a convenient place within the town to be
5 specified in the notice.

6 (b) *Clerk to act.* If more than one town is involved, the city or village clerk shall
7 determine as nearly as is practicable which town contains the most electors in the
8 area proposed to be annexed and shall indicate in the notice required under par. (a)
9 such that determination. The clerk of the town so designated shall perform the
10 duties required ~~hereunder~~ under this subsection and the election shall be conducted
11 in such the town as are other elections ~~conducted therein~~.

12 (c) *Publication of notice.* The notice shall be published in a newspaper of
13 general circulation in the area proposed to be annexed on the publication day next
14 preceding the referendum election and one week prior to such that publication.

15 (d) *How conducted.* The referendum shall be conducted by the town election
16 officials but the town board may reduce the number of such election officials for that
17 election. The ballots shall contain the words "For annexation" and "Against
18 annexation" and shall otherwise conform to the provisions of s. 5.64 (2). The election
19 shall be conducted as are other town elections in accordance with chs. 6 and 7 ~~insofar~~
20 as to the extent applicable.

21 (e) *Canvass; statement to be filed.* The election inspectors shall make a
22 statement of the holding of the election showing the whole number of votes cast, and
23 the number cast for and against annexation, attach ~~thereto~~ their affidavit to the
24 statement and immediately file it in the office of the town clerk. They shall file a

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1 certified statement of the results in the office of the clerk of each other municipality
2 affected.

3 (f) *Costs.* If the referendum is against annexation, the costs of the election shall
4 be borne by the towns involved in the proportion that the number of electors of each
5 town within the territory proposed to be annexed, voting in the referendum, bears
6 to the total number of electors in such ~~that~~ territory, voting in the referendum.

7 (g) *Effect.* If the result of the referendum is against annexation, all previous
8 proceedings ~~shall be~~ are nullified. If the result of the referendum is for annexation,
9 failure of any town official to perform literally any duty required by this section ~~shall~~
10 does not invalidate the annexation.

11 **SECTION 53.** 66.021 (6) (title) of the statutes is renumbered 66.0217 (10) (title)
12 and amended to read:

13 66.0217 (10) (title) QUALIFICATIONS OF ELECTORS AND OWNERS; ELECTOR
14 DETERMINATION.

15 **SECTION 54.** 66.021 (6) of the statutes is renumbered 66.0217 (10) (a) and
16 amended to read:

17 66.0217 (10) (a) ~~Qualifications~~ Under this section, qualifications as to electors
18 and owners shall be determined as of the date of filing any a petition, except that all
19 qualified electors residing in the territory proposed for annexation on the day of ~~the~~
20 ~~conduct of a referendum election shall be entitled to~~ may vote therein in the election.
21 Residence and ownership ~~must~~ shall be bona fide and not acquired for the purpose
22 of defeating or invalidating the annexation proceedings.

23 **SECTION 55.** 66.021 (7) (title), (a), (b) and (d) of the statutes are renumbered
24 66.0217 (8) (title), (a), (b) and (c), and 66.0217 (8) (a) and (c), as renumbered, are
25 amended to read:

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1 66.0217 (8) (a) An ordinance for the annexation of the territory described in the
2 annexation petition under sub. (3) may be enacted by a two-thirds vote of the elected
3 members of the governing body not less than 20 days after the publication of the
4 notice of intention to circulate the petition and not later than 120 days after the date
5 of filing with the city or village clerk of the petition for annexation or of the
6 referendum election if favorable to the annexation. If the annexation is subject to
7 sub. ~~(11)~~ (6) the governing body shall first review the reasons given by the
8 department of ~~administration~~ that the proposed annexation is against the public
9 interest. Subject to s. 59.692 (7), ~~such~~ an ordinance under this subsection may
10 temporarily designate the classification of the annexed area for zoning purposes
11 until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). Before
12 introduction of an ordinance containing ~~such~~ a temporary classification, the
13 proposed classification shall be referred to and recommended by the plan
14 commission. The authority to make ~~such~~ a temporary classification ~~shall~~ is not be
15 effective when the county ordinance prevails during litigation as provided in s. 59.69
16 (7).

17 (c) The annexation ~~shall be~~ is effective upon enactment of the annexation
18 ordinance. The board of school directors in ~~any city of the first~~ a 1st class ~~shall~~ city
19 is not be required to administer the schools in any territory annexed to ~~any such~~ the
20 city until July 1 following ~~such~~ the annexation.

21 **SECTION 56.** 66.021 (8) of the statutes is renumbered 66.0217 (9) and amended
22 to read:

23 66.0217 (9) FILING REQUIREMENTS; SURVEYS. (a) The clerk of a city or village
24 which has annexed territory shall file immediately with the secretary of state a
25 certified copy of the ordinance, certificate and plat, and shall send one copy to each

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1 company that provides any utility service in the area that is annexed. The clerk shall
2 also record the ordinance with the register of deeds and file a signed copy of the
3 ordinance with the clerk of any affected school district. Failure to file, record or send
4 ~~shall~~ does not invalidate the annexation and the duty to file, record or send ~~shall be~~
5 is a continuing one. The ordinance that is filed, recorded or sent shall describe the
6 annexed territory and the associated population. The information filed with the
7 secretary of state shall be utilized in making recommendations for adjustments to
8 entitlements under the federal revenue sharing program and distribution of funds
9 under ch. 79. The clerk shall certify annually to the secretary of state and record with
10 the register of deeds a legal description of the total boundaries of the municipality
11 as those boundaries existed on December 1, unless there has been no change in the
12 12 months preceding.

13 (b) Within 10 days of receipt of the ordinance, certificate and plat, the secretary
14 of state shall forward 2 copies of the ordinance, certificate and plat to the department
15 of transportation, one copy to the department of administration, one copy to the
16 department of revenue, one copy to the department of public instruction, one copy
17 to the department of ~~commerce~~, one copy to the department of natural resources, one
18 copy to the department of agriculture, trade and consumer protection and 2 copies
19 to the clerk of the municipality from which the territory was annexed.

20 (c) Any city or village may direct a survey of its present boundaries to be made,
21 and when properly attested the survey and plat may be filed in the office of the
22 register of deeds in the county in which the city or village is located, ~~whereupon,~~
23 Upon filing, the survey and plat ~~shall be~~ are prima facie evidence of the facts therein
24 set forth in the survey and plat.

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1 **SECTION 57.** 66.021 (9) of the statutes is renumbered 66.0217 (12) and amended
2 to read:

3 66.0217 (12) VALIDITY OF PLATS. ~~Where any~~ If an annexation is declared invalid
4 but ~~prior to such~~ before the declaration and subsequent to such the annexation a plat
5 has been is submitted and has been is approved as required in s. 236.10 (1) (a), such
6 the plat shall be deemed is validly approved despite the invalidity of the annexation.

7 **SECTION 58.** 66.021 (10) of the statutes is renumbered 66.0217 (11), and
8 66.0217 (11) (title) and (a), as renumbered, are amended to read:

9 66.0217 (11) (title) ACTION TO CONTEST ANNEXATION. (a) An action on any
10 grounds ~~whatsoever~~, whether ~~denominated~~ procedural or jurisdictional, to contest
11 the validity of an annexation shall be commenced within the time after adoption of
12 the annexation ordinance provided by s. 893.73 (2). During the action, the
13 application of, and jurisdiction over, any county zoning in the area annexed is as
14 provided under s. 59.69 (7).

NOTE: A cross-reference to s. 59.69 (7) is added for convenience.

15 **SECTION 59.** 66.021 (11) of the statutes is renumbered 66.0217 (6), and 66.0217
16 (6) (title), (a) and (c) (intro.), as renumbered, are amended to read:

17 66.0217 (6) (title) ~~REVIEW~~ DEPARTMENT REVIEW OF ANNEXATIONS. (a) *Annexations*
18 *within populous counties*. No annexation proceeding within a county having a
19 population of 50,000 or more shall be is valid unless the person ~~causing~~ publishing
20 a notice of annexation ~~to be published~~ under sub. (3) shall ~~within 5 days of the~~
21 ~~publication mail~~ (4) mails a copy of the notice, legal description and a scale map of
22 the ~~proposed annexation~~ to the clerk of each municipality affected and the
23 department of administration within 5 days of the publication. The department may
24 within 20 days after receipt of the notice mail to the clerk of the town within which

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1 the territory lies and to the clerk of the proposed annexing village or city a notice that
2 in its opinion the annexation is against the public interest. ~~No later than 10 days~~
3 ~~after mailing the notice, the department shall advise the clerk of the town in which~~
4 ~~the territory is located and the clerk of the village or city to which the annexation is~~
5 ~~proposed~~ and that advises the clerks of the reasons the annexation is against the
6 public interest as defined in par. (c). The annexing municipality shall review the
7 advice before final action is taken.

NOTE: 1. Eliminates, as redundant, reference to mailing a copy of the legal description and scale map since the description and map are a required content of the notice under renumbered sub. (4) (a) [former sub. (3) (a)].

2. Eliminates, as unnecessary, the additional 10 days currently allowed the department of administration to give its reason for determining that a proposed annexation is against the public interest after it gives notice of that determination.

8 (c) *Definition of public interest.* (intro.) For purposes of this subsection “public
9 interest” is determined by the department of ~~administration~~ after consideration of
10 the following:

11 **SECTION 60.** 66.021 (12) of the statutes is renumbered 66.0217 (2) and amended
12 to read:

13 66.0217 (2) ~~UNANIMOUS~~ DIRECT ANNEXATION BY UNANIMOUS APPROVAL. If a
14 petition for direct annexation signed by all of the electors residing in the territory and
15 the owners of all of the real property in the territory is filed with the city or village
16 clerk, and with the town clerk of the town or towns in which the territory is located,
17 together with a scale map and a legal description of the property to be annexed, an
18 annexation ordinance for the annexation of the territory may be enacted by a
19 two-thirds vote of the elected members of the governing body of the city or village
20 without compliance with the notice requirements of sub. ~~(3)~~ (4). In ~~such annexations~~
21 an annexation under this subsection, subject to sub. ~~(11)~~ (6), the person filing the

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1 petition with the city or village clerk and the town clerk shall, within 5 days of the
2 filing, mail a copy of the scale map and a legal description of the territory to be
3 annexed to the department of ~~administration~~ and the governing body shall review
4 the advice of the department, if any, before enacting the annexation ordinance.

5 **SECTION 61.** 66.021 (13) of the statutes is repealed.

NOTE: Repeals as unnecessary a provision providing that the procedure for annexation by unanimous approval under current s. 66.021 (12) does not eliminate the required review by the department of administration of annexations in counties over 50,000 population. The subsection on annexations by unanimous approval [sub. (12)] expressly states that annexations under that provision are subject to department of administration review.

6 **SECTION 62.** 66.021 (15) of the statutes is renumbered 66.0221 and amended
7 to read:

8 **66.0221 Annexation of and creation of town islands.** Upon its own
9 motion, a city or village by a two-thirds vote of the entire membership of its
10 governing body may enact an ordinance annexing territory which comprises a
11 portion of a town or towns and which was completely surrounded by territory of the
12 city or village on December 2, 1973. The ordinance shall include all surrounded town
13 areas except those exempt by mutual agreement of all of the governing bodies
14 involved. The annexation ordinance shall contain a legal description of the territory
15 and the name of the town or towns from which the territory is detached. Upon
16 enactment of the ordinance, the city or village clerk immediately shall file 6 certified
17 copies of the ordinance in the office of the secretary of state, together with 6 copies
18 of a scale map. The secretary of state shall forward 2 copies of the ordinance and scale
19 map to the department of transportation, one copy to the department of natural
20 resources, one copy to the department of revenue and one copy to the department of
21 administration. This ~~subsection~~ section does not apply if the town island was created
22 only by the annexation of a railroad right-of-way or drainage ditch. This ~~subsection~~

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1 section does not apply to land owned by a town government which has existing town
2 government buildings located ~~thereon~~ on the land. No town island may be annexed
3 under this ~~subsection~~ section if the island consists of over 65 acres or contains over
4 100 residents. Section 66.0217 (11) applies to annexations under this section. After
5 December 2, 1973, no city or village may, by annexation, create a town area which
6 is completely surrounded by the city or village.

7 **SECTION 63.** 66.021 (16) of the statutes is renumbered 66.0217 (13).

8 **SECTION 64.** 66.0217 (1) (b) of the statutes is created to read:

9 66.0217 (1) (b) “Department” means the department of administration.

10 **SECTION 65.** 66.0217 (4) (a) 6. of the statutes is created to read:

11 66.0217 (4) (a) 6. A statement that a copy of the scale map may be inspected
12 at the office of the town clerk for the territory proposed to be annexed and the office
13 of the city or village clerk for the city or village to which the territory is proposed to
14 be annexed.

NOTE: Requires that the notice of intent to circulate an annexation petition
indicate that a copy of the scale map may be inspected in the town clerk’s or city
or village clerk’s office.

15 **SECTION 66.** 66.022 of the statutes is renumbered 66.0227 and amended to
16 read:

17 **66.0227 Detachment of territory.** Subject to s. ~~66.023~~ 66.0307 (7), territory
18 may be detached from ~~any a~~ a city or village and ~~be attached to any a~~ attached to a city, village or
19 town, to which it is contiguous, ~~in the following manner~~ as follows:

20 (1) A petition signed by a majority of the owners of three-fourths of the taxable
21 land in area within ~~such~~ the territory to be detached or, if there is no taxable land
22 ~~therein in the territory~~, by all owners of ~~such~~ land in the territory, shall be filed with
23 the clerk of the city or village from which detachment is sought, within 120 days after

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1 the date of publication of a class 1 notice, under ch. 985, of intention to circulate a
2 petition of detachment.

3 (2) An ordinance detaching ~~such~~ the territory may be enacted within 60 days
4 after the filing of ~~such~~ the petition, by a vote of three-fourths of all the members of
5 the governing body of the detaching city or village and its terms accepted within 60
6 days after ~~such~~ enactment, by an ordinance enacted by a vote of three-fourths of all
7 the members of the governing body of the city, village or town to which ~~such~~ the
8 territory ~~shall be annexed~~ is to be attached. The failure of ~~any~~ a governing body to
9 adopt the ordinance as ~~provided herein shall be deemed~~ under this subsection is a
10 rejection of the petition and all proceedings ~~thereunder shall be~~ are void.

11 (3) The governing body of ~~any~~ a city, village or town involved may, or if a petition
12 conforming to the requirements of s. 8.40 signed by a number of qualified electors
13 ~~thereof~~ equal to at least 5% of the votes cast for governor in the city, village or town
14 at the last gubernatorial election, demanding a referendum ~~thereon~~, is presented to
15 it within 30 days after the passage of either of the ordinances herein ~~provided for~~
16 under sub. (2) shall, ~~cause the question to be submitted~~ submit the question to the
17 electors of the city, village or town whose electors petitioned ~~therefor~~ for detachment,
18 at a referendum election called for ~~such~~ that purpose within 30 days after the filing
19 of ~~such~~ the petition, or after the enactment of either ordinance. ~~Whenever~~ If a
20 number of electors cannot be determined on the basis of reported election statistics,
21 the number shall be determined in accordance with s. 60.74 (6). The governing body
22 of the municipality shall appoint 3 election inspectors who ~~shall be~~ are resident
23 electors to supervise the referendum. The ballots shall contain the words "For
24 Detachment" and "Against Detachment". The inspectors shall certify the results of
25 the election by their attached affidavits ~~annexed thereto~~ and file a copy with the clerk

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1 of each town, village or city involved, and none of the ordinances so provided for shall
2 may take effect nor be in force unless a majority of the electors shall approve the same
3 question. The referendum election shall be conducted in accordance with chs. 6 and
4 7 insofar as to the extent applicable.

5 (4) ~~Whenever any~~ If an area which has been subject to a city or village zoning
6 ordinance is detached from one municipality and attached to another ~~in accordance~~
7 with under this section, the regulations imposed by ~~such~~ the zoning ordinance shall
8 continue in effect and shall be enforced by the attaching city, village or town until
9 changed by official action of the governing body of ~~such~~ the municipality, except that
10 if the detachment or attachment is contested in the courts, the zoning ordinance of
11 the detaching municipality shall ~~prevail~~ prevails, and ~~such~~ the detaching city or
12 village shall have has jurisdiction over the zoning in the area affected until ultimate
13 determination of the court action.

14 (5) The ordinance, certificate and plat shall be filed and recorded in the same
15 manner as for annexations under s. ~~66.021 (8)~~ 66.0217 (9) (a). The requirements for
16 the secretary of state shall be are the same as in s. ~~66.021 (8)~~ 66.0217 (9) (b).

17 (6) Because the creation of congressional, legislative, supervisory and
18 aldermanic districts of equal population is a matter of statewide concern, any
19 detachment action that affects a tract of land that is the subject of an ordinance
20 enacted or resolution adopted by ~~any~~ a city during the period from January 1, 1990,
21 to April 1, 1991, or any later date, expressing an intent to not exercise the city's
22 authority to annex territory before April 1, 1991, or the specified later date, taken
23 by a municipality during the period beginning on April 1 of the year commencing
24 after each federal decennial census of population and ending on June 30 of the year
25 commencing after that census, is effective on July 1 of the year commencing after

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1 that census or at such a later date as may be specified in the detachment ordinance.

2 This subsection first applies to detachments effective after March 31, 1991.

3 **SECTION 67.** 66.023 of the statutes is renumbered 66.0307, and 66.0307 (4) (c)
4 and (10), as renumbered, are amended to read:

5 66.0307 (4) (c) *Comment on plan.* Any person may comment on the plan during
6 the hearing and may submit written comments before, at or within 20 days following
7 the hearing. All comments shall be considered by each participating municipality.
8 Any A county zoning agency under s. 59.69 (2) or regional planning commission
9 whose jurisdiction includes any participating municipality shall comment in writing
10 on the plan's effect on the master plan adopted by the regional planning commission
11 under s. ~~66.945~~ 66.0309 (9), or development plan adopted by the county board or
12 county planning agency under s. 59.69 (3), and on the delivery of municipal services,
13 and may comment on any other aspect of the plan. Any A county in the regional
14 planning commission's jurisdiction may submit comments on the effect of the
15 cooperative plan on the master plan adopted under s. ~~66.945~~ 66.0309 (9) and on the
16 delivery of county services or on any other matter related to the plan.

17 **(10) BOUNDARY CHANGE ORDINANCE; FILING AND RECORDING REQUIREMENTS.** A
18 boundary change under a cooperative plan shall be accomplished by the enactment
19 of an ordinance by the governing body designated to do so in the plan. The filing and
20 recording requirements under s. ~~66.021 (8)~~ 66.0217 (9) (a), as they apply to cities and
21 villages under s. ~~66.021 (8)~~ 66.0217 (9) (a), apply to municipalities under this
22 subsection. The requirements for the secretary of state shall be are the same as those
23 required in s. ~~66.021 (8)~~ 66.0217 (9) (a).

24 **SECTION 68.** 66.024 of the statutes is renumbered 66.0219, and 66.0219 (intro.),
25 (1) to (3), (4) (a) and (b) and (5) to (9), as renumbered, are amended to read:

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1 **66.0219 Annexation by referendum; court order initiated by city or**
2 **village.** (intro.) As a complete alternative to any other annexation procedure, and
3 subject to s. ~~66.023~~ 66.0307 (7), unincorporated territory which contains electors and
4 is contiguous to a city or village may be annexed thereto ~~in the manner hereafter~~
5 ~~provided to the city or village under this section.~~ The definitions in s. ~~66.021~~ 66.0217
6 (1) shall apply to this section.

7 **(1) PROCEDURE FOR ANNEXATION.** (a) The governing body of the city or village
8 to which it is proposed to annex territory shall, by resolution adopted by two-thirds
9 of the members-elect, declare its intention to apply to the circuit court for an order
10 for an annexation referendum, and shall publish the resolution in a newspaper
11 having general circulation in the area proposed to be annexed, as a class 1 notice,
12 under ch. 985, ~~and shall cause to be made.~~ The governing body shall prepare a scale
13 map of ~~such~~ the territory to be annexed, showing it in relation to the annexing city
14 or village. The resolution shall contain a description of the territory to be affected,
15 sufficiently accurate to determine its location, the name of the municipalities
16 directly affected and the name and post-office address of the municipal official
17 ~~causing responsible for the publication of the resolution to be published.~~ The person
18 ~~who causes the resolution to be published shall serve a.~~ A copy of the resolution
19 together with the scale map shall be served upon the clerk of the town or towns from
20 which the territory is to be detached within 5 days of the date of publication of the
21 resolution. ~~Such service~~ Service may be either by personal service or by registered
22 mail and if by registered mail an affidavit ~~must~~ shall be on file with the annexing
23 body indicating the date ~~said~~ on which the resolution was mailed. The annexation
24 ~~shall be deemed~~ is considered commenced upon publication of the resolution.

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1 (b) Application to the circuit court shall be by petition subscribed by the officers
2 designated by the governing body, and shall have attached as a part thereof: the scale
3 map, a certified copy of the resolution of the governing body and an affidavit of the
4 publication and filing required under par. (a). ~~Such~~ The petition shall be filed in the
5 circuit court not less than 30 days but no more than 45 days after the publication of
6 the notice of intention.

7 **(2) PROTEST TO COURT BY ELECTORS; HEARING.** (a) If, prior to the date set for
8 hearing upon ~~such~~ an application filed under sub. (1) (b), there is filed with the court
9 a petition signed by a number of qualified electors residing in the territory equal to
10 at least a majority of the votes cast for governor in the territory at the last
11 gubernatorial election or the owners of more than one-half of the real property in
12 assessed value in ~~such~~ the territory, protesting against the annexation of ~~such~~ the
13 territory, the court shall deny the application for an annexation referendum.
14 ~~Whenever~~ If a number of electors cannot be determined on the basis of reported
15 election statistics, the number shall be determined in accordance with s. 60.74 (6).

16 (b) If a petition protesting the annexation is found insufficient the court shall
17 proceed to hear all parties interested for or against the application. The court may
18 ~~in its discretion~~ adjourn ~~such~~ the hearing from time to time, direct a survey to be
19 made and refer any question for examination and report ~~thereon~~. ~~Any~~ A town whose
20 territory is involved in the proposed annexation shall, upon application, be a party
21 and is entitled to be heard on any relevant matter ~~pertaining thereto~~.

22 **(3) DISMISSAL.** If for any reason the proceedings are dismissed, the court may,
23 ~~in its discretion~~, order entry of judgment against the city or village for ~~such~~
24 disbursements or any part thereof ~~as have been~~ of disbursements incurred by the
25 parties opposing the annexation.

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1 (4) (a) If the court, after ~~such~~ the hearing, is satisfied as to the correctness of
2 that the description of the territory or any survey is accurate and that the provisions
3 of this section have been complied with, it shall make an order so declaring and shall
4 direct a referendum election within the territory ~~which shall be~~ described in the
5 order, on the question, of whether ~~such~~ the area should be annexed. ~~Such~~ The order
6 shall direct 3 electors named ~~therein~~ in the order residing in the town in which the
7 territory proposed to be annexed lies, to perform the duties of inspectors of election.

8 (b) The referendum election shall be held within 30 days after the entry of the
9 order, in the territory proposed for annexation, by the electors of ~~such~~ that territory
10 as provided in s. ~~66.021 (5)~~ 66.0217 (7), so far as applicable. The ballots shall contain
11 the words "For Annexation" and "Against Annexation". The certification of the
12 election inspectors shall be filed with the clerk of the court, and the clerk of any
13 municipality involved, but need not be filed or recorded with the register of deeds.

14 (5) DETERMINATION BY VOTE. (a) If a majority of the votes cast at ~~such~~ the
15 referendum election is against annexation, no other proceeding under this section
16 affecting the same territory or part ~~thereof~~, shall of the same territory may be
17 commenced by the same municipality, until 6 months after the date of the
18 referendum election.

19 (b) If a majority of the votes cast at ~~such~~ the referendum election is for
20 annexation, the territory shall be annexed to the petitioning city or village upon
21 compliance with s. ~~66.021 (8)~~ 66.0217 (9).

22 (6) TEMPORARY ZONING OF AREA PROPOSED TO BE ANNEXED. An interim zoning
23 ordinance to become effective only upon approval of the annexation at the
24 referendum election may be enacted by the governing body of the city or village.
25 Subject to s. 59.692 (7), the ordinance may temporarily designate the classification

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1 of the annexed area for zoning purposes until the zoning ordinance is amended as
2 prescribed in s. 62.23 (7) (d). The proposed interim zoning ordinance shall be referred
3 to and recommended by the plan commission prior to introduction. Authority to
4 make such a temporary classification shall is not be effective when the county zoning
5 ordinance prevails during litigation as provided in s. 59.69 (7).

6 (7) APPEAL. ~~Any appeal~~ An appeal from the order of the circuit court ~~shall be~~
7 is limited to contested issues determined by ~~such~~ the circuit court. ~~Such~~ An appeal
8 shall not stay the conduct of the referendum election ~~provided herein~~, if one is
9 ordered, but the statement of the election results and the copies of the certificate and
10 plat ~~shall~~ may not be filed with the secretary of state until the appeal has been
11 determined.

12 (8) LAW APPLICABLE. Section ~~66.021 (10)~~ shall apply 66.0217 (11) applies to
13 annexations under this section.

14 (9) TERRITORY EXCEPTED. This section shall does not apply to any territory
15 located in an area for which a certificate of incorporation was issued ~~prior to~~ before
16 February 24, 1959, by the secretary of state, even if the incorporation of the territory
17 is later held to be invalid by a court.

18 **SECTION 69.** 66.025 of the statutes is renumbered 66.0223 and amended to
19 read:

20 **66.0223 Annexation of ~~owned~~ territory owned by a city or village.** In
21 addition to other methods provided by law and subject to ss. 59.692 (7) and ~~66.023~~
22 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a
23 village or city may be annexed to a village or city by ordinance enacted by the board
24 of trustees of the village or the common council of the city, provided that in the case
25 of noncontiguous territory the use of the territory by the city or village is not contrary

ASSEMBLY BILL 710**SECTION 69**

1 to any town or county zoning regulation. The ordinance shall contain the exact
2 description of the territory annexed and the names of the towns from which
3 detached, and ~~shall operate to attach~~ attaches the territory to the village or city upon
4 the filing of ~~6~~ 7 certified copies ~~thereof~~ of the ordinance in the office of the secretary
5 of state, together with ~~6~~ 7 copies of a plat showing the boundaries of the territory
6 attached. Two copies of the ordinance and plat shall be forwarded by the secretary
7 of state to the department of transportation, one copy to the department of
8 administration, one copy to the department of natural resources, one copy to the
9 department of revenue and one copy to the department of public instruction. Within
10 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed
11 or delivered to the clerk of the county in which the annexed territory is located.
12 Section 66.0217 (11) applies to annexations under this section.

NOTE: 1. Requires that a copy of the annexation ordinance and the plat showing the boundaries of the attached territory be mailed or delivered to the department of administration and to the county clerk.

2. Provides, for consistency, that the 90-day statute of limitations that applies to challenges to annexations generally (see current ss. 66.021 (10), 66.024 (7) and 893.73 (2) (b)) applies to annexations of owned territory. The 90-day statute of limitations has been held not to apply to this section. [Kaiser v. City of Madison, 99 Wis. 2d 341, 299 NW2d 257 (Ct. App. 1980).]

13 **SECTION 70.** 66.026 of the statutes is renumbered 66.0231 and amended to
14 read:

15 **66.0231 Notice of certain litigation affecting municipal status or**
16 **boundaries.** ~~Whenever any proceedings~~ If a proceeding under ss. 61.187, 61.189,
17 61.74, 62.075, 66.012, ~~66.013 to 66.019, 66.021, 66.022, 66.023, 66.025~~ 66.0201 to
18 66.0213, 66.0215, 66.0217, 66.0221, 66.0223, 66.0227 or 66.0307 or other sections
19 relating to an incorporation, annexation, consolidation, dissolution or detachment of
20 territory of a city or village ~~are~~ is contested by instigation of legal proceedings, the
21 clerk of the city or village involved in the proceedings shall file with the secretary of

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1 state 4 copies of a notice of the commencement of the action. The clerk shall also file
2 with the secretary of state 4 copies of any judgments rendered or appeals taken in
3 such cases. The notices or copies of judgments that are required under this section
4 may also be filed by an officer or attorney of any party of interest. The secretary of
5 state shall forward to the department of transportation 2 copies and to the
6 department of revenue and the department of administration one copy each of any
7 notice of action or judgment filed with the secretary of state under this section.

8 **SECTION 71.** 66.027 of the statutes is renumbered 66.0225 and amended to
9 read:

10 **66.0225 Municipal boundaries, fixed by judgment.** Any 2 municipalities
11 whose boundaries are immediately adjacent at any point and who are parties to ~~any~~
12 an action, proceeding or appeal in court for the purpose of testing the validity or
13 invalidity of ~~any~~ an annexation, incorporation, consolidation or detachment, may
14 enter into a written stipulation, compromising and settling ~~any such~~ the litigation
15 and determining the common boundary line between the municipalities. The court
16 having jurisdiction of the litigation, whether ~~it is a~~ the circuit court, the court of
17 appeals or the supreme court, may enter a final judgment incorporating the
18 provisions of the stipulation and fixing the common boundary line between the
19 municipalities involved. ~~Any~~ A stipulation changing boundaries of municipalities
20 shall be approved by the governing bodies of the detaching and annexing
21 municipalities and s. ~~66.021 (8) and (10)~~ 66.0217 (9) and (11) shall apply. ~~Any~~ A
22 change of ~~civil~~ municipal boundaries under this section is subject to a referendum
23 of the electors residing within the territory annexed or detached, if within 30 days
24 after the publication of the stipulation to change boundaries in a newspaper of
25 general circulation in the area proposed to be annexed or detached, a petition for a

ASSEMBLY BILL 710**SECTION 71**

1 referendum conforming to the requirements of s. 8.40 signed by at least 20% of the
2 electors of the area to be annexed or detached, is filed with the clerk of the
3 municipality from which the area is proposed to be detached. The referendum shall
4 be conducted as are annexation referenda. If the referendum election is opposed to
5 detachment from the municipality, all proceedings under this section are void. ~~For~~
6 ~~the purposes of~~ In this section, "municipalities" ~~includes~~ means cities, villages and
7 towns.

8 **SECTION 72.** 66.028 of the statutes is renumbered 66.0305, and 66.0305 (4) (b),
9 as renumbered, is amended to read:

10 66.0305 (4) (b) An agreement entered into under sub. (2) may address any other
11 appropriate matters, including any agreements with respect to services or
12 agreements with respect to municipal boundaries under s. ~~66.023 or 66.027~~ 66.0225
13 or 66.0307.

14 **SECTION 73.** 66.029 of the statutes is renumbered 66.0233 and amended to
15 read:

16 **66.0233 Town boundaries, participation in actions to test alterations**
17 **of town boundaries.** In proceedings whereby a proceeding in which territory is
18 may be attached to or detached from ~~any a~~ a town, the town is an interested party, and
19 the town board may institute, maintain or defend an action brought to test the
20 validity of ~~such~~ the proceedings, and may intervene or be impleaded in ~~any such~~ the
21 action.

22 **SECTION 74.** 66.0295 of the statutes, as created by 1999 Wisconsin Act 9, is
23 renumbered 66.1001, and 66.1001 (1) (a) 3., (2) (g) and (3) (a) to (f) and (o), as
24 renumbered, are amended to read:

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1 66.1001 (1) (a) 3. For a regional planning commission, a master plan that is
2 adopted or amended under s. ~~66.945~~ 66.0309 (8), (9) or (10).

3 (2) (g) *Intergovernmental cooperation element.* A compilation of objectives,
4 policies, goals, maps and programs for joint planning and decision making with other
5 jurisdictions, including school districts and adjacent local governmental units, for
6 siting and building public facilities and sharing public services. The element shall
7 analyze the relationship of the local governmental unit to school districts and
8 adjacent local governmental units, and to the region, the state and other
9 governmental units. The element shall incorporate any plans or agreements to
10 which the local governmental unit is a party under s. ~~66.023, 66.30 or 66.945~~ 66.0301,
11 66.0307 or 66.0309. The element shall identify existing or potential conflicts
12 between the local governmental unit and other governmental units that are specified
13 in this paragraph and describe processes to resolve such conflicts.

14 (3) (a) Municipal incorporation procedures under s. ~~66.012, 66.013 or 66.014~~
15 66.0201, 66.0203 or 66.0215.

16 (b) Annexation procedures under s. ~~66.021, 66.024 or 66.025~~ 66.0217, 66.0219
17 or 66.0223.

18 (c) Cooperative boundary agreements entered into under s. ~~66.023~~ 66.0307.

19 (d) Consolidation of territory under s. ~~66.02~~ 66.0229.

20 (e) Detachment of territory under s. ~~66.022~~ 66.0227.

21 (f) Municipal boundary agreements fixed by judgment under s. ~~66.027~~ 66.0225.

22 (o) Impact fee ordinances that are enacted or amended under s. ~~66.55~~ 66.0617.

23 **SECTION 75.** 66.03 of the statutes is renumbered 66.0235, and 66.0235 (1), (2),
24 (2c) (a) 2., (2m) to (10), (11) (a) 4. and (b) and (13) (a) 1. and (aa) to (c), as renumbered,
25 are amended to read:

ASSEMBLY BILL 710**SECTION 75**

1 66.0235 (1) DEFINITION. In this section, “municipality local governmental unit”
2 includes means town sanitary districts, school districts, technical college districts,
3 towns, villages and cities.

4 (2) BASIS. (a) Except as otherwise provided in this section or in s. 60.79 (2) (c)
5 when territory is transferred, in any manner provided by law, from one ~~municipality~~
6 local governmental unit to another, there shall be assigned to ~~such other~~
7 ~~municipality~~ the latter local governmental unit such proportion of the assets and
8 liabilities of the first ~~municipality~~ local governmental unit as the assessed valuation
9 of all taxable property in the territory transferred bears to the assessed valuation of
10 all the taxable property of the entire ~~municipality~~ local governmental unit from
11 which ~~said~~ the territory is taken according to the last assessment roll of ~~such~~
12 ~~municipality~~ the local governmental unit. The clerk of any ~~municipality~~ a local
13 governmental unit to which territory is transferred as aforesaid, within 30 days of
14 the effective date of ~~such~~ the transfer, shall certify to the clerk of the ~~municipality~~
15 local governmental unit from which ~~such~~ territory was transferred and to the clerk
16 of the school district in which ~~such~~ the territory is located a metes and bounds
17 description of the land area involved ~~and upon~~. Upon receipt of ~~such~~ the description
18 the clerk of the ~~municipality~~ local governmental unit from which ~~such~~ the territory
19 was transferred shall certify to the department of revenue and to the clerk of the
20 school district in which ~~such~~ the territory is located the latest assessed value of the
21 real and personal property located within the transferred territory, and shall make
22 ~~such~~ any further reports as ~~may be~~ needed by the department of revenue in the
23 performance of duties required by law.

24 (b) When the transfer of territory from one ~~municipality~~ local governmental
25 unit to another results from the incorporation of a new city or village, the proportion

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1 of the assets and liabilities assigned to ~~such~~ the new city or village shall be based on
2 the average assessed valuation for the preceding 5 years of the property transferred
3 in proportion to the average assessed valuation for the preceding 5 years of all the
4 taxable property of the entire ~~municipality~~ local governmental unit from which said
5 the territory is taken, according to the assessment rolls of ~~such municipality~~ the local
6 governmental unit for said those years. ~~In any such case the~~ The certification by the
7 clerk of the ~~municipality~~ local governmental unit from which territory was
8 transferred because of the incorporation shall include the assessed value of the real
9 and personal property within the territory transferred for each of the last 5 years.
10 The preceding 5 years shall include the assessment rolls for the 5 calendar years
11 prior to the incorporation.

12 **(2c)** (a) 2. The clerk of any school district to which territory is transferred,
13 within 30 days of the effective date of the transfer, shall certify to the clerk of the
14 ~~municipality~~ local governmental unit from which the territory was transferred a
15 metes and bounds description of the land area involved. Upon receipt of the
16 description the clerk of the ~~municipality~~ local governmental unit from which the
17 territory was transferred shall certify to the department of revenue the latest
18 assessed value of the real and personal property located within the transferred
19 territory, file one copy of the certification with the school district clerk and one copy
20 with the department of public instruction and make ~~such~~ any further reports as are
21 needed by the department of revenue in the performance of duties required by law.

22 **(2m)** ATTACHMENT AND DETACHMENT WITHIN 5 YEARS. ~~Whenever~~ If territory is
23 attached to or consolidated with a school district, and the territory or any part ~~thereof~~
24 of the territory is detached ~~therefrom~~ from the district within 5 years after the
25 attachment or consolidation, the school district to which it is transferred ~~shall be~~ is

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1 entitled, in the apportionment of assets and liabilities, only to the assets or liabilities
2 or proportionate part thereof apportioned to the school district as the result of the
3 original attachment or consolidation.

4 (3) REAL ESTATE. (a) The title to real estate ~~shall~~ may not be transferred under
5 this section except by agreement, but the value ~~thereof~~ of real estate shall be included
6 in determining the assets of the ~~municipality~~ local governmental unit owning the
7 ~~same~~ real estate and in making the adjustment of assets and liabilities.

8 (b) The right to possession and control of school buildings and sites ~~shall pass~~
9 passes to the school district in which they are situated immediately upon the
10 attachment or detachment of any school district territory becoming effective, except
11 that in 1st class city school districts the right to possession and control of school
12 buildings and sites ~~shall pass~~ passes on July 1 following the adoption of the ordinance
13 authorized by s. ~~66.021 (7)~~ 66.0217 (8). The asset value of school buildings and sites
14 shall be the value of the use ~~thereof~~ of the buildings and sites, which shall be
15 determined at the time of adjustment of assets and liabilities.

16 (c) When as a result of ~~any~~ an annexation ~~whereby~~ a school district is left
17 without a school building, any moneys are received by ~~such~~ the school district as a
18 result of the division of assets and liabilities required by s. ~~66.03~~ this section, which
19 are derived from values that were capital assets, ~~such~~ the moneys and interest
20 ~~thereon~~ on the moneys shall be held in trust by ~~such~~ the school district and dispensed
21 only for procuring new capital assets or remitted to an operating district as the
22 remainder of the suspended district becomes a part of ~~such~~ the operating district, and
23 ~~shall in no case~~ may not be used to meet current operating expenditures. ~~This shall~~
24 ~~include any funds in the hands of any district officers on July 1, 1953, resulting from~~
25 ~~such action previously taken under s. 66.03.~~ The boards involved shall, as part of

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1 their duties in division of assets and liabilities in school districts, make a written
2 report of the allocation of assets and liabilities to the state superintendent of public
3 instruction and any local superintendent of schools whose territory is involved in the
4 division of assets.

5 (4) PUBLIC UTILITIES. Any A public utility plant, including any dam, power
6 house, power transmission line and other structures and property operated and used
7 in connection ~~therewith shall belong~~ with the plant, belongs to the ~~municipality~~ local
8 governmental unit in which the major portion of the patrons of ~~such~~ the utility reside.

9 The value of ~~such~~ the utility, unless fixed by agreement of all parties interested shall
10 be determined and fixed by the public service commission upon notice to the
11 ~~municipalities~~ local governmental units interested, in the manner provided by law.

12 The commission shall certify the amount of the compensation to the clerks of each
13 ~~municipality~~ local governmental unit interested and ~~said~~ that amount shall be used
14 by the apportionment board ~~or boards~~ in adjusting assets and liabilities.

15 (5) APPORTIONMENT BOARD. The boards or councils of the ~~municipalities~~ local
16 governmental units, or committees, ~~thereof~~ selected for that purpose, acting
17 together, shall constitute an apportionment board. When any ~~municipality~~ a local
18 governmental unit is dissolved by reason of ~~because~~ all of its territory being ~~so~~ is
19 transferred the board or council ~~thereof~~ of the local governmental unit existing at the
20 time of ~~such~~ dissolution shall, for the purpose of this section, continue to exist as the
21 governing body of ~~such municipality~~ the local governmental unit until there has been
22 an apportionment of assets by agreement of the interested ~~municipalities~~ local
23 governmental units or by an order of the circuit court. After an agreement for
24 apportionment of assets has been entered into between the interested ~~municipalities~~
25 local governmental units, or an order of the circuit court becomes final, a copy of ~~such~~

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1 ~~the~~ apportionment agreement, or of ~~such~~ the order, certified to by the clerks of the
2 interested ~~municipalities~~ local governmental units, shall be filed with the
3 department of revenue, the department of natural resources, the department of
4 transportation, the state superintendent of public instruction, the department of
5 administration, and with any other department or agency of the state from which the
6 town may be entitled by law to receive funds or certifications or orders relating to the
7 distribution or disbursement of funds, with the county treasurer, with the treasurer
8 of any ~~municipality~~ local governmental unit, or with any other entity from which
9 payment would have become due if ~~such~~ the dissolved ~~municipality from which such~~
10 ~~territory was transferred~~ local governmental unit had continued in existence.
11 Subject to ss. 79.006 and 86.303 (4), ~~thereafter~~ payments from the shared revenue
12 account made pursuant to ch. 79, payments of forest crop taxes under s. 77.05, of
13 transportation aids under s. 20.395, of state aids for school purposes under ch. 121,
14 payments for managed forest land under subch. VI of ch. 77 and all payments due
15 from a department or agency of the state, from a county, from a ~~municipality~~ local
16 governmental unit, or from any other entity from which payments would have
17 become due if ~~such~~ the dissolved ~~municipality from which such territory was~~
18 ~~transferred~~ local governmental unit had continued in existence, shall be paid to the
19 interested ~~municipality~~ local governmental unit as provided by ~~such~~ the agreement
20 for apportionment of assets or by any order of apportionment by the circuit court and
21 ~~such~~ the payments shall have the same force and effect as if made to the dissolved
22 ~~municipality from which such territory was transferred~~ local governmental unit.

23 (6) MEETING. The board or council of the ~~municipality~~ local governmental unit
24 to which the territory is transferred shall fix a time and place for meeting and ~~cause~~
25 give a written notice ~~thereof~~ of the meeting to ~~be given~~ the clerk of the ~~municipality~~

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1 local governmental unit from which the territory is taken at least 5 days prior to the
2 date of the meeting. The apportionment may be made only by a majority of the
3 members from each ~~municipality~~ local governmental unit who attend, and in case of
4 committees, the action ~~must~~ shall be affirmed by the board or council represented by
5 the committee.

6 (7) ADJUSTMENT, HOW MADE. (a) The apportionment board shall determine,
7 except for public utilities, ~~such~~ assets and liabilities from the best information
8 obtainable and shall assign to the ~~municipality~~ local governmental unit to which the
9 territory is transferred its proper proportion thereof of assets and liabilities by
10 assigning the excess of liabilities over assets, or by assigning any particular asset or
11 liability to either ~~municipality~~ local governmental unit, or in ~~such other~~ another
12 manner as ~~will best meet~~ that meets the requirements of the particular case.

13 (b) If a proportionate share of any indebtedness existing by reason of municipal
14 bonds or other obligations outstanding is assigned to ~~any municipality~~ a local
15 governmental unit, that ~~municipality~~ local governmental unit shall ~~cause to be~~
16 ~~levied and collected~~ levy and collect upon all its taxable property, in one sum or in
17 annual instalments, the amount necessary to pay the principal and interest ~~thereon~~
18 when due, and shall pay the amount so collected to the treasurer of the ~~municipality~~
19 local governmental unit which issued the bonds or incurred the obligations. The
20 treasurer shall apply the moneys so received strictly to the payment of ~~such~~ the
21 principal and interest.

22 (c) If the asset apportioned consists of an aid or tax to be distributed in the
23 future according to population, the apportionment board shall certify to the officer,
24 agency or department responsible for making the distribution each ~~municipality's~~
25 local governmental unit's proportionate share of ~~such~~ the asset as determined in

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1 accordance with sub. (2). The officer, agency or department shall thereafter
2 distribute such the aid or tax directly to the several municipalities local
3 governmental units according to such the certification until the next federal census.

4 (8) APPEAL TO COURT. ~~In case~~ If the apportionment board is unable to agree, the
5 circuit court of the county in which either municipality local governmental unit is
6 situated, may, upon the petition of either municipality local governmental unit,
7 make the adjustment of assets and liabilities pursuant to under this section,
8 including review of any alternative method provided for in sub. (2c) (b) and the
9 correctness of the findings ~~thereunder~~ made under sub. (2c) (b).

10 (9) TRANSCRIPT OF RECORDS. ~~When~~ If territory shall be is detached from a
11 municipality by creation of a new municipality or otherwise local governmental unit,
12 the proper officer of the municipality local governmental unit from which the
13 territory was detached shall furnish, upon demand by the proper officer of the
14 municipality local governmental unit created from the detached territory or to which
15 it is annexed, an authenticated transcript of all public records in that officer's office
16 pertaining to the detached territory. The municipality local governmental unit
17 receiving the transcript shall pay ~~therefor~~ for the transcript.

18 (10) STATE TRUST FUND LOANS. When territory transferred in any manner
19 provided by law from one municipality local governmental unit to another is liable
20 for state trust fund loans secured under subch. II of ch. 24, the clerk of the
21 municipality local governmental unit to which territory is transferred shall within
22 30 days of the effective date of such the transfer certify a metes and bounds
23 description of the transferred area to the clerk of the municipality local
24 governmental unit from which the land was transferred. ~~Thereupon, the~~ The clerk
25 of the municipality local governmental unit from which such territory was

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1 transferred shall then certify to the board of commissioners of public lands: ~~(a) the~~
2 effective date of such the transfer of territory; ~~(b), the last preceding assessed~~
3 valuation of the territory liable for state trust fund loans ~~prior to~~ before transfer of
4 a part of such the territory; ~~(c) and~~ the assessed valuation of the territory so
5 transferred. ~~Thereafter, the~~ The board shall in making its annual certifications of
6 the amounts due on account of state trust fund loans distribute annual charges for
7 interest and principal on ~~any such~~ outstanding loans covered by this subsection in
8 the proportion that the assessed valuation of the territory so transferred shall bear
9 bears to the assessed valuation of the area liable for state trust fund loans as
10 constituted immediately before the transfer of territory, ~~provided, however, that any.~~
11 A transfer of territory effective subsequent to January 1 of any year shall may not
12 be considered until the succeeding year.

13 (11) (a) 4. The name of the school district to which the transfer was made
14 immediately after the effective date of such the transfer.

15 (b) ~~Thereafter, in~~ In making their the annual certifications of the amounts due
16 on account of state trust fund loans the board of commissioners of public lands shall
17 use the new name of the school district, ~~provided that any.~~ A transfer of territory
18 effective subsequent to January 1 of any year shall may not be considered by it until
19 the succeeding year.

20 (13) (a) 1. Subject to subd. 2., if any territory is annexed, detached or
21 incorporated in any year, general property taxes levied against the territory shall be
22 collected by the treasurer of the ~~municipality~~ local governmental unit in which the
23 territory was located on January 1 of such year, and all moneys collected from the
24 tax levied for local municipal purposes shall be allocated to each of the ~~municipalities~~
25 local governmental units on the basis of the portion of the calendar year the territory

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1 was located in each of the ~~municipalities~~ local governmental units, and paid
2 accordingly.

3 (aa) *Apportionment when town is nonexistent.* If the town in which territory
4 was located on January 1 is nonexistent when the city or village determines its
5 budget, any taxes certified to the town or required by law to be levied against ~~such~~
6 the territory shall be included in the budget of the city or village and levied against
7 ~~such~~ the territory, together with the city or village tax for local municipal purposes.

8 (b) *Special taxes and assessments.* ~~Whenever~~ If territory is transferred from
9 one ~~municipality~~ local governmental unit to another by annexation, detachment,
10 consolidation or incorporation, or returns to its former status by reason of court
11 determination, any special tax or assessment outstanding against any property in
12 the territory shall be collected by the treasurer of the ~~municipality~~ wherein local
13 governmental unit in which the property is located, according to the terms of the
14 ordinance or resolution levying ~~such~~ the tax or assessment. ~~Such~~ The special tax or
15 assessment, when collected, shall be paid to the treasurer of the ~~municipality~~ local
16 governmental unit which levied the special tax or assessment, or if the ~~municipality~~
17 local governmental unit is nonexistent, the collecting treasurer shall apply the
18 collected funds to any obligation for which purpose the tax or assessment was levied
19 and which remains outstanding; ~~provided that if.~~ If no ~~such~~ obligation is
20 outstanding, the collected funds shall be paid into the school fund of the school
21 district in which the territory is located.

22 (bb) *Apportionment when court returns territory to former status.* ~~Whenever~~
23 If territory which has been annexed, consolidated, detached or incorporated returns
24 to its former status by reason of a final court determination, there shall be an
25 apportionment of general property taxes and current aids and shared revenues to

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1 ~~adjust such assets between the municipalities~~ local governmental units, and no other
2 apportionment of assets and liabilities. The basis of the apportionment shall be
3 determined by the apportionment board subject to appeal to the circuit court, ~~but the~~
4 The apportionment shall ~~insofar as~~ to the extent practicable equitably adjust such
5 ~~assets~~ the taxes, aids and revenues between the ~~municipalities~~ local governmental
6 units involved on the basis of the portion of the calendar year the territory was
7 located in the respective ~~municipalities~~ local governmental units.

8 (c) *Certification by clerk.* The clerk of the ~~municipality~~ local governmental unit
9 which assessed such ~~the~~ special and general tax and special assessment shall certify
10 to the clerk of the ~~municipality~~ local governmental unit to which the territory was
11 attached or returned, a list of all the property located ~~therein~~ in the attached or
12 returned territory to which is charged any uncollected taxes and assessments. The
13 certification shall be made within 30 days after the effective date of the transfer of
14 the property, but failure to so certify shall does not affect the validity of the claim.

15 **SECTION 76.** Subchapter III (title) of chapter 66 [precedes 66.0301] of the
16 statutes is created to read:

CHAPTER 66**SUBCHAPTER III****INTERGOVERNMENTAL COOPERATION**

17 **SECTION 77.** 66.0303 (title) and (1) of the statutes are created to read:

18 **66.0303** (title) **Municipal interstate cooperation.** (1) In this section,
19 “municipality” has the meaning given in s. 66.0301 (1) (a).

20 **SECTION 78.** 66.031 (title) of the statutes is renumbered 66.0401 (title) and
21 amended to read:

22 **66.0401** (title) **Regulation of relating to solar and wind energy systems.**
23
24
25

ASSEMBLY BILL 710**SECTION 78**

NOTE: Amends the title to reflect the consolidation of current ss. 66.031 and 66.033.

1 **SECTION 79.** 66.031 of the statutes is renumbered 66.0401 (1), and 66.0401 (1)
2 (intro.), as renumbered, is amended to read:

3 66.0401 (1) AUTHORITY TO RESTRICT SYSTEMS LIMITED. (intro.) No county, city,
4 town or village may place any restriction, either directly or in effect, on the
5 installation or use of a solar energy system, as defined in s. 13.48 (2) (h) 1. g., or a wind
6 energy system, as defined in s. ~~66.032~~ 66.0415 (1) (m), unless the restriction satisfies
7 one of the following conditions:

8 **SECTION 80.** 66.0311 (title) and (1) of the statutes are created to read:

9 **66.0311** (title) **Intergovernmental cooperation in financing and**
10 **undertaking housing projects.** (1) In this section, “municipality” has the
11 meaning given in s. 66.0301 (1) (a).

12 **SECTION 81.** 66.0313 (1) of the statutes is created to read:

13 66.0313 (1) In this section, “law enforcement agency” has the meaning given
14 in s. 165.83 (1) (b).

NOTE: Creates a definition of the term “law enforcement agency” for use in renumbered s. 66.0313 (2) as shown in SECTION 363 of this bill.

15 **SECTION 82.** 66.032 of the statutes is renumbered 66.0403, and 66.0403 (1) (h),
16 as renumbered, is amended to read:

17 66.0403 (1) (h) “Owner” means at least one owner, as defined under s. ~~66.021~~
18 ~~(1) (b)~~ 66.0217 (1) (c), of a property or the personal representative of at least one
19 owner.

20 **SECTION 83.** 66.033 (title) of the statutes is repealed.

21 **SECTION 84.** 66.033 of the statutes is renumbered 66.0401 (2) and amended to
22 read:

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1 66.0401 (2) AUTHORITY TO REQUIRE TRIMMING OF BLOCKING VEGETATION. Any A
2 county, city, village or town may provide by ordinance for the trimming of vegetation
3 which blocks solar energy, as defined in s. ~~66.032~~ 66.0415 (1) (k), from a collector
4 surface, as defined under s. 700.41 (2) (b), or which ~~block~~ blocks wind from a wind
5 energy system, as defined in s. ~~66.032~~ 66.0415 (1) (m). The ordinance may include,
6 but is not limited to, a designation of responsibility for the costs of the trimming. The
7 ordinance may not require the trimming of vegetation that was planted by the owner
8 or occupant of the property on which the vegetation is located before the installation
9 of the solar or wind energy system.

10 **SECTION 85.** 66.034 of the statutes, as created by 1999 Wisconsin Act 9, is
11 renumbered 66.1027.

12 **SECTION 86.** 66.035 of the statutes is repealed.

NOTE: The substance of the repealed section is restated in new s. 66.0103. See
SECTION 28 of this bill.

13 **SECTION 87.** 66.036 of the statutes is renumbered 145.195.

14 **SECTION 88.** 66.037 of the statutes is renumbered 66.1111.

15 **SECTION 89.** 66.04 (title) of the statutes is renumbered 66.0601 (title).

16 **SECTION 90.** 66.04 (1) of the statutes is renumbered 66.0601 (1) (a) and
17 amended to read:

18 66.0601 (1) (a) *Bonus to state institution.* No appropriation or bonus of any
19 kind, except for a donation, may be made by any a town, village, or city, nor any
20 municipal liability created nor tax levied, as a consideration or inducement to the
21 state to locate any public educational, charitable, reformatory, or penal institution.

22 **SECTION 91.** 66.04 (1m) (title) of the statutes is repealed.

ASSEMBLY BILL 710**SECTION 92**

1 **SECTION 92.** 66.04 (1m) (a) and (b) of the statutes, as affected by 1999 Wisconsin
2 Act 9, are renumbered 66.0601 (1) (b) and (c).

3 **SECTION 93.** 66.04 (2), (2m) and (2s) of the statutes are renumbered 66.0603
4 (1), (2) and (3), and 66.0603 (1) (a) (intro.) and (b) to (d) and (2) (intro.), as
5 renumbered, are amended to read:

6 66.0603 (1) (a) (intro.) ~~Any~~ A county, city, village, town, school district, drainage
7 district, technical college district or other governing board as defined by s. 34.01 (1)
8 may invest any of its funds not immediately needed in any of the following:

9 (b) ~~Any~~ A town, city or village may invest surplus funds in any bonds or
10 securities issued under the authority of the municipality, whether the bonds or
11 securities create a general municipality liability or a liability of the property owners
12 of the municipality for special improvements, and may sell or hypothecate the bonds
13 or securities. Funds of ~~any~~ an employer, as defined by s. 40.02 (28), in a deferred
14 compensation plan may also be invested and reinvested in the same manner
15 authorized for investments under s. 881.01 (1).

16 (c) ~~Any~~ A local government, as defined under s. 25.50 (1) (d), may invest surplus
17 funds in the local government pooled-investment fund. Cemetery care funds,
18 including gifts where the principal is to be kept intact, may also be invested under
19 ch. 881.

20 (d) ~~Any~~ A county, city, village, town, school district, drainage district, technical
21 college district or other governing board as defined by s. 34.01 (1) may engage in
22 financial transactions in which a public depository, as defined in s. 34.01 (5), agrees
23 to repay funds advanced to it by the local government plus interest, if the agreement
24 is secured by bonds or securities issued or guaranteed as to principal and interest by
25 the federal government.

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1 **(2) DELEGATION OF INVESTMENT AUTHORITY.** (intro.) Any A county, city, village,
 2 town, school district, drainage district, technical college district or other governing
 3 board, as defined in s. 34.01 (1), may delegate the investment authority over any of
 4 its funds not immediately needed to a state or national bank, or trust company, which
 5 is authorized to transact business in this state if all of the following conditions are
 6 met:

7 **SECTION 94.** 66.04 (3) of the statutes is renumbered 66.0601 (2).

8 **SECTION 95.** 66.04 (4) of the statutes is renumbered 66.0603 (4) and amended
 9 to read:

10 66.0603 (4) **INVESTED FUND PROCEEDS IN POPULOUS CITIES, USE.** In ~~any city of the~~
 11 ~~first a 1st class city,~~ all interest derived from invested funds held by the city treasurer
 12 in a custodial capacity on behalf of any political entity, except for pension funds, ~~shall~~
 13 ~~be deemed~~ is general revenues revenue of ~~such the~~ city and shall revert to the city's
 14 general fund, ~~conditioned~~ upon the approval by ~~such the~~ political entity evidenced
 15 by a resolution adopted for that purpose.

16 **SECTION 96.** Subchapter IV (title) of chapter 66 [precedes 66.0401] of the
 17 statutes is created to read:

18 **CHAPTER 66**

19 SUBCHAPTER IV

20 REGULATION

21 **SECTION 97.** 66.041 of the statutes is renumbered 66.0605 and amended to
 22 read:

23 **66.0605 Local government audits and reports.** Notwithstanding any
 24 other statute, the governing body of any a county, city, village or town may require
 25 or authorize a financial audit of any a municipal or county officer, department, board,

ASSEMBLY BILL 710**SECTION 97**

1 commission, function or activity financed in whole or part from municipal or county
2 funds, or if any portion of the funds thereof are the funds of such the county, city,
3 village or town. The governing body may ~~likewise~~ require submission of periodic
4 financial reports by ~~any such~~ the officer, department, board, commission, function
5 or activity.

6 **SECTION 98.** 66.0413 (1) (title) of the statutes is created to read:

7 66.0413 (1) (title) AUTHORITY AND PROCEDURE.

8 **SECTION 99.** 66.0413 (1) (a) and (b) of the statutes are created to read:

9 66.0413 (1) (a) *Definitions.* In this subsection:

10 1. “Building” includes any building or structure or any portion of a building or
11 structure.

12 2. “Raze a building” means to demolish and remove the building and to restore
13 the site to a dust-free and erosion-free condition.

14 (b) *Raze order.* The governing body, building inspector or other designated
15 officer of a municipality may:

16 1. If a building is old, dilapidated or out of repair and consequently dangerous,
17 unsafe, unsanitary or otherwise unfit for human habitation and unreasonable to
18 repair, order the owner of the building to raze the building or, if the building can be
19 made safe by reasonable repairs, order the owner to either make the building safe
20 and sanitary or to raze the building, at the owner’s option.

21 2. If there has been a cessation of normal construction of a building for a period
22 of more than 2 years, order the owner of the building to raze the building.

NOTE: Paragraphs (a) and (b) restate s. 66.05 (1g) and a portion of sub. (1m) (a).
See SECTION 135 of the bill.

23 **SECTION 100.** 66.0413 (1) (br) (title) of the statutes is created to read:

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1 66.0413 (1) (br) (title) *Notice of unfitness for occupancy or use; penalty.*

2 **SECTION 101.** 66.0413 (1) (br) 1. of the statutes is created to read:

3 66.0413 (1) (br) 1. If a building subject to an order under par. (b) is unsanitary
4 and unfit for human habitation, occupancy or use and is not in danger of structural
5 collapse, the building inspector or other designated officer shall post a placard on the
6 premises containing the following notice: “This Building May Not Be Used For
7 Human Habitation, Occupancy or Use.” The building inspector or other designated
8 officer shall prohibit use of the building for human habitation, occupancy or use until
9 necessary repairs have been made.

NOTE: Restates the last 2 sentences of current s. 66.05 (2) (a), deleted by
SECTION 139.

10 **SECTION 102.** 66.0413 (1) (d) of the statutes is created to read:

11 66.0413 (1) (d) *Service of order.* An order under par. (b) shall be served on the
12 owner of record of the building that is subject to the order or on the owner’s agent if
13 the agent is in charge of the building in the same manner as a summons is served
14 in circuit court. An order under par. (b) shall be served on the holder of an
15 encumbrance of record by 1st class mail at the holder’s last-known address and by
16 publication as a class 1 notice under ch. 985. If the owner and the owner’s agent
17 cannot be found or if the owner is deceased and an estate has not been opened, the
18 order may be served by posting it on the main entrance of the building and by
19 publishing it as a class 1 notice under ch. 985 before the time limited in the order
20 begins to run. The time limited in the order begins to run from the date of service
21 on the owner or owner’s agent or, if the owner and agent cannot be found, from the
22 date that the order was posted on the building.

NOTE: Restates a portion of s. 66.05 (1m) (a).

23 **SECTION 103.** 66.0413 (1) (k) of the statutes is created to read:

ASSEMBLY BILL 710**SECTION 103**

1 66.0413 (1) (k) *Public nuisance procedure.* A building which is determined
2 under par. (b) 1. to be old, dilapidated or out of repair and consequently dangerous,
3 unsafe, unsanitary or otherwise unfit for human habitation and unreasonable to
4 repair may be proceeded against as a public nuisance under ch. 823.

NOTE: Restates for convenience, in renumbered s. 66.0413, current s. 823.21.

5 **SECTION 104.** 66.0413 (1) (L) (title) of the statutes is created to read:

6 66.0413 (1) (L) (title) *Effect of subsection.*

7 **SECTION 105.** 66.0413 (2) (title) of the statutes is created to read:

8 66.0413 (2) (title) RAZING BUILDING THAT IS A PUBLIC NUISANCE; IN REM PROCEDURE.

9 **SECTION 106.** 66.0413 (2) (a) 2. and 3. of the statutes are created to read:

10 66.0413 (2) (a) 2. “Public nuisance” means a building that, as a result of
11 vandalism or any other reason, has deteriorated or is dilapidated or blighted to the
12 extent that windows, doors or other openings, plumbing or heating fixtures, or
13 facilities or appurtenances of the building are damaged, destroyed or removed so that
14 the building offends the aesthetic character of the immediate neighborhood and
15 produces blight or deterioration.

16 3. “Raze a building” means to demolish and remove the building and to restore
17 the site to a dust-free and erosion-free condition.

NOTE: Restates s. 66.05 (8) (d), repealed by SECTION 147 of this bill.

18 **SECTION 107.** 66.0413 (3) (title) of the statutes is created to read:

19 66.0413 (3) (title) RAZING HISTORIC BUILDINGS.

20 **SECTION 108.** 66.0413 (4) (title) of the statutes is created to read:

21 66.0413 (4) (title) FIRST CLASS CITIES; OTHER PROVISIONS.

22 **SECTION 109.** 66.042 of the statutes is renumbered 66.0607 and amended to
23 read:

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1 **66.0607 Withdrawal or disbursement from local treasury.** (1) Except as
2 otherwise provided in subs. (2) to (5), in every a county, city, village, town and or
3 school district, all disbursements from the treasury shall be made by the treasurer
4 thereof upon the written order of the county, city, village, town or school clerk after
5 proper vouchers have been filed in the office of the clerk; ~~and in all cases where.~~ If
6 the statutes provide for payment by the treasurer without an order of the clerk, it
7 ~~shall hereafter be the duty of the clerk to~~ shall draw and deliver to the treasurer an
8 order ~~therefor~~ for the payment before or at the time ~~when such~~ that the payment is
9 required to be made by the treasurer. ~~The provisions of this~~ This section shall ~~apply~~
10 applies to all special and general provisions of the statutes relative to the
11 disbursement of money from the county, city, village, town or school district treasury
12 except s. 67.10 (2).

13 (2) Notwithstanding other law, a county having a population of 500,000 or more
14 may, by ordinance, adopt any other method of allowing vouchers, disbursing funds,
15 reconciling outstanding county orders, reconciling depository accounts, examining
16 county orders, and accounting ~~therefor~~ consistent with accepted accounting and
17 auditing practices, ~~provided that~~ if the ordinance shall prior to its adoption be is
18 submitted to the department of revenue, which shall submit its recommendations on
19 the proposed ordinance to the county board of supervisors.

20 (3) Except as provided in subs. (2), (3m) and (5), disbursements of the county,
21 city, village, town or school district funds from demand deposits shall be by draft or
22 order check and withdrawals from savings or time deposits shall be by written
23 transfer order. Written transfer orders may be executed only for the purpose of
24 transferring deposits to an authorized deposit of the public depositor in the same or
25 another authorized public depository. The transfer shall be made directly by the

ASSEMBLY BILL 710**SECTION 109**

1 public depository from which the withdrawal is made. No draft or order check issued
2 under this subsection may be released to the payee, nor is the draft or order check
3 valid, unless signed by the clerk and treasurer. No transfer order is valid unless
4 signed by the clerk and the treasurer. Unless otherwise directed by ordinance or
5 resolution adopted by the governing body, a certified copy of which shall be filed with
6 each public depository concerned, the chairperson of the county board, mayor, village
7 president, town chairperson or school district president, ~~as the case may be,~~ shall
8 countersign all drafts or order checks and all transfer orders. The governing body
9 may also, by ordinance or resolution, authorize additional signatures. In lieu of the
10 personal signatures of the clerk and treasurer and ~~such~~ any other required signature
11 ~~as may be required,~~ the facsimile signature adopted by the person and approved by
12 the governing body ~~concerned~~ may be affixed to the draft, order check or transfer
13 order. The use of a facsimile signature does not relieve ~~any~~ an official from any
14 liability to which the official is otherwise subject, including the unauthorized use of
15 the facsimile signature. ~~Any~~ A public depository ~~shall be~~ is fully warranted and
16 protected in making payment on any draft or order check or transferring pursuant
17 to a transfer order bearing a facsimile signature affixed as provided by this
18 subsection notwithstanding that the facsimile signature may have been ~~placed~~
19 ~~thereon~~ affixed without the authority of the designated persons.

20 **(3m)** ~~Any~~ A county, city, village, town or school district may process periodic
21 payments through the use of money transfer techniques, including direct deposit,
22 electronic funds transfer and automated clearinghouse methods. The county,
23 municipal or school district treasurer shall keep a record of the date, payee and
24 amount of each disbursement made by a money transfer technique.

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1 (4) Except as provided in sub. (3m), if ~~any a~~ board, commission or committee
2 of ~~any a~~ county, city, village, town or school district is vested by statute with exclusive
3 control and management of a fund, including the audit and approval of payments
4 ~~therefrom~~ from the fund, independently of the governing body, ~~such~~ payments under
5 this section shall be made by drafts or order checks issued by the county, city, village,
6 town or school clerk upon the filing with ~~him or her~~ the clerk of certified bills,
7 vouchers or schedules signed by the proper officers of ~~such~~ the board, commission or
8 committee, giving the name of the claimant or payee, and the amount and nature of
9 each payment.

10 (5) In ~~cities of the a~~ 1st class city, municipal disbursements of public moneys
11 shall be by draft, order, check, order check or as provided under sub. (3m). Checks
12 or drafts shall be signed by the treasurer and countersigned by the comptroller.
13 Orders shall be signed by the mayor and clerk and countersigned by the comptroller,
14 as provided in the charter of ~~such~~ the city. Disbursements of school moneys shall be
15 as provided by s. 119.50.

16 (6) Withdrawal or disbursement of moneys deposited in a public depository as
17 defined in s. 34.01 (5) by a treasurer as defined in s. 34.01 (7), other than the elected,
18 appointed or acting official treasurer of a county, city, village, town or school district,
19 shall be by endorsement, written order, draft, share draft, check or other draft signed
20 by the person or persons designated by written authorization of the governing board
21 as defined in s. 34.01 (1). The authorization shall conform to any statute covering
22 the disbursement of the funds. ~~Any A~~ public depository ~~shall be~~ is fully warranted
23 and protected in making payment in accordance with the latest authorization filed
24 with it.

ASSEMBLY BILL 710**SECTION 109**

1 (7) No order may be issued by the a county, city, village, town, special purpose
2 district, school district, cooperative education service agency or technical college
3 district clerk in excess of funds available or appropriated for the purposes for which
4 the order is drawn, unless authorized by a resolution adopted by the affirmative vote
5 of two-thirds of the entire membership of the governing body.

6 **SECTION 110.** 66.0423 (1) of the statutes is created to read:

7 66.0423 (1) In this section:

8 (a) “Sale of merchandise” includes a sale in which the personal services
9 rendered upon or in connection with the merchandise constitutes the greatest part
10 of value for the price received, but does not include a farm auction sale conducted by
11 or for a resident farmer of personal property used on the farm or the sale of produce
12 or other perishable products at retail or wholesale by a resident of this state.

13 (b) “Transient merchant” means a person who engages in the sale of
14 merchandise at any place in this state temporarily and who does not intend to
15 become and does not become a permanent merchant of that place.

NOTE: Incorporates a definition from s. 130.065 (1m), 1987 stats., into the
current statute regarding the regulation of transient merchants. See SECTION
251 of this bill.

16 **SECTION 111.** 66.0425 (10) of the statutes is created to read:

17 66.0425 (10) A privilege may be granted only as provided in this section.

18 **SECTION 112.** 66.0435 (10) of the statutes is created to read:

19 66.0435 (10) The powers conferred on licensing authorities by this section are
20 in addition to all other grants of authority and are limited only by the express
21 language of this section.

NOTE: Restates a provision of s. 66.058 (2) (b) that is deleted by SECTION 158.

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1 **SECTION 113.** 66.044 of the statutes is renumbered 66.0609, and 66.0609 (1) to
2 (4), as renumbered, are amended to read:

3 66.0609 (1) The governing body of ~~any a~~ village or of ~~any a~~ city of the 2nd, 3rd
4 or 4th class may by ordinance enact an alternative system of approving financial
5 claims against the municipal treasury other than claims subject to s. 893.80. The
6 ordinance shall provide that payments may be made from the city or village treasury
7 after the comptroller or clerk of the city or village audits and approves each claim as
8 a proper charge against the treasury, and endorses his or her approval on the claim
9 after having determined that all of the following conditions have been complied with:

10 (a) That funds are available ~~therefor~~ for the claim pursuant to the budget
11 approved by the governing body.

12 (b) That the item or service covered by ~~such~~ the claim has been duly authorized
13 by the proper official, department head or board or commission.

14 (c) That the item or service has been actually supplied or rendered in
15 conformity with ~~such~~ the authorization described in par. (b).

16 (d) That the claim is just and valid pursuant to law. The comptroller or clerk
17 may require the submission of ~~such proof and evidence~~ to support the ~~foregoing~~ claim
18 ~~as in that officer's discretion may be deemed~~ the officer considers necessary.

19 (2) ~~Such~~ The ordinance under sub. (1) shall require that the clerk or
20 comptroller ~~shall~~ file with the governing body not less than monthly a list of the
21 claims approved, showing the date paid, name of claimant, purpose and amount.

22 (3) The ordinance under sub. (1) shall ~~provide~~ require that the governing body
23 of the city or village ~~shall authorize~~ obtain an annual detailed audit of its financial
24 transactions and accounts by a public accountant licensed under ch. 442 and
25 designated by the governing body.

ASSEMBLY BILL 710**SECTION 113**

1 ~~(4) Such~~ The system shall be under sub. (1) is operative only if the comptroller
2 or clerk is covered by a fidelity bond of not less than \$5,000 in villages and cities of
3 ~~the fourth~~ 4th class cities, of not less than \$10,000 in ~~cities of the third~~ 3rd class cities,
4 and of not less than \$20,000 in ~~cities of the second~~ 2nd class cities.

5 **SECTION 114.** 66.045 of the statutes is renumbered 66.0425 and amended to
6 read:

7 **66.0425 Privileges in streets.** ~~(1) Privilege for~~ In this section, “privilege”
8 means the authority to place an obstruction or excavation beyond the a lot line, or
9 within a highway in ~~any~~ a town, village, or city, other than by general ordinance
10 affecting the whole public, ~~shall be granted only as provided in this section.~~

11 ~~(2) Application therefor shall be made~~ A person may apply to the a town or
12 village board or the common council,~~and the~~ of a city for a privilege. A privilege shall
13 may be granted only on condition that by its acceptance if the applicant shall become
14 primarily liable assumes primary liability for damages to person or property by
15 reason of the granting of the privilege, be is obligated to remove the ~~same~~ an
16 obstruction or excavation upon 10 days’ notice by the state or the municipality and
17 waive waives the right to contest in any manner the validity of this section or the
18 amount of compensation charged ~~and that the.~~ The grantor of the privilege may
19 require the applicant to file such a bond as the board or council require, not exceeding
20 that does not exceed \$10,000 running; that runs to the town, village, or city, and such
21 third to 3rd parties as that may be injured, ~~to secure; and that secures~~ the
22 performance of ~~these~~ the conditions. ~~But if specified in this subsection.~~ If there is
23 no established lot line and the application is accompanied by a blue print, the town
24 or village board or the common council of the city may make such impose any
25 conditions as ~~they deem~~ on the privilege that it considers advisable.

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1 (3) Compensation for ~~the special a~~ privilege shall be paid into the general fund
2 and shall be fixed, ~~in towns by the chairperson, in villages by the president, and in~~
3 ~~cities by a board consisting of the board or commissioner of public works, city~~
4 ~~attorney and mayor~~ by the governing body of a city, village or town or by the designee
5 of the governing body.

NOTE: Amends sub. (3) regarding compensation for the municipal award of a privilege. Current law states that compensation is determined by specified municipal officers. Section 66.0425 (3) now provides that compensation will be determined by the governing body of a city, village or town or by the designee of the governing body.

6 (4) The holder of ~~such special a~~ privilege shall be is not entitled to ~~no~~ damages
7 for removal of ~~the an~~ obstruction or excavation, and if the holder ~~shall~~ does not
8 remove the ~~same~~ obstruction or excavation upon due notice, it shall be removed at
9 the holder's expense.

10 (5) Third parties whose rights are interfered with by the granting of ~~such a~~
11 privilege ~~shall~~ have a right of action against the holder of the ~~special~~ privilege only.

12 (6) Subsections (1) to (5) do not apply to telecommunications carriers, as
13 defined in s. 196.01 (8m), telecommunications utilities, as defined in s. 196.01 (10),
14 alternative telecommunications utilities, as defined in s. 196.01 (1d), public service
15 corporations, or to cooperative associations organized under ch. 185 to render or
16 furnish telecommunications service, gas, light, heat or power, but ~~such the~~ carriers,
17 utilities, corporations and associations shall secure a permit from the proper official
18 for temporary obstructions or excavation excavations in a highway and shall be are
19 liable for all injuries to person or property thereby caused by the obstructions or
20 excavations.

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1 (7) This section does not apply to such an obstruction or excavation that is in
2 place for not longer less than 3 months 90 days, and for which a permit has been
3 granted by the proper official.

4 (8) ~~Obstruction~~ This section applies to an obstruction or excavation by a city,
5 village or town in any street, alley, or public place belonging to any other
6 municipality ~~is included in this section~~.

7 (9) ~~Anyone causing any obstruction or excavation to~~ Any person who violates
8 this section may be made contrary to subs. (1) to (8) shall be liable to a fine of fined
9 not less than \$25 and not nor more than \$500, or to imprisonment in the county jail
10 imprisoned for not less than 10 days nor more than 6 months, ~~or to both such fine and~~
11 ~~imprisonment~~.

12 **SECTION 115.** 66.046 of the statutes is renumbered 66.0429, and 66.0429 (1)
13 and (3) (a), as renumbered, are amended to read:

14 66.0429 (1) The governing body of a city, village or town may set aside streets
15 or roads that are not a part of any federal, state or county trunk highway system for
16 the safety of children in coasting or other play activities, and may obstruct or
17 barricade ~~such~~ the streets or roads to safeguard the children from accidents. The
18 governing body of the city, village or town ~~shall~~ may erect and maintain ~~thereon on~~
19 the streets or roads barriers or barricades, lights, or warning signs ~~therefor and shall~~
20 is not be liable for any damage caused thereby by the erection or maintenance.

21 (3) (a) The governing body of a city may monitor or limit access to streets that
22 are not part of any federal, state or county trunk highway system or connecting
23 highway, as described in s. 84.02 (11), for the purposes of security or public safety.
24 The governing body of a city may authorize gates or security stations, or both, to be
25 erected and maintained to monitor traffic or limit access on ~~such~~ these streets. The

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1 restriction of access to streets that is authorized under this subsection ~~may~~ does not
2 affect a city's eligibility for state transportation aids.

3 **SECTION 116.** 66.047 of the statutes is renumbered 66.0831 and amended to
4 read:

5 **66.0831 Interference with public service structure.** No A contractor
6 ~~having~~ with a contract for any work upon, over, along or under any a public street
7 or highway ~~shall~~ may not interfere with, destroy or disturb the structures of any a
8 public utility as ~~defined under s. 196.01 (5), and,~~ including a telecommunications
9 carrier as defined in s. 196.01 (8m), encountered in the performance of ~~such~~ the work
10 ~~so as to interrupt, impair or affect in a manner that interrupts, impairs or affects the~~
11 public service for which ~~such~~ the structures may be used, without first ~~procuring~~
12 obtaining written authority from the commissioner of public works, or other ~~properly~~
13 ~~constituted~~ appropriate authority. ~~It shall, however, be the duty of every A public~~
14 utility, ~~whenever a~~ if given reasonable notice by the contractor of the need for
15 temporary protection of, or a temporary change in, its the utility's structures, located
16 ~~upon, over, along or under the surface of any public street or highway is deemed~~
17 determined by the commissioner of public works, or other ~~such~~ duly constituted
18 appropriate authority, to be reasonably necessary to enable the accomplishment of
19 such work, ~~to so~~ shall temporarily protect or change its said structures; ~~provided,~~
20 ~~that such contractor shall give reasonable notice of such required temporary~~
21 ~~protection or temporary change to the public utility, and~~ located upon, over, along or
22 under the surface of a public street or highway. The contractor shall pay or assure
23 to the public utility the reasonable cost thereof, ~~except when~~ of the temporary
24 structure or change, unless the public utility is ~~properly~~ otherwise liable therefor
25 ~~under the law, but in all cases where such.~~ If work is done by or for the state or by

ASSEMBLY BILL 710**SECTION 116**

1 or for any county, city, village, town sanitary district, metropolitan sewerage district
2 created under ss. ~~66.20 to 66.26~~ 200.01 to 200.15 or ~~66.88 to 66.918~~ 200.21 to 200.65
3 or town, the cost of such the temporary protection or temporary change shall be borne
4 by the public utility.

5 **SECTION 117.** 66.048 of the statutes is renumbered 66.0915, and 66.0915 (1),
6 (2), (3) (title), (a), (c) and (d) and (4), as renumbered, are amended to read:

7 66.0915 (1) ~~VIADUCTS, PRIVATE~~ PRIVATE VIADUCTS IN CITIES, VILLAGES AND TOWNS.
8 The privilege of erecting a viaduct above a public street, road or alley, for the purpose
9 of connecting buildings on each side thereof, may be granted by the city council,
10 village board or town board upon the written petition of the owners of all the frontage
11 of the lots and lands abutting upon the portion thereof sought to be connected, and
12 the owners of more than one-half of the frontage of the lots and lands abutting upon
13 that portion of the remainder thereof which that lies within 2,650 feet from the ends
14 of the portion proposed to be so connected. ~~Whenever any of the lots or lands~~
15 ~~aforsaid~~ If a lot or land is owned by the state, or by a county, city, village or town,
16 or by a minor or incompetent person, or the title ~~thereof~~ to the lot or land is held in
17 trust, ~~as to all lots and lands so owned or held,~~ said the petition may be signed by the
18 governor, the chairperson of the county board, the mayor of the city, the president of
19 the board of trustees of the village, the chairperson of the town board, the guardian
20 of the minor or incompetent person, or the trustee, respectively, and the signature
21 of any a private corporation may be made by its president, secretary or other
22 principal officer or managing agent. Written notice stating when and where the
23 petition will be acted upon, and describing the location of the proposed viaduct, shall
24 be given by the city council, village board or town board by publication of a class 3
25 notice, under ch. 985.

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1 (2) ~~VIADUCTS, REMOVAL~~ REMOVAL OF PRIVATE VIADUCTS. A viaduct in any a city,
2 village or town may be discontinued by the city council, village board or town board,
3 upon written petition of the owners of more than one-half of the frontage of the lots
4 and lands abutting on the street or road approaching on each end of such the viaduct,
5 which lies within 2,650 feet from the ends of such the viaduct. ~~Whenever any of the~~
6 ~~lots or lands aforesaid~~ If a lot or land is owned by the state, or by a county, city, village
7 or town, or by a minor or incompetent person, or the title ~~thereof~~ to the lot or land
8 is held in trust, ~~as to all lots and lands so owned or held, said~~ the petition may be
9 signed by the governor, the chairperson of the county board, the mayor of the city, the
10 president of the board of trustees of the village, the chairperson of the town board,
11 the guardian of the minor or incompetent person, or the trustee, respectively, and the
12 signature of any a private corporation may be made by its president, secretary or
13 other principal officer or managing agent. Written notice stating when and where
14 the petition will be acted upon, and stating what viaduct is proposed to be
15 discontinued, shall be given by the city council, village board or town board by
16 publication of a class 1 notice, under ch. 985, not less than one year before the day
17 fixed for the hearing and a class 3 notice, under ch. 985, within the 30 days before
18 the date of the hearing.

19 (3) (title) LEASE OF SPACE OVER PUBLIC PLACES BY CITIES, VILLAGES AND TOWNS. (a)
20 ~~Any~~ A city, village or town may lease space over any street, road, alley or other public
21 place in the city, village or town which is more than 12 feet above the level of the
22 street, road, alley or other public place for any term not exceeding 99 years to the
23 person who owns the fee in the property on both sides of the portion of the street, road,
24 alley or other public place to be so leased, ~~whenever~~ if the governing body of the city,
25 village or town ~~is of the opinion~~ determines that such the place is not needed for

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1 street, road, alley or other public purpose, and that the public interest will be served
2 by such leasing.

3 (c) The lease shall be signed on behalf of the city, village or town by the mayor,
4 village president or town board chairperson and shall be attested by the city, village
5 or town clerk under the corporate seal. The lease shall also be executed by the lessee
6 in such a manner as ~~necessary to bind~~ that binds the lessee. After being duly
7 executed and acknowledged the lease shall be recorded in the office of the register
8 of deeds of the county in which ~~is located~~ the leased premises are located.

9 (d) ~~If, in the judgment of such governing body,~~ determines that the public
10 interest requires that any building erected in the leased space be removed so that a
11 street, road, alley or public place may be restored to its original condition, the lessor
12 city, village or town may condemn the lessee's interest in the leased space by
13 proceeding under ch. 32. After payment of such any damages ~~as may be fixed~~ in the
14 condemnation proceedings, the city, village or town may remove all buildings or other
15 structures from the leased space and restore the buildings adjoining the leased space
16 to their original condition.

17 **(4) SALE OR LEASE OF SPACE OVER OR BELOW PUBLIC PLACE.** (a) ~~Any~~ A city, village
18 or town may sell or lease the space over or below ground level of any street, road, alley
19 or public place or municipally owned real estate ~~or below ground level thereof~~ to any
20 person, if the governing body determines by resolution and states the reasons that
21 such the action is in the best public interest ~~and states the reasons therefor~~ and the
22 prospective purchaser or lessee has provided for the removal and relocation expense
23 for any facilities devoted to a public use where ~~such~~ relocation is necessary for the
24 purposes of the purchaser or lessee. Leases shall be granted by ordinance and shall
25 not exceed 99 years in length. No lease shall may be granted ~~nor~~ or use authorized

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1 hereunder which substantially interferes with the public purpose for which the
2 surface of the land is used.

3 (b) ~~Leases~~ A lease shall specify purposes for which the leased space is to be used.
4 If the purpose is to erect in the space a building or a structure attached to the lot, the
5 lease shall contain a reasonably accurate description of the building to be erected and
6 of the manner in which it ~~shall be imposed~~ will impose upon or around the lot. The
7 lease shall also provide for use by the lessee of ~~such~~ those areas of the real estate as
8 that are essential for ingress and egress to the leased space, for the support of the
9 building or other structures to be erected and for the connection of essential public
10 or private utilities to the building or structure.

11 (c) Any building erected in the space leased shall be operated, as far as
12 practicable, separately from the municipal use. ~~Such~~ The structure shall conform
13 to all state and municipal regulations.

14 (d) ~~Any leases~~ A lease under this subsection shall be is subject to sub. (3) (c) and
15 (d).

16 **SECTION 118.** 66.0485 of the statutes is renumbered 66.0141.

17 **SECTION 119.** 66.049 of the statutes is renumbered 66.0405 and amended to
18 read:

19 **66.0405 Removal of rubbish.** Cities, villages and towns may ~~cause the~~
20 ~~removal of~~ remove ashes, garbage, and rubbish from such classes of places ~~therein~~
21 in the city, village or town as the board or council shall ~~direct~~ directs. The removal
22 may be from all ~~such~~ of the places or from those whose owners or occupants desire
23 the service. Districts may be created and removal provided for certain ~~of them~~
24 districts only, and different regulations may be applied to each removal district or
25 class of property. The cost of removal may be ~~provided for~~ funded by special

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1 assessment against the property served, by general tax upon the property of the
2 respective districts, or by general tax upon the property of the city, village or town.
3 If a city, village or town contracts for ash, garbage or rubbish removal service, it may
4 contract with one or more service providers.

NOTE: Amended to expressly authorize contracting with one or more service providers for removal of ash, garbage or rubbish. Express authority is extended in order to mitigate possible antitrust issues if the city, village or town determines that the service can best be provided by one service provider.

5 **SECTION 120.** 66.0495 (title) of the statutes is renumbered 30.13 (5m) (title).

6 **SECTION 121.** 66.0495 (1) (title) of the statutes is repealed.

7 **SECTION 122.** 66.0495 (1) (a) (title) of the statutes is repealed.

8 **SECTION 123.** 66.0495 (1) (a) of the statutes is renumbered 30.13 (5m) (a) 1. and
9 amended to read:

10 30.13 **(5m)** (a) 1. The governing body of a city, village or town or a designated
11 officer may order the owner of a wharf or pier which constitutes an unlawful
12 obstruction of navigable waters under s. ~~30.13 sub.~~ (4) to remove that portion of the
13 wharf or pier which constitutes an unlawful obstruction.

14 **SECTION 124.** 66.0495 (1) (b) (title) of the statutes is repealed.

15 **SECTION 125.** 66.0495 (1) (b) of the statutes is renumbered 30.13 (5m) (a) 2.

16 **SECTION 126.** 66.0495 (1) (d) (title) of the statutes is repealed.

17 **SECTION 127.** 66.0495 (1) (d) of the statutes is renumbered 30.13 (5m) (a) 3. and
18 amended to read:

19 30.13 **(5m)** (a) 3. An order under this subsection paragraph shall be served
20 upon the owner or person responsible in the manner provided for the service of a
21 summons in circuit court. If the owner or person responsible cannot be found, the
22 order may be served by posting it on the wharf or pier and by publishing it as a class
23 3 notice under ch. 985. The order shall specify the action to be taken and the time

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1 within which it shall be complied with. At least 50 days must be allowed for
2 compliance.

3 **SECTION 128.** 66.0495 (2) (title) and (a) (title) of the statutes are repealed.

4 **SECTION 129.** 66.0495 (2) (a) of the statutes is renumbered 30.13 (5m) (b) 1. and
5 amended to read:

6 30.13 **(5m)** (b) 1. If the owner or person responsible fails to comply with an order
7 issued under ~~sub. (1) par. (a)~~, the governing body of a city, village or town or a
8 designated officer may cause the wharf or pier to be removed through any available
9 public agency or by a contract or arrangement by a private person. The cost of the
10 removal may be charged against the real estate on which or adjacent to which the
11 wharf or pier is located, constitutes a lien against that real estate and may be
12 assessed and collected as a special tax. The governing body of the city, village or town
13 or the designated officer may sell any salvage or valuable material resulting from the
14 removal at the highest price obtainable. The governing body of the city, village or
15 town or the designated officer shall remit the net proceeds of any sale, after
16 deducting the expense of the removal, to the circuit court for use of the person
17 entitled to the proceeds subject to the order of the court. The governing body of the
18 city, village or town or the designated officer shall submit a report on any sale to the
19 circuit court which shall include items of expense and the amount deducted. If there
20 are no net proceeds, the report shall state that fact.

21 **SECTION 130.** 66.0495 (2) (b) (title) of the statutes is repealed.

22 **SECTION 131.** 66.0495 (2) (b) of the statutes is renumbered 30.13 (5m) (b) 2. and
23 amended to read:

24 30.13 **(5m)** (b) 2. If the owner or person responsible fails to comply with an order
25 issued under ~~sub. (1) par. (a)~~, the governing body of a city, village or town or a

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1 designated officer may commence an action in circuit court for a court order requiring
2 the person to comply with the order issued under ~~sub. (1) par. (a)~~. The court shall
3 give the hearing on this action precedence over other matters on the court's calendar.
4 ~~Costs may be assessed in the discretion of the court and may assess costs.~~

5 **SECTION 132.** 66.0495 (3) (title) of the statutes is repealed.

6 **SECTION 133.** 66.0495 (3) of the statutes is renumbered 30.13 (5m) (c) and
7 amended to read:

8 30.13 **(5m)** (c) A person affected by an order issued under ~~sub. (1) par. (a)~~ may
9 apply to circuit court within 30 days after service of the order for a restraining order
10 prohibiting the governing body of the city, village or town or the designated officer
11 from removing the wharf or pier. The court shall conduct a hearing on the action
12 within 20 days after application. The court shall give this hearing precedence over
13 other matters on the court's calendar. The court shall determine whether the order
14 issued under ~~sub. (1) par. (a)~~ is reasonable. If the court finds that the order issued
15 under ~~sub. (1) par. (a)~~ is unreasonable, it shall issue a restraining order or modify it
16 as the circumstances require and the governing body of the city, village or town or
17 the designated officer may not issue another order under ~~sub. (1) par. (a)~~ with respect
18 to the wharf or pier unless its condition is substantially changed. ~~Costs may be~~
19 ~~assessed in the discretion of the~~ The court may assess costs. The remedy provided
20 under this subsection paragraph is exclusive and no person affected by an order
21 issued under ~~sub. (1) par. (a)~~ may recover damages for the removal of a wharf or pier
22 under this section.

23 **SECTION 134.** 66.05 (title) of the statutes is renumbered 66.0413 (title) and
24 amended to read:

25 **66.0413** (title) **Razing buildings; excavations.**

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1 **SECTION 135.** 66.05 (1g) and (1m) (a) of the statutes are repealed.

NOTE: The repealed provisions are restated as s. 66.0413 (1) (a), (b) and (d) and the first sentence of par. (f). See SECTIONS 98 to 102 of the bill.

2 **SECTION 136.** 66.05 (1m) (b) of the statutes is renumbered 66.0413 (1) (c) and
3 amended to read:

4 66.0413 (1) (c) *Reasonableness of repair; presumption.* Except as provided in
5 sub. (9) (3), if a municipal governing body, building inspector ~~of buildings~~ or
6 designated officer determines that the cost of ~~such~~ repairs of a building described in
7 par. (b) 1. would exceed ~~50 per cent~~ 50% of the assessed value of ~~such~~ the building
8 divided by the ratio of the assessed value to the recommended value as last published
9 by the department of revenue for the municipality within which ~~such~~ the building
10 is located, ~~such~~ the repairs ~~shall be~~ are presumed unreasonable and it shall be
11 presumed for the purposes ~~of this section that such building is a public nuisance for~~
12 purposes of par. (b) 1.

13 **SECTION 137.** 66.05 (1m) (c) of the statutes is renumbered 66.0413 (1) (L) 1. and
14 amended to read:

15 66.0413 (1) (L) 1. Acts of municipal authorities under this ~~section shall~~
16 subsection do not increase the liability of an insurer.

17 **SECTION 138.** 66.05 (1m) (d) of the statutes is renumbered 66.0413 (1) (e) and
18 amended to read:

19 66.0413 (1) (e) *Effect of recording order.* If a raze order issued under par. (a)
20 (b) is recorded with the register of deeds in the county in which the building is located,
21 the order is considered to have been served, as of the date the raze order is recorded,
22 on any person claiming an interest in the building or the real estate as a result of a

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1 conveyance from the owner of record unless the conveyance was recorded before the
2 recording of the raze order.

3 **SECTION 139.** 66.05 (2) (a) of the statutes is renumbered 66.0413 (1) (f) and
4 amended to read:

5 66.0413 (1) (f) Failure to comply with order; razing building. An order under
6 par. (b) shall specify the time within which the owner of the building is required to
7 comply with the order and shall specify repairs, if any. If the owner fails or refuses
8 to comply within the time prescribed, the building inspector of buildings or other
9 designated officer may cause such building or part thereof to be razed and removed
10 and may restore the site to a dust-free and erosion-free condition either proceed to
11 raze the building through any available public agency or by contract or arrangement
12 with private persons, or closed to secure the building and, if necessary, the property
13 on which the building is located if unfit for human habitation, occupancy or use. The
14 cost of such razing, removal and restoration of the site to a dust-free and erosion-free
15 condition or closing securing the building may be charged in full or in part against
16 the real estate upon which ~~such~~ the building is located, and if that cost is so charged
17 it is a lien upon ~~such~~ the real estate and may be assessed and collected as a special
18 tax. Any portion of the cost charged against the real estate that is not reimbursed
19 under s. 632.103 (2) from funds withheld from an insurance settlement may be
20 assessed and collected as a special tax.

NOTE: 1. The first sentence is from s. 66.05 (1m) (a), repealed by SECTION 135.

2. Clarifies that an option upon failure to comply with an order is to secure the building and, if necessary, the property on which the building is located. The new language more accurately reflects current practice.

21 (j) Sale of salvage. ~~When any building has been ordered razed and removed and~~
22 If an order to raze a building has been issued to restore the site to a dust-free and
23 erosion-free condition, the governing body or other designated officer under said the

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1 contract or arrangement aforesaid to raze the building may sell the salvage and
2 valuable materials at the highest price obtainable. The net proceeds of such the sale,
3 after deducting the expenses of such razing, ~~removal and restoration of the site to a~~
4 ~~dust-free and erosion-free condition~~ the building, shall be promptly remitted to the
5 circuit court with a report of such the sale or transaction, including the items of
6 expense and the amounts deducted, for the use of the any person ~~who may be entitled~~
7 ~~thereto~~ to the net proceeds, subject to the order of the court. If there remains no
8 surplus to be turned over to the court, the report shall so state. ~~If the building or part~~
9 ~~thereof is insanitary and unfit for human habitation, occupancy or use, and is not in~~
10 ~~danger of structural collapse the building inspector shall post a placard on the~~
11 ~~premises containing the following words: "This Building Cannot Be Used for Human~~
12 ~~Habitation, Occupancy or Use". And it is the duty of the building inspector or other~~
13 ~~designated officer to prohibit the use of the building for human habitation, occupancy~~
14 ~~or use until the necessary repairs have been made.~~

NOTE: The last 2 sentences are restated as s. 66.0413 (1) (br) 1. See SECTION 101.

15 **SECTION 140.** 66.05 (2) (b) of the statutes is renumbered 66.0413 (1) (g) and
16 amended to read:

17 66.0413 (1) (g) Court order to comply. Any A municipality, building inspector
18 ~~of buildings~~ or designated officer may, ~~in his, her or its official capacity~~, commence
19 and prosecute an action in circuit court for an order of the court requiring the owner
20 to comply with an order to raze ~~or remove any~~ a building ~~or part thereof~~ issued under
21 this section subsection if the owner fails or refuses to do so within the time prescribed
22 in the order, or for an order of the court requiring any person occupying a building
23 whose occupancy has been prohibited under this section subsection to vacate the

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1 premises, or any combination of the court orders. ~~Hearing A hearing~~ on such actions
2 under this paragraph shall be given preference. ~~Costs shall be~~ Court costs are in the
3 discretion of the court.

NOTE: Clarifies that the costs referred to are court costs, not the cost of razing
or securing a building.

4 **SECTION 141.** 66.05 (2) (c) of the statutes is renumbered 66.0413 (1) (br) 2. and
5 amended to read:

6 66.0413 (1) (br) 2. Any person who rents, leases or occupies a building which
7 has been condemned for human habitation, occupancy or use under subd. 1. shall be
8 fined not less than \$5 nor more than \$50 or imprisoned not more than 30 days for each
9 week of such ~~the~~ violation, or both.

10 **SECTION 142.** 66.05 (3) of the statutes is renumbered 66.0413 (1) (h) and
11 amended to read:

12 66.0413 (1) (h) Restraining order. ~~Anyone~~ A person affected by ~~any such an~~
13 ~~order shall~~ issued under par. (b) may within the time provided by s. 893.76 apply to
14 the circuit court for an order restraining the building inspector ~~of buildings~~ or other
15 designated officer from razing ~~and removing~~ the building ~~or part thereof~~ and
16 ~~restoring the site to a dust-free and erosion-free condition~~ or forever be barred. The
17 hearing shall be held within 20 days and shall be given preference. The court shall
18 determine whether the raze order ~~of the inspector of buildings~~ is reasonable, ~~and if,~~
19 If the order is found reasonable the court shall dissolve the restraining order, ~~and if,~~
20 If the order is found not reasonable the court shall continue the restraining order or
21 modify it as the circumstances require. ~~Costs shall be~~ are in the discretion of the
22 court. If the court finds that the order ~~of the inspector of buildings~~ is unreasonable,
23 the building inspector ~~of buildings~~ or other designated officer shall issue no other

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1 order under this ~~section~~ subsection in regard to the same building ~~or part thereof~~
2 until its condition is substantially changed. The remedies provided in this
3 ~~subsection~~ paragraph are exclusive remedies and anyone affected by ~~such~~ an order
4 of the ~~inspector shall~~ issued under par. (b) is not be entitled to recover any damages
5 for the razing and removal of any ~~such~~ of the building and the restoration of the site
6 to a ~~dust-free and erosion-free condition.~~

7 **SECTION 143.** 66.05 (5) of the statutes is renumbered 66.0413 (1) (i) and
8 amended to read:

9 66.0413 (1) (i) Removal of personal property. If any ~~a~~ building ordered razed
10 and removed and the site ordered restored to a dust-free and erosion-free condition
11 or made safe and sanitary by repairs subject to an order under par. (b) contains
12 personal property or fixtures which will unreasonably interfere with the razing or
13 repair of such the building and restoration of such site or if the razing and removal
14 of the building and the restoration of the site to a dust-free and erosion-free
15 condition makes necessary the removal, sale or destruction of such the personal
16 property or fixtures, the building inspector of buildings or other designated officer
17 may order in writing the removal of such the personal property or fixtures by a date
18 certain date. ~~Such.~~ The order shall be served as provided in sub. (1m) par. (d). If
19 the personal property or fixtures ~~or both~~ are not removed by the time specified the
20 inspector may store the same, ~~or may,~~ sell it, or, if it has no appreciable value ~~he or~~
21 ~~she may,~~ destroy the same. ~~In case~~ personal property or fixture. If the property is
22 stored the amount paid for storage ~~shall be~~ is a lien against such the property and
23 against the real estate and, to the extent that the amount is not reimbursed under
24 s. 632.103 (2) from funds withheld from an insurance settlement, shall be assessed
25 and collected as a special tax against the real estate if the real estate is owned by the

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1 owner of the personal property and fixtures. If the property is stored the owner
2 thereof of the property, if known, shall be notified of the place of its storage and if it
3 be the property is not claimed by the owner it may be sold at the expiration of 6
4 months after it has been stored. ~~In case of sale the~~ The handling of the sale and the
5 distribution of the net proceeds after deducting the cost of storage and any other costs
6 shall be handled as specified in ~~sub. (2) par. (j)~~ and a report made to the circuit court
7 as ~~therein specified. Anyone in par. (j).~~ A person affected by any order made under
8 this subsection paragraph may appeal as provided in ~~sub. (3) par. (h).~~

9 **SECTION 144.** 66.05 (5m) of the statutes is renumbered 66.0413 (1) (L) 2. and
10 amended to read:

11 66.0413 (1) (L) 2. This section shall does not limit powers otherwise granted
12 to municipalities by other laws of this state.

13 **SECTION 145.** 66.05 (6) of the statutes is renumbered 66.0427 and amended to
14 read:

15 **66.0427 Open excavations in populous counties.** In any a town, city or
16 village in any a county ~~having~~ with a population of 500,000 or more no excavation
17 for building purposes, whether or not completed, shall may be left open for more than
18 6 months without proceeding with the erection of a building ~~thereon.~~ ~~In the event~~
19 ~~any such~~ on the excavation. If an excavation remains open for more than 6 months,
20 the building inspector of buildings or other designated officer ~~in such~~ of the town,
21 village or city shall order that the erection of a building on the excavation begin
22 forthwith or ~~in the alternative~~ that the excavation be filled to grade. The order shall
23 be served upon the owner of the land or the owner's agent and upon the holder of any
24 encumbrance of record as provided in ~~sub. (1m) s. 66.0413 (1) (d).~~ If the owner of the
25 land fails to comply with the order within 15 days after service ~~thereof~~ of the order

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1 upon the owner, the building inspector of buildings or other designated officer shall
2 cause fill the excavation to be filled to grade and the cost shall be charged against the
3 real estate as provided in sub. (2). ~~Subsection (3) shall also apply s. 66.0413 (1) (f).~~
4 Section 66.0413 (1) (h) applies to orders issued under this ~~subsection~~ section. This
5 ~~shall not be construed to~~ section does not impair the authority of any a city or village
6 to enact ordinances in this field.

7 **SECTION 146.** 66.05 (8) (a) to (bm) of the statutes are renumbered 66.0413 (2)
8 (a) to (e) and amended to read:

9 66.0413 (2) (a) Definitions. In this subsection “~~building~~”:

10 1. “Building” means a building, dwelling or structure.

11 (b) Notification of nuisance. ~~Whenever an~~ If the owner of any a building in any
12 a city, village or town permits the same, ~~either as a result of vandalism or for any~~
13 ~~other reason, to deteriorate or become dilapidated or blighted to the extent where~~
14 ~~windows, doors or other openings or plumbing or heating fixtures or facilities or~~
15 ~~appurtenances of such building are either deteriorated, damaged, destroyed or~~
16 ~~removed so that such building offends the aesthetic character of the immediate~~
17 ~~neighborhood or produces blight or deterioration by reason of such condition~~ building
18 to become a public nuisance, the building inspector or other designated officer of such
19 the city, village or town shall issue a written notice ~~respecting of the existence of such~~
20 ~~defect; such~~ that makes the building a public nuisance. The written notice shall be
21 served on the owner of such the building as set forth in provided under sub. (1m) (a)
22 (1) (d) and shall direct the owner of such building to promptly remedy the defect
23 within 30 days following the service of such notice.

24 (c) Failure to remedy; court order to remedy or raze. 1. If an owner fails to
25 remedy or improve the defect in accordance with the written notice furnished by the

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1 ~~building inspector or other designated officer~~ under par. ~~(am)~~ (b) within the 30-day
2 period specified in the written notice, the building inspector or other designated
3 officer shall apply to the circuit court of the county in which the building is located
4 for an order determining that the building constitutes a public nuisance. As a part
5 of the application for ~~such~~ the order from the circuit court the building inspector or
6 other designated officer shall file a verified petition which recites the giving of ~~such~~
7 written notice, the defect ~~or defects~~ in ~~such~~ the building, the owner's failure to comply
8 with the notice and ~~such~~ other pertinent facts ~~as may be related thereto~~. A copy of
9 the petition shall be served upon the owner of record or the owner's agent if an agent
10 is in charge of the building and upon the holder of any encumbrance of record under
11 sub. ~~(1m) (a)~~ and the (1) (d). ~~The~~ owner shall have reply to the petition within 45 days
12 following service upon the owner ~~in which to reply to such petition~~. Upon application
13 by the building inspector or other designated officer the circuit court shall set
14 promptly the petition for hearing. Testimony shall be taken by the circuit court with
15 respect to the allegations of the petition and denials contained in the verified answer.
16 If the circuit court after hearing the evidence ~~with respect to~~ on the petition and the
17 answer determines that the building constitutes a public nuisance, the court shall
18 issue promptly an order directing the owner of the building to remedy the defect and
19 to make such repairs and alterations as may be required. The court shall set a
20 reasonable period of time in which the defect shall be remedied and the repairs or
21 alterations completed. A copy of the order shall be served upon the owner as provided
22 in sub. ~~(1m) (a)~~ (1) (d). The order of the circuit court shall state in the alternative that
23 if the order of the court is not complied with within the time fixed by the court, the
24 court will appoint a receiver or authorize the building inspector or other designated

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1 officer to proceed to raze and remove the building and restore the site to a dust-free
2 and erosion-free condition under par. ~~(b)~~ (d).

3 2. In an action under this subsection, the circuit court before which the action
4 is commenced shall exercise jurisdiction in rem or quasi rem over the property which
5 is the subject of the action. The owner of record of the property, if known, and all other
6 persons of record holding or claiming any interest in the property shall be made
7 parties defendant and service of process may be had made upon them.

8 3. It ~~shall~~ is not be a defense to an action under this subsection that the owner
9 of record of the property is a different person, partnership or corporate entity than
10 the owner of record of the property on or after the date the action was commenced
11 ~~or thereafter~~ if a lis pendens was filed before the change of ownership.

12 (d) Failure to comply with court order. If the order of the circuit court under par.
13 ~~(b)~~ (c) is not complied with within the time fixed by the court under par. ~~(b)~~ (c), the
14 court shall authorize the building inspector or other designated officer to raze and
15 remove the building and restore the site to a dust-free and erosion-free condition or
16 shall appoint a disinterested person to act as receiver of the property to do either of
17 the following within a reasonable period of time set by the court:

18 1. Remedy the defect and make any repairs and alterations necessary to meet
19 the standards required by the building code or any health order. A receiver appointed
20 under this subdivision, with the approval of the circuit court, may borrow money
21 against and mortgage the property held in receivership as security in any amount
22 necessary to remedy the defect and make the repairs and alterations. For the
23 expenses incurred to remedy the defect and make the repairs and alterations
24 necessary under this subdivision, the receiver ~~shall have~~ has a lien upon the
25 property. At the request of and with the approval of the owner, the receiver may sell

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1 the property at a price equal to at least the ~~appraisal~~ appraised value of the property
2 plus the cost of any repairs made under this subdivision. The selling owner shall ~~be~~
3 is liable for such those costs.

4 2. Secure and sell the building to a buyer who demonstrates to the circuit court
5 an ability and intent to rehabilitate the building and to ~~cause~~ have the building to
6 ~~be~~ reoccupied in a legal manner.

7 (e) Receiver; order to raze. 1. ~~Any~~ A receiver appointed under par. ~~(bg)~~ (d) shall
8 collect all rents and profits accruing from the property held in receivership and pay
9 all costs of management, including all general and special real estate taxes or
10 assessments and interest payments on first mortgages on the property. A receiver
11 under par. ~~(bg)~~ (d) shall apply moneys received from sale of property held in
12 receivership to pay all debts due on the property in the order set by law and shall pay
13 any balance to the selling owner if the circuit court approves.

14 2. The circuit court shall set the fees and bond of a receiver appointed under
15 par. ~~(bg)~~ (d) and may discharge the receiver as the court ~~deems~~ considers appropriate.

16 3. Nothing in this subsection relieves the owner of ~~any~~ property for which a
17 receiver has been appointed under par. ~~(bg)~~ (d) from any civil or criminal
18 responsibility or liability except that the receiver ~~shall have~~ has civil and criminal
19 responsibility and liability for all matters and acts directly under the receiver's
20 authority or performed at his or her discretion.

21 4. If a defect is not remedied and repairs and alterations are not made within
22 the time limit set by the circuit court under par. ~~(bg)~~ (d), the court shall order that
23 the building inspector or other designated officer proceed to raze ~~and remove~~ the
24 building ~~and restore the site to a dust-free and erosion-free condition.~~

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1 5. All costs and disbursements ~~with respect to razing, removing and restoration~~
2 ~~of the site~~ raze a building under this subsection shall be as provided for under sub.
3 ~~(2) (a) (1) (f).~~

4 **SECTION 147.** 66.05 (8) (d) of the statutes is repealed.

NOTE: Restated as a definition under s. 66.0413 (2) (a) 2. See SECTION 106 of
this bill.

5 **SECTION 148.** 66.05 (9) of the statutes is renumbered 66.0413 (3), and 66.0413
6 (3) (d), as renumbered, is amended to read:

7 66.0413 **(3)** (d) If a municipal governing body, inspector of buildings or
8 designated officer determines that the cost of repairs to a historic building would be
9 less than 85% of the assessed value of the building divided by the ratio of the assessed
10 value to the recommended value as last published by the department of revenue for
11 the municipality within which the historic building is located, ~~such~~ the repairs shall
12 ~~be~~ are presumed reasonable.

13 **SECTION 149.** 66.05 (10) of the statutes is renumbered 66.0413 (4).

14 **SECTION 150.** Subchapter V (title) of chapter 66 [precedes 66.0501] of the
15 statutes is created to read:

CHAPTER 66**SUBCHAPTER V****OFFICERS AND EMPLOYES**

16 **SECTION 151.** 66.051 (title) and (1) (a) to (bm) of the statutes are renumbered
17 66.0107 (title) and (1) (a) to (bm), and 66.0107 (1) (b) and (bm), as renumbered, are
18 amended to read:

19 66.0107 **(1)** (b) ~~Cause the seizure of~~ Seize anything devised solely for gambling
20 or found in actual use for gambling and ~~cause the destruction of any such thing~~
21

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1 destroy the device after a judicial determination that it was used solely for gambling
2 or found in actual use for gambling; and

3 (bm) Enact and enforce an ordinance to prohibit the possession of 25 grams or
4 less of marijuana, as defined in s. 961.01 (14), subject to the exceptions in s. 961.41
5 (3g) (intro.), and provide a forfeiture for a violation of the ordinance; except that any
6 person who is charged with possession of more than 25 grams of marijuana, or who
7 is charged with possession of any amount of marijuana following a conviction for
8 possession of marijuana, in this state shall not be prosecuted under this paragraph;
9 and.

10 **SECTION 152.** 66.051 (1) (c) of the statutes is repealed.

NOTE: Section 66.051 (1) (c) is repealed as unnecessary given the general provision of s. 66.051 (2), renumbered s. 66.0107 (2), that nothing in the section may be construed to preclude cities, villages and towns from prohibiting conduct which is the same or similar to that prohibited by chs. 941 to 948. Under repealed par. (c), towns, villages and cities may: “Prohibit conduct which is the same as or similar to that prohibited by s. 947.01, 947.012 or 947.0125.”

11 **SECTION 153.** 66.051 (2) and (3) of the statutes are renumbered 66.0107 (2) and
12 (3).

13 **SECTION 154.** 66.0517 of the statutes is created to read:

14 **66.0517 Weed commissioner. (1) DEFINITION.** In this section, “noxious
15 weeds” has the meaning given in s. 66.0407 (1) (b).

16 **(2) APPOINTMENT.** (a) *Town, village and city weed commissioner.* The
17 chairperson of each town, the president of each village and the mayor of each city may
18 appoint one or more commissioners of noxious weeds on or before May 15 in each
19 year. A weed commissioner shall take the official oath and the oath shall be filed in
20 the office of the town, village or city clerk. A weed commissioner shall hold office for
21 one year and until a successor has qualified or the town chairperson, village
22 president or mayor determines not to appoint a weed commissioner. If more than one

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1 commissioner is appointed, the town, village or city shall be divided into districts by
2 the officer making the appointment and each commissioner shall be assigned to a
3 different district. The town chairperson, village president or mayor may appoint a
4 resident of any district to serve as weed commissioner in any other district of the
5 same town, village or city.

6 (b) *County weed commissioner.* A county may by resolution adopted by its
7 county board provide for the appointment of a county weed commissioner and
8 determine the duties, term and compensation for the county weed commissioner.
9 When a weed commissioner has been appointed under this paragraph and has
10 qualified, the commissioner has the powers and duties of a weed commissioner
11 described in this section. Each town chairperson, village president or mayor may
12 appoint one or more deputy weed commissioners, who shall work in cooperation with
13 the county weed commissioner in the district assigned by the appointing officer.

14 **(3) POWERS, DUTIES AND COMPENSATION.** (a) *Destruction of noxious weeds.* A weed
15 commissioner shall investigate the existence of noxious weeds in his or her district.
16 If a person in a district neglects to destroy noxious weeds as required under s. 66.0407
17 (3), the weed commissioner shall destroy, or have destroyed, the noxious weeds in the
18 most economical manner. A weed commissioner may enter upon any lands that are
19 not exempt under s. 66.0407 (5) and cut or otherwise destroy noxious weeds without
20 being liable to an action for trespass or any other action for damages resulting from
21 the entry and destruction, if reasonable care is exercised.

22 (b) *Compensation of weed commissioner.* 1. Except as provided in sub. (2) (b),
23 a weed commissioner shall receive compensation for the destruction of noxious weeds
24 as determined by the town board, village board or city council upon presenting to the
25 proper treasurer the account for noxious weed destruction, verified by oath and

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1 approved by the appointing officer. The account shall specify by separate items the
2 amount chargeable to each piece of land, describing the land, and shall, after being
3 paid by the treasurer, be filed with the town, village or city clerk. The clerk shall
4 enter the amount chargeable to each tract of land in the next tax roll in a column
5 headed “For the Destruction of Weeds”, as a tax on the lands upon which the weeds
6 were destroyed. The tax shall be collected under ch. 74, except in case of lands which
7 are exempt from taxation, railroad lands or other lands for which taxes are not
8 collected under ch. 74. A delinquent tax may be collected as is a delinquent real
9 property tax under chs. 74 and 75 or as is a delinquent personal property tax under
10 ch. 74. In case of railroad lands or other lands for which taxes are not collected under
11 ch. 74, the amount chargeable against these lands shall be certified by the town,
12 village or city clerk to the state treasurer who shall add the amount designated to the
13 sum due from the company owning, occupying or controlling the lands specified. The
14 state treasurer shall collect the amount chargeable as prescribed in subch. I of ch.
15 76 and return the amount collected to the town, city or village from which the
16 certification was received.

17 2. For the performance of duties other than the destruction of noxious weeds,
18 a weed commissioner shall receive compensation to be determined by the town board,
19 village board or city council.

NOTE: Creates s. 66.0517 of the statutes in order to combine the provisions regarding weed commissioners contained in ss. 66.97 to 66.99. The latter statutes are repealed in SECTION 620 of this bill. The new provision specifies that the appointment of a town, village or city weed commissioner is optional. The provision also differs from s. 66.97 by treating a 1st class city in the same manner as any other city. Otherwise, ss. 66.97 to 66.99 are restated.

20 **SECTION 155.** 66.052 of the statutes is renumbered 66.0415 and amended to
21 read:

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1 **66.0415 Offensive industry.** (1) ~~Any~~ The common council of a city or village
2 board may direct the location, management and construction of, and license,
3 regulate or prohibit, any industry, thing or place where any nauseous, offensive or
4 unwholesome business is carried on, that is within the city or village or within 4 miles
5 of the boundaries of the city or village, except that the Milwaukee, Menominee and
6 Kinnickinnic rivers with their branches to the outer limits of the county of
7 Milwaukee, and all canals connecting with said these rivers, together with the lands
8 adjacent to said these rivers and canals or within 100 yards of them, are deemed to
9 be within the jurisdiction of the city of Milwaukee. ~~Any~~ A town board shall ~~have~~ has
10 the same powers as are provided in this section for cities and villages, as to the area
11 within the town that is not licensed, regulated or prohibited by ~~any~~ a city or village
12 under this section. ~~Any~~ A business that is conducted in violation of ~~any~~ a city, village
13 or town ordinance that is authorized to be enacted under this section is a public
14 nuisance. An action for the abatement or removal of the business or to obtain an
15 injunction to prevent operation of the business may be brought and maintained by
16 the common council or village or town board in the name of this state on the relation
17 of such the city, village or town as provided in ss. 823.01, 823.02 and 823.07, or as
18 provided in s. 254.58. Section 97.42 ~~may~~ does not limit the powers granted by this
19 section. Section 95.72 ~~may~~ does not limit the powers granted by this section to cities
20 or villages but powers granted to towns by this section are limited by s. 95.72 and by
21 any orders and rules promulgated under s. 95.72.

22 (2) ~~Any~~ To prevent nuisance, a city or village may, subject to the approval of the
23 appropriate town board of ~~such~~ town, by ordinance enact reasonable regulations
24 governing areas where refuse, rubbish, ashes or garbage shall be are dumped or

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1 accumulated in ~~any a~~ town within one mile of the corporate limits of ~~sueh~~ the city or
2 village, ~~so as to prevent nuisance.~~

3 **SECTION 156.** 66.053 of the statutes is renumbered 66.0433, and 66.0433 (1) (a),
4 (am) and (c) and (2), as renumbered, are amended to read:

5 66.0433 (1) (a) ~~Each~~ A town board, village board ~~and or~~ common council ~~shall~~
6 may grant licenses to ~~sueh~~ persons ~~as they deem~~ it considers proper for the sale of
7 beverages containing less than ~~one-half of one per centum~~ 0.5% of alcohol by volume
8 to be consumed on the premises where sold and to manufacturers, wholesalers,
9 retailers and distributors of ~~sueh~~ these beverages, ~~for which.~~ The fee for a license fee
10 of shall be not less than \$5 nor more than \$50, to be fixed by the board or council, ~~shall~~
11 be paid, except that where ~~sueh~~ these beverages are sold, ~~not to be consumed on for~~
12 consumption off the premises, the license fee shall be \$5. ~~Sueh~~ The license shall be
13 issued by the town, village or city clerk, shall designate the specific premises for
14 which granted and shall expire the ~~thirtieth day of next~~ June thereafter 30 after
15 issuance. The full license fee shall be charged for the whole or a fraction of the year.
16 No ~~sueh~~ beverages ~~shall~~ described in this paragraph may be manufactured, sold at
17 wholesale or retail or sold for consumption on the premises, or kept for sale at
18 wholesale or retail, or for consumption on the premises where sold, ~~without sueh~~ a
19 license issued under this paragraph.

20 (am) ~~In case of removal of the~~ If a place of business moves from the premises
21 designated in the license to another location in the town, village or city within the
22 license period, the licensee shall give notice of ~~sueh~~ the change of location, and the
23 license shall be amended accordingly without payment of an additional fee. ~~No sueh~~
24 A license, ~~however, shall be~~ is not transferable from one person to another.

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1 (c) ~~Each~~ A town board, village board and or common council shall have
2 authority may by resolution or ordinance to adopt such regulations as it may deem
3 reasonable and necessary regulations regarding the location of licensed premises,
4 the conduct thereof of the licensed premises, the sale of beverages containing less
5 than ~~one-half of one per centum~~ 0.5% of alcohol by volume and the revocation of any
6 license ~~or permit~~.

7 (2) SODA WATER BEVERAGES. ~~Each~~ A town board, village board and or common
8 council of any city may grant licenses to such persons as ~~they deem~~ it considers
9 proper for the sale of soda water beverages, as defined in s. 97.34, to be consumed on
10 or off the premises where sold. ~~Such~~ A license fee shall be fixed by such the governing
11 body of such the city, village or town but shall not exceed \$5. The license shall be
12 issued by the town, city or village clerk, shall designate the specific premises for
13 which granted and shall expire on the ~~thirtieth day of~~ next June thereafter. ~~Each~~
14 such 30 after issuance. ~~The governing body shall have authority~~ may by resolution
15 or ordinance to adopt such regulations ~~as it may deem~~ reasonable and necessary
16 regulations regarding the location of licensed premises, the conduct thereof of the
17 licensed premises and the revocation of any such license.

18 **SECTION 157.** 66.057 of the statutes is renumbered 157.129, and 157.129 (title),
19 as renumbered, is amended to read:

20 **157.129** (title) **Minimum acreage of cemeteries; local ordinance**.

21 **SECTION 158.** 66.058 (title), (1), (2) and (3) (title), (a), (b) and (c) 1. to 7. of the
22 statutes are renumbered 66.0435 (title), (1), (2) and (3) (title), (a), (b) and (c) 1. to 7.,
23 and 66.0435 (1) (intro.) and (e), (2) and (3) (a), (c) 1. (intro.), 2. and 4. to 7., as
24 renumbered, are amended to read:

25 66.0435 (1) DEFINITIONS. (intro.) ~~For the purposes of~~ In this section:

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1 (e) "Mobile home park" means any plot or plots of ground upon which 2 or more
2 units, occupied for dwelling or sleeping purposes are located, regardless of whether
3 ~~or not~~ a charge is made for such the accommodation.

4 ~~(2) LICENSE AND REVOCATION OR SUSPENSION THEREOF~~ GRANTING, REVOKING OR
5 SUSPENDING LICENSE. (a) It ~~shall be~~ is unlawful for any person to maintain or operate
6 a mobile home park within the limits of any a city, town or village, any mobile home
7 park unless such the person ~~shall first obtain~~ has received a license from the city,
8 town or village a license therefor. ~~All such parks in existence on August 9, 1953 shall~~
9 ~~within 90 days thereafter, obtain such license, and in all other respects comply fully~~
10 ~~with the requirements of this section except that the licensing authority shall upon~~
11 ~~application of a park operator, waive such requirements that require prohibitive~~
12 ~~reconstruction costs if such waiver does not affect sanitation requirements of the city,~~
13 ~~town or village or create or permit to continue any hazard to the welfare and health~~
14 ~~of the community and the occupants of the park.~~

15 (b) In order to protect and promote the public health, morals and welfare and
16 to equitably defray the cost of municipal and educational services required by
17 persons and families using or occupying trailers, mobile homes, trailer camps or
18 mobile home parks for living, dwelling or sleeping purposes, ~~each~~ a city council,
19 village board and town board may ~~establish~~ do any of the following:

20 1. Establish and enforce by ordinance reasonable standards and regulations
21 for every trailer and trailer camp and every mobile home and mobile home park;
22 require.

23 2. Require an annual license fee to operate ~~the same~~ a trailer and trailer camp
24 or mobile home and mobile home park and levy and collect special assessments to

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1 defray the cost of municipal and educational services furnished to such ~~the~~ trailer
2 and trailer camp, or mobile home and mobile home park. ~~They may limit~~

3 3. Limit the number of units, trailers or mobile homes that may be parked or
4 kept in any one camp or park, ~~and limit.~~

5 4. Limit the number of licenses for trailer camps or parks in any common school
6 district, if the mobile housing development would cause the school costs to increase
7 above the state average or if an exceedingly difficult or impossible situation exists
8 with regard to providing adequate and proper sewage disposal in the particular area.
9 ~~The power conferred on cities, villages and towns by this section is in addition to all~~
10 ~~other grants and shall be deemed limited only by the express language of this section.~~

11 (c) In ~~any~~ a town in which the town board enacts an ordinance regulating
12 trailers under ~~the provisions of this section~~ and has also enacted and approved a
13 county zoning ordinance under the provisions of s. 59.69, the provisions of the
14 ordinance which is most restrictive shall apply with respect to the establishment and
15 operation of ~~any~~ a trailer camp in said ~~the~~ town.

16 (d) ~~Any~~ A license granted under ~~the provisions of this section shall be~~ is subject
17 to revocation or suspension for cause by the ~~common council, village board or town~~
18 ~~board~~ licensing authority that issued the license upon complaint filed with the clerk
19 of the ~~city, village or town~~ licensing authority, if the complaint is signed by any a law
20 enforcement officer, local health officer, as defined in s. 250.01 (5), or building
21 inspector, after a public hearing upon the complaint, ~~provided that the.~~ The holder
22 of the license shall be given 10 days' written notice ~~in writing~~ of the hearing, and ~~the~~
23 ~~holder of the license shall be~~ is entitled to appear and be heard as to why the license
24 shall should not be revoked. ~~Any~~ A holder of a license that is revoked or suspended
25 by the ~~governing body of any city, village or town~~ licensing authority may within 20

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1 days of the date of the revocation or suspension appeal ~~therefrom~~ the decision to the
2 circuit court of the county in which the trailer camp or mobile home park is located
3 by filing a written notice of appeal with the ~~city, village or town~~ clerk of the licensing
4 authority, together with a bond executed to the ~~city, village or town~~ licensing
5 authority, in the sum of \$500 with 2 sureties or a bonding company approved by the
6 said clerk, conditioned for the faithful prosecution of the appeal and the payment of
7 costs adjudged against the license holder.

8 (3) (a) The licensing authority shall ~~exact~~ collect from the licensee an annual
9 license fee of not less than \$25 ~~and not~~ nor more than \$100 for each 50 spaces or
10 fraction ~~thereof~~ of 50 spaces within each mobile home park within its limits, ~~except~~
11 ~~that where.~~ If the park lies in more than one municipality the amount of the license
12 fee shall be such ~~fraction thereof as the number of spaces in the park in the~~
13 ~~municipality bears to the entire number of spaces in the park~~ determined by
14 multiplying the gross fee by a fraction the numerator of which is the number of spaces
15 in the park in a municipality and the denominator of which is the entire number of
16 spaces in the park.

17 (c) 1. (intro.) In addition to the license fee provided in pars. (a) and (b), each ~~local~~
18 ~~taxing~~ licensing authority shall collect from each mobile home occupying space or
19 lots in a park in the ~~city, town or village~~ licensing authority, except from mobile homes
20 that constitute improvements to real property under s. 70.043 (1) and from
21 recreational mobile homes and camping trailers as defined in s. 70.111 (19), a
22 monthly parking permit fee computed as follows:

23 2. The monthly parking permit fee ~~shall be~~ is applicable to mobile homes
24 moving into the tax district any time during the year. The park operator shall furnish
25 information to the tax district clerk and the assessor on mobile homes added to the

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1 park within 5 days after their arrival, on forms prescribed by the department of
2 revenue. As soon as the assessor receives the notice of an addition of a mobile home
3 to a park, the assessor shall determine its fair market value and notify the clerk of
4 that determination. The clerk shall equate the fair market value established by the
5 assessor and shall apply the appropriate tax rate, divide the annual parking permit
6 fee thus determined by 12 and notify the mobile home owner of the monthly fee to
7 be collected from the mobile home owner. Liability for payment of the fee ~~shall begin~~
8 begins on the first day of the next succeeding month and ~~shall remain on the mobile~~
9 ~~home only~~ continues for such the months as in which the mobile home remains in the
10 tax district.

11 4. The valuation established ~~shall be~~ is subject to review as are other values
12 established under ch. 70. If the board of review reduces a valuation on which
13 previous monthly payments have been made the tax district shall refund past excess
14 fee payments.

15 5. The monthly parking permit fee shall be paid by the mobile home owner to
16 the local taxing authority on or before the 10th of the month following the month for
17 which such the parking permit fee is due.

18 6. The licensee of a park ~~shall be~~ is liable for the monthly parking permit fee
19 for any mobile home occupying space ~~therein~~ in the park as well as the owner and
20 occupant ~~thereof~~ of the mobile home occupying space. A municipality, by ordinance,
21 may require the mobile home park operator to collect the monthly parking permit fee
22 from the mobile home owner.

23 7. No monthly parking permit fee ~~shall~~ may be imposed for any space occupied
24 by a mobile home accompanied by an automobile for an accumulating period not to
25 exceed 60 days in any 12 months if the occupants of the mobile home are tourists or

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1 vacationists. Exemption certificates in duplicate shall be accepted by the treasurer
2 of the licensing authority from qualified tourists or vacationists in lieu of monthly
3 mobile home parking permit fees.

4 **SECTION 159.** 66.058 (3) (c) 8. of the statutes, as affected by 1999 Wisconsin Act
5 5, is renumbered 66.0435 (3) (c) 8. and amended to read:

6 66.0435 (3) (c) 8. The credit under s. 79.10 (9) (bm), as it applies to the principal
7 dwelling on a parcel of taxable property ~~shall apply,~~ applies to the estimated fair
8 market value of a mobile home that is the principal dwelling of the owner. The owner
9 of the mobile home shall file a claim for the credit with the treasurer of the
10 municipality in which the property is located. To obtain the credit under s. 79.10 (9)
11 (bm), the owner shall attest on the claim that the mobile home is the owner's
12 principal dwelling. The treasurer shall reduce the owner's parking permit fee by the
13 amount of any allowable credit. The treasurer shall furnish notice of all claims for
14 credits filed under this subdivision to the department of revenue as provided under
15 s. 79.10 (1m).

16 **SECTION 160.** 66.058 (3) (d) to (h) and (3m) to (8) of the statutes are renumbered
17 66.0435 (3) (d) to (h) and (3m) to (8), and 66.0435 (3) (d) to (h) and (5) to (8), as
18 renumbered, are amended to read:

19 66.0435 (3) (d) This section ~~shall~~ does not apply ~~where~~ to a mobile home park
20 that is owned and operated by any county under the provisions of s. 59.52 (16) (b).

21 (e) If a mobile home is permitted by local ordinance to be located outside of a
22 licensed park, the monthly parking permit fee shall be paid by the owner of the land
23 on which it stands, and the owner of ~~such~~ the land shall ~~be required to~~ comply with
24 the reporting requirements of par. (c). The owner of the land may collect the fee from
25 the owner of the mobile home and, on or before January 10 and on or before July 10,

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1 shall transmit to the taxation district all fees owed for the 6 months ending on the
2 last day of the month preceding the month when the transmission is required.

3 (f) ~~Nothing contained in this subsection shall prohibit~~ prohibits the regulation
4 thereof by local ordinance of a mobile home park.

5 (g) Failure to timely pay the tax ~~hereunder prescribed in this subsection~~ shall
6 be treated ~~in all respects like~~ as a default in payment of personal property tax and
7 ~~shall be~~ is subject to all procedures and penalties applicable ~~thereto~~ under chs. 70
8 and 74.

9 (h) Each local governing body ~~is empowered to~~ may enact an ordinance
10 providing a forfeiture of up to \$25 for ~~the~~ failure to comply with the reporting
11 requirements of par. (c) or (e). Each failure to report ~~shall be regarded as~~ is a separate
12 offense.

13 **(5) PLANS AND SPECIFICATIONS TO BE FILED.** ~~Accompanying, and to be filed with~~
14 ~~an original application for a mobile home park, shall be~~ Plans and
15 specifications which shall be in compliance with all applicable city, town or village
16 ordinances of the licensing authority and provisions of the department of health and
17 family services shall be filed with an original application for a mobile home park. The
18 clerk, after approval of the application by the governing body licensing authority and
19 upon completion of the work according to the plans, shall issue the license. A mobile
20 housing development harboring only nondependent mobile homes as defined in sub.
21 (1) (f) ~~shall~~ is not be required to provide a service building.

22 **(6) RENEWAL OF LICENSE.** Upon application by any licensee ~~and, after approval~~
23 by the ~~governing body of the city, town or village~~ licensing authority and upon
24 payment of the annual license fee, the clerk of the ~~city, town or village~~ licensing
25 authority shall issue a certificate renewing the license for another year, unless

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1 sooner revoked. The application for renewal shall be in writing, signed by the
2 applicant on forms furnished by the ~~city, town or village~~ licensing authority.

3 (7) TRANSFER OF LICENSE; FEE. Upon application for a transfer of license the clerk
4 of the ~~city, town or village~~ licensing authority, after approval of the application by the
5 ~~governing body~~ licensing authority, shall issue a transfer upon payment of the
6 required \$10 fee.

7 (8) DISTRIBUTION OF FEES. The ~~municipality~~ licensing authority may retain 10%
8 of the monthly parking permit fees collected in each month, without reduction for any
9 amounts deducted under sub. (3m), to cover the cost of administration. The
10 ~~municipality~~ licensing authority shall pay to the school district in which the park is
11 located, within 20 days after the end of each month, such proportion of the remainder
12 of the fees collected in the preceding month as the ratio of the most recent property
13 tax levy for school purposes bears to the total tax levy for all purposes in the
14 ~~municipality~~ licensing authority. If the park is located in more than one school
15 district, each district shall receive a share in the proportion that its property tax levy
16 for school purposes bears to the total school tax levy.

17 **SECTION 161.** 66.0585 of the statutes is renumbered 66.0435 (9) and amended
18 to read:

19 66.0435 (9) MUNICIPALITIES; PARKING FEES ON MOBILE HOMES. ~~Any municipality~~
20 A licensing authority may assess parking fees at the rates under s. ~~66.058~~ this
21 section on mobile homes, as defined in s. 70.111 (19) except mobile homes which are
22 located in campgrounds licensed under s. 254.47 and mobile homes which are located
23 on land where the principal residence of the owner of the mobile home is located,
24 regardless of whether ~~or not~~ the mobile home is occupied during all or part of any
25 calendar year.

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1 **SECTION 162.** 66.059 of the statutes is renumbered 66.0619, and 66.0619 (1)
2 (intro.), (b) and (c), (2), (2m) (a) and (d), (4) (a) and (c) and (5) to (7), as renumbered,
3 are amended to read:

4 66.0619 (1) (intro.) ~~Any county, town, sanitary district, public inland lake~~
5 ~~protection and rehabilitation district, city or village~~ A municipality, in addition to
6 any other authority to borrow money and issue its municipal obligations, may also
7 borrow money and issue its public improvement bonds to finance the cost of
8 construction or acquisition, including site acquisition, of any revenue-producing
9 public improvement of such ~~the~~ the municipality. In this section, unless the context or
10 subject matter otherwise requires:

11 (b) “Deficiency” means the amount by which debt service required to be paid
12 in ~~any a~~ a calendar year exceeds the amount of revenues estimated to be derived from
13 the ownership and operation of the public improvement for such ~~the~~ the calendar year,
14 after first subtracting from the estimated revenues the estimated cost of paying the
15 expenses of operating and maintaining the public improvement for such ~~the~~ the calendar
16 year.

17 (c) “Municipality” means a county, sanitary district, public inland lake
18 protection and rehabilitation district, town, city or village.

19 (2) The governing body of the municipality proposing to issue public
20 improvement bonds shall adopt a resolution authorizing their issuance. The
21 resolution shall set forth the amount of bonds authorized, or a sum not to exceed a
22 stated amount, and the purpose for which the bonds are to be issued. The resolution
23 shall prescribe the terms, form and contents of the bonds and ~~such~~ other matters as
24 ~~that~~ that the governing body deems considers necessary or advisable. The bonds may be
25 in any denomination of not less than \$1,000, shall bear interest payable annually or

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1 semiannually, shall be payable not later than 20 years from the date of the bonds, at
2 such times and places as that the governing body determines, and may be subject to
3 redemption prior to maturity on such terms and conditions as that the governing
4 body determines. The bonds may be issued either payable to bearer with interest
5 coupons attached ~~thereto to the bonds~~ or may be registered under s. 67.09. The bonds
6 may be sold at public competitive sale or by private negotiation ~~at the discretion of~~
7 ~~the governing body~~. Sections 67.08 and 67.10 apply to public improvement bonds,
8 except insofar as they are in conflict ~~herewith~~ with this section, in which case this
9 section controls.

10 (2m) (a) A resolution, adopted under sub. (2) by the governing body of a
11 municipality, need not be submitted to the electors of the municipality for approval,
12 unless within 30 days after the resolution is adopted there is filed with the clerk of
13 the municipality a petition, conforming to the requirements of s. 8.40 and requesting
14 a referendum ~~thereon~~ on the resolution, signed by electors numbering at least 10%
15 of the votes cast in the municipality for governor at the last general election. Any
16 A resolution, adopted under sub. (2) ~~at the discretion of the municipal governing~~
17 ~~body~~, may be submitted by the governing body of the municipality to the electors
18 without waiting for the filing of a petition.

19 (d) The ~~election~~ referendum shall be held and conducted and the votes cast
20 ~~thereat~~ shall be canvassed as at regular municipal elections and the results certified
21 to the municipal clerk. A majority of all votes cast in the municipality ~~shall decide~~
22 decides the question.

23 (4) (a) Gross revenues derived from the ownership and operation of the public
24 improvement shall be first pledged to debt service on issued public improvement
25 bonds. When in excess of ~~such obligation~~ debt service, the revenues ~~shall be~~ are

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1 subject to all of the following requirements set by resolution or ordinance of the
2 governing body fixing:

3 1. The proportion of revenues of the public improvement necessary for the
4 reasonable and proper operation and maintenance thereof; ~~and~~ of the public
5 improvement.

6 2. The proportion of revenues necessary for the payment of debt service on the
7 public improvement bonds. ~~Such~~ The revenues shall be paid into a special fund in
8 the treasury of the municipality known as the "Public Improvement Bond Account".

9 (c) All funds on deposit in a public improvement bond account, which are not
10 immediately required for the purposes specified in this section, shall be invested in
11 accordance with s. ~~66.04~~ 66.0605.

12 (5) Annually, on or before August 1 the officer or department of the
13 municipality responsible for the operation of the public improvement shall file with
14 the governing body, or its designated representative, a detailed statement setting
15 forth the amount of the debt service on the public improvement bonds issued for the
16 public improvement for the succeeding calendar year and an estimate for ~~such~~ that
17 year of the total revenues to be derived from the ownership and operation of the
18 public improvement and the total cost of operating and maintaining the public
19 improvement.

20 (6) (a) If it is determined that there will be a deficiency for the ensuing calendar
21 year, the municipality shall make up the deficiency, but the obligation to do so shall
22 ~~be~~ is limited to a sum which shall does not cause the municipality to exceed its
23 municipal debt limits. The deficiency may be made up by the municipality from any
24 revenues available ~~therefor~~ revenues, including a tax levy. The amount contributed
25 by the municipality shall be deposited in the public improvement bond account and

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1 applied to the payment of debt service. Taxes levied under this paragraph shall are
2 not be subject to statutory limitations of rate or amount.

3 (b) The amount of any deficiency determined under par. (a) for the ensuing
4 calendar year shall be related to the total debt service for such that year. ~~Such~~ The
5 ratio ~~shall determine~~ determines the outstanding indebtedness of the issue to be
6 reflected as part of the municipality's indebtedness for the year.

7 (7) ~~Whenever~~ If revenue bonds have been issued by a municipality pursuant
8 to law and an ordinance authorizing their issuance without limitation as to amount
9 has been enacted by the governing body of the municipality, public improvement
10 bonds may be issued under the ordinance with the same effect as though they were
11 revenue bonds. ~~Such~~ The bonds shall ~~be~~ are public improvement bonds and this
12 section ~~shall apply thereto~~ applies to the bonds, except that nothing contained in this
13 subsection shall ~~in any way~~ impair the contract between the municipality and the
14 holders of ~~any~~ outstanding revenue bonds. ~~Whatever liens have been~~ Liens created
15 in favor of any outstanding revenue bonds issued under the ordinance shall apply to
16 public improvement bonds ~~so issued~~ under this subsection. The public improvement
17 bonds ~~shall be~~ are payable on a parity with the revenue bonds issued under the
18 ordinance if the public improvement bonds are issued in compliance with the
19 requirements of the ordinance for the issuance of parity bonds under the ordinance.

20 **SECTION 163.** 66.06 of the statutes is repealed.

NOTE: Replaced by s. 66.0725, created by SECTION 235.

21 **SECTION 164.** Subchapter VI (title) of chapter 66 [precedes 66.0601] of the
22 statutes is created to read:

23

CHAPTER 66

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SUBCHAPTER VI

FINANCE; REVENUES

SECTION 165. 66.0601 (1) (title) of the statutes is created to read:

66.0601 (1) (title) PROHIBITED APPROPRIATIONS.

SECTION 166. 66.0601 (1) (b) (title) of the statutes is created to read:

66.0601 (1) (b) (title) *Payments for abortions restricted.*

SECTION 167. 66.0601 (1) (c) (title) of the statutes is created to read:

66.0601 (1) (c) (title) *Payments for abortion-related activity restricted.*

SECTION 168. 66.0603 (title) of the statutes is created to read:

66.0603 (title) **Investments.**

SECTION 169. 66.061 of the statutes is renumbered 66.0815, and 66.0815 (title),

(1) (a), (c) and (d) and (2), as renumbered, are amended to read:

66.0815 (title) **Franchises; Public utility franchises and service contracts.** (1) (a) ~~Any A~~ city, village or town may grant to any person or corporation the right to construct and operate therein a water system or to furnish light, heat or power a public utility in the city, village or town, subject to reasonable rules and regulations prescribed by ordinance.

NOTE: Expands the franchise authority under sub. (1) to include any public utility.

(c) ~~No such ordinance shall be operative~~ An ordinance under sub. (1) may not take effect until 60 days after passage and publication unless sooner approved by a referendum. Within that time the 60-day period electors equal in number to 20 per cent 20% of those voting at the last regular municipal election, may demand petition for a referendum. The demand petition shall be in writing and filed with the clerk. Each signer shall state his or her ~~occupation and~~ residence and signatures shall be

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1 verified by the affidavit of an elector. The referendum shall be held at the next
2 regular municipal election, or at a special election within 90 days of the filing of the
3 ~~demand, and the petition. The ordinance shall~~ may not be effective take effect unless
4 approved by a majority of the votes cast ~~thereon~~. This paragraph ~~shall~~ does not apply
5 to extensions by a utility previously franchised by the village ~~or~~, city or town.

6 (d) ~~Whenever any~~ If a city or village at the time of its incorporation included
7 within its corporate limits territory in which a public utility, ~~prior to such~~ before the
8 incorporation, had been lawfully engaged in rendering public utility service, ~~such~~ the
9 public utility ~~shall be deemed to possess~~ possesses a franchise to operate in ~~such~~ the
10 city or village to the same extent as ~~though such~~ if the franchise had been formally
11 granted by ordinance ~~duly~~ adopted by the governing body of ~~such~~ the city or village.
12 This paragraph ~~shall~~ does not apply to any public utility organized under this
13 chapter.

14 (2) SERVICE CONTRACTS. (a) ~~Cities, villages and towns~~ A city, village or town may
15 contract for furnishing light, heat, water, or motor bus or other systems of public
16 transportation to the municipality or ~~to the~~ its inhabitants ~~thereof~~ for a period of not
17 more than 30 years or for an indeterminate period if the prices are subject to
18 adjustment at intervals of not greater than 5 years. The public service commission
19 ~~shall have~~ has jurisdiction ~~relative to~~ over the rates and service to any city, village
20 or town where light, heat or water is furnished to ~~such~~ the city, village or town under
21 any contract or arrangement, to the same extent that the public service commission
22 has jurisdiction where that service is furnished directly to the public.

23 (b) When a city, village or town has contracted for water, lighting service, or
24 motor bus or other systems of public transportation to the municipality the cost may
25 be raised by tax levy. In making payment to the owner of the utility a sum equal to

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1 the amount due the city, village or town from such ~~the~~ the owner for taxes or special
2 assessments may be deducted.

3 (c) This subsection ~~shall apply~~ applies to every city, village and town regardless
4 of any charter limitations on the tax levy for water or light.

5 (d) ~~When any~~ If a privately owned motor bus or public transportation system
6 in a city, village or town fails to provide service for a period in excess of 30 days, and
7 the owner or stockholders of the privately owned motor bus or public transportation
8 system have announced an intention to abandon service, the governing body of the
9 affected municipality may without referendum furnish or contract for the furnishing
10 of other motor bus or public transportation service to the municipality and its
11 inhabitants and to the users of the defaulting prior service for a period of not more
12 than one year. This ~~section shall~~ paragraph does not authorize a municipality to hire,
13 directly or indirectly, any strikebreaker or other person for the purpose of replacing
14 employes of said the motor bus or public transportation system engaged in a strike.

15 **SECTION 170.** 66.0627 of the statutes is created to read:

16 **66.0627 Special charges for current services. (1)** In this section, "service"
17 includes snow and ice removal, weed elimination, street sprinkling, oiling and
18 tarring, repair of sidewalks or curb and gutter, garbage and refuse disposal,
19 recycling, storm water management, including construction of storm water
20 management facilities, tree care, removal and disposition of dead animals under s.
21 60.23 (20), soil conservation work under s. 92.115, and snow removal under s. 86.105.

22 **(2)** Except as provided in sub. (5), the governing body of a city, village or town
23 may impose a special charge against real property for current services rendered by
24 allocating all or part of the cost of the service to the property served. The authority
25 under this section is in addition to any other method provided by law.

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1 **(3)** (a) Except as provided in par. (b), the governing body of the city, village or
2 town may determine the manner of providing notice of a special charge.

3 (b) Before a special charge for street tarring or the repair of sidewalks, curbs
4 or gutters may be imposed, a public hearing shall be held by the governing body on
5 whether the service in question will be funded in whole or in part by a special charge.
6 Any interested person may testify at the hearing. Notice of the hearing shall be by
7 class 1 notice under ch. 985, published at least 20 days before the hearing. A copy
8 of the notice shall be mailed at least 10 days before the hearing to each interested
9 person whose address is known or can be ascertained with reasonable diligence. The
10 notice under this paragraph shall state the date, time and location of the hearing,
11 the subject matter of the hearing and that any interested person may testify.

12 **(4)** A special charge is not payable in instalments. If a special charge is not paid
13 within the time determined by the governing body, the special charge is delinquent.
14 A delinquent special charge becomes a lien on the property against which it is
15 imposed as of the date of delinquency. The delinquent special charge shall be
16 included in the current or next tax roll for collection and settlement under ch. 74.

17 **(5)** Except with respect to storm water management, including construction of
18 storm water management facilities, no special charge may be imposed under this
19 section to collect arrearages owed a municipal public utility.

20 **(6)** If a special charge imposed under this section is held invalid because this
21 section is found unconstitutional, the governing body may reassess the special
22 charge under any applicable law.

NOTE: Restates s. 66.60 (16), relating to special charges, and renumbers the provision to make it a separate section within ch. 66.

In addition:

1. Expands the examples in the definition of “service” to expressly include removal and disposition of dead animals under s. 60.23 (20), conservation work

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under s. 92.115 [as renumbered by this bill] and snow removal under s. 86.105. Previously, these services were authorized to be funded by special assessment under s. 66.345, repealed by this bill. See SECTION 372 of this bill.

2. Expands the examples in the definition of “service” to expressly include “recycling” to reflect prevailing interpretation and current practice.

1 **SECTION 171.** 66.064 of the statutes is renumbered 66.0807 and amended to
2 read:

3 **66.0807 Joint operation of public utility or public transportation**
4 **system.** Any

5 **(2)** A city, village or town served by ~~any~~ a privately owned public utility, motor
6 bus or other systems of public transportation rendering local service may contract
7 with the owner ~~thereof~~ of the utility or system for the leasing, public operation, joint
8 operation, extension and improvement of the utility or system by the municipality;
9 or, with funds loaned by the municipality, may contract for the stabilization by
10 municipal guaranty of the return upon or for the purchase by instalments out of
11 earnings or otherwise of that portion of ~~said~~ the public utility or system which is
12 operated within ~~such~~ the municipality and any territory immediately adjacent and
13 tributary ~~thereto~~ to the municipality; or may contract for the accomplishment of any
14 object agreed upon between the parties relating to the use, operation, management,
15 value, earnings, purchase, extension, improvement, sale, lease or control of ~~such~~ the
16 utility or system property. The provisions of s. ~~66.07~~ 66.0817 relating to preliminary
17 agreement, and approval by the department of transportation or public service
18 commission, ~~and ratification by the electors, shall be applicable~~ apply to the
19 contracts authorized by this section. The department of transportation or public
20 service commission shall, when ~~any such~~ a contract under this section is approved
21 by it and consummated, cooperate with the parties in respect to making valuations,

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1 appraisals, estimates and other determinations specified in such the contract to be
2 made by it.

NOTE: In order to facilitate public-private cooperation, deletes the referendum
requirement for preliminary contracts.
See, also, SECTION 237.

3 **SECTION 172.** 66.065 (title) of the statutes is renumbered 66.0803 (title) and
4 amended to read:

5 **66.0803** (title) **Acquisition of public utility or bus transportation**
6 **system.**

7 **SECTION 173.** 66.065 (1), (2), (3), (4) and (4a) of the statutes are renumbered
8 66.0803 (1) (a), (b), (c), (d) and (e), and 66.0803 (1) (a) and (c) to (e), as renumbered,
9 are amended to read:

10 66.0803 (1) (a) ~~Any~~ A town, village or city may construct, acquire or lease any
11 plant and equipment located ~~within or without~~ in or outside the municipality, and
12 including interest in or lease of land, for furnishing water, light, heat, or power, to
13 the municipality, or to its inhabitants; may acquire a controlling portion of the stock
14 of any corporation owning private waterworks or lighting plant and equipment; and
15 may purchase the equity of redemption in a mortgaged or bonded waterworks or
16 lighting system, including the cases where the municipality shall in the franchise
17 ~~have~~ has reserved right to purchase. The character or duration of the franchise,
18 permit or grant under which any public utility is operated, ~~shall~~ does not affect the
19 power to acquire the same ~~hereunder~~ public utility under this subsection. Two or
20 more public utilities owned by the same person or corporation, or 2 or more public
21 utilities subject to the same lien or charge, may be acquired as a single enterprise
22 ~~under any proceeding heretofore begun or hereafter commenced, and the.~~ The board
23 or council may ~~at any time~~ agree with the owner or owners of any public utility or

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1 utilities ~~as to~~ on the agreed value thereof, of the utility or utilities and ~~to~~ may contract
2 to purchase or acquire ~~the same hereunder~~ at such that value, upon such those terms
3 and conditions ~~as may be~~ mutually agreed upon between said the board or council
4 and said the owner or owners.

5 (c) The notice of the referendum shall include a general statement of the plant
6 and equipment ~~or part thereof~~ it is proposed to acquire ~~or construct~~ be constructed,
7 acquired or leased and of the manner of payment.

8 (d) ~~Referendum elections~~ Referenda under this section shall may not be held
9 oftener than once a year, except that a referendum ~~so~~ held for the acquisition, lease
10 or construction of any of the types of property enumerated in ~~sub. (1)~~ par. (a)
11 does not bar the holding of one referendum in the same year for the acquisition and
12 operation of a bus transportation system by the municipality.

13 (e) The provisions of ~~subs. (2), (3) and (4)~~ pars. (b) to (d) do not apply to
14 the acquisition of any plant, equipment or public utility for furnishing water service
15 when such the plant, equipment or utility is acquired by the municipality by
16 dedication or without monetary or financial consideration. After a public utility is
17 constructed, acquired or leased under this subsection, pars. (b) to (d) do not apply to
18 any subsequent construction, acquisition or lease in connection with that public
19 utility.

NOTE: The 2nd sentence of par. (e) clarifies that once a successful referendum is held on a public utility acquisition, construction or lease, no additional referenda are required for any subsequent construction, acquisition or lease in connection with that public utility.

20 **SECTION 174.** 66.065 (5), (6) and (7) of the statutes are renumbered 66.0803 (2)

21 (a) to (c) and amended to read:

22 66.0803 (2) (a) ~~Any~~ A city, village or town may by action of its governing body
23 and with a referendum vote provide, acquire, own, operate or engage in a municipal

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1 bus transportation system where no existing bus, rail or other local transportation
2 system exists in such the municipality. Any A city, village or town in which there
3 exists any local transportation system by similar action and referendum vote may
4 acquire, own, operate or engage in the operation of a municipal bus transportation
5 system upon acquiring the local transportation system by voluntary agreement with
6 the owners thereof of the system, or pursuant to law, or upon securing a certificate
7 from the department of transportation under s. 194.23.

8 (b) Any A street motor bus transportation company operating pursuant to ch.
9 194 shall, by acceptance of authority under that chapter, be deemed to have
10 consented to a purchase of its property actually used and useful for the convenience
11 of the public by the municipality in which the major part of such the property is
12 situated or operated.

13 (c) ~~Any A city, village or town providing or acquiring a motor bus transportation~~
14 ~~system under the provisions of this section may finance such the construction or~~
15 ~~purchase in any manner now authorized in respect of for the construction or~~
16 ~~purchase of a public utility.~~

17 **SECTION 175.** 66.066 (title), (1) to (1m) and (2) (intro.) and (a) to (i) of the
18 statutes are renumbered 66.0621 (title), (1) to (3) and (4) (intro.) and (a) to (i), and
19 66.0621 (1) (a) and (b), (2), (3) and (4) (intro.) and (a) to (i), as renumbered, are
20 amended to read:

21 66.0621 (1) (a) “Municipality” means any a city, village, town, county,
22 commission created by contract under s. ~~66.30~~ 66.0301, public inland lake protection
23 and rehabilitation district established under s. 33.23, 33.235 or 33.24, metropolitan
24 sewerage district created under ss. ~~66.20 to 66.26 or 66.88 to 66.918~~ 200.01 to 200.15
25 and 200.21 to 200.65, town sanitary district under subch. IX of ch. 60, a local

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1 professional baseball park district created under subch. III of ch. 229 or a municipal
2 water district or power district under ch. 198 and any other public or quasi-public
3 corporation, officer, board or other public body empowered to borrow money and issue
4 obligations to repay the ~~same~~ money and obligations out of revenues. "Municipality"
5 does not include the state or a local exposition district created under subch. II of ch.
6 229.

7 (b) ~~For purposes of financing under this section, "public~~ "Public utility" means
8 any revenue producing facility or enterprise owned by a municipality and operated
9 for a public purpose as defined in s. 67.04 (1) (b) ~~or undertaken by a municipality~~
10 ~~under s. 66.067~~ including garbage incinerators, toll bridges, swimming pools, tennis
11 courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting,
12 city halls, village halls, town halls, courthouses, jails, schools, cooperative
13 educational service agencies, hospitals, homes for the aged or indigent, child care
14 centers, as defined in s. 231.01 (3c), regional projects, waste collection and disposal
15 operations, sewerage systems, local professional baseball park facilities and any
16 other necessary public works projects undertaken by a municipality.

17 (2) ~~Nothing in this~~ This section shall be ~~construed to~~ does not limit the
18 authority of any a municipality to acquire, own, operate and finance in the manner
19 provided in this section a source of water and necessary transmission facilities,
20 including all real and personal property, beyond its corporate limits. A source of
21 water 50 miles beyond a municipality's corporate limits shall be within the
22 municipality's authority.

23 (3) ~~Any~~ A municipality may, by action of its governing body, provide for
24 purchasing, acquiring, leasing, constructing, extending, adding to, improving,
25 conducting, controlling, operating or managing a public utility, motor bus or other

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1 systems of public transportation from the general fund, or from the proceeds of
2 municipal obligations, including revenue bonds. ~~Any~~ An obligation created
3 ~~pursuant to subs. (2) to (4) shall~~ under sub. (4) or (5) is not be considered an
4 indebtedness of ~~such~~ the municipality, and shall not be included in arriving at the
5 constitutional debt limitation.

6 (4) (intro.) ~~Where~~ If payment of obligations is provided by revenue bonds, the
7 following is the procedure for payment shall be in the manner following:

8 (a) 1. The governing body of the municipality, by ordinance or resolution, shall
9 order the issuance and sale of bonds, executed as provided in s. 67.08 (1) and payable
10 at ~~such~~ times not exceeding 40 years from the date ~~thereof~~ of issuance, and at ~~such~~
11 places, as that the governing body of ~~such~~ the municipality ~~shall determine, which~~
12 determines. The bonds shall be payable only out of the special redemption fund.
13 Each ~~such~~ bond shall include a statement that it is payable only from the special
14 redemption fund, naming the ordinance or resolution creating it, and that it does not
15 constitute an indebtedness of ~~such~~ the municipality. The bonds may be issued either
16 as registered bonds under s. 67.09 or as coupon bonds payable to bearer. Bonds shall
17 be sold in ~~such~~ the manner and upon ~~such~~ the terms as determined by the governing
18 body ~~deems for the best interests of said~~ the municipality.

19 2. Interest, if any, on bonds shall be paid at least annually to bondholders.
20 Payment of principal on the bonds shall commence not later than 3 years after the
21 date of issue or 2 years after the estimated date that construction will be completed,
22 whichever is later. ~~Thereafter~~ After the commencement of the payment of principal
23 on the bonds, at least annually, the municipality shall make principal payments and,
24 if any, interest payments to bondholders or provide by ordinance or resolution that
25 payments be made into a separate fund for payment to bondholders as specified in

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1 the ordinance or resolution authorizing the issuance of the bonds. The amount of the
2 annual debt service payments made or provided for shall be reasonable in accordance
3 with prudent municipal utility management practices.

4 3. All ~~such~~ revenue bonds may contain a provision authorizing redemption
5 ~~thereof of the bonds~~, in whole or in part, at stipulated prices, at the option of the
6 municipality on any interest payment date. The governing body of a municipality
7 may provide in ~~any a~~ contract for purchasing, acquiring, leasing, constructing,
8 extending, adding to, improving, conducting, controlling, operating or managing a
9 public utility, that payment ~~thereof~~ shall be made in ~~such~~ bonds at not less than 95%
10 of the par value ~~thereof of the bonds~~.

11 (b) All moneys received from ~~any~~ bonds issued under this section shall be
12 applied solely for purchasing, acquiring, leasing, constructing, extending, adding to,
13 improving, conducting, controlling, operating or managing a public utility, and in the
14 payment of the cost of ~~any~~ subsequent necessary additions, improvements and
15 extensions. Bonds issued under this section shall be secured by a pledge of the
16 revenues of the public utility to the holders of the bonds and to the holders of ~~any~~
17 coupons of the bonds and may be additionally secured by a mortgage lien upon the
18 public utility to the holders of the bonds and to the holders of ~~any~~ coupons of the
19 bonds. If a mortgage lien is created by ordinance or resolution, the lien ~~shall be~~ is
20 perfected by publication of the ordinance or resolution or by recording of the
21 ordinance or resolution in the records of the municipality. In addition, the
22 municipality may record the lien by notifying the register of deeds of the county in
23 which the public utility is located concerning its issuance of bonds. If the register of
24 deeds receives notice from the municipality, the register of deeds shall record any
25 mortgage lien created. The public utility ~~shall remain~~ remains subject to the pledge

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1 and, if created, the mortgage lien until the payment in full of the principal and
2 interest of the bonds. Upon repayment of bonds for which a mortgage lien has been
3 created, the register of deeds shall, upon notice from the municipality, record a
4 satisfaction of the mortgage lien. Any holder of a bond or of any coupons attached
5 to a bond may ~~either at law or in equity~~ protect and enforce this pledge and, if created,
6 the mortgage lien and compel performance of all duties required of the municipality
7 by this section. ~~Any~~ A municipality may provide for additions, extensions and
8 improvements to a public utility that it owns by additional issues of bonds under this
9 section. ~~Such~~ The additional issues of bonds ~~shall be~~ are subordinate to all prior
10 issues of bonds under this section, but a municipality may in the ordinance or
11 resolution authorizing bonds permit the issue of additional bonds on a parity
12 ~~therewith. Any with prior issues.~~ A municipality may issue new bonds under this
13 section to provide funds for refunding any outstanding municipal obligations,
14 including interest, issued for any of the purposes stated in sub. ~~(1m)~~ (3). Refunding
15 bonds issued under this section are subject to all of the following provisions:

16 1. Refunding bonds may be issued to refinance more than one issue of
17 outstanding municipal obligations notwithstanding that ~~such~~ the outstanding
18 municipal obligations may have been issued at different times and may be secured
19 by the revenues of more than one public utility. ~~Any such public~~ Public utilities may
20 be operated as a single public utility, subject ~~however~~ to contract rights vested in
21 holders of bonds or promissory notes being refinanced. A determination by the
22 governing body of a municipality that any refinancing is advantageous or necessary
23 to the municipality ~~shall be~~ is conclusive.

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1 4. The refunding bonds shall are not be considered an indebtedness of such a
2 municipality, and shall not be included in arriving at the constitutional debt
3 limitation.

4 5. The governing body of a municipality may, ~~in addition to other powers~~
5 ~~conferred by this section~~, include a provision in any ordinance or resolution
6 authorizing the issuance of refunding bonds pledging all or ~~any~~ part of the revenues
7 of any public utility or utilities ~~or combination thereof~~ originally financed ~~or~~,
8 extended or improved from the proceeds of any of the municipal obligations being
9 refunded, and pledging all or ~~any~~ part of the surplus income derived from the
10 investment of ~~any~~ a trust created in relation to the refunding.

11 6. This subsection, ~~without reference to any other laws of this state~~, shall
12 constitute constitutes full authority for the authorization and issuance of refunding
13 bonds ~~hereunder~~ and for ~~the doing of~~ all other acts authorized by this subsection to
14 be done or performed and ~~such~~ the refunding bonds may be issued ~~hereunder~~ under
15 this subsection without regard to the requirements, restrictions or procedural
16 provisions contained in any other law.

17 (c) The governing body of a municipality shall, in the ordinance or resolution
18 authorizing the issuance of bonds, establish a system of funds and accounts and
19 provide for sufficient revenues to operate and maintain the public utility and to
20 provide fully for annual debt service requirements of bonds issued under this section.
21 The governing body of a municipality may establish a fund or account for
22 depreciation of assets of the public utility.

23 (d) If a governing body of a municipality creates a depreciation fund under par.
24 (c) it shall use the funds set aside to restore any deficiency in the special redemption
25 fund specified in par. (e) for the payment of the principal and interest due on the

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1 bonds and for the creation and maintenance of any reserves established by the bond
2 ordinance or resolution to secure these payments. If the special redemption fund is
3 sufficient for these purposes, moneys in the depreciation fund may be expended for
4 repairs, replacements, new constructions, extensions or additions of the public
5 utility. ~~Any accumulations~~ Accumulations of the depreciation fund may be invested,
6 and ~~if invested~~, the income from the investment shall be deposited in the
7 depreciation fund.

8 (e) The governing body of ~~the~~ a municipality shall by ordinance or resolution
9 create a special fund in the treasury of the municipality to be identified as “the ...
10 special redemption fund” into which shall be paid the amount which ~~shall be~~ is set
11 aside for the payment of the principal and interest due on the bonds and for the
12 creation and maintenance of any reserves established by bond ordinance or
13 resolution to secure these payments.

14 (f) At the close of the public utility’s fiscal year, if any surplus has accumulated
15 in any of the above funds specified in this subsection, it may be disposed of in the
16 order set forth under s. ~~66.069 (1) (e)~~ 66.0811 (2).

17 (g) The reasonable cost and value of any service rendered to ~~such~~ a municipality
18 by ~~such~~ a public utility shall be charged against the municipality and shall be paid
19 by it in instalments.

20 (h) The rates for all services rendered by ~~such~~ a public utility to ~~the~~ a
21 municipality or to other consumers, shall be reasonable and just, taking into account
22 and consideration the value of the ~~said~~ public utility, the cost of maintaining and
23 operating the ~~same~~ public utility, the proper and necessary allowance for
24 depreciation ~~thereof~~ of the public utility, and a sufficient and adequate return upon
25 the capital invested.

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1 (i) The governing body ~~shall have full power to~~ of a municipality may adopt all
2 ordinances and resolutions necessary to carry into effect this subsection. ~~Any An~~
3 ordinance or resolution providing for the issuance of bonds may contain such
4 provisions or covenants, without limiting the generality of the power to adopt ~~such~~
5 an ordinance or resolution, as is deemed are considered necessary or desirable for the
6 security of bondholders or the marketability of the bonds, ~~including. The provisions~~
7 or covenants may include but are not limited to provisions as relating to the
8 sufficiency of the rates or charges to be made for service, maintenance and operation,
9 improvements or additions to and sale or alienation of the public utility, insurance
10 against loss, employment of consulting engineers and accountants, records and
11 accounts, operating and construction budgets, establishment of reserve funds,
12 issuance of additional bonds, and deposit of the proceeds of the sale of the bonds or
13 revenues of the public utility in trust, including the appointment of depositories or
14 trustees. ~~Any An~~ ordinance or resolution authorizing the issuance of bonds or other
15 obligations payable from revenues of a public utility ~~shall constitute~~ constitutes a
16 contract with the holder of ~~any~~ bonds or other obligations issued pursuant to ~~such~~
17 the ordinance or resolution.

18 **SECTION 176.** 66.066 (2) (j) of the statutes is repealed.

NOTE: Repeals an archaic provision of the statutes regulating proceedings
relating to a public utility that were begun prior to May 6, 1911.

19 **SECTION 177.** 66.066 (2) (k) to (m), (4) and (5) of the statutes are renumbered
20 66.0621 (4) (j) to (L), (5) and (6), and 66.0621 (4) (j) to (L) and (5), as renumbered, are
21 amended to read:

22 66.0621 (4) (j) ~~Under this paragraph, the~~ The ordinance or resolution required
23 under par. (c) may set apart bonds equal to the amount of any secured debt or charge

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1 subject to which a public utility may be purchased, acquired, leased, constructed,
2 extended, added to or improved, ~~and. The ordinance or resolution~~ shall set aside for
3 interest and debt service fund from the income and revenues of the public utility a
4 sum sufficient to comply with the requirements of the instrument creating the lien,
5 or, if the instrument does not make any provision for it, the ordinance or resolution
6 shall fix the amount which shall be set aside into a secured debt fund from month to
7 month for interest on the secured debt, and a fixed amount or proportion not
8 exceeding a stated sum, which shall be not less than ~~one percent~~ 1% of the principal,
9 to be set aside into the fund to pay the principal of the debt. Any surplus after
10 satisfying the debt may be transferred to the special redemption fund. Public utility
11 bonds set aside for the debt may ~~from time to time~~ be issued to an amount sufficient
12 with the amount then in the debt service fund to pay and retire the debt or any
13 portion of it; ~~the. The~~ bonds may be issued at not less than 95% of the par value in
14 exchange for, or satisfaction of, the secured debt, or may be sold in the manner
15 provided in this paragraph, and the proceeds applied in payment of the secured debt
16 at maturity or before maturity by agreement with the holder. The governing body
17 of a municipality and the owners of ~~any a~~ public utility acquired, purchased, leased,
18 constructed, extended, added to or improved under this paragraph may, ~~upon such~~
19 ~~terms and conditions as are satisfactory,~~ contract that public utility bonds providing
20 for the secured debt or for the whole purchase price shall be deposited with a trustee
21 or depository and released from deposit ~~from time to time on the terms and conditions~~
22 ~~necessary~~ to secure the payment of the debt.

23 (k) ~~Any~~ A municipality purchasing, acquiring, leasing, constructing,
24 extending, adding to or improving, conducting, controlling, operating or managing
25 a public utility subject to a mortgage or deed of trust by the vendor or the vendor's

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1 predecessor in title to secure the payment of outstanding and unpaid bonds made by
2 the vendor or the vendor's predecessor in title, may readjust, renew, consolidate or
3 extend the obligation evidenced by the outstanding bonds and continue the lien of
4 the mortgage, securing the same mortgage by issuing bonds to refund the
5 outstanding mortgage or revenue bonds at or ~~prior to~~ before their maturity, ~~which,~~
6 The refunding bonds shall be are payable only out of a special redemption fund ~~to be~~
7 created and set aside by ordinance or resolution under par. (e). The refunding bonds
8 shall be secured by a mortgage lien upon the public utility, and the municipality is
9 ~~authorized to~~ may adopt all ordinances or resolutions and take all proceedings,
10 following the procedure under this subsection. The lien ~~shall have~~ has the same
11 priority on the public utility as the mortgage securing the outstanding bonds, unless
12 otherwise expressly provided in the proceedings of the governing body of the
13 municipality.

14 (L) 1. If the governing body of ~~any a~~ a municipality, by ordinance or resolution,
15 declares its intentions to authorize the issuance or sale of revenue bonds under this
16 section, the governing body may, prior to issuance of the bonds and in anticipation
17 of their sale, authorize the issuance of bond anticipation notes by the adoption of a
18 resolution or ordinance. The notes shall be named "bond anticipation notes." Bond
19 anticipation notes may be issued for the purposes for which the municipality has
20 authority to issue revenue bonds. The ordinance or resolution authorizing the bond
21 anticipation notes shall state the purposes for which the bond anticipation notes are
22 to be issued and shall set forth a covenant of the municipality to issue the revenue
23 bonds in an amount sufficient to retire the outstanding bond anticipation notes. The
24 ordinance or resolution may contain other covenants and provisions, including a
25 description of the terms of the revenue bonds to be issued. The municipality may

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1 pledge revenues of the public utility to payment of the principal and interest on the
2 bond anticipation notes. Prior to issuance of the bond anticipation notes, the
3 governing body may adopt an ordinance or resolution authorizing the revenue bonds.

4 2. Bond anticipation notes may be issued for periods of up to 5 years and may,
5 by ordinance or resolution of the governing body of a municipality, be refunded one
6 or more times, if the refunding bond anticipation notes do not exceed 5 years in term
7 and if they will be paid within 10 years after the date of issuance of the original bond
8 anticipation notes. Bond anticipation notes shall be executed as provided in s. 67.08
9 (1) and may be registered under s. 67.09. These notes shall state the sources from
10 which they are payable. Bond anticipation notes are not an indebtedness of the
11 municipality issuing them, and no lien may be created or attached with respect to
12 any property of the municipality as a consequence of the issuance of such the notes.

13 3. Any funds derived from the issuance and sale of revenue bonds under this
14 section and issued subsequent to the execution and sale of bond anticipation notes
15 shall constitute a trust fund, and such the fund shall be expended first for the
16 payment of principal and interest of such the bond anticipation notes, and then may
17 be expended for such other purposes as are set forth in the ordinance or resolution
18 authorizing the revenue bonds. No bond anticipation notes may be issued unless a
19 financial officer of the municipality certifies to the governing body of the
20 municipality that contracts with respect to additions, improvements and extensions
21 are to be let and that the proceeds of such the notes shall be are required for the
22 payment of such the contracts.

23 4. Following the issuance of the bond anticipation notes, revenues of the public
24 utility may be paid into a fund to pay principal and interest on the bond anticipation
25 notes, which moneys or any part of them may, by the ordinance or resolution

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1 authorizing the issuance of bond anticipation notes, be pledged for the payment of
2 the principal of and interest on such the notes. The ordinance or resolution shall
3 pledge to the payment of the principal of the notes the proceeds of the sale of the
4 revenue bonds in anticipation of the sale of which the notes were authorized to be
5 issued and may provide for use of revenue of the public utility or other available
6 funds for payment of principal on the notes. The notes ~~shall constitute~~ are negotiable
7 instruments.

8 6. ~~Any~~ A municipality authorized to issue or sell bond anticipation notes under
9 this paragraph may, in addition to the revenue sources or bond proceeds, appropriate
10 funds out of its annual tax levy for the payment of such the notes. The payment of
11 such the notes out of funds from a tax levy ~~shall~~ is not be construed as constituting
12 an obligation of such the municipality to make any other such appropriation.

13 7. ~~Such bond~~ Bond anticipation notes ~~shall constitute~~ are a legal form of
14 investment for municipal funds under s. ~~66.04 (2)~~ 66.0605 (1).

15 (5) ~~Any~~ A municipality which may own, purchase, acquire, lease, construct,
16 extend, add to, improve, conduct, control, operate or manage any public utility may
17 also, by action of its governing body, in lieu of issuing bonds or levying taxes and in
18 addition to any other lawful methods of paying obligations, provide for or secure the
19 payment of the cost of purchasing, acquiring, leasing, constructing, extending,
20 adding to, improving, conducting, controlling, operating or managing a public utility
21 by pledging, assigning or otherwise hypothecating, shares of stock evidencing a
22 controlling interest ~~therein~~ in a public utility, or the net earnings or profits derived,
23 or to be derived, from the operation of the public utility. The municipality may enter
24 into the contracts and may mortgage the public utility and issue obligations to carry
25 out this subsection. ~~Any~~ A municipality may issue additional obligations under this

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1 ~~subsection or elsewhere in this~~ section, but those obligations shall be are subordinate
2 to all prior obligations, except that the municipality may in the ordinance or
3 resolution authorizing obligations under this subsection permit the issue of
4 additional obligations on a parity with those previously issued.

5 **SECTION 178.** 66.067 of the statutes is repealed.

NOTE: Repeals s. 66.067, relating to permissible public works projects, since the
substance of the section has been incorporated into s. 66.0621 (1) (b).

6 **SECTION 179.** 66.068 (title) of the statutes is renumbered 66.0805 (title) and
7 amended to read:

8 **66.0805** (title) **Management of municipal public utility by commission.**

9 **SECTION 180.** 66.068 (1) of the statutes is repealed.

NOTE: The repealed subsection is restated as s. 66.0805 (1), created by SECTION
236.

10 **SECTION 181.** 66.068 (2) to (4) of the statutes are renumbered 66.0805 (2) to (4),
11 and 66.0805 (3) and (4), as renumbered, are amended to read:

12 66.0805 (3) ~~The commissioners~~ commission shall choose ~~from among their~~
13 ~~number~~ a president and a secretary. ~~They~~ from its membership. ~~The commission~~
14 may appoint and establish the compensation of a manager. ~~The commission~~ may
15 command the services of the city, village or town engineer and may employ and fix
16 the compensation of such subordinates as shall be necessary. ~~They~~ The commission
17 may make rules for ~~their own~~ its proceedings and for the government of ~~their~~ the
18 department. ~~They~~ The commission shall keep books of account, in the manner and
19 form prescribed by the department of transportation or public service commission,
20 which shall be open to the public.

NOTE: The 2nd sentence restates a portion of s. 66.068 (1), repealed by SECTION
180.

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1 (4) ~~(a) It may be provided~~ The governing body of the city, village or town may
2 provide that departmental expenditures be audited by ~~such~~ the commission, and if
3 approved by the president and secretary of the commission, be paid by the city,
4 village or town clerk and treasurer as provided by s. ~~66.042~~ 66.0607; that the utility
5 receipts be paid to a bonded cashier ~~or cashiers~~ appointed by the commission, to be
6 turned over to the city, village or town treasurer at least once a month; and that the
7 commission have ~~such~~ designated general powers in the construction, extension,
8 improvement and operation of the utility ~~as shall be designated. Where in any~~
9 municipality. Actual construction work shall be under the immediate supervision of
10 the board of public works or corresponding authority.

11 (b) If water mains have been installed or extended in a municipality and the
12 cost thereof of installation or extension has been in some instances assessed against
13 the abutting owners and in other instances paid by the municipality or ~~any a~~ a utility
14 therein, ~~it may be provided by,~~ the governing body of ~~such~~ the municipality may
15 provide that all persons who paid ~~any such~~ the assessment against any lot or parcel
16 of land may be reimbursed the amount of ~~such~~ the assessment regardless of when
17 such assessment was made or paid. ~~Such reimbursement~~ Reimbursement may be
18 made from such funds or earnings of ~~said~~ the municipal utility or from such funds
19 of the municipality as the governing body determines.

NOTE: The new sentence at the end of par. (a) restates s. 66.068 (5), repealed by
SECTION 182.

20 **SECTION 182.** 66.068 (5) of the statutes is repealed.

NOTE: The repealed provision is restated in renumbered s. 66.0805 (4) (a). See
SECTION 181.

21 **SECTION 183.** 66.068 (6) and (7) of the statutes are renumbered 66.0805 (5) and
22 (6) and amended to read:

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1 66.0805 (5) Two or more public utilities acquired as a single enterprise
2 hereunder may be operated under this section as a single enterprise.

3 (6) In a 2nd, 3rd or 4th class city, a village or a town, the council or board may
4 provide for the operation of a public utility or utilities by the board of public works
5 or by another officer or officers, in lieu of the commission above provided for in this
6 section.

7 **SECTION 184.** 66.069 (title) of the statutes is renumbered 66.0809 (title) and
8 amended to read:

9 **66.0809** (title) ~~Charges; outside services~~ **Municipal public utility**
10 **charges**.

11 **SECTION 185.** 66.069 (1) (title) of the statutes is repealed.

12 **SECTION 186.** 66.069 (1) (a) to (bn) of the statutes are renumbered 66.0809 (1)
13 to (5), and 66.0809 (1), (2), (3), (4) (intro.) and (a) and (5) (a) (intro.) and (b) to (d), as
14 renumbered, are amended to read:

15 66.0809 (1) Except as provided in ~~par. (am)~~ sub. (2), the governing body of any
16 a town, village or city operating a public utility may, by ordinance, fix the initial rates
17 and shall provide for this collection monthly, bimonthly or quarterly in advance or
18 otherwise. The rates shall be uniform for like service in all parts of the municipality
19 and shall include the cost of fluorinating the water. The rates may also include
20 standby charges to property not connected but for which such public utility facilities
21 have been made available. The charges shall be collected by the treasurer or other
22 officer or employe designated by the city, village or town.

NOTE: Authorizes, as an alternative to the treasurer collecting utility charges, a city, village or town to designate another officer to collect the charges. Apparently, in a number of municipalities, utility commissions have their own bonded clerk collect charges.

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1 (2) If, on June 21, 1996, it is the practice of a governing body of a town, village
2 or city operating a public utility to collect utility service charges using a billing period
3 other than one permitted under ~~par. (a)~~ sub. (1), the governing body may continue
4 to collect utility service charges using that billing period.

5 (3) Except as provided in ~~pars. (bg) and (bn)~~ subs. (4) and (5), on October 15 in
6 each year notice shall be given to the owner or occupant of all lots or parcels of real
7 estate to which utility service has been furnished prior to October 1 by a public utility
8 operated by ~~any a~~ a town, city or village and payment for which is owing and in arrears
9 at the time of giving ~~such~~ the notice. The department in charge of the utility shall
10 furnish the treasurer with a list of ~~all such~~ the lots or parcels of real estate for which
11 utility service charges are in arrears, and the notice shall be given by the treasurer,
12 unless the governing body of the city, village or town ~~shall authorize such~~ authorizes
13 notice to be given directly by the department. ~~Such~~ The notice shall be in writing and
14 shall state the amount of ~~such~~ arrears, including any penalty assessed pursuant to
15 the rules of ~~such~~ the utility; that unless the same amount is paid by November 1
16 ~~thereafter~~ a penalty of ~~10%~~ 10% of the amount of ~~such~~ arrears will be added ~~thereto~~;
17 and that unless ~~such~~ the arrears, with any ~~such~~ added penalty, ~~shall be~~ are paid by
18 November 15 ~~thereafter~~, the same arrears and penalty will be levied as a tax against
19 the lot or parcel of real estate to which utility service was furnished and for which
20 payment is delinquent ~~as above specified.~~ ~~Such.~~ The notice may be served by
21 delivery to either ~~such~~ the owner or occupant personally, or by letter addressed to
22 ~~such~~ the owner or occupant at the post-office address of ~~such~~ the lot or parcel of real
23 estate. On November 16 the officer or department issuing the notice shall certify and
24 file with the clerk a list of all lots or parcels of real estate, giving the legal description
25 thereof, ~~to the owners or occupants of,~~ for which notice of arrears in payment were

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1 ~~was given as above specified and for~~ which arrears still remain unpaid, and stating
2 the amount of such arrears together with the added and penalty thereon as herein
3 provided. Each such delinquent amount, including such the penalty, shall thereupon
4 ~~become~~ becomes a lien upon the lot or parcel of real estate to which the utility service
5 was furnished and payment for which is delinquent, and the clerk shall insert the
6 ~~same~~ delinquent amount and penalty as a tax against such the lot or parcel of real
7 estate. All proceedings in relation to the collection of general property taxes and to
8 the return and sale of property for delinquent taxes shall apply to said the tax if the
9 ~~same~~ it is not paid within the time required by law for payment of taxes upon real
10 estate. Under this ~~paragraph~~ subsection, if an arrearage is for utility service
11 furnished and metered by the utility directly to a mobile home unit in a licensed
12 mobile home park, the notice shall be given to the owner of the mobile home unit and
13 the delinquent amount ~~shall become~~ becomes a lien on the mobile home unit rather
14 than a lien on the parcel of real estate on which the mobile home unit is located. A
15 lien on a mobile home unit may be enforced using the procedures under s. 779.48 (2).
16 This ~~paragraph~~ subsection does not apply to arrearages collected using the
17 procedure under s. ~~66.60 (16)~~ 66.0627.

18 (4) (intro.) A municipal utility may use the procedures under ~~par. (b)~~ sub. (3)
19 to collect arrearages for electric service only if one of the following applies:

20 (a) The municipality has enacted an ordinance that authorizes the use of the
21 procedures under ~~par. (b)~~ sub. (3) for the collection of arrearages for electric service
22 provided by the municipal utility.

23 (5) (a) (intro.) This ~~paragraph~~ subsection applies only if all of the following
24 conditions are met:

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1 (b) If this ~~paragraph~~ subsection applies, a municipal public utility may use ~~par.~~
2 ~~(b) sub. (3)~~ to collect arrearages incurred after the owner of a rental dwelling unit has
3 provided the utility with written notice under ~~subd. 1. par. (a)~~ only if the municipality
4 complies with at least one of the following:

5 1. In order to comply with this ~~subd. 2. a. subdivision~~, a municipal public utility
6 shall send bills for water or electric service to a customer who is a tenant in the
7 tenant's own name. Each time that a municipal public utility notifies a customer who
8 is a tenant that charges for water or electric service provided by the utility to the
9 customer are past due for more than one billing cycle, the utility shall also serve a
10 copy of the notice on the owner of the rental dwelling unit in the manner provided
11 in s. 801.14 (2). If a customer who is a tenant vacates his or her rental dwelling unit,
12 and the owner of the rental dwelling unit provides the municipal public utility, no
13 later than 21 days after the date on which the tenant vacates the rental dwelling
14 unit, with a written notice that contains a forwarding address for the tenant and the
15 date that the tenant vacated the rental dwelling unit, the utility shall continue to
16 send past-due notices to the customer at his or her forwarding address until the
17 past-due charges are paid or until notice has been provided under ~~par. (b) sub. (3)~~.

18 2. In order to comply with this ~~subd. 2. b. subdivision~~, if a customer who is a
19 tenant has charges for water or electric service provided by the utility that are past
20 due, the municipal public utility shall serve notice of the past-due charges on the
21 owner of the rental dwelling unit within 14 days of the date on which the tenant's
22 charges became past due. The municipal public utility shall serve notice in the
23 manner provided in s. 801.14 (2).

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1 (c) A municipal public utility may demonstrate compliance with the notice
2 requirements of ~~subd. 2. a. or b. par. (b) 1. or 2.~~ by providing evidence of having sent
3 the notice by U.S. mail.

4 (d) If this ~~paragraph~~ subsection applies and a municipal public utility is
5 permitted to collect arrearages under ~~par. (b) sub. (3)~~, the municipal public utility
6 shall provide all notices under ~~par. (b) sub. (3)~~ to the owner of the property.

7 **SECTION 187.** 66.069 (1) (c) and (d) of the statutes are renumbered 66.0811 (2)
8 and (3) and amended to read:

9 66.0811 (2) The income of a municipal public utility ~~owned by a municipality,~~
10 shall first be used to make payments to meet operation, maintenance, depreciation,
11 interest, and debt service fund requirements, local and school tax equivalents,
12 additions and improvements, and other necessary disbursements or indebtedness.
13 Beginning with taxes levied in 1995, payable in 1996, payments for local and school
14 tax equivalents shall at least be equal to the payment made on the property for taxes
15 levied in 1994, payable in 1995, unless a lower payment is authorized by the
16 governing body of the municipality. Income in excess of these requirements may be
17 used to purchase and hold interest bearing bonds, issued for the acquisition of the
18 utility, ~~or;~~ bonds issued by the United States or any municipal corporation of this
19 state, ~~or;~~ insurance upon the life of an officer or manager of ~~such~~ the utility, ~~;~~
20 be paid into the general fund.

21 (3) ~~Any~~ A city, town or village may use funds derived from its water plant ~~above~~
22 ~~such as are necessary~~ to meet operation, maintenance, depreciation, interest and
23 debt service funds, ~~;~~ new construction or equipment or other indebtedness, for
24 sewerage construction work other than ~~such as~~ that which is chargeable against
25 abutting property; ~~or they may turn such~~ the funds may be placed into the general

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1 fund to be used for general city purposes, or ~~may place such funds~~ in a special fund
2 to be used for special municipal purposes.

3 **SECTION 188.** 66.069 (1) (e) of the statutes is renumbered 66.0811 (1) and
4 amended to read:

5 66.0811 (1) ~~Any~~ A city, village or town owning a public utility ~~shall be~~ is entitled
6 to the same rate of return as permitted for privately owned utilities.

7 **SECTION 189.** 66.069 (2) of the statutes is renumbered 66.0813, and 66.0813 (1),
8 (2), (3) (a), (5) and (6), as renumbered, are amended to read:

9 66.0813 (1) ~~Any~~ A town, town sanitary district, village or city owning water,
10 light or power plant or equipment may serve persons or places outside its corporate
11 limits, including adjoining municipalities not owning or operating a similar utility,
12 and may interconnect with another municipality, whether contiguous or not, and for
13 ~~such~~ these purposes may use equipment owned by ~~such~~ the other municipality.

14 (2) ~~So much of such plant~~ Plant or equipment, except water plant or equipment
15 or interconnection property in any municipality ~~so~~ interconnected, ~~as shall be~~
16 situated in another municipality ~~shall be~~ is taxable in ~~such~~ the other municipality
17 ~~pursuant to~~ under s. 76.28.

18 (3) (a) Notwithstanding s. 196.58 (5), ~~each~~ a city, village or town may by
19 ordinance fix the limits of ~~such~~ utility service in unincorporated areas. ~~Such~~ The
20 ordinance shall delineate the area within which service will be provided and the
21 municipal utility ~~shall have~~ has no obligation to serve beyond the area ~~so~~ delineated.
22 ~~Such~~ area. ~~The delineated~~ area may be enlarged by a subsequent ordinance. ~~No such~~
23 ordinance ~~shall be~~ under this paragraph is effective to limit any obligation to serve
24 ~~which may have~~ that existed at the time ~~that~~ the ordinance was adopted.

ASSEMBLY BILL 710**SECTION 189**

1 (5) An agreement under ~~par. (d)~~ sub. (4) under which a city or village agrees
2 to furnish sewerage service to a prison, which is located in an area ~~which~~ that has
3 been incorporated since that agreement was made, may be amended to provide that
4 the city or village will also furnish water service to the prison. An agreement
5 amended under this ~~paragraph~~ subsection fixes the nature and geographical limits
6 of the water and sewer service unless altered by a change in the agreement,
7 notwithstanding s. 196.58 (5). A change in use or ownership of property included
8 under an agreement amended under this ~~paragraph~~ subsection does not alter the
9 terms and limitations of that agreement.

10 (6) ~~Any~~ A town, village or city owning a public utility, or the board of any
11 municipal public utility appointed under s. ~~66.068~~ 66.0805, may enter into
12 agreements with any other ~~such~~ towns, villages or cities owning public utilities, or
13 any other ~~such~~ boards of municipal public utilities, for mutual aid in the event of an
14 emergency or disaster in any of their respective service areas. ~~Such~~ The agreements
15 may include, ~~but are not limited to,~~ provisions for the movement of employes and
16 equipment in and between the service areas of the ~~various~~ participating
17 municipalities for the purpose of rendering ~~such~~ aid and, for the reimbursement of
18 a municipality rendering ~~such~~ aid by the municipality receiving the aid.

19 **SECTION 190.** 66.07 of the statutes is renumbered 66.0817, and 66.0817 (intro.)
20 and (1) to (6), as renumbered, are amended to read:

21 **66.0817 Sale or lease of municipal public utility plant.** (intro.) ~~Any~~ A
22 town, village or city may sell or lease any complete public utility plant owned by it,
23 in ~~manner~~ the following manner:

24 (1) A preliminary agreement with the prospective purchaser or lessee shall be
25 authorized by a resolution or ordinance containing a summary of the terms proposed,

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1 of the disposition to be made of the proceeds, and of the provisions to be made for the
2 protection of holders of obligations against ~~such~~ the plant or against the municipality
3 on account thereof. ~~Such~~ of the plant. The resolution or ordinance shall be published
4 at least one week before adoption, as a class 1 notice, under ch. 985. ~~It~~ The resolution
5 or ordinance may be adopted only at a regular meeting and by a majority of all the
6 members of the governing body.

7 (2) The preliminary agreement shall fix the price of sale or lease, and provide
8 that if the amount fixed by the department of transportation or public service
9 commission ~~shall be larger~~ is greater, the price shall be that fixed by the department
10 or commission.

11 (3) The municipality shall submit the preliminary agreement when executed
12 to the department of transportation or public service commission, which shall
13 determine whether the interests of the municipality and ~~of the~~ its residents thereof
14 will be best served by the sale or lease, and if it so determines, shall fix the price and
15 other terms.

16 (4) ~~The~~ After the price and other terms are fixed under sub. (3), the proposal
17 shall ~~then~~ be submitted to the electors of the municipality. The notice of the
18 referendum shall include a description of the plant, and a summary of the
19 preliminary agreement, and of the price and terms as fixed by the department of
20 transportation or public service commission. If a majority voting on the question
21 ~~shall vote~~ votes for the sale or lease, the board or council ~~shall be authorized to~~ may
22 consummate the ~~same~~ sale or lease, upon the terms and at a price not less than fixed
23 by the department of transportation or public service commission, with the proposed
24 purchaser or lessee or any other with whom better terms approved by the
25 department of transportation or public service commission can be made.

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1 (5) Unless the sale or lease is consummated within one year of the referendum,
2 or the time is extended by the department of transportation or public service
3 commission, the proceedings ~~shall be~~ are void.

4 (6) If the municipality has revenue or mortgage bonds outstanding relating to
5 such the utility plant and which by their terms may not be redeemed concurrently
6 with the sale or lease transaction, an escrow fund with a domestic bank as trustee
7 may be established for the purpose of holding, administering and distributing such
8 that portion of the sales or lease proceeds as ~~may be~~ necessary to cover the payment
9 of the principal, any redemption premium and interest which will accrue on the
10 principal through the earliest retirement date of the bonds. During the period of the
11 escrow arrangement such the funds may be invested in securities or other
12 investments as described in s. ~~201.25 (1) (a), (b), (dm) and (j), 1969 stats., and in~~
13 ~~deposits or certificates of deposit with any state or national bank doing business in~~
14 ~~this state~~ 66.0603 (1).

NOTE: 1. The references in sub. (1) to "resolution or ordinance" are affected by the treatment of s. 66.06 by SECTIONS 163 and 235, which delete the current provision that the phrase "resolution or ordinance", when used in specified sections, means "ordinance" only. Thus, the references to "resolution or ordinance" in sub. (1) will now include either kind of action, not just "ordinance".

2. Revises, in sub. (6), the cross-reference to permitted investments in sub. (6) by replacing the reference to the 1969 statutes with the current provision setting forth authorized investments by municipalities.

15 **SECTION 191.** Subchapter VII (title) of chapter 66 [precedes 66.0701] of the
16 statutes is created to read:

CHAPTER 66**SUBCHAPTER VII****SPECIAL ASSESSMENTS**

19 **SECTION 192.** 66.0707 (2) of the statutes is created to read:
20

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1 66.0707 (2) A city, village or town may impose a special charge under s. 66.0627
2 against real property in an adjacent city, village or town that is served by current
3 services rendered by the municipality imposing the special charge if the municipality
4 in which the property is located approves the imposition by resolution. The owner
5 of the property is entitled to the use and enjoyment of the service for which the special
6 charge is imposed on the same conditions as the owner of property within the city,
7 village or town.

NOTE: Expands the scope of s. 66.65, renumbered s. 66.0707, to include special charges. Currently, the provision is limited to special assessments against property in an adjacent city, village or town that abuts and benefits from a public work or improvement. See SECTIONS 550 and 551 of this bill.

8 **SECTION 193.** 66.0709 (title) of the statutes is created to read:

9 **66.0709** (title) **Preliminary payment of improvements funded by**
10 **special assessments.**

11 **SECTION 194.** 66.0709 (1) of the statutes is created to read:

12 66.0709 (1) In this section:

13 (a) "Local governmental unit" has the meaning given in s. 66.0713 (1) (c).

14 (b) "Public improvement" has the meaning given in s. 66.0713 (1) (d).

15 **SECTION 195.** 66.071 (title) of the statutes is renumbered 62.69 (title).

16 **SECTION 196.** 66.071 (intro.) of the statutes is repealed.

NOTE: The repealed provision is restated as s. 62.69 (1). See SECTION 16 of this bill.

17 **SECTION 197.** 66.071 (1) (title) of the statutes is renumbered 62.69 (2) (title).

18 **SECTION 198.** 66.071 (1) (a) of the statutes is renumbered 62.69 (2) (c) and
19 amended to read:

20 62.69 (2) (c) Water rates shall be collected in the manner and by any one whom
21 the common council ~~may from time to time determine~~ determines, and shall be

ASSEMBLY BILL 710**SECTION 198**

1 accounted for and paid to ~~such~~ the other officials in ~~such~~ the manner and at ~~such~~ the
2 times as that the council may from time to time prescribe. ~~Such persons prescribes.~~
3 Persons collecting water rates shall give a bond to cover all the duties in ~~such~~ an
4 amount ~~as may be~~ prescribed by the council. Final accounting shall be made to the
5 comptroller and final disposition of money shall be made to the city treasurer.

6 **SECTION 199.** 66.071 (1) (b) of the statutes is renumbered 62.69 (2) (a) and
7 amended to read:

8 62.69 (2) (a) ~~The words~~ In this subsection, "commissioner of public works" in
9 ~~sub. (1) shall be construed to mean and have reference to~~ includes any board of public
10 works, or commissioner of public works, or other officer of ~~any~~ the city having control
11 of the city's public works therein, ~~and all acts authorized to be done by such~~
12 ~~commissioner except for the enforcement of regulations approved by the council shall~~
13 ~~require the approval of the council before they shall have any force or effect.~~

14 **SECTION 200.** 66.071 (1) (c) to (j) of the statutes are renumbered 62.69 (2) (d)
15 to (L), and 62.69 (2) (e), (f), (g) 2. (intro.) and a., (h) and (k), as renumbered, are
16 amended to read:

17 62.69 (2) (e) Water rates shall ~~be~~ are due and payable upon ~~such date or dates~~
18 as the common council may ~~provide by regulation~~ provides. To all water rates
19 remaining unpaid 20 days ~~thereafter~~ after the due date, there shall be added a
20 penalty of ~~5 per cent~~ 5% of the amount of ~~such rates~~ due, and if ~~such~~ the rates shall
21 remain unpaid for 10 days ~~thereafter~~ additional days, water may be turned off the
22 premises, ~~subject to the payment of such delinquent rates, and in such cases where,~~
23 If the supply of water is turned off as ~~above provided~~, water shall may not be again
24 turned on to ~~said~~ the premises until all delinquent rates and penalties, and a sum
25 not exceeding \$2 ~~as provided for by regulation~~ for turning the water off and on, shall

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1 ~~have been~~ are paid. The ~~same~~ penalty and charge may be made when payment is
2 made to a collector sent to the premises. On or before ~~each day when such~~ the date
3 on which rates become due ~~and payable as aforesaid~~, a written or printed notice or
4 bill shall be mailed or personally delivered to the occupant or, upon written request,
5 to the owner ~~wherever the~~ at the location the owner ~~shall state~~ states, of all premises
6 subject to the payment of water rates, stating the amount due, the time when and
7 the place where ~~such~~ the rates can be paid, and the penalty for neglect of payment.

8 (f) All water rates for water furnished to any building or premises, and the cost
9 of repairing meters, service pipes, stops or stop boxes, ~~shall be~~ are a lien on the lot,
10 part of lot or parcel of land on which ~~such~~ the building or premises ~~shall be situated~~
11 is located. If any water rates or bills for the repairing of meters, service pipes, stops
12 or stop boxes remain unpaid on ~~the first day of~~ October, ~~in any year~~ 1, the ~~same~~
13 unpaid rates or bills shall be certified to the city comptroller ~~of such city~~ on or before
14 ~~the first day of~~ November ~~next following~~ 1, and shall be placed by the comptroller
15 upon the tax roll and collected in the same manner as other taxes on real estate are
16 collected in ~~said~~ the city. The charge for water supplied by the city in all premises
17 where meters are attached and connected, shall be at rates fixed by the commissioner
18 of public works and for the quantity indicated by the meter. ~~If in any case~~, the
19 commissioner of public works ~~shall determine~~ determines that the quantity
20 indicated by the meter is materially incorrect or if a meter has been off temporarily
21 ~~on account of~~ due to repairs, the commissioner of public works shall determine in the
22 ~~best manner in the commissioner's power~~ estimate the quantity used, and ~~such~~
23 ~~determination shall be~~ the determination is conclusive. No water rate or rates duly
24 assessed against any property shall may be thereafter remitted or changed except
25 by the common council ~~of such city~~. Under this paragraph, if an unpaid charge or bill

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1 is for utility service furnished and metered by the waterworks directly to a mobile
2 home unit in a licensed mobile home park, the delinquent amount shall become is a
3 lien on the mobile home unit rather than a lien on the parcel of real estate on which
4 the mobile home unit is located. A lien on a mobile home unit may be enforced using
5 the procedures under s. 779.48 (2).

6 (g) 2. (intro.) If this paragraph applies, the commissioner of public works may
7 use par. (e) (f) to collect unpaid charges and bills incurred after the owner of a rental
8 dwelling unit has provided the commissioner of public works with written notice
9 under subd. 1. only if the commissioner of public works complies with at least one of
10 the following:

11 a. In order to comply with this subd. 2. a., the commissioner of public works
12 shall send bills for water service to a customer who is a tenant in the tenant's own
13 name. Each time that a commissioner of public works notifies a customer who is a
14 tenant that charges for water service provided by the waterworks to the customer are
15 past due for more than one billing cycle, the commissioner of public works shall also
16 serve a copy of the notice on the owner of the rental dwelling unit in the manner
17 provided in s. 801.14 (2). If a customer who is a tenant vacates his or her rental
18 dwelling unit, and the owner of the rental dwelling unit provides the commissioner
19 of public works, no later than 21 days after the date on which the tenant vacates the
20 rental dwelling unit, with a sworn affidavit that contains a forwarding address for
21 the tenant, the date that the tenant vacated the rental dwelling unit and a meter
22 reading reflecting the service for which the tenant is responsible, the commissioner
23 of public works shall continue to send past-due notices to the customer at his or her
24 forwarding address until the past-due charges are paid or until the past-due
25 charges have been certified to the comptroller under par. (e) (f).

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1 (h) The city commissioner of public works ~~of a city~~ may issue a permit to the
2 county in which it the city is located, to any national home for disabled soldiers, or
3 to any other applicant to obtain water from the city's water system for use outside
4 of the limits of the city; and for that purpose to connect any pipe that is laid outside
5 of the city limits with water pipe in the city. No permit may be issued until the
6 applicant files with the commissioner of public works a bond in ~~such~~ the sum and
7 with ~~such~~ the surety as that the commissioner shall ~~approve, conditioned~~ approves
8 on the condition: that the applicant will obey the rules and regulations prescribed
9 by the commissioner ~~of public works~~ for the use of the water; that the applicant will
10 pay all charges fixed by the commissioner for the use of the water as measured by
11 a meter to be approved by the commissioner, ~~which charges shall include~~ including
12 the proportionate cost of fluoridating the water and, except as to water furnished
13 directly to county or other municipal properties, ~~shall~~ which may not be less than
14 one-quarter more than those charged to the inhabitants of the city for like use of
15 water; that the applicant will pay to the city a water pipe assessment if the property
16 to be supplied with water has frontage on any thoroughfare forming the city
17 boundary line in which a water main has been or shall be laid, and at the rate
18 prescribed by the commissioner ~~of public works~~; if the property to be supplied does
19 not front on a city boundary but is distant ~~therefrom~~ from a boundary, that a main
20 pipe of the same size, class and standard as terminates at the city boundary shall be
21 extended, and the entire cost shall be paid by the applicant for the extension; that
22 the water main shall be laid according to city specifications and under city
23 inspection; that the water main and appliances shall become the ~~absolute~~ property
24 of the city, without any compensation ~~therefor, whenever~~ for the main or appliances,
25 if the property supplied with water by the extension or any part thereof ~~shall be of~~

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1 ~~the property is~~ annexed to or in any manner ~~become~~ becomes a part of the city; and
2 that the applicant will pay to the city all damages ~~whatever~~ that it ~~may~~ sustain
3 sustains, arising ~~in any way~~ out of the manner in which the connection is made or
4 water supply is used. In ~~case of~~ granting a permit to ~~any a~~ county or to ~~any a~~ national
5 home for disabled soldiers, the commissioner of public works may waive the giving
6 of a bond. Every permit shall be issued upon the understanding that the city ~~shall~~
7 ~~in no event ever be~~ is not liable for any damage in case of failure to supply water by
8 reason of any condition beyond its control.

9 (k) The commissioner of public works may ~~also~~ make rules and regulations for
10 the proper ventilating and trapping of all drains, soil pipes and fixtures ~~hereafter~~
11 constructed to connect with or be used in connection with the sewerage or water
12 supply of the city. The common council may provide by ordinance for the enforcement
13 of ~~such~~ the rules and regulations, ~~and may prescribe proper~~ including penalties and
14 ~~punishment for disobedience of the same.~~ The commissioner of ~~public works~~ may
15 ~~also~~ make rules to regulate the use of vent, soil, drain, sewer or water pipes in all
16 buildings in ~~said~~ the city, ~~which hereafter shall be proposed to be connected with the~~
17 city water supply or sewerage, specifying the dimensions, strength and material of
18 ~~which the same shall be made, and.~~ The commissioner may prohibit the introduction
19 into any building of any style of water fixture, tap or connection, ~~the use of which~~
20 ~~shall have been determined to be dangerous to health or for any reason unfit to be~~
21 ~~used, and the.~~ The commissioner of public works shall require a rigid inspection by
22 a skilled and competent inspector under the direction of the commissioner of ~~public~~
23 ~~works~~ of all plumbing and draining work and water and sewer connections, ~~hereafter~~
24 ~~done or made~~ in any building in the city, and unless the same work and connections
25 are done or made according to rules of ~~the commissioner of public works,~~ and

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1 approved by the commissioner of public works, no connection of the premises with
2 the city sewerage or water supply ~~shall be allowed~~ may be made.

3 **SECTION 201.** 66.071 (2) of the statutes is renumbered 62.69 (3) and amended
4 to read:

5 62.69 (3) UTILITY DIRECTORS. (a) ~~The term~~ In this subsection, “electric plant”
6 ~~as used in this section shall mean~~ means a plant for the production, transmission,
7 delivery and furnishing of electric light, heat or power directly to the public.

8 (b) If the city ~~shall have determined~~ decides to acquire an electric plant or any
9 other public utility in accordance with the provisions of this section, the mayor of
10 ~~such city~~, prior to the city taking possession of ~~such~~ the property, shall appoint,
11 subject to the confirmation of the council, 7 persons of recognized business
12 experience and standing to act as the board of directors for ~~such~~ the utility. Two of
13 ~~such~~ persons shall be appointed for a term of 2 years, 2 for a term of 4 years, 2 for a
14 term of 6 years, and one for a term of 8 years. ~~Thereafter successors~~ Successors shall
15 be appointed in ~~like manner~~ for terms of 10 years each. ~~Any such~~ A director may be
16 removed by the mayor with the approval of the council for misconduct in office or for
17 unreasonable absence from meetings of the directors.

18 (c) The Utility directors ~~so appointed shall have power to~~ may: employ a
19 manager experienced in the management of electric plants or other ~~like~~ public
20 utilities ~~and~~, fix his or her compensation and the other terms and conditions of
21 employment and ~~to~~ remove him or her at pleasure, subject to the terms and
22 conditions of his or her employment; advise and consult with the manager and other
23 employes as to any matter pertaining to maintenance, operation or extension of ~~such~~
24 the utility; and perform ~~such~~ other duties as ordinarily devolve upon a board of
25 directors of a corporation organized under ch. 180 not inconsistent with this section

ASSEMBLY BILL 710**SECTION 201**

1 and the laws governing 1st class cities. No money shall may be raised or authorized
2 to be raised by said the board of directors other than from revenues derived from the
3 operation of the utility, except by action of the council.

4 (d) The manager appointed by the board of directors ~~shall have complete~~
5 ~~management and control of~~ may manage and control the utility, subject to the powers
6 ~~herein~~ conferred upon the board of directors and the council under this subsection
7 and ~~shall have power to~~ may appoint assistants and all other employes which the
8 manager ~~deems~~ considers necessary and fix their compensation and other terms and
9 conditions of employment, except that the board of directors may prescribe rules for
10 determining the fitness of persons for positions and employment.

11 (e) The council shall fix the compensation, if any, of members of the board of
12 directors and ~~shall have the powers herein conferred upon it and such~~ has other
13 powers as it ~~now~~ possesses with reference to electric plants and other public utilities.

14 **SECTION 202.** 66.0711 (1) of the statutes is created to read:

15 66.0711 (1) In this section:

16 (a) “Local governmental unit” has the meaning given in s. 66.0713 (1) (c).

17 (b) “Public improvement” has the meaning given in s. 66.0713 (1) (d).

18 **SECTION 203.** 66.0713 (10) (title) of the statutes is created to read:

19 66.0713 (10) (title) LEGALITY OF PROCEEDINGS; CONCLUSIVE EVIDENCE.

20 **SECTION 204.** 66.0715 (title) of the statutes is created to read:

21 **66.0715 (title) Deferral of special assessments; payment of special**
22 **assessments in instalments.**

23 **SECTION 205.** 66.0715 (1) of the statutes is created to read:

24 66.0715 (1) DEFINITIONS. In this section:

25 (a) “Governing body” has the meaning given in s. 66.0713 (1) (b).

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1 (b) "Local governmental unit" has the meaning given in s. 66.0713 (1) (c).

2 (c) "Public improvement" has the meaning given in s. 66.0713 (1) (d).

3 **SECTION 206.** 66.0719 (1) of the statutes is created to read:

4 66.0719 (1) In this section:

5 (a) "Local governmental unit" has the meaning given in s. 66.0713 (1) (c).

6 (b) "Public improvement" has the meaning given in s. 66.0713 (1) (d).

7 **SECTION 207.** 66.072 of the statutes is renumbered 66.0827, and 66.0827 (2) to
8 (4), (5) (a) and (b) and (6), as renumbered, are amended to read:

9 66.0827 (2) The fund of each utility district shall be provided by taxation of the
10 property in ~~such~~ the district, upon an annual estimate by the department in charge
11 of public works in cities and villages, and by the town chairperson in towns, filed by
12 October 1. Separate account shall be kept of each district fund.

13 (3) In towns a majority vote and in villages and cities a three-fourths vote of
14 all the members of the governing body shall be is required to ~~thus~~ establish utility
15 districts and by a like vote districts may be vacated, altered, or consolidated, vacate,
16 alter or consolidate a utility district.

17 (4) Before the vote is effective to establish, vacate, alter or consolidate a utility
18 district, a hearing shall be held as provided in s. ~~66.60 (7)~~ 66.0703 (7) (a). In towns
19 the notice may be given by posting in 3 public places in ~~said~~ the town, one of which
20 shall be in the proposed district, at least 2 weeks prior to ~~such~~ the hearing.

21 (5) (a) ~~When any~~ If a town board establishes a utility district under this section
22 the board may also, if a town sanitary district is in existence for the town, dissolve
23 ~~said~~ the sanitary district ~~in which case.~~ If the sanitary district is dissolved, all assets,
24 liabilities and functions of the sanitary district shall be taken over by the utility
25 district.

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1 (b) All functions performed by a sanitary district and assumed by a utility
2 district under this subsection shall remain subject to regulation by the public service
3 commission as if no transfer had occurred.

4 (6) ~~Whenever If a municipality, within which a utility district is located,~~ is
5 consolidated with another municipality which provides the same or similar services
6 for which the district was established, but on a municipality-wide basis rather than
7 on a utility district basis as provided in this section, the fund of the utility district
8 ~~shall become~~ becomes part of the general fund of the consolidated municipality;
9 ~~thereupon said and the utility district shall be abolished~~ terminates. This section
10 ~~shall also apply~~ applies to consolidations completed prior to, on and after June 30,
11 1965.

12 **SECTION 208.** 66.0721 (title) of the statutes is created to read:

13 **66.0721 (title) Special assessments on certain farmland for**
14 **construction of sewerage or water system.**

15 **SECTION 209.** 66.0727 (4) of the statutes is created to read:

16 66.0727 (4) This section does not preclude a city, village or town from using any
17 other lawful method to compel a railroad corporation to pay its proportionate share
18 of a street, alley or public highway improvement.

NOTE: Restates s. 66.699, which is repealed by SECTION 561.

19 **SECTION 210.** 66.0729 (6) of the statutes is created to read:

20 66.0729 (6) This section does not preclude a city, village or town from using any
21 other lawful method to compel a railroad corporation to pay its proportionate share
22 of a street, alley or public highway improvement.

NOTE: Restates s. 66.699, which is repealed by SECTION 561.

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1 **SECTION 211.** 66.073 of the statutes is renumbered 66.0825, and 66.0825 (2),
2 (3) (f), (g) and (h), (4) (a), (5) (b), (c), (e), (f) and (i), (6) (intro.), (a), (f), (g), (h) and (o),
3 (7), (8) (a) 3. and 4., (b) and (c), (9), (10), (11), (12), (13) (intro.), (b), (d), (e), (g), (j), (k),
4 (L), (m), (n) and (o), (14), (15), (16) (b), (17) and (18), as renumbered, are amended to
5 read:

6 **66.0825 (2) FINDING AND DECLARATION OF NECESSITY.** It is declared that the
7 operation of electric utility systems by municipalities of this state and the
8 improvement of the systems through joint action in the fields of the generation,
9 transmission and distribution of electric power and energy is are in the public
10 interest; that there is a need in order to ensure the stability and continued viability
11 of the municipal systems to provide for a means by which municipalities which
12 operate the systems may act jointly in all ways possible, including development of
13 coordinated bulk power and fuel supply programs and efficient, community-based
14 energy systems; and that, the necessity in the public interest for the provisions
15 hereinafter—enacted in this section is declared as a matter of legislative
16 determination.

17 **(3) (f) “Person”** means a natural person, a public agency, cooperative or private
18 corporation, limited liability company, association, firm, partnership, or business
19 trust of any nature ~~whatsoever~~, organized and existing under the laws of any state
20 or of the United States.

21 **(g) “Project”** means any plant, works, system, facilities, and real and personal
22 property of any nature ~~whatsoever~~, together with all parts thereof, and
23 appurtenances thereto, used or useful in the generation, production, transmission,
24 distribution, purchase, sale, exchange, or interchange of electric power and energy,
25 or any interest ~~therein~~ or right to capacity thereof and the acquisition of fuel of any

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1 kind for any such these purposes, including, ~~but not limited to,~~ the acquisition of
2 fuel deposits and the acquisition or construction and operation of facilities for
3 extracting fuel from natural deposits, for converting it for use in another form, for
4 burning it in place, for transportation, storage and reprocessing or for any energy
5 conservation measure which involves public education or the actual fitting and
6 application of a device.

7 (h) "Public agency" means any municipality or other municipal corporation,
8 political subdivision, governmental unit, or public corporation created under the
9 laws of this state or of another state or of the United States, and any state or the
10 United States, and any person, board, or other body declared by the laws of any state
11 or the United States to be a department, agency or instrumentality ~~thereof~~ of the
12 state or the United States.

13 (4) (a) Any combination of municipalities of the state which ~~operate~~ operates
14 facilities for the generation ~~or~~, transmission or distribution of electric power and
15 energy may, by contract with each other, establish a separate governmental entity
16 to be known as a municipal electric company to be used by ~~such~~ the contracting
17 municipalities to effect joint development of electric energy resources or production,
18 distribution and transmission of electric power and energy in whole or in part for the
19 benefit of the contracting municipalities. The municipalities party to the contract
20 may amend the contract as provided ~~therein~~ in the contract.

21 (5) (b) The establishment and organization of a governing body of the company
22 which shall be a board of directors in which all powers of the company are vested. The
23 contract may provide for the creation by the board of an executive committee of the
24 board to which the powers and duties may be delegated as the board ~~shall specify~~
25 specifies.

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1 (c) The number of directors, the manner of their appointment, terms of office
2 and compensation, if any, and the procedure for filling vacancies on the board. Each
3 contracting municipality ~~shall have the power to~~ may appoint one member to the
4 board of directors and ~~shall be entitled to~~ may remove that member at will.

5 (e) The voting requirements for action by the board; ~~but, unless.~~ Unless
6 specifically provided otherwise, a majority of directors ~~shall constitute~~ constitutes a
7 quorum and a majority of the quorum ~~shall be~~ is necessary for any action taken by
8 the board.

9 (f) The duties of the board which shall include the obligation to comply ~~or to~~
10 ~~cause compliance~~ with this section and the laws of the state and ~~in addition,~~ with
11 each ~~and every~~ term, provision and covenant in the contract creating the company
12 on its part to be kept or performed.

13 (i) The term of the contract, which may be a definite period or until rescinded
14 or terminated, and the method, if any, by which the contract may be rescinded or
15 terminated, ~~but that the.~~ The contract may not be rescinded or terminated so long
16 as while the company has bonds outstanding, unless provision for full payment of
17 such the bonds, by escrow or otherwise, has been made pursuant to the terms of the
18 bonds or the resolution, trust indenture or security instrument securing the bonds.

19 **(6) POWERS.** (intro.) The general powers of an electric company ~~shall~~ include
20 the power to:

21 (a) Plan, develop, acquire, construct, reconstruct, operate, manage, dispose of,
22 participate in, maintain, repair, extend or improve one or more projects within or
23 outside the state and act as agent, or designate one or more other persons
24 participating in a project to act as its agent, in connection with the planning,

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1 acquisition, construction, operation, maintenance, repair, extension or improvement
2 of such the project.

3 (f) Contract with any person or public agency within or outside the state, for
4 the construction of any project or for the sale or transmission of electric power and
5 energy generated by any project, or for any interest ~~therein~~ in a project or any right
6 to capacity thereof of a project, on such the terms and for such the period of time as
7 that its board of directors shall determine determines.

8 (g) Purchase, sell, exchange, transmit or distribute electric power and energy
9 within and outside the state in such the amounts as it ~~shall determine to be~~ necessary
10 and appropriate to make the most effective use of its powers and to meet its
11 responsibilities, and to enter into agreements with any person or public agency with
12 respect to such the purchase, sale, exchange, or transmission, on such the terms and
13 for such the period of time as that its board of directors ~~shall determine~~ determines.
14 A company may not sell power and energy at retail unless requested to do so by a
15 municipal member within the service area of that municipal member.

16 (h) Acquire, own, hold, use, lease as lessor or lessee, sell or otherwise dispose
17 of, mortgage, pledge, or grant a security interest in any real or personal property,
18 commodity or service or interest ~~therein~~ in any real or personal property, commodity
19 or service, subject to s. 182.017 (7).

20 (o) Notwithstanding the provisions of any other law, invest any funds held in
21 reserve or sinking funds, or any funds not required for immediate disbursement,
22 including the proceeds from the sale of any bonds, in such obligations, securities and
23 other investments as that the company deems proper.

24 **(7) PUBLIC CHARACTER.** An electric company established by contract under this
25 section ~~shall constitute~~ constitutes a political subdivision and body public and

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1 corporate of the state, exercising public powers, separate from the contracting
2 municipalities. It ~~shall have~~ has the duties, privileges, immunities, rights, liabilities
3 and disabilities of a public body politic and corporate but ~~shall~~ does not have taxing
4 power.

5 (8) (a) 3. Purchase agreements entered into under subd. 2. may, in addition to
6 the provisions authorized under subd. 2., contain other terms and conditions that the
7 company and the purchasers determine, including provisions ~~whereby~~ obligating the
8 purchaser ~~is obligated~~ to pay for power irrespective of whether energy is produced
9 or delivered to the purchaser or whether any project contemplated by any ~~such~~
10 agreement under subd. 2. is completed, operable or operating, and notwithstanding
11 suspension, interruption, interference, reduction or curtailment of the output of ~~such~~
12 the project.

13 4. Purchase agreements entered into under subd. 2. may be for a term covering
14 the life of a project or for any other term, or for an indefinite period. The contract
15 created under sub. (5) or a purchase agreement may provide that if one or more of
16 the purchasers defaults in the payment of its obligations under a purchase
17 agreement, the remaining purchasers which also have purchase agreements shall
18 ~~be required to accept and pay for and shall be~~ are entitled proportionately to use or
19 otherwise dispose of the power and energy to be purchased by the defaulting
20 purchaser.

21 (b) The obligations of a municipality under a purchase agreement with a
22 company or arising out of the default by any other purchaser with respect to ~~such an~~
23 a purchase agreement ~~shall not be construed to constitute~~ are not debt of the
24 municipality. To the extent provided in the purchase agreement, ~~such~~ the obligations
25 ~~shall~~ constitute special obligations of the municipality, payable solely from the

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1 revenues and other moneys derived by the municipality from its municipal electric
2 utility and shall be treated as expenses of operating a municipal electric utility.

3 (c) The contract ~~also~~ may provide for payments in the form of contributions to
4 defray the cost of any purpose set forth in the contract and as advances for any ~~such~~
5 purpose in the contract subject to repayment by the company.

6 (9) SALE OF EXCESS CAPACITY. (a) An electric company may sell or exchange, to
7 any other person or public agency, excess power and energy produced or owned by
8 it not required by any of the contracting municipalities for ~~such~~ the consideration
9 and ~~for such~~, period and ~~upon such~~ terms and conditions as it may ~~determine to any~~
10 ~~other person or public agency~~ that it determines.

11 (b) Notwithstanding any other provision of this section or any other statute,
12 nothing ~~shall prohibit~~ prohibits a company from undertaking any project in
13 conjunction with or owning any project jointly with any person or public agency.

14 (10) REGULATION. An electric company created under this section ~~shall be~~
15 ~~deemed to be~~ is a “public utility” for purposes of ch. 196, except that the terms and
16 conditions and the rates at which a company sells power and energy for resale ~~shall~~
17 ~~not be~~ are not subject to regulation or alteration by the public service commission.

18 (11) TYPES OF BONDS. (a) An electric company may issue such types of bonds
19 as it ~~may determine~~ it determines, subject only to any agreement with the holders
20 of particular bonds, including bonds as to which the principal and interest are
21 payable exclusively from all or a portion of the revenues from one or more projects,
22 ~~or~~ from one or more revenue producing contracts made by the company with any
23 person or public agency, or from its revenues generally, or which may be additionally
24 secured by a pledge of any grant, subsidy, or contribution from any public agency or

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1 other person, or a pledge of any income or revenues, funds, or moneys of the company
2 from any source whatsoever.

3 (b) A company may ~~from time to time~~ issue its bonds in ~~such~~ principal amounts
4 as that the company deems necessary to provide sufficient funds to carry out any of
5 its corporate purposes and powers, including the establishment or increase of
6 reserves, interest accrued during construction of a project and for a period not
7 exceeding one year after the completion of construction of a project, and the payment
8 of all other costs or expenses of the company incident to and necessary or convenient
9 to carry out its corporate purposes and powers.

10 (c) Neither the members of the board of directors of a company nor any person
11 executing the bonds ~~shall be~~ is liable personally on the bonds by reason of the
12 issuance thereof of the bonds.

13 (d) The bonds of an electric company ~~(, and such~~ the bonds shall so state on their
14 face) ~~shall, are~~ not be a debt of the municipalities which are parties to the contract
15 creating the company or of the state and neither the state nor any ~~such~~ municipality
16 ~~shall be~~ is liable ~~thereon on the bonds~~ nor ~~in any event shall such~~ are the bonds be
17 payable out of any funds or properties other than those of the company.

18 **(12) FORM AND SALE OF BONDS.** (a) Bonds of an electric company shall be
19 authorized by resolution of the board of directors and may be issued under ~~such~~ the
20 resolution or under a trust indenture or other security instrument in one or more
21 series and shall bear ~~such date or~~ the dates, mature at ~~such time or~~ the times, bear
22 interest at ~~such rate or~~ the rates, be in ~~such denomination or~~ the denominations, be
23 in the form of coupon bonds or registered bonds under s. 67.09, have ~~such~~ the rank
24 or priority, be executed in ~~such~~ the manner, be payable in ~~such~~ the medium of
25 payment, at ~~such place or~~ the places, and be subject to ~~such~~ the terms of redemption,

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1 with or without premium, ~~as such~~ that the resolution, trust indenture or other
2 security instrument ~~may provide~~ provides, and without limitation by the provisions
3 of any other law limiting amounts, maturities or interest rates.

4 (b) The bonds may be sold at public or private sale as the company ~~may provide~~
5 provides and at ~~such price or~~ the prices as ~~that~~ the company shall ~~determine~~
6 determines.

7 (c) ~~In case any of the officers whose signatures appear on any bonds or coupons~~
8 ~~shall cease~~ If an officer whose signature appears on a bond or coupon ceases to be
9 ~~such officers~~ an officer before the delivery of such obligations, ~~such signatures shall,~~
10 ~~nevertheless, be~~ the obligation, the signature is valid and sufficient for all purposes,
11 ~~the same~~ as if the ~~officers~~ officer had remained in office until ~~such~~ delivery.

12 **(13) COVENANTS.** (intro.) The company ~~shall have power~~ may in connection
13 with the issuance of its bonds ~~to~~:

14 (b) Redeem the bonds, ~~to~~ covenant for their redemption and ~~to~~ provide the
15 terms and conditions thereof of the redemption.

16 (d) Covenant and prescribe as to events of default and terms and conditions
17 upon which any ~~or all~~ of its bonds shall become or may be declared due before
18 maturity, as to the terms and conditions upon which ~~such~~ the declaration and its
19 consequences may be waived and as to the consequences of default and the remedies
20 of bondholders.

21 (e) Covenant as to the mortgage or pledge of or the grant of a security interest
22 in any real or personal property and all or any part of the revenues from any project
23 ~~or projects~~ or any revenue producing contract ~~or contracts~~ made by the company with
24 any person or public agency to secure the payment of bonds, subject to ~~such~~ existing
25 agreements with the holders of bonds ~~as may then exist~~.

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1 (g) Covenant as to the purposes to which the proceeds from the sale of any bonds
2 ~~then or thereafter to be issued~~ may be applied, and the pledge of such the proceeds
3 to secure the payment of the bonds.

4 (j) Covenant as to the procedure by which the terms of any contract with or for
5 the benefit of the holders of bonds may be amended or abrogated, the amount of
6 bonds, the holders of which must consent ~~thereto~~ to amendment or abrogation, and
7 the manner in which such consent may be given.

8 (k) Covenant as to the custody and safekeeping of any of its properties or
9 investments, ~~the safekeeping thereof~~, the insurance to be carried ~~thereon~~ on the
10 properties or investments, and the use and disposition of insurance proceeds.

11 (L) Covenant as to the vesting in a ~~trustee or~~ one or more trustees, within or
12 outside the state, of such those properties, rights, powers and duties in trust as that
13 the company ~~may determine~~ determines.

14 (m) Covenant as to the appointing and providing for the duties and obligations
15 of a ~~paying agent or~~ one or more paying agents or other fiduciaries within or outside
16 the state.

17 (n) Make all other covenants and ~~to do any and all such acts and things as may~~
18 be necessary or convenient or desirable in order to secure its bonds, or in the absolute
19 discretion of the company tend to make the bonds more marketable; notwithstanding
20 that such the covenants, acts or things may not be enumerated herein; ~~it being the~~
21 ~~intention hereof to give the~~ in this subsection. ~~A company power to~~ may do all things
22 in the issuance of bonds and in the provisions for security ~~thereof~~ of the bonds which
23 are not inconsistent with the constitution of the state.

24 (o) Execute all instruments necessary or convenient in the exercise of the
25 powers ~~herein~~ granted in this subsection or in the performance of covenants or

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1 duties, which may contain ~~such~~ covenants and provisions, ~~as that~~ any purchaser of
2 the bonds of the company may reasonably require requires.

3 (14) REFUNDING BONDS. A company may issue refunding bonds for the purpose
4 of paying any of its bonds at or prior to maturity or upon acceleration or redemption.
5 Refunding bonds may be issued at ~~such~~ the time prior to the maturity or redemption
6 of the refunded bonds as that the company deems to be in the public interest. The
7 refunding bonds may be issued in sufficient amounts to pay or provide the principal
8 of the bonds being refunded, together with any redemption premium ~~thereon~~ on the
9 bonds, any interest accrued or to accrue to the date of payment of ~~such~~ the bonds, the
10 expenses of issue of the refunding bonds, the expenses of redeeming the bonds being
11 refunded, and ~~such~~ the reserves for debt service or other capital or current expenses
12 from the proceeds of ~~such~~ the refunding bonds as ~~may~~ be required by the resolution,
13 trust indenture or other security instruments. The issue of ~~refunding bonds~~, the
14 maturities and other details ~~thereof~~ of, the security ~~therefor~~ for, the rights of the
15 holders ~~thereof~~ of, and the rights, duties and obligations of the company in respect
16 of the ~~same shall be~~ refunding bonds are governed by the provisions of this section
17 relating to the issue of bonds other than refunding bonds ~~insofar as the same may~~
18 be to the extent that the provisions are applicable.

19 (15) BONDS ELIGIBLE FOR INVESTMENT. ~~Bonds issued by a company under this~~
20 ~~section are hereby made securities in which all~~ All public officers and agencies of the
21 ~~state and all political subdivisions,~~ of the state and all insurance companies, trust
22 companies, banks, savings banks, savings and loan associations, investment
23 companies, executors, administrators, trustees and other fiduciaries may ~~properly~~
24 ~~and legally~~ invest funds, including capital in their control or belonging to them.
25 ~~Such, in bonds issued by a company under this section. The bonds are hereby made~~

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1 securities which may properly and legally be deposited with and received by any
2 officer or agency of the state or any political subdivision for any purpose for which
3 the deposit of bonds or obligation of the state or any political subdivision is now or
4 may hereafter be authorized by law.

5 (16) (b) The property of a company, including any proportional share of any
6 property owned by a company in conjunction with any other person or public agency,
7 is declared to be public property used for essential public and governmental purposes
8 and such the property or proportional share, a company and its income shall be are
9 exempt from all taxes of the state or any state public body except that for each project
10 owned or partly owned by it, a company shall make payments-in-lieu-of-taxes to
11 the state equal to the amount which would be paid to the state under ss. 76.01 to
12 76.26 for such the project or share thereof of the project if it were deemed to be owned
13 by a company under s. 76.02 (2). The payment shall be determined, administered
14 and distributed by the state in the same manner as the taxes paid by companies
15 under ss. 76.01 to 76.26.

16 (17) SUCCESSOR. A company shall, if the contract so provides, be the successor
17 to any nonprofit corporation, agency or any other entity theretofore previously
18 organized by such the contracting municipalities to provide the same or a related
19 function, and the company shall be is entitled to all rights and privileges and shall
20 assume all obligations and liabilities of the other entity under existing contracts to
21 which the other entity is a party.

22 (18) OTHER STATUTES. The powers granted under this section do not limit the
23 powers of municipalities to enter into intergovernmental cooperation or contracts or
24 to establish separate legal entities under ~~s. 66.30~~ ss. 66.0301 to 66.0311 or any other
25 applicable law, or otherwise to carry out their powers under applicable statutory

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1 provisions, nor shall such ~~do the powers granted under this section~~ limit the powers
2 reserved to municipalities by state law.

3 **SECTION 212.** 66.0735 of the statutes is renumbered 66.0823, and 66.0823 (5)
4 (q), as renumbered, is amended to read:

5 66.0823 (5) (q) Invest any funds held in reserve or sinking funds, or any funds
6 not required for immediate disbursement, including the proceeds from the sale of any
7 bonds, in such obligations, securities and other investments as the authority deems
8 proper in accordance with s. ~~66.04 (2)~~ 66.0603 (1).

9 **SECTION 213.** 66.074 of the statutes is repealed.

NOTE: Repealed as obsolete. Section 66.074 grants authority to cities, villages
and towns in connection with ice plants, fuel depots and landing fields. Current
municipal authority regarding airports is contained in ch. 114.

10 **SECTION 214.** 66.075 of the statutes is repealed.

NOTE: Repealed as obsolete. Section 66.075 authorizes counties, cities, villages
and towns of over 5,000 population to construct and maintain public
slaughterhouses.

11 **SECTION 215.** 66.076 (title) of the statutes is renumbered 66.0821 (title) and
12 amended to read:

13 **66.0821** (title) **Sewerage system, service charge and storm water**
14 **systems.**

15 **SECTION 216.** 66.076 (1) of the statutes is renumbered 66.0821 (2) (a) and
16 amended to read:

17 66.0821 (2) (a) 1. In addition to all other methods provided by law, any a
18 municipality may construct, acquire or lease, extend or improve any plant and
19 equipment within or without its corporate limits for the collection, transportation,
20 storage, treatment and disposal of sewage or storm water and surface water,
21 including the necessary lateral, main and interceptor sewers ~~necessary in connection~~

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1 ~~therewith, and any a town, village or city may arrange for such the service to be~~
2 ~~furnished by a metropolitan sewerage district or joint sewerage system. Except as~~
3 ~~provided in s. 66.60 (6m), payment for a sewerage project described in this~~
4 ~~paragraph, or any part of such project, may be provided from the general fund, from~~
5 ~~taxation, special assessments, sewerage service charges, or from the proceeds of~~
6 ~~either municipal obligations, revenue bonds or from any combination of these~~
7 ~~enumerated methods of financing.~~

NOTE: The deleted sentence is restated as s. 66.0813 (3) (a) by SECTION 245.

8 2. If the extension of a sewer line or water main that is described under ~~par.~~
9 ~~(a) subd. 1.~~ is required because of a new subdivision, as defined in s. 236.02 (12), or
10 commercial development, the municipality may recoup some or all of the costs that
11 it has incurred for the extension by a method described under ~~par. (a) subd. 1.~~ or by
12 any other method of financing agreed to by the municipality and the developer. If
13 a person, whose property is outside of the subdivision for which a developer is paying,
14 or has paid, the costs of a sewerage project under this ~~paragraph subdivision,~~
15 connects an extension into the sewerage project after the amount is established that
16 the developer is required to pay under this ~~paragraph subdivision,~~ that person shall
17 pay to the developer an amount determined by the public service commission. The
18 public service commission shall promulgate rules to determine the amount that such
19 a person shall pay to a developer. The rules promulgated under this ~~paragraph~~
20 ~~subdivision,~~ shall be based on the benefits accruing to the property that connects an
21 extension into the sewerage project.

22 **SECTION 217.** 66.076 (1m) of the statutes is renumbered 66.0821 (1) (intro.) and
23 amended to read:

24 66.0821 (1) (intro.) In this section, “municipality”;

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1 (a) "Municipality" means ~~any a~~ town, village, city or metropolitan sewerage
2 district created under ss. ~~66.20 200.01~~ to ~~66.26 200.15~~ or under ss. ~~66.88 200.21~~ to
3 ~~66.918 200.65~~.

4 **SECTION 218.** 66.076 (2) of the statutes is renumbered 66.0821 (3) (b) and
5 amended to read:

6 66.0821 (3) (b) ~~Where payment~~ If funding under par. (a) in whole or in part is
7 made by the issue and sale of revenue bonds, the payments shall be made as provided
8 in s. 66.066. ~~The provisions of s. 66.066 which are 66.0621 to the extent not~~
9 inconsistent with this section ~~are made a part of this section. The term. In this~~
10 paragraph, "public utility" as used in s. 66.066 ~~shall for this purpose include 66.0621~~
11 includes the sewerage system, accessories, equipment and other property, including
12 land. The mortgage or revenue bonds or mortgage certificates shall do not constitute
13 an indebtedness of the municipality ~~but shall~~ and may be secured only by the
14 sewerage system and its revenue, and the franchise provided for in this section.

15 **SECTION 219.** 66.076 (3) of the statutes is renumbered 66.0821 (6) and amended
16 to read:

17 66.0821 (6) ~~In the event of~~ If there is a sale of the mortgaged sewerage system
18 premises on a judgment of foreclosure and sale, the price paid for the same shall
19 premises may not exceed the amount of the judgment and the costs of sale to and
20 including the recording of the sheriff's deed. The purchaser on the foreclosure sale
21 may operate and maintain said the sewerage system and collect sewerage service
22 charges, and for that purpose ~~shall be~~ is deemed to have a franchise from the
23 municipality. The term "purchaser" ~~shall include~~ includes the purchaser's
24 successors or assigns. The rates to be charged, in addition to the contributions, if any,
25 which the municipality has obligated itself to make toward the capital or operating

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1 costs of the plant, shall be sufficient to meet the requirements of operation,
2 maintenance, repairs, depreciation, interest and an amount sufficient to amortize
3 the judgment debts and all additional capital costs which the purchaser contributes
4 to the plan over a period not exceeding 20 years, ~~and in.~~ In addition to the foregoing,
5 the purchaser of the premises ~~shall be entitled to~~ may earn a reasonable amount, as
6 determined by the public service commission, on the actual amount of the
7 purchaser's investment in the premises represented by the purchase price of the
8 premises, plus any additions made to the ~~same~~ investment by the purchaser or minus
9 any payments made by the municipality on account of ~~such~~ the investments. The
10 municipality may ~~at any time~~ by payment reduce ~~such~~ the investment of the
11 purchaser and after full payment of the purchase price plus the cost of subsequent
12 improvements the premises shall revert to the municipality. ~~So long as~~ While the
13 premises are owned by the private purchaser, the ~~same~~ premises shall be considered
14 a public utility and ~~be~~ are subject to ch. 196 ~~so far as~~ to the extent applicable.

15 **SECTION 220.** 66.076 (4) of the statutes is renumbered 66.0821 (4) (a) and
16 amended to read:

17 66.0821 (4) (a) The governing body of the municipality may establish sewerage
18 service charges in ~~such~~ an amount as to meet all or part of the requirements for the
19 construction, reconstruction, improvement, extension, operation, maintenance,
20 repair and depreciation of the sewerage system, and for the payment of all or part
21 of the principal and interest of any indebtedness incurred ~~thereof~~ for those purposes,
22 including the replacement of funds advanced by or paid from the general fund of the
23 municipality. Service charges made by a metropolitan sewerage district to any town,
24 village or city shall ~~in turn~~ be levied by ~~such~~ the town, village or city against the
25 individual sewer system users within the corporate limits of ~~such~~ the municipality,

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1 and the responsibility for collecting such municipality shall collect the charges and
2 promptly ~~remitting same~~ remit them to the metropolitan sewerage district shall lie
3 ~~with such municipality~~. Delinquent charges shall be collected in accordance with
4 sub. ~~(7)~~ (4) (c).

5 **SECTION 221.** 66.076 (5) (a) of the statutes is renumbered 66.0821 (4) (b) and
6 amended to read:

7 66.0821 **(4)** (b) For the purpose of making equitable charges for all services
8 rendered by the sanitary sewerage system to the municipality or to citizens,
9 corporations and other users, the property benefited ~~thereby~~ by the system may be
10 classified, taking into consideration the volume of water, including surface or drain
11 waters, the character of the sewage or waste and the nature of the use made of the
12 sewerage system, including the sewage disposal plant. The charges may also include
13 standby charges to property not connected but for which ~~such~~ sewerage system
14 facilities have been made available.

15 **SECTION 222.** 66.076 (5) (b) of the statutes is renumbered 66.0821 (4) (c).

16 **SECTION 223.** 66.076 (6) of the statutes is renumbered 66.0821 (3) (c) and
17 amended to read:

18 66.0821 **(3)** (c) Any municipality may pledge, assign or otherwise hypothecate
19 the net earnings or profits derived or to be derived from a sewerage system to secure
20 the payment of the costs of purchasing, constructing or otherwise acquiring a
21 sewerage system or any part thereof of a sewerage system, or for extending or
22 improving ~~such~~ the sewerage system, in the manner provided in s. ~~66.066 (4) as the~~
23 ~~same has been and from time to time may be amended or recreated~~ 66.0621 (5).

24 **SECTION 224.** 66.076 (7) of the statutes is renumbered 66.0821 (4) (c) and
25 amended to read:

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1 66.0821 (4) (c) Sewerage service charges shall be collected and taxed and shall
2 be a lien upon the property served in the same manner as water rates are taxed and
3 collected under s. ~~66.069 (1) or 66.071 (1) (e)~~, so far as 62.69 (2) (f) or 66.0809 to the
4 extent applicable, except that charges of a metropolitan sewerage district created
5 under ss. ~~66.88 200.21 to 66.918 200.65~~ shall be assessed and collected as provided
6 in s. ~~66.91 200.55~~ (5).

7 **SECTION 225.** 66.076 (8) of the statutes is renumbered 66.0821 (2) (b) and
8 amended to read:

9 66.0821 (2) (b) The governing body of ~~any~~ a municipality, and the officials in
10 charge of the management of the sewerage system as well as other officers of the
11 municipality, ~~shall be~~ are governed in the discharge of their powers and duties under
12 this section by s. ~~66.069 ss. 66.0809 to 66.0813 or 66.071 (1) (e)~~, which are hereby
13 ~~made a part of this section so far as applicable and not inconsistent herewith~~ 62.69
14 (2) (f), to the extent consistent with this section, or, in the case of a metropolitan
15 sewerage district created under ss. ~~66.88 200.21 to 66.918 200.65~~, by ss. ~~66.91 200.55~~
16 and ~~66.912 200.59~~.

17 **SECTION 226.** 66.076 (9) of the statutes is renumbered 66.0821 (5) (a) and
18 amended to read:

19 66.0821 (5) (a) If ~~any~~ a user of a service complains to the public service
20 commission that rates, rules and practices are unreasonable or unjustly
21 discriminatory, or if a holder of a mortgage or revenue bond or mortgage certificate
22 or other evidence of debt, secured by a mortgage on the sewerage system or any part
23 thereof of the system or pledge of the income of sewerage service charges, complains
24 that rates are inadequate, the public service commission shall investigate the
25 complaint. If there appears to be sufficient cause for the complaint, the commission

ASSEMBLY BILL 710**SECTION 226**

1 shall set the matter for a public hearing upon 10 days' notice to the complainant and
2 the town, village or city. After the hearing, if the public service commission
3 determines that the rates, rules or practices complained of are unreasonable or
4 unjustly discriminatory, it shall determine and by order fix reasonable rates, rules
5 and practices and ~~shall may make such~~ any other order respecting the complaint as
6 ~~may be that is~~ just and reasonable, including, in the case of standby charges imposed
7 under sub. ~~(5) (b)~~ (4) (c), an order that a municipality refund to the user any amount
8 of the standby charges that have been collected if the user has filed a complaint with
9 the public service commission not later than 60 days after receiving a notice of charge
10 that relates to an increased standby charge. The proceedings under this ~~subsection~~
11 ~~shall be paragraph~~ are governed, as far as to the extent applicable, by ss. 196.26 to
12 196.40. The commission shall bill any expense of the commission attributable to a
13 proceeding under this ~~subsection~~ paragraph to the town, village or city under s.
14 196.85 (1).

15 **SECTION 227.** 66.076 (10) of the statutes is renumbered 66.0821 (5) (b) and
16 amended to read:

17 66.0821 (5) (b) Judicial review of ~~the a~~ determination of the public service
18 commission under par. (a) may be had by any person aggrieved in the manner
19 prescribed in ch. 227.

20 **SECTION 228.** 66.076 (11) of the statutes is renumbered 66.0821 (1) (b) and
21 amended to read:

22 66.0821 (1) (b) ~~The word “sewerage” as used in this section shall be considered~~
23 “Sewerage” is a comprehensive term, including all constructions for collection,
24 transportation, pumping, treatment and final disposition of sewage or storm water
25 and surface water.

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1 **SECTION 229.** 66.076 (12) of the statutes is renumbered 66.0821 (7) and
2 amended to read:

3 66.0821 (7) The authority ~~hereby given shall be~~ under this section is in addition
4 to any power which municipalities ~~now~~ otherwise have with respect to sewerage or
5 sewage disposal. Nothing in this section shall be construed as restricting or
6 interfering with any powers and duties of the department of health and family
7 services as prescribed by law.

8 **SECTION 230.** 66.077 of the statutes is renumbered 66.0819 and amended to
9 read:

10 **66.0819 Combining water and sewer utilities.** (1) ~~Any~~ A town, village, or
11 city of the ~~fourth~~ class may construct, acquire, or lease, or extend and improve, a
12 plant and equipment within or without its corporate limits for the furnishing of
13 water to the municipality or to its inhabitants, and for the collection, treatment, and
14 disposal of sewage, including the lateral, main and intercepting sewers, and all
15 necessary equipment ~~necessary in connection therewith.~~ ~~Such.~~ The plant and
16 equipment, whether the structures and equipment for the furnishing of water and
17 for the disposal of sewage ~~shall be~~ are combined or separate, may by ordinance be
18 constituted a single public utility.

19 (2) The provisions of this chapter and chs. 196 and 197 relating to a water
20 system, including, ~~but not limited to,~~ those provisions relating to the regulation of
21 a water system by the public service commission, ~~shall~~ apply to a consolidated water
22 and sewage disposal system as a single public utility. In prescribing rates,
23 accounting and engineering practices, extension rules, service standards or other
24 regulations for a consolidated water and sewage disposal system, the public service

ASSEMBLY BILL 710**SECTION 230**

1 commission shall treat the water system and the sewage disposal system separately,
2 unless the commission finds that the public interest requires otherwise.

3 (3) ~~Any~~ A town, village or ~~4th class city~~ which owns or acquires a water system
4 and a plant or system for the treatment or disposal of sewage may by ordinance
5 consolidate the systems into a single public utility. After the effective date of the
6 ordinance the consolidated utility is subject to this section ~~with the same force and~~
7 ~~effect~~ as though originally acquired as a single public utility.

NOTE: Extends authority under the section to any city, not just 4th class cities.

8 **SECTION 231.** 66.078 of the statutes is renumbered 66.0623 and amended to
9 read:

10 **66.0623 Refunding village, town, sanitary and inland lake district**
11 **bonds.** Any A village, town, town sanitary district established under s. 60.71 (1) or
12 public inland lake protection and rehabilitation district established under ch. 33
13 which has undertaken to construct a combined sewer and water system and issued
14 revenue bonds payable from the combined revenues of the system and which is
15 unable to provide sufficient funds to complete the construction of the system and to
16 meet maturing principal of the revenue bonds, may, with the consent of all of the
17 holders of noncallable bonds, refund all or any part of its outstanding indebtedness,
18 including revenue bonds, by issuing term bonds maturing in not more than 20 years,
19 payable solely from the revenues of the combined sewer and water system and
20 redeemable at par on any interest payment date. ~~Such~~ The bonds may be issued as
21 provided in s. ~~66.066~~ 66.0621 (2) and shall pledge income from hydrant rentals and
22 all sewer and water charges and may contain any covenants authorized by law,
23 except if bonds are issued under this section to refund floating indebtedness, the

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1 bonds ~~shall be~~ are subject to the prior lien and claim of all bonds issued to refund
2 revenue bonds issued prior to the refunding.

3 **SECTION 232.** 66.079 of the statutes is renumbered 66.0829 and amended to
4 read:

5 **66.0829 Parking systems.** (1) Any A city, village or town ~~without necessity~~
6 ~~of a referendum~~ may purchase, acquire, rent from a lessor, construct, extend, add to,
7 improve, conduct, operate or rent to a lessee a municipal parking system for the
8 parking of vehicles, including parking lots and other parking facilities, upon its
9 public streets or roads or public grounds and issue revenue bonds to acquire funds
10 for any one or more of these purposes. The parking lots and other parking facilities
11 may include space designed for leasing to private persons for purposes other than
12 parking. The provisions of s. ~~66.066~~ 66.0621 governing the issuance of revenue bonds
13 apply, ~~so far as to the extent~~ applicable, to revenue bonds issued under this
14 subsection. The municipal parking systems are public utilities under article XI,
15 section 3, of the constitution. Revenue Principal and interest of revenue bonds issued
16 under this subsection are payable solely, ~~both principal and interest,~~ from the
17 revenues to be derived from the parking system, including without limitation
18 revenues from parking meters or other parking facilities. Any revenue derived from
19 ~~any a~~ a facility financed by a revenue bond issued under this subsection ~~shall~~ may be
20 used only to pay the principal and interest of that revenue bond, except that after the
21 principal and interest of that revenue bond have been paid in full the revenue derived
22 from the facility may be used for any purpose.

23 (2) Any ~~municipality empowered to create~~ part of a parking system under sub.
24 (1) may ~~finance and operate any part of such system~~ be financed and operated in the
25 following manner:

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1 (a) The cost of constructing any parking system or facility, including the cost
2 of the land, may be assessed against a benefited area, such ~~the~~ benefited area and
3 assessments to be determined in the manner prescribed by either subch. II of ch. 32
4 or s. ~~66.60~~ 66.0703, except that the number of annual instalments in which such ~~the~~
5 assessment is payable shall may not exceed 20.

6 (b) The cost of operating and maintaining any parking system or facility may
7 be assessed not more than once in each calendar year against all property in a
8 benefited area, such ~~the~~ area and ~~such~~ assessments to be determined in the manner
9 prescribed by either subch. II of ch. 32 or by s. ~~66.60~~. ~~Such~~ 66.0703. The costs may
10 include a payment in lieu of taxes, operating, maintenance and replacement costs,
11 and interest on any unpaid capital cost.

12 (c) The governing body may, in determining the amount of the assessment
13 under par. (a) or (b), credit any portion of the revenues from the parking system or
14 facility.

15 (d) No assessment, ~~as authorized in par. (a) or (b), shall~~ may be made against
16 any property used wholly for residential purposes.

17 **SECTION 233.** 66.08 of the statutes is renumbered 66.0723 and amended to
18 read:

19 **66.0723 Utilities, special assessments.** (1) ~~Whenever any~~ If a city, village
20 or town ~~shall construct or acquire~~ constructs, extends or acquires by gift, purchase
21 or otherwise a distribution system or a production or generating plant for the
22 furnishing of light, heat or power to any municipality or its inhabitants ~~or shall make~~
23 ~~any extensions thereto, such, the~~ city, village or town may assess ~~the whole or any~~
24 ~~part of the~~ all or some of the cost thereof to the property benefited thereby, whether

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1 abutting or not, in the same manner as is provided for the assessment of benefits
2 under s. ~~66.60~~ 66.0703.

3 ~~(2) Such special~~ Special assessments under this section may be made payable
4 and certificates or bonds issued under s. ~~66.54~~ 66.0713. In a city, village or town
5 where no official paper is published, notice may be given by posting the notice in 3
6 public places in the city, village or town.

7 **SECTION 234.** Subchapter VIII (title) of chapter 66 [precedes 66.0801] of the
8 statutes is created to read:

9 **CHAPTER 66**

10 **SUBCHAPTER VIII**

11 **PUBLIC UTILITIES**

12 **SECTION 235.** 66.0801 of the statutes is created to read:

13 **66.0801 Definitions; effect on other authority. (1)** In this subchapter:

14 (a) "Municipal public utility" means a public utility owned or operated by a city,
15 village or town.

16 (b) "Public utility" has the meaning given in s. 196.01 (5).

17 **(2)** Sections 66.0803 to 66.0825 do not deprive the office of the commissioner
18 of railroads, department of transportation or public service commission of any power
19 under ss. 195.05 and 197.01 to 197.10 and ch. 196.

NOTE: Restates a portion of s. 66.06, repealed by this bill, and provides a
definition of "municipal public utility" for purposes of the subchapter. The
current provision stating that the phrase "resolution or ordinance", when used
in specified sections, means ordinances only is deleted as unnecessary.

20 **SECTION 236.** 66.0805 (1) of the statutes is created to read:

21 66.0805 **(1)** Except as provided in sub. (6), the governing body of a city shall,
22 and the governing body of a village or town may, provide for the nonpartisan
23 management of a municipal public utility by creating a commission under this

ASSEMBLY BILL 710**SECTION 236**

1 section. The board of commissioners, under the general control and supervision of
2 the governing body, shall be responsible for the entire management of and shall
3 supervise the operation of the utility. The governing body shall exercise general
4 control and supervision of the commission by enacting ordinances governing the
5 commission's operation. The board shall consist of 3, 5 or 7 commissioners.

NOTE: 1. Restates s. 66.068 (1), repealed by SECTION 180.

2. Provides that the "general control and supervision" of the utility commission by the municipal governing body is by means of ordinance governing the commission's operation. Previous law was silent on the issue.

6 **SECTION 237.** 66.0807 (1) of the statutes is created to read:

7 66.0807 (1) In this section, "privately owned public utility" includes a
8 cooperative association organized under ch. 185 for the purpose of producing or
9 furnishing utility service to its members only.

NOTE: By adding cooperatives to the definition of "privately owned public utility" (cooperatives are otherwise excluded from the definition of "public utility"; see ss. 196.01 (5) and 66.0801 (1) (b), the latter created by this bill), municipalities are authorized to enter into a joint operation agreement with a cooperative. See, also, SECTION 171.

10 **SECTION 238.** 66.081 of the statutes is repealed.

NOTE: Repeals an archaic provision of the statutes relating to the recording of orders and court certificates drawn on a municipal treasurer.

11 **SECTION 239.** 66.0811 (title) of the statutes is created to read:

12 **66.0811 (title) Municipal public utility revenues.**

13 **SECTION 240.** 66.0813 (title) of the statutes is created to read:

14 **66.0813 (title) Provision of utility service outside of municipality by**
15 **municipal public utility.**

16 **SECTION 241.** 66.082 of the statutes is renumbered 66.0419, and 66.0419 (2) (e)
17 and (3) (c), as renumbered, are amended to read:

18 66.0419 (2) (e) "Franchise fee" means any fee, assessment or other
19 compensation which a municipality requires a cable operator to pay, with respect to

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1 the operation of cable television systems, solely because of the cable operator's status
2 as such, and includes any compensation required under s. ~~66.045~~ 66.0425.

3 **(3)** (c) Require the payment of franchise fees which, notwithstanding s. ~~66.70~~
4 66.0611, may be based on the income or gross revenues of a cable television system,
5 or measured by such income or gross revenues.

6 **SECTION 242.** 66.0821 (1) (intro.) of the statutes is created to read:

7 66.0821 **(1)** DEFINITIONS. (intro.) In this section:

8 **SECTION 243.** 66.0821 (2) (title) of the statutes is created to read:

9 66.0821 **(2)** (title) GENERAL AUTHORITY.

10 **SECTION 244.** 66.0821 (3) (title) of the statutes is created to read:

11 66.0821 **(3)** (title) FUNDING.

12 **SECTION 245.** 66.0821 (3) (a) of the statutes is created to read:

13 66.0821 **(3)** (a) Except as provided in s. 66.0721, all or a portion of the cost of
14 exercising the authority under sub. (2) may be funded, to the extent applicable, from
15 the municipality's general fund, by taxation, special assessment or sewerage service
16 charges, by municipal obligations or revenue bonds or from any combination of these
17 sources.

NOTE: Restates language deleted from current s. 66.076 (1) by SECTION 216.

18 **SECTION 246.** 66.0821 (4) (title) of the statutes is created to read:

19 66.0821 **(4)** (title) SERVICE CHARGES.

20 **SECTION 247.** 66.0821 (5) (title) of the statutes is created to read:

21 66.0821 **(5)** (title) UNREASONABLE OR DISCRIMINATORY RATES, RULES AND PRACTICES.

22 **SECTION 248.** 66.0821 (6) (title) of the statutes is created to read:

23 66.0821 **(6)** (title) FORECLOSURE SALE.

24 **SECTION 249.** 66.0821 (7) (title) of the statutes is created to read:

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1 66.0821 (7) (title) RELATION TO OTHER AUTHORITY.

2 **SECTION 250.** 66.083 (title) of the statutes is renumbered 66.0423 (title).

3 **SECTION 251.** 66.083 of the statutes is renumbered 66.0423 (2) and amended
4 to read:

5 66.0423 (2) Cities and villages, and towns not subject to an ordinance enacted
6 under s. 59.55 (4), may, by ordinance, regulate the retail sales, other than auction
7 sales, made by transient merchants, as defined in s. 130.065 (1m), 1987 stats., and
8 provide penalties for violations of those ordinances.

NOTE: Authorizes a town that is not subject to a county ordinance regulating retail sales, other than auction sales, made by transient merchants to regulate these sales by its own ordinance. Also see the definitions in s. 66.0423 (1), SECTION 110.

9 **SECTION 252.** 66.085 (title) and (1) of the statutes are renumbered 66.0421
10 (title) and (1), and 66.0421 (1) (a) and (b), as renumbered, are amended to read:

11 66.0421 (1) (a) “Cable operator” has the meaning given in s. ~~66.082~~ 66.0419 (2)
12 (b).

13 (b) “Cable service” has the meaning given in s. ~~66.082~~ 66.0419 (2) (c).

14 **SECTION 253.** 66.085 (2) of the statutes, as affected by 1999 Wisconsin Act 9,
15 is renumbered 66.0421 (2).

16 **SECTION 254.** 66.085 (3) and (4) of the statutes are renumbered 66.0421 (3) and
17 (4), and 66.0421 (4), as renumbered, is amended to read:

18 66.0421 (4) REPAIR RESPONSIBILITY. A cable operator ~~shall be~~ is responsible for
19 any repairs to a building required because of the construction, installation,
20 disconnection or servicing of facilities to provide cable service.

21 **SECTION 255.** 66.09 (title), (1), (2), (3) and (4) of the statutes are renumbered
22 66.0117 (title) and (2) to (5) and amended to read:

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1 **66.0117** (title) **Judgment against municipalities, ~~etc.~~ local**
2 **governmental units.**

3 (2) (a) ~~When~~ If a final judgment for the payment of money shall be is recovered
4 against a town, village, city, county, school district, technical college district, town
5 sanitary district, public inland lake protection and rehabilitation district or
6 community center local governmental unit, or against any an officer thereof, in any
7 action by or against the officer in the officer's name of office of the local governmental
8 unit, when the judgment should is to be paid by such municipality the local
9 governmental unit, the judgment creditor, ~~or the judgment creditor's assignee or~~
10 attorney, may file a statement with the clerk of circuit court ~~a certified transcript of~~
11 the judgment, together with the judgment creditor's affidavit of payments made, if
12 any, and the amount due and that the judgment has not been appealed from or
13 removed to another court, or if so appealed or removed has been affirmed. The clerk
14 of circuit court shall send a copy of the statement to the appropriate municipal clerk.

15 (b) The If a statement is filed under par. (a), the amount due, with costs and
16 interest to the time when the money will be available for payment, shall be added to
17 the next tax levy, and shall, when received, be paid to satisfy the judgment. If the
18 judgment is appealed after filing the transcript with the clerk of circuit court, and
19 before the tax is collected, the money shall not be collected on that levy. If the
20 municipal clerk of circuit court fails to include the proper amount in the first tax levy,
21 he or she shall include it or such the portion as is required to complete it in the next
22 levy.

23 (3) In the case of school districts, town sanitary districts, or public inland lake
24 protection and rehabilitation districts ~~or community centers, transcript and affidavit~~
25 a statement shall be filed with the clerk of the town, village or city in which the

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1 district or any part of it lies, and levy shall be made against the taxable property of
2 the district or center.

3 (4) No process for the collection of such a judgment shall issue until after the
4 time when the money, if collected upon the first tax levy as herein provided, would
5 be under sub. (2) (b), is available for payment, and then only by leave of court upon
6 motion.

7 (5) If by reason of dissolution or other cause, pending action, or after judgment,
8 ~~the transcript~~ a statement cannot be filed with the clerk therein designated
9 described in sub. (2) (a) or (3), it shall be filed with the clerk or clerks whose duty it
10 is to make up the tax roll for the property liable.

11 **SECTION 256.** Subchapter IX (title) of chapter 66 [precedes 66.0901] of the
12 statutes is created to read:

CHAPTER 66**SUBCHAPTER IX****PUBLIC WORKS AND PROJECTS**

16 **SECTION 257.** 66.0901 (1) (intro.) of the statutes is created to read:

17 66.0901 (1) (intro.) In this section:

18 **SECTION 258.** 66.0901 (9) (a) of the statutes is created to read:

19 66.0901 (9) (a) Notwithstanding sub. (1) (a), in this subsection, "municipality"
20 does not include the department of transportation.

21 **SECTION 259.** 66.091 of the statutes is renumbered 893.81.

22 **SECTION 260.** 66.092 of the statutes is renumbered 66.0409.

23 **SECTION 261.** 66.0923 (5) of the statutes is created to read:

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1 66.0923 **(5)** AUDITORIUM BOARD. (a) The ordinance shall provide for the
2 establishment of a joint county-city auditorium board to be composed of all of the
3 following:

4 1. The mayor or chief executive of the city, and the chairperson of the county
5 board, who shall serve as members of the board during their respective terms of
6 office.

7 2. Four members to be appointed by the county board chairperson and
8 confirmed by the county board.

9 3. Four members to be appointed by the mayor or other chief executive officer
10 of the city and confirmed by the city council.

11 (b) Under par. (a) 2. and 3., the initial term of one member shall be one year,
12 the initial term of one member shall be 2 years, the initial term of one member shall
13 be 3 years and the initial term of one member shall be 4 years. The respective
14 successors of the members under par. (a) 2. and 3. shall be appointed and confirmed
15 for terms of 4 years. All appointees shall serve until their successors are appointed
16 and qualified. Terms shall begin as specified in the ordinance. Vacancies shall be
17 filled for the unexpired term in the manner in which the original appointment was
18 made.

19 (c) The mayor or chief executive of the city, and the county board chairperson,
20 each may appoint not more than 2 public officials to the board under par. (a).

21 **SECTION 262.** 66.0927 (1) (am) of the statutes is created to read:

22 66.0927 **(1)** (am) "Hospital" means a general county-city hospital.

23 **SECTION 263.** 66.10 of the statutes is repealed.

NOTE: Repealed as unnecessary. This section provides alternative means of publication when ss. 66.01 to 66.08 require publication in the official paper of a municipality other than a city and there is no official newspaper. Chapter 985,

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relating to publication of legal notices, covers the subject matter of the repealed section.

1 **SECTION 264.** Subchapter X (title) of chapter 66 [precedes 66.1001] of the
2 statutes is created to read:

CHAPTER 66

SUBCHAPTER X

PLANNING, HOUSING

AND TRANSPORTATION

7 **SECTION 265.** 66.1003 (1) of the statutes is created to read:

8 66.1003 (1) In this section, “public way” means all or any part of a road, street,
9 slip, pier, lane or paved alley.

10 **SECTION 266.** 66.1019 (title) of the statutes is created to read:

11 **66.1019 (title) Housing codes to conform to state law.**

12 **SECTION 267.** 66.11 of the statutes is renumbered 66.0501, and 66.0501 (1), (2)
13 and (3), as renumbered, are amended to read:

14 66.0501 (1) **DEPUTY SHERIFFS AND MUNICIPAL POLICE.** No person shall ~~may~~ be
15 appointed deputy sheriff of any county or police officer for any city, village or town
16 unless that person is a citizen of the United States. This section shall ~~shall~~ does not affect
17 ~~apply to common carriers, nor apply or~~ to a deputy sheriff not required to take an oath
18 of office.

19 **(2) ELIGIBILITY OF OTHER OFFICERS.** Except as expressly authorized by statute,
20 no member of a town, village or county board, or city council, shall, during the term
21 for which the member is elected, ~~be~~ is eligible for any office or position which during
22 ~~such~~ that term has been created by, or the selection to which is vested in, ~~such~~ the
23 board or council, but ~~such~~ the member shall ~~be~~ is eligible for any elective office. The

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1 governing body may be represented on city, village or town boards and commissions
2 where no additional remuneration compensation, except a per diem, is paid such to
3 the representatives of the governing body and may fix the tenure of such these
4 representatives notwithstanding any other statutory provision. A representative of
5 a governing body who is a member of a city, village or town board or commission may
6 receive a per diem only if the remaining members of the board or commission may
7 receive a per diem. This subsection ~~shall~~ does not apply to a member of any such
8 board or council described in this subsection who resigns from said the board or
9 council before being appointed to an office or position which was not created during
10 the member's term in office.

11 **(3) APPOINTMENTS ON CONSOLIDATION OF OFFICES.** Whenever offices are
12 consolidated, the occupants of which are members of the same statutory committee
13 or board and which are serving in that office because of holding another office or
14 position, the common council or village board may designate another officer or
15 officers or make such any additional appointments as may be necessary to procure
16 the number of committee or board members provided for by statute.

NOTE: Amends the prohibition, in sub. (2), of payment of additional remuneration to a representative of a governing body who sits on a city, village or town board or commission. The amendment provides that a representative of a governing body who is a member of a city, village or town board or commission may receive a per diem if the remaining members of the board or commission also may receive a per diem.

17 **SECTION 268.** Subchapter XI (title) of chapter 66 [precedes 66.1101] of the
18 statutes is created to read:

19 **CHAPTER 66**
20 **SUBCHAPTER XI**
21 **DEVELOPMENT**

22 **SECTION 269.** 66.111 of the statutes is repealed.

ASSEMBLY BILL 710**SECTION 269**

NOTE: Repeals s. 66.111, relating to allowing the same fee to other officers when a fee is allowed to one officer for the performance of the same services. This provision is not necessary because fees generally are no longer part of the salary structure for municipal officers.

1 **SECTION 270.** 66.113 of the statutes is renumbered 66.0515 and amended to
2 read:

3 **66.0515 Receipts for fees.** Every officer or employe upon receiving fees for
4 ~~any official duty or service~~ shall, if ~~required~~ requested to do so by the person paying
5 the same fees, deliver to ~~the~~ that person paying a particular receipted account of such
6 a receipt for the fees, specifying for what they which account each portion of the fees
7 ~~respectively accrued; and if the officer fails to do so the officer shall be liable to the~~
8 ~~party paying the same for 3 times the amount paid.~~

NOTE: Renumbers and amends s. 66.113 to provide that a municipal employe, as well as an officer, must supply a receipt for any fee received when requested to do so by the person paying the fee. The penalty for failure to supply a receipt is eliminated; violations may be prosecuted under s. 946.12, relating to misconduct in public office.

9 **SECTION 271.** 66.114 of the statutes is renumbered 66.0111, and 66.0111 (title),
10 (1), (2) and (4), as renumbered, are amended to read:

11 **66.0111 (title) Bail Bond or cash deposit under municipal ordinances.**

12 (1) ~~When any~~ If a person is arrested for the violation of a city, village or town
13 ordinance and the action is to be in circuit court, the chief of police or police officer
14 designated by the chief, marshal or clerk of court may accept from the person a bond,
15 in an amount not to exceed the maximum penalty for the violation, with sufficient
16 sureties, or ~~the person's personal bond upon depositing the amount thereof in money~~
17 a cash deposit, for appearance in the court having jurisdiction of the offense. A
18 receipt shall be issued ~~therefor~~ for the bond or cash deposit.

19 (2) (a) If the person ~~so arrested and released~~ fails to appear, personally or by
20 an authorized attorney or agent, before the court at the time fixed for hearing of the

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1 case, then the bond and money deposited, or ~~such portion thereof as~~ an amount that
2 the court ~~may determine~~ determines to be an adequate penalty, plus costs, including
3 any applicable fees prescribed in ch. 814, may be declared forfeited by the court or
4 may be ordered applied ~~upon~~ to the payment of any penalty which ~~may be~~ is imposed
5 after an ex parte hearing, together with the costs. In either event, ~~the~~ any surplus,
6 if ~~any~~, shall be refunded to the person who made the deposit.

7 (b) ~~The provisions of this~~ This subsection ~~shall~~ does not apply to violations of
8 parking ordinances. Bond or ~~bail~~ cash deposit given for appearance to answer a
9 charge under any such parking ordinance may be forfeited in the manner determined
10 by the governing body.

11 (4) This section ~~shall~~ does not apply to ordinances enacted under ch. 349.

NOTE: Reference to "bail" is deleted and replaced by reference to "cash deposit".
This is consistent with other statutes dealing with municipal ordinances, which
generally do not use the term "bail", but rather refer to "cash deposit" or a
variation of that term.

12 **SECTION 272.** 66.115 of the statutes is renumbered 66.0109 and amended to
13 read:

14 **66.0109 Penalties under county and municipal ordinances.** ~~Where~~ If a
15 statute requires that the penalty under any county or municipal ordinance ~~shall~~
16 conform to the penalty provided by statute ~~such~~ the ordinance may impose only a
17 forfeiture and may provide for imprisonment ~~in case~~ if the forfeiture is not paid.

18 **SECTION 273.** 66.117 of the statutes is renumbered 66.0115.

19 **SECTION 274.** 66.119 (title) and (1) (title), (a) and (b) (intro.) and 1. to 6. of the
20 statutes are renumbered 66.0113 (title) and (1) (title), (a) and (b) (intro.) and 1. to 6.,
21 and 66.0113 (1) (a) (intro.) and (b) 5., as renumbered, are amended to read:

22 66.0113 (1) (a) (intro.) ~~The~~ Except as provided in sub. (5), the governing body
23 of ~~any~~ a county, town, city, village, town sanitary district or public inland lake

ASSEMBLY BILL 710**SECTION 274**

1 protection and rehabilitation district may by ordinance adopt and authorize the use
2 of a citation under this section to be issued for violations of ordinances, including
3 ordinances for which a statutory counterpart exists.

4 (b) 5. A designation of the offense in such a manner as that can be readily
5 understood by a person making a reasonable effort to do so.

6 **SECTION 275.** 66.119 (1) (b) 7. to 9. and (c), (2) and (3) (title) of the statutes, as
7 affected by 1999 Wisconsin Act 9, are renumbered 66.0113 (1) (b) 7. to 9. and (c), (2)
8 and (3) (title).

9 **SECTION 276.** 66.119 (3) (a) to (d) of the statutes, as affected by 1999 Wisconsin
10 Act 9, are renumbered 66.0113 (3) (a) to (d), and 66.0113 (3) (a), (c) and (d), as
11 renumbered, are amended to read:

12 66.0113 (3) (a) The person named as the alleged violator in a citation may
13 appear in court at the time specified in the citation or may mail or deliver personally
14 a cash deposit in the amount, within the time and to the court, clerk of court or other
15 official specified in the citation. If a person makes a cash deposit, the person may
16 nevertheless appear in court at the time specified in the citation, ~~provided that~~ but
17 the cash deposit may be retained for application against any forfeiture, restitution,
18 penalty assessment, jail assessment, crime laboratories and drug law enforcement
19 assessment, consumer information assessment or domestic abuse assessment that
20 may be imposed.

21 (c) If the alleged violator makes a cash deposit and fails to appear in court, the
22 citation may serve as the initial pleading and the violator shall be considered to have
23 tendered a plea of no contest and submitted to a forfeiture, the penalty assessment
24 imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the crime
25 laboratories and drug law enforcement assessment imposed by s. 165.755, any

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1 applicable consumer information assessment imposed by s. 100.261 and any
2 applicable domestic abuse assessment imposed by s. 973.055 (1) not exceeding the
3 amount of the deposit. The court may either accept the plea of no contest and enter
4 judgment accordingly or reject the plea. If the court finds the violation meets the
5 conditions in s. 800.093 (1), the court may summon the alleged violator into court to
6 determine if restitution shall be ordered under s. 800.093. If the court accepts the
7 plea of no contest, the defendant may move within 10 days after the date set for the
8 appearance to withdraw the plea of no contest, open the judgment and enter a plea
9 of not guilty if the defendant shows to the satisfaction of the court that the failure
10 to appear was due to mistake, inadvertence, surprise or excusable neglect. If the plea
11 of no contest is accepted and not subsequently changed to a plea of not guilty, no costs
12 or fees may be taxed against the violator, but a penalty assessment, a jail assessment,
13 a crime laboratories and drug law enforcement assessment and, if applicable, a
14 consumer information assessment or a domestic abuse assessment shall be assessed.
15 If the court rejects the plea of no contest, an action for collection of the forfeiture,
16 penalty assessment, jail assessment, crime laboratories and drug law enforcement
17 assessment, any applicable consumer information assessment and any applicable
18 domestic abuse assessment may be commenced. A city, village, town sanitary district
19 or public inland lake protection and rehabilitation district may commence action
20 under s. ~~66.12~~ 66.0114 (1) and a county or town may commence action under s.
21 778.10. The citation may be used as the complaint in the action for the collection of
22 the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law
23 enforcement assessment, any applicable consumer information assessment and any
24 applicable domestic abuse assessment.

ASSEMBLY BILL 710**SECTION 276**

1 (d) If the alleged violator does not make a cash deposit and fails to appear in
2 court at the time specified in the citation, the court may issue a summons or warrant
3 for the defendant's arrest or consider the nonappearance to be a plea of no contest
4 and enter judgment accordingly if service was completed as provided under par. (e)
5 or the county, town, city, village, town sanitary district or public inland lake
6 protection and rehabilitation district may commence an action for collection of the
7 forfeiture, penalty assessment, jail assessment and crime laboratories and drug law
8 enforcement assessment, any applicable consumer information assessment and any
9 applicable domestic abuse assessment. A city, village, town sanitary district or
10 public inland lake protection and rehabilitation district may commence action under
11 s. ~~66.12~~ 66.0114 (1) and a county or town may commence action under s. 778.10. The
12 citation may be used as the complaint in the action for the collection of the forfeiture,
13 penalty assessment, jail assessment and crime laboratories and drug law
14 enforcement assessment, any applicable consumer information assessment and any
15 applicable domestic abuse assessment. If the court considers the nonappearance to
16 be a plea of no contest and enters judgment accordingly, the court shall promptly mail
17 a copy or notice of the judgment to the defendant. The judgment shall allow the
18 defendant not less than 20 days from the date of the judgment to pay any forfeiture,
19 penalty assessment, jail assessment and crime laboratories and drug law
20 enforcement assessment, any applicable consumer information assessment and any
21 applicable domestic abuse assessment imposed. If the defendant moves to open the
22 judgment within 6 months after the court appearance date fixed in the citation, and
23 shows to the satisfaction of the court that the failure to appear was due to mistake,
24 inadvertence, surprise or excusable neglect, the court shall reopen the judgment,
25 accept a not guilty plea and set a trial date.

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1 **SECTION 277.** 66.119 (3) (e), (4) and (5) of the statutes are renumbered 66.0113
2 (3) (e), (4) and (5), and 66.0113 (4), as renumbered, is amended to read:

3 66.0113 (4) **RELATIONSHIP TO OTHER LAWS.** The adoption and authorization for
4 use of a citation under this section shall does not preclude the governing body from
5 adopting any other ordinance or providing for the enforcement of any other law or
6 ordinance relating to the same or any other matter. The issuance of a citation under
7 this section shall does not preclude the proceeding under any other ordinance or law
8 relating to the same or any other matter. ~~The proceeding~~ Proceeding under any other
9 ordinance or law relating to the same or any other matter shall does not preclude the
10 issuance of a citation under this section.

11 **SECTION 278.** 66.12 (title) and (1) (title) and (a) of the statutes, as affected by
12 1999 Wisconsin Act 9, are renumbered 66.0114 (title) and (1) (title) and (a), and
13 66.0114 (1) (a), as renumbered, is amended to read:

14 66.0114 (1) (a) An action for violation of an ordinance or bylaw enacted by a city,
15 village, town sanitary district or public inland lake protection and rehabilitation
16 district is a civil action. All forfeitures and penalties imposed by ~~any~~ an ordinance
17 or bylaw of the city, village, town sanitary district or public inland lake protection and
18 rehabilitation district, except as provided in ss. 345.20 to 345.53, may be collected in
19 an action in the name of the city or village before the municipal court or in an action
20 in the name of the city, village, town sanitary district or public inland lake protection
21 and rehabilitation district before a court of record. If the action is in municipal court,
22 the procedures under ch. 800 apply and the procedures under this section do not
23 apply. If the action is in a court of record, it shall be commenced by warrant or
24 summons under s. 968.04 or, if applicable, by citation under s. 778.25 or 778.26. A
25 law enforcement officer may arrest the offender in all cases without warrant under

ASSEMBLY BILL 710**SECTION 278**

1 s. 968.07. ~~The affidavit where~~ If the action is commenced by warrant the affidavit
2 may be the complaint. The affidavit or complaint ~~shall be~~ is sufficient if it alleges
3 that the defendant has violated an ordinance or bylaw, specifying the ordinance or
4 bylaw by section, chapter, title or otherwise with sufficient plainness to identify the
5 ordinance or bylaw. The judge may release a defendant without bail a cash deposit
6 or may permit him or her to execute an unsecured appearance bond upon arrest. In
7 arrests without a warrant or summons a statement on the records of the court of the
8 offense charged ~~shall stand as~~ is the complaint unless the court directs that a formal
9 complaint be issued. In all actions under this paragraph the defendant's plea shall
10 be guilty, not guilty or no contest and shall be entered as not guilty on failure to plead,
11 ~~which.~~ A plea of not guilty shall put on failure to plead puts all matters in the case
12 at issue, any other provision of law notwithstanding. The defendant may enter a not
13 guilty plea by certified mail.

NOTE: Reference to "bail" in sub. (1) (a) is changed to "cash deposit" for consistency of reference in the statutes.

14 **SECTION 279.** 66.12 (1) (b) of the statutes, as affected by 1999 Wisconsin Act 9,
15 is renumbered 66.0114 (1) (b) and amended to read:

16 66.0114 (1) (b) Local ordinances, except as provided in this paragraph or ss.
17 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
18 or all violations under those ordinances, ~~and~~ may designate the manner in which the
19 stipulation is to be made and may fix the penalty to be paid. When a person charged
20 with a violation for which stipulation of guilt or no contest is authorized makes a
21 timely stipulation ~~and,~~ pays the required penalty and pays the penalty assessment
22 imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the crime
23 laboratories and drug law enforcement assessment imposed by s. 165.755, any

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1 applicable consumer information assessment imposed by s. 100.261 and any
2 applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated
3 official, the person need not appear in court and no witness fees or other additional
4 costs may be taxed unless the local ordinance so provides. A court appearance is
5 required for a violation of a local ordinance in conformity with s. 346.63 (1).

6 (bm) The official receiving the penalties shall remit all moneys collected to the
7 treasurer of the city, village, town sanitary district or public inland lake protection
8 and rehabilitation district in whose behalf the sum was paid, except that all jail
9 assessments shall be remitted to the county treasurer, within 20 days after its receipt
10 by ~~him or her; and in case of any failure in the payment~~ the official. If timely
11 remittance is not made, the treasurer may collect the payment of the officer by action,
12 in the name of the office, and upon the official bond of the officer, with interest at the
13 rate of 12% per year from the ~~time when it should have been paid~~ date on which it
14 was due. In the case of the penalty assessment imposed by s. 757.05, the crime
15 laboratories and drug law enforcement assessment imposed by s. 165.755, the driver
16 improvement surcharge imposed by s. 346.655 (1), any applicable consumer
17 information assessment imposed by s. 100.261 and any applicable domestic abuse
18 assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary
19 district or public inland lake protection and rehabilitation district shall remit to the
20 state treasurer the ~~sum~~ amount required by law to be paid on the actions so entered
21 during the preceding month on or before the first day of the next succeeding month.
22 The governing body of the city, village, town sanitary district or public inland lake
23 protection and rehabilitation district shall by ordinance designate the official to
24 receive the penalties and the terms under which the official shall ~~qualify~~ qualifies.

25 **SECTION 280.** 66.12 (1) (c) of the statutes is renumbered 66.0114 (1) (c).

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SUBCHAPTER XII

HOUSING AUTHORITIES

SECTION 285. 66.1201 (9) (x) of the statutes is created to read:

66.1201 (9) (x) To, within its area of operation, either by itself or with the department of veterans affairs, undertake and carry out studies and analyses of veterans' housing needs and meeting those needs and make the study results available to the public, including the building, housing and supply industries.

NOTE: Relocates, in general housing authority law, s. 66.39 (1). Section 66.39 is repealed by SECTION 379 of this bill.

SECTION 286. 66.121 of the statutes is renumbered 75.377 and amended to read:

75.377 Inspection of property subject to tax certificate. A county ~~or a city~~ authorized to act under ~~s. 74.87~~ may enter any real property for which a tax certificate has been issued under s. 74.57, or may authorize another person to enter the real property, to determine the nature and extent of environmental pollution, as defined in s. 299.01 (4).

NOTE: Under s. 75.06, for purposes of ch. 75, "county" includes a city authorized to act under s. 74.87; therefore, reference to the latter is deleted from renumbered s. 75.377 as unnecessary.

SECTION 287. 66.122 (title) of the statutes is renumbered 66.0119 (title).

SECTION 288. 66.122 (1) (a) of the statutes is renumbered 66.0119 (1) (b) and amended to read:

66.0119 (1) (b) Any "Peace officer" means a state, county, city, village, town, town sanitary district or public inland lake protection and rehabilitation district officer, agent or employe charged under statute or municipal ordinance with powers or duties involving inspection of real or personal property, including buildings, building premises and building contents, ~~is deemed a peace officer for the purpose~~

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1 of applying for, obtaining and executing special inspection warrants under s. 66.123
2 for inspection purposes.

NOTE: The stricken language at the end of the paragraph is relocated to s.
66.0119 (2), as renumbered. See SECTION 290 of this bill.

3 **SECTION 289.** 66.122 (1) (b) of the statutes is renumbered 66.0119 (1) (a) and
4 amended to read:

5 66.0119 (1) (a) "Inspection purposes" include, ~~without limitation because of~~
6 enumeration, such purposes as building, housing, electrical, plumbing, heating, gas,
7 fire, health, safety, environmental pollution, water quality, waterways, use of water,
8 food, zoning, property assessment, meter and obtaining data required to be
9 submitted in an initial site report or feasibility report under subch. III of ch. 289 or
10 s. 291.23, 291.25, 291.29 or 291.31 or an environmental impact statement related to
11 one of those reports.

12 **SECTION 290.** 66.122 (2) of the statutes is renumbered 66.0119 (2) and amended
13 to read:

14 66.0119 (2) A peace officer may apply for, obtain and execute a special
15 inspection warrant issued under this section. Except in cases of emergency where
16 no special inspection warrant shall be is required, special inspection warrants shall
17 be issued for inspection of personal or real properties which are not public buildings
18 or for inspection of portions of public buildings which are not open to the public only
19 upon showing that consent to entry for inspection purposes has been refused. The
20 definition of "public building" under s. 101.01 (12) applies to this section.

21 **SECTION 291.** 66.123 (title) of the statutes is repealed.

22 **SECTION 292.** 66.123 of the statutes is renumbered 66.0119 (3), and 66.0119 (3)
23 (intro.), as renumbered, is amended to read:

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1 66.0119 (3) (intro.) The following forms for use under s. ~~66.122~~ this section are
2 illustrative and not mandatory:

3 **SECTION 293.** 66.124 of the statutes is renumbered 66.0417, and 66.0417 (title),
4 as renumbered, is amended to read:

5 **66.0417** (title) ~~Order authority~~ **Local enforcement of certain food and**
6 **health regulations.**

7 **SECTION 294.** 66.125 of the statutes is renumbered 66.0121 and amended to
8 read:

9 **66.0121 Orders; action; proof of demand.** No action ~~shall~~ may be brought
10 upon ~~any a~~ a city, village, town or school district order until ~~the expiration~~ of 30 days
11 after a demand for the payment of the ~~same~~ order has been made. If an
12 action is brought and the defendant fails to appear and defend the action, judgment
13 shall not be entered without affirmative proof of the demand. If judgment is entered
14 without proof of the demand, the judgment ~~shall be~~ is void.

15 **SECTION 295.** 66.13 of the statutes is repealed.

NOTE: Repealed as unnecessary. This section provides a statute of limitations
relating to an action or proceeding to test the validity of a municipal contract.
Virtually identical provisions are contained in s. 893.75.

16 **SECTION 296.** Subchapter XIII (title) of chapter 66 [precedes 66.1301] of the
17 statutes is created to read:

18 **CHAPTER 66**

19 **SUBCHAPTER XIII**

20 **URBAN REDEVELOPMENT**

21 **AND RENEWAL**

22 **SECTION 297.** 66.1331 (3) (Lm) of the statutes is created to read:

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1 66.1331 (3) (Lm) “Redevelopment plan” means a plan for the acquisition,
2 clearance, reconstruction, rehabilitation or future use of a redevelopment project
3 area.

NOTE: Recreates a definition that was included as a separate definition within the definition of “Redevelopment project” in s. 66.1331 (3) (m), as renumbered and amended from s. 66.43 (3) (m). See SECTIONS 408 and 408m of this bill.

4 **SECTION 298.** 66.14 (title) of the statutes is repealed.

5 **SECTION 299.** 66.14 of the statutes is renumbered 62.09 (4) (d) and amended
6 to read:

7 62.09 (4) (d) ~~Any A city, however incorporated,~~ may pay the cost of ~~any an~~
8 official bond furnished by an officer ~~thereof of the city,~~ pursuant to law or any rules
9 or regulations requiring the same bond, if said ~~the~~ officer ~~shall furnish~~ furnishes a
10 bond with a surety company or companies authorized to do business in this state,
11 ~~said cost. The cost of the bond furnished by the officer may not to exceed the current~~
12 rate of premium per year on the amount of said ~~the~~ bond or obligation ~~by said surety~~
13 executed ~~by the surety.~~ The cost of any such the bond in such city shall be charged
14 to the fund appropriated and set up in the budget for the department, board,
15 commission or other body, the officer of which is required to furnish a bond.

NOTE: Renumbers and amends s. 66.14 for placement in ch. 62, relating to cities. The renumbering makes the provision inapplicable to a 1st class city under s. 62.03 (1). Section 66.145 (renumbered s. 62.55) treats 1st class cities separately for this purpose.

16 **SECTION 300.** 66.144 of the statutes is renumbered 62.53 and amended to read:

17 **62.53 Residency required for public officials in 1st class cities.** Any
18 public official, as defined in s. ~~66.146~~ 62.51 (1) (b), may not serve more than 180 days
19 after his or her confirmation unless he or she resides within the boundaries of the
20 1st class city by which he or she is employed.

21 **SECTION 301.** 66.145 of the statutes is renumbered 62.55 and amended to read:

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1 **62.55 Requirements for surety bonds of officers and employes in cities**
2 **of the first 1st class cities.** ~~When any~~ If an office or position in the service of any
3 ~~city of the first~~ a 1st class city involves fiduciary responsibility or the handling of
4 money, the appointing officer may require the appointee to furnish a bond or other
5 security to ~~such~~ the officer and the ~~said~~ city for the faithful performance of the
6 appointee's duty, ~~the~~. The amount to of the bond or security shall be fixed by the
7 appointing officer, with the approval of the mayor, ~~and notice~~. Notice of the mayor's
8 approval shall be given to the city clerk by the mayor. Each bond shall be approved
9 by the city attorney as to ~~the~~ form and execution ~~thereof~~, and by the common council
10 as to ~~the~~ sufficiency of ~~the~~ sureties ~~therein~~; ~~provided, however, that any~~. Any surety
11 company, the bonds of which are accepted by the judge of any court of record in this
12 state, or which is approved by the comptroller of the said city, ~~shall be~~ is sufficient
13 security on ~~any such~~ the bond, ~~and that the~~. The premium on ~~such a~~ bond under this
14 section, within the limits fixed by law, shall be paid out of the city treasury. The
15 appointing officer shall immediately after the execution of ~~such~~ the bond file the
16 ~~same~~ bond with the city clerk, ~~and it shall be the duty of the~~. The city clerk ~~to~~ shall
17 require compliance with the terms of this section requiring the filing of bonds with
18 the city clerk by officers and employes, ~~and all such bonds~~. Bonds of city officers and
19 employes under this section, duly witnessed and acknowledged, after being approved
20 by the common council, shall be delivered to the city comptroller, who shall have
21 them recorded in the office of the register of deeds ~~and, after such recording by the~~
22 ~~city comptroller in the office of the register of deeds, the said~~. After the bonds are
23 recorded, the bonds shall be returned to the city clerk, who shall keep them on file
24 in the city clerk's office; except that after the recording of the bond of the city clerk
25 by the city comptroller, ~~said~~ that bond shall remain on file in the office of the city

ASSEMBLY BILL 710**SECTION 301**

1 comptroller. Each bond filed by any surety company shall be accompanied by a
2 duplicate of said ~~the~~ bond, ~~which.~~ The duplicate shall be filed by the clerk with the
3 city comptroller.

4 **SECTION 302.** 66.146 of the statutes is renumbered 62.51.

5 **SECTION 303.** 66.18 of the statutes is renumbered 66.0137 (2) and amended to
6 read:

7 66.0137 (2) LIABILITY AND WORKER'S COMPENSATION INSURANCE. The state, ~~or any~~
8 ~~municipality as defined in s. 345.05 (1) (c), is empowered to~~ or a local governmental
9 unit may procure risk management services and liability insurance covering the
10 state or ~~municipality~~ local governmental unit and its officers, agents and employes
11 and worker's compensation insurance covering officers and employes of the state or
12 ~~municipality~~ local governmental unit. A ~~municipality~~ local governmental unit may
13 participate in and pay the cost of risk management services and liability and
14 worker's compensation insurance through a municipal insurance mutual organized
15 under s. 611.23.

16 **SECTION 304.** 66.182 of the statutes is renumbered 66.0137 (3).

17 **SECTION 305.** 66.184 of the statutes, as affected by 1999 Wisconsin Act 9, is
18 renumbered 66.0137 (4).

19 **SECTION 306.** 66.185 of the statutes is renumbered 66.0137 (5) and amended
20 to read:

21 66.0137 (5) HOSPITAL, ACCIDENT AND LIFE INSURANCE. ~~Nothing in the statutes~~
22 ~~shall be construed to limit the authority of the state or municipalities, as defined in~~
23 ~~s. 345.05, to~~ The state or a local governmental unit may provide for the payment of
24 premiums for hospital, surgical and other health and accident insurance and life
25 insurance for employes and officers and their spouses and dependent children, ~~and~~

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1 ~~such authority is hereby granted.~~ A municipality local governmental unit may also
2 provide for the payment of premiums for hospital and surgical care for its retired
3 employes. In addition, a ~~municipality~~ local governmental unit may, by ordinance or
4 resolution, elect to offer to all of its employes a health care coverage plan through a
5 program offered by the group insurance board under ch. 40. ~~Municipalities which~~
6 ~~elect~~ A local governmental unit that elects to participate under s. 40.51 (7) ~~shall be~~
7 ~~is~~ subject to the applicable sections of ch. 40 instead of this section ~~subsection~~.

8 **SECTION 307.** 66.186 of the statutes is renumbered 62.61 and amended to read:

9 **62.61 Health insurance; first 1st class cities.** The common council of any
10 a 1st class city may, by ordinance or resolution, provide for, including the payment
11 of premiums of, general hospital, surgical and group insurance for both active and
12 retired city officers and city employes and their respective dependents ~~and for~~
13 ~~payment of premiums therefor~~ in private companies, or may, by ordinance or
14 resolution, elect to offer to all of its employes a health care coverage plan through a
15 program offered by the group insurance board under ch. 40. Municipalities which
16 elect to participate under s. 40.51 (7) ~~shall be~~ are subject to the applicable sections
17 of ch. 40 instead of this section. Contracts for ~~such~~ insurance under this section may
18 be entered into for active officers and employes separately from ~~such~~ contracts for
19 retired officers and employes. Appropriations may be made for the purpose of
20 financing ~~such~~ insurance under this section. Moneys accruing to ~~such~~ a fund to
21 finance insurance under this section, by investment or otherwise, shall may not be
22 diverted for any other purpose than those for which ~~such~~ the fund was set up or to
23 defray management expenses of ~~such~~ the fund or to partially pay premiums ~~so as to~~
24 reduce costs to the city or to persons covered by ~~such~~ the insurance, or both.

25 **SECTION 308.** 66.187 of the statutes is renumbered 62.59.

ASSEMBLY BILL 710**SECTION 309**

1 **SECTION 309.** 66.189 of the statutes is renumbered 62.67.

2 **SECTION 310.** 66.19 of the statutes is renumbered 66.0509, and 66.0509 (1) to
3 (4), as renumbered, are amended to read:

4 66.0509 (1) Any city or village may proceed under s. 61.34 (1), 62.11 (5) or ~~66.01~~
5 66.0101 to establish a civil service system of selection, tenure and status, and the
6 system may be made applicable to all municipal personnel except the chief executive
7 and members of the governing body, members of boards and commissions including
8 election officials, employes subject to s. 62.13, members of the judiciary and
9 supervisors. Any town may establish a civil service system under this subsection.
10 For veterans there shall be no restrictions as to age, and veterans and their spouses
11 shall be given preference points in accordance with s. 230.16 (7). The system may
12 also include uniform provisions in respect to attendance, leave regulations,
13 compensation and payrolls for all personnel included ~~thereunder~~ in the system. The
14 governing body of any city, village or town establishing a civil service system under
15 this section may exempt from the system the librarians and assistants subject to s.
16 43.09 (1).

17 (2) (a) Any town may establish a civil service system under sub. (1) and in ~~such~~
18 the departments as that the town board may determine. Any person who has been
19 employed in ~~any such~~ a department for more than 5 years ~~prior to~~ before the
20 establishment of ~~such a~~ a civil service system applicable to that department is eligible
21 to appointment without examination.

22 (b) Any town not having a civil service system and having exercised the option
23 of placing assessors under civil service under s. 60.307 (3) may establish a civil
24 service system for assessors under sub. (1), unless ~~such~~ the town has come within the
25 jurisdiction of a county assessor under s. 70.99.

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1 (3) When any town has established a system of civil service, the ordinance
2 establishing the system may not be repealed for a period of 6 years after its
3 enactment, and ~~thereafter~~ after the 6-year period it may be repealed only by
4 proceedings under s. 9.20 by referendum vote. This subsection ~~shall~~ does not apply
5 ~~where~~ if a town comes, before the expiration of the 6 years, within the jurisdiction
6 of a county assessor under s. 70.99.

7 (4) Any civil service system established under the provisions of this section
8 shall provide for the appointment of a civil service board or commission and for the
9 removal of the members of ~~such~~ the board or commission for cause by the mayor with
10 approval of the council, ~~and in cities organized under the provisions of ss. 64.01 to~~
11 ~~64.15 by the city manager and the council~~ in a city organized under ss. 64.01 to 64.15,
12 and by the board in ~~villages and towns~~ a village or town.

13 **SECTION 311.** 66.192 of the statutes is renumbered 66.0503, and 66.0503 (1)
14 (intro.) and (b), (3), (4) and (5), as renumbered, are amended to read:

15 66.0503 (1) (intro.) The office of county supervisor may be consolidated by
16 charter ordinance under s. ~~66.01~~ 61.1895 or 66.0101:

17 (b) With the office of alderperson or council member in any city in which the
18 district from which ~~such~~ the alderperson or council member is elected is coterminous
19 with the boundaries of any supervisory district established under s. 59.10 (3).

20 (3) Removal from office of any incumbent of ~~such consolidated office shall~~
21 ~~vacate said~~ an office consolidated under this section vacates the office in its entirety
22 whether effected under ss. 17.09, 17.12 and 17.13 or other pertinent statute.

23 (4) Compensation for ~~such consolidated office~~ an office consolidated under this
24 section shall be separately established by the several governing bodies affected
25 ~~thereby~~ by the consolidation as though no consolidation of offices had occurred.

ASSEMBLY BILL 710**SECTION 311**

1 (5) Tenure for ~~such combination officer~~ an officer of an office consolidated under
2 this section shall coincide with the term for county supervisors.

3 **SECTION 312.** 66.196 of the statutes is renumbered 66.0505 and amended to
4 read:

5 **66.0505 Compensation of governing bodies.** An elected official of any
6 county, city, town or village, who by virtue of the office held by that official is entitled
7 to participate in the establishment of the salary attending that office, shall not
8 during the term of ~~such~~ the office collect salary in excess of the salary provided at the
9 time of that official's taking office. This provision is of statewide concern and applies
10 only to officials elected after October 22, 1961.

11 **SECTION 313.** 66.197 of the statutes is repealed.

NOTE: Repeals s. 66.197, which authorizes a county board to increase the salary of an elected official during the official's term of office. The statute is in direct conflict with s. 59.22 (1) (a) 1., which prohibits the increase or decrease of an elected official's salary during the official's term of office. Section 66.197 is repealed and s. 59.22 (1) (a) 1. is retained since the policy of the latter statute expresses the typical Wisconsin practice regarding the salary of an elected official.

12 **SECTION 314.** 66.199 of the statutes is renumbered 66.0507.

13 **SECTION 315.** 66.20 of the statutes is renumbered 200.01, and 200.01 (intro.),
14 as renumbered, is amended to read:

15 **200.01 Metropolitan sewerage districts, definitions.** (intro.) Unless the
16 context requires otherwise, for the purposes of ~~ss. 66.20 to 66.26~~ this subchapter, the
17 following terms have the designated meanings:

18 **SECTION 316.** 66.21 of the statutes is renumbered 200.03 and amended to read:

19 **200.03 Applicability.** ~~Sections 66.20 to 66.26 shall apply~~ This subchapter
20 applies to all areas of the state except those areas included in a metropolitan
21 sewerage district created under ~~ss. 66.88~~ 200.21 to ~~66.918~~ 200.65.

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1 **SECTION 317.** 66.22 of the statutes is renumbered 200.05, and 200.05 (3) (b) and
2 (6), as renumbered, are amended to read:

3 200.05 **(3)** (b) Conduct the hearing to permit any person to present any oral or
4 written pertinent and relevant information relating to the purposes and standards
5 of ~~ss. 66.20 to 66.26~~ this subchapter; and

6 **(6)** No resolution for the formation of a district encompassing the same or
7 substantially the same territory shall be made by any municipality for one year
8 following the issuance of an order denying the formation under ~~ss. 66.20 to 66.26~~ this
9 subchapter.

10 **SECTION 318.** 66.225 of the statutes is renumbered 200.07.

11 **SECTION 319.** 66.23 of the statutes is renumbered 200.09, and 200.09 (1), (9)
12 and (10), as renumbered, are amended to read:

13 200.09 **(1)** A district formed under ~~ss. 66.20 to 66.26~~ this subchapter shall be
14 governed by a 5-member commission appointed for staggered 5-year terms. Except
15 as provided in sub. (11), commissioners shall be appointed by the county board of the
16 county in which the district is located. If the district contains territory of more than
17 one county, the county boards of the counties not having the greatest population in
18 the district shall appoint one commissioner each and the county board of the county
19 having the greatest population in the district shall appoint the remainder. Of the
20 initial appointments, the appointments for the shortest terms shall be made by the
21 counties having the least amount of population, in reverse order of their population
22 included in the district. Commissioners shall be residents of the district. Initial
23 appointments shall be made no sooner than 60 days and no later than 90 days after
24 issuance of the department order forming a district or after completion of any court
25 proceedings challenging such order. A per diem compensation not to exceed \$50 may

ASSEMBLY BILL 710**SECTION 319**

1 be paid to commissioners. Commissioners may be reimbursed for actual expenses
2 incurred as commissioners in carrying out the work of the commission.

3 (9) Chapter 276, laws of 1971, shall apply to every metropolitan sewerage
4 district that had been operating, prior to April 30, 1972, under ss. 66.20 to 66.209,
5 1969 stats. Commissioners for such districts who were in office on April 30, 1972
6 shall continue to serve until their respective terms are completed. The county board
7 of the county having the greatest population in the district shall appoint 2 additional
8 members to each such commission no sooner than 60 days and no later than 90 days
9 after April 30, 1972. One such member shall have a 5-year term and one such
10 member shall have a 4-year term. The county board of those counties having
11 population within the district that did not appoint the preceding 2 members if any
12 shall, each in turn according to their population in the district, appoint successors
13 to each of the 3 commissioners who held office on April 30, 1972, until their allotted
14 number of appointments, as specified under sub. (1) is filled. The governor may
15 adjust terms of the successors to the 3 original commissioners in order that the
16 appointment schedules are consistent with ~~s. 66.23~~ this section.

17 (10) Sections ~~66.20~~ 200.01 to ~~66.26~~ 200.15 do not affect the continued validity
18 of contracts and obligations previously entered into by a metropolitan sewerage
19 district operating under ss. 66.20 to 66.209, 1969 stats., prior to April 30, 1972, nor
20 validity of any such district.

21 **SECTION 320.** 66.24 of the statutes is renumbered 200.11, and 200.11 (1) (b) and
22 (d) and (9), as renumbered, are amended to read:

23 200.11 (1) (b) *Plans.* The commission shall prepare and by resolution adopt
24 plans and standards of planning, design and operation for all projects and facilities
25 which will be operated by the district or which affect the services to be provided by

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1 the district. Commissions may and are encouraged to contract with regional or
2 area-wide planning agencies for research and planning services. The commission's
3 plans shall be consistent with adopted plans of a regional planning commission or
4 area-wide planning agency organized under s. ~~66.945~~ 66.0309.

5 (d) *Rules*. The commission may adopt rules for the supervision, protection,
6 management and use of the systems and facilities operated by the district. Such
7 rules may, in the interest of plan implementation, restrict or deny the provision of
8 utility services to lands which are described in adopted master plans or development
9 plans of a municipality or county as not being fit or appropriate for urban or
10 suburban development. Rules of the district shall be adopted and enforced as
11 provided by s. ~~66.902~~ 200.45. Notwithstanding any other provision of law, such rules
12 or any orders issued thereunder, may be enforced under s. 823.02 and the violation
13 of any rule or any order lawfully promulgated by the commission is declared to be a
14 public nuisance.

15 (9) **EXTRATERRITORIAL SERVICE BY CONTRACT**. A district may provide service to
16 territory outside the district, including territory in a county not in that district,
17 under s. ~~66.30~~ 66.0301, subject to ss. ~~66.20~~ 200.01 to ~~66.26~~ 200.15 and ~~66.902~~ 200.45,
18 except that s. ~~66.23~~ 200.09 (1) does not require the appointment of a commissioner
19 from that territory.

20 **SECTION 321.** 66.25 of the statutes is renumbered 200.13, and 200.13 (1) (i), (j),
21 (m) and (n) (intro.), (2), (3) (a), (4), (12) and (13), as renumbered, are amended to read:

22 200.13 (1) (i) The owner of any parcel of real estate affected by the
23 determination and assessments may, within 20 days after the date of such
24 determination, appeal to the circuit court of the county in which the land is situated,
25 and s. ~~66.60~~ 66.0703 (12) shall apply to and govern such appeal, however the notice

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1 therein required to be served upon the city clerk shall be served upon the district, and
2 the bond therein provided for shall be approved by the commission and the duties
3 therein devolving upon the city clerk shall be performed by the president of the
4 commission.

5 (j) The commission may provide that the special assessment may be paid in
6 annual instalments not more than 10 in number, and may, for the purpose of
7 anticipating collection of the special assessments, and after said instalments have
8 been determined, issue special improvement bonds payable only out of the special
9 assessment, and s. ~~66.54~~ 66.0713 shall apply to and govern the instalment payments
10 and the issuance of said bonds, except that the assessment notice shall be
11 substantially in the following form:

12 **INSTALMENT ASSESSMENT NOTICE**

13 Notice is hereby given that a contract has been (or is about to be) let for (describe
14 the improvements) and that the amount of the special assessment therefor has been
15 determined as to each parcel of real estate affected thereby, and a statement of the
16 same is on file with the commission; that it is proposed to collect the same in
17 instalments, as provided by s. ~~66.54~~ 66.0713, with interest thereon at% per year;
18 that all assessments will be collected in instalments, as above provided, except such
19 assessments as the owners of the property shall, within 30 days from the date of this
20 notice, file with the commission a statement in writing that they elect to pay in one
21 instalment, in which case the amount of the instalment shall be placed upon the next
22 ensuing tax roll.

23 (m) Section ~~66.60 (17)~~ 66.0703 (14) shall be applicable to assessments made
24 under this section.

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1 (n) (intro.) The commission may provide for a deferred due date on the levy of
2 the special assessment as to real estate which is in agricultural use or which is
3 otherwise not immediately to receive actual service from the sewer or other facility
4 for which the assessment is made. Such assessments shall be payable as soon as such
5 lands receive actual service from the sewer or other facility. Any such special
6 assessments shall be a lien against the property from the date of the levy. For the
7 purpose of anticipating collection of special assessments for which the due date has
8 been deferred, the commission may issue special improvement bonds payable only
9 out of the special assessments. Section ~~66.54~~ 66.0713 shall apply to and govern the
10 issuance of bonds, except that the assessment notice shall be substantially in the
11 following form:

12 **(2) TAX LEVY.** The commission may levy a tax upon the taxable property in the
13 district as equalized by the department of revenue for state purposes for the purpose
14 of carrying out and performing duties under ~~ss. 66.20 to 66.26~~ this subchapter but
15 the amount of any such tax in excess of that required for maintenance and operation
16 and for principal and interest on bonds or promissory notes shall not exceed, in any
17 one year, one mill for each dollar of the district's equalized valuation, as determined
18 under s. 70.57. The tax levy may be spread upon the respective real estate and
19 personal property tax rolls of the city, village and town areas included in the district
20 taxes, and shall not be included within any limitation on county or municipality
21 taxes. Such moneys when collected shall be paid to the treasurer of such district.

22 **(3) (a)** The commission may establish service charges in such amount as to meet
23 all or part of the requirements for the construction, reconstruction, improvement,
24 extension, operation, maintenance, repair and depreciation of functions authorized

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1 by ~~ss. 66.20 to 66.26~~ this subchapter, and for the payment of all or part of the principal
2 and interest of any indebtedness incurred thereof.

3 (4) BORROWING. A district under ~~ss. 66.20 to 66.26~~ this subchapter may borrow
4 money and issue municipal obligations under ss. ~~66.066~~ 66.0621 and ~~66.54~~ 66.0713
5 and ch. 67.

6 (12) EXEMPTION FROM LEVIES. Lands designated as permanent open space,
7 agricultural protection areas or other undeveloped areas not to be served by public
8 sanitary sewer service in plans adopted by a regional planning commission or other
9 area-wide planning agency organized under s. ~~66.945~~ 66.0309 and approved by the
10 board of supervisors of the county in which the lands are located shall not have
11 property taxes, assessments or service charges levied against them by the district.

12 (13) APPLICATION OF OTHER LAWS. Section ~~66.076~~ 66.0821 shall apply to all
13 districts now or hereafter organized and operating under ~~ss. 66.20 to 66.26~~ this
14 subchapter.

15 **SECTION 322.** 66.26 of the statutes is renumbered 200.15, and 200.15 (2) and
16 (4), as renumbered, are amended to read:

17 200.15 (2) Proceedings leading to the addition of other territory to a district
18 may be initiated by petition from a municipal governing body or upon motion of the
19 commission. Upon receipt of the petition or upon adoption of the motion, the
20 commission shall hold a public hearing preceded by a class 2 notice under ch. 985.
21 The commission may approve the annexation upon a determination that the
22 standards of ss. ~~66.22~~ 200.05 (4) (b) and (c) and ~~66.26~~ 200.15 (3) are met. Approval
23 actions by the commission under this section shall be subject to review under ch. 227.

24 (4) Section ~~66.23~~ 200.09 (1) does not require the appointment of a commissioner
25 from territory annexed under this section if that territory, on the day before the

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1 annexation, has a population of less than 8.5% of the total population served by the
2 district.

3 SECTION 323. 66.27 of the statutes is renumbered 66.1025 and amended to
4 read:

5 **66.1025 Relief from conditions of gifts and dedications.** (1) If the
6 governing body of a county, city, town or village accepts a gift or dedication of land
7 made on condition that the land be devoted to a special purpose, and the condition
8 subsequently becomes impossible or impracticable, ~~such~~ the governing body may by
9 resolution or ordinance enacted by a two-thirds vote of its ~~members-elect~~
10 members-elect either to grant the land back to the donor or dedicator or the heirs
11 of the donor or dedicator, or accept from the donor or dedicator or the heirs of the
12 donor or dedicator, a grant relieving the county, city, town or village of the condition,
13 pursuant to article XI, section 3a, of the constitution.

14 (2) (a) If ~~such~~ the donor or dedicator of land to a county, city, town or village or
15 the heirs of the donor or dedicator are unknown or cannot be found, ~~such~~ the
16 resolution or ordinance described under sub. (1) may provide for the commencement
17 of an action under this section for the purpose of relieving the county, city, town or
18 village of the condition of the gift or dedication.

19 (b) Any ~~such~~ action under this subsection shall be brought in a court of record
20 in the manner provided in ch. 801. A lis pendens shall be filed or recorded as provided
21 in s. 840.10 upon the commencement of the action. Service upon persons whose
22 whereabouts are unknown may be made in the manner prescribed in s. 801.12.

23 (c) The court may render judgment in ~~such action~~ an action under this
24 subsection relieving the county, city, town or village of the condition of the gift or
25 dedication.

ASSEMBLY BILL 710**SECTION 324**

1 **SECTION 324.** 66.28 (title) of the statutes is renumbered 66.0139 (title).

2 **SECTION 325.** 66.28 (1) to (4) of the statutes are renumbered 66.0139 (2) to (5)
3 and amended to read:

4 66.0139 (2) ~~Cities, villages, towns and counties~~ A political subdivision may
5 dispose of any personal property which has been abandoned, or remained unclaimed
6 for a period of 30 days, after the taking of possession of the property by ~~the city,~~
7 ~~village, town or county officers~~ an officer of the political subdivision by any means
8 determined to be in the best interest of the ~~city, village, town or county~~ political
9 subdivision. If the property is not disposed of in a sale open to the public, ~~every city,~~
10 ~~village, town and county~~ the political subdivision shall maintain an inventory of such
11 the property; a record of the date and method of disposal, including the consideration
12 received for the property, if any, and the name and address of the person taking
13 possession of the property. ~~Such~~ The inventory shall be kept as a public record for
14 a period of not less than 2 years from the date of disposal of the property. Any means
15 of disposal other than public auction shall be specified by ordinance. If the disposal
16 is in the form of a sale, all receipts from the sale, after deducting the necessary
17 expenses of keeping the property and conducting the sale, shall be paid into the ~~city,~~
18 ~~village, town or county~~ treasury of the political subdivision.

19 **(3)** ~~Cities, villages, towns and counties~~ A political subdivision may safely
20 dispose of abandoned or unclaimed flammable, explosive or incendiary substances,
21 materials or devices posing a danger to life or property in their storage,
22 transportation or use immediately after taking possession of the substances,
23 materials or devices without a public auction. ~~The city, village, town or county~~
24 political subdivision, by ordinance or resolution, may establish disposal procedures.
25 Procedures may include provisions authorizing an attempt to return to the rightful

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1 owner substances, materials or devices which have a commercial value in the normal
2 business usage and do not pose an immediate threat to life or property. If enacted,
3 ~~any such provision~~ a disposal procedure shall include a presumption that if the
4 substance, material or device appears to be or is reported stolen an attempt will be
5 made to return the substance, material or device to the rightful owner.

6 (4) Except as provided in s. 968.20 (3), ~~a 1st class cities~~ city shall dispose of
7 abandoned or unclaimed dangerous weapons or ammunition without a public
8 auction 12 months after taking possession of them if the owner has not requested
9 their return. ~~Disposition~~ Disposal procedures shall be established by ordinance or
10 resolution and may include provisions authorizing an attempt to return to the
11 rightful owner any dangerous weapons or ammunition which appear to be stolen or
12 are reported stolen. If enacted, ~~any such provision~~ a disposal procedure shall include
13 a presumption that if the dangerous weapons or ammunition appear to be or are
14 reported stolen an attempt will be made to return the dangerous weapons or
15 ammunition to the rightful owner. The dangerous weapons or ammunition shall be
16 are subject to sub. (4) (5).

17 (5) ~~A city, village, town or county~~ political subdivision may retain or dispose of
18 any abandoned, unclaimed or seized dangerous weapon or ammunition only under
19 s. 968.20.

20 **SECTION 326.** 66.285 of the statutes is renumbered 66.0135, and 66.0135 (1)
21 (intro.), (c) and (d), (2) (a) and (b) 2. and (4) (intro.), as renumbered, are amended to
22 read:

23 66.0135 (1) DEFINITIONS. (intro.) In this section ~~and s. 66.286:~~

24 (c) "Local governmental unit" means a political subdivision of this state, a
25 special purpose district in this state, an agency or corporation of ~~such~~ a political

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1 subdivision or special purpose district, or a combination or subunit of any of the
2 foregoing.

3 (d) “Subcontractor” has the meaning given in s. ~~66.29~~ 66.0901 (1) (d).

4 (2) (a) Except as provided in sub. (4) or as otherwise specifically provided, an
5 agency that does not pay timely the amount due on an order or contract shall pay
6 interest on the balance due from the 31st day after receipt of a properly completed
7 invoice or receipt and acceptance of the property or service under the order or
8 contract, whichever is later, or, if the agency does not comply with s. ~~66.286~~ sub. (7),
9 from the 31st day after receipt of an improperly completed invoice or receipt and
10 acceptance of the property or service under the order or contract, whichever is later,
11 at the rate specified in s. 71.82 (1) (a) compounded monthly.

12 (b) 2. Within 30 days after receipt of a properly completed invoice or receipt and
13 acceptance of the property or service under the order or contract, or, if the agency does
14 not comply with s. ~~66.286~~ sub. (7), within 30 days after receipt of an improperly
15 completed invoice or receipt and acceptance of the property or service under the order
16 or contract, whichever is later.

17 (4) EXCEPTIONS. (intro.) Subsection (2) does not apply to any of the following:

18 **SECTION 327.** 66.286 of the statutes is renumbered 66.0135 (7).

19 **SECTION 328.** 66.29 (title) and (1) (title) of the statutes are renumbered 66.0901
20 (title) and (1) (title).

21 **SECTION 329.** 66.29 (1) (a) of the statutes is renumbered 66.0901 (1) (b) and
22 amended to read:

23 66.0901 (1) (b) ~~In this section,~~ “Person” means an individual,
24 partnership, association, limited liability company, corporation or joint stock
25 company, lessee, trustee or receiver.

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1 **SECTION 330.** 66.29 (1) (b) of the statutes is renumbered 66.0901 (1) (a) and
2 amended to read:

3 66.0901 (1) (a) “Municipality” means the state ~~and any or a~~ town, city, village,
4 school district, board of school directors, sewer district, drainage district, technical
5 college district or ~~any other~~ public or quasi-public corporation, officer, board or other
6 public body charged with the duty of receiving bids for and awarding any public
7 contracts.

8 **SECTION 331.** 66.29 (1) (c) and (d) and (2) to (8) of the statutes are renumbered
9 66.0901 (1) (c) and (d) and (2) to (8) and amended to read:

10 66.0901 (1) (c) ~~The term “public~~ “Public contract” shall mean and include any
11 means a contract for the construction, execution, repair, remodeling, or improvement
12 of any a public work, or building, or for the furnishing of supplies, or material of any
13 kind ~~whatsoever~~, proposals for which are required to be advertised for by law.

14 (d) “Subcontractor” means a person whose relationship to the principal
15 contractor is substantially the same as to a part of the work as the latter’s
16 relationship is to the proprietor. A “subcontractor” takes a distinct part of the work
17 in such a way that the “subcontractor” does not contemplate doing merely personal
18 service.

19 **(2) BIDDER’S PROOF OF RESPONSIBILITY.** ~~Every A municipality, board or public~~
20 ~~body upon all contracts subject to this section~~ intending to enter into a public contract
21 may, before delivering any form for bid proposals, plans and specifications ~~pertaining~~
22 ~~thereto~~ to any person, ~~excepting~~ except materialmen, suppliers and others not
23 intending to submit a direct bid, require such ~~the~~ the person to submit a full and
24 complete statement sworn to before an officer authorized by law to administer oaths,
25 ~~of.~~ The statement shall consist of information relating to financial ability,

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1 equipment, experience in the work prescribed in said the public contract, and of such
2 other matters as that the municipality, board, public body or officer thereof may
3 require requires for the protection and welfare of the public in the performance of any
4 a public contract; ~~such.~~ The statement shall be in writing on a standard form of a
5 questionnaire as that is adopted for ~~such use~~ and furnished by the municipality,
6 board or public body or officer thereof, to be furnished by ~~such municipality, board,~~
7 ~~public body or officer thereof.~~ Such. The statement shall be filed in the manner and
8 place designated by the municipality, board, public body or ~~such officer thereof.~~ Such
9 statements. The statement shall not be received less than 5 days prior to the time
10 set for opening of bids. The contents of ~~said statements~~ the statement shall be
11 confidential and ~~shall~~ may not be disclosed except upon the written order of ~~such~~ the
12 person furnishing the same, or statement, for necessary use by the public body in
13 qualifying ~~such~~ the person, or in cases of action against, or by ~~such,~~ the person or
14 municipality. The governing body of the municipality or ~~such~~ the committee, board
15 or employe as is charged with, or delegated by the governing body with, the duty of
16 receiving bids and awarding contracts or to whom the governing body has delegated
17 the power shall properly evaluate the sworn statements filed relative to financial
18 ability, equipment and experience in the work prescribed statement and shall find
19 the maker of ~~such~~ the statement either qualified or unqualified. This subsection
20 shall does not apply to cities of the first a 1st class city.

21 (3) PROOF OF RESPONSIBILITY, CONDITION PRECEDENT. No bid shall be received
22 from any person who has not submitted the ~~sworn~~ statement as provided in sub. (2),
23 provided that any prospective bidder who has once qualified to the satisfaction of the
24 municipality, committee, board, ~~public body or officer~~ employe, and who wishes to
25 become a bidder upon subsequent public contracts under the same jurisdiction of the

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1 same, to whose satisfaction the prospective bidder has qualified under sub. (2), need
2 not separately qualify on each public contract unless required so to do by the said
3 municipality, committee, board, ~~public body~~ or officers employe.

4 (4) REJECTION OF BIDS. ~~Whenever~~ If the municipality, committee, board, ~~public~~
5 ~~body or officer~~ employe is not satisfied with the sufficiency of the answer contained
6 in the questionnaire and financial statement, ~~it~~ provided under sub. (2), the
7 municipality, committee, board or employe may reject said bid, or disregard the same
8 bid.

9 (5) CORRECTIONS OF ERRORS IN BIDS. ~~Whenever any~~ If a person shall submit
10 submits a bid or proposal for the performance of public work under any public
11 contract to be let by ~~the a~~ municipality, ~~board, public body or officer thereof~~, who shall
12 ~~claim~~ and the bidder claims that a mistake, omission or error has been made in
13 preparing the bid, the bidder shall, before the bids are opened, make known the fact
14 that an error, omission or mistake has been made, ~~and in that case~~. If the bidder
15 makes this fact known, the bid shall be returned to the bidder unopened and the
16 bidder shall may not be entitled to bid upon the public contract at hand unless the
17 same it is readvertised and relet upon the readvertisement. ~~In case any~~ If a bidder
18 shall ~~make~~ makes an error or, omission or mistake and shall ~~discover the same~~
19 discovers it after the bids are opened, the bidder shall immediately and without delay
20 give written notice and make known the fact of the mistake, omission or error which
21 has been committed and submit to the municipality, ~~board, public body or officers~~
22 ~~thereof~~, clear and satisfactory evidence of the mistake, omission or error and that the
23 same it was not caused by any careless act or omission on the bidder's part in the
24 exercise of ordinary care in examining the plans, or specifications and in conforming
25 with the provisions of this section, ~~and in case of~~. If the discovery and notice of a

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1 ~~mistake, omission or error causes a forfeiture, shall the bidder may not be entitled~~
2 ~~to recover the moneys or certified check forfeited as liquidated damages unless it~~
3 ~~shall be~~ is proven before a court of competent jurisdiction in an action brought for the
4 recovery of the amount forfeited, that in making the mistake, error or omission the
5 bidder was free from carelessness, negligence or inexcusable neglect.

6 **(6) SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS.** ~~On these In~~
7 public contracts calling for the construction, repair, remodeling or improvement of
8 any a public building or structure, other than highway structures and facilities, the
9 a municipality may bid projects based on a single or multiple division of the work.
10 ~~Contracts~~ Public contracts shall be awarded according to the division of work
11 selected for bidding. The municipality may set out in any public contract reasonable
12 and lawful conditions as to the hours of labor, wages, residence, character and
13 classification of ~~workmen~~ workers to be employed by any contractor, and to classify
14 such contractors as to their financial responsibility, competency and ability to
15 perform work and to set up a classified list of contractors pursuant thereto; and such,
16 The municipality may also reject the bid of any person, if such ~~the~~ person has not
17 been classified pursuant to the said questionnaire for the kind or amount of work in
18 said the bid.

19 **(7) BIDDER'S CERTIFICATE.** ~~On all contracts~~ When bidding on a public contract,
20 the bidder shall incorporate and make a part of the bidder's proposal for the doing
21 of any work or labor or the furnishing of any material in or about any public work
22 or contract of the municipality a sworn statement by the bidder, or if not an
23 individual by one authorized, that the bidder or authorized person so swearing has
24 examined and carefully prepared the proposal from the plans and specifications and
25 has checked the same in detail before submitting the proposal or bid to the

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1 ~~municipality, board, department or officer charged with the letting of bids and also~~
2 ~~at the same time as.~~ As a part of the proposal, the bidder also shall submit a list of
3 the subcontractors the bidder proposes to contract with, and the class of work to be
4 performed by each, ~~provided that.~~ In order to qualify for inclusion in the bidder's list
5 a subcontractor ~~must~~ shall first submit a bid in writing, to the general contractor at
6 least 48 hours prior to the time of the bid closing, ~~which list shall.~~ The list may not
7 be added to ~~nor~~ or altered without the written consent of the municipality. A proposal
8 of a bidder ~~shall~~ is not be invalid if any subcontractor and the class of work to be
9 performed by the subcontractor has been omitted from a proposal; ~~such~~ the omission
10 shall be considered as inadvertent, ~~or that the bidder will perform the work~~
11 personally.

12 **(8) SETTLEMENT OF DISPUTES; DEFAULTS.** Whenever there is a dispute between
13 ~~the a~~ contractor or surety or the municipality as to ~~the determination~~ whether there
14 is a compliance with the provisions of ~~the a~~ public contract as to the hours of labor,
15 wages, residence, character, and classification of ~~workmen~~ workers employed by ~~any~~
16 ~~the~~ contractor, the determination of the municipality ~~shall be~~ is final, ~~and in case of~~
17 ~~violation of said.~~ If a violation of these provisions occurs, the municipality may
18 declare the contract in default and request the surety to perform or relet upon
19 advertisement the remaining portion of the public contract.

20 **SECTION 332.** 66.29 (9) (title) of the statutes is renumbered 66.0901 (9) (title).

21 **SECTION 333.** 66.29 (9) (a) of the statutes is repealed.

NOTE: Repeals the separate definition of "municipality". The definition is restated in SECTION 258 of this bill.

22 **SECTION 334.** 66.29 (9) (b) of the statutes is renumbered 66.0901 (9) (b) and
23 amended to read:

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1 66.0901 (9) (b) *Retained percentages.* As the work progresses under any a
2 contract involving \$1,000 or more for the construction, execution, repair, remodeling
3 or improvement of any a public work or building or for the furnishing of any supplies
4 or materials, regardless of whether or not proposals for which the contract are
5 required to be advertised by law, the municipality, from time to time, shall grant to
6 the contractor an estimate of the amount and proportionate value of the work done,
7 which ~~shall entitle~~ entitles the contractor to receive the amount ~~thereof of the~~
8 estimate, less the retainage, from the proper fund. ~~On all such contracts, the~~ The
9 retainage shall be an amount equal to 10% of ~~said the~~ estimate until 50% of the work
10 has been completed. At 50% completion, further partial payments shall be made in
11 full to the contractor and no additional amounts may be retained unless the architect
12 or engineer certifies that the job is not proceeding satisfactorily, but amounts
13 previously retained shall not be paid to the contractor. At 50% completion or any time
14 ~~thereafter~~ after 50% completion when the progress of the work is not satisfactory,
15 additional amounts may be retained but ~~in no event shall the total retainage~~ may not
16 be more than 10% of the value of the work completed. Upon substantial completion
17 of the work, an amount retained may be paid to the contractor. When the work has
18 been substantially completed except for work which cannot be completed because of
19 weather conditions, lack of materials or other reasons which in the judgment of the
20 municipality are valid reasons for noncompletion, the municipality may make
21 additional payments, retaining at all times an amount sufficient to cover the
22 estimated cost of the work still to be completed or ~~in the alternative~~ may pay out the
23 entire amount retained and receive from the contractor guarantees in the form of a
24 bond or other collateral sufficient to ensure completion of the job. For the purposes
25 of this section, estimates may include any fabricated or manufactured materials and

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1 components specified, previously paid for by the contractor and delivered to the work
2 or properly stored and suitable for incorporation in the work embraced in the
3 contract.

4 **SECTION 335.** 66.293 of the statutes is renumbered 66.0903, and 66.0903 (title),
5 (1) (g), (3) (am) and (bm), (9), (10) (a) and (b), (11) (a) and (b) 1. to 5. and (12) (a) and
6 (d), as renumbered, are amended to read:

7 **66.0903** (title) ~~Contractor's failure to comply with municipal~~ **Municipal**
8 **prevailing wage and hour scale scales.**

9 (1) (g) 1. "Prevailing ~~Except as provided in subd. 2.,~~ "prevailing wage rate" for
10 any trade or occupation engaged in the erection, construction, remodeling, repairing
11 or demolition of any project of public works in any area means the hourly basic rate
12 of pay, plus the hourly contribution for health insurance benefits, vacation benefits,
13 pension benefits and any other bona fide economic benefit, paid directly or indirectly,
14 for a majority of the hours worked in the trade or occupation on projects in the area,
15 or if,

16 2. If there is no rate at which a majority of the hours worked in the trade or
17 occupation on projects in the area is paid, ~~then the~~ "prevailing wage rate" for any
18 trade or occupation engaged in the erection, construction, remodeling, repairing or
19 demolition of any project of public works in any area ~~shall be~~ means the average
20 hourly basic rate of pay, weighted by the number of hours worked, plus the average
21 hourly contribution, weighted by the number of hours worked, for health insurance
22 benefits, vacation benefits, pension benefits and any other bona fide economic
23 benefit, paid directly or indirectly for all hours worked at the hourly basic rate of pay
24 of the highest-paid 51% of hours worked in that trade or occupation on projects in
25 that area.

ASSEMBLY BILL 710**SECTION 335**

1 (3) (am) ~~Every~~ A local governmental unit, before making a contract by direct
2 negotiation or soliciting bids on a contract, for the erection, construction, remodeling,
3 repairing or demolition of any project of public works, including a highway, street or
4 bridge construction project, shall apply to the department to determine the
5 prevailing wage rate and prevailing hours of labor for each trade or occupation
6 required in the work contemplated. The department shall make ~~such~~ investigations
7 and hold ~~such~~ public hearings as ~~may be~~ necessary to define the trades or occupations
8 that are commonly employed on projects that are subject to this section and to inform
9 itself as to the prevailing wage rates and prevailing hours of labor in all areas of the
10 state for those trades or occupations, with a view to ascertaining the prevailing wage
11 rate and prevailing hours of labor for each ~~such~~ trade or occupation. The department
12 shall issue its determination within 30 days after receiving the request and shall file
13 the same determination with the requesting local governmental unit ~~applying~~
14 ~~therefor~~.

15 (bm) Any person may request a recalculation of any portion of a determination
16 within 30 days after the initial determination date if the person submits evidence
17 with the request showing that the prevailing wage rate or prevailing hours of labor
18 for any given trade or occupation included in the initial determination does not
19 represent the prevailing wage rate or prevailing hours of labor for that trade or
20 occupation in the area. ~~Such~~ The evidence shall include wage rate and hours of labor
21 information for work performed in the contested trade or occupation in the area
22 within the previous 12 months. The department shall affirm or modify the initial
23 determination within 15 days after the date on which the department receives the
24 request for recalculation.

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1 **(9) COMPLIANCE.** (a) When the department finds that a local governmental unit
2 has not requested a determination under sub. (3) (am) or that a local governmental
3 unit, contractor or subcontractor has not physically incorporated a determination
4 into a contract or subcontract as required under this section or has not notified a
5 minor subcontractor of a determination in the manner prescribed by the department
6 by rule promulgated under sub. (3) (dm), the department shall notify the local
7 governmental unit, contractor or subcontractor of ~~such~~ the noncompliance and shall
8 file the determination with the local governmental unit, contractor or subcontractor
9 within 30 days after ~~such~~ the notice.

10 (b) Upon completion of a project and before receiving final payment for his or
11 her work on the project, each agent or subcontractor shall furnish the contractor with
12 an affidavit stating that the agent or subcontractor has complied fully with the
13 requirements of this section. A contractor may not authorize final payment until
14 ~~such an~~ the affidavit is filed in proper form and order.

15 (c) Upon completion of a project and before receiving final payment for his or
16 her work on the project, each contractor shall file with the local governmental unit
17 authorizing the work an affidavit stating that the contractor has complied fully with
18 the requirements of this section and that the contractor has received an affidavit
19 under par. (b) from each of the contractor's agents and subcontractors. A local
20 governmental unit may not authorize a final payment until ~~such an~~ the affidavit is
21 filed in proper form and order. If a local governmental unit authorizes a final
22 payment before ~~such~~ an affidavit is filed in proper form and order or if the
23 department determines, based on the greater weight of the credible evidence, that
24 any person specified in sub. (4) has been or may have been paid less than the
25 prevailing wage rate or less than 1.5 times the hourly basic rate of pay for all hours

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1 worked in excess of the prevailing hours of labor and requests that the local
2 governmental unit withhold all or part of the final payment, but the local
3 governmental unit fails to do so, the local governmental unit is liable for all back
4 wages payable up to the amount of that final payment.

5 (10) (a) Each contractor, subcontractor or contractor's or subcontractor's agent
6 thereof performing work on a project that is subject to this section shall keep full and
7 accurate records clearly indicating the name and trade or occupation of every person
8 described in sub. (4) and an accurate record of the number of hours worked by each
9 of those persons and the actual wages paid ~~therefor~~ for the hours worked.

10 (b) The department or the contracting local governmental unit may demand
11 and examine, and ~~it shall be the duty of~~ every contractor, subcontractor and
12 contractor's or subcontractor's agent thereof to shall keep, and furnish to upon
13 request by the department or local governmental unit, copies of payrolls and other
14 records and information relating to the wages paid to persons described in sub. (4)
15 for work to which this section applies. The department may inspect records in the
16 manner provided in chs. 103 to 106. Every contractor, subcontractor or agent
17 performing work on a project that is subject to this section is subject to the
18 requirements of chs. 103 to 106 relating to the examination of records.

19 (11) (a) Any contractor, subcontractor or contractor's or subcontractor's agent
20 thereof, who fails to pay the prevailing wage rate determined by the department
21 under sub. (3) or who pays less than 1.5 times the hourly basic rate of pay for all hours
22 worked in excess of the prevailing hours of labor determined under sub. (3), ~~shall be~~
23 is liable to any affected employe in the amount of his or her unpaid wages or his or
24 her unpaid overtime compensation and in an additional equal amount as liquidated
25 damages. An action to recover the liability may be maintained in any court of

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1 competent jurisdiction by any employe for and in behalf of that employe and other
2 employes similarly situated. No employe may be a party plaintiff to ~~any such~~ the
3 action unless the employe consents in writing to become ~~such~~ a party and the consent
4 is filed in the court in which the action is brought. Notwithstanding s. 814.04 (1), the
5 court shall, in addition to any judgment awarded to the plaintiff, allow reasonable
6 attorney fees and costs to be paid by the defendant.

7 (b) 1. Except as provided in subds. 2., 4. and 6., any contractor, subcontractor
8 or contractor's or subcontractor's agent thereof who violates this section may be fined
9 not more than \$200 or imprisoned for not more than 6 months or both. Each day that
10 any ~~such~~ violation continues ~~shall be considered~~ is a separate offense.

11 2. Whoever induces any individual who seeks to be or is employed on any
12 project that is subject to this section to give up, waive or return any part of the wages
13 to which the individual is entitled under the contract governing ~~such~~ the project, or
14 who reduces the hourly basic rate of pay normally paid to an employe for work on a
15 project that is not subject to this section during a week in which the employe works
16 both on a project that is subject to this section and on a project that is not subject to
17 this section, by threat not to employ, by threat of dismissal from ~~such~~ employment
18 or by any other means is guilty of an offense under s. 946.15 (1).

19 3. Any person employed on a project that is subject to this section who
20 knowingly permits a contractor, subcontractor or contractor's or subcontractor's
21 agent ~~thereof~~ to pay him or her less than the prevailing wage rate set forth in the
22 contract governing ~~such~~ the project, who gives up, waives or returns any part of the
23 compensation to which he or she is entitled under the contract, or who gives up,
24 waives or returns any part of the compensation to which he or she is normally
25 entitled for work on a project that is not subject to this section during a week in which

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1 the person works both on a project that is subject to this section and on a project that
2 is not subject to this section, is guilty of an offense under s. 946.15 (2).

3 4. Whoever induces any individual who seeks to be or is employed on any
4 project that is subject to this section to permit any part of the wages to which the
5 individual is entitled under the contract governing ~~such~~ the project to be deducted
6 from the individual's pay is guilty of an offense under s. 946.15 (3), unless the
7 deduction would be permitted under 29 CFR 3.5 or 3.6 from an individual who is
8 working on a project that is subject to 40 USC 276c.

9 5. Any person employed on a project that is subject to this section who
10 knowingly permits any part of the wages to which he or she is entitled under the
11 contract governing ~~such~~ the project to be deducted from his or her pay is guilty of an
12 offense under s. 946.15 (4), unless the deduction would be permitted under 29 CFR
13 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

14 **(12)** (a) Except as provided under pars. (b) and (c), the department shall notify
15 any local governmental unit applying for a determination under sub. (3) and any
16 local governmental unit exempted under sub. (6) of the names of all persons whom
17 the department has found to have failed to pay the prevailing wage rate determined
18 under sub. (3) or has found to have paid less than 1.5 times the hourly basic rate of
19 pay for all hours worked in excess of the prevailing hours of labor determined under
20 sub. (3) at any time in the preceding 3 years. The department shall include with ~~any~~
21 ~~such~~ each name the address of ~~such~~ the person and shall specify when ~~such~~ the
22 person failed to pay the prevailing wage rate and when ~~such~~ the person paid less than
23 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing
24 hours of labor. A local governmental unit may not award any contract to ~~such~~ the
25 person unless otherwise recommended by the department or unless at least 3 years

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1 have elapsed from the date the department issued its findings or the date of final
2 determination by a court of competent jurisdiction, whichever is later.

3 (d) Any person submitting a bid on a project that is subject to this section shall
4 ~~be required~~, on the date the person submits the bid, ~~to~~ identify any construction
5 business in which the person, or a shareholder, officer or partner of the person, if the
6 person is a business, owns, or has owned at least a 25% interest on the date the person
7 submits the bid or at any other time within 3 years preceding the date the person
8 submits the bid, if the business has been found to have failed to pay the prevailing
9 wage rate determined under sub. (3) or to have paid less than 1.5 times the hourly
10 basic rate of pay for all hours worked in excess of the prevailing hours of labor
11 determined under sub. (3).

12 **SECTION 336.** 66.295 of the statutes is repealed.

NOTE: Repealed as archaic. The section authorizes a city, village, town or county which has received and utilized any benefits or improvements furnished before March 1, 1973 under an unenforceable contract, entered into in good faith and fully performed and accepted, to pay the fair and reasonable value of the benefits and improvements. While this section was amended a number of times after 1949 to extend the cutoff date, that date has not been changed since ch. 97, laws of Wisconsin 1973, which changed the cutoff date from July 1, 1969 to March 1, 1973.

13 **SECTION 337.** 66.296 (title) of the statutes is renumbered 66.1003 (title) and
14 amended to read:

15 **66.1003** (title) ~~Discontinuance of streets and alleys a public way.~~

16 **SECTION 338.** 66.296 (1) of the statutes is renumbered 66.1003 (2) and amended
17 to read:

18 66.1003 (2) ~~The whole or any part of any road, street, slip, pier, lane or paved~~
19 ~~alley, in any 2nd, 3rd or 4th class city or in any village or town, may be discontinued~~
20 ~~by the common council or village or town board~~ common council of any city, except
21 a 1st class city, or a village or town board may discontinue all or part of a public way

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1 upon the written petition of the owners of all the frontage of the lots and lands
2 abutting upon the ~~portion thereof~~ public way sought to be discontinued, and of the
3 owners of more than one-third of the frontage of the lots and lands abutting on that
4 portion of the remainder ~~thereof~~ of the public way which lies within 2,650 feet of the
5 ends of the portion to be discontinued, or lies within so much of that 2,650 feet as shall
6 ~~be~~ is within the corporate limits of the city, village or town. The beginning and ending
7 of an alley shall be considered to be within the block in which it is located. This
8 subsection does not apply to a highway upon the line between 2 towns that is subject
9 to s. 80.11.

10 **SECTION 339.** 66.296 (1m) of the statutes is renumbered 66.1003 (3) and
11 amended to read:

12 66.1003 (3) ~~The whole or any part of any unpaved alley in any 2nd, 3rd or 4th~~
13 ~~class city or in any village or town may be discontinued by the common council or~~
14 ~~village or town board~~ common council of any city, except a 1st class city, or a village
15 or town board may discontinue all or part of an unpaved alley upon the written
16 petition of the owners of more than 50% of the frontage of the lots and lands abutting
17 upon the portion ~~thereof~~ of the unpaved alley sought to be discontinued. The
18 beginning and ending of an unpaved alley shall be considered to be within the block
19 in which it is located. This subsection does not apply to a highway upon the line
20 between 2 towns that is subject to s. 80.11.

21 **SECTION 340.** 66.296 (2) of the statutes is renumbered 66.1003 (4), and 66.1003
22 (4) (a) to (c), as renumbered, are amended to read:

23 66.1003 (4) (a) ~~As an alternative~~ Notwithstanding subs. (2) and (3),
24 proceedings covered by this section may be initiated by the common council or village
25 or town board by the introduction of a resolution declaring that since the public

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1 interest requires it, ~~the whole or any part of any road, street, slip, pier, lane or alley~~
2 ~~in the city, village or town is thereby~~ a public way or an unpaved alley is vacated and
3 discontinued. No discontinuance of a public way under this subsection may result
4 in a landlocked parcel of property.

5 (b) A hearing on the passage of ~~such~~ a resolution under par. (a) shall be set by
6 the common council or village or town board on a date which shall not be less than
7 40 days ~~thereafter~~ after the date on which the resolution is introduced. Notice of the
8 hearing shall be given as provided in sub. ~~(5)~~ (8), except that in addition notice of ~~such~~
9 the hearing shall be served on the owners of all of the frontage of the lots and lands
10 abutting upon the ~~portion thereof~~ public way or unpaved alley sought to be
11 discontinued in a manner provided for the service of summons in circuit court at least
12 30 days before ~~such~~ the hearing. When ~~such~~ service cannot be made within the city,
13 village or town, a copy of the notice shall be mailed to the owner's last-known address
14 at least 30 days before the hearing.

15 (c) ~~No~~ Except as provided in this paragraph, no discontinuance of the whole or
16 any part of any road, street, slip, pier, lane or ~~paved alley shall~~ a public way may be
17 ordered under this subsection if a written objection to the proposed discontinuance
18 is filed with the city, village or town clerk by any of the owners abutting on the ~~portion~~
19 public way sought to be discontinued or by the owners of more than one-third of the
20 frontage of the lots and lands abutting on ~~that portion of the remainder thereof~~ of the
21 public way which lies within 2,650 feet from the ends of the ~~portion~~ public way
22 proposed to be discontinued; or which lies within ~~so much of said~~ that portion of the
23 2,650 feet ~~as shall be~~ that is within the corporate limits of the city, village or town.
24 If a written objection is filed, the discontinuance may be ordered only by the favorable
25 vote of two-thirds of the members of the common council or village or town board

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1 voting on the proposed discontinuance. An owner of property abutting on a
2 discontinued public way whose property is damaged by the discontinuance may
3 recover damages as provided in ch. 32. The beginning and ending of an alley shall
4 be considered to be within the block in which it is located.

NOTE: Amends sub. (4) (a) by prohibiting discontinuance of a public way under the subsection that results in a landlocked parcel.

Amends sub. (4) (c). The current provision states that a discontinuance may not be ordered if a written objection is filed by any owner abutting the property to be discontinued or filed by the owners of more than one-third of the frontage of the lots and lands abutting the property to be discontinued which lies within 2,650 feet from the ends of the property, or which lies within 2,650 feet of the municipal limits. The provision is amended as follows:

1. If a written objection is filed, either by an abutting owner or an appropriate number of those other owners affected by the discontinuance, the discontinuance may be ordered only by the favorable vote of two-thirds of the members of the common council or village or town board voting on the proposed discontinuance.

2. It is expressly stated that an owner of property abutting on a discontinued public way whose property is damaged by the discontinuance may recover damages as provided in ch. 32.

5 **SECTION 341.** 66.296 (2m) of the statutes is renumbered 66.1003 (5).

6 **SECTION 342.** 66.296 (3), (4) and (5) of the statutes are renumbered 66.1003 (6),
7 (7) and (8) and amended to read:

8 66.1003 (6) Whenever any of the lots or lands subject to this section is owned
9 by the state, county, city, village or town, or by a minor or incompetent person, or the
10 title thereof to the lots or lands is held in trust, ~~as to all lots and lands so owned or~~
11 ~~held,~~ petitions for discontinuance or objections to discontinuance may be signed by
12 the governor, chairperson of the board of supervisors of the county, mayor of the city,
13 president of the village, chairperson of the town board, guardian of the minor or
14 incompetent person, or the trustee, respectively, and the signature of any private
15 corporation may be made by its president, secretary or other principal officer or
16 managing agent.

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1 (7) The city council or village or town board may by resolution discontinue any
2 alley or any portion thereof of an alley which has been abandoned, at any time after
3 the expiration of 5 years from the date of the recording of the plat by which it was
4 dedicated. Failure or neglect to work or use any alley or any portion thereof of an
5 alley for a period of 5 years next preceding the date of notice provided for in sub. (5)
6 (8) shall be considered an abandonment for the purpose of this section.

7 (8) Notice stating when and where the petition or resolution under this section
8 will be acted upon and stating what road, street, slip, pier, lane or alley, or part
9 thereof, public way or unpaved alley is proposed to be discontinued, shall be
10 published as a class 3 notice, under ch. 985.

11 **SECTION 343.** 66.296 (6) of the statutes is renumbered 66.1003 (9).

12 **SECTION 344.** 66.297 of the statutes is renumbered 62.73 and amended to read:

13 **62.73 Discontinuance of public grounds. (1)** ~~In every city of the 1st class,~~
14 ~~the~~ The common council of a 1st class city may vacate in whole or in part such
15 highways, streets, alleys, grounds, waterways, public walks and other public
16 grounds within the corporate limits of the city ~~as in its opinion that it determines~~ the
17 public interest requires to be vacated or are of no public utility, subject to s. 80.32 (4).
18 ~~Such proceedings~~ Proceedings under this section shall be commenced either by a
19 petition presented to the common council signed by the owners of all property which
20 abuts ~~upon~~ the portion of the public facilities proposed to be vacated, or by a
21 resolution adopted by the common council. The requirements of s. 840.11 shall apply
22 to proceedings under this section.

23 (2) All petitions or resolutions shall be referred to a committee of the common
24 council for a public hearing on such the proposed discontinuance and at least 7 days
25 shall elapse between the date of the last service and the date of such the hearing.

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1 A notice of such hearing shall be served on the owners of record of all property which
2 abuts upon the portion of the public facilities proposed to be vacated, in the manner
3 provided for service of a summons.

4 (3) If the common council initiates a discontinuance proceeding by resolution
5 without a petition signed by all of the owners of the property which abuts the public
6 facility proposed to be discontinued, any owner of property abutting such the public
7 facility whose property is damaged ~~thereby~~ by the discontinuance may recover such
8 damages as provided in ch. 32.

9 (4) The common council may also order that an assessment of benefits be made
10 and when so ordered the assessment shall be made as provided in s. ~~66.60~~ 66.0703.

11 **SECTION 345.** 66.298 of the statutes is renumbered 66.0905 and amended to
12 read:

13 **66.0905 Pedestrian malls.** After referring the matter to the plan commission
14 for report under s. 62.23 (5), or the town zoning committee under s. 60.61 (4), and
15 after holding a public hearing on the matter with publication of a Class 1 notice of
16 the hearing, the governing body of any city or village, or any town board acting under
17 s. 60.61 or 60.62, may by ordinance designate any street, road or public way or any
18 part ~~thereof~~ of a street, road or public way wholly within its jurisdiction as a
19 pedestrian mall and prohibit or limit ~~the use thereof by vehicular traffic in the~~
20 pedestrian mall. Creation of such ~~a pedestrian malls shall~~ mall under this section
21 does not constitute a discontinuance or vacation of such the street, road or public way
22 under s. ~~66.296~~ 66.1003 or 236.43.

23 **SECTION 346.** 66.299 (title) and (1) of the statutes are renumbered 66.0131
24 (title) and (1), and 66.0131 (1) (a), as renumbered, is amended to read:

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1 66.0131 (1) (a) "Local governmental unit" means a political subdivision of this
2 state, a special purpose district in this state, an agency or corporation of such a
3 political subdivision or special purpose district, or a combination or subunit of any
4 of the foregoing.

5 **SECTION 347.** 66.299 (2) to (5) of the statutes, as affected by 1999 Wisconsin Act
6 9, are renumbered 66.0131 (2) to (5).

7 **SECTION 348.** 66.30 (title) and (1) of the statutes, as affected by 1999 Wisconsin
8 Act 9, are renumbered 66.0301 (title) and (1).

9 **SECTION 349.** 66.30 (2) of the statutes is renumbered 66.0301 (2) and amended
10 to read:

11 66.0301 (2) In addition to the provisions of any other statutes specifically
12 authorizing cooperation between municipalities, unless such those statutes
13 specifically exclude action under this section, any municipality may contract with
14 other municipalities and with federally recognized Indian tribes and bands in this
15 state, for the receipt or furnishing of services or the joint exercise of any power or duty
16 required or authorized by law. If municipal or tribal parties to a contract have
17 varying powers or duties under the law, each may act under the contract to the extent
18 of its lawful powers and duties. A contract under this subsection may bind the
19 contracting parties for the length of time specified in the contract. This section shall
20 be interpreted liberally in favor of cooperative action between municipalities and
21 between municipalities and Indian tribes and bands in this state.

NOTE: The underscored sentence restates s. 66.30 (4), which is repealed by
SECTION 354 of this bill.

22 **SECTION 350.** 66.30 (2g) of the statutes is renumbered 66.0311 (2) and amended
23 to read:

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1 66.0311 (2) Any municipality, housing authority, development authority or
2 redevelopment authority authorized under ss. ~~66.40 to 66.435~~ 66.1201 to 66.1211
3 and 66.1301 to 66.1337:

4 (a) To issue bonds or obtain other types of financing in furtherance of its
5 statutory purposes may cooperate with any other municipality, housing authority,
6 development authority or redevelopment authority similarly authorized under ss.
7 ~~66.40 to 66.435~~ 66.1201 to 66.1211 and 66.1301 to 66.1337 for the purpose of jointly
8 issuing bonds or obtaining other types of financing.

9 (b) To plan, undertake, own, construct, operate and contract with respect to any
10 housing project in accordance with its statutory purposes under ss. ~~66.40 to 66.435~~
11 66.1201 to 66.1211 and 66.1301 to 66.1337, may cooperate for the joint exercise of
12 such functions with any other municipality, housing authority, development
13 authority or redevelopment authority so authorized.

14 **SECTION 351.** 66.30 (2m) of the statutes is renumbered 36.11 (19), and 36.11
15 (19) (a) to (c), as renumbered, are amended to read:

16 36.11 (19) (a) The ~~university of Wisconsin~~ board may furnish, and school
17 districts may accept, services for educational study and research projects and they
18 may enter into contracts under ~~this section~~ s. 66.0301 for that purpose.

19 (b) A group of school districts, if authorized by each school board, may form a
20 nonprofit-sharing corporation to contract with the state or the ~~university of~~
21 ~~Wisconsin system~~ board for the furnishing of the services specified in par. (a).

22 (c) The corporation shall be organized under ch. 181 and shall have the powers
23 there applicable. Members of the school boards specified in par. (b) may serve as
24 incorporators, directors and officers of the corporation.

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1 **SECTION 352.** 66.30 (3) and (3m) of the statutes are renumbered 66.0301 (3) and
2 (4) and amended to read:

3 66.0301 **(3)** Any such contract under sub. (2) may provide a plan for
4 administration of the function or project, which may include, ~~without limitation~~
5 ~~because of enumeration,~~ but is not limited to provisions as to proration of the
6 expenses involved, deposit and disbursement of funds appropriated, submission and
7 approval of budgets, creation of a commission, selection and removal of
8 commissioners, and formation and letting of contracts.

9 **(4)** A commission created by contract under sub. (2) may finance the
10 acquisition, development, remodeling, construction and equipment of land,
11 buildings and facilities for regional projects under s. ~~66.066~~ 66.0621. Participating
12 municipalities acting jointly or separately may finance such the projects, or an
13 agreed share of the cost ~~thereof~~ of the projects, under ch. 67.

14 **SECTION 353.** 66.30 (3n) and (3p) of the statutes are consolidated, renumbered
15 66.0301 (5) (intro.) and amended to read:

16 66.0301 **(5)** (intro.) No commission created by contract under ~~this section is~~
17 ~~authorized~~ sub. (2) may, directly or indirectly, to acquire, do any of the following:

18 (a) Acquire, construct or lease facilities used or useful in the business of a public
19 utility engaged in production, transmission, delivery or furnishing of heat, light,
20 power, natural gas or communications service, by any method except those set forth
21 under this chapter or ch. 196, 197 or 198. ~~(3p) The authority now or hereafter~~
22 ~~conferred by law on commissions created by contract under this section shall not~~
23 ~~include the right, power or authority to establish~~

24 (b) Establish, lay out, construct, improve, discontinue, relocate, widen or
25 maintain any road or highway outside the corporate limits of a village or city or ~~to~~

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1 acquire lands for ~~such~~ those purposes except upon approval of the department of
2 transportation and the county board of the county and the town board of the town
3 in which the road is to be located.

4 **SECTION 354.** 66.30 (4) of the statutes is repealed.

NOTE: The substance of this repealed subsection is relocated to s. 66.0301 (2), as
renumbered [current s. 66.30 (2)]. See SECTION 348 of this bill.

5 **SECTION 355.** 66.30 (5) (intro.), (a) and (b) of the statutes are renumbered
6 66.0303 (2), (3) and (4) and amended to read:

7 66.0303 (2) Any A municipality may contract with municipalities of another
8 state for the receipt or furnishing of services or the joint exercise of any power or duty
9 required or authorized by statute to the extent that laws of ~~such~~ the other state or
10 of the United States permit ~~such~~ the joint exercise.

11 (3) ~~Every~~ An agreement made under this subsection section shall, prior to and
12 as a condition precedent to taking effect, be submitted to the attorney general who
13 shall determine whether the agreement is in proper form and compatible with the
14 laws of this state. The attorney general shall approve any agreement submitted
15 ~~hereunder~~ under this subsection unless the attorney general finds that it does not
16 meet the conditions set forth ~~herein~~ in this section and details in writing addressed
17 to the concerned municipal governing bodies the specific respects in which the
18 proposed agreement fails to meet the requirements of law. Failure to disapprove an
19 agreement submitted ~~hereunder~~ under this subsection within 90 days of its
20 submission ~~shall constitute~~ constitutes approval thereof. The attorney general,
21 upon submission of an agreement ~~hereunder~~, shall transmit a copy of the agreement
22 to the governor who shall consult with any state department or agency affected by

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1 the agreement. The governor shall forward to the attorney general any comments
2 the governor may have concerning the agreement.

3 (4) An agreement entered into under this subsection shall have section has the
4 status of an interstate compact, but in any case or controversy involving performance
5 or interpretation thereof of or liability thereunder under the agreement, the
6 municipalities party thereto shall be to the agreement are real parties in interest and
7 the state may commence an action to recoup or otherwise make itself whole for any
8 damages or liability which it may incur by reason of being joined as a party therein.
9 Such. The action by the state may be maintained against any municipality whose
10 act or omission caused or contributed to the incurring of damage or liability by the
11 state.

12 **SECTION 356.** 66.30 (6) (a) of the statutes is repealed.

13 **SECTION 357.** 66.30 (6) (b) to (h) of the statutes are renumbered 120.25 (1) to
14 (6), and 120.25 (1), (2) (intro.), (3), (5) and (6), as renumbered, are amended to read:

15 120.25 (1) Two or more school boards of school districts may by written contract
16 executed by all participants to the contract, own, construct, lease or otherwise
17 acquire school facilities including real estate located within or outside the
18 boundaries of any participating school district.

19 (2) (intro.) School district boards entering into a contract under this subsection
20 section may, without limitation because of enumeration:

21 (3) A contract entered into under this subsection section shall at all times be
22 limited to a period of 50 years but may, by mutual written consent of all participants,
23 be modified or extended beyond the initial term.

24 (5) At least 30 days prior to entering into a contract under this subsection
25 section or a modification or extension of the contract, the school boards of the districts

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1 involved or their designated agent shall file the proposed agreement with the state
2 superintendent of public instruction to enable the department to assist and advise
3 the school boards involved in regard to the applicable recognized accounting
4 procedure for the administration of the school aid programs. The state
5 superintendent shall review the terms of the proposed contract to ensure that each
6 participating school district's interests are protected.

7 **(6)** School ~~district~~ boards entering into a contract under this ~~subsection~~ section
8 shall designate for each employe providing services under the contract either a
9 school district entering into the contract or a cooperative educational service agency
10 ~~under ch. 116~~ as the employer for purposes of compliance with s. 111.70, teacher's
11 retirement, worker's compensation and unemployment insurance.

12 **SECTION 358.** 66.301 of the statutes is renumbered 66.1019 (1).

13 **SECTION 359.** 66.302 of the statutes is renumbered 66.1019 (2).

14 **SECTION 360.** 66.303 of the statutes is renumbered 66.1019 (3), and 66.1019 (3)

15 (a), as renumbered, is amended to read:

16 66.1019 **(3)** (a) Except as provided in ~~sub. (2)~~ par. (b), any ordinance enacted
17 by a county, city, village or town relating to the construction or inspection of
18 multifamily dwellings, as defined in s. 101.971 (2), shall conform to subch. VI of ch.
19 101 and s. 101.02 (7m).

20 **SECTION 361.** 66.304 of the statutes is renumbered 66.1017.

21 **SECTION 362.** 66.305 (title) of the statutes is renumbered 66.0313 (title).

22 **SECTION 363.** 66.305 (1) and (2) of the statutes are renumbered 66.0313 (2) and
23 (3) and amended to read:

24 66.0313 **(2)** Upon the request of any law enforcement agency, including county
25 law enforcement agencies as provided in s. 59.28 (2), the law enforcement personnel

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1 of any other law enforcement agency may assist the requesting agency within the
2 latter's jurisdiction, notwithstanding any other jurisdictional provision. For
3 purposes of ss. 895.35 and 895.46, ~~such~~ law enforcement personnel, while acting in
4 response to ~~such request~~ a request for assistance, shall be deemed employes of the
5 requesting agency.

6 **(3)** The provisions of s. ~~66.315~~ shall 66.0513 apply to this section.

7 **SECTION 364.** 66.307 of the statutes is renumbered 66.1113, and 66.1113 (2) (c),
8 as renumbered, is amended to read:

9 66.1113 (2) (c) If 2 or more contiguous political subdivisions that are premier
10 resort areas each impose the tax under s. 77.994, they may enter into a contract
11 under s. ~~66.30~~ 66.0301 to cooperate in paying for infrastructure expenses, in addition
12 to any other authority they have to act under s. ~~66.30~~ 66.0301.

13 **SECTION 365.** 66.31 of the statutes is renumbered 66.1009.

14 **SECTION 366.** 66.312 of the statutes is renumbered 66.0511.

15 **SECTION 367.** 66.315 of the statutes is renumbered 66.0513 and amended to
16 read:

17 **66.0513 Police, pay when acting outside county or municipality. (1)**
18 Any chief of police, sheriff, deputy sheriff, county traffic officer or other peace officer
19 of any city, county, village or town, who ~~shall be~~ is required by command of the
20 governor, sheriff or other superior authority to maintain the peace, or who responds
21 to the request of the authorities of another municipality, to perform police or peace
22 duties outside territorial limits of the city, county, village or town where ~~employed~~
23 ~~as such officer, shall be~~ the officer is employed, is entitled to the same wage, salary,
24 pension, worker's compensation, and all other service rights for ~~such~~ this service as

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1 for service rendered within the limits of the city, county, village or town where
2 regularly employed.

3 (2) All wage and disability payments, pension and worker's compensation
4 claims, damage to equipment and clothing, and medical expense arising under sub.
5 (1), shall be paid by the city, county, village or town regularly employing such ~~peace~~
6 the officer. Upon making such the payment such the city, county, village or town shall
7 be reimbursed by the state, county or other political subdivision whose officer or
8 agent commanded the services out of which the payments arose.

9 **SECTION 368.** 66.32 of the statutes is renumbered 66.0105 and amended to
10 read:

11 **66.0105 Extraterritorial Jurisdiction of overlapping extraterritorial**
12 **powers.** The extraterritorial powers granted to cities and villages by statute,
13 including ss. 30.745, 62.23 (2) and (7a), ~~66.052~~ 66.0415, 236.10 and 254.57, may not
14 be exercised within the corporate limits of another city or village. Wherever these
15 statutory extraterritorial powers overlap, the jurisdiction over the overlapping area
16 shall be divided on a line all points of which are equidistant from the boundaries of
17 each municipality concerned so that not more than one municipality shall exercise
18 power over any area.

19 **SECTION 369.** 66.325 of the statutes is renumbered 166.23, and 166.23 (title),
20 as renumbered, is amended to read:

21 **166.23 (title) Emergency powers of cities, villages and towns.**

22 **SECTION 370.** 66.33 of the statutes is renumbered 281.695.

23 **SECTION 371.** 66.34 of the statutes is renumbered 92.115, and 92.115 (title), as
24 renumbered, is amended to read:

25 **92.115 (title) Soil Municipal soil conservation on private lands.**

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1 **SECTION 372.** 66.345 of the statutes is repealed.

NOTE: The repealed section authorizes towns to levy special assessments against lands or interests specially benefited by the town's removal and disposition of dead animals under s. 60.23 (20), soil conservation work under s. 66.34 and snow removal under s. 86.105. Because of the nature of these services, the special committee determined that the costs of the services, to the extent not covered by other funding sources, are more appropriately funded by special charges. See SECTION 170 of this bill.

2 **SECTION 373.** 66.35 of the statutes is renumbered 285.54.

3 **SECTION 374.** 66.36 of the statutes is renumbered 281.59 (13f), and 281.59 (13f)
4 (intro.) and (c) to (f), as renumbered, are amended to read:

5 281.59 (13f) ~~MUNICIPAL FINANCING; CLEAN WATER FUND PROJECT COSTS~~ FUNDING OF
6 FINANCIAL ASSISTANCE. (intro.) Subject to the terms and conditions of its financial
7 assistance agreement, a municipality may repay financial assistance costs received
8 ~~under from~~ the clean water fund program under ~~ss. s.~~ 281.58 and ~~281.59~~ under this
9 section by any lawful method, including any one of the following methods or any
10 combination ~~thereof of the methods:~~

11 (c) Payment out of the proceeds of the sale of public improvement bonds issued
12 by it under s. ~~66.059~~ 66.0619.

13 (d) Payment out of the proceeds of revenue obligations issued by it under s.
14 ~~66.066~~ 66.0621.

15 (e) Payment as provided under s. ~~66.54 (2) (c), (d) or (e)~~ 66.0709.

16 (f) Payment as provided under s. ~~66.076 (1)~~ 66.0821 (2) (a) 1.

NOTE: It is the understanding and intent of the special committee on general municipal law recodification that the list of financing methods that follows this introductory clause is illustrative and not limiting.

17 **SECTION 375.** 66.365 of the statutes is renumbered 283.87 (4) and amended to
18 read:

19 283.87 (4) **AIDS TO MUNICIPALITIES; ENVIRONMENTAL DAMAGE COMPENSATION.** The
20 department of natural resources may make grants to any county, city, village or town

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1 for the acquisition or development of recreational lands and facilities from moneys
2 appropriated under s. 20.370 (2) (dv). Use and administration of the grant shall be
3 consistent with any court order issued under ~~s. 283.87 sub. (3)~~. A county, city, village
4 or town which receives a grant under this section is not required to share in the cost
5 of a project under this section.

6 **SECTION 376.** 66.37 of the statutes is repealed.

NOTE: Repealed as obsolete. Section 66.37 authorizes a county, town, city or village to provide a reward to a person who kills a pocket gopher, street gopher, a black, brown, gray or Norway rat, a mole, a red or grey fox, a coyote, a wildcat or a weasel.

7 **SECTION 377.** 66.375 of the statutes is renumbered 66.1015.

8 **SECTION 378.** 66.38 of the statutes is renumbered 62.237.

9 **SECTION 379.** 66.39 of the statutes is repealed.

NOTE: Repealed as no longer necessary. Section 66.39 authorizes county veterans' housing authorities and does not appear to be presently used. Furthermore, the general housing authority law authorizes housing authorities to undertake housing projects for veterans. See s. 66.1201 (9) (r) as renumbered. [Current s. 66.04 (9) (r).] Subsection (1) of the repealed section is made part of the general housing authority law. See SECTION 285 of this bill.

10 **SECTION 380.** 66.395 (title), (1) to (2m) and (3) (title) and (a) to (p) of the statutes
11 are renumbered 66.1213 (title), (1) to (3) and (4) (title) and (a) to (p), and 66.1213 (2),
12 (3) and (4) (a), (h) to (k), (L) 1. (intro.) and 2. and (m) to (o), as renumbered, are
13 amended to read:

14 **66.1213 (2) DECLARATION OF NECESSITY.** It is declared that the lack of housing
15 facilities for elderly persons provided by private enterprise in certain areas creates
16 a public necessity to establish such safe and sanitary facilities for which public
17 moneys may be spent and private property acquired. The legislature declares that
18 to provide public housing for elderly persons is the performance of a governmental
19 function of state concern.

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1 **(3) DISCRIMINATION.** Persons otherwise entitled to any right, benefit, facility or
2 privilege under this section shall not, ~~with reference thereto~~, be denied them in any
3 manner for any purpose nor be discriminated against because of sex, race, color,
4 creed, sexual orientation or national origin.

5 **(4) (a)** “Authority” or “housing authority” means any of the public corporations
6 established pursuant to sub. ~~(4)~~ (5).

7 **(h)** “Council” means the common council of the a city.

8 **(i)** “Elderly person” means a person who is 62 years of age or older on the date
9 ~~such on which the~~ person intends to occupy the premises, or a family, the head of
10 which, or that person’s spouse, is ~~an elderly person as defined herein~~ a person who
11 is 62 years of age or older on the date of the intent to occupy the premises.

12 **(j)** “Federal government” includes the United States of America, ~~the federal~~
13 ~~emergency administration of public works or~~ and any agency, or instrumentality,
14 corporate or otherwise, of the United States of America.

15 **(k)** “Government” includes the state and federal governments and any
16 subdivision, agency or instrumentality, corporate or otherwise, of either of them.

17 **(L) 1. (intro.)** “Housing projects” ~~include~~ includes all real property and personal
18 property, building and improvements, stores, ~~offices~~, lands ~~for farming and~~
19 ~~gardening~~, and community facilities acquired or constructed ~~or to be acquired or~~
20 ~~constructed~~ pursuant to a single plan or undertaking to do any of the following:

21 **2.** “Housing project” ~~may also be applied to~~ includes the planning of buildings
22 and improvements, the acquisition of property, the demolition of existing structures
23 and the construction, reconstruction, alteration and repair of the improvements for
24 the purpose of providing safe and sanitary housing for elderly persons and all other
25 work in connection ~~therewith~~ with housing for elderly persons. A project shall not

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1 be considered housing for the elderly unless it contains at least 8 new or rehabilitated
2 living units which are specifically designed for the use and occupancy of persons 62
3 years of age or over.

4 (m) "Mortgage" includes deeds of trust, mortgages, building and loan contracts,
5 land contracts or other instruments conveying real or personal property as security
6 for bonds and conferring a right to foreclose and cause a sale ~~thereof~~ of the real
7 property or personal property.

8 (n) "Obligee of the authority" or "obligee" includes any bondholder, trustee or
9 trustees for any bondholders, any lessor demising property to the authority used in
10 connection with a housing project or any assignee ~~or assignees or such~~ of the lessor's
11 interest or any part ~~thereof~~ of the lessor's interest, and the United States of America,
12 when it is a party to any contract with the authority.

13 (o) "Real property" includes lands, lands under water, structures, and any ~~and~~
14 ~~all~~ easements, franchises and incorporeal hereditaments and every estate and right
15 ~~therein~~ in an estate, legal and equitable, including terms for years and liens by way
16 of judgment, mortgage or otherwise.

17 **SECTION 381.** 66.395 (3) (q) of the statutes is repealed.

NOTE: Repeals a provision that defines a state as the state of Wisconsin. The
provision is unnecessary.

18 **SECTION 382.** 66.395 (3) (r) and (s) and (4) to (7) of the statutes are renumbered
19 66.1213 (4) (q) and (r) and (5) to (8), and 66.1213 (4) (q), (5) (a) and (c), (6), (7) (intro.)
20 and (a) and (8), as renumbered, are amended to read:

21 66.1213 (4) (q) "State public body" means any city, town, ~~incorporated~~ village,
22 county, municipal corporation, commission, district, authority, other subdivision or
23 public body of the state.

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1 (5) (a) When the council of a city by proper resolution declares at any time
2 hereafter declares by resolution that there is need for an authority to function in the
3 city, a public body corporate and politic shall then exist in the city and be known as
4 the “housing authority” of the city. ~~Such~~ The authority shall then be authorized to
5 may transact business and exercise any powers herein granted to it under this
6 section.

7 (c) In any suit, action or proceeding involving the validity or enforcement of or
8 relating to any contract of the authority, the authority shall be conclusively deemed
9 to have become established and authorized to transact business and exercise its
10 powers ~~hereunder~~ under this section upon proof of the adoption of a resolution by the
11 council declaring the need for the authority. ~~Such~~ The resolution ~~or resolutions~~ shall
12 be deemed is sufficient if it declares ~~that there is such~~ the need for an authority and
13 finds ~~in substantially the foregoing terms (no further detail being necessary) that~~
14 ~~either or both of the above enumerated conditions exist~~ that the condition described
15 in par. (b) exists in the city. A copy of ~~such~~ the resolution duly certified by the city
16 clerk shall be is admissible evidence in any suit, action or proceeding.

17 (6) SECTION ~~66.40~~ 66.1201 APPLIES. The provisions of s. ~~66.40~~ 66.1201 (5) to (24)
18 (ag), (25) and (26) shall apply to housing authorities and providing housing for
19 elderly persons under this section without reference to the income of ~~such~~ those
20 persons.

21 (7) SECTIONS ~~66.401~~ 66.1203 TO ~~66.404~~ 66.1211 APPLY. (intro.) The provisions of ss.
22 ~~66.401~~ 66.1203 to ~~66.404~~ 66.1211 shall apply to housing authorities and providing
23 housing for elderly persons under this section without reference to the income of ~~such~~
24 those persons, except as follows:

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1 (a) As set down by the federal housing authority in the case of housing projects
2 to the financing or subsidizing of which it is a party; ~~or~~.

3 **(8) NOT APPLICABLE TO LOW-RENTAL HOUSING PROJECTS.** This section ~~shall~~ does
4 not apply to projects required to provide low-rental housing only.

5 **SECTION 383.** 66.40 (title) of the statutes is renumbered 66.1201 (title).

6 **SECTION 384.** 66.40 (1) to (2m) and (3) (intro.) and (a) to (c) of the statutes are
7 renumbered 66.1201 (1) to (2m) and (3) (intro.) and (a) to (c), and 66.1201 (1), (2), (2m)
8 and (3) (intro.), (a) and (c), as renumbered, are amended to read:

9 66.1201 **(1) SHORT TITLE.** Sections ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 may be
10 referred to as the “Housing Authorities Law”.

11 **(2) FINDING AND DECLARATION OF NECESSITY.** It is declared that there exist in the
12 state insanitary or unsafe dwelling accommodations and that persons of low income
13 are forced to reside in ~~such~~ insanitary or unsafe accommodations; that within the
14 state there is a shortage of safe or sanitary dwelling accommodations available at
15 rents which persons of low income can afford and that ~~such~~ these persons are forced
16 to occupy overcrowded and congested dwelling accommodations; that the ~~aforsaid~~
17 conditions described in this subsection cause an increase in and spread of disease and
18 crime and constitute a menace to the health, safety, morals and welfare of the
19 residents of the state and impair economic values; that these conditions necessitate
20 excessive and disproportionate expenditures of public funds for crime prevention
21 and punishment, public health and safety, fire and accident protection, and other
22 public services and facilities; that these slum areas cannot be cleared, nor can the
23 shortage of safe and sanitary dwellings for persons of low income be relieved, through
24 the operation of private enterprise, and that the construction of housing projects for
25 persons of low income would, therefore, not be competitive with private enterprise;

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1 that the clearance, replanning and reconstruction of the areas in which insanitary
2 or unsafe housing conditions exist and the providing of safe and sanitary dwelling
3 accommodations for persons of low income are public uses and purposes for which
4 public money may be spent and private property acquired and are governmental
5 functions of state concern; that it is in the public interest that work on ~~such~~ these
6 projects be commenced as soon as possible in order to relieve unemployment which
7 now constitutes an emergency; and the necessity in the public interest for the
8 provisions ~~hereinafter enacted~~ of this section, is declared as a matter of legislative
9 determination.

10 **(2m) DISCRIMINATION.** Persons otherwise entitled to any right, benefit, facility
11 or privilege under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 shall not, ~~with reference~~
12 ~~thereto~~, be denied them in any manner for any purpose nor be discriminated against
13 because of sex, race, color, creed, sexual orientation or national origin.

14 **(3) DEFINITIONS.** (intro.) ~~The following terms, wherever used or referred to in~~
15 ~~ss. 66.40 to 66.404 shall have the following respective meanings~~ In ss. 66.1201 to
16 66.1211, unless a different meaning clearly appears from the context:

17 (a) "Area of operation" includes the city for which a housing authority is created
18 ~~and~~, the area within 5 miles of the territorial boundaries ~~thereof~~ of the city but not
19 beyond the county limits of the county in which ~~such~~ the city is located and ~~provided~~
20 ~~further that in the case of all cities the area of operation shall be limited to the area~~
21 ~~within the limits of such~~ the city unless the city shall ~~annex~~ annexes the area of
22 operation, ~~but the area of operation of a housing authority shall.~~ "Area of operation"
23 does not include any area which lies within the territorial boundaries of any city for
24 which another housing authority is created by this section.

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1 (c) “Bonds” ~~shall mean~~ means any bonds, interim certificates, notes,
2 debentures or other obligations of the authority issued pursuant to ss. ~~66.40~~ 66.1201
3 to ~~66.404~~ 66.1211.

4 **SECTION 385.** 66.40 (3) (d) of the statutes is repealed.

Note: Repeals a provision that defines a city to be a city. The provision is unnecessary.

5 **SECTION 386.** 66.40 (3) (e) to (q) of the statutes are renumbered 66.1201 (3) (cm)
6 to (o), and 66.1201 (3) (cm) to (n), as renumbered, are amended to read:

7 66.1201 (3) (cm) “City clerk” and “mayor” ~~shall~~ mean the clerk and mayor,
8 respectively, of the city or the officers ~~thereof~~ of the city charged with the duties
9 customarily imposed on the clerk and mayor, respectively.

10 (d) “Commissioner” ~~shall mean~~ means one of the members of an authority
11 appointed in accordance with ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211.

12 (e) “Community facilities” ~~shall include~~ includes real and personal property,
13 and buildings and equipment for recreational or social assemblies, for educational,
14 health or welfare purposes and necessary utilities, when designed primarily for the
15 benefit and use of the housing authority or the occupants of the dwelling
16 accommodations, or for both.

17 (f) “Contract” ~~shall mean~~ means any agreement of an authority with or for the
18 benefit of an obligee whether contained in a resolution, trust indenture, mortgage,
19 lease, bond or other instrument.

20 (g) “Council” means the common council or other body charged with governing
21 ~~the~~ a city.

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1 (h) “Federal government” ~~shall include~~ includes the United States of America,
2 ~~the federal emergency administration of public works or~~ and any agency, or
3 instrumentality, corporate or otherwise, of the United States of America.

4 (i) “Government” includes the state and federal governments and any
5 subdivision, agency or instrumentality, corporate or otherwise, of either of them.

6 (j) “Housing projects” ~~shall include~~ includes all real and personal property,
7 building and improvements, ~~stores, offices, lands for farming and gardening,~~ and
8 community facilities acquired or constructed ~~or to be acquired or constructed~~
9 pursuant to a single plan ~~or undertaking~~ (a) either to demolish, clear, remove, alter
10 or repair insanitary or unsafe housing, ~~or (b) to provide safe and sanitary dwelling~~
11 accommodations for persons of low income, ~~or for a combination of said (a) and (b).~~
12 ~~The term “housing project” may also be applied to~~ both. “Housing projects” includes
13 the planning of buildings and improvements, the acquisition of property, the
14 demolition of existing structures, the construction, reconstruction, alteration and
15 repair of the improvements and all other related work ~~in connection therewith.~~

16 (k) “Mortgage” ~~shall include~~ includes deeds of trust, mortgages, building and
17 loan contracts, land contracts or other instruments conveying real or personal
18 property as security for bonds and conferring a right to foreclose and cause a sale
19 ~~thereof of the real property or personal property.~~

20 (L) “Obligee of the authority” or “obligee” ~~shall include~~ includes any
21 bondholder, trustee or trustees for any bondholders, any lessor demising property to
22 the authority used in connection with a housing project or any assignee ~~or assignees~~
23 ~~or such~~ of the lessor’s interest or any part ~~thereof~~ of the lessor’s interest, and the
24 ~~United States of America~~ federal government, when it is a party to any contract with
25 the authority.

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1 (m) “Persons of low income” means persons or families who lack the amount of
2 income ~~which is necessary~~ (, as determined by the authority undertaking the housing
3 project), to enable them, without financial assistance, to live in decent, safe and
4 sanitary dwellings, without overcrowding.

5 (n) “Real property” ~~shall include~~ includes lands, lands under water, structures,
6 and any ~~and all~~ easements, franchises and incorporeal hereditaments and every
7 estate and right ~~therein~~ in an estate, legal and equitable, including terms for years
8 and liens by way of judgment, mortgage or otherwise.

9 **SECTION 387.** 66.40 (3) (r) of the statutes is repealed.

NOTE: Repeals a provision that defines a state as the state of Wisconsin. The
provision is unnecessary.

10 **SECTION 388.** 66.40 (3) (s) and (t) and (4) to (26) of the statutes are renumbered
11 66.1201 (3) (p) and (q) and (4) to (26), and 66.1201 (3) (p) and (q), (4) to (8), (9) (intro.),
12 (a) to (f), (h) to (L) and (o) to (w), (10) (a), (b) (intro.) and 1. and (c) to (h), (11), (13) (a)
13 1. (intro.), a. and b., (b) and (c), (14) (a), (b), (d) and (e), (15) (intro.), (a) to (k), (L)
14 (intro.) and 2. to 4. and (Lm) to (x), (16) (b) (intro.), 1. and 2., (17) to (22), (24) (a) and
15 (b) (intro.), 1. and 2., (25) (a) to (f) and (h) and (26), as renumbered, are amended to
16 read:

17 66.1201 (3) (p) “State public body” means any city, town, ~~incorporated~~ village,
18 county, municipal corporation, commission, district, authority, other subdivision or
19 public body of the state.

20 (q) “Trust indenture” ~~shall include~~ includes instruments pledging the revenues
21 of real or personal properties.

22 (4) CREATION OF HOUSING AUTHORITIES. (a) ~~When the a council of a city by proper~~
23 ~~resolution shall declare at any time hereafter~~ declares by resolution that there is

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1 need for an authority to function in the city, a public body corporate and politic shall
2 then ~~exist~~ exists in the city and shall be known as the "housing authority" of the city.
3 ~~Such~~ The authority shall may then be authorized to transact business and exercise
4 any powers herein granted to it under this section.

5 (b) The council shall adopt a resolution declaring that there is need for a
6 housing authority in the city if it ~~shall find~~ the council finds that insanitary or unsafe
7 inhabited dwelling accommodations exist in the city or that there is a shortage of safe
8 or sanitary dwelling accommodations in the city available to persons of low income
9 at rentals they can afford. In determining whether dwelling accommodations are
10 unsafe or insanitary ~~said~~ the council may take into consideration the degree of
11 overcrowding, the percentage of land coverage, the light, air, space and access
12 available to the inhabitants of ~~such~~ the dwelling accommodations, the size and
13 arrangement of the rooms, the sanitary facilities, and the extent to which conditions
14 exist in ~~such~~ the buildings which endanger life or property by fire or other causes.

15 (c) In any suit, action or proceeding involving the validity or enforcement of or
16 relating to any contract of the authority, the authority shall be conclusively deemed
17 to have become established and authorized to transact business and exercise its
18 powers ~~hereunder~~ under this section upon proof of the adoption of a resolution by the
19 council declaring the need for the authority. ~~Such~~ The resolution ~~or resolutions~~ shall
20 ~~be deemed~~ is sufficient if it declares that there is ~~such~~ a need for an authority and
21 finds ~~in substantially the foregoing terms (no further detail being necessary)~~ that
22 either or both of the ~~above enumerated~~ conditions described in par. (b) exist in the
23 city. A copy of ~~such~~ the resolution duly certified by the city clerk shall ~~be~~ is admissible
24 evidence in any suit, action or proceeding.

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1 **(5) APPOINTMENT, QUALIFICATIONS AND TENURE OF COMMISSIONERS.** (a) When the
2 council of a city adopts a resolution under sub. (4), it shall promptly notify the mayor.
3 Upon receiving such ~~the~~ notice, the mayor shall, with the confirmation of the council,
4 appoint 5 persons as commissioners of the authority, except that the mayor of a 1st
5 class city that has created a housing authority before May 5, 1994, shall appoint 7
6 commissioners, at least 2 of whom shall be residents of a housing project acquired
7 or constructed by the authority. No commissioner may be connected in any official
8 capacity with any political party nor shall may more than 2 be officers of the city in
9 which the authority is created. The powers of each authority shall be vested in the
10 commissioners ~~thereof in office from time to time~~ of the authority.

11 (b) The first 5 commissioners who are first appointed shall be designated by the
12 mayor to serve for terms of 1, 2, 3, 4 and 5 years respectively from the date of their
13 appointment and the 2 additional commissioners appointed by the mayor of a 1st
14 class city under par. (a) shall be first appointed to terms of 3 and 5 years respectively.
15 Thereafter, the term of office shall be 5 years. A commissioner shall hold office until
16 his or her successor has been appointed and has qualified. Vacancies shall be filled
17 for the unexpired term in the same manner as other appointments. Three
18 commissioners shall constitute a quorum, except that in an authority with 7
19 commissioners, 4 commissioners shall constitute a quorum. The mayor shall file
20 with the city clerk a certificate of the appointment or reappointment of any
21 commissioner and such ~~the~~ certificate shall be is conclusive evidence of the proper
22 appointment of that commissioner if that commissioner has been confirmed under
23 this paragraph and has taken and filed the official oath before entering office. The
24 council of a city may pay commissioners a per diem and mileage and other necessary
25 expenses incurred in the discharge of their duties at rates established by the council.

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1 (c) When the office of the first chairperson of the authority becomes vacant, the
2 authority shall select a chairperson from among its members. An authority shall
3 select from among its members a vice chairperson, and it may employ a secretary (~~and~~
4 who shall be executive director), technical experts and such other officers, agents and
5 employes, permanent and temporary, ~~as it may require~~, and shall determine their
6 qualifications, duties and compensation. An authority may call upon the city
7 attorney or chief law officer of the city for such legal services as it may require. An
8 authority may delegate to one or more of its agents or employes such powers or duties
9 as it may deem proper of the authority.

10 **(6) DUTY OF THE AUTHORITY AND ITS COMMISSIONERS.** The authority and its
11 commissioners shall ~~be under a statutory duty to~~ comply or to cause compliance
12 strictly with all provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ and 66.1211, with the laws
13 of the state and ~~in addition thereto, with each and every term, provision and~~
14 ~~covenant in~~ with any contract of the authority ~~on its part to be kept or performed~~.

15 **(7) INTERESTED COMMISSIONERS OR EMPLOYES.** No commissioner or employe of an
16 authority shall ~~may~~ acquire any interest direct or indirect interest in any housing
17 project or in any property included ~~or planned to be included~~ in any project or have
18 any interest direct or indirect interest in any contract ~~or proposed contract~~ for
19 insurance, materials or services to be furnished or used in connection with any
20 housing project. If ~~any~~ a commissioner or employe of an authority owns or controls
21 ~~an interest~~ a direct or indirect interest in any property included ~~or planned to be~~
22 ~~included~~ in any housing project, that person shall immediately disclose the ~~same~~
23 interest in writing to the authority and ~~such~~ the disclosure shall be entered upon the
24 minutes of the authority. Failure to so disclose ~~such~~ the interest shall ~~constitute~~
25 constitutes misconduct in office.

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1 **(8) REMOVAL OF COMMISSIONERS.** For inefficiency or neglect of duty or
2 misconduct in office, a commissioner of an authority may be removed by the mayor,
3 but a commissioner ~~shall~~ may be removed only after having been given a copy of the
4 charges at least 10 days ~~prior to~~ before the hearing ~~thereon~~ on the charges and had
5 an opportunity to be heard in person or by counsel. ~~In the event of the removal of any~~
6 ~~commissioner~~ If a commissioner is removed, a record of the proceedings, together
7 with the charges and findings ~~thereon~~, shall be filed in the office of the city clerk.
8 To the extent applicable, the provisions of s. 17.16 relating to removal for cause shall
9 apply to any ~~such~~ removal.

10 **(9) POWERS OF AUTHORITY. (intro.)** An authority ~~shall constitute~~ is a public body
11 and a body corporate and politic, exercising public powers, and ~~having~~ has all the
12 powers necessary or convenient to carry out and effectuate the purposes and
13 provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, including the following powers in
14 addition to others ~~herein~~ granted in this section:

15 (a) Within its area of operation to prepare, carry out, acquire, lease and operate
16 housing projects approved by the council; to provide for the construction,
17 reconstruction, improvement, alteration or repair of any housing project or any part
18 ~~thereof~~ of a housing project.

19 (b) To take over by purchase, lease or otherwise any housing project undertaken
20 by any government and located within the area of operation of the authority when
21 approved by the council; to purchase, lease, obtain options upon, acquire by gift,
22 grant, bequest, devise, or otherwise, any real or personal property or any interest
23 ~~therein~~ in the real or personal property.

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1 (c) To act as agent for any government in connection with the acquisition,
2 construction, operation or management of a housing project or any part thereof of a
3 housing project.

4 (d) To arrange or contract for the furnishing of services, privileges, works, or
5 facilities for, or in connection with, a housing project or the occupants thereof of a
6 housing project.

7 (e) To lease or rent any dwellings, houses, accommodations, lands, buildings,
8 structures or facilities embraced in any housing project and (, subject to the
9 limitations contained in this section), to establish and revise the rents or charges
10 ~~therefor~~ for the housing project.

11 (f) Within its area of operation to investigate into living, dwelling and housing
12 conditions and into the means and methods of improving such those conditions; and
13 to engage in research and studies on the subject of housing.

14 (h) To acquire by eminent domain any real property, including improvements
15 and fixtures ~~thereon~~ on the real property.

16 (i) To own, hold, clear and improve property, to insure or provide for the
17 insurance of the property or operations of the authority against such any risks as the
18 ~~authority may deem advisable~~, to procure insurance or guarantees from the federal
19 government of the payment of any debts or parts thereof of debts secured by
20 mortgages made or held by the authority on any property included in any housing
21 project.

22 (j) To contract for sale and sell any part or all of the interest in real estate
23 acquired and to execute such contracts of sale and conveyances as the authority ~~may~~
24 ~~deem~~ considers desirable.

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1 (k) In connection with any loan, to agree to limitations upon its right to dispose
2 of any housing project or part thereof of a housing project.

3 (L) In connection with any loan by a government, to agree to limitations upon
4 the exercise of any powers conferred upon the authority by ss. ~~66.40~~ 66.1201 to
5 ~~66.404~~ 66.1211.

6 (o) To make and ~~from time to time~~ amend and repeal bylaws, rules and
7 regulations not inconsistent with ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, to carry into
8 effect the powers and purposes of the authority.

9 (p) To exercise all or any part or combination of powers herein granted in this
10 section. No provisions of law with respect to the acquisition or disposition of property
11 by other public bodies ~~shall be~~ are applicable to an authority unless the legislature
12 ~~shall specifically so state~~ otherwise provided.

13 (q) ~~The~~ To execute bonds, notes, debentures or other evidences of indebtedness
14 which, when executed by a housing authority ~~shall not be, are not~~ a debt or charge
15 against any city, county, state or any other governmental authority, other than
16 against the ~~housing~~ authority itself and its available property, income or other assets
17 in accordance with the terms thereof of an evidence of indebtedness and of this
18 section, and no individual liability ~~shall attach~~ exists for any official act done by any
19 member of the authority. No such authority ~~shall have any power whatsoever to~~ may
20 levy any tax or assessment.

21 (r) To provide by all means available under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211
22 housing projects for veterans and their families regardless of their income. ~~Such~~ The
23 projects ~~shall not be~~ are not subject to the limitations of s. ~~66.402~~ 66.1205.

24 (s) Notwithstanding the provisions of any law ~~in conflict herewith,~~ the housing
25 ~~authority of any city is expressly authorized,~~ to acquire sites,; to prepare, to carry out,

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1 acquire, lease, construct and operate housing projects to provide temporary dwelling
2 accommodations for families regardless of income who are displaced under ss. ~~66.40~~
3 66.1201 to ~~66.43~~, 66.1331; to further slum clearance, urban redevelopment, and
4 blight elimination; and to provide temporary dwelling accommodations for families
5 displaced by reason of any street widening, expressway or other public works project
6 causing the demolition of dwellings.

7 (t) To participate in an employe retirement or pension system of the city which
8 has declared the need for the authority and to expend funds of the authority for ~~such~~
9 this purpose.

10 (u) ~~Any 2 or more authorities may~~ To join or cooperate with one ~~another or more~~
11 authorities in the exercise, either jointly or otherwise, of any ~~or all~~ of their powers
12 for the purpose of financing ~~(, including the issuance of bonds, notes or other~~
13 obligations and giving security ~~therefor)~~ for these obligations, planning,
14 undertaking, owning, constructing, operating or contracting with respect to a
15 housing project located within the area of operation of any one or more of said the
16 authorities. For ~~such~~ this purpose an authority may by resolution prescribe and
17 authorize any other housing authority, ~~so~~ joining or cooperating with it, to act on its
18 behalf with respect to any ~~or all~~ powers, as its agent or otherwise, in the name of the
19 authority ~~so~~ joining or cooperating or in its own name.

20 (v) To establish a procedure for ~~preservation of the~~ preserving records of the
21 authority by the use of microfilm, another reproductive device, optical imaging or
22 electronic formatting if authorized under s. 19.21 (4) (c). ~~Any such~~ The procedure
23 shall assure that copies of ~~such~~ records that are open to public inspection continue
24 to be available to members of the public requesting them. A photographic
25 reproduction of a record or copy of a record generated from optical disk or electronic

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1 storage is deemed the same as an original record for all purposes if it meets the
2 applicable standards established in ss. 16.61 and 16.612.

3 (w) To exercise any powers of a redevelopment authority operating under s.
4 ~~66.431~~ 66.1333 if done in concert with a redevelopment authority under a contract
5 under s. ~~66.30~~ 66.0301.

6 (10) (a) The authority ~~shall have the right to~~ may acquire by eminent domain
7 any real property, including fixtures and improvements, which it ~~may deem~~ deems
8 necessary to carry out the purposes of ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 after the
9 adoption by it of a resolution declaring that the acquisition of the property described
10 ~~therein~~ in the resolution is in the public interest and necessary for public use. The
11 authority may exercise the power of eminent domain pursuant to ch. 32 or pursuant
12 to any other applicable statutory provisions, ~~now in force or hereafter enacted for the~~
13 ~~exercise of the power of eminent domain.~~

14 (b) (intro.) At any time at or after the filing for condemnation, and before the
15 entry of final judgment, the authority may file with the clerk of the court in which
16 the petition is filed, a declaration of taking signed by the duly authorized officer or
17 agent of the authority declaring that all or any part of the property described in the
18 petition is to be taken for the use of the authority. The declaration of taking shall be
19 is sufficient if it sets forth all of the following:

20 1. A description of the property, ~~sufficient for the identification thereof, to~~
21 ~~which there may be attached a plat or map thereof.~~

22 (c) From the filing of the said declaration of taking under par. (b) and the
23 deposit in court ~~to the use of the persons entitled thereto~~ of the amount of the
24 estimated compensation stated in said the declaration, title to the property specified
25 in said the declaration shall vest vests in the authority and said the property shall

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1 ~~be deemed to be~~ is condemned and taken for the use of the authority and the right
2 to just compensation for the ~~same shall vest~~ property vests in the persons entitled
3 ~~thereto~~ to the compensation. Upon the filing of the declaration of taking the court
4 shall designate a day (not exceeding 30 days after ~~such~~ the filing, except upon good
5 cause shown), on which the person in possession shall ~~be required to~~ surrender
6 possession to the authority.

7 (d) The ultimate amount of compensation ~~shall be vested~~ vests in the manner
8 provided by law. If the amount so vested ~~shall exceed~~ exceeds the amount so
9 deposited in court by the authority, the court shall enter judgment against the
10 authority in the amount of ~~such~~ the deficiency together with interest at the rate of
11 ~~6 per cent~~ % per year on ~~such~~ the deficiency from the date of the vesting of title to the
12 date of the entry of the final judgment (subject, ~~however,~~ to abatement for use,
13 income, rents or profits derived from ~~such~~ the property by the owner thereof
14 subsequent to the vesting of title in the authority) ~~and the.~~ The court shall order the
15 authority to deposit the amount of ~~such~~ the deficiency in court.

16 (e) At any time ~~prior to~~ before the vesting of title of property in the authority
17 the authority may withdraw or dismiss its petition with respect to any ~~and all~~ of the
18 property therein described in the petition.

19 (f) Upon vesting of title to any property in the authority, all the right, title and
20 interest of all persons having an interest ~~therein or lien thereupon, shall be~~ in, or lien
21 upon, the property are divested immediately and ~~such~~ these persons thereafter shall
22 ~~be~~ are entitled only to receive compensation for ~~such~~ the property.

23 (g) Except as ~~hereinabove~~ provided in this subsection with reference to the
24 declaration of taking, the proceedings shall be as ~~is or may hereafter be~~ provided by
25 law for condemnation, and the deposit in court of the amount estimated by the

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1 authority upon a declaration of taking, shall be disbursed as ~~is or may hereafter be~~
2 provided by law for an award in condemnation proceedings.

3 (h) Property already devoted to a public use may be acquired, provided that no
4 property belonging to any ~~city or~~ municipality or to any government may be acquired
5 without its consent and that no property belonging to a public utility corporation may
6 be acquired without the approval of the public service commission or other officer or
7 tribunal, if any ~~there be~~, having regulatory power over ~~such~~ the public utility
8 corporation.

9 (11) ACQUISITION OF LAND FOR GOVERNMENT. The authority may acquire, by
10 purchase or by the exercise of its power of eminent domain ~~as aforesaid~~ under sub.
11 (10), any property, real or personal, for any housing project being constructed or
12 operated by a government. The authority upon such terms and conditions, with or
13 without consideration, as it shall determine, may convey title or deliver possession
14 of ~~such~~ property so acquired or purchased to ~~such~~ the government for use in
15 connection with ~~such~~ a housing project.

16 (13) (a) 1. (intro.) ~~An authority shall have power to issue bonds from time to~~
17 ~~time in its discretion, for any of its corporate purposes.~~ An authority may issue such
18 types of any bonds as it may determine for its corporate purposes, including, ~~without~~
19 ~~limiting the generality of the foregoing~~, bonds on which the principal and interest are
20 payable by any of the following methods:

21 a. Exclusively from the income and revenues of the housing project financed
22 with the proceeds of the bonds, or with those proceeds together with a grant from the
23 federal government in aid of the project;

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1 b. Exclusively from the income and revenues of certain designated housing
2 projects whether or not they were financed in whole or in part with the proceeds of
3 such the bonds; ~~or,~~

4 (b) Neither the commissioners of the authority nor any person executing the
5 bonds ~~shall be~~ is liable personally on the bonds by reason of the their issuance
6 thereof.

7 (c) The bonds and other obligations of the authority ~~(and such bonds and~~
8 ~~obligations shall so state on their face)~~ ~~shall not be~~ are not a debt of any city or
9 municipality located within its boundaries or of the state ~~and neither~~ and this fact
10 shall be stated on their face. Neither the state nor any such city or municipality ~~shall~~
11 ~~be~~ is liable ~~thereon~~ for the bonds or other obligations, nor ~~in any event shall~~ are they
12 be payable out of any funds or properties other than those of the authority.

13 **(14)** (a) Bonds of an authority shall be authorized by its resolution and may be
14 issued in one or more series and shall bear such any date ~~or dates~~, mature at such
15 any time ~~or times~~, bear interest at such any rate ~~or rates~~, be in such any
16 denomination ~~or denominations~~, be in the form of coupon bonds or of bonds
17 registered under s. 67.09, carry such any conversion or registration privileges, have
18 such any rank or priority, be executed in such any manner, be payable in such any
19 medium of payment, at such any place ~~or places~~, and be subject to such any terms
20 of redemption, with or without premium, ~~as such~~ that the resolution, its trust
21 indenture or mortgage may provide. Any bond reciting in substance that it has been
22 issued by an authority to aid in financing a housing project to provide dwelling
23 accommodations for persons of low income shall be conclusively deemed, in any suit,
24 action or proceeding involving the validity or enforceability of such the bond or the
25 security ~~therefor~~ for the bond, to have been issued for such a housing project ~~of such~~

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1 character. Bonds of an authority are declared to be issued for an essential public and
2 governmental purpose and to be are public instrumentalities and, together with
3 interest thereon and income therefrom, ~~shall be,~~ are exempt from taxes.

4 (b) The bonds may be sold at public or private sale as the authority ~~may provide~~
5 provides. The bonds may be sold at such any price or prices as determined by the
6 authority shall determine.

7 (d) The authority ~~shall have power out of any funds available therefor to may~~
8 purchase, out of available funds, any bonds issued by it at a price not more than the
9 principal amount thereof of the bonds and the accrued interest; ~~provided, however,~~
10 ~~that bonds.~~ Bonds payable exclusively from the revenues of a designated project or
11 projects shall be purchased only out of any such revenues available ~~therefor~~ for that
12 purpose. All bonds so purchased shall be canceled. This paragraph shall does not
13 apply to the redemption of bonds.

14 (e) Any provision of any law to the contrary notwithstanding, any bonds,
15 interim certificates, or other obligations issued pursuant to ss. ~~66.40~~ 66.1201 to
16 ~~66.404~~ shall be 66.1211 are fully negotiable.

17 **(15) PROVISIONS OF BONDS, TRUST INDENTURES, AND MORTGAGES.** (intro.) In
18 connection with the issuance of bonds or the incurring of any obligation under a lease
19 and in order to secure the payment of such bonds or obligations, the authority ~~shall~~
20 ~~have power~~ may:

21 (a) ~~To pledge~~ Pledge by resolution, trust indenture, mortgage (, subject to the
22 limitations hereinafter imposed in this subsection), or other contract ~~all or any part~~
23 of its rents, fees, or revenues.

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1 (b) ~~To covenant~~ Covenant against mortgaging all or any part of its property, real
2 or personal, then owned or thereafter acquired, or against permitting or suffering
3 any lien thereon on its property.

4 (c) ~~To covenant~~ Covenant with respect to limitations on its right to sell, lease
5 or otherwise dispose of any housing project or any part thereof of a housing project,
6 or with respect to limitations on its right to undertake additional housing projects.

7 (d) ~~To covenant~~ Covenant against pledging all or any part of its rents, fees and
8 revenues to which its right then exists or the right to which may thereafter come into
9 existence or against permitting or suffering any lien thereon on its rents, fees and
10 revenues.

11 (e) ~~To provide~~ Provide for the release of property, rents, fees and revenues from
12 any pledge or mortgage, and to reserve rights and powers in, or the right to dispose
13 of, property which is subject to a pledge or mortgage.

14 (f) ~~To covenant~~ Covenant as to the bonds to be issued pursuant to any
15 resolution, trust indenture, mortgage or other instrument and as to the issuance of
16 such bonds in escrow or otherwise, and as to the use and disposition of the proceeds
17 thereof of the bonds.

18 (g) ~~To provide~~ Provide for the terms, form, registration, exchange, execution
19 and authentication of bonds.

20 (h) ~~To provide~~ Provide for the replacement of lost, destroyed or mutilated bonds.

21 (i) ~~To covenant~~ Covenant that the authority warrants the title to the premises.

22 (j) ~~To covenant~~ Covenant as to the rents and fees to be charged, the amount to
23 be raised each year or other period of time by rents, fees and other revenues and as
24 to the use and disposition to be made thereof of the revenues.

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1 (k) ~~To covenant~~ Covenant as to the use of any ~~or all~~ of its property, ~~real or~~
2 ~~personal~~.

3 (L) (intro.) ~~To create or to authorize the creation of~~ Create special funds in
4 which ~~there shall be segregated~~ segregate all of the following:

5 2. ~~All of the~~ The rents, fees and revenues of any a housing project ~~or projects~~
6 ~~or parts thereof~~.

7 3. Any moneys held for the payment of the costs of operations and maintenance
8 of any ~~such~~ housing projects or as a reserve for the meeting of contingencies in the
9 operation and maintenance ~~thereof~~ of housing projects.

10 4. Any moneys held for the payment of the principal and interest on its bonds
11 or the sums due under its leases or as a reserve for ~~such~~ the payments; ~~and~~.

12 (Lm) ~~To covenant~~ Covenant as to the use and disposal of the moneys held in
13 funds created under par. (L).

14 (m) ~~To redeem~~ Redeem the bonds, ~~and to covenant for their redemption and to~~
15 ~~provide the terms and conditions thereof~~ of the bonds.

16 (n) ~~To covenant~~ Covenant against extending the time for the payment of its
17 bonds or interest ~~thereon, directly or indirectly,~~ on the bonds by any means ~~or in any~~
18 ~~manner~~.

19 (o) ~~To prescribe~~ Prescribe the procedure, if any, by which the terms of any
20 contract with bondholders may be amended or abrogated, the amount of bonds the
21 holders of which must consent ~~thereto~~ to a contract amendment or abrogation and
22 the manner in which ~~such~~ consent may be given.

23 (p) ~~To covenant~~ Covenant as to the property maintenance of its ~~property, the,~~
24 ~~replacement thereof, the~~ and insurance ~~to be carried thereon~~ and the use and
25 disposition of insurance moneys.

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1 ~~To vest~~ Vest in an obligee of the authority ~~the right, in the event of the failure~~
2 ~~of the authority, if the authority fails~~ to observe or perform any covenant on its part
3 to be kept or performed, ~~the right~~ to cure any such default and to advance any moneys
4 necessary for ~~such~~ that purpose, ~~and the.~~ The moneys so advanced may be made an
5 additional obligation of the authority with such interest, security and priority as may
6 be provided in any trust indenture, mortgage, lease or contract of the authority with
7 reference thereto.

8 ~~To covenant~~ Covenant and prescribe as to the events of default and terms
9 and conditions upon which any ~~or all~~ of its bonds shall become or may be declared
10 due before maturity and as to the terms and conditions upon which ~~such~~ the
11 declaration and its consequences may be waived.

12 ~~To covenant~~ Covenant as to the rights, liabilities, powers and duties arising
13 upon the breach by it of any covenant, condition or obligation.

14 ~~To covenant~~ Covenant to surrender possession of all or any part of any
15 housing project ~~or projects~~ upon the happening of ~~an event of a~~ default, as defined
16 in the contract, and to vest in an obligee the right to take possession and to use,
17 operate, manage and control ~~such~~ housing projects ~~or any part thereof~~, and to collect
18 and receive all rents, fees and revenues arising ~~therefrom~~ from the housing projects
19 in the same manner as the authority itself might do and to dispose of the moneys
20 collected in accordance with the agreement of the authority with ~~such~~ the obligee.

21 ~~To vest~~ Vest in a trust ~~or trustees~~ the right to enforce any covenant made
22 to secure, to pay, or in relation to the bonds, to provide for the powers and duties of
23 ~~such a trustee or trustees~~, to limit liabilities ~~thereof~~ of a trustee and to provide the
24 terms and conditions upon which the trustee ~~or trustees~~ or the holders of bonds
25 bondholders or any proportion of them may enforce any ~~such~~ covenant.

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1 (v) ~~To make~~ Make covenants other than and in addition to the covenants herein
2 expressly authorized, of like or different character that are authorized in this
3 subsection.

4 (w) ~~To execute~~ Execute all instruments that are necessary or convenient in the
5 exercise of the its powers herein granted or in the performance of its covenants or
6 duties, which may contain such covenants and provisions, in addition to those above
7 specified as the government or any purchaser of the bonds of the authority may
8 reasonably require.

9 (x) ~~To make such~~ Make covenants and to do any and all such acts and things
10 as may be act necessary or convenient or desirable in order to secure its bonds, or,
11 in the absolute discretion of the authority, that tend to make the bonds more
12 marketable; notwithstanding that such covenants, acts or things may not be
13 enumerated herein; it being the intention hereof to give the authority power to do all
14 things in the issuance of bonds, in the provisions for their security that are not
15 inconsistent with the constitution of the state and no consent or approval of any judge
16 or court shall be required thereof; provided, however, that the authority shall have
17 no power to. An authority may not mortgage all or any part of its property, real or
18 personal, except as provided in sub. (16).

19 **(16)** (b) (intro.) In connection with any project financed in whole or in part, or
20 otherwise aided by a government, whether through a donation of money or property,
21 a loan, the insurance or guarantee of a loan, or otherwise, the authority shall also
22 have power to may do any of the following:

23 1. Mortgage all or any part of its property, real or personal, then owned or
24 thereafter acquired.

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1 2. Grant security interests in its property, ~~real or personal, then owned or~~
2 ~~thereafter acquired.~~

3 **(17) REMEDIES OF AN OBLIGEE OF AUTHORITY.** An obligee of the authority ~~shall~~
4 ~~have the right in addition to all other rights which may be conferred on such obligee~~
5 ~~subject only to any contractual restrictions binding upon such obligee, subject to its~~
6 ~~contract, may do any of the following:~~

7 (a) By mandamus, suit, action or proceeding ~~in law or equity~~, all of which may
8 be joined in one action, ~~to~~ compel the authority, and ~~the~~ its commissioners, officers,
9 agents or employes thereof to perform each and every term, provision and covenant
10 contained in any contract of the authority, and ~~to~~ require the carrying out of any ~~or~~
11 all covenants and agreements of the authority and the fulfillment of all duties
12 imposed upon the authority by ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211.

13 (b) By suit, action or proceeding ~~in equity to~~ enjoin any unlawful acts or things
14 ~~which may be unlawful~~, or the violation of any of the rights of such ~~the~~ obligee of the
15 authority.

16 (c) By suit, action or proceeding ~~in any court of competent jurisdiction to~~ cause
17 possession of any housing project or any part thereof of a housing project to be
18 surrendered to any obligee having the right to such possession pursuant to any
19 contract of the authority.

20 **(18) ADDITIONAL REMEDIES CONFERRABLE BY MORTGAGE OR TRUST INDENTURE.** Any
21 authority ~~shall have power~~ may by its trust indenture, mortgage, lease or other
22 contract ~~to~~ confer upon any obligee holding or representing a specified amount in
23 bonds, lease or other obligations, the right upon the happening of an “event of
24 default” as defined in such ~~such~~ the instrument:

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1 (a) By suit, action or proceeding ~~in any court of competent jurisdiction to obtain~~
2 the appointment of a receiver of any housing project of the authority or any part or
3 ~~parts thereof of a housing project.~~ Upon appointment, a receiver may enter and take
4 possession of such the housing project or any part or ~~parts thereof of the housing~~
5 project and operate and maintain same it, and collect and receive all fees, rents,
6 revenues or other charges ~~thereafter arising therefrom~~ in the same manner as the
7 authority itself might do ~~and.~~ The receiver shall keep such the moneys in a separate
8 account or accounts and apply the same moneys in accordance with the obligations
9 of the authority as ~~the a court shall direct~~ directs.

10 (b) By suit, action or proceeding ~~in any court of competent jurisdiction to~~
11 require the authority and the its commissioners thereof to account as if it and they
12 were the trustees of an express trust.

13 **(19) REMEDIES CUMULATIVE.** All the rights and remedies ~~hereinabove conferred~~
14 ~~shall be cumulative and in this section are~~ in addition to all other rights and remedies
15 that may be conferred upon such an obligee of the authority by law or by any contract
16 with the authority.

17 **(20) SUBORDINATION OF MORTGAGE TO AGREEMENT WITH GOVERNMENT.** The
18 authority may agree in any mortgage made by it that such the mortgage ~~shall be~~ is
19 subordinate to a contract for the supervision by a government of the operation and
20 maintenance of the mortgaged property and the construction of improvements
21 ~~thereon; in such event, any purchaser or purchasers on the mortgaged property. A~~
22 purchaser at a sale of the property of an authority pursuant to a foreclosure of such
23 a mortgage or any other remedy in connection therewith ~~with the foreclosure~~ shall
24 obtain title subject to such the contract.

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1 **(21) CONTRACTS WITH FEDERAL GOVERNMENT.** In addition to the powers conferred
2 upon the authority by other provisions of ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, the
3 authority is ~~empowered to~~ may borrow money or accept grants from the federal
4 government for ~~or in aid of~~ any housing project ~~which such~~ that the authority is
5 ~~authorized to~~ may undertake, to take over any land acquired by the federal
6 government for the construction or operation of a housing project, to take over or
7 lease or manage any housing project constructed or owned by the federal
8 government, and to these ends, to enter into ~~such~~ any contracts, mortgages, trust
9 indentures, leases or other agreements as ~~that~~ the federal government may require
10 including agreements that the federal government ~~shall have the right to~~ may
11 supervise and approve the construction, maintenance and operation of ~~such~~ the
12 housing project. It is the ~~purpose and intent of this section to authorize every council~~
13 ~~to do any and all things~~ A council may take any action necessary to secure the
14 financial aid and the cooperation of the federal government in the undertaking,
15 construction, maintenance and operation of any housing project which the authority
16 is ~~empowered to~~ may undertake.

17 **(22) TAX EXEMPTION AND PAYMENTS IN LIEU OF TAXES.** The property of an authority
18 is ~~declared to be~~ public property used for essential public and governmental purposes
19 and ~~such~~ the property and an authority ~~shall be~~ are exempt from all taxes of the state
20 or any state public body; ~~provided, however,~~ except that the city in which a project
21 or projects are located may fix a sum to be paid annually in lieu of ~~such~~ taxes by the
22 authority for the services, improvements or facilities furnished to ~~such project or~~
23 ~~projects~~ the property of the authority by ~~such~~ the city, ~~but in no event shall such sum.~~
24 The amount paid in lieu of taxes may not exceed the amount that would be levied as
25 the annual tax of ~~such~~ the city upon ~~such~~ the project ~~or projects~~.

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1 **(24)** (a) When a housing authority has the approval of the council for any
2 project authorized under sub. (9) (a) or (b), the authority shall complete and approve
3 plans, specifications and conditions ~~in connection therewith~~ for carrying out ~~such the~~
4 project, and shall ~~then~~ advertise by publishing a class 2 notice, under ch. 985, for bids
5 for all work which the authority must do by contract. The authority is not required
6 to submit for bidding any contract in an amount of \$25,000 or less, but if the
7 estimated cost of the contract is between \$10,000 and \$25,000, the authority shall
8 give a class 2 notice, under ch. 985, of the proposed work before the contract is entered
9 into. A contract subject to bidding shall be awarded to the lowest qualified and
10 competent bidder. ~~Section 66.29 shall apply~~ 66.0901 applies to ~~such the~~ bidding.

11 (b) (intro.) An authority may contract for the acquisition of a housing project
12 without submitting the contract for bids as required by par. (a) if all of the following
13 apply:

14 1. The contract provides for undertaking of the housing project on land not
15 owned at the time of the contract by the authority except the contract may provide
16 for undertaking of the housing project on land acquired and owned by a community
17 development authority for the purpose of ss. ~~66.405 to 66.425, 66.43, 66.431 or 66.46~~
18 66.1105, 66.1301 to 66.1329, 66.1331 or 66.1333 if the community development
19 authority is proceeding under this paragraph as provided by s. ~~66.4325~~ 66.1335 (4);.

20 2. The contract provides for conveyance or lease of the project to the authority
21 after completion of the project; ~~and~~.

22 **(25)** (a) In any city or village the ~~city~~ council or village board by resolution or
23 ordinance, or the electors by referendum under s. 9.20, may ~~provide that~~ require the
24 authority ~~shall to~~ liquidate and dispose of a ~~particular~~ project ~~or projects~~ held and
25 operated under ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 or ~~66.43~~ 66.1331.

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1 (b) ~~Whenever~~ If liquidation and disposal of a project is provided for under par.
2 (a) the housing authority or other designated agency shall sell ~~such~~ the project to the
3 highest bidder after public advertisement, or transfer it to any state public body
4 authorized by law to acquire ~~such~~ the project. No ~~such~~ project shall may be sold for
5 less than its fair market value as determined by a board of 3 licensed appraisers
6 appointed by the ~~city~~ council or village board.

7 (c) The arrangements for the liquidation and disposal of a project shall provide
8 for the payment and retirement of all outstanding obligations in connection with the
9 project, together with interest ~~thereon~~ on the obligations and any premiums
10 prescribed for the redemption of any bonds, notes or other obligations before
11 maturity.

12 (d) Any proceeds remaining after payment of ~~such~~ the obligations under par.
13 (c) shall be distributed in accordance with the federal law applicable at the time of
14 the liquidation and disposal of the project. If no federal law is applicable to the
15 liquidation and disposal of the project all ~~of such~~ remaining proceeds shall be paid
16 to the city or village.

17 (e) If the highest bid received is insufficient for the payment of all obligations
18 set forth in par. (c) the project shall not be sold unless the city or village provides
19 sufficient additional funds to discharge ~~such~~ the obligations.

20 (f) In order to carry out this subsection an authority or other designated agency
21 shall exercise any option available to it for the payment and redemption of
22 outstanding obligations set forth in par. (c) before maturity, if the city or village
23 provides funds for ~~such~~ payment and redemption.

24 (h) ~~The term~~ In this subsection, "outstanding obligations" or "obligations" as
25 ~~used herein~~ includes bonds, notes or evidences of indebtedness, as well as aids,

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1 grants, contributions or loans made by or received from any federal, state or local
2 political government or agency.

3 (26) DISSOLUTION OF HOUSING AUTHORITY. Any housing authority may be
4 dissolved upon adoption of an ordinance or resolution by the council or village board
5 concerned declaring that the need ~~therefor~~ for the authority no longer exists, that all
6 projects under ~~such~~ the authority's jurisdiction have been disposed of, that there are
7 no outstanding obligations or contracts and that no further business remains to be
8 transacted by ~~such~~ the authority.

9 SECTION 389. 66.401 of the statutes is renumbered 66.1203 and amended to
10 read:

11 **66.1203 Housing authorities; operation not for profit.** (1) It is declared
12 to be the policy of this state that each housing authority shall manage and operate
13 its housing projects in an efficient manner ~~so as~~ to enable it to fix the rentals for
14 dwelling accommodations at the lowest possible rates consistent with its providing
15 decent, safe and sanitary dwelling accommodations, and that no housing authority
16 shall construct or operate any ~~such~~ project for profit, or as a source of revenue to the
17 city.

18 (2) ~~To this end an~~ An authority shall fix the rentals for dwellings in its projects
19 at no higher rates than it ~~shall find to be~~ finds necessary in order to produce revenues
20 which (, together with all other available moneys, revenues, income and receipts of
21 the authority from whatever sources derived), will be sufficient to accomplish all of
22 the following:

23 (a) ~~To pay~~ Pay, as the ~~same~~ rentals become due, the principal and interest on
24 the bonds of the authority;

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1 (b) ~~To meet~~ Meet the cost of, and ~~to provide for~~, maintaining and operating the
2 projects (~~, including the cost of any insurance~~), and the administrative expenses of
3 the authority;

4 (c) ~~To create~~ (Create, during not less than the 6 years immediately succeeding
5 its issuance of any bonds), a reserve sufficient to meet the largest principal and
6 interest payments which will be due on such the bonds in any one year ~~thereafter~~
7 after the creation of the reserve and ~~to maintain such~~ the reserve.

8 **SECTION 390.** 66.402 of the statutes is renumbered 66.1205, and 66.1205 (1) (a)
9 and (b) and (2), as renumbered, are amended to read:

10 66.1205 (1) (a) It may rent or lease the dwelling accommodations ~~therein~~ in a
11 housing project only to persons of low income and at rentals within the financial
12 reach of ~~such~~ persons of low income.

13 (b) It may rent or lease to a tenant dwelling accommodations consisting of the
14 number of rooms, but no greater number, ~~which~~ that it considers necessary to provide
15 safe and sanitary accommodations to the proposed occupants ~~thereof~~, without
16 overcrowding.

17 **(2)** ~~Nothing contained in the housing authorities law, as hereby amended, shall~~
18 ~~be construed as limiting~~ Sections 66.1201 to 66.1211 do not limit the power of an
19 authority to do any of the following:

20 (a) ~~To invest~~ Invest in an obligee the right, ~~in the event of a default by~~ if the
21 authority defaults, to take possession of a housing project or cause the appointment
22 of a receiver ~~thereof~~ of the housing project, free from all the restrictions imposed ~~by~~
23 ~~said law, as amended~~ under ss. 66.1201 to 66.1211, with respect to rentals, tenant
24 selection, manner of operation, or otherwise; ~~or~~.

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1 (b) Pursuant to s. ~~66.40~~ 66.1201 (16) to vest in obligees the right, ~~in the event~~
2 ~~of a default by~~ if the authority defaults, to acquire title to a housing project or the
3 property mortgaged by the housing authority, free from all the restrictions imposed
4 by ~~ss. 66.401 and 66.402~~ s. 66.1203 and this section.

5 **SECTION 391.** 66.4025 (title) and (1) (a) of the statutes are renumbered 66.1207
6 (title) and (1) (a), and 66.1207 (1) (a), as renumbered, is amended to read:

7 66.1207 (1) (a) Any person who secures or assists in securing dwelling
8 accommodations under s. ~~66.402~~ 66.1205 by intentionally making false
9 representations in order to receive more than \$1,000 ~~and~~ but less than \$2,500 in
10 financial assistance for which the person would not otherwise be entitled shall be
11 fined not more than \$10,000 or imprisoned for not more than 9 months or both.

12 **SECTION 392.** 66.4025 (1) (b) and (c) of the statutes, as affected by 1997
13 Wisconsin Act 283, are renumbered 66.1207 (1) (b) and (c) and amended to read:

14 66.1207 (1) (b) Any person who secures or assists in securing dwelling
15 accommodations under s. ~~66.402~~ 66.1205 by intentionally making false
16 representations in order to receive at least \$2,500 but not more than \$25,000 in
17 financial assistance for which the person would not otherwise be entitled shall be
18 fined not more than \$10,000 or imprisoned for not more than 3 years or both.

19 (c) Any person who secures or assists in securing dwelling accommodations
20 under s. ~~66.402~~ 66.1205 by intentionally making false representations in order to
21 receive more than \$25,000 in financial assistance for which the person would not
22 otherwise be entitled shall be fined not more than \$10,000 or imprisoned for not more
23 than 7 years and 6 months or both.

24 **SECTION 393.** 66.4025 (2) and (3) of the statutes are renumbered 66.1207 (2)
25 and (3), and 66.1207 (2) and (3) (intro.), as renumbered, are amended to read:

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1 66.1207 (2) Any administrator or employe of an authority under s. ~~66.402~~
2 66.1205 who receives or solicits any commission or derives or seeks to obtain any
3 personal financial gain through any contract for the rental or lease of dwelling
4 accommodations under s. ~~66.402~~ 66.1205 shall be punished under s. 946.13.

5 (3) (intro.) Any person who receives assistance for dwelling accommodations
6 under s. ~~66.402~~ 66.1205, who has been notified by the authority of the obligation to
7 report an increase in income or assets that would reduce the amount of that
8 assistance and who intentionally fails to notify the authority of the receipt of such
9 income or assets is subject to one of the following:

10 **SECTION 394.** 66.403 (title) of the statutes is renumbered 66.1209 (title).

11 **SECTION 395.** 66.403 (intro.) and (1) to (7) of the statutes are renumbered
12 66.1209 (1) (intro.) and (a) to (g) and amended to read:

13 66.1209 (1) (intro.) For the purpose of aiding and cooperating in the planning,
14 undertaking, construction or operation of housing projects located within the area
15 in which it is ~~authorized to~~ may act, any state public body ~~may upon such terms, with~~
16 ~~or without consideration, as it may determine~~ do any of the following:

17 (a) Dedicate, sell, convey or lease any of its property to a housing authority or
18 the federal government;.

19 (b) Cause parks, playgrounds, recreational, community, educational, water,
20 sewer or drainage facilities, or any other works which it is ~~otherwise empowered to~~
21 may undertake, to be furnished adjacent to or in connection with housing projects;.

22 (c) Cause services to be furnished to the authority of the character which it is
23 otherwise ~~empowered to~~ may furnish;.

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1 (d) Subject to the approval of the council, furnish, dedicate, close, pave, install,
2 grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other
3 places which it is ~~otherwise empowered to~~ may undertake;.

4 (e) Enter into agreements with a housing authority or the federal government
5 respecting action to be taken by the state public body pursuant to any of the powers
6 granted by ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211. The agreements may extend over any
7 period, notwithstanding any provision or rule of law to the contrary;.

8 (f) ~~Do any~~ Any and all things, necessary or convenient to aid and cooperate in
9 the planning, undertaking, construction or operation of ~~such~~ housing projects;.

10 (g) Purchase or legally invest in any of the bonds of a housing authority and
11 exercise all of the rights of any holder of ~~such~~ the bonds;.

12 **SECTION 396.** 66.403 (8) and (9) of the statutes are renumbered 66.1209 (2) and
13 (3) and amended to read:

14 66.1209 (2) With respect to any housing project which a housing authority has
15 acquired or taken over from the federal government and which the housing authority
16 by resolution has found and declared to have been constructed in a manner that will
17 promote the public interest and afford necessary safety, sanitation and other
18 protection, no state public body ~~shall~~ may require any changes to be made in the
19 housing project or the manner of its construction or take any other action relating
20 to ~~such~~ the construction;.

21 (3) In connection with any public improvements made by a state public body
22 in exercising the powers ~~herein granted, such~~ granted in ss. 66.1201 to 66.1211, the
23 state public body may incur the entire expense ~~thereof~~ of the public improvements.
24 Any law or statute to the contrary notwithstanding, any sale, conveyance, lease or

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1 agreement provided for in ss. ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211 may be made by a state
2 public body without appraisal, public notice, advertisement or public bidding.

3 **SECTION 397.** 66.404 of the statutes is renumbered 66.1211 and amended to
4 read:

5 **66.1211 Housing authorities; contracts with city; assistance to**
6 **counties and municipalities.** (1) CONTRACTS BETWEEN AUTHORITY AND CITY. In
7 connection with any housing project located wholly or partly within the area in which
8 it is authorized to act, any city may agree with an authority or government that a
9 certain sum, subject to the limitations imposed by s. ~~66.40~~ 66.1201 (22), or no sum
10 shall be paid by the authority in lieu of taxes for any year or period of years.

11 (2) ADVANCES TO HOUSING AUTHORITY. When any housing authority ~~which is~~
12 created for any city ~~becomes~~ is authorized to transact business and exercise its
13 powers ~~therein~~, the governing body of the city, may immediately make an estimate
14 of the amount of money necessary for the administrative expenses and overhead of
15 such the housing authority during the first year thereafter after the creation of the
16 housing authority, and may appropriate ~~such~~ the amount to the authority out of any
17 moneys in ~~such~~ the city treasury not appropriated to some other purposes. The
18 moneys so appropriated may be paid to the authority as a donation. Any city, town
19 or incorporated village located in whole or in part within the area of operation of a
20 housing authority ~~shall have the power from time to time to~~ may lend or donate
21 money to the authority ~~or to agree to take such action~~. The housing authority, when
22 it has money available ~~therefor to pay back loans made under this subsection~~, shall
23 make reimbursements for all ~~such~~ loans made to it.

24 (3) PROJECT SUBMITTED TO PLANNING COMMISSION. Before any housing project of
25 the character designated in s. ~~66.40~~ 66.1201 (9) (a) ~~be~~ is determined ~~upon~~ by the

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1 authority, or any real estate acquired or agreed to be acquired for ~~such~~ the project or
2 the construction of any of the buildings begins or any application made for federal
3 loan or grant for ~~such~~ the project, the extent ~~thereof~~ of the project and the general
4 features of the proposed layout indicating in a general way the proposed location of
5 buildings and open spaces shall be submitted to the planning commission, if any, of
6 the city or political subdivision in which the proposed project is located, for the advice
7 of ~~such~~ the planning commission ~~upon~~ on the proposed location, extent, and general
8 features of the layout.

9 (4) COOPERATION WITH CITIES, VILLAGES AND COUNTIES. For the purpose of
10 cooperating with and assisting cities, villages and counties, a housing authority may
11 exercise its powers in ~~the~~ that territory within the boundaries of any city, village or
12 county not included in the area in which ~~such~~ that housing authority is then
13 authorized to function, or in any designated portion of ~~such~~ that territory, after the
14 governing body of ~~such~~ the city, village or county, ~~as the case may be,~~ adopts a
15 resolution declaring that there is a need for the authority to function in ~~such~~ the
16 additional territory ~~or in such designated portion thereof~~. If a housing authority has
17 previously been authorized to exercise its powers in ~~such~~ the additional territory or
18 designated portion, ~~such~~ a resolution shall not be adopted unless ~~such~~ the housing
19 authority finds that ultimate economy would ~~thereby~~ be promoted, and ~~such~~ the
20 housing authority shall not initiate any housing project in ~~such~~ the additional
21 territory or designated portion ~~after~~ before the adoption of ~~such~~ the resolution.

NOTE: Amends sub. (4) to clarify that if a housing authority finds that a new resolution is necessary to extend its jurisdiction, even though the extension was previously authorized, the housing authority may not begin a housing project in the area of extended jurisdiction until the adoption of the new resolution.

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1 **(6)** CONTROLLING STATUTES. Insofar as ss. ~~66.40 66.1201~~ to ~~66.404 66.1211~~ are
2 inconsistent with any other law, the provisions of ss. ~~66.40 66.1201~~ to ~~66.404~~ shall
3 ~~be controlling 66.1211 control.~~

4 **(7)** SUPPLEMENTAL NATURE OF STATUTE. The powers conferred by ss. ~~66.40~~
5 ~~66.1201~~ to ~~66.404~~ shall be ~~66.1211~~ are in addition and supplemental to the powers
6 conferred by any other law.

7 **SECTION 398.** 66.405 (title) of the statutes is renumbered 66.1301 (title).

8 **SECTION 399.** 66.405 (1), (2), (2m) and (3) (intro.) and (a) of the statutes are
9 renumbered 66.1301 (1), (2), (2m) and (3) (intro.) and (a) and amended to read:

10 66.1301 **(1)** SHORT TITLE. Sections ~~66.405 66.1301~~ to ~~66.425~~ shall be known and
11 ~~66.1329~~ may be cited and referred to as the "Urban Redevelopment Law".

12 **(2)** FINDING AND DECLARATION OF NECESSITY. It is declared that in the cities of the
13 state substandard and insanitary areas exist which have resulted from inadequate
14 planning, excessive land coverage, lack of proper light, air and open space, defective
15 design and arrangement of buildings, lack of proper sanitary facilities, and the
16 existence of buildings, which, by reason of age, obsolescence, inadequate or
17 outmoded design, or physical deterioration have become economic or social
18 liabilities, or both; ~~that such.~~ These conditions are prevalent in areas where
19 substandard, insanitary, outworn or outmoded industrial, commercial or residential
20 buildings prevail; ~~that such.~~ These conditions impair the economic value of large
21 areas, infecting them with economic blight, and ~~that such~~ these areas are
22 characterized by depreciated values, impaired investments, and reduced capacity to
23 pay taxes, ~~that such.~~ These conditions are chiefly in areas which are so subdivided
24 into small parcels in divided ownerships and frequently with defective titles, that
25 their assembly for purposes of clearance, replanning, rehabilitation and

ASSEMBLY BILL 710**SECTION 399**

1 reconstruction is difficult and costly; ~~that the.~~ The existence of such these conditions
2 and the failure to clear, replan, rehabilitate or reconstruct these areas results in a
3 loss of population by the areas and further deterioration, accompanied by added costs
4 to the communities for creation of new public facilities and services elsewhere; ~~that~~
5 ~~it.~~ It is difficult and uneconomic for individual owners independently to undertake
6 to remedy such these conditions; ~~that it.~~ It is desirable to encourage owners of
7 property or holders of claims ~~thereon~~ on property in such these areas to join together
8 and with outsiders in corporate groups for the purpose of the clearance, replanning,
9 rehabilitation and reconstruction of such these areas by joint action; ~~that it.~~ It is
10 necessary to create, with proper safeguards, inducements and opportunities for the
11 employment of private investment and equity capital in the clearance, replanning,
12 rehabilitation and reconstruction of such these areas; ~~that such.~~ These conditions
13 require the employment of such capital on an investment rather than a speculative
14 basis, allowing however, the widest latitude in the amortization of any indebtedness
15 created thereby; ~~that such.~~ These conditions further require the acquisition at fair
16 prices of adequate areas, the gradual clearance of such the areas through demolition
17 of existing obsolete, inadequate, unsafe and insanitary buildings and the
18 redevelopment of such the areas under proper supervision with appropriate
19 planning, land use and construction policies; ~~that the.~~ The clearance, replanning,
20 rehabilitation and reconstruction of such these areas on a large scale basis are
21 necessary for the public welfare; ~~that the.~~ The clearance, replanning, reconstruction
22 and rehabilitation of such these areas are public uses and purposes for which private
23 property may be acquired; ~~that such~~ substandard. Substandard and insanitary
24 areas constitute a menace to the health, safety, morals, welfare and reasonable
25 comfort of the citizens of the state; ~~that such.~~ These conditions require the aid of

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1 redevelopment corporations for the purpose of attaining the ends herein recited; that
2 ~~the in this subsection.~~ The protection and promotion of the health, safety, morals,
3 welfare and reasonable comfort of the citizens of the state are matters of public
4 concern; ~~and the necessity.~~ Sections 66.1301 to 66.1329 are in the public interest for
5 ~~the provisions hereinafter enacted is hereby declared as a matter of legislative~~
6 ~~determination.~~

7 **(2m) DISCRIMINATION.** Persons otherwise entitled to any right, benefit, facility
8 or privilege under ss. ~~66.405 66.1301 to 66.425 66.1329~~ shall not, with reference
9 thereto, be denied them in any manner for any purpose nor be discriminated against
10 because of sex, race, color, creed, sexual orientation or national origin.

11 **(3) DEFINITIONS.** (intro.) ~~The following terms, as used in In~~ ss. ~~66.405 66.1301~~
12 ~~to 66.425, shall 66.1329,~~ unless a different intent clearly appears from the context,
13 ~~be construed as follows:~~

14 (a) "Area" means a portion of a city which its planning commission finds to be
15 substandard or insanitary, so that the clearance, replanning, rehabilitation or
16 reconstruction ~~thereof~~ of that portion is necessary or advisable to effectuate the
17 public purposes declared in sub. (2); ~~and may include any.~~ "Area" includes buildings
18 or improvements not in themselves substandard or insanitary, and any real property,
19 whether improved or unimproved, the inclusion of which is ~~deemed~~ considered
20 necessary for the effective clearance, replanning, reconstruction or rehabilitation of
21 the area of which such ~~the~~ buildings, improvements or real property form a part; and
22 ~~also includes vacant land which is in such proximity to other land or structures so~~
23 ~~as to impair that~~ the economic value ~~thereof~~ of the other land or structures is
24 impaired.

25 **SECTION 400.** 66.405 (3) (c) of the statutes is repealed.

ASSEMBLY BILL 710**SECTION 400**

NOTE: Repeals a provision that defines a city to be a city. The provision is unnecessary.

1 **SECTION 401.** 66.405 (3) (d) to (s) of the statutes are renumbered 66.1301 (3)
2 (d) to (s) and amended to read:

3 66.1301 (3) (d) “Development” ~~shall mean~~ means a specific work, repair or
4 improvement to put into effect a development plan and ~~shall include~~ includes the real
5 property, buildings and improvements owned, constructed, managed or operated by
6 a redevelopment corporation.

7 (e) “Development area” ~~shall mean~~ means that portion of an area to which a
8 development plan is applicable.

9 (f) “Development cost” ~~shall mean~~ means the amount determined by the
10 planning commission to be the actual cost of the development, or of the part thereof
11 of the development for which such the determination is made, ~~and shall include.~~
12 “Development cost” includes, among other costs, all of the following:

13 1. The reasonable costs of planning the development, including preliminary
14 studies and surveys, neighborhood planning, ~~and~~ architectural and engineering
15 services, and legal and incorporation expense, ~~the.~~

16 2. The actual cost, if any, of alleviating hardship to families occupying dwelling
17 accommodations in the development area where ~~such~~ hardship results from the
18 execution of the development plan, ~~the.~~

19 3. The reasonable costs of financing the development, including carrying
20 charges during construction, ~~working.~~

21 4. Working capital in an amount not exceeding ~~5 per cent~~ 5% of development
22 cost, ~~the.~~

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1 ~~5. The actual cost of the real property included in the development, the actual~~
2 ~~cost of demolition of existing structures, the actual cost and of utilities, landscaping~~
3 ~~and roadways, the.~~

4 ~~6. The amount of special assessments subsequently paid, the.~~

5 ~~7. The actual cost of construction, equipment and furnishing of buildings and~~
6 ~~improvements, including architectural, engineering and builder's fees, the.~~

7 ~~8. The actual cost of reconstruction, rehabilitation, remodeling or initial repair~~
8 ~~of existing buildings and improvements, reasonable.~~

9 ~~9. Reasonable management costs until the development is ready for use, and~~
10 ~~the.~~

11 ~~10. The actual cost of improving that portion of the development area which is~~
12 ~~to remain as open space, together with such additions to development cost as shall~~
13 ~~that equal the actual cost of additions to or changes in the development in accordance~~
14 ~~with the original development plan or after approved changes in or amendments~~
15 ~~thereto to the development plan.~~

16 (g) "Development plan" ~~shall mean~~ means a plan for the redevelopment of all
17 or any part of an area, and ~~shall include~~ includes any amendments ~~thereto~~ that are
18 approved in accordance with the requirements of s. ~~66.407~~ 66.1305 (1).

19 (h) "Local governing body" ~~shall mean the board of alderpersons,~~ means a
20 common council, council, commission or other board or body vested by the charter of
21 ~~the~~ a city or other law with jurisdiction to adopt or enact ordinances or local laws.

22 (n) "Mortgage" ~~shall mean~~ means a mortgage, trust indenture, deed of trust,
23 building and loan contract or other instrument creating a lien on real property, and
24 the indebtedness secured by each of them.

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1 (o) “Neighborhood unit” ~~shall mean~~ means a primarily residential district
2 having the facilities necessary for well-rounded family living, such as schools, parks,
3 playgrounds, parking areas and local shopping districts.

4 (p) “Planning commission” ~~shall mean~~ means the official bureau, board,
5 commission or agency of the a city established under the general city law or under
6 a general or special charter and that is authorized to prepare, adopt and, amend or
7 modify a master plan for the development of the city.

8 (q) “Real property” ~~shall include~~ includes lands, buildings, improvements, land
9 under water, waterfront property, and any ~~and all~~ easements, franchises and
10 hereditaments, corporeal or incorporeal, and every estate, interest, privilege,
11 easement, franchise and right therein, ~~or appurtenant thereto~~ in or appurtenant to
12 the real property, legal or equitable, including rights-of-way, terms for years and
13 liens, charges, or encumbrances by mortgage, judgment or otherwise.

14 (r) “Redevelopment” ~~shall mean~~ means the clearance, replanning,
15 reconstruction or rehabilitation of an area or part thereof of an area, and the
16 provision of such industrial, commercial, residential or public structures or spaces
17 as may be appropriate, including recreational and other facilities incidental or
18 appurtenant thereto to the structures or spaces.

19 (s) “Redevelopment corporation” ~~shall mean~~ means a corporation carrying out
20 a redevelopment plan under ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329.

21 **SECTION 402.** 66.406 (title) of the statutes is renumbered 66.1303 (title).

22 **SECTION 403.** 66.406 (1), (2) and (3) (intro.) and (a) to (g) of the statutes are
23 renumbered 66.1303 (1), (2) and (3) (intro.) and (a) to (g) and amended to read:

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1 66.1303 (1) A development plan shall contain ~~such~~ the information as ~~that~~ the
2 planning commission ~~shall, by rule or regulation require~~ requires, including all of the
3 following:

4 (a) A metes and bounds description of the development area;;

5 (b) A statement of the real property in the development area fee title to which
6 the city proposes to acquire and a statement of the interests to be acquired in any
7 other real property by the city;;

8 (c) A statement of the various stages, if more than one is intended, by which
9 the development is proposed to be constructed or undertaken, and the time limit for
10 the completion of each stage, together with a metes and bounds description of the real
11 property to be included in each stage;;

12 (d) A statement of the existing buildings or improvements in the development
13 area, to be demolished immediately, ~~if any~~;;

14 (e) A statement of the existing buildings or improvements, in the development
15 area not to be demolished immediately, ~~if any~~, and the approximate period of time
16 during which the demolition, ~~if any~~, of each ~~such~~ building or improvement is to take
17 place;;

18 (f) A statement of the proposed improvements, ~~if any~~, to each building not to
19 be demolished immediately, any proposed repairs or alterations to ~~such~~ the building,
20 and the approximate period of time during which ~~such~~ improvements, repairs or
21 alterations are to be made;;

22 (g) A statement of the type, number and character of each new industrial,
23 commercial, residential or other building or improvement to be erected or made; and
24 a statement of the maximum limitations upon the bulk of ~~such~~ buildings or
25 improvements to be permitted at various stages of the development plan;;

ASSEMBLY BILL 710**SECTION 403**

1 (h) A statement of those portions, ~~if any,~~ of the development area which may
2 be permitted or will be required to be left as open space, the use to which each ~~such~~
3 open space is to be put, the period of time each ~~such~~ open space will be required to
4 remain an open space and the manner in which it will be improved and maintained,
5 ~~if at all;~~

6 (i) A statement of the proposed changes, ~~if any,~~ in zoning ordinances or maps,
7 necessary or desirable for the development and its protection against blighting
8 influences;

9 (j) A statement of the proposed changes, ~~if any,~~ in streets or street levels and
10 ~~any of proposed street closings;~~

11 (k) A statement of the character of the existing dwelling accommodations, ~~if~~
12 ~~any,~~ in the development area, the approximate number of families residing ~~therein~~
13 in the development area, together with a schedule of the rentals being paid by them,
14 and a schedule of the vacancies in ~~such~~ the accommodations, together with the rental
15 demanded ~~therefor;~~ for the vacant accommodations.

16 (L) A statement of the character, approximate number of units, approximate
17 rentals and approximate date of availability of the proposed dwelling
18 accommodations, ~~if any,~~ to be furnished during construction and upon completion of
19 the development;

20 (m) A statement of the proposed method of financing the development, in
21 sufficient detail to evidence the probability that the redevelopment corporation will
22 be able to finance or arrange to finance the development;

23 (n) A statement of persons who it is proposed will be active in or associated with
24 the management of the redevelopment corporation during a period of at least one
25 year from the date of the approval of the development plan.

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1 (o) ~~The development plan, and any application to the planning commission or~~
2 ~~local governing body for approval thereof, may contain in addition such other Other~~
3 ~~statements or material as may be deemed that are considered relevant by the~~
4 ~~proposer thereof applicant, including suggestions for the clearance, replanning,~~
5 ~~reconstruction or rehabilitation of one or more areas which may be larger than the~~
6 ~~development area but which include it, and any other provisions for the~~
7 ~~redevelopment of such area or areas.~~

8 (2) No development shall may be actually initiated until the adoption of a
9 resolution of approval of the development plan ~~therefor~~ by both the planning
10 commission and the local governing body.

11 (3) (intro.) The planning commission may approve a development plan after a
12 public hearing, and shall determine all of the following:

13 (a) That the area within which the development area is included is substandard
14 or insanitary and that the redevelopment of the development area in accordance with
15 the development plan is necessary or advisable to effectuate the public purposes
16 declared in s. ~~66.405~~ 66.1301 (2); if the area is comprised of vacant land it shall be
17 established that ~~such~~ the vacant land impairs the economic value of surrounding
18 areas in accordance with the general purposes expressed in s. ~~66.405~~ 66.1301 (2);

19 (b) That the development plan is in accord with the master plan, ~~if any,~~ of the
20 city;

21 (c) That the development area is not less than 100,000 square feet in area,
22 except that it may be smaller in area when undertaken in connection with a public
23 improvement, ~~but in any event~~ if it is of sufficient size to allow its redevelopment in
24 an efficient and economically satisfactory manner and to contribute substantially to
25 the improvement of the area in which the development is located; ~~but whenever.~~ If

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1 the local governing body makes a finding to the effect that an area is in urgent need
2 of development, and that such development will contribute to the progress and
3 expansion of an area whose economic growth is vital to the community, ~~then in such~~
4 ~~instance~~ the development area ~~shall~~ may not be less than 25,000 square feet subject
5 to the requirements of par. (d);.

6 (d) That the various stages, ~~if any,~~ by which the development is proposed to be
7 constructed or undertaken, as stated in the development plan, are practicable and
8 in the public interest and where the area to be developed consists either of vacant
9 land or of substandard or insanitary buildings or structures as provided in s. ~~66.405~~
10 66.1301 (3) (a), and ~~such~~ the area is less than 100,000 square feet but more than
11 25,000 square feet as provided in par. (c) then the new structures to be constructed
12 on ~~such~~ the vacant land ~~shall~~ may not be less than 1,000,000 cubic feet ~~in area;~~.

13 (e) That the public facilities, based on whether the development ~~be a~~ is
14 residential, industrial or commercial ~~one,~~ are ~~presently~~ adequate or will be adequate
15 at the time that the development is ready for use to serve the development area;.

16 (f) That the proposed changes, ~~if any,~~ in the city map, in zoning ordinances or
17 maps and in streets and street levels, or any proposed street closings, are necessary
18 or desirable for the development and its protection against blighting influences and
19 for the city ~~as a whole;~~.

20 (g) Upon data submitted by or on behalf of the redevelopment corporation, or
21 upon data otherwise available to the planning commission, that there will be
22 available for occupation by families, ~~if any,~~ then occupying dwelling accommodations
23 in the development area legal accommodations at substantially similar rentals in the
24 development area or elsewhere in a suitable location in the city, and that ~~the carrying~~
25 ~~into effect of~~ implementing the development plan will not cause undue hardship to

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1 such those families. The notice of the public hearing to be held by the planning
2 commission prior to its approval ~~by it~~ of the development plan shall contain separate
3 statements to the effect that before the development plan is approved, the planning
4 commission must make the determination required in this paragraph, and that if the
5 development plan is approved, real property in the development area is subject to
6 condemnation.

7 **SECTION 404.** 66.406 (3) (h) of the statutes is renumbered 66.1303 (3m) and
8 amended to read:

9 66.1303 (3m) ~~Any such~~ A determination upon approval ~~by the local governing~~
10 ~~body, shall be~~ made under sub. (3) is conclusive evidence of the facts so determined
11 except upon proof of fraud or wilful misfeasance. In arriving at ~~such~~ the
12 determination, the planning commission shall consider only those elements of the
13 development plan relevant to ~~such~~ the determination under ~~pars. (a) to (g)~~ sub. (3)
14 and to the type of development which is physically desirable for the development
15 area concerned from a city planning viewpoint, and from a neighborhood unit
16 viewpoint, if the development plan provides that the development area is to be
17 primarily residential.

18 **SECTION 405.** 66.406 (4) (intro.), (a) and (b) of the statutes are renumbered
19 66.1303 (4) (intro.), (a) and (b), and 66.1303 (4) (intro.), as renumbered, is amended
20 to read:

21 66.1303 (4) (intro.) The local governing body, by a two-thirds vote of the
22 ~~members elect thereof~~ members-elect, may approve a development plan, but no
23 resolution of approval shall may be adopted by it unless ~~and until~~ the planning
24 commission shall has first have approved thereof the development plan and there
25 has the plan and planning commission determination have been filed with the local

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1 governing body ~~the development plan, the determination by the planning~~
2 ~~commission, and unless and until the local governing body shall determine~~
3 determines all of the following:

4 **SECTION 406.** 66.406 (4) (c) of the statutes is renumbered 66.1303 (4m) and
5 amended to read:

6 66.1303 (4m) ~~Any such~~ A determination shall be under sub. (4) is conclusive
7 evidence of the facts ~~so~~ determined except upon proof of fraud or wilful misfeasance.
8 In considering whether ~~or not~~ a resolution of approval of the development plan shall
9 will be adopted, the local governing body shall consider those elements of the
10 development plan relevant to ~~such~~ the determination under ~~pars. (a) and (b)~~ sub. (4).

11 **SECTION 407.** 66.406 (5) to (8) of the statutes are renumbered 66.1303 (5) to (8)
12 and amended to read:

13 66.1303 (5) The planning commission and the local governing body, by a
14 two-thirds vote of the ~~members elect thereof~~ members-elect, may approve an
15 amendment ~~or amendments~~ to a development plan, but ~~no such amendment to a~~
16 ~~development plan which has theretofore been approved by the planning commission~~
17 ~~and the local governing body shall be approved unless and until~~ if an application
18 ~~therefor~~ for the amendment has been filed with the planning commission by the
19 redevelopment corporation containing that part of the material required by sub. (1)
20 which shall be is relevant to the proposed amendment, and ~~unless and until~~ if the
21 planning commission and the local governing body shall make the determinations
22 required by sub. (3) or (4) which shall be are relevant to the proposed amendment.

23 (6) The planning commission and the local governing body may, for the
24 guidance of prospective proponents of development plans, fix general standards to
25 which a development plan shall conform. Variations from ~~such~~ the standards may

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1 be allowed for the accomplishment of the purposes of ss. ~~66.405~~ 66.1301 to ~~66.425~~.
2 Such 66.1329. The standards may contain provisions more restrictive than those
3 imposed by applicable planning, zoning, sanitary and building laws, ordinances and
4 regulations.

5 (7) Local housing authorities organized under ss. ~~66.40~~ 66.1201 to ~~66.404~~
6 66.1211, redevelopment authorities organized under s. ~~66.431~~ 66.1333, and
7 community development authorities organized under s. ~~66.4325~~ 66.1335 may render
8 such advisory services in connection with the preliminary surveys, studies and
9 preparation of a development plan as may be requested by the city planning
10 commission or the local governing body and charge fees for such advisory services
11 based on the their actual cost thereof.

12 (8) Notwithstanding any other provision of law, the local legislative body may
13 designate, by ordinance or resolution, the local housing authority, the local
14 redevelopment authority, or both jointly, or the local community development
15 authority, to perform all acts, except the development of the general plan of the city,
16 which are otherwise performed by the planning commission under ss. ~~66.405~~ 66.1301
17 to ~~66.425~~ 66.1329.

18 **SECTION 408.** 66.407 of the statutes is renumbered 66.1305, and 66.1305 (1)
19 (intro.) and (a) to (h), as renumbered, are amended to read:

20 66.1305 (1) (intro.) No redevelopment corporation shall may do any of the
21 following:

22 (a) Undertake any clearance, reconstruction, improvement, alteration or
23 construction in connection with any development until the approvals required by s.
24 ~~66.406~~ 66.1303 have been made;

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1 (b) ~~Change, alter, amend, add to or depart from~~ Amend the development plan
2 until the planning commission and the local governing body have approved that
3 portion of such ~~change, alteration, amendment, addition or departure~~ the
4 amendment relevant to the determination required to be made by it as set forth in
5 s. ~~66.406; 66.1303~~.

6 (c) After a development has been commenced, sell, transfer or assign any real
7 property in the development area without first obtaining the consent of the local
8 governing body, ~~which consent~~. Consent may be withheld only if the sale, transfer
9 or assignment is made for the purpose of evading the provisions of ss. ~~66.405 66.1301~~
10 to ~~66.425; 66.1329~~.

11 (d) Pay as compensation ~~for services to, or enter into contracts for the payment~~
12 ~~of compensation for services to,~~ its officers or employees in an amount greater than
13 the limit ~~thereon~~ contained in the development plan, or ~~in~~ if a default thereof of the
14 development plan occurs, then in an amount greater than the reasonable value of the
15 services performed ~~or to be performed~~ by such the officers or employees;.

16 (e) Lease an entire building or improvement in the development area to any
17 person or corporation without obtaining the approval of the local governing body
18 which may be withheld only if the lease is being made for the purpose of evading the
19 provisions of ss. ~~66.405 66.1301~~ to ~~66.425; 66.1329~~.

20 (f) Mortgage any of its real property without obtaining the approval of the local
21 governing body;.

22 (g) Make any guarantee without obtaining the approval of the local governing
23 body;.

24 (h) Dissolve without obtaining the approval of the local governing body, which
25 may be given upon such conditions as ~~said body may deem~~ deemed necessary or

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1 appropriate to the protection of the interest of the city in the proceeds of the sale of
2 the real property as to any property or work turned into the development by the city.
3 ~~Such~~ The approval is to shall be indorsed on the certificate of dissolution and ~~such~~
4 the certificate is may not to be filed in the office of the secretary of state in the absence
5 of ~~such~~ the indorsement;

6 **SECTION 409.** 66.408 (title) of the statutes is renumbered 66.1307 (title).

7 **SECTION 410.** 66.408 (1), (2), (3) and (4) of the statutes are renumbered 66.1307
8 (1), (2) (a), (3) and (4) and amended to read:

9 66.1307 **(1)** APPLICATION OF OTHER CORPORATION LAWS TO REDEVELOPMENT
10 CORPORATIONS. The provisions of the general corporation law ~~as presently in effect~~
11 ~~and as hereafter from time to time amended,~~ shall apply to redevelopment
12 corporations, ~~except where such~~ unless the provisions are in conflict with the
13 provisions of ss. ~~66.405 66.1301 to 66.425 66.1329.~~

14 **(2)** (a) No redevelopment corporation ~~shall~~ may issue stocks, bonds or income
15 debentures, except for money or property actually received for the use and lawful
16 purposes of the corporation or services actually performed for the corporation.

17 **(3)** DETERMINATION OF DEVELOPMENT COST. (a) Upon the completion of a
18 development a redevelopment corporation shall, or upon the completion of a
19 principal part of a development a redevelopment corporation may, file with the
20 planning commission an audited statement of the development cost ~~thereof~~. Within
21 a reasonable time after the filing of ~~such~~ the statement, the planning commission
22 shall determine the development cost applicable to the development or ~~such~~ portion
23 thereof of the development and shall issue to the redevelopment corporation a
24 certificate stating the amount ~~thereof as~~ of the development cost so determined.

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1 (b) A redevelopment corporation may, ~~at any time,~~ whether prior or subsequent
2 to the undertaking of any contract or expense, apply to the planning commission for
3 a ruling as to whether any particular item and amount of cost ~~therein~~ may be
4 included in development cost when finally determined by the planning commission,
5 ~~and the amount thereof.~~ The planning commission shall, within a reasonable time
6 after ~~such~~ the application, render a ruling ~~thereon,~~ and ~~in the event that it shall be~~
7 if it is ruled that any item of cost may be included in development cost, the amount
8 ~~thereof as so determined~~ of the cost shall be so included in development cost when
9 finally determined.

10 (4) REGULATION OF REDEVELOPMENT CORPORATIONS. A redevelopment corporation
11 shall do all of the following:

12 (a) Furnish to the planning commission ~~from time to time,~~ as required by it, but
13 ~~with respect to regular reports not more often than once every 6 months,~~ such
14 financial information, statements, audited reports or other material as ~~such~~ that the
15 commission shall ~~require~~ requires, each of which shall conform to such standards of
16 accounting and financial procedure as ~~that~~ the planning commission ~~may~~ by general
17 regulation ~~prescribe~~ prescribes, except that the planning commission may not
18 require a regular report more often than once every 6 months.

19 (b) Establish and maintain ~~such~~ depreciation and other reserves, surplus and
20 other accounts as that the planning commission reasonably requires.

21 **SECTION 411.** 66.41 (title) of the statutes is repealed.

22 **SECTION 412.** 66.41 of the statutes is renumbered 66.1307 (2) (b) and amended
23 to read:

24 66.1307 (2) (b) ~~No~~ A redevelopment corporation shall may pay any interest on
25 its income debentures or dividends on its stock during any dividend year, unless

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1 ~~there shall exist~~, at the time of any such an intended payment, ~~no a default exists~~
2 under any amortization requirements with respect to its indebtedness.

3 **SECTION 413.** 66.411 of the statutes is renumbered 66.1329 and amended to
4 read:

5 **66.1329 Urban redevelopment; enforcement of duties.** Whenever If a
6 redevelopment corporation ~~shall not have~~ fails to substantially ~~complied~~ comply
7 with the development plan within the time limits for the completion of each stage
8 thereof ~~as therein stated~~, reasonable delays caused by unforeseen difficulties
9 excepted, or shall ~~do, permit to be done or fail or omit to do anything contrary to or~~
10 ~~required of it, as the case may be, by ss. 66.405 to 66.425, or shall be about so to do,~~
11 ~~permit to be done or fail or omit to have done, as the case may be then any such fact,~~
12 violates or is about to violate ss. 66.1301 to 66.1329, the failure to comply or actual
13 or possible violation may be certified by the planning commission to the city attorney
14 of the city, ~~who.~~ The city attorney may thereupon commence a proceeding in the
15 circuit court of the county in which the city is in whole or in part situated in the name
16 of the city for the purpose of ~~having such action, failure or omission, or threatened~~
17 ~~action, failure or omission, established by order of the court or stopped, prevented or~~
18 ~~otherwise rectified by mandamus, injunction or otherwise.~~ Such proceeding shall be
19 ~~commenced by a petition to the circuit court alleging the violation complained of and~~
20 ~~praying for appropriate relief.~~ It shall thereupon be the duty of the court to specify
21 the time, not exceeding 45 days after service of a copy of the petition, within which
22 the redevelopment corporation ~~complained of must answer the petition~~ seeking
23 appropriate relief. The court, shall, immediately after a default in answering or after
24 answer, as the case may be, inquire into the facts and circumstances in such the
25 manner as that the court shall ~~direct~~ directs without other or formal proceedings,

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1 and without respect to any technical requirements. ~~Such other persons or~~
2 ~~corporations as it shall seem to the~~ The court may join as parties any other persons
3 it deems necessary or proper to join as parties in order to make its order or judgment
4 effective ~~may be joined as parties.~~ The final judgment or order in any such the action
5 or proceeding shall dismiss the action or proceeding or ~~establish the failure~~
6 ~~complained of or direct that a mandamus order, or an injunction, or both, issue, or~~
7 ~~grant such other relief as the court may deem appropriate~~ relief.

8 **SECTION 414.** 66.412 of the statutes is renumbered 66.1309 (intro.) and
9 amended to read:

10 **66.1309 Urban redevelopment; transfer of land.** (intro.) Notwithstanding
11 any requirement of other law to the contrary or the absence of direct provision
12 ~~therefor~~ for transfer of land in the instrument under which a fiduciary is acting,
13 every executor, administrator, trustee, guardian or other person, holding trust funds
14 or acting in a fiduciary capacity, unless the instrument under which ~~such~~ the
15 fiduciary is acting expressly forbids, the state, its subdivisions, cities, all other public
16 bodies, all public officers, corporations organized under or subject to the provisions
17 of the banking law, the division of banking as conservator, liquidator or rehabilitator
18 of any ~~such~~ person, partnership or corporation, persons, partnerships and
19 corporations organized under or subject to the provisions of the banking law, the
20 commissioner of insurance as conservator, liquidator or rehabilitator of any ~~such~~
21 person, partnership or corporation, any of which owns or holds any real property
22 within a development area, may ~~grant~~ do all of the following:

23 (1) Grant, sell, lease or otherwise transfer any ~~such~~ real property to a
24 redevelopment corporation, ~~and receive,~~

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1 (2) Receive and hold any cash, stocks, income debentures, mortgages, or other
2 securities or obligations, secured or unsecured, exchanged therefor for the transfer
3 by such the redevelopment corporation, ~~and may execute such.~~

4 (3) Execute instruments and do such acts as ~~may be deemed that are~~
5 considered necessary or desirable by them or it and by the redevelopment
6 corporation in connection with the development and the development plan.

7 **SECTION 415.** 66.413 of the statutes is renumbered 66.1311 and amended to
8 read:

9 **66.1311 Urban redevelopment; acquisition of land.** (1) A redevelopment
10 corporation may ~~whether before or after the development plan has been approved,~~
11 acquire real property or secure options in its own name or in the name of nominees
12 to acquire real property, by gift, grant, lease, purchase or otherwise.

13 (2) A city may, upon request by ~~the~~ a redevelopment corporation, acquire, or
14 obligate itself to acquire, for such the redevelopment corporation any real property
15 included in such a certificate of approval of condemnation, by gift, grant, lease,
16 purchase, condemnation, or otherwise, according to the provisions of any
17 ~~appropriate general, special or local~~ law applicable to the acquisition of real property
18 by the city. Real property acquired by a city for a redevelopment corporation shall
19 be conveyed by such the city to the redevelopment corporation upon payment to the
20 city of all sums expended or required to be expended by the city in the acquisition of
21 such the real property, or leased by such the city to such the redevelopment
22 corporation, ~~all upon such terms as may be agreed upon between the city and the~~
23 redevelopment corporation to carry out the purposes of ss. ~~66.405 66.1301 to 66.425~~
24 66.1329.

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1 (3) The provisions of ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329 with respect to the
2 condemnation of real property by a city for a redevelopment corporation shall prevail
3 over the provisions of any other ~~general, special or local~~ law.

4 **SECTION 416.** 66.414 of the statutes is renumbered 66.1313 and amended to
5 read:

6 **66.1313 Urban redevelopment; condemnation for.** (1) Condemnation
7 proceedings for a redevelopment corporation shall be initiated by a petition to the
8 city to institute proceedings to acquire for the redevelopment corporation any real
9 property in the development area. ~~Such~~ The petition shall be granted or rejected by
10 the local governing body, and the resolution or resolutions granting ~~such~~ the petition
11 shall ~~contain a requirement~~ require that the redevelopment corporation shall pay to
12 the city all sums expended or required to be expended by the city in the acquisition
13 of ~~such~~ the real property, or for any real property to be conveyed to the corporation
14 by the city in connection with the plan, and the time of payment and manner of
15 securing payment thereof, and may require that the city shall receive, before
16 proceeding with the acquisition of ~~such~~ the real property, such assurances as to
17 payment or reimbursement by the redevelopment corporation, or otherwise, as the
18 city may deem deems advisable. Upon the passage of a resolution ~~or resolutions~~ by
19 the local governing body granting the petition, the redevelopment corporation shall
20 ~~cause to be made~~ make 3 copies of surveys or maps of the real property described in
21 the petition, one of which shall be filed in the office of the redevelopment corporation,
22 one in the office of the city attorney of the city, and one in the office in which
23 instruments affecting real property in the county are recorded. The filing of ~~such~~
24 copies of surveys or maps shall ~~constitute the~~ constitutes acceptance by the
25 redevelopment corporation of the terms and conditions contained in ~~such~~ the

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1 resolution ~~or resolutions~~. The city may conduct any condemnation proceedings
2 either under ch. 32 or ~~at its option~~, under other laws applicable to such the city. When
3 title to the real property shall ~~have vested~~ vests in the city, it shall convey or lease
4 the same real property, with any other real property to be conveyed or leased to the
5 redevelopment corporation by the city in connection with said the redevelopment
6 plan, to the redevelopment corporation upon payment by the redevelopment
7 corporation of the sums and the giving of the security required by the resolution
8 granting the petition.

9 (2) The following provisions shall apply to any proceedings for the assessment
10 of compensation and damages for real property in a development area taken or to be
11 taken by condemnation for a redevelopment corporation:

12 (a) For the purpose of ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329, the award of
13 compensation shall may not be increased by reason of any increase in the value of
14 the real property caused by the assembly, clearance or reconstruction, or proposed
15 assembly, clearance or reconstruction for the purposes of ss. ~~66.405~~ 66.1301 to ~~66.425~~
16 66.1329, of the real property in the development area. No allowance shall may be
17 made for improvements begun on real property after notice to the owner of such the
18 property of the institution of the proceedings to condemn such the property.

19 (b) Evidence ~~shall be~~ is admissible ~~bearing upon~~ that is relevant to the
20 insanitary, unsafe or substandard condition of the premises, or ~~the~~ of their illegal use
21 thereof, or the enhancement of rentals from such illegal use, and such the evidence
22 may be considered in fixing the compensation to be paid, notwithstanding that no
23 steps to remedy or abate such the conditions have been taken by the department or
24 officers having jurisdiction. If a violation order is on file against the premises in any

ASSEMBLY BILL 710**SECTION 416**

1 such the department, it ~~shall constitute~~ constitutes prima facie evidence of the
2 existence of the condition specified in such the order.

3 (c) If ~~any of the~~ real property in the development area which is to be acquired
4 by condemnation has, ~~prior to such~~ before acquisition, been devoted to another public
5 use, it may ~~nevertheless~~ be acquired provided that no real property belonging to the
6 city or to any other governmental body, or agency or instrumentality ~~thereof~~ of the
7 city or other governmental body, corporate or otherwise, may be acquired without its
8 consent. No real property belonging to a public utility corporation may be acquired
9 without the approval of the public service commission or other officer or tribunal
10 having regulatory power over such the corporation.

11 (d) Upon the trial a statement, affidavit, deposition, report, transcript of
12 testimony in an action or proceeding, or appraisal made or given by any owner or
13 prior owner of the premises taken, or by any person on the owner's or prior owner's
14 behalf, to any court, governmental bureau, department or agency respecting the
15 value of the real property for tax purposes, ~~shall be~~ is relevant, material and
16 competent upon the issue of value of damage and ~~shall be~~ is admissible on direct
17 examination.

18 (e) The term "owner", as used in In this section, shall include "owner" includes
19 a person having an estate, interest or easement in the real property to be acquired
20 or a lien, charge or encumbrance ~~thereon~~ on the real property.

21 **SECTION 417.** 66.415 of the statutes is renumbered 66.1315 and amended to
22 read:

23 **66.1315 Urban redevelopment; continued use of land by prior owner.**

24 (1) When title to real property has vested in a redevelopment corporation or city by
25 ~~gift, grant, devise, purchase or in condemnation proceedings or otherwise~~, the

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1 redevelopment corporation or city, ~~as the case may be,~~ may agree with the previous
2 owners of ~~such~~ the property, ~~or~~ any tenants continuing to occupy or use it, or any
3 other persons who may occupy or use or seek to occupy or use ~~such~~ the property, that
4 ~~such~~ the former owner, tenant or other persons may occupy or use ~~such~~ the property
5 upon the payment of a fixed sum of money for a definite term or upon the payment
6 periodically of an agreed sum of money. ~~Such~~ The occupation or use shall may not
7 be construed as a tenancy from month to month, nor require the giving of notice by
8 the redevelopment corporation or the city, ~~as the case may be,~~ for the termination of
9 ~~such~~ occupation or use or the right to ~~such~~ occupation or use, ~~but immediately.~~
10 Immediately upon the expiration of the term for which payment has been made the
11 redevelopment corporation or city, ~~as the case may be,~~ shall be is entitled to
12 possession of the real property and may maintain summary proceedings, or obtain
13 a writ of assistance, and ~~shall be~~ is entitled to ~~such~~ any other remedy ~~as may be~~
14 provided by law for obtaining immediate possession thereof. A former owner, tenant
15 or other person occupying or using ~~such~~ real property shall may not be required to
16 give notice to the redevelopment corporation or city, ~~as the case may be,~~ at the
17 expiration of the term for which that person has made payment for ~~such~~ occupation
18 or use, as a condition to that person's cessation of occupation or use and termination
19 of liability ~~therefor.~~

20 (2) ~~In the event that~~ If a city has acquired real property for a redevelopment
21 corporation, the city shall, in transferring title to the redevelopment corporation,
22 deduct from the consideration or other moneys which the redevelopment corporation
23 has become obligated to pay to the city for ~~such~~ this purpose, and credit the
24 redevelopment corporation with, the amounts received by the city as payment for
25 temporary occupation and use of the real property by a former owner, tenant, or other

ASSEMBLY BILL 710**SECTION 417**

1 person, ~~as in this section provided~~, less the cost and expense incurred by the city for
2 the maintenance and operation of such ~~the~~ the real property.

3 **SECTION 418.** 66.416 (title) of the statutes is renumbered 66.1317 (title).

4 **SECTION 419.** 66.416 (1) to (4) of the statutes are renumbered 66.1317 (1) to (4),
5 and 66.1317 (1), (2) (a) (intro.), 4. and 5. and (b), (3) and (4), as renumbered, are
6 amended to read:

7 66.1317 (1) ~~Any~~ A redevelopment corporation may borrow funds and secure the
8 repayment ~~thereof~~ of the funds by mortgage. Every ~~such~~ mortgage shall contain
9 reasonable amortization provisions and ~~shall~~ may be a lien upon no other real
10 property except that forming the whole or a part of a single development area.

11 (2) (a) (intro.) Certificates, bonds and notes, or part interests ~~therein~~ in, or any
12 part of an issue ~~thereof~~ of, these instruments, which are issued by a redevelopment
13 corporation and secured by a first mortgage on all or part of the real property of the
14 redevelopment corporation, ~~or any part thereof, shall be~~ are securities in which all
15 of the following persons, partnerships or corporations and public bodies or public
16 officers may legally invest the funds within their control:

17 4. The division of banking as conservator, liquidator or rehabilitator of any ~~such~~
18 person, partnership or corporation; and persons, partnerships or corporations
19 organized under or subject to chs. 600 to 646.

20 5. The commissioner of insurance as conservator, liquidator or rehabilitator of
21 any ~~such~~ person, partnership or corporation.

22 (b) The principal amount of the securities described in par. (a) ~~shall~~ may not
23 exceed the limits, if any, imposed by law for investments by the person, partnership,
24 corporation, public body or public officer making the investment.

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1 (3) ~~Any~~ A mortgage on the real property in a development area, ~~or any part~~
2 thereof, may create a first lien, or a second 2nd or other junior lien, upon such the
3 real property.

4 (4) The limits as to principal amount secured by mortgage referred to in sub.
5 (2) ~~shall do~~ not apply to certificates, bonds and notes, or part interests ~~therein in~~, or
6 any part of an issue ~~thereof~~ of, these instruments, which are secured by first
7 mortgage on real property in a development area, ~~or any part thereof~~, which the
8 federal housing administrator has insured or has made a commitment to insure
9 under the national housing act. ~~Any such~~ A person, partnership, corporation, public
10 body or public officer described in sub. (2) may receive and hold any debentures,
11 certificates or other instruments issued or delivered by the federal housing
12 administrator, pursuant to the national housing act, in compliance with the contract
13 of insurance of a mortgage on all or part of real property in the development area,
14 ~~or any part thereof~~.

15 **SECTION 420.** 66.417 (title) of the statutes is renumbered 66.1319 (title).

16 **SECTION 421.** 66.417 (1) to (6) of the statutes are renumbered 66.1319 (1) to (6),
17 and 66.1319 (1), (2), (3), (5) and (6), as renumbered, are amended to read:

18 66.1319 (1) ~~The~~ A local governing body may by resolution determine that real
19 property, title to which is held by the city, specified and described in such the
20 resolution, is not required for use by the city and may authorize the city to sell or lease
21 such the real property to a redevelopment corporation; ~~provided, that, if~~ the title of
22 the city to such the real property ~~be~~ is not declared inalienable by ~~charter of the city,~~
23 ~~or other similar law or instrument~~.

24 (2) Notwithstanding the provisions of any general, ~~special or local~~ law or
25 ordinance, a sale or lease authorized under sub. (1) may be made without appraisal,

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1 public notice or public bidding for a price or rental amount and upon terms agreed
2 upon between the city and the redevelopment corporation to carry out the purposes
3 of ss. ~~66.405 66.1301 to 66.425.~~ 66.1329. ~~In the case of a lease, the~~ The term of the
4 lease shall may not exceed 60 years with a right of renewal upon the same terms.

5 (3) Before any sale or lease to a redevelopment corporation ~~shall be is~~
6 authorized, a public hearing shall be held by the local governing body to consider the
7 proposed sale or lease.

8 (5) The deed or lease of ~~such~~ real property shall be executed in the same manner
9 as a deed or lease by the city of other real property owned by it and may contain
10 appropriate conditions and provisions to enable the city to reenter the real property
11 ~~in the event of a violation by~~ if the redevelopment corporation violates of any of the
12 provisions of ss. ~~66.405 66.1301 to 66.425 66.1329~~ relating to ~~such~~ the redevelopment
13 corporation or of violates the conditions or provisions of ~~such~~ the deed or lease.

14 (6) A redevelopment corporation purchasing or leasing real property from a
15 city shall may not, without the written approval of the city, use ~~such~~ the real property
16 for any purpose except in connection with its development. The deed shall contain
17 a condition that the redevelopment corporation will devote the real property ~~granted~~
18 only for the purposes of its development subject to the restrictions of ss. ~~66.405~~
19 66.1301 to 66.425 66.1329, for breach of which the city shall ~~have the right to~~ may
20 reenter and repossess itself of the real property.

21 **SECTION 422.** 66.418 of the statutes is renumbered 66.1321 and amended to
22 read:

23 **66.1321 Urban redevelopment; city lease to, terms.** If real property of a
24 city ~~be~~ is leased to a redevelopment corporation:

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1 (1) The lease may provide that all improvements shall be the property of the
2 lessor;.

3 (2) The lessor may grant to the redevelopment corporation the right to
4 mortgage the fee of ~~such~~ the real property and ~~thus~~ enable the redevelopment
5 corporation to give as security for its notes or bonds a first lien upon the land and
6 improvements;.

7 (3) The execution of a lease ~~shall~~ does not impose upon the lessor any liability
8 or obligation in connection with or arising out of the financing, construction,
9 management or operation of a development involving the leased land ~~so leased~~. The
10 lessor ~~shall~~ may not, by executing ~~such~~ the lease, incur any obligation or liability
11 with respect to ~~such~~ the leased premises other than may devolve upon the lessor with
12 respect to premises not owned by it. The lessor, by consenting to the execution by a
13 redevelopment corporation of a mortgage upon the leased land, ~~shall~~ does not
14 ~~thereby~~ assume, and ~~such~~ the consent ~~shall~~ may not be construed as imposing upon
15 the lessor, any liability upon the note or bond secured by the mortgage;.

16 (4) The lease may reserve ~~such~~ any easements or other rights in connection
17 with the real property ~~as may be~~ that are considered necessary or desirable for the
18 future planning and development of the city and the extension of public facilities
19 ~~therein~~ in the city, including the construction of subways and conduits and the
20 widening and changing of grade of streets. The lease may contain ~~such~~ any other
21 provisions for the protection of the parties as that are not inconsistent with the
22 provisions of ss. ~~66.405~~ 66.1301 to ~~66.425~~ 66.1329.

23 **SECTION 423.** 66.419 (title) of the statutes is renumbered 66.1323 (title) and
24 amended to read:

25 **66.1323** (title) **Urban redevelopment; aids by city and appropriations.**

ASSEMBLY BILL 710**SECTION 424**

1 **SECTION 424.** 66.419 of the statutes is renumbered 66.1323 (1) and amended
2 to read:

3 66.1323 (1) ~~In addition to the powers conferred upon the city by other~~
4 ~~provisions of ss. 66.405 to 66.425, the. A local governing body is empowered to may~~
5 ~~appropriate moneys for the purpose of, and to may borrow or to accept grants from~~
6 ~~the federal or state governments or any agency thereof of their agencies, for and in~~
7 ~~aid of the acquisition of any lands required to carry out the plan or the purposes~~
8 ~~mentioned in s. 66.42; and to these ends, to 66.1325. The local governing body may~~
9 ~~enter into such contracts, mortgages, trust indentures or other agreements as the~~
10 ~~federal government may require requires.~~

11 **SECTION 425.** 66.42 of the statutes is renumbered 66.1325, and 66.1325 (intro.)
12 and (1), as renumbered, are amended to read:

13 **66.1325 Urban redevelopment; city improvements.** (intro.) For the
14 purpose of aiding and cooperating in the planning, undertaking, construction or
15 operation of any such redevelopment plan located within the area in which it is
16 authorized to act, ~~any a~~ local governing body may, upon ~~such~~ terms, with or without
17 consideration, ~~as it may determine that it determines, do all of the following:~~

18 (1) Cause parks, playgrounds, recreational, community, educational, water,
19 sewer or drainage facilities, or any other works which it is otherwise empowered to
20 undertake, to be furnished adjacent to or in connection with housing projects;.

21 **SECTION 426.** 66.421 (title) of the statutes is repealed.

22 **SECTION 427.** 66.421 of the statutes is renumbered 66.1323 (2) and amended
23 to read:

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1 66.1323 (2) ~~The A city is authorized to~~ may appropriate moneys for the purpose
2 of making plans and surveys to carry out ~~such~~ redevelopment, and for any purpose
3 required to carry out the intention of ss. ~~66.405 66.1301 to 66.425 66.1329~~.

4 **SECTION 428.** 66.422 (title) of the statutes is renumbered 66.1327 (title) and
5 amended to read:

6 **66.1327** (title) **Urban redevelopment; construction of statute; conflict**
7 **of laws; supplemental powers.**

8 **SECTION 429.** 66.422 of the statutes is renumbered 66.1327 (1) and amended
9 to read:

10 66.1327 (1) Sections ~~66.405 66.1301 to 66.425 66.1329~~ shall be construed
11 liberally to effectuate the purposes ~~hereof~~ of urban redevelopment, and the
12 enumeration therein of specific powers shall does not operate to restrict the meaning
13 of any general grant of power contained in ss. ~~66.405 66.1301 to 66.425 66.1329~~ or
14 to exclude other powers comprehended in ~~such~~ the general grant.

15 **SECTION 430.** 66.424 (title) of the statutes is repealed.

16 **SECTION 431.** 66.424 of the statutes is renumbered 66.1327 (2) and amended
17 to read:

18 66.1327 (2) Insofar as If ss. ~~66.405 66.1301 to 66.425 66.1329~~ are inconsistent
19 with any other law, the provisions of these sections ~~shall be~~ are controlling.

20 **SECTION 432.** 66.425 (title) of the statutes is repealed.

21 **SECTION 433.** 66.425 of the statutes is renumbered 66.1327 (3) and amended
22 to read:

23 66.1327 (3) The powers conferred by ss. ~~66.405 66.1301 to 66.425~~ shall be
24 66.1329 are in addition and supplemental to the powers conferred by any other law.

25 **SECTION 434.** 66.43 (title) of the statutes is renumbered 66.1331 (title).

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1 **SECTION 435.** 66.43 (1), (2), (2m) and (3) (intro.) and (a) of the statutes are
2 renumbered 66.1331 (1), (2), (2m) and (3) (intro.) and (a), and 66.1331 (2), (2m) and
3 (3) (intro.) and (a), as renumbered, are amended to read:

4 66.1331 (2) FINDINGS AND DECLARATION OF NECESSITY. It is hereby found and
5 declared that there have existed and continue to exist in cities within the state,
6 substandard, insanitary, deteriorated, slum and blighted areas which constitute a
7 serious and growing menace, injurious and inimical to the public health, safety,
8 morals and welfare of the residents of the state; ~~that the.~~ The existence of such these
9 areas contributes substantially and increasingly to the spread of disease and crime
10 (necessitating excessive and disproportionate expenditures of public funds for the
11 preservation of the public health and safety, for crime prevention, correction,
12 prosecution, punishment, and the treatment of juvenile delinquency and for the
13 maintenance of adequate police, fire and accident protection, and other public
14 services and facilities), constitutes an economic and social liability, substantially
15 impairs or arrests the sound growth of cities, and retards the provision of housing
16 accommodations; ~~that this.~~ This menace is beyond remedy and control solely by
17 regulatory process in the exercise of the police power and cannot be dealt with
18 effectively by the ordinary operations of private enterprise without the aids herein
19 provided; ~~that the~~ in this section. The acquisition of property for the purpose of
20 eliminating substandard, insanitary, deteriorated, slum or blighted conditions
21 ~~thereon~~ or preventing recurrence of such these conditions in the area, the removal
22 of structures and improvement of sites, the disposition of the property for
23 redevelopment incidental to ~~the foregoing~~ these activities, and any assistance which
24 may be given by cities or any other public bodies ~~in connection therewith~~, are public
25 uses and purposes for which public money may be expended and the power of

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1 eminent domain exercised; and that the. The necessity in the public interest for the
2 provisions ~~herein enacted~~ of this section is hereby declared as a matter of legislative
3 determination. ~~Nothing herein contained shall be deemed to contravene, repeal or~~
4 ~~repeal the finding and declaration of necessity heretofore set forth in s. 66.43 (2)~~
5 ~~prior to the recreation thereof on July 10, 1953.~~

6 **(2m) DISCRIMINATION.** Persons otherwise entitled to any right, benefit, facility
7 or privilege under this section shall not, ~~with reference thereto,~~ be denied them in
8 any manner for any purpose nor be discriminated against because of sex, race, color,
9 creed, sexual orientation or national origin.

10 **(3) DEFINITIONS.** (intro.) ~~The following terms whenever used or referred to in~~
11 In this section shall, ~~for the purposes of this section and,~~ unless a different intent
12 clearly appears from the context, ~~be construed as follows:~~

13 (a) "Blighted area" means any area, including a slum area, in which a majority
14 of the structures are residential or in which there is a predominance of buildings or
15 improvements, whether residential or nonresidential, and which, by reason of
16 dilapidation, deterioration, age or obsolescence, inadequate provision for
17 ventilation, light, air, sanitation, or open spaces, high density of population and
18 overcrowding, or the existence of conditions which endanger life or property by fire
19 and other causes, or any combination of ~~such~~ these factors, is conducive to ill health,
20 transmission of disease, infant mortality, juvenile delinquency and crime, and is
21 detrimental to the public health, safety, morals or welfare.

22 **SECTION 436.** 66.43 (3) (b) of the statutes is repealed.

NOTE: Repeals a provision that defines a city to be a city. The provision is unnecessary.

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1 **SECTION 437.** 66.43 (3) (c) to (L) of the statutes are renumbered 66.1331 (3) (c)
2 to (L), and 66.1331 (3) (d), (h) and (k), as renumbered, are amended to read:

3 66.1331 **(3)** (d) “Land” includes bare or vacant land, ~~or~~ the land under
4 buildings, structures or other improvements, ~~also~~ and water and land under water.
5 When employed in connection with “use”, as for instance, “use of land” or “land use”,
6 “land” ~~also~~ includes buildings, structures and improvements existing or to be placed
7 ~~thereon~~ on land.

8 (h) “Project area” means a blighted area or portion of a blighted area, ~~as defined~~
9 ~~in par. (a)~~, of such extent and location as adopted by the planning commission and
10 approved by the local legislative body as an appropriate unit of redevelopment
11 planning for a redevelopment project, separate from the redevelopment projects in
12 other parts of the city. In the provisions of this section relating to leasing or sale by
13 the city, for abbreviation “project area” is used for the remainder of the project area
14 after taking out those pieces of property which ~~shall~~ have been or are to be
15 transferred for public uses.

16 (k) “Real property” includes land; ~~also includes~~ land together with the
17 buildings, structures, fixtures and other improvements ~~thereon~~; ~~also includes~~ on the
18 land; liens, estates, easements and other interests ~~therein~~ in the land; and also
19 ~~includes~~ restrictions or limitations upon the use of land, buildings or structures,
20 other than those imposed by exercise of the police power.

21 **SECTION 438.** 66.43 (3) (m) and (n) and (4) to (15) of the statutes are renumbered
22 66.1331 (3) (m) and (n) and (4) to (15), and 66.1331 (3) (m), (4) (a) and (c), (5), (6) (a)
23 (intro.) and (b) to (g) and (7) to (15), as renumbered, are amended to read:

24 66.1331 **(3)** (m) “Redevelopment project” means any work or undertaking to
25 acquire blighted areas or portions ~~thereof~~ of blighted areas, and lands, structures,

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1 or improvements, the acquisition of which is necessary or incidental to the proper
2 clearance or redevelopment of such the areas or to the prevention of the spread or
3 recurrence of slum conditions or conditions of blight in such the areas; to clear any
4 such blighted areas by demolition or removal of existing buildings, structures,
5 streets, utilities, or other improvements ~~thereon and~~; to install, construct, or
6 reconstruct streets, utilities, and site improvements essential to the preparation of
7 sites for uses in accordance with a redevelopment plan; or to sell, lease or otherwise
8 make available land in such blighted areas for residential, recreational, commercial,
9 industrial or other use or for public use, or to retain such the land for public use, in
10 accordance with a redevelopment plan. The term “redevelopment Redevelopment
11 project” ~~may also include~~ includes the preparation of a redevelopment plan, the
12 planning, surveying, and other work incident to a redevelopment project, and the
13 preparation of all plans and arrangements for carrying out a redevelopment project.
14 “Redevelopment plan” ~~means a plan for the acquisition, clearance, reconstruction,~~
15 ~~rehabilitation or future use of a redevelopment project area.~~

NOTE: A separate definition of “redevelopment plan” is created in SECTION 297.

16 (4) (a) ~~Every A city is granted, in addition to its other powers, may exercise all~~
17 powers necessary or convenient to carry out and effectuate the purposes and
18 provisions of this section, including the following powers in addition to others herein
19 granted all of the following:

20 1. ~~To prepare or cause to be prepared~~ Prepare redevelopment plans and to
21 undertake and carry out redevelopment projects within its corporate limits.

22 2. ~~To enter~~ Enter into any contracts determined by the local legislative body to
23 be necessary to effectuate the purposes of this section.

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1 3. Within its boundaries, ~~to~~ acquire by purchase, eminent domain or otherwise,
2 any real or personal property or any interest ~~therein~~ in that property, together with
3 any improvements ~~thereon~~, necessary or incidental to a redevelopment project; ~~to~~
4 hold, improve, clear or prepare for redevelopment any such property; ~~to~~ sell, lease,
5 subdivide, retain for its own use, mortgage, or otherwise encumber or dispose of any
6 such property or any interest ~~therein~~; ~~to~~ in that property; enter into contracts with
7 redevelopers of property containing covenants, restrictions, and conditions
8 regarding the use of ~~such~~ the property in accordance with a redevelopment plan and
9 ~~such~~ other covenants, restrictions and conditions ~~as it may deem~~ that it deems
10 necessary to prevent a recurrence of blighted areas or to effectuate the purposes of
11 this section; ~~to~~ and make any ~~of such~~ covenants, restrictions, conditions or covenants
12 running with the land, and ~~to~~ provide appropriate remedies for any their breach
13 thereof.

14 4. ~~To borrow~~ Borrow money and issue bonds, and ~~to~~ apply for and accept
15 advances, loans, grants, contributions, and any other form of financial assistance
16 from the federal, state or county government, or other public body or from any
17 sources, for the purpose of this section; ~~to~~ and give ~~such~~ security as may be required,
18 and ~~to~~ enter into and carry out contracts in connection ~~therewith~~ with the security.

19 (c) Notwithstanding any other provision of law, the local legislative body may
20 designate, by ordinance or resolution, any local housing authority existing under ss.
21 ~~66.40~~ 66.1201 to ~~66.404~~ 66.1211, any local redevelopment authority existing under
22 s. ~~66.431~~ 66.1333, or both jointly, or any local community development authority
23 existing under s. ~~66.4325~~ 66.1335, as the agent of the city to perform any act, except
24 the development of the general plan of the city, which may otherwise be performed
25 by the planning commission under this section.

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1 (5) GENERAL AND PROJECT AREA REDEVELOPMENT PLANS. (a) The planning
2 commission is hereby directed to shall make and, from time to time, develop a
3 comprehensive or general plan of the city, including the appropriate maps, charts,
4 tables and descriptive, interpretive and analytical matter, ~~which.~~ The plan is
5 intended to shall serve as a general framework or guide of development within which
6 the various area and redevelopment projects under this section may be more
7 precisely planned and calculated, ~~and which comprehensive or general.~~ The plan
8 shall include at least a land use plan which designates the proposed general
9 distribution and general locations and extents of the uses of the land for housing,
10 business, industry, recreation, education, public buildings, public reservations and
11 other general categories of public and private uses of the land.

12 (b) For the exercise of the powers granted and for the acquisition and
13 disposition of real property for the redevelopment of a project area, the following
14 steps and plans ~~shall be requisite, namely~~ are required:

15 1. Designation by the planning commission of the boundaries of the project area
16 proposed by it for redevelopment, submission of ~~such~~ the boundaries to the local
17 legislative body and the adoption of a resolution by ~~said~~ the local legislative body
18 declaring ~~such~~ the area to be a blighted area in need of redevelopment.

19 2. Adoption by the planning commission and approval by the local legislative
20 body of the redevelopment plan of the project area. ~~Such~~ The redevelopment plan
21 shall conform to the general plan of the city and shall be sufficiently complete to
22 indicate its relationship to definite local objectives as to appropriate land uses,
23 improved traffic, public transportation, public utilities, recreational and community
24 facilities, and other public improvements in the project area, ~~and.~~ The plan shall
25 include, ~~without being limited to,~~ a statement of the boundaries of the project area;

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1 a map showing existing uses and conditions of real property ~~therein~~ in the area; a
2 land use plan showing proposed uses of the area; information showing the standards
3 of population density, land coverage, and building intensity in the area after
4 redevelopment; a statement of proposed changes, if any, in zoning ordinances or
5 maps and building codes and ordinances; a statement as to the kind and number of
6 site improvements and additional public utilities which will be required to support
7 the new land uses in the area after redevelopment; and a statement of a feasible
8 method proposed for the relocation of families to be displaced from the project area.

9 3. Approval of a redevelopment plan of a project area by the local legislative
10 body may be given only after a public hearing conducted by it, and a finding by it that
11 ~~said~~ the plan is feasible and in conformity with the general plan of the city. Notice
12 of such the hearing, describing the time, date, place and purpose of the hearing and
13 generally identifying the project area, shall be published as a class 2 notice, under
14 ch. 985, the last insertion to be at least 10 days prior to the date set for the hearing.
15 All interested parties shall be afforded a reasonable opportunity at the hearing to
16 express their views respecting the proposed plan, but the hearing ~~shall be~~ is only for
17 the purpose of assisting the local legislative body in making its determination.

18 (c) In relation to the location and extent of public works and utilities, public
19 buildings and other public uses in the general plan or in a project area plan, the
20 planning commission ~~is directed to~~ shall confer with ~~such other~~ those public officials,
21 boards, authorities and agencies under whose administrative jurisdictions ~~such~~ the
22 uses respectively fall.

23 (d) After a project area redevelopment plan of a project area ~~shall have~~ has been
24 adopted by the planning commission and approved by the local legislative body, the
25 planning commission may ~~at any time~~ certify ~~said~~ the plan to the local legislative

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1 body, ~~whereupon said.~~ The local legislative body shall ~~proceed to~~ exercise the powers
2 granted to it in this section for the acquisition and assembly of the real property of
3 the area. Following ~~such~~ certification, no new construction shall ~~shall~~ may be authorized
4 by any agencies, boards or commissions of the city, in ~~such~~ the area, unless as
5 authorized by the local legislative body, including substantial remodeling or
6 conversion or rebuilding, enlargement or extension of major structural
7 improvements on existing buildings, but not including ordinary maintenance or
8 remodeling or changes necessary to continue the occupancy.

9 (6) (a) (intro.) After the real property in the project area has been assembled,
10 the city ~~shall have power to~~ may lease or sell all or any part of the real property,
11 including streets or parts thereof to be closed or vacated in accordance with the plan,
12 to a redevelopment company or to an individual, a limited liability company or a
13 partnership for use in accordance with the redevelopment plan. Real property in the
14 project area shall be leased or sold at its fair value for uses in accordance with the
15 redevelopment plan notwithstanding that the fair value may be less than the cost of
16 acquiring and preparing the property for redevelopment. In determining the
17 property's fair value, a city shall take into account and give consideration to the
18 following:

19 (b) Any ~~such~~ lease or sale under this subsection may be made without public
20 bidding, but only after a public hearing by the planning commission upon the
21 proposed lease or sale and ~~the its provisions thereof; and notice.~~ Notice of the hearing
22 shall be published as a class 2 notice, under ch. 985.

23 (c) The terms of ~~such~~ a lease or sale under this subsection shall be fixed by the
24 planning commission and approved by the local legislative body ~~and the.~~ The
25 instrument of lease may provide for renewals upon reappraisals and with rentals

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1 and other provisions adjusted to ~~such~~ the reappraisals. Every ~~such~~ lease or sale shall
2 provide that the lessee or purchaser shall carry out ~~or cause to be carried out~~ the
3 approved project area redevelopment plan or approved modifications ~~thereof~~ and
4 that no use ~~shall~~ may be made of any land or real property included in the lease or
5 sale nor any building or structure erected ~~thereon~~ which does not conform to ~~such~~ the
6 approved plan or approved modifications ~~thereof~~. In the instrument ~~or instruments~~
7 of lease or sale, the planning commission, with the approval of the local legislative
8 body, may include ~~such~~ other terms, conditions and provisions as in its judgment will
9 provide reasonable assurance of the priority of the obligations of the lease or sale and
10 of conformance to the plan over any other obligations of the lessee or purchaser and
11 ~~also~~ assurance of the financial and legal ability of the lessee or purchaser to carry out
12 and conform to the plan and the terms and conditions of the lease or sale; ~~also, such~~
13 and may include terms, conditions and specifications concerning buildings,
14 improvements, subleases or tenancy, maintenance and management and any other
15 matters as the planning commission, with the approval of the local legislative body,
16 may impose or approve, including provisions whereby the obligations to carry out
17 and conform to the project area plan shall run with the land. ~~In the event that~~ If
18 maximum rentals to be charged to tenants of housing ~~be~~ are specified, provision may
19 be made for periodic reconsideration of ~~such~~ rental bases.

20 (d) Until the planning commission certifies, with the approval of the local
21 legislative body, that all building constructions and other physical improvements
22 specified to be done and made by the purchaser of the area have been completed, the
23 purchaser ~~shall have no power to~~ may not convey all or part of the area, ~~or any part~~
24 ~~thereof~~, without the consent of the planning commission and the local legislative
25 body, and no ~~such~~ consent ~~shall~~ may be given unless the grantee of the purchaser is

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1 obligated, by written instrument, to the city to carry out that portion of the
2 redevelopment plan which falls within the boundaries of the conveyed property and
3 ~~also that the.~~ The grantee, and the heirs, representatives, successors and assigns of
4 the grantee ~~shall have no right or power to,~~ may not convey, lease or let the conveyed
5 property or any part ~~thereof~~ of the property, or erect or use any building or structure
6 erected ~~thereon~~ on the property free from obligation and requirement to conform to
7 the approved project area redevelopment plan or approved modifications thereof.

8 (f) The planning commission may, with the approval of the local legislative
9 body, ~~cause to have demolished any~~ demolish an existing structure or clear the area
10 of any part ~~thereof~~ of the structure, or may specify the demolition and clearance to
11 be performed by a lessee or purchaser and the time schedule for ~~same~~ the work. The
12 planning commission, with the approval of the local legislative body, shall specify the
13 time schedule and conditions for the construction of buildings and other
14 improvements.

15 (g) In order to facilitate the lease or sale of a project area or, ~~in the event that~~
16 if the lease or sale is of parts of an area, the city ~~shall have the power to~~ may include
17 in the cost payable by it the cost of the construction of local streets and sidewalks
18 within the area or of grading and other local public surface or subsurface facilities
19 necessary for shaping the area as the site of the redevelopment of the area. The city
20 may arrange with the appropriate federal, state or county agencies for the
21 reimbursement of such outlays from funds or assessments raised or levied for such
22 these purposes.

23 **(7) HOUSING FOR DISPLACED FAMILIES.** ~~In connection with every redevelopment~~
24 ~~plan the~~ The housing authority shall formulate a feasible method for the temporary
25 relocation of persons living in areas that are designated for clearance and

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1 redevelopment. ~~In addition the~~ The housing authority and the local legislative body
2 ~~will~~ shall assure that decent, safe and sanitary dwellings substantially equal in
3 number to the number of substandard dwellings to be removed in carrying out the
4 redevelopment are available, or will be provided, at rents or prices within the
5 financial reach of the income groups displaced.

6 (8) USE-VALUE APPRAISALS. After the city ~~shall have~~ has assembled and acquired
7 the real property of the project area, it shall, as an aid ~~to it~~ in determining the rentals
8 and other terms upon which it will lease or the price at which it will sell all or part
9 of the area or parts thereof, place a use value upon each piece or tract of land within
10 the area which, in accordance with the plan, is to be used for private uses or for
11 low-rent housing, ~~such use.~~ The use value ~~to~~ shall be based on the planned use; and,
12 for the purposes of this use valuation, it ~~the city~~ shall ~~cause~~ provide a use valuation
13 appraisal ~~to be made~~ prepared by the local commissioner of assessments or assessor;
14 ~~but nothing.~~ Nothing contained in this section shall ~~may~~ be construed as requiring
15 the city to base its rentals or selling prices upon such ~~the~~ appraisal.

16 (9) PROTECTION OF REDEVELOPMENT PLAN. (a) ~~Previous to the~~ Before execution
17 and delivery by the city of a lease or conveyance to a redevelopment company, or
18 ~~previous to the~~ before consent by the city to an assignment or conveyance by a lessee
19 or purchaser to a redevelopment company, the articles or certificate of incorporation
20 or association or charter or other basic instrument of such ~~such~~ the company shall contain
21 provisions ~~so~~ defining, limiting and regulating the exercise of the powers of the
22 company so that neither the company nor its stockholders, ~~its~~ officers, ~~its~~ directors,
23 ~~its~~ members, ~~its~~ beneficiaries, ~~its~~ bondholders or other creditors or other persons
24 shall ~~have any power to~~ may amend ~~or to effect the amendment of~~ the terms and
25 conditions of the lease or the terms and conditions of the sale without the consent of

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1 the planning commission, together with the approval of the local legislative body, or,
2 in relation to the project area development plan, without the approval of any
3 proposed modification in accordance with sub. (10); ~~and no.~~ No action of
4 stockholders, officers, directors, bondholders, creditors, members, partners or other
5 persons, nor any reorganization, dissolution, receivership, consolidation, foreclosure
6 or any other change in the status or obligation of any redevelopment company,
7 partnership, limited liability company or individual in any litigation or proceeding
8 in any federal or other court ~~shall~~ may effect any release or any impairment or
9 modification of the lease or terms of sale or of the project area redevelopment plan
10 unless ~~such~~ consent or approval be is obtained.

11 (b) ~~Redevelopment corporations~~ A redevelopment corporation may be
12 organized under the general corporation law of the state ~~and shall have the power~~
13 to be a redevelopment company under this section, ~~and to;~~ may acquire and hold real
14 property for the purposes set forth in this section; ~~and to~~ may exercise all other
15 powers granted to redevelopment companies in this section, ~~subject to the provisions,~~
16 ~~limitations and obligations herein set forth.~~

17 (c) A redevelopment company, individual, limited liability company or
18 partnership to which any all or part of a project area or part thereof is leased or sold
19 under this section shall keep books of account of its operations of or transactions
20 relating to such the area or part entirely separate and distinct from accounts of and
21 for any other project area or part thereof of the other project area or any other real
22 property or enterprise; ~~and no.~~ No lien or other interest ~~shall~~ may be placed upon
23 any real property in said the area to secure any indebtedness or obligation of the
24 redevelopment company, individual, limited liability company or partnership
25 incurred for or in relation to any property or enterprise outside of said the area.

ASSEMBLY BILL 710**SECTION 438**

1 **(10) MODIFICATION OF DEVELOPMENT PLANS.** An approved project area
2 redevelopment plan may be modified at any time ~~or times~~ after the lease or sale of
3 ~~all or part of the area or part thereof provided that~~ if the modification ~~be~~ is consented
4 to by the lessee or purchaser, and ~~that~~ if the proposed modification ~~be~~ is adopted by
5 the planning commission and ~~then~~ submitted to the local legislative body and
6 approved by it. Before approval, the local legislative body shall hold a public hearing
7 on the proposed modification, notice of the time and place of which shall be given by
8 mail sent at least 10 days prior to the hearing to the then owners of the real properties
9 in the project area and of the real properties immediately adjoining or across the
10 street from the project area. The local legislative body may refer back to the planning
11 commission any project area redevelopment plan, project area boundaries or
12 modification submitted to it, together with its recommendation for changes in ~~such~~
13 the plan, boundaries or modification and, if ~~such~~ recommended changes ~~be~~ are
14 adopted by the planning commission and ~~in turn~~ formally approved by the local
15 legislative body, the plan, boundaries or modification as thus changed ~~shall be and~~
16 ~~become~~ becomes the approved plan, boundaries or modification.

17 **(11) LIMITATION UPON TAX EXEMPTION.** Nothing contained in this section ~~shall~~
18 may be construed to authorize or require the exemption of any real property from
19 taxation, except real property sold, leased or granted to and acquired by a public
20 housing authority. No real property acquired ~~pursuant to~~ under this section by a
21 private redevelopment company, individual, limited liability company or
22 partnership either by lease or purchase ~~shall be~~ is exempt from taxation by reason
23 of ~~such~~ the acquisition.

24 **(12) FINANCIAL ASSISTANCE.** The city may accept grants or other financial
25 assistance from the federal, state and county governments or from other sources to

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1 carry out the purposes of this section, and may do all things necessary to comply with
2 the conditions attached to ~~such~~ the grants or loans.

3 (13) COOPERATION AND USE OF CITY FUNDS. (a) To assist any redevelopment
4 project located in the area in which it is ~~authorized to~~ may act, ~~any a~~ public body may,
5 upon ~~such terms as~~ that it may determine: ~~Furnish~~ determines, furnish services or
6 facilities, provide property, lend or contribute funds, and perform any other action
7 of a character which it is ~~authorized to~~ may perform for other purposes.

8 (b) ~~Every~~ A city may appropriate and use its general funds to carry out the
9 purposes of this section and, ~~to obtain such funds, may, in addition to other powers~~
10 ~~set forth in this section,~~ incur indebtedness, and issue bonds in ~~such amount or~~
11 amounts as that the local legislative body determines by resolution to be necessary
12 ~~for the purpose of raising funds for use in carrying out the purposes of this section;~~
13 ~~provided, that any.~~ The issuance of bonds by a city pursuant to under this provision
14 paragraph shall be in accordance with ~~such~~ statutory and other legal requirements
15 as that govern the issuance of obligations generally by the city.

16 (14) LIMITED OBLIGATIONS. For the purpose of carrying out or administering a
17 redevelopment plan or other functions authorized under this section, ~~any a~~ city may
18 issue municipal obligations payable solely from and secured by a pledge of and lien
19 upon any or all of the income, proceeds, revenues, funds and property of the city
20 derived from or held by it in connection with redevelopment projects, including the
21 proceeds of grants, loans, advances or contributions from any public or private
22 source. Municipal obligations issued under this subsection may be registered under
23 s. 67.09 but shall otherwise be in ~~such a~~ form, mature at ~~such time or~~ times, bear
24 interest at ~~such rate or~~ rates, be issued and sold in ~~such a~~ manner, and contain ~~such~~
25 terms, covenants, and conditions as that the local legislative body of the city shall,

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1 by resolution, ~~determine~~ determines. The municipal obligations shall be fully
2 negotiable, shall not require a referendum, and shall are not be subject to the
3 provisions of any other law or charter relating to the issuance or sale of municipal
4 obligations. Obligations under this section sold to the United States government
5 need not be sold at public sale. In this subsection, “municipal obligation” has the
6 meaning specified in s. 67.01 (6).

7 **(15) CONSTRUCTION.** This section shall be construed liberally to effectuate ~~the~~
8 its purposes hereof and the enumeration ~~therein~~ in this section of specific powers
9 ~~shall does~~ not operate to restrict the meaning of any general grant of power contained
10 in this section or to exclude other powers comprehended in such the general grant.

11 **SECTION 439.** 66.43 (16) of the statutes is repealed.

NOTE: Repealed as archaic. The subsection validates actions of a city taken
before July 10, 1953. There appears to be no need to continue the validation.

12 **SECTION 440.** 66.43 (17) of the statutes is renumbered 66.1331 (16).

13 **SECTION 441.** 66.431 (title) of the statutes is renumbered 66.1333 (title).

14 **SECTION 442.** 66.431 (1), (2) and (2m) (intro.) and (a) to (e) of the statutes are
15 renumbered 66.1333 (1), (2) and (2m) (intro.) and (a) to (e), and 66.1333 (2) and (2m)
16 (intro.) and (d) (intro.) and 1. to 5., as renumbered, are amended to read:

17 66.1333 **(2) FINDINGS.** In addition to the findings and declarations made in ss.
18 ~~66.43 66.1331~~ (2) and ~~66.435, which findings and declarations are in all respects~~
19 ~~affirmed, restated and incorporated herein 66.1337,~~ it is further found and declared
20 that the existence of substandard, deteriorated, slum and blighted areas and
21 blighted properties is a matter of statewide concern; ~~that it.~~ It is the policy of this
22 state to protect and promote the health, safety, morals and general welfare of the
23 people of the state in which such these areas and blighted properties exist by the

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1 elimination and prevention of ~~such~~ these areas and blighted properties through the
2 utilization of all means appropriate for that purpose, thereby encouraging
3 well-planned, integrated, stable, safe and healthful neighborhoods, the provision of
4 healthful homes, a decent living environment and adequate places for employment
5 of the people of this state and its communities in ~~such~~ these areas and blighted
6 properties; ~~that the.~~ The purposes of this section are to provide further for the
7 elimination and prevention of substandard, deteriorated, slum and blighted areas
8 and blighted properties through redevelopment and other activities by state-created
9 agencies and the utilization of all other available public and private agencies and
10 resources, ~~thereby carrying out the policy of this state as heretofore declared; that~~
11 ~~state.~~ State agencies are necessary in order to carry out in the most effective and
12 efficient manner the state's policy and declared purposes for the prevention and
13 elimination of substandard, deteriorated, slum and blighted areas and blighted
14 properties; ~~and that such state.~~ State agencies shall be available in all the cities in
15 the state to be known as the redevelopment authorities of the particular cities, to and
16 carry out and effectuate the provisions of this section when the local legislative
17 bodies of the cities determine there is a need for them to carry out within their cities
18 the powers and purposes of this section; ~~and any assistance.~~ Assistance which may
19 be given by cities or any other public bodies ~~in connection therewith, are public uses~~
20 ~~and purposes~~ under this section is a public use and purpose for which public money
21 may be expended; ~~and that the.~~ The necessity in the public interest for the provisions
22 ~~herein enacted~~ of this section is declared a matter of legislative determination.
23 Nothing contained herein is deemed to contravene, repeal or rescind in this
24 subsection contravenes, repeals or rescinds the finding or declaration of necessity
25 ~~prior to~~ before the recreation thereof of this subsection on June 1, 1958.

ASSEMBLY BILL 710**SECTION 442**

1 **(2m)** DEFINITIONS. (intro.) ~~As used or referred to in~~ In this section, unless the
2 context clearly indicates otherwise:

3 (d) (intro.) “Blight elimination, slum clearance and urban renewal project”,
4 “redevelopment and urban renewal project”, “redevelopment or urban renewal
5 project”, “redevelopment project”, “urban renewal project” and “project” mean
6 undertakings and activities in a project area for the elimination and for the
7 prevention of the development or spread of slums and blight, and may involve
8 clearance and redevelopment in a project area, or rehabilitation or conservation in
9 a project area, or any combination or part thereof of the undertakings and activities
10 in accordance with a “redevelopment plan”, “urban renewal plan”, “redevelopment
11 or urban renewal plan”, “project area plan” or “redevelopment and urban renewal
12 plan”, either one of which means the redevelopment plan of the project area prepared
13 and approved as provided in sub. (6). ~~Such~~ These undertakings and activities may
14 include all of the following:

15 1. Acquisition of all or a portion of a blighted area ~~or portions thereof~~;

16 2. Demolition and removal of buildings and improvements;

17 3. Installation, construction, or reconstruction of streets, utilities, parks,
18 playgrounds, and other improvements necessary for carrying out in the project area
19 the objectives of this section in accordance with the redevelopment plan;

20 4. Disposition of any property acquired in the project area (, including sale,
21 initial leasing or retention by the authority itself), at its fair value for uses in
22 accordance with the redevelopment plan;

23 5. Carrying out plans for a program of voluntary or compulsory repair and
24 rehabilitation of buildings or other improvements in accordance with the
25 redevelopment plan; ~~and~~.

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1 **SECTION 443.** 66.431 (2m) (f) of the statutes is repealed.

NOTE: Repeals a provision that defines a city to be a city. The provision is unnecessary.

2 **SECTION 444.** 66.431 (2m) (g) to (t) and (3) to (5m) of the statutes are
3 renumbered 66.1333 (2m) (g) to (t) and (3) to (5m), and 66.1333 (2m) (j), (3) (a) 1. and
4 4. and (b) to (g) and (5) (a), (b) 4. and (c) 1r. and 2., as renumbered, are amended to
5 read:

6 66.1333 **(2m)** (j) “Real property” includes all lands, together with
7 improvements and fixtures ~~thereon~~, and property of any nature appurtenant ~~thereto~~
8 to the lands, or used in connection ~~therewith~~ with the lands, and every estate,
9 interest, right and use, legal or equitable, ~~therein~~ in the lands, including terms for
10 years and liens by way of judgment, mortgage or otherwise.

11 **(3)** (a) 1. It is found and declared that a redevelopment authority, functioning
12 within a city in which there exists ~~substandard, deteriorating, deteriorated,~~
13 ~~unsanitary slum and~~ blighted areas, constitutes a more effective and efficient means
14 for preventing and eliminating ~~slums and~~ blighted areas in the city and preventing
15 the recurrence ~~thereof~~ of blighted areas. Therefore, there is created in every such city
16 with a blighted area a redevelopment authority, to be known as the “redevelopment
17 authority of the city of ...”. An authority is created for the purpose of carrying out
18 blight elimination, slum clearance, and urban renewal programs and projects as set
19 forth in this section, together with all powers necessary or incidental to effect
20 adequate and comprehensive blight elimination, slum clearance and urban renewal
21 programs and projects.

22 4. The powers of the authority ~~shall be~~ are vested in the commissioners.

ASSEMBLY BILL 710**SECTION 444**

1 (b) The commissioners who are first appointed shall be designated by the
2 appointing power to serve for the following terms: 2 for one year, 2 for 2 years, 1 one
3 for 3 years, 1 one for 4 years, and 1 one for 5 years, from the date of their appointment.
4 Thereafter ~~After the first appointments~~, the term of office shall be for is 5 years. A
5 commissioner shall hold holds office until a successor ~~has been~~ is appointed and
6 qualified. ~~Removals with respect to commissioners~~ Removal of the authority shall
7 be a commissioner is governed by s. ~~66.40~~ 66.1201. Vacancies and new appointments
8 shall be are filled in the same manner as provided in par. (a).

9 (c) The filing of a certified copy of the resolution ~~above referred to~~ adopted under
10 par. (a) with the city clerk shall be is prima facie evidence of the authority's right to
11 proceed, and ~~such~~ the resolution shall is not be subject to challenge because of any
12 technicality. In any suit, action or proceeding commenced against the authority, a
13 certified copy of ~~such~~ the resolution shall be deemed is conclusive evidence that ~~such~~
14 the authority is established and authorized to transact business and exercise its
15 powers hereunder under this section.

16 (d) Following the adoption of ~~such~~ a resolution, ~~such~~ under par. (a), a city shall
17 ~~thereafter be~~ is precluded from exercising the powers provided in s. ~~66.43~~ 66.1331
18 (4), and the authority ~~has exclusive power to~~ may proceed to carry on the blight
19 elimination, slum clearance and urban renewal projects in ~~such~~ the city, except that
20 ~~such~~ the city is not precluded from applying, accepting and contracting for federal
21 grants, advances and loans under the housing and community development act of
22 1974 (P.L. 93-383).

23 (e) 1. ~~Such~~ An authority shall ~~have~~ has no power, ~~whatsoever~~, in connection
24 with any public housing project;

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1 2. Persons otherwise entitled to any right, benefit, facility or privilege under
2 this section shall may not, ~~with reference thereto,~~ be denied such the right, benefit,
3 facility or privilege in any manner for any purpose nor be discriminated against
4 because of sex, race, color, creed, sexual orientation or national origin.

5 (f) ~~In carrying out this section, the An authority is deemed an independent,~~
6 ~~separate and distinct public body and a body corporate and politic, exercising public~~
7 ~~powers determined to be necessary by the state to protect and promote the health,~~
8 ~~safety and morals of its residents, and is authorized to may take title to real and~~
9 ~~personal property in its own name; and such. The authority shall may proceed with~~
10 ~~the acquisition of property by eminent domain under ch. 32, or any other law relating~~
11 ~~specifically to eminent domain procedures of redevelopment authorities.~~

12 (g) ~~The An authority may employ personnel as required to perform its duties~~
13 ~~and responsibilities under civil service. The authority may appoint an executive~~
14 ~~director whose qualifications shall be are determined by the authority. The director~~
15 ~~shall also act as secretary of the authority and may have has the duties, powers and~~
16 ~~responsibilities delegated by the authority. All of the employes, including the~~
17 ~~director of the authority, shall be eligible to may participate in the same pension~~
18 ~~system, health and life insurance programs and deferred compensation programs~~
19 ~~provided for city employes and are eligible for any other benefits provided to city~~
20 ~~employes.~~

21 (5) (a) ~~Every An authority is granted, in addition to any other powers, may~~
22 ~~exercise all powers necessary or incidental to carry out and effectuate the purposes~~
23 ~~of this section, including the power to do all of the following powers:~~

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1 1. ~~To prepare or cause to be prepared~~ Prepare redevelopment plans and urban
2 renewal plans and ~~to~~ undertake and carry out redevelopment and urban renewal
3 projects within the corporate limits of the city in which it functions.

4 2. ~~To enter~~ Enter into any contracts determined by the authority to be
5 necessary to effectuate the purposes of this section. All contracts, other than those
6 for personal or professional services, in excess of \$25,000 ~~shall be~~ are subject to bid
7 and shall be awarded to the lowest qualified and competent bidder. The authority
8 may reject any bid required under this paragraph. The authority shall advertise for
9 bids by a class 2 notice, under ch. 985, published in the city in which the project is
10 to be developed. If the estimated cost of a contract, other than a contract for personal
11 or professional services, is between \$3,000 and \$25,000, the authority shall give a
12 class 2 notice, under ch. 985, of the proposed work before the contract is entered into.

13 3. Within the boundaries of the city ~~to~~, acquire by purchase, lease, eminent
14 domain, or otherwise, any real or personal property or any interest ~~therein~~ in the
15 property, together with any improvements ~~thereon~~ on the property, necessary or
16 incidental to a redevelopment or urban renewal project; ~~to~~ hold, improve, clear or
17 prepare for redevelopment or urban renewal any ~~such~~ of the property; ~~to~~ sell, lease,
18 subdivide, retain or make available the property for the city's use; ~~to~~ mortgage or
19 otherwise encumber or dispose of any ~~such~~ of the property or any interest ~~therein~~;
20 ~~to~~ in the property; enter into contracts with redevelopers of property containing
21 covenants, restrictions and conditions regarding the use of ~~such~~ the property in
22 accordance with a redevelopment or urban renewal plan, and ~~such~~ other covenants,
23 restrictions and conditions as that the authority ~~deems~~ considers necessary to
24 prevent a recurrence of blighted areas or to effectuate the purposes of this section;
25 ~~to~~ make any ~~of such covenants~~, restrictions, conditions or covenants running with

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1 the land and to provide appropriate remedies for any their breach thereof; to arrange
2 or contract for the furnishing of services, privileges, works or facilities for, or in
3 connection with a project; to temporarily operate and maintain real property
4 acquired by it in a project area for or in connection with a project pending the
5 disposition of the property for such uses and purposes as that may be deemed
6 desirable even though not in conformity with the redevelopment plan for the area;
7 within the boundaries of the city to enter into any building or property in any project
8 area in order to make inspections, surveys, appraisals, soundings or test borings, and
9 to obtain an a court order for this purpose ~~from a court of competent jurisdiction in~~
10 ~~the event~~ if entry is denied or resisted; to own and hold property and to insure or
11 provide for the insurance of any real or personal property or any of its operations
12 against any risks or hazards, including ~~the power to pay~~ paying premiums on any
13 such insurance; to invest any project funds held in reserves or sinking funds or any
14 such the funds not required for immediate disbursement in property or securities in
15 which savings banks may legally invest funds subject to their control; to redeem its
16 bonds issued under this section at the redemption price established ~~therein~~ in the
17 bonds or to purchase such the bonds at less than redemption price, all such bonds so
18 redeemed or purchased to be canceled; to develop, test and report methods and
19 techniques, and carry out demonstrations and other activities, for the prevention
20 and elimination of slums and blight; and to disseminate blight elimination, slum
21 clearance and urban renewal information.

22 4. a. ~~To borrow~~ Borrow money and issue bonds; to execute notes, debentures
23 and other forms of indebtedness; ~~and to~~ apply for and accept advances, loans, grants,
24 contributions and any other form of financial assistance from the city in which it
25 functions, from the federal government, the state, county, or other public body, or

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1 from any sources, public or private for the purposes of this section, and to give such
2 security as may be required and to enter into and carry out contracts or agreements
3 in connection therewith with the security; and to include in any contract for financial
4 assistance with the federal government for or with respect to blight elimination and
5 slum clearance and urban renewal such conditions imposed pursuant to federal laws
6 as the authority deems reasonable and appropriate and which are not inconsistent
7 with the purposes of this section.

8 b. Any debt or obligation of the authority ~~shall~~ is not be deemed the debt or
9 obligation of the city, county, state or any other governmental authority other than
10 the redevelopment authority itself.

11 c. ~~To issue~~ Issue bonds ~~in its discretion~~ to finance its activities under this
12 section, including the payment of principal and interest upon any advances for
13 surveys and plans, and ~~may~~ issue refunding bonds for the payment or retirement of
14 such bonds previously issued by it. ~~Such bonds~~ Bonds shall be made payable, as to
15 both principal and interest, solely from the income, proceeds, revenues, and funds
16 of the authority derived from or held in connection with its undertaking and carrying
17 out of projects or activities under this section; ~~provided that payment.~~ Payment of
18 such the bonds, both as to principal and interest, may be further secured by a pledge
19 of any loan, grant or contribution from the federal government or other source, in aid
20 of any projects or activities of the authority under this section, and by a mortgage of
21 ~~any such~~ all or a part of the projects or activities, ~~or any part thereof~~. Bonds issued
22 under this section ~~shall~~ are not constitute an indebtedness within the meaning of any
23 constitutional or statutory debt limitation or restriction of the state, city or of any
24 public body other than the authority issuing the bonds, and ~~shall~~ are not be subject
25 to any other law or charter relating to the authorization, issuance or sale of bonds.

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1 Bonds issued under this section are declared to be issued for an essential public and
2 governmental purpose and, together with interest ~~thereon~~ and income ~~therefrom~~,
3 ~~shall be~~ are exempt from all taxes. Bonds issued under this section shall be
4 authorized by resolution of the authority ~~and~~, may be issued in one or more series
5 and shall bear ~~such a~~ a date, be payable upon demand or mature at ~~such a~~ a time, bear
6 interest at ~~such a~~ a rate, be in ~~such a~~ a denomination, be in ~~such a~~ a form either with or
7 without coupon or registered, carry ~~such~~ conversion or registration privileges, have
8 ~~such~~ rank or priority, be payable in ~~such a~~ a medium of payment, at ~~such a~~ a place, and
9 be subject to ~~such~~ terms of redemption, with or without premium, be secured in ~~such~~
10 a manner, and have ~~such~~ other characteristics, as ~~is~~ provided by the resolution, trust
11 indenture or mortgage issued pursuant ~~thereto~~ to the transaction. Bonds issued
12 under this section shall be executed as provided in s. 67.08 (1) and may be registered
13 under s. 67.09. The bonds may be sold or exchanged at public sale or by private
14 negotiation with bond underwriters as the authority ~~may provide~~ provides. The
15 bonds may be sold or exchanged at ~~such any price or prices as~~ that the authority shall
16 ~~determine~~ determines. If sold or exchanged at public sale, the sale shall be held after
17 a class 2 notice, under ch. 985, published ~~prior to such~~ before the sale in a newspaper
18 having general circulation in the city and in ~~such any~~ any other medium of publication
19 as ~~that~~ that the authority determines. ~~Such bonds~~ Bonds may be sold to the federal
20 government at private sale, without publication of any notice, at not less than par,
21 and, if less than all of the authorized principal amount of ~~such the~~ the bonds is sold to
22 the federal government, the balance may be sold at private sale at not less than par
23 at an interest cost to the authority of ~~that does not to~~ that does not exceed the interest cost to the
24 authority of the portion of the bonds sold to the federal government. Any provision
25 of ~~any~~ law to the contrary notwithstanding, any bonds issued pursuant ~~to~~ under this

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1 section shall be are fully negotiable. In any suit, action or proceeding involving the
2 validity or enforceability of any bond issued under this section or the security
3 ~~therefor for any bond~~, any such bond reciting in substance that it has been issued by
4 the authority in connection with a project or activity under this section shall be
5 ~~conclusively is~~ deemed to have been issued for ~~such that~~ purpose and ~~such the~~ project
6 or activity shall be ~~conclusively is~~ deemed to have been planned, located and carried
7 out in accordance with this section.

8 5. ~~To establish~~ Establish a procedure for preservation of the records of the
9 authority by the use of microfilm, another reproductive device, optical imaging or
10 electronic formatting, if authorized under s. 19.21 (4) (c). ~~Any such~~ The procedure
11 shall assure that copies of ~~such the~~ records that are open to public inspection
12 continue to be available to members of the public requesting them. A photographic
13 reproduction of a record or copy of a record generated from optical disk or electronic
14 storage is deemed the same as an original record for all purposes if it meets the
15 applicable standards established in ss. 16.61 and 16.612.

16 6. ~~The~~ Authorize the chairperson of the authority or the vice chairperson in the
17 absence of the chairperson, selected by vote of the commissioners, and the executive
18 director or the assistant director in the absence of the executive director is authorized
19 to execute on behalf of the authority all contracts, notes and other forms of obligation
20 when authorized by at least 4 of the commissioners of the authority to do so.

21 7. ~~The authority is authorized to commence~~ Commence actions in its own name
22 ~~and.~~ The authority shall be sued in the name of the authority. The authority shall
23 have an official seal.

24 8. ~~To exercise such~~ Exercise other and further powers as ~~that~~ may be required
25 or necessary ~~in order~~ to effectuate the purposes hereof of this section.

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1 9. ~~To exercise~~ Exercise any powers of a housing authority under s. ~~66.40~~
2 66.1201 if done in concert with a housing authority under a contract under s. ~~66.30~~
3 66.0301.

4 (b) 4. The authority may acquire by purchase real property within any area
5 designated for urban renewal or redevelopment purposes under this section ~~prior to~~
6 ~~before~~ the approval of either the redevelopment or urban renewal plans or ~~prior to~~
7 ~~before~~ any modification of the plan, ~~providing if~~ approval of such ~~the~~ acquisition is
8 granted by the local governing body. ~~In the event of the acquisition of such real~~
9 ~~property~~ If real property is acquired, the authority may demolish or remove
10 structures ~~so acquired~~ with the approval of the local governing body. ~~In the event~~
11 ~~that~~ If acquired real property ~~so acquired~~ is not made part of the urban renewal
12 project the authority shall bear any loss that may arise as a result of the acquisition,
13 demolition or removal of structures acquired under this section; ~~however, the local~~
14 ~~legislative body if it.~~ If the local legislative body has given its approval to the
15 acquisition of such real property that is not made a part of the urban renewal project,
16 it shall reimburse the authority for any loss sustained as provided for in this
17 subsection. Any real property acquired in a redevelopment or in an urban renewal
18 area pursuant to under this subsection may be disposed of in accordance with the
19 ~~provisions of~~ under this section ~~providing if~~ the local governing body has approved
20 the acquisition of the property for the project.

21 (c) 1r. Condemnation proceedings for the acquisition of blighted property shall
22 be conducted under ch. 32 or under any other law relating specifically to eminent
23 domain procedures of authorities. The authority may hold, clear, construct, manage,
24 improve or dispose of the blighted property, for the purpose of eliminating its status
25 as blighted property. Notwithstanding sub. (9), the authority may dispose of the

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1 blighted property in any manner. The authority may assist private acquisition,
2 improvement and development of blighted property for the purpose of eliminating
3 its status as blighted property, and for that purpose the authority ~~shall have~~ has all
4 of the duties, rights, powers and privileges given to the authority under this section,
5 as if it had acquired the blighted property.

6 2. ~~Prior to~~ Before acquiring blighted property under subd. 1. or 1g., the
7 authority shall hold a public hearing to determine if the property is blighted
8 property. Notice of ~~such~~ the hearing, describing the time, date, place and purpose
9 of the hearing and generally identifying the property involved, shall be given to each
10 owner of the property, at least 20 days ~~prior to~~ before the date set for the hearing, by
11 certified mail with return receipt requested. If the notice cannot be delivered by
12 certified mail with return receipt requested, or if the notice is returned undelivered,
13 notice may be given by posting the notice at least 10 days ~~prior to~~ before the date of
14 hearing on any structure located on the property which is the subject of the notice.
15 If the property which is the subject of the notice consists of vacant land, a notice may
16 be posted in some suitable and conspicuous place on that property. For the purpose
17 of ascertaining the name of the owner or owners of record of property which is subject
18 to a public hearing under this subdivision, the records of the register of deeds of the
19 county in which ~~such~~ the property is located, as of the date of the notice required
20 under this subdivision, ~~shall be deemed~~ are conclusive. An affidavit of mailing or
21 posting the notice which is filed as a part of the records of the authority ~~shall be~~
22 ~~deemed~~ is prima facie evidence of that notice. In the hearing under this subdivision,
23 all interested parties may express their views ~~respecting on~~ on the authority's proposed
24 determination, but the hearing is only for informational purposes. Any technical
25 omission or error in the procedure ~~specified~~ under this subdivision does not

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1 invalidate the designation or subsequent acquisition. If any owner of property
2 subject to the authority's determination that the property is blighted property objects
3 to that determination or to the authority's acquisition of that property, that owner
4 shall file a written statement of ~~his or her~~ and reasons for the objections ~~and the~~
5 ~~reasons for those objections~~ with the authority ~~prior to~~ before, at the time of, or
6 within 15 days after the public hearing under this subdivision. ~~Such~~ The statement
7 shall contain the mailing address of the person filing the statement and be signed
8 by or on behalf of that person. The filing of that statement ~~shall be~~ is a condition
9 precedent to the commencement of an action to contest the authority's actions under
10 this paragraph.

11 **SECTION 445.** 66.431 (5r) of the statutes, as created by 1999 Wisconsin Act 9,
12 is renumbered 66.1333 (5r).

13 **SECTION 446.** 66.431 (6) to (17) of the statutes are renumbered 66.1333 (6) to
14 (17), and 66.1333 (6) (a) to (e), (9) (a) 1. a. and c. and (b) to (f) and (10) to (17), as
15 renumbered, are amended to read:

16 66.1333 (6) (a) The authority may make ~~or cause to be made~~ and prepare ~~or~~
17 ~~cause to be prepared~~ a comprehensive plan of redevelopment and urban renewal
18 which shall be consistent with the general plan of the city, including the appropriate
19 maps, tables, charts and descriptive and analytical matter. ~~Such~~ The plan is
20 intended to serve as a general framework or guide of development within which the
21 various area and redevelopment and urban renewal projects may be more precisely
22 planned and calculated. The comprehensive plan shall include at least a land use
23 plan which designates the proposed general distribution and general locations and
24 extents of the uses of the land for housing, business, industry, recreation, education,
25 public buildings, public reservations and other general categories of public and

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1 private uses of the land. The authority ~~is authorized to~~ may ~~make or have made~~ all
2 other surveys and plans necessary under this section, and ~~to~~ adopt or approve,
3 modify and amend ~~such~~ the plans.

4 (b) For the exercise of the powers granted and for the acquisition and
5 disposition of real property in a project area, the following steps and plans ~~shall be~~
6 requisite are required:

7 1. Designation by the authority of the boundaries of the proposed project area,
8 submission of ~~such~~ the boundaries to the local legislative body, and adoption of a
9 resolution by two-thirds of ~~such~~ the local legislative body declaring ~~such~~ the area to
10 be a blighted area in need of a blight elimination, slum clearance and urban renewal
11 project. ~~Thereafter~~ After these acts, the local legislative body may, by resolution by
12 two-thirds vote, prohibit for an initial period of not to exceed 6 months from
13 enactment of ~~such~~ the resolution any new construction in ~~such~~ the area except upon
14 resolution by the local legislative body that ~~such~~ the proposed new construction, on
15 ~~such reasonable conditions as may be fixed therein~~ stated in the resolution, will not
16 substantially prejudice the preparation or processing of a plan for the area and is
17 necessary to avoid substantial damage to the applicant. ~~Such~~ The order of
18 prohibition ~~shall be~~ is subject to successive renewals for like periods by like
19 resolutions; ~~but no new construction contrary to any such resolution of prohibition~~
20 ~~shall~~ may be authorized by any agency, board or commission of the city in ~~such~~ the
21 area except as ~~herein~~ provided in this subdivision. No ~~such~~ prohibition of new
22 construction ~~shall~~ may be construed to forbid ordinary repair or maintenance, or
23 improvement necessary to continue occupancy under any regulatory order.

24 2. Approval by the authority and by two-thirds of the local legislative body of
25 the redevelopment plan of the project area which has been prepared by the authority.

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1 ~~Such~~ The redevelopment plan shall conform to the general plan of the city and shall
2 be sufficiently complete to indicate its relationship to definite local objectives as to
3 appropriate land uses, improved traffic, public transportation, public utilities,
4 recreational and community facilities, and other public improvements in the project
5 area, ~~and.~~ The redevelopment plan shall include, ~~without being limited to,~~ a
6 statement of the boundaries of the project area; a map showing existing uses and
7 conditions of real property ~~therein~~; a land use plan showing proposed uses of the
8 area; information showing the standards of population density, land coverage and
9 building intensity in the area after redevelopment; present and potential equalized
10 value for property tax purposes; a statement of proposed changes, ~~if any,~~ in zoning
11 ordinances or maps and building codes and ordinances; a statement as to the kind
12 and number of site improvements and additional public utilities which will be
13 required to support the new land uses in the area after redevelopment; and a
14 statement of a feasible method proposed for the relocation of families to be displaced
15 from the project area.

16 3. Approval of a redevelopment plan of a project area by the authority, which
17 may be given only after a public hearing conducted by the authority and a finding
18 by the authority that such the plan is feasible and in conformity with the general plan
19 of the city. Notice of such the hearing, describing the time, date, place and purpose
20 of the hearing and generally identifying the project area, shall be published as a class
21 2 notice, under ch. 985, the last insertion to be at least 10 days ~~prior to~~ before the date
22 set for the hearing. ~~In addition thereto, at~~ At least 20 days ~~prior to~~ before the date
23 set for the hearing on the proposed redevelopment plan of the project area a notice
24 shall be transmitted by certified mail, with return receipt requested, to each owner
25 of real property of record within the boundaries of the redevelopment plan. If

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1 transmission of ~~such~~ the notice by certified mail with return receipt requested cannot
2 be accomplished, or if the letter is returned undelivered, then notice may be given
3 by posting the ~~same~~ notice at least 10 days ~~prior to~~ before the date of hearing on any
4 structure located on the property; or, if ~~such~~ the property consists of vacant land, a
5 notice may be posted in some suitable and conspicuous place on ~~such~~ the land. ~~Such~~
6 The notice shall state the time and place at which the hearing will be held with
7 respect to the redevelopment plan and that the owner's property might be taken for
8 urban renewal. For the purpose of ascertaining the name of the owner of record of
9 the real property within ~~such~~ the project boundaries, the records, at the time of the
10 approval by the redevelopment authority of the project boundaries, of the register of
11 deeds of the county in which ~~such~~ the property is located ~~shall be deemed~~ are
12 conclusive. Failure to receive ~~such~~ the notice ~~shall~~ does not invalidate the plan. An
13 affidavit of mailing or posting of ~~such~~ the notice ~~or posting thereof~~ filed as a part of
14 the records of the authority ~~shall be deemed~~ is prima facie evidence of the giving of
15 ~~such~~ notice. All interested parties shall be afforded a full opportunity to express their
16 views ~~respecting on~~ on the proposed plan at ~~such~~ the public hearing, but the hearing
17 shall only be for the purpose of assisting the authority in making its determination
18 and in submitting its report to the local legislative body. Any technical omission in
19 the procedure outlined ~~herein shall~~ in this subdivision does not ~~be deemed~~ to
20 invalidate the plan. Any owner of property included within the boundaries of the
21 redevelopment plan ~~and objecting~~ who objects to ~~such~~ the plan shall be required to
22 state the owner's objections and the reasons ~~therefor~~ for objecting, in writing, and
23 file the ~~same~~ document with the authority ~~either prior to~~ before the public hearing,
24 at the time of the public hearing, or within 15 days ~~thereafter, but not subsequently~~
25 ~~thereto~~ after the hearing. The owner shall state his or her mailing address and sign

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1 his or her name thereto. The filing of such objections in writing shall be is a condition
2 precedent to the commencement of an action to contest the right of the
3 redevelopment authority to condemn the property under s. 32.06 (5).

4 (c) In relation to the location and extent of public works and utilities, public
5 buildings and public uses in a comprehensive plan or a project area plan, the
6 authority ~~is directed to~~ shall confer with the planning commission and with such
7 other public officials, boards, authorities and agencies of the city under whose
8 administrative jurisdictions ~~such~~ these uses respectively fall.

9 (d) ~~At any time after such~~ After the redevelopment plan has been approved both
10 by the authority and the local legislative body, it may be amended by resolution
11 adopted by the authority, and ~~such~~ the amendment shall be submitted to the local
12 legislative body for its approval by a two-thirds vote before ~~the same shall become~~
13 it becomes effective. It ~~shall~~ is not be required in connection with any amendment
14 to the redevelopment plan, unless the boundaries described in the plan are altered
15 to include other property, that the provisions in this subsection with respect to public
16 hearing and notice be followed.

17 (e) After a project area redevelopment plan of a project area has been adopted
18 by the authority, and the local legislative body has by a two-thirds vote approved the
19 redevelopment plan the authority may ~~at any time~~ certify said the plan to the local
20 legislative body, ~~whereupon,~~ After certification, the authority shall ~~proceed to~~
21 exercise the powers granted to it for the acquisition and assembly of the real property
22 of the area. The local legislative body shall upon the certification of ~~such~~ the plan
23 by the authority direct that no new construction ~~shall be permitted, and thereafter,~~
24 After this direction, no new construction shall may be authorized by any agencies,
25 boards or commissions of the city in ~~such~~ the area unless as authorized by the local

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1 legislative body, including substantial remodeling or conversion or rebuilding,
2 enlargement, or extension or major structural improvements on existing buildings,
3 but not including ordinary maintenance or remodeling or changes necessary to
4 continue the occupancy.

5 (9) (a) 1. a. Upon the acquisition of any ~~or all of the~~ real property in the project
6 area, the authority ~~has power to~~ may lease, sell or otherwise transfer to a
7 redevelopment company, association, corporation or public body, or to an individual,
8 limited liability company or partnership, all or any part of the real property,
9 including streets or parts ~~thereof~~ of streets to be closed or vacated in accordance with
10 the plan, for use in accordance with the redevelopment plan. No assembled lands of
11 the project area ~~shall~~ may be either sold or leased by the authority to a housing
12 authority created under s. ~~66.40~~ 66.1201 for the purpose of constructing public
13 housing projects upon ~~such~~ the land unless the sale or lease of the lands has been first
14 approved by the local legislative body by a vote of not less than four-fifths of the
15 members elected.

16 c. A copy of the redevelopment plan shall be recorded in the office of the register
17 of deeds in the county where the redevelopment project is located. Any amendment
18 to the redevelopment plan, approved as ~~herein provided for~~ under sub. (6), shall also
19 be recorded in the office of the register of deeds of the county.

20 (b) ~~Any such~~ A lease or sale may be made without public bidding, but only after
21 public hearing is held by the authority after ~~a~~ a notice ~~to be~~ is published as a class 2
22 notice, under ch. 985, ~~and the~~. The hearing shall be predicated upon the proposed
23 sale or lease and the provisions ~~thereof~~ of the sale or lease.

24 (c) The terms of ~~such~~ a lease or sale shall be fixed by the authority, and the
25 instrument of lease may provide for renewals upon reappraisals and with rentals

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1 and other provisions adjusted to ~~such~~ the reappraisals. Every ~~such~~ lease or sale shall
2 provide that the lessee or purchaser shall will carry out ~~or cause to be carried out~~ the
3 approved project area redevelopment plan or approved modifications ~~thereof~~ of the
4 redevelopment plan, and that the use of ~~such~~ land or real property included in the
5 lease or sale, and any building or structure ~~erected thereon~~, shall conform to ~~such~~ the
6 approved plan or approved modifications ~~thereof~~ of the plan. In the instrument of
7 lease or sale, the authority may include ~~such~~ other terms, provisions and conditions
8 ~~as in its judgment~~ that will provide reasonable assurance of the priority of the
9 obligations of the lease or sale ~~and~~, of conformance to the plan over any other
10 obligations of the lessee or purchaser, and ~~also assurance~~ of the financial and legal
11 ability of the lessee or purchaser to carry out and conform to the plan and the terms
12 and conditions of the lease or sale; ~~also, such~~. In the instrument of lease or sale, the
13 authority may include terms, conditions and specifications concerning buildings,
14 improvements, subleases or tenancy, maintenance and management, and any other
15 matters as that the authority ~~may impose or approve~~ imposes or approves, including
16 provisions ~~whereby~~ under which the obligations to carry out and conform to the
17 project area plan shall run with the land. If maximum rentals to be charged to
18 tenants are specified, provision may be made for periodic reconsideration of ~~such~~
19 rental bases.

20 (d) Until the authority certifies that all building constructions and other
21 physical improvements specified by the purchaser have been completed, the
22 purchaser ~~shall have no power to~~ may not convey the all or part of an area, or any
23 ~~part thereof~~, without the consent of the authority ~~and no such~~. No consent shall may
24 be given unless the grantee of the purchaser is obligated, by written instrument, to
25 the authority to carry out that portion of the redevelopment plan which falls within

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1 the boundaries of the conveyed property and also unless the written instrument
2 specifies that the grantee and the heirs, representatives, successors and assigns of
3 the grantee, ~~shall have no right or power to~~ may not convey, lease or let all or part
4 of the conveyed property or any part thereof, or erect or use any building or structure
5 ~~erected thereon~~ on the conveyed property free from obligation and requirement to
6 conform to the approved project area redevelopment plan or approved modifications
7 ~~thereof of the redevelopment plan.~~

8 (e) The authority may ~~cause to have demolished~~ demolish any existing
9 structure or clear the all or part of an area of any part thereof, or specify the
10 demolition and clearance to be performed by a lessee or purchaser and a time
11 schedule for the ~~same~~ demolition and clearance. The authority shall specify the time
12 schedule and conditions for the construction of buildings and other improvements.

13 (f) In order to facilitate the lease or sale of a project area, or if the lease or sale
14 is part of an area, the authority ~~has the power to~~ may include in the cost payable by
15 it the cost of the construction of local streets and sidewalks in the area, or of grading
16 and any other local public surface or subsurface facilities or any site improvements
17 necessary for shaping the area as the site of the redevelopment of the area. The
18 authority may arrange with the appropriate federal, state, county or city agencies
19 for the reimbursement of ~~such~~ outlays from funds or assessments raised or levied for
20 ~~such~~ these purposes.

21 **(10) HOUSING FOR DISPLACED FAMILIES; RELOCATION PAYMENTS.** ~~In connection with~~
22 ~~every redevelopment plan, the~~ An authority shall formulate a feasible method for the
23 temporary relocation of persons living in areas that are designated for clearance and
24 redevelopment. ~~In addition, the~~ The authority shall prepare a plan which shall be
25 ~~submitted for submittal~~ to the local legislative body for approval which shall assure

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1 that decent, safe and sanitary dwellings substantially equal in number to the
2 number of substandard dwellings to be removed in carrying out the redevelopment
3 are available or will be provided at rents or prices within the financial reach of the
4 income groups displaced. The authority ~~is authorized to~~ may make relocation
5 payments to or with respect to persons (, including families, business concerns and
6 others), displaced by a project for moving expenses and losses of property for which
7 reimbursement or compensation is not otherwise made, including the making of such
8 payments financed by the federal government.

9 (11) MODIFICATION OF REDEVELOPMENT PLAN. (a) An approved project area
10 redevelopment plan may be modified at any time after the lease or sale of all or part
11 of the area or part thereof provided that if the modification is consented to by the
12 lessee or purchaser, and that the proposed modification is adopted by the authority
13 and then submitted to, and approved by, the local legislative body ~~and approved by~~
14 it. Before approval, the authority shall hold a public hearing on the proposed
15 modification, and notice of the time and place of hearing shall be sent by mail at least
16 10 days ~~prior to~~ before the hearing to the owners of the real properties in the project
17 area and of the real properties immediately adjoining or across the street from the
18 project area. The local legislative body may refer back to the authority any project
19 area redevelopment plan, project area boundaries or modifications submitted to it,
20 together with recommendations for changes in such the plan, boundaries or
21 modification, and if such the recommended changes are adopted by the authority and
22 ~~in turn~~ approved by the local legislative body, the plan, boundaries or modifications
23 as thus changed shall be become the approved plan, boundaries or modification.

24 (b) Whenever the authority determines that a redevelopment plan with respect
25 to a project area that has been approved and recorded in the register of deed's office

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1 is to be modified to permit land uses in the project area, other than those specified
2 in the redevelopment plan, the authority shall notify all purchasers of property
3 within the project area of the authority's intention to modify the redevelopment plan,
4 and it shall hold a public hearing ~~with respect to~~ on the modification. Notice shall
5 be given to the purchasers of the property by personal service at least 20 days ~~prior~~
6 ~~to~~ before the holding of the public hearing, or if the purchasers cannot be found notice
7 shall be given by registered mail to the purchasers at their last-known address.
8 Notice of the public hearing shall also be given by publication as a class 2 notice,
9 under ch. 985. The notice shall specify the project area and recite the proposed
10 modification and its purposes. The public hearing ~~shall be merely~~ is advisory to the
11 authority. ~~After~~ If the authority, following the public hearing, determines that the
12 modification of the redevelopment plan will not affect the original objectives of the
13 plan and that it will not produce conditions leading to a reoccurrence of ~~slums or~~
14 blight within the project area, the authority may by resolution act to modify the plan
15 to permit additional land uses in the project area, subject to approval by the
16 legislative body by a two-thirds vote of the ~~members elect~~ members-elect. If the local
17 legislative body approves the modification to the redevelopment plan, an
18 amendment to the plan containing the modification shall be recorded with the
19 register of deeds of the county in which the project area is located and shall
20 supplement the redevelopment plan previously recorded. Following the action with
21 respect to modification of the redevelopment plan, the plan ~~shall be considered~~ is
22 amended and no legal rights ~~shall~~ accrue to any person or to any owner of property
23 in the project area by reason of the modification of the redevelopment plan.

24 (c) The provisions herein of this subsection shall be construed liberally to
25 effectuate ~~the~~ its purposes hereof and substantial compliance ~~shall be deemed~~ is

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1 adequate. Technical omissions ~~shall do~~ not invalidate the procedure set forth herein
2 in this subsection with respect to acquisition of real property necessary or incidental
3 to a redevelopment project.

4 **(12) LIMITATION UPON TAX EXEMPTION.** The real and personal property of the
5 authority is declared to be public property used for essential public and
6 governmental purposes, and ~~sueh~~ the property and an authority ~~shall be~~ are exempt
7 from all taxes of the state or any state public body; ~~but the.~~ The city in which a
8 redevelopment or urban renewal project is located may fix a sum to be paid annually
9 in lieu of ~~sueh~~ taxes by the authority for the services, improvements or facilities
10 furnished to the project by the city if the authority is financially able to do so, but ~~sueh~~
11 the sum ~~shall~~ may not exceed the amount which would be levied as the annual tax
12 of the city upon ~~sueh~~ the project. ~~However, no~~ No real property acquired under this
13 section by a private company, corporation, individual, limited liability company or
14 partnership, either by lease or purchase, ~~shall be~~ is exempt from taxation ~~by reason~~
15 because of ~~sueh~~ the acquisition.

16 **(13) COOPERATION BY PUBLIC BODIES AND USE OF CITY FUNDS.** To assist any
17 redevelopment or urban renewal project located in the area in which the authority
18 is authorized to act, ~~any a~~ a public body may, upon ~~sueh~~ terms as that it determines:
19 furnish services or facilities, provide property, lend or contribute funds, and perform
20 any other action of a character which it ~~is authorized to~~ may perform for other
21 general purposes, and ~~to~~ enter into cooperation agreements and related contracts in
22 furtherance of the purposes enumerated. ~~Any A~~ A city and ~~any a~~ a public body may levy
23 taxes and assessments and appropriate ~~sueh~~ funds and make ~~sueh~~ expenditures as
24 that may be necessary to carry out the purposes of this subsection, but taxes and

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1 assessments shall ~~may~~ not be levied under this subsection by a public body which has
2 no power to ~~may not~~ levy taxes and assessments for any other purpose.

3 (14) OBLIGATIONS. For the purpose of financially aiding an authority to carry
4 out blight elimination, slum clearance and urban renewal programs and projects, the
5 city in which the authority functions is ~~authorized, without limiting its authority~~
6 ~~under any other law, to~~ may issue and sell general obligation bonds ~~in the manner~~
7 ~~and in accordance with the provisions of~~ under ch. 67, except that no referendum
8 shall be is required, and to may levy taxes without limitation for the payment thereof
9 of the bonds, as provided in s. 67.035. The bonds authorized under this subsection
10 shall be are fully negotiable and except as provided in this subsection shall are not
11 be subject to any other law or charter pertaining to the issuance or sale of bonds.

12 (15) BUDGET. The local legislative body shall approve the budget for each fiscal
13 year of the authority, and shall ~~have the power to~~ may alter or modify any item of said
14 the budget relating to salaries, office operation or facilities.

15 (16) LEGAL SERVICES TO AUTHORITY. The legal department of any a city in which
16 the authority functions can provide legal services to ~~such~~ the authority and a
17 member of the legal department having the necessary qualifications may, subject to
18 approval of the authority, be its counsel; ~~the.~~ The authority may also retain
19 specialists to render legal services as required by it.

20 (17) CONSTRUCTION. This section shall be construed liberally to effectuate the
21 its purposes hereof and the enumeration therein in this section of specific powers
22 shall does not operate to restrict the meaning of any general grant of power contained
23 in this section or to exclude other powers comprehended in ~~such~~ the general grant.

24 **SECTION 447.** 66.432 of the statutes is renumbered 66.1011, and 66.1011 (title),
25 (1), (2) and (3), as renumbered, are amended to read:

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1 **66.1011** (title) **Local equal opportunities for housing.** (1) DECLARATION
2 OF POLICY. The right of all persons to have equal opportunities for housing regardless
3 of their sex, race, color, physical condition, disability as defined in s. 106.04 (1m) (g),
4 sexual orientation as defined in s. 111.32 (13m), religion, national origin, marital
5 status, family status as defined in s. 106.04 (1m) (k), lawful source of income, age or
6 ancestry is a matter both of statewide concern under ss. 101.132 and 106.04 and also
7 of local interest under this section and s. ~~66.433~~ 66.0125. The enactment of ss.
8 101.132 and 106.04 by the legislature ~~shall~~ does not preempt the subject matter of
9 equal opportunities in housing from consideration by political subdivisions, and
10 ~~shall~~ does not exempt political subdivisions from their duty, nor deprive them of their
11 right, to enact ordinances which prohibit discrimination in any type of housing solely
12 on the basis of an individual being a member of a protected class.

13 (2) ANTIDISCRIMINATION HOUSING ORDINANCES. Political subdivisions may enact
14 ordinances prohibiting discrimination in housing within their respective boundaries
15 solely on the basis of an individual being a member of a protected class. ~~Such an~~ An
16 ordinance may be similar to ss. 101.132 and 106.04 (1) to (8) or may be more inclusive
17 in its terms or in respect to the different types of housing subject to its provisions,
18 ~~but any such.~~ An ordinance establishing a forfeiture as a penalty for violation ~~shall~~
19 may not be for an amount that is less than the statutory forfeitures under s. 106.04.
20 ~~Such an~~ An ordinance may permit a complainant, aggrieved person or respondent
21 to elect to remove the action to circuit court after a finding has been made that there
22 is reasonable cause to believe that a violation of the ordinance has occurred. ~~Such~~
23 ~~an~~ An ordinance may also authorize the political subdivision, at any time after a
24 complaint has been filed alleging an ordinance violation, to file a complaint in circuit

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1 court seeking a temporary injunction or restraining order pending final disposition
2 of the complaint.

3 (3) CONTINGENCY RESTRICTION. No political subdivision shall may enact an
4 ordinance under sub. (2), ~~which~~ that contains a provision making its effective date
5 or the operation of any of its provisions contingent on the enactment of an ordinance
6 on the same or similar subject matter by one or more other political subdivisions.

7 **SECTION 448.** 66.4325 of the statutes is renumbered 66.1335, and 66.1335 (1)
8 (intro.) and (a), (2) (intro.), (3), (4), (5) (intro.), (a), (b), (c), (e) and (f) and (5m) to (7),
9 as renumbered, are amended to read:

10 66.1335 (1) AUTHORIZATION. (intro.) ~~Any~~ A city may, by a two-thirds vote of the
11 members of the city council present at the meeting, adopt an ordinance or resolution
12 creating a housing and community development authority which shall be known as
13 the “Community Development Authority” of ~~such~~ the city. It ~~shall be deemed~~ is a
14 separate body politic for the purpose of carrying out blight elimination, slum
15 clearance, urban renewal programs and projects and housing projects. The
16 ordinance or resolution creating a housing and community development authority
17 may also authorize ~~such~~ the authority to act as the agent of the city in planning and
18 carrying out community development programs and activities approved by the
19 mayor and common council under the federal housing and community development
20 act of 1974 and as agent to perform all acts, except the development of the general
21 plan of the city, which may be otherwise performed by the planning commission
22 under ~~s. 66.405 s. 66.1105, 66.1301 to 66.425, 66.43, 66.435 or 66.46~~ 66.1329, 66.1331
23 or 66.1337. A certified copy of ~~such~~ the ordinance or resolution shall be transmitted
24 to the mayor. The ordinance or resolution shall also do all of the following:

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1 (a) Provide that any redevelopment authority created under s. ~~66.431~~ 66.1333
2 operating in ~~such~~ the city and any housing authority created under s. ~~66.40~~ 66.1201
3 operating in ~~such~~ the city, shall terminate its operation as provided in sub. (5); ~~and,~~

4 (2) APPOINTMENT OF MEMBERS. (intro.) Upon receipt of a certified copy of ~~such~~
5 the ordinance or resolution, the mayor shall, with the confirmation of the council,
6 appoint 7 resident persons having sufficient ability and experience in the fields of
7 urban renewal, community development and housing, as commissioners of the
8 community development authority.

9 (3) EVIDENCE OF AUTHORITY. The filing of a certified copy of the ordinance or
10 resolution referred to in sub. (1) with the city clerk ~~shall be~~ is prima facie evidence
11 of the community development authority's right to transact business and ~~such~~ the
12 ordinance or resolution is not subject to challenge because of any technicality. In ~~any~~
13 a suit, action or proceeding commenced against the community development
14 authority, a certified copy of ~~such~~ the ordinance or resolution is conclusive evidence
15 that ~~such~~ the community development authority is established and authorized to
16 transact business and exercise its powers under this section.

17 (4) POWERS AND DUTIES. The community development authority ~~shall have~~ has
18 all powers, duties and functions set out in ss. ~~66.40~~ 66.1201 and ~~66.431~~ 66.1333 for
19 housing and redevelopment authorities ~~and as,~~ As to all housing projects initiated
20 by the community development authority it shall proceed under s. ~~66.40~~ 66.1201, and
21 as to all projects relating to blight elimination, slum clearance, urban renewal and
22 redevelopment programs it shall proceed under s. ~~66.405~~ ss. 66.1105, 66.1301 to
23 ~~66.425, 66.43, 66.431, 66.435~~ or 66.46 66.1329, 66.1331, 66.1333 or 66.1337 as
24 determined appropriate by the common council on a project by project basis. As to
25 all community development programs and activities undertaken by the city under

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1 the federal housing and community development act of 1974, the community
2 development authority shall proceed under all applicable laws and ordinances not
3 inconsistent with the laws of this state. In addition, if provided in the resolution or
4 ordinance, the community development authority may act as agent of the city to
5 perform all acts, except the development of the general plan of the city, which may
6 be otherwise performed by the planning commission under s. ~~66.405~~ ss. 66.1105,
7 66.1301 to 66.425, 66.43, 66.435 or 66.46 66.1329, 66.1331 or 66.1337.

8 (5) TERMINATION OF HOUSING AND REDEVELOPMENT AUTHORITIES. (intro.) Upon the
9 adoption of an ordinance or resolution creating a community development authority,
10 all housing and redevelopment authorities previously created in ~~such~~ the city under
11 ss. ~~66.40 66.1201 and 66.431~~ shall 66.1333 terminate.

12 (a) Any programs and projects which have been begun by housing and
13 redevelopment authorities shall, upon adoption of ~~such~~ the ordinance or resolution,
14 be transferred to and completed by the community development authority. Any
15 procedures, hearings, actions or approvals taken or initiated by the redevelopment
16 authority under s. ~~66.431~~ 66.1333 on pending projects ~~is~~ are deemed to have been
17 taken or initiated by the community development authority as ~~though~~ if the
18 community development authority had originally undertaken ~~such~~ the procedures,
19 hearings, actions or approvals.

20 (b) Any form of indebtedness issued by a housing or redevelopment authority
21 shall, upon the adoption of ~~such~~ the ordinance or resolution, be assumed by the
22 community development authority except as indicated in par. (e).

23 (c) Upon the adoption of ~~such~~ the ordinance or resolution, all contracts entered
24 into between the federal government and a housing or redevelopment authority, or
25 between ~~such~~ these authorities and other parties shall be assumed and discharged

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1 by the community development authority except for the termination of operations by
2 housing and redevelopment authorities. Housing and redevelopment authorities
3 may execute any agreements contemplated by this subsection. Contracts for
4 disposition of real property entered into by the redevelopment authority with respect
5 to any project ~~shall be~~ are deemed contracts of the community development authority
6 without the requirement of amendments ~~thereto~~ to the contracts. Contracts entered
7 into between the federal government and the redevelopment authority or the
8 housing authority ~~shall~~ bind the community development authority in the same
9 manner as ~~though~~ if originally entered into by the community development
10 authority.

11 (e) A housing authority which has outstanding bonds or other securities that
12 require the operation of the housing authority in order to fulfill its commitments with
13 respect to the discharge of principal or interest or both, may continue in existence
14 solely for ~~such~~ that purpose. The ordinance or resolution creating the community
15 development authority shall delineate the duties and responsibilities which shall
16 devolve upon the housing authority with respect ~~thereto~~ to that purpose.

17 (f) The termination of housing and redevelopment authorities pursuant to this
18 section ~~shall is~~ not be subject to s. ~~66.40~~ 66.1201 (26).

19 **(5m)** TAX EXEMPTION. Community development authority bonds issued on or
20 after January 28, 1987, are declared to be issued for an essential public and
21 governmental purpose and to be public instrumentalities and, together with interest
22 ~~thereon~~ on the bonds and income ~~therefrom~~ from the bonds, are exempt from taxes.

23 **(6)** CONTROLLING STATUTE. The powers conferred under this section ~~shall be~~ are
24 in addition and supplemental to the powers conferred by any other law. ~~Insofar as~~

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1 To the extent that this section is inconsistent with any other law, this section shall
2 control controls.

3 (7) CONSTRUCTION. This section shall be construed liberally to effectuate its
4 purposes and the enumeration of specific powers herein in this section does not
5 restrict the meaning of any general grant of power contained in this section nor does
6 it exclude other powers comprehended in such the general grant.

7 **SECTION 449.** 66.433 of the statutes is renumbered 66.0125, and 66.0125 (1),
8 (2), (3) (a) and (c) 1., 3. and 4., (4) and (7), as renumbered, are amended to read:

9 66.0125 (1) DEFINITION. ~~“Municipality” as used herein~~ In this section, “local
10 governmental unit” means a city, village, town, school district or county.

11 (2) CREATION. Each ~~municipality~~ local governmental unit is authorized and
12 urged to either establish by ordinance a community relations-social development
13 commission or to participate in ~~such~~ a commission established on an
14 intergovernmental basis within the county ~~pursuant to~~ under enabling ordinances
15 adopted by the participating ~~municipalities~~; but a local governmental units. A school
16 district may establish or participate in ~~such~~ a commission by resolution ~~instead of~~
17 ~~by ordinance.~~ Such. An intergovernmental commission may be established in
18 cooperation with any a nonprofit corporation located in the county and composed
19 primarily of public and private welfare agencies devoted to any of the purposes set
20 forth in this section. ~~Every such~~ An ordinance or resolution establishing a
21 commission shall substantially embody the language of sub. (3). Each ~~municipality~~
22 local governmental unit may appropriate money to defray the expenses of ~~such the~~
23 commission. If ~~such the~~ commission is established on an intergovernmental basis
24 within the county, the provisions of s. ~~66.30~~ 66.0301, relating to local cooperation, are
25 ~~applicable thereto~~ apply as optional authority and may be utilized by participating

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1 ~~municipalities~~ local governmental units to effectuate the purposes of this section, but
2 a contract between ~~municipalities~~ local governmental units is not necessary for the
3 joint exercise of any power authorized for the joint performance of any duty required
4 herein in this section.

5 (3) (a) The purpose of the commission is to study, analyze and recommend
6 solutions for the major social, economic and cultural problems which affect people
7 residing or working within the ~~municipality~~ local governmental unit including,
8 without restriction because of enumeration, problems of the family, youth,
9 education, the aging, juvenile delinquency, health and zoning standards, and
10 discrimination in housing, employment and public accommodations and facilities on
11 the basis of sex, class, race, religion, sexual orientation or ethnic or minority status.

12 (c) 1. Recommend to the ~~municipal~~ local governmental unit's governing body
13 and chief executive or administrative officer the enactment of such ordinances or
14 other action as they deem necessary:

15 a. To establish and keep in force proper health standards for the community
16 and beneficial zoning for the community area in order to facilitate the elimination
17 of ~~blighted areas,~~ and to prevent the start and spread of such, blighted areas;

18 b. To ensure to all ~~municipal residents~~ of a local governmental unit, regardless
19 of sex, race, sexual orientation or color, the rights to possess equal housing
20 accommodations and to enjoy equal employment opportunities.

21 3. Examine the need for, initiate, participate in and promote publicly and
22 privately sponsored studies and programs in any field of human relationship ~~which~~
23 that will aid in accomplishing the foregoing objectives, ~~and initiate such public~~
24 ~~programs and studies and participate in and promote such privately sponsored~~
25 ~~programs and studies~~ purposes and duties of the commission.

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1 4. Have authority to conduct public hearings within the ~~municipality~~ local
2 governmental unit and to administer oaths to persons testifying before it.

3 **(4) COMPOSITION OF COMMISSION.** The commission shall be nonpartisan and
4 composed of citizens residing in the ~~municipality~~ local governmental unit, including
5 representatives of the clergy and minority groups, ~~and the composition thereof,~~
6 ~~number and.~~ The composition of the commission and the method of appointing and
7 removing the commission members thereof shall be determined by the governing
8 body of the municipality local governmental unit creating or participating in the
9 commission. Notwithstanding s. 59.10 (4) or ~~66.11~~ 66.0501 (2), a member of ~~such~~ the
10 local governmental unit's governing body may serve on the commission, except that
11 a county board member in a county having a population over 500,000 may not accept
12 compensation for serving on the commission. Of the persons first appointed,
13 one-third shall hold office for one year, one-third for 2 years, and one-third for 3
14 years from the first day of February next following their appointment, and until their
15 respective successors are appointed and qualified. All succeeding terms shall be for
16 3 years. Any vacancy shall be filled for the unexpired term in the same manner as
17 original appointments. Every person appointed as a member of the commission shall
18 take and file the official oath.

19 **(7) DESIGNATION OF COMMISSIONS AS COOPERATING AGENCIES UNDER FEDERAL LAW.**

20 (a) The commission may be the official agency of the ~~municipality~~ local governmental
21 unit to accept assistance under title II of the federal economic opportunity act of
22 1964. No assistance shall be accepted with respect to any matter to which objection
23 is made by the legislative body creating ~~such~~ the commission, but if the commission
24 is established on an intergovernmental basis and ~~such~~ objection is made by any

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1 participating legislative body ~~said~~, assistance may be accepted with the approval of
2 a majority of the legislative bodies participating in such the commission.

3 (b) The commission may be the official agency of the ~~municipality~~ local
4 governmental unit to accept assistance from the community relations service of the
5 U.S. department of justice under title X of the federal civil rights act of 1964 to
6 provide assistance to communities in resolving disputes, disagreements or
7 difficulties relating to discriminatory practices based on sex, race, color or national
8 origin which may impair the rights of persons in the ~~municipality~~ local governmental
9 unit under the constitution or laws of the United States or which affect or may affect
10 interstate commerce.

11 **SECTION 450.** 66.434 (title) of the statutes is repealed.

12 **SECTION 451.** 66.434 of the statutes is renumbered 46.30 (5) and amended to
13 read:

14 46.30 (5) CITY, VILLAGE OR TOWN ASSISTANCE. A city, village or town may
15 appropriate funds for promoting and assisting a community action agency under
16 ~~s. 46.30.~~

17 **SECTION 452.** 66.435 of the statutes is renumbered 66.1337, and 66.1337 (2),
18 (2m) (a) (intro.), 2. and 4. and (b) and (3) to (7), as renumbered, are amended to read:

19 66.1337 (2) FINDINGS. It is ~~hereby~~ found and declared that there exists in
20 municipalities of the state slum, blighted and deteriorated areas which constitute a
21 serious and growing menace injurious to the public health, safety, morals and
22 welfare of the residents of the state, and the findings and declarations made ~~before~~
23 ~~August 3, 1955~~ in s. ~~66.43 (2)~~ 66.1331 are in all respects affirmed and restated; that
24 ~~while certain.~~ Certain slum, blighted or deteriorated areas, ~~or portions thereof,~~ may
25 require acquisition and clearance, as provided in s. ~~66.43~~ 66.1331, since the

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1 prevailing condition of decay may make impracticable the reclamation of the area by
2 conservation or rehabilitation in such a manner that eliminates, remedies or
3 prevents the conditions and evils ~~hereinbefore enumerated may be eliminated,~~
4 ~~remedied or prevented,~~ and to of these areas. To the extent feasible salvable slum
5 and blighted areas should be conserved and rehabilitated through voluntary action
6 and the regulatory process; ~~and all.~~ All acts and purposes provided for by this section
7 are for and constitute public uses and are for and constitute public purposes, ~~and that~~
8 ~~moneys.~~ Moneys expended in connection with such powers under this section are
9 ~~declared to be~~ for public purposes and to preserve the public interest, safety, health,
10 morals and welfare. Any municipality in carrying out the provisions of this section
11 shall afford maximum opportunity consistent with the sound needs of the
12 municipality as a whole to the rehabilitation or redevelopment of areas by private
13 enterprise.

14 **(2m)** (a) (intro.) "Rehabilitation or conservation work" ~~may include~~ includes
15 any of the following:

16 2. Acquisition of real property and demolition, removal or rehabilitation of
17 buildings and improvements ~~thereon~~ on the property where necessary to eliminate
18 unhealthful, unsanitary or unsafe conditions, lessen density, reduce traffic hazards,
19 eliminate obsolete or other uses detrimental to the public welfare, ~~or~~ to otherwise
20 remove or prevent the spread of blight or deterioration, or to provide land for needed
21 public facilities.

22 4. The disposition, for uses in accordance with the objectives of the urban
23 renewal project, of any property ~~or part thereof~~ acquired in the area of the project.
24 The disposition shall be in the manner prescribed in this section for the disposition
25 of property in a redevelopment project area.

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1 (b) "Urban renewal project" ~~may include~~ includes undertakings and activities
2 for the elimination and for the prevention of the development or spread of slums or
3 blighted, deteriorated or deteriorating areas and may involve any work or
4 undertaking for ~~such~~ this purpose constituting a redevelopment project or any
5 rehabilitation or conservation work, or any combination of ~~such~~ the undertaking or
6 work.

7 (3) URBAN RENEWAL PROJECTS. ~~In addition to its authority under any other~~
8 ~~section,~~ a A municipality is ~~authorized to~~ may plan and undertake urban renewal
9 projects.

10 (4) WORKABLE PROGRAM. (a) 1. The governing body of the municipality, or ~~such~~
11 ~~the~~ public officer or public body as ~~that~~ that it designates, including a housing authority
12 organized and created under s. ~~66.40~~ 66.1201, a redevelopment authority created
13 under s. ~~66.431~~ 66.1333 or a community development authority created under s.
14 ~~66.4325,~~ is ~~authorized to~~ 66.1335, may prepare a workable program for utilizing
15 appropriate private and public resources to eliminate, and prevent the development
16 or spread of, slums and urban blight and deterioration, to encourage needed urban
17 rehabilitation, to provide for the redevelopment of blighted, deteriorated or slum
18 areas, or to undertake those activities or other feasible activities that may be suitably
19 employed to achieve ~~the~~ these objectives of ~~such a program.~~ The governing body may
20 by resolution or ordinance provide the specific means by which a workable program
21 can be effectuated and may confer upon its officers and employes the power required
22 to carry out a program of rehabilitation and conservation for the restoration and
23 removal of blighted, deteriorated or deteriorating areas. If a municipality finds that
24 there exists in the municipality dwellings or other structures that are unfit for
25 human habitation due to dilapidation, defects that increase the hazards of fire,

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1 accidents or other calamities, lack of ventilation, light or sanitary facilities or other
2 conditions, rendering the dwellings or other structures unsanitary, dangerous or
3 detrimental to the health, safety or morals, or otherwise inimical to the welfare of
4 the residents of the municipality, the municipality may enact the resolutions or
5 ordinances that it considers appropriate and effectual in order to prevent those
6 conditions and may require ~~or cause~~ the repair, closing, demolition or removal of the
7 dwellings or other structures. ~~For the purposes of the resolutions or ordinances, a~~
8 “dwelling”

9 2. In this subsection:

10 a. “Dwelling” means any building, structure or part of the building or structure
11 that is used and occupied for human habitation or intended to be so used and includes
12 any appurtenances belonging to it or usually enjoyed with it. ~~The term “structure”~~
13 also

14 b. “Structure” includes fences, garages, sheds, and any type of store or
15 commercial, industrial or manufacturing building.

16 3. The ordinances or resolutions under subd. 1. shall require that, if there are
17 reasonable grounds to believe that there has been a violation of the ordinances or
18 resolutions, notice of the alleged violation shall be given to the alleged responsible
19 person by appropriately designated public officers or employes of ~~such~~ the
20 municipality. Every such notice shall be in writing; include a description of the real
21 estate sufficient for identification; include a statement of the reason for issuance;
22 specify a time for the performance of any act that the notice requires; and be served
23 upon the alleged responsible person. The notice of violation is properly served on the
24 person if a copy of it is delivered to the person personally; is left at the person’s usual
25 place of abode, in the presence of someone in the family of suitable age and discretion

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1 who shall be informed of the contents of the notice; is sent by registered mail or by
2 certified mail with return receipt requested to the person's last-known address; or,
3 if the registered or certified letter with the copy of the notice is returned showing the
4 letter has not been delivered to the person, by posting a copy of the notice in a
5 conspicuous place in or about the dwelling or other structure affected by the notice.

6 ~~Any~~

7 4. ~~A~~ person affected by ~~such~~ a notice under subd. 3. may request and shall be
8 granted a hearing on the matter before a board or commission established by the
9 governing body of ~~such~~ the municipality or before a local health officer. The person
10 shall file in the office of the designated board or commission or the local health officer
11 a written petition requesting the hearing and setting forth a statement of the
12 grounds for it within 20 days after the day the notice was served. Within 10 days
13 after receipt of the petition, the designated board or commission or the local health
14 officer shall set a time and place for the hearing and shall give the petitioner written
15 notice of it. At the hearing the petitioner ~~shall have an opportunity to~~ may be heard
16 and ~~to~~ show cause why the notice should be modified or withdrawn. The hearing
17 before the designated board or commission or the local health officer shall be
18 commenced not later than 30 days after the date on which the petition was filed.
19 Upon written application of the petitioner to the designated board or commission or
20 the local health officer, the date of the hearing may be postponed for a reasonable
21 time beyond the 30-day period, if, in the judgment of the board, commission or local
22 health officer, the petitioner has submitted a good and sufficient reason for ~~such~~ a
23 postponement. Any notice served under this section ~~shall become~~ becomes an order
24 if a written petition for a hearing is not filed in the office of the designated board or
25 commission or the local health officer within 20 days after ~~such~~ the notice is served.

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1 The designated board or commission or the local health officer may administer oaths
2 and affirmations ~~in connection with the conduct of any hearing held under this~~
3 ~~section.~~

4 5. After the hearing the designated board or commission or the local health
5 officer shall sustain, modify or cancel the notice given under subd. 3., depending
6 upon its findings as to whether the provisions of the resolutions or ordinances have
7 been complied with. The designated board or commission or the local health officer
8 may ~~also~~ modify any notice ~~so as~~ to authorize a variance from the provisions of the
9 resolutions or ordinances when, because of special conditions, enforcement of the
10 provisions of the resolutions or ordinances will result in practical difficulty or
11 unnecessary hardship, if the intent of the resolutions or ordinances will be observed
12 and public health and welfare secured. If the designated board or commission or the
13 local health officer sustains or modifies the notice, the sustained or modified notice
14 is an order, and the persons affected by the order shall comply with all provisions of
15 the order within a reasonable period of time, as determined by the board, commission
16 or local health officer. The proceedings at the hearing, including the findings and
17 decisions of the board, commission or local health officer, shall be reduced to writing
18 and entered as a matter of public record in the office of the board, commission or local
19 health officer. The record shall also include a copy of every notice or order issued in
20 connection with the matter. A copy of the written decision of the board, commission
21 or local health officer shall ~~then~~ be served, in the same manner prescribed for service
22 of notice under subd. 3., on the person who filed the petition for hearing.

23 6. If the local health officer finds that an emergency exists that requires
24 immediate action to protect the public health, the local health officer may, without
25 notice or hearing, issue an order reciting the existence of ~~such an~~ the emergency and

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1 requiring that action be taken that the local health officer determines is necessary
2 to meet the emergency. This order shall be is effective immediately. Any person to
3 whom the order is directed shall comply with it, but shall be afforded a hearing as
4 specified in this ~~section~~ subsection if the person immediately files a written petition
5 with the local health officer requesting the hearing. After the hearing, depending
6 upon the findings of the local health officer as to whether an emergency still exists
7 that requires immediate action to protect the public health, the local health officer
8 shall continue the order in effect or modify or revoke it.

9 (b) ~~Any~~ A person aggrieved by the determination of ~~any~~ a board, commission
10 or local health officer, following review of an order issued under this ~~section~~
11 subsection, may appeal directly to the circuit court of the county in which the
12 dwelling or other structure is located by filing a petition for review with the clerk of
13 the circuit court within 30 days after a copy of the order of the board, commission or
14 local health officer has been served upon the person. The petition shall state the
15 substance of the order appealed from and the grounds upon which the person
16 believes the order to be improper. A copy of the petition shall be served upon the
17 board, commission or local health officer whose determination is appealed. The copy
18 shall be served personally or by registered or certified mail within the 30-day period
19 provided in this paragraph. A reply or answer shall be filed by the board, commission
20 or local health officer within 15 days after the receipt of the petition. A copy of the
21 written proceedings of the hearing held by the board, commission or local health
22 officer which led to service of the order being appealed shall be included with the
23 reply or answer when filed. If it appears to the court that the petition is filed for
24 purposes of delay, the court shall, upon application of the municipality, promptly
25 dismiss the petition. Either party to the proceedings may ~~then~~ petition the court for

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1 an immediate hearing on the order. The court shall review the order and the copy
2 of written proceedings of the hearing conducted by the board, commission or local
3 health officer, shall take testimony that the court determines is appropriate, and,
4 following a hearing upon the order without a jury, shall make its determination. If
5 the court affirms the determination made by the board, commission or local health
6 officer, the court shall fix a time within which the order appealed from shall ~~become~~
7 becomes operative.

8 (5) GENERAL POWERS CONFERRED UPON MUNICIPALITIES. The governing body of
9 ~~any a municipality shall have and there is hereby expressly conferred upon it~~ has all
10 powers necessary and incidental to effect a program of urban renewal, including
11 functions with respect to rehabilitation and conservation for the restoration and
12 removal of blighted, deteriorated or deteriorating areas, and ~~such~~ the local governing
13 body ~~is hereby authorized to~~ may adopt ~~such~~ resolutions or ordinances ~~as may be~~
14 ~~required~~ for the purpose of carrying out that program and the objectives and
15 purposes of this section. In connection with the planning, undertaking and financing
16 of the urban renewal program or projects, the governing body of any municipality
17 and all public officers, agencies and bodies ~~shall~~ have all the rights, powers,
18 privileges and immunities which they have with respect to a redevelopment project
19 under s. ~~66.43~~ 66.1331.

20 (6) ASSISTANCE TO URBAN RENEWAL BY MUNICIPALITIES AND OTHER PUBLIC BODIES.
21 ~~Any A public body is authorized to~~ may enter into agreements, which may extend
22 over any period notwithstanding any provision or rule of law to the contrary, with any
23 other public body ~~or bodies~~ respecting action to be taken pursuant to any of the
24 powers granted by this section, including the furnishing of funds or other assistance
25 in connection with an urban renewal plan or urban renewal project.

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1 (7) POWERS ~~HEREIN~~ GRANTED TO BE SUPPLEMENTAL AND NOT IN DEROGATION. (a)
2 Nothing in this section shall may be construed to abrogate or impair the powers of
3 the courts or of any department of any municipality to enforce any provisions of its
4 charter ~~or its~~, ordinances or regulations, nor to prevent or punish violations thereof
5 of its charter, ordinances or regulations.

6 (b) Nothing in this section shall may be construed to impair or limit ~~in any way~~
7 the power of the municipality to define and declare nuisances and to cause their
8 removal or abatement, by summary proceedings or otherwise.

9 (c) The powers conferred by this section shall ~~be~~ are in addition and
10 supplemental to the powers conferred by any other law; ~~and this.~~ This section shall
11 be construed liberally to effectuate the its purposes hereof and the its enumeration
12 ~~therein~~ of specific powers shall does not ~~operate to~~ restrict the meaning of any
13 general grant of power contained in this section or ~~to~~ exclude other powers
14 comprehended in such ~~the~~ the general grant.

15 **SECTION 453.** 66.436 of the statutes is renumbered 66.1339 and amended to
16 read:

17 **66.1339 Villages to have certain city powers.** Villages shall have all of the
18 powers of cities under ss. ~~66.395~~ 66.1105, 66.1201 to ~~66.425, 66.43, 66.431, 66.4325,~~
19 ~~66.435 and 66.46~~ 66.1329 and 66.1331 to 66.1337.

20 **SECTION 454.** 66.437 of the statutes is renumbered 66.1341 and amended to
21 read:

22 **66.1341 Towns to have certain city powers.** Towns shall have all of the
23 powers of cities under ss. ~~66.40 to 66.425, 66.43, 66.431, 66.4325, 66.505 and 66.508~~
24 66.0923, 66.0925, 66.1201 to 66.1329 and 66.1331 to 66.1335, except the powers

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1 under s. ~~66.40~~ 66.1201 (10) and any other powers that conflict with statutes relating
2 to towns and town boards.

3 **SECTION 455.** 66.44 of the statutes is repealed.

NOTE: Repealed as no longer necessary. The section authorizes housing
authorities to develop and administer housing projects to provide housing for
persons and their families engaged in war industries or activities.

4 **SECTION 456.** 66.45 of the statutes is renumbered 66.0315 and amended to
5 read:

6 **66.0315 Municipal cooperation; federal rivers, harbors or water**
7 **resources projects.** ~~Any~~ A county, town, city or village acting under its powers and
8 in conformity with state law may enter into an agreement with an agency of the
9 federal government to cooperate in the construction, operation or maintenance of
10 any federally authorized rivers, harbors or water resources management or control
11 project or to assume any potential liability appurtenant to such a project and may
12 do all things necessary to consummate the agreement. If ~~such~~ a project will affect
13 more than one municipality, the municipalities affected may jointly enter into such
14 an agreement under this section with an agency of the federal government carrying
15 such any terms and provisions concerning the division of costs and responsibilities
16 ~~as may be~~ that are mutually agreed upon. The affected municipalities ~~concerned~~
17 may by agreement submit any determinations of the division of construction costs,
18 responsibilities, or any other liabilities among them to an arbitration board. The
19 determination of ~~such a~~ the arbitration board shall be final. This section shall not
20 be construed as a grant or delegation of power or authority to any county, town, city,
21 village or other local municipality to do any work in or place any structures in or on
22 any navigable water except as it is otherwise expressly authorized by state law to do.

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1 **SECTION 457.** 66.46 (title), (1) and (2) (intro.), (a) to (e) and (f) 1. (intro.) and a.
2 to k. of the statutes are renumbered 66.1105 (title), (1) and (2) (intro.), (a) to (e) and
3 (f) 1. (intro.) and a. to k., and 66.1105 (2) (a) 1. b., (e) and (f) 1. (intro.), b. and h., as
4 renumbered, are amended to read:

5 66.1105 **(2)** (a) 1. b. An area which is predominantly open and which consists
6 primarily of an abandoned highway corridor, as defined in s. ~~66.431~~ 66.1333 (2m) (a),
7 or that consists of land upon which buildings or structures have been demolished and
8 which because of obsolete platting, diversity of ownership, deterioration of
9 structures or of site improvements, or otherwise, substantially impairs or arrests the
10 sound growth of the community.

11 (e) "Planning commission" means a plan commission created under s. 62.23, a
12 board of public land commissioners if the city has no plan commission, or a city plan
13 committee of the local legislative body, if the city has neither ~~such~~ a commission nor
14 ~~such~~ a board.

15 (f) 1. (intro.) "Project costs" mean any expenditures made or estimated to be
16 made or monetary obligations incurred or estimated to be incurred by the city which
17 are listed in a project plan as costs of public works or improvements within a tax
18 incremental district or, to the extent provided in subd. 1. k., without the district, plus
19 any incidental costs ~~incidental thereto~~, diminished by any income, special
20 assessments, or other revenues, including user fees or charges, other than tax
21 increments, received or reasonably expected to be received by the city in connection
22 with the implementation of the plan. For any tax incremental district for which a
23 project plan is approved on or after July 31, 1981, only a proportionate share of the
24 costs permitted under this subdivision may be included as project costs to the extent
25 that they benefit the tax incremental district. To the extent the costs benefit the

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1 municipality outside the tax incremental district, a proportionate share of the cost
2 is not a project cost. ~~The project costs~~ “Project costs” include, ~~but are not limited to:~~

3 b. Financing costs, including, but not limited to, all interest paid to holders of
4 evidences of indebtedness issued to pay for project costs and any premium paid over
5 the principal amount ~~thereof~~ of the obligations because of the redemption of ~~such the~~
6 obligations prior to maturity.

7 h. The amount of any contributions made under s. ~~66.431~~ 66.1333 (13) in
8 connection with the implementation of the project plan.

9 **SECTION 458.** 66.46 (2) (f) 1. L. of the statutes, as created by 1999 Wisconsin
10 Act 9, is renumbered 66.1105 (2) (f) 1. L.

11 **SECTION 459.** 66.46 (2) (f) 2. and 3. and (g) to (m), (3) and (4) (intro.) and (a) to
12 (gs) of the statutes are renumbered 66.1105 (2) (f) 2. and 3. and (g) to (m), (3) and (4)
13 (intro.) and (a) to (gs), and 66.1105 (2) (i) and (j), (3) (a), (b), (e) and (f) and (4) (a), (b),
14 (c), (e), (f) and (gm) 1. to 3. and 4. a. and b., as renumbered, are amended to read:

15 66.1105 (2) (i) “Tax increment” means that amount obtained by multiplying the
16 total county, city, school and other local general property taxes levied on all taxable
17 property within a tax incremental district in a year by a fraction having as a
18 numerator the value increment for that year in ~~such~~ the district and as a
19 denominator that year’s equalized value of all taxable property in the district. In any
20 year, a tax increment is “positive” if the value increment is positive; it is “negative”
21 if the value increment is negative.

22 (j) “Tax incremental base” means the aggregate value, as equalized by the
23 department of revenue, of all taxable property located within a tax incremental
24 district on the date as of which ~~such~~ the district is created, determined as provided

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1 in sub. (5) (b). The base of districts created before October 1, 1980, ~~shall exclude~~ does
2 not include the value of property exempted under s. 70.111 (17).

3 (3) (a) Create tax incremental districts and to define the boundaries of ~~such~~ the
4 districts;

5 (b) Cause project plans to be prepared, to approve ~~such~~ the plans, and to
6 implement the provisions and effectuate the purposes of ~~such~~ the plans;

7 (e) Enter into any contracts or agreements, including agreements with
8 bondholders, determined by the local legislative body to be necessary or convenient
9 to implement the provisions and effectuate the purposes of project plans. ~~Such~~ The
10 contracts or agreements may include conditions, restrictions, or covenants which
11 either run with the land or which otherwise regulate the use of land.

12 (f) Designate, by ordinance or resolution, the local housing authority, the local
13 redevelopmental authority, or both jointly, or the local community development
14 authority, as agent of the city, to perform all acts, except the development of the
15 master plan of the city, which are otherwise performed by the planning commission
16 under this section and s. ~~66.435~~ 66.1337.

17 (4) (a) Holding of a public hearing by the planning commission at which
18 interested parties are afforded a reasonable opportunity to express their views on the
19 proposed creation of a tax incremental district and the proposed boundaries ~~thereof~~
20 of the district. Notice of ~~such~~ the hearing shall be published as a class 2 notice, under
21 ch. 985. ~~Prior to such~~ Before publication, a copy of the notice shall be sent by first
22 class mail to the chief executive officer or administrator of all local governmental
23 entities having the power to levy taxes on property located within the proposed
24 district and to the school board of any school district which includes property located

ASSEMBLY BILL 710**SECTION 459**

1 within the proposed district. For ~~any~~ a county with no chief executive officer or
2 administrator, ~~this~~ notice shall be sent to the county board chairperson.

3 (b) Designation by the planning commission of the boundaries of a tax
4 incremental district recommended by it ~~to be created~~ and submission of ~~such~~ the
5 recommendation to the local legislative body.

6 (c) Identification of the specific property to be included under par. (gm) 4. as
7 blighted or in need of rehabilitation or conservation work. Owners of the property
8 identified shall be notified of the proposed finding and the date of the hearing to be
9 held under par. (e) at least 15 days prior to the date of the hearing. In cities with a
10 redevelopment authority under s. ~~66.431~~ 66.1333, the notification required under
11 this paragraph may be provided with the notice required under s. ~~66.431~~ 66.1333 (6)

12 (b) 3., if the notice is transmitted at least 15 days prior to the date of the hearing to
13 be held under par. (e).

14 (e) At least 30 days before adopting a resolution under par. (gm), holding of a
15 public hearing by the planning commission at which interested parties are afforded
16 a reasonable opportunity to express their views on the proposed project plan. The
17 hearing may be held in conjunction with the hearing provided for in par. (a). Notice
18 of the hearing shall be published as a class 2 notice, under ch. 985. The notice shall
19 include a statement advising that a copy of the proposed project plan will be provided
20 on request. ~~Prior to such~~ Before publication, a copy of the notice shall be sent by 1st
21 class mail to the chief executive officer or administrator of all local governmental
22 entities having the power to levy taxes on property within the district and to the
23 school board of any school district which includes property located within the
24 proposed district. For ~~any~~ a county with no chief executive officer or administrator,
25 ~~this~~ notice shall be sent to the county board chairperson.

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1 (f) Adoption by the planning commission of a project plan for each tax
2 incremental district and submission of the plan to the local legislative body. The plan
3 shall include a statement listing the kind, number and location of all proposed public
4 works or improvements within the district or, to the extent provided in sub. (2) (f) 1.
5 k., outside the district, an economic feasibility study, a detailed list of estimated
6 project costs, and a description of the methods of financing all estimated project costs
7 and the time when the related costs or monetary obligations ~~related thereto~~ are to
8 be incurred. The plan shall also include a map showing existing uses and conditions
9 of real property in the district; a map showing proposed improvements and uses in
10 the district; proposed changes of zoning ordinances, master plan, if any, map,
11 building codes and city ordinances; a list of estimated nonproject costs; and a
12 statement of the proposed method for the relocation of any persons to be displaced.
13 The plan shall indicate how creation of the tax incremental district promotes the
14 orderly development of the city. The city shall include in the plan an opinion of the
15 city attorney or of an attorney retained by the city advising whether the plan is
16 complete and complies with this section.

17 (gm) 1. Describes the boundaries, which may, but need not, be the same as those
18 recommended by the planning commission, of a tax incremental district with
19 sufficient definiteness to identify with ordinary and reasonable certainty the
20 territory included ~~therein~~ in the district. The boundaries shall include only those
21 whole units of property as are assessed for general property tax purposes. Property
22 standing vacant for an entire 7-year period immediately preceding adoption of the
23 resolution creating a tax incremental district may not comprise more than 25% of the
24 area in the tax incremental district, unless the tax incremental district is suitable
25 for industrial sites under subd. 4. a. and the local legislative body implements an

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1 approved project plan to promote industrial development within the meaning of s.
2 ~~66.52~~ 66.1101. In this subdivision, “vacant property” includes property where the
3 fair market value or replacement cost value of structural improvements on the parcel
4 is less than the fair market value of the land. In this subdivision, “vacant property”
5 does not include property acquired by the local legislative body under ch. 32 or
6 property included within the abandoned Park East freeway corridor or the
7 abandoned Park West freeway corridor in Milwaukee ~~county~~ County.

8 2. Creates ~~such~~ the district as of a date ~~therein~~ provided in the resolution. If
9 the resolution is adopted during the period between January 2 and September 30,
10 then ~~such~~ the date shall be the next preceding January 1. If ~~such~~ the resolution is
11 adopted during the period between October 1 and December 31, then ~~such~~ the date
12 shall be the next subsequent January 1. If the resolution is adopted on January 1,
13 the district ~~shall have been~~ is created as of the date of the resolution on that January
14 1.

15 3. Assigns a name to ~~such~~ the district for identification purposes. The first ~~such~~
16 district created shall be known as “Tax Incremental District Number One, City of
17”. Each subsequently created district shall be assigned the next consecutive
18 number.

19 4. a. Not less than 50%, by area, of the real property within ~~such~~ the district
20 is at least one of the following: a blighted area; in need of rehabilitation or
21 conservation work, as defined in s. ~~66.435~~ 66.1337 (2m) (b); or suitable for industrial
22 sites within the meaning of s. ~~66.52~~ 66.1101 and has been zoned for industrial use;
23 and

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1 b. The improvement of ~~such~~ the area is likely to enhance significantly the value
2 of substantially all of the other real property in ~~such~~ the district. It shall is not be
3 necessary to identify the specific parcels meeting ~~such~~ the criteria; and

4 **SECTION 460.** 66.46 (4) (h) 1. of the statutes, as affected by 1999 Wisconsin Act
5 9, is renumbered 66.1105 (4) (h) 1. and amended to read:

6 66.1105 (4) (h) 1. Subject to subds. 2., 3. and 4., the planning commission may
7 ~~at any time~~, by resolution, adopt an amendment to a project plan, ~~which.~~ The
8 amendment ~~shall be~~ is subject to approval by the local legislative body and approval
9 ~~of the amendment shall require~~ requires the same findings as provided in par. (g).

10 Any amendment to a project plan is also subject to review by a joint review board,
11 acting under sub. (4m). Adoption of an amendment to a project plan shall be
12 preceded by a public hearing held by the plan commission at which interested parties
13 shall be afforded a reasonable opportunity to express their views on the amendment.
14 Notice of the hearing shall be published as a class 2 notice, under ch. 985. The notice
15 shall include a statement of the purpose and cost of the amendment and shall advise
16 that a copy of the amendment will be provided on request. ~~Prior to such~~ Before
17 publication, a copy of the notice shall be sent by 1st class mail to the chief executive
18 officer or administrator of all local governmental entities having the power to levy
19 taxes on property within the district and to the school board of any school district
20 which includes property located within the proposed district. For ~~any a~~ county with
21 no chief executive officer or administrator, this notice shall be sent to the county
22 board chairperson.

23 **SECTION 461.** 66.46 (4) (h) 2. to 4., (i) and (k), (4m) and (5) (title) and (a) of the
24 statutes, as affected by 1999 Wisconsin Act 9, are renumbered 66.1105 (4) (h) 2. to
25 4., (i) and (k), (4m) and (5) (title) and (a).

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1 **SECTION 462.** 66.46 (5) (b) of the statutes is renumbered 66.1105 (5) (b) and
2 amended to read:

3 66.1105 (5) (b) Upon application in writing by the city clerk, in such a form as
4 prescribed by the department of revenue ~~may prescribe~~, the department shall
5 determine according to its best judgment from all sources available to it the full
6 aggregate value of the taxable property and, except as provided in par. (bm), of the
7 city-owned property in the tax incremental district. The department shall certify
8 this aggregate valuation to the city clerk, and the aggregate valuation ~~shall~~
9 ~~constitute~~ constitutes the tax incremental base of the tax incremental district. The
10 city clerk shall complete these forms and submit the application on or before
11 December 31 of the year the tax incremental district is created, as defined in sub. (4)
12 (gm) 2.

13 **SECTION 463.** 66.46 (5) (be) to (cm) of the statutes, as affected by 1999 Wisconsin
14 Act 9, are renumbered 66.1105 (5) (be) to (cm).

15 **SECTION 464.** 66.46 (5) (d) to (g) and (6) (title), (a) and (am) 1. and 2. a. and b.
16 of the statutes are renumbered 66.1105 (5) (d) to (g) and (6) (title), (a) and (am) 1. and
17 2. a. and b., and 66.1105 (5) (d) to (g) and (6) (a), as renumbered, are amended to read:

18 66.1105 (5) (d) The department of revenue ~~shall~~ may not certify the tax
19 incremental base as provided in par. (b) until it determines that each of the
20 procedures and documents required by sub. (4) (a), (b), (gm) or (h) and par. (b) has
21 been timely completed and all notices required under sub. (4) (a), (b), (gm) or (h)
22 timely given. The facts supporting any document adopted or action taken to comply
23 with sub. (4) (a), (b), (gm) or (h) ~~shall~~ are not be subject to review by the department
24 of revenue under this paragraph.

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1 (e) It is a rebuttable presumption that any property within a tax incremental
2 district acquired or leased as lessee by the city, or any agency or instrumentality
3 ~~thereof of the city~~, within the one year immediately preceding the date of the creation
4 of ~~such the~~ district was so acquired or leased in contemplation of the creation of ~~such~~
5 ~~the~~ district. ~~Such~~ The presumption may be rebutted by the city with proof that ~~such~~
6 ~~the~~ property was so leased or acquired primarily for a purpose other than to reduce
7 the tax incremental base. If ~~such the~~ presumption is not rebutted, in determining
8 the tax incremental base of ~~such the~~ district, but for no other purpose, the taxable
9 status of ~~such the~~ property shall be determined as ~~though such~~ if the lease or
10 acquisition had not occurred.

11 (f) The city assessor shall identify upon the assessment roll returned and
12 examined under s. 70.45 those parcels of property which are within each existing tax
13 incremental district, specifying ~~thereon~~ the name of each district. A similar notation
14 shall ~~also~~ appear on the tax roll made by the city clerk under s. 70.65.

15 (g) The department of revenue shall annually give notice to the designated
16 finance officer of all governmental entities having the power to levy taxes on property
17 within each district as to the equalized value of ~~such the~~ property and the equalized
18 value of the tax increment base. ~~Such~~ The notice shall also explain that the tax
19 increment allocated to a city shall be paid to the city as provided under sub. (6) (b)
20 from the taxes collected.

21 **(6)** (a) If the joint review board approves the creation of the tax incremental
22 district under sub. (4m), positive tax increments with respect to a tax incremental
23 district are allocated to the city which created the district for each year commencing
24 after the date when a project plan is adopted under sub. (4) (g). The department of
25 revenue ~~shall~~ may not authorize allocation of tax increments until it determines from

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1 timely evidence submitted by the city that each of the procedures and documents
2 required under sub. (4) (d) to (f) ~~have~~ has been completed and all related notices given
3 in a timely manner. The department of revenue may authorize allocation of tax
4 increments for any tax incremental district only if the city clerk and assessor
5 annually submit to the department all required information on or before the 2nd
6 Monday in June. The facts supporting any document adopted or action taken to
7 comply with sub. (4) (d) to (f) ~~shall~~ are not be subject to review by the department of
8 revenue under this paragraph. ~~Thereafter~~ After the allocation of tax increments is
9 authorized, the department of revenue shall annually authorize allocation of the tax
10 increment to the city that created ~~such a~~ the district until the department of revenue
11 receives a notice under sub. (8) and the notice has taken effect under sub. (8) (b), 27
12 years after the tax incremental district is created if the district is created before
13 October 1, 1995, 38 years after the tax incremental district is created if the district
14 is created before October 1, 1995, and the project plan is amended under sub. (4) (h)
15 3. or 23 years after the tax incremental district is created if the district is created
16 after September 30, 1995, whichever is sooner.

17 **SECTION 465.** 66.46 (6) (am) 2. c., 3. and 4. and (b) to (dm) of the statutes, as
18 affected by 1999 Wisconsin Act 9, are renumbered 66.1105 (6) (am) 2. c., 3. and 4. and
19 (b) to (dm).

20 **SECTION 466.** 66.46 (6) (e) 1. (intro.) and a. of the statutes are renumbered
21 66.1105 (6) (e) 1. (intro.) and a., and 66.1105 (6) (e) 1. (intro.), as renumbered, is
22 amended to read:

23 66.1105 (6) (e) 1. (intro.) Before the date on which a tax incremental district
24 terminates under sub. (7) (a), but not later than the date on which a tax incremental
25 district terminates under sub. (7) (am), a planning commission may amend under

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1 sub. (4) (h) the project plan of ~~such a~~ the tax incremental district to allocate positive
2 tax increments generated by that tax incremental district to another tax incremental
3 district created by that planning commission if all of the following conditions are met:

4 **SECTION 467.** 66.46 (6) (e) 1. b. and c. and 2. of the statutes, as affected by 1999
5 Wisconsin Act 9, are renumbered 66.1105 (6) (e) 1. b. and c. and 2.

6 **SECTION 468.** 66.46 (6) (e) 3. of the statutes is renumbered 66.1105 (6) (e) 3. and
7 amended to read:

8 66.1105 (6) (e) 3. A project plan that is amended under sub. (4) (h) to authorize
9 the allocation of positive tax increments under subd. 1. may authorize ~~such an~~ the
10 allocation for a period not to exceed 5 years, except that if the planning commission
11 determines that the allocation may be needed for a period longer than 5 years, the
12 planning commission may authorize ~~such an~~ the allocation for up to an additional
13 5 years if the project plan is amended under sub. (4) (h) during the 4th year of the
14 allocation. In no case may positive tax increments under subd. 1. be allocated from
15 one donor tax incremental district for a period longer than 10 years.

16 **SECTION 469.** 66.46 (6c) and (6m) of the statutes, as affected by 1999 Wisconsin
17 Act 9, are renumbered 66.1105 (6c) and (6m).

18 **SECTION 470.** 66.46 (7) (intro.) and (a) of the statutes are renumbered 66.1105
19 (7) (intro.) and (a) and amended to read:

20 66.1105 (7) TERMINATION OF TAX INCREMENTAL DISTRICTS. (intro.) ~~The existence~~
21 ~~of a~~ A tax incremental district shall ~~terminate~~ terminates when the earlier of the
22 following occurs:

23 (a) That time when the city has received aggregate tax increments with respect
24 to ~~such~~ the district in an amount equal to the aggregate of all project costs under the
25 project plan and any amendments to the project plan for ~~such~~ the district, except that

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1 this paragraph does not apply to a district whose positive tax increments have been
2 allocated under sub. (6) (d), (dm) or (e) until the district to which the allocation is
3 made has paid off the aggregate of all of its project costs under its project plan.

4 **SECTION 471.** 66.46 (7) (am) and (ar) of the statutes, as affected by 1999
5 Wisconsin Act 9, are renumbered 66.1105 (7) (am) and (ar).

6 **SECTION 472.** 66.46 (7) (b) and (8) to (14) of the statutes are renumbered
7 66.1105 (7) (b) and (8) to (14), and 66.1105 (7) (b), (9) (a) (intro.), 4. to 7. and 9. and
8 (b) 2. to 4. and 5. a. and b. and (10) (b), as renumbered, are amended to read:

9 66.1105 (7) (b) The local legislative body, by resolution, dissolves the district
10 at which time the city ~~shall become~~ becomes liable for all unpaid project costs
11 actually incurred which are not paid from the special fund under sub. (6) (c), except
12 this paragraph does not make the city liable for any tax incremental bonds or notes
13 issued.

14 (9) (a) (intro.) Payment of project costs may be made by any one or more of the
15 following methods ~~or any combination thereof~~:

16 4. Payment out of the proceeds of the sale of public improvement bonds issued
17 by it under s. ~~66.059~~ 66.0619;

18 5. Payment as provided under s. ~~66.54~~ 66.0713 (2) ~~(e), (d) (e)~~ and (4) or 67.16;

19 6. Payment out of the proceeds of revenue bonds or notes issued by it under s.
20 ~~66.066~~ 66.0621;

21 7. Payment out of the proceeds of revenue bonds issued by it under s. ~~66.51~~
22 66.0913;

23 9. Payment out of the proceeds of revenue bonds issued by the city as provided
24 by s. ~~66.521~~ 66.1103, for a purpose specified in that section.

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1 (b) 2. Tax incremental bonds or notes shall be authorized by resolution of the
2 local legislative body without the necessity of a referendum or any elector approval,
3 but ~~such a~~ referendum or election may be held, through the procedures provided in
4 s. ~~66.521~~ 66.1103 (10) (d). ~~Such~~ The resolution shall state the name of the tax
5 incremental district, the amount of bonds or notes authorized, and the interest rate
6 or rates to be borne by ~~such the~~ bond or notes. ~~Such~~ The resolution may prescribe
7 the terms, form and content of ~~such the~~ bonds or notes and ~~such any~~ other matters
8 as that the local legislative body deems useful.

9 3. Tax incremental bonds or notes may not be issued in an amount exceeding
10 the aggregate project costs. ~~Such~~ The bonds or notes shall mature over a period not
11 exceeding 23 years from the date ~~thereof~~ of issuance or a period terminating with the
12 date of termination of the tax incremental district, whichever period terminates
13 earlier. ~~Such~~ The bonds or notes may contain a provision authorizing the redemption
14 ~~thereof of the bonds or notes~~, in whole or in part, at stipulated prices, at the option
15 of the city, on any interest payment date and shall provide the method of selecting
16 the bonds or notes to be redeemed. The principal and interest on ~~such the~~ bonds and
17 notes may be payable at any time and at any place. ~~Such~~ The bonds or notes may
18 be payable to bearer or may be registered as to the principal or principal and interest.
19 ~~Such~~ The bonds or notes may be in any denominations. ~~Such~~ The bonds or notes may
20 be sold at public or private sale. ~~Insofar as they are~~ To the extent consistent with this
21 subsection, the provisions of ch. 67 relating to procedures for issuance, form,
22 contents, execution, negotiation, and registration of municipal bonds and notes ~~are~~
23 ~~incorporated herein by reference~~ apply to bonds or notes issued under this
24 subsection.

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1 4. Tax incremental bonds or notes are payable only out of the special fund
2 created under sub. (6) (c). Each ~~such~~ bond or note shall contain ~~such~~ the recitals as
3 are necessary to show that it is only so payable and that it does not constitute an
4 indebtedness of ~~such~~ the city or a charge against its general taxing power. The local
5 legislative body shall irrevocably pledge all or a part of ~~such~~ the special fund to the
6 payment of ~~such~~ the bonds or notes. ~~Such~~ The special fund or the designated part
7 thereof ~~of the fund~~ may ~~thereafter~~ then be used only for the payment of ~~such~~ the
8 bonds or notes and interest ~~thereon~~ on the bonds or notes until the ~~same~~ bonds or
9 notes have been fully paid; and a holder of ~~such~~ the bonds or notes or of any coupons
10 appertaining ~~thereto shall have~~ to the bonds or notes has a lien against ~~such~~ the
11 special fund for payment of ~~such~~ the bonds or notes and interest ~~thereon~~ on the bonds
12 or notes and may either at law or in equity protect and enforce ~~such~~ the lien.

13 5. a. Create a lien for the benefit of the bondholders upon any public
14 improvements or public works financed ~~thereby~~ by the bonds or notes or the revenues
15 ~~therefrom~~ from the bonds or notes; or

16 b. Make ~~such~~ covenants and do any ~~and all~~ such acts, not inconsistent with the
17 Wisconsin constitution, as ~~may be~~ necessary or convenient or desirable in order to
18 additionally secure ~~such~~ the bonds or notes or tend to make the bonds or notes more
19 marketable according to the best judgment of the local legislative body.

20 **(10)** (b) If the boundaries of 2 or more tax incremental districts overlap, in
21 determining how positive tax increments generated by that area which is within 2
22 or more districts are allocated among ~~such~~ the overlapping districts, but for no other
23 purpose, the aggregate value of the taxable property in ~~such~~ the area as equalized
24 by the department of revenue in any year as to each earlier created district is deemed

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1 to be that portion of the tax incremental base of the district next created which is
2 attributable to such the overlapped area.

3 **SECTION 473.** 66.462 (title) and (1) of the statutes, as affected by 1999
4 Wisconsin Act 9, are renumbered 66.1106 (title) and (1).

5 **SECTION 474.** 66.462 (2) (title) of the statutes is renumbered 66.1106 (2) (title).

6 **SECTION 475.** 66.462 (2) of the statutes, as affected by 1999 Wisconsin Act 9,
7 section 1634a, is renumbered 66.1106 (2) (a) and amended to read:

8 66.1106 (2) (a) A political subdivision that develops, and whose governing body
9 approves, a written proposal to remediate environmental pollution may use an
10 environmental remediation tax increment to pay the eligible costs of remediating
11 environmental pollution on contiguous parcels of property that are located within
12 the political subdivision and that are not part of a tax incremental district created
13 under s. ~~66.46~~ 66.1105, as provided in this section, except that a political subdivision
14 may use an environmental remediation tax increment to pay the cost of remediating
15 environmental pollution of groundwater without regard to whether the property
16 above the groundwater is owned by the political subdivision. No political subdivision
17 may submit an application to the department under sub. (4) until the joint review
18 board approves the political subdivision's written proposal under sub. (3).

19 **SECTION 476.** 66.462 (2) (b) and (3) (title) and (a) to (c) of the statutes, as affected
20 by 1999 Wisconsin Act 9, are renumbered 66.1106 (2) (b) and (3) (title) and (a) to (c).

21 **SECTION 477.** 66.462 (3) (d) of the statutes is renumbered 66.1106 (3) (d) and
22 amended to read:

23 66.1106 (3) (d) If a joint review board convened by a city or village under s. ~~66.46~~
24 66.1105 (4m) is in existence when a city or village seeks to act under this section, the
25 city or village may require the joint review board convened under s. ~~66.46~~ 66.1105

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1 (4m) to exercise the functions of a joint review board that could be convened under
2 this subsection.

3 **SECTION 478.** 66.462 (4) to (10) of the statutes, as affected by 1999 Wisconsin
4 Act 9, are renumbered 66.1106 (4) to (10).

5 **SECTION 479.** 66.465 of the statutes is renumbered 66.1107, and 66.1107 (1) (a),
6 (c) and (e) 5. and (2) (intro.), (a), (b) and (c) 1. and 2., as renumbered, are amended
7 to read:

8 66.1107 (1) (a) An “area in need of rehabilitation” is a neighborhood or area in
9 which buildings, by reason of age, obsolescence, inadequate or outmoded design, or
10 physical deterioration have become economic or social liabilities, or both; in which
11 ~~such~~ these conditions impair the economic value of ~~such~~ the neighborhood or area,
12 infecting it with economic blight, and which is characterized by depreciated values,
13 impaired investments, and reduced capacity to pay taxes; in which the existence of
14 ~~such~~ these conditions and the failure to rehabilitate ~~such~~ the buildings results in a
15 loss of population from the neighborhood or area and further deterioration,
16 accompanied by added costs for creation of new public facilities and services
17 elsewhere; in which it is difficult and uneconomic for individual owners
18 independently to undertake to remedy ~~such~~ the conditions; in which it is necessary
19 to create, with proper safeguards, inducements and opportunities for the
20 employment of private investment and equity capital in the rehabilitation of ~~such~~ the
21 buildings; and in which the presence of ~~such~~ these buildings and conditions has
22 resulted, among other consequences, in a severe shortage of financial resources
23 available to finance the purchase and rehabilitation of housing and an inability or
24 unwillingness on the part of private lenders to make loans for and an inability or

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1 unwillingness on the part of present and prospective owners of ~~such~~ housing to invest
2 in the purchase and rehabilitation of housing in ~~such~~ the neighborhood or area.

3 (c) "Municipality" means ~~any a~~ city, village or town ~~in this state~~.

4 (e) 5. It is an area within which the effect of ~~such~~ existing detrimental
5 conditions ~~as may exist~~ is to discourage private lenders from making loans for and
6 present or prospective property owners from investing in the purchase and
7 rehabilitation of housing.

8 **(2) DESIGNATION OF REINVESTMENT NEIGHBORHOODS OR AREAS. (intro.)** ~~Any~~ A
9 municipality may designate reinvestment neighborhoods or areas after complying
10 with the following steps:

11 (a) Holding of a public hearing by the planning commission or by the local
12 governing body at which interested parties are afforded a reasonable opportunity to
13 express their views on the proposed designation and boundaries of a reinvestment
14 neighborhood or area ~~and the proposed boundaries thereof~~. Notice of ~~such~~ the
15 hearing shall be published as a class 2 notice, under ch. 985. ~~Prior to such~~ Before
16 publication, a copy of the notice shall be sent by 1st class mail to the Wisconsin
17 housing and economic development authority, and a copy shall be posted in each
18 school building and in at least 3 other places of public assembly within the
19 reinvestment neighborhood or area proposed to be designated.

20 (b) Designation by the planning commission of the boundaries of a
21 reinvestment neighborhood or area recommended by it to be designated and
22 submission of ~~such~~ the recommendation to the local legislative body.

23 (c) 1. Describes the boundaries of a reinvestment neighborhood or area with
24 sufficient definiteness to identify with ordinary and reasonable certainty the

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1 territory included ~~therein. Such~~ in the neighborhood or area. The boundaries may,
2 but need not, be the same as those recommended by the planning commission.

3 2. Designates ~~such~~ the reinvestment neighborhood or area as of a date provided
4 in the resolution.

5 **SECTION 480.** 66.47 (title) of the statutes is renumbered 66.0927 (title).

6 **SECTION 481.** 66.47 (1) to (5) of the statutes are renumbered 66.0927 (1) to (5),
7 and 66.0927 (2), (3) and (4), as renumbered, are amended to read:

8 66.0927 **(2)** COUNTY-CITY HOSPITALS. ~~Any~~ A county and city or cities partly or
9 wholly within the county may by ordinance jointly construct or otherwise acquire,
10 equip, furnish, operate and maintain a ~~general county-city~~ hospital. ~~Such~~ The
11 hospital is subject to ch. 150.

12 **(3)** FINANCING. The governing bodies of the respective county and city or cities
13 ~~shall have the power to~~ may borrow money, appropriate funds, and levy taxes needed
14 to carry out the purposes of this section. Funds to be used for the purposes specified
15 in this section may be provided by the respective county, city or cities by general
16 obligation bonds issued under ch. 67 or by revenue bonds issued under s. ~~66.51.~~ ~~Any~~
17 ~~bonds~~ 66.0913. Bonds issued pursuant to under this section shall be executed on
18 behalf of the county by the county board chairperson and the county clerk and on
19 behalf of a city by ~~the~~ its mayor or other chief executive officer ~~thereof~~ and by the city
20 clerk.

21 **(4)** COST SHARING. The ordinance shall provide for a sharing of all of the cost
22 of construction or other acquisition, equipment, furnishing, operation and
23 maintenance of ~~such~~ a hospital on an agreed percentage basis.

24 **SECTION 482.** 66.47 (6) of the statutes is repealed.

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NOTE: Repealed as archaic. This subsection validates all actions of a county and city taken before April 17, 1949 in the construction or other acquisition, equipment, furnishing, operation and maintenance of a joint county-city hospital which would have been valid had s. 66.47 been in effect when the actions were taken. There appears to be no need to continue the validation.

1 **SECTION 483.** 66.47 (7) to (15) of the statutes are renumbered 66.0927 (7) to (15)
2 and amended to read:

3 66.0927 (7) (a) ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS.

4 When all members have qualified the board shall meet at the place designated in the
5 ordinance and organize by electing from its membership a president, a vice
6 president, a secretary and a treasurer, each to hold office for one year. The board may
7 combine the offices of secretary and treasurer ~~may be combined if the board so~~
8 ~~decides.~~ Members shall receive ~~such~~ compensation as ~~shall be~~ provided in the
9 ordinance, and shall be reimbursed their actual and necessary expenses. With the
10 approval of the board, the treasurer may appoint an assistant treasurer, who need
11 not be a member of the board, to perform ~~such~~ services as ~~shall be~~ specified by the
12 board.

13 (b) Members, and any assistant treasurer, shall qualify by taking the official
14 oath, and the treasurer and any assistant treasurer shall furnish a bond in ~~such a~~
15 ~~sum as shall be~~ specified by the board and ~~be~~ in the form and conditioned as provided
16 in s. 19.01 (2) and (3). The oaths and bonds shall be filed with the county clerk. The
17 cost of the bond shall be paid by the board.

18 **(8) POWERS OF BOARD.** The board ~~shall have power~~ may, subject to provisions of
19 the ordinance:

20 (a) ~~To contract~~ Contract for the construction or other acquisition, equipment
21 or furnishing of a ~~general county-city~~ hospital.

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1 (b) ~~To contract~~ Contract for the construction or other acquisition of additions
2 or improvements to, or alterations in, such a hospital and the equipment or
3 furnishing of ~~any such~~ an addition.

4 (c) ~~To employ~~ Employ a manager of the a hospital and other necessary
5 personnel and fix their compensation.

6 (d) ~~To enact~~ Enact, amend and repeal rules and regulations, ~~not inconsistent~~
7 ~~with law~~, for the admission to, and government of patients at, the a hospital, for the
8 regulation of the board's meetings and deliberations, and for the government,
9 operation and maintenance of the hospital and the hospital employes thereof.

10 (e) ~~To contract~~ Contract for and purchase all fuel, food, equipment, furnishings
11 and supplies reasonably necessary for the proper operation and maintenance of the
12 a hospital.

13 (f) ~~To audit~~ Audit all accounts and claims against the a hospital or against the
14 board, and, if approved, pay the same accounts and claims from the fund specified
15 in sub. (10). All expenditures made pursuant to this section shall be within the limits
16 of the ordinance.

17 (g) ~~To sue~~ Sue and be sued, and to collect or compromise any ~~and all~~ obligations
18 due to the hospital; ~~all~~. All money received shall be paid into the joint hospital fund.

19 (h) ~~To make such~~ Make studies and recommendations to the county board and
20 city council or city councils relating to the operation of the a hospital ~~or the building~~
21 ~~of facilities therefor~~ as the board may deem considers advisable or said the governing
22 bodies request.

23 (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

24 **(9) BUDGET.** The board shall annually, ~~prior to~~ before the time of the
25 preparation of either the county or city budget under s. 65.90, prepare a budget of

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1 its anticipated receipts and expenditures for the ensuing fiscal year and determine
2 the proportionate cost to the county and the participating city or cities pursuant to
3 under the terms of the ordinance. A certified copy of the budget, which shall include
4 a statement of the net amount required from the county and city or cities, shall be
5 delivered to the clerks of the respective municipalities. ~~It shall be the duty of the~~ The
6 county board and the common council of the city or cities to shall consider such the
7 budget, and determine the amount to be raised by the respective municipalities in
8 the proportions determined by the ordinance. ~~Thereupon~~ After this determination,
9 the county and city or cities respectively shall levy a tax sufficient to produce the
10 amount to be raised by ~~said~~ the county and city or cities.

11 (10) HOSPITAL FUND. A joint county-city hospital fund shall be created and
12 established in a public depository to be specified in the ordinance. The treasurer of
13 the respective county and city or cities shall pay ~~or cause to be paid~~ into such the fund
14 the respective amounts to be paid thereto by such county and city or cities as specified
15 by the ordinance and resolutions of the respective municipalities when such the
16 amounts have been collected. All of the moneys which ~~shall~~ come into ~~said~~ the fund
17 are hereby appropriated to the board for the execution of its functions as provided
18 by the ordinance and the resolutions of the respective municipalities. The moneys
19 in the fund shall be paid out by the treasurer of the hospital board only upon the
20 approval or direction of the board.

21 (11) CORRELATION OF LAWS. (a) In any case where a bid is a prerequisite to
22 contract in connection with a county or city hospital under s. ~~66.29~~ 66.0901, it ~~shall~~
23 is also be a prerequisite to a valid contract by the board; ~~and for such.~~ For this
24 purpose, the board ~~shall be deemed~~ is a municipality and the contract a public
25 contract under s. ~~66.29~~ 66.0901.

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1 (b) All statutory requirements, not inconsistent with the provision of this
2 section, applicable to general county or city hospitals shall apply to hospitals referred
3 to in this section.

4 (12) REPORTS. The board shall report its activities to the county board and the
5 city council or councils annually, or oftener as either of said ~~the~~ municipalities may
6 require requires.

7 (14) POWERS OF VILLAGES. Villages shall have all of the powers granted to cities
8 under subs. (1) to (12) and whenever any village shall exercise such exercises these
9 powers the word “city” wherever it appears in subs. (1) to (12) means “village” unless
10 the context otherwise requires. Any village participating in the construction or other
11 acquisition of a ~~general county village~~ hospital or in the its operation thereof,
12 pursuant to this section, shall have the power to may enter into lease agreements
13 leasing ~~such the~~ hospital and the its equipment and furnishings therein to a
14 nonprofit corporation.

15 (15) POWERS OF TOWNS. Towns shall have all of the powers granted to cities
16 under subs. (1) to (12) and whenever any town shall exercise such exercises these
17 powers the word “city” wherever it appears in subs. (1) to (12) means “town” unless
18 the context otherwise requires. Any town participating in the construction or other
19 acquisition of a ~~general county town~~ hospital or in the its operation thereof,
20 pursuant to, under this section, shall have the power to may enter into lease
21 agreements leasing ~~such the~~ hospital and the its equipment and furnishings therein
22 to a nonprofit corporation.

23 **SECTION 484.** 66.48 of the statutes is renumbered 66.0917 and amended to
24 read:

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1 **66.0917 Art museums.** Any A city, village or town may establish, purchase
2 land and erect buildings for, and equip, manage and control an art museum ~~or~~
3 ~~museums; or.~~ A city, village or town may enter into a contract with any art museum
4 or art institute located in the city, village or town for the education of the people
5 thereof in art, for such compensation as shall be determined by the governing body
6 of the city, village or town. Any A city, village or town may levy taxes, issue bonds,
7 or appropriate money for the purposes in this section.

8 **SECTION 485.** 66.49 of the statutes is renumbered 66.0919 and amended to
9 read:

10 **66.0919 Civic centers. (1) RECREATION AND AMUSEMENT.** Any A city, village
11 or town may by ordinance, enacted by a majority of all the members-elect, as defined
12 in s. 59.001 (2m), of the board or council, provide for the erection, maintenance and
13 operation of a public auditorium, opera house, or other recreation and amusement
14 building. The erection and contracts ~~therefor shall be~~ are governed by the provisions
15 of law applicable to other public buildings ~~therein~~ in the city, village or town. The
16 board or council shall adopt regulations for maintenance and operation.

17 **(2) REST ROOMS.** Any A city, village or town may erect, purchase, lease, or take
18 by gift or devise, land and buildings for public rest rooms, and may equip, maintain
19 and operate ~~the same~~ them.

20 **(3) COMFORT STATIONS.** Every A city, village and or town may provide and
21 maintain a sufficient number of public comfort stations for both sexes. The
22 department of health and family services shall establish regulations governing their
23 location, construction, equipment and maintenance and may prescribe minimum
24 standards that shall be uniform throughout the state. The board or council may
25 establish further regulations.

ASSEMBLY BILL 710**SECTION 485**

1 (4) COMFORT STATIONS AND REST ROOMS. The state, ~~every~~ or a county, city, village,
2 and or town maintaining places of public assemblage or camp sites may also provide
3 and maintain a sufficient number of suitable and adequate public comfort stations
4 for both sexes and may establish rest rooms separate or in connection with ~~such~~ the
5 comfort stations.

6 (5) PUBLIC CONCERTS. ~~Any~~ A town, village or city may conduct public concerts
7 in auditoriums and such other public places within its boundaries as the board or
8 council ~~shall determine.~~ ~~Such~~ determines. ~~The~~ concerts shall be conducted by the
9 department having charge of ~~such~~ the place and the expenses thereof ~~above~~ in excess
10 of receipts, if any, shall be paid out of ~~such~~ a fund as determined by the board or
11 council ~~shall determine.~~ A fee to ~~said~~ attend the concerts may be charged for the
12 purpose of defraying the expenses thereof in whole or in part.

13 **SECTION 486.** 66.50 of the statutes is renumbered 66.0127, and 66.0127 (1), as
14 renumbered, is amended to read:

15 66.0127 (1) In any a city, village or town, ~~however organized,~~ in which a
16 municipal hospital is located, the board of trustees or other governing board of the
17 municipal hospital ~~shall have power and authority~~ may, except as otherwise
18 provided by ordinance, do any of the following:

19 (a) ~~To prescribe~~ Prescribe rules of order for the regulation of ~~their~~ its own
20 meetings and deliberations and ~~to alter, amend or repeal the same from time to time;~~

21 (b) ~~To promulgate, amend and repeal~~ Promulgate rules relating to the
22 government, operation and maintenance of the hospital and relating to the employes
23 of the hospital;

24 (c) ~~To contract~~ Contract for and purchase all fuel, food and other supplies
25 reasonably necessary for the operation and maintenance of the hospital;

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1 (d) ~~To promulgate, amend and repeal~~ Promulgate rules for the admission to and
2 government of patients at the hospital;.

3 (e) ~~To contract~~ Contract for the construction, installation or making of
4 additions or improvements to or alterations of such the hospital ~~whenever such~~ if the
5 additions, improvements or alterations have been ordered and funds have been
6 provided ~~therefor~~ by the city council or village or town board;.

7 (f) ~~To engage~~ Employ all necessary employes at the hospital for a period not to
8 exceed one year ~~under any one contract and at a salary not to exceed the sum of \$25~~
9 ~~per week, excluding board and laundry, unless a larger salary is expressly authorized~~
10 ~~by the city council or village or town board;.~~

NOTE: Section 66.50 (1) (f) provides that the board of trustees or other governing board of a municipal hospital may engage all necessary employes for a period not to exceed one year under any one contract and at a salary not exceeding the sum of \$25 per week, excluding board and laundry, unless a larger salary is expressly authorized by the city council or village or town board. Renumbered s. 66.0127 (1) (f) removes these limits on the terms of employe contracts and on employe salaries.

11 (g) ~~To audit~~ Audit all accounts and claims against the hospital or against the
12 board of trustees and, if approved, the city, village or town clerk and treasurer shall
13 pay the accounts and claims in the manner provided by s. ~~66.042~~ 66.0607.

14 **SECTION 487.** 66.501 of the statutes is renumbered 66.0129, and 66.0129 (1),
15 (4) (intro.), (5) and (6), as renumbered, are amended to read:

16 66.0129 (1) POWERS AND DUTIES OF GOVERNING BODY. For the purpose of
17 providing adequate hospital facilities in the state of Wisconsin to serve cities, villages
18 and towns and the hospital service area, ~~and; providing~~ providing all lands, buildings,
19 improvements, facilities or equipment or other capital items necessary or desirable
20 in connection with the hospital ~~and the ultimate acquisition of; ultimately acquiring~~
21 the hospital by the city, village or town, ~~for the acquisition of; acquiring~~ lands for

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1 future hospital development, ~~and to refinance; and refinancing~~ indebtedness created
2 by a nonprofit corporation for the purpose of acquiring lands or providing hospital
3 buildings or additions or improvements to the hospital buildings, ~~or for any one or~~
4 ~~more of these purposes,~~ the governing body of any a city, village or town shall have
5 the following powers may:

6 (a) Without limitation by any other statute, ~~to~~ sell and convey title to a
7 nonprofit corporation any land and any existing buildings on the land owned by the
8 city, village or town for such that consideration and upon such the terms and
9 conditions as ~~in the judgment of that~~ the governing body of the city, village or town
10 determines are in the public interest.

11 (b) ~~To lease~~ Lease to a nonprofit corporation for terms not exceeding 40 years
12 each any land and existing buildings on the land that are owned by the city, village
13 or town upon such the terms, conditions and rentals as ~~in the judgment of that~~ the
14 governing body of the city, village or town determines are in the public interest.

15 (c) ~~To lease~~ Lease or sublease from the nonprofit corporation, for terms not
16 exceeding 40 years, and ~~to~~ make available for public use, any lands or any such land
17 and existing buildings conveyed or leased to the corporation under pars. (a) and (b),
18 and any new buildings erected upon the land or upon any other land owned by the
19 corporation, upon the terms, conditions and rentals, subject to available
20 appropriations, and ultimate acquisition, that ~~in the judgment of the governing body~~
21 of the city, village or town determines are in the public interest. With respect to any
22 property conveyed to the nonprofit corporation under par. (a), the lease from the
23 nonprofit corporation may be subject or subordinated to one or more mortgages of
24 such the property granted by the corporation.

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1 (d) ~~To apply~~ Apply all net revenues derived from the operation of any lands or
2 buildings to the payment of rentals due and to become due under any lease or
3 sublease made under par. (c).

4 (e) ~~To pledge~~ Pledge and assign all or any part of the revenues derived from the
5 operation of any lands or new buildings as security for the payment of rentals due
6 and to become due under any lease or sublease of the new buildings made under par.
7 (c).

8 (f) ~~To covenant~~ Covenant and agree in any lease or sublease made under par.
9 (c) to impose fees, rentals or other charges for the use and occupancy or other
10 operation of the new buildings in an amount which together with other moneys of the
11 city, village or town available for ~~such~~ that purpose will produce net revenue
12 sufficient to pay the rentals due and to become due under the lease or sublease.

13 (g) ~~To apply~~ Apply all or any part of the revenues derived from the operation
14 of any lands or existing buildings to the payment of rentals due and to become due
15 under any a lease or sublease made under par. (c).

16 (h) ~~To pledge~~ Pledge and assign all or any part of the revenues derived from the
17 operation of any lands or existing buildings to the payment of rentals due and to
18 become due under any a lease or sublease made under par. (c).

19 (i) ~~To covenant~~ Covenant and agree in any a lease or sublease made under par.
20 (c) to impose fees, rentals or other charges for the use and occupancy or other
21 operation of any lands or existing buildings in an amount calculated to produce net
22 revenues sufficient to pay the rentals due and to become due under ~~such~~ the lease
23 or sublease.

24 (j) ~~To operate~~ Operate the hospital, until it is ultimately acquired, in ~~such~~ a
25 manner as to provide that provides revenues sufficient to pay the costs of operation

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1 and maintenance of the hospital and ~~to provide for~~ the payments due the nonprofit
2 corporation.

3 (4) POWERS AND DUTIES OF NONPROFIT CORPORATION. (intro.) In addition to all
4 other powers granted to nonprofit corporations, the nonprofit corporation ~~shall have~~
5 has the following additional powers and duties when leasing hospital facilities to a
6 city, village or town:

7 (5) BIDS FOR CONSTRUCTION. The nonprofit corporation shall let all contracts
8 exceeding \$1,000 for the construction, maintenance or repair of hospital facilities to
9 the lowest responsible bidder after advertising for bids by the publication of a class
10 2 notice under ch. 985. Sections ~~66.29~~ 66.0901 and ~~66.293~~ shall 66.0903 apply to such
11 bids and contracts under this subsection.

12 (6) DEFINITIONS. Unless the context otherwise requires, the terms “buildings”
13 in this section:

14 (a) “Buildings”, “new buildings” and “existing buildings” as ~~used in this section~~
15 include all buildings, structures, improvements, facilities, equipment or other
16 capital items which the governing body of the city, village or town determines ~~to be~~
17 are necessary or desirable for the purpose of providing hospital facilities. ~~The term~~
18 “nonprofit

19 (b) “Nonprofit corporation” means a nonstock corporation organized under ch.
20 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

21 **SECTION 488.** 66.504 of the statutes is renumbered 66.0921, and 66.0921 (3),
22 as renumbered, is amended to read:

23 66.0921 (3) FINANCING. A municipality may borrow money, appropriate funds
24 and levy taxes needed to carry out the purposes of this section. Funds to be used for
25 the purposes specified in this section may be provided by a municipality by general

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1 obligation bonds issued under ch. 67. Funds to be used for the purposes specified in
2 this section may be provided by a county, city, village or town by revenue bonds issued
3 under s. ~~66.066~~ 66.0621. Any bonds issued under this section shall be executed on
4 behalf of the municipality by ~~the~~ its chief executive officer and clerk ~~thereof~~.

5 **SECTION 489.** 66.505 (title) and (1) to (4) of the statutes are renumbered
6 66.0923 (title) and (1) to (4), and 66.0923 (3) and (4), as renumbered, are amended
7 to read:

8 66.0923 (3) FINANCING. The governing bodies of the respective county and city
9 or cities ~~shall have the power to~~ may borrow money, appropriate funds, and levy taxes
10 needed to carry out the purposes of this section. Funds to be used for the purposes
11 specified in this section may be provided by the respective county, city or cities by
12 general obligation bonds issued under ch. 67 or by revenue bonds issued under s.
13 ~~66.51~~ 66.0913 or by the issuance of both general obligation bonds under ch. 67 and
14 revenue bonds issued under s. ~~66.51~~. ~~Any bonds~~ 66.0913. ~~Bonds~~ issued pursuant
15 ~~to~~ under this section shall be executed on behalf of the county by the county board
16 chairperson and the county clerk and on behalf of a city by ~~the~~ its mayor or other chief
17 executive officer ~~thereof~~ and by the city clerk.

18 (4) COST SHARING. The ordinance shall provide for a sharing of all of the cost
19 of construction or other acquisition, equipment, furnishing, operation and
20 maintenance of ~~such~~ an auditorium on an agreed percentage basis.

21 **SECTION 490.** 66.505 (6) to (11) of the statutes are renumbered 66.0923 (6) to
22 (11) and amended to read:

23 66.0923 (6) ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS. (a)
24 When all members have qualified the board shall meet at the place designated in the
25 ordinance and organize by electing from its membership a president, a vice

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1 president, a secretary and a treasurer, each to hold office for one year. The board may
2 combine the offices of secretary and treasurer ~~may be combined if the board so~~
3 ~~decides~~. Members may receive ~~such~~ compensation as ~~may be~~ provided in the
4 ordinance and shall be reimbursed their actual and necessary expenses for their
5 services. However, members serving on the board because of holding another office
6 or position shall not receive compensation other than any actual and necessary
7 expenses for their services. With the approval of the board, the treasurer may
8 appoint an assistant secretary and assistant treasurer, who need not be members of
9 the board, to perform ~~such~~ services ~~as shall be~~ specified by the board.

10 (b) Members, and any assistant secretary and assistant treasurer, shall qualify
11 by taking the official oath, and the treasurer and any assistant treasurer shall
12 furnish a bond in ~~such a~~ sum ~~as shall be~~ specified by the board and be in the form
13 and conditioned as provided in s. 19.01 (2) and (3). The oaths and bonds shall be filed
14 with the county clerk. The cost of the bond shall be paid by the board.

15 (7) POWERS OF BOARD. The board ~~shall have power~~ may, subject to provisions
16 of the ordinance, do all of the following:

17 (a) ~~To contract~~ Contract for the construction or other acquisition, equipping or
18 furnishing of a county-city an auditorium, and ~~may~~; accept and use donated services
19 and gifts, grants or donations of money or property ~~and use the same~~ for the purposes
20 given and consistent with this section; and ~~may~~ contract for and authorize the
21 installation of equipment and furnishings in all or part of the auditorium, ~~or any part~~
22 ~~thereof~~ by private individuals, persons or corporations by donations, loan, lease or
23 concession.

24 (b) ~~To contract~~ Contract for the construction or other acquisition of additions
25 or improvements to, or alterations in, ~~such an~~ auditorium and the equipment or

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1 furnishing of any ~~such~~ addition; and ~~may~~ contract for or authorize the installation
2 of equipment and furnishings in ~~such~~ all or part of the addition, ~~or any part thereof,~~
3 by private individuals, persons or corporations by donation, loan or concession.

4 (c) ~~To employ~~ Employ a manager of the an auditorium and other necessary
5 personnel and fix their compensation.

6 (d) ~~To enact~~ Enact, amend and repeal rules and regulations, ~~not inconsistent~~
7 ~~with law,~~ for the leasing of, charges for admission to, and government of audiences
8 and participants in events at the an auditorium, for the regulation of the board's
9 meetings and deliberations, and for the government, operation and maintenance of
10 the auditorium and the auditorium's employes thereof.

11 (e) ~~To contract~~ Contract for, purchase or hire all fuel, equipment, furnishings,
12 and supplies, services and help reasonably necessary for the proper operation and
13 maintenance of the an auditorium, ~~and to;~~ contract for, purchase, hire, promote,
14 conduct and operate, either by lease of the all or part of an auditorium building ~~or~~
15 ~~parts thereof~~ or by direct operation by the an auditorium board, meetings, concerts,
16 theatricals, sporting events, conventions and other entertainment or events suitable
17 to be held at the auditorium; and ~~to~~ handle and make all proper arrangements for
18 the sale and disposition of admission tickets to auditorium events and the
19 establishment of seating arrangements and priorities.

20 (f) ~~To audit~~ Audit all accounts and claims against the an auditorium or against
21 the board, and, if approved, pay the ~~same~~ accounts and claims from the fund specified
22 in sub. (9). All expenditures made pursuant to this section shall be within the limits
23 of the ordinance.

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1 (g) ~~To sue~~ Sue and be sued, and ~~to collect or compromise any and all~~ obligations
2 due to the an auditorium; ~~all.~~ All money received shall be paid into the joint
3 auditorium fund.

4 (h) ~~To make such~~ Make studies and recommendations to the county board and
5 city council relating to the operation of the an auditorium ~~or the building of facilities~~
6 ~~therefor~~ as the board ~~may deem~~ considers advisable or said the governing bodies
7 request.

8 (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

9 **(8) BUDGET.** The board shall annually, ~~prior to~~ before the time of the
10 preparation of either the county or city budget under s. 65.90, prepare a budget of
11 its anticipated receipts and expenditures for the ensuing fiscal year and determine
12 the proportionate cost to the county and the participating city pursuant to under the
13 terms of the ordinance. A certified copy of the budget, which shall include a
14 statement of the net amount required from the county and city, shall be delivered to
15 the clerks of the respective municipalities. ~~It shall be the duty of the~~ The county
16 board and the common council of the city ~~to shall~~ consider ~~such~~ the budget, and
17 determine the amount to be raised by the respective municipalities in the
18 proportions determined by the ordinance. ~~Thereupon~~ After this determination, the
19 county and city respectively shall levy a tax sufficient to produce the amount to be
20 raised by said the county and city.

21 **(9) AUDITORIUM FUND.** A joint county-city auditorium fund shall be created and
22 established in a public depository to be specified in the ordinance. The treasurer of
23 the respective county and city shall pay ~~or cause to be paid into such~~ the fund the
24 respective amounts ~~to be paid thereto by such county and city as specified by the~~
25 ordinance and resolutions of the respective municipalities when ~~such~~ the amounts

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1 have been collected. All of the moneys which shall come into said the fund are hereby
2 appropriated to the board for the execution of its functions as provided by the
3 ordinance and the resolutions of the respective municipalities. The moneys in the
4 fund shall be paid out by the treasurer of the auditorium board only upon the
5 approval or direction of the board.

6 **(10) CORRELATION OF LAWS.** (a) ~~In any case where~~ If a bid is a prerequisite to
7 contract in connection with a county or city auditorium under s. ~~66.29~~ 66.0901, it
8 shall ~~is~~ also be a prerequisite to a valid contract by the board; ~~and for such.~~ For this
9 purpose the board shall be deemed is a municipality and the contract a public
10 contract under s. ~~66.29~~ 66.0901.

11 (b) All statutory requirements, not inconsistent with the provisions of this
12 section, and applicable to city auditoriums shall, apply to auditoriums provided for
13 in this section.

14 **(11) REPORTS.** The board shall report its activities to the county board and the
15 city council annually, or oftener as either of said the municipalities may require
16 requires.

17 **SECTION 491.** 66.508 of the statutes is renumbered 66.0925, and 66.0925 (3) to
18 (11), as renumbered, are amended to read:

19 66.0925 **(3) FINANCING.** The governing bodies of the respective county and city
20 shall have the power to may borrow money, appropriate funds, and levy taxes needed
21 to carry out the purposes of this section. Funds to be used for the purposes specified
22 in this section may be provided by the respective county or city by general obligation
23 bonds issued under ch. 67 or by revenue bonds issued under s. ~~66.51~~ 66.0913 or by
24 the issuance of both general obligation bonds under ch. 67 and revenue bonds issued
25 under s. ~~66.51.~~ Any bonds 66.0913. Bonds issued pursuant to under this section

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1 shall be executed on behalf of the county by the county board chairperson and the
2 county clerk and on behalf of a city by ~~the~~ its mayor or other chief executive officer
3 ~~thereof~~ and by the city clerk.

4 (4) COST SHARING. The ordinance shall provide for a sharing of all of the cost
5 of construction or other acquisition, equipment, furnishing, operation and
6 maintenance of ~~such a~~ a safety building on an agreed percentage basis.

7 (5) SAFETY BUILDING BOARD. The ordinance shall provide for the establishment
8 of a joint county-city safety building board to be composed of 3 members to be
9 appointed by the county board, one for a one-year, one for a 2-year and one for a
10 3-year term, ~~and~~; 3 members to be appointed by the city council, one for a one-year,
11 one for a 2-year and one for a 3-year term; ~~and~~ one additional member appointed
12 by the other members for a 3-year term. The membership of ~~such~~ the board shall
13 include the chairperson of the county board and the mayor of the city, who shall be
14 initially designated as members for the 3-year terms. Their respective successors
15 shall be appointed and confirmed in like manner for terms of 3 years. All appointees
16 shall serve until their successors are appointed and qualified. Terms shall begin as
17 specified in the ordinance. If a member of the board ceases to hold a city or county
18 office, membership on the board also terminates. Vacancies shall be filled for the
19 unexpired term in the manner in which the original appointment was made.
20 Members of the board shall be officials of the county or city.

21 (6) ORGANIZATION OF BOARDS; OFFICERS; COMPENSATION; OATHS; BONDS. (a) When
22 all members have qualified the board shall meet at the place designated in the
23 ordinance and organize by electing from its membership a president, a vice
24 president, a secretary and a treasurer, each to hold office for one year. The board may
25 combine the offices of secretary and treasurer ~~may be combined if the board so~~

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1 decides. Members may receive such compensation as may be provided in the
2 ordinance and shall be reimbursed their actual and necessary expenses for their
3 services. The board may appoint an assistant secretary and assistant treasurer, who
4 need not be members of the board, to perform such services as shall be specified by
5 the board.

6 (b) Members, and any assistant secretary and assistant treasurer, shall qualify
7 by taking the official oath, and the treasurer and any assistant treasurer shall
8 furnish a bond in such a sum as shall be specified by the board and be in the form
9 and conditioned as provided in s. 19.01 (2) and (3). The oaths and bonds shall be filed
10 with the county clerk. The cost of the bond shall be paid by the board.

11 (7) POWERS OF BOARD. The board shall have power may, subject to provisions
12 of the ordinance:

13 (a) ~~To contract~~ Contract for the construction or other acquisition, equipping or
14 furnishing of a county-city safety building, ~~and may;~~ accept and use donated services
15 and gifts, grants or donations of money or property ~~and use the same for the purposes~~
16 given and consistent with this section, ~~;~~ and may contract for and authorize the
17 installation of equipment and furnishings in all or part of the safety building, ~~or any~~
18 ~~part thereof~~ by private individuals, persons or corporations by donations, loan, lease
19 or concession.

20 (b) ~~To contract~~ Contract for the construction or other acquisition of additions
21 or improvements to, or alterations in, such a safety building and the equipment or
22 furnishing of ~~any such~~ all or part of the addition; ~~and may~~ contract for or authorize
23 the installation of equipment and furnishings in such all or part of the addition, ~~or~~
24 ~~any part thereof~~, by private individuals, persons or corporations by donation, loan
25 or concession.

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1 (c) ~~To employ~~ Employ a superintendent of the a safety building and other
2 necessary personnel and fix their compensation.

3 (d) ~~To enact~~ Enact, amend and repeal rules and regulations, not inconsistent
4 with law, for the regulation of the board's meetings and deliberations, and for the
5 government, operation and maintenance of the a safety building and the safety
6 building's employes thereof.

7 (e) ~~To contract~~ Contract for, purchase or hire all fuel, equipment, furnishings,
8 and supplies, services and help reasonably necessary for the proper operation and
9 maintenance of the a safety building.

10 (f) ~~To audit~~ Audit all accounts and claims against the a safety building or
11 against the a board, and, if approved, pay the ~~same~~ accounts or claims from the fund
12 specified in sub. (9). All expenditures made pursuant to this section shall be within
13 the limits of the ordinance.

14 (g) ~~To sue~~ Sue and be sued, and ~~to~~ collect or compromise any ~~and all~~ obligations
15 due to the a safety building; ~~all~~. All money received shall be paid into the joint safety
16 building fund.

17 (h) ~~To make such~~ Make studies and recommendations to the county board and
18 city council relating to the operation of the a safety building ~~or the building of~~
19 ~~facilities therefor~~ as the board ~~may deem~~ considers advisable or ~~said~~ the governing
20 bodies request.

21 (i) ~~To employ~~ Employ counsel on either a temporary or permanent basis.

22 **(8) BUDGET.** The board shall annually, ~~prior to~~ before the time of the
23 preparation of either the county or city budget under s. 65.90, prepare a budget of
24 its anticipated receipts and expenditures for the ensuing fiscal year and determine
25 the proportionate cost to the county and the city pursuant to the terms of the

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1 ordinance. A certified copy of the budget, which shall include a statement of the net
2 amount required from the county and city, shall be delivered to the clerks of the
3 respective municipalities. ~~It shall be the duty of the~~ The county board and the
4 common council of the city ~~to shall~~ consider ~~such~~ the budget, and determine the
5 amount to be raised by the respective municipalities in the proportions determined
6 by the ordinance. ~~Thereupon~~ After this determination, the county and city
7 respectively shall levy a tax sufficient to produce the amount to be raised by said the
8 county and city.

9 (9) SAFETY BUILDING FUND. A joint county-city safety building fund shall be
10 created and established in a public depository to be specified in the ordinance. The
11 treasurer of the respective county and city shall pay ~~or cause to be paid into such~~ the
12 fund the respective amounts ~~to be paid thereto by such county and city as~~ specified
13 by the ordinance and resolutions of the respective municipalities when ~~such~~ the
14 amounts have been collected. All of the moneys which shall come into said the fund
15 are hereby appropriated to the board for the execution of its functions as provided
16 by the ordinance and the resolutions of the respective municipalities. The moneys
17 in the fund shall be paid out by the treasurer of the safety building board only upon
18 the approval or direction of the board.

19 (10) CORRELATION OF LAWS. In any case where a bid is a prerequisite to contract
20 in connection with a county or city safety building under s. ~~66.29~~ 66.0901, it shall is
21 also be a prerequisite to a valid contract by the board; ~~and for such.~~ For this purpose
22 the board ~~shall be deemed~~ is a municipality and the contract a public contract under
23 s. ~~66.29~~ 66.0901.

24 (11) REPORTS. The board shall report its activities to the county board and the
25 city council annually, or oftener as either of said the municipalities may require.

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1 **SECTION 492.** 66.51 (title), (1), (2) and (3) of the statutes are renumbered
2 66.0913 (title), (1), (2) and (3) and amended to read:

3 **66.0913 (title) ~~Revenue bonds for counties and cities~~ City and county**
4 **projects, individual or joint; revenue bonding.** (1) (a) ~~Every~~ A county or city,
5 or both jointly, may construct, purchase, acquire, develop, improve, operate or
6 maintain a county or city building, or both jointly, for a courthouse, safety building,
7 city hall, hospital, armory, library, auditorium and music hall, municipal parking
8 lots or other parking facilities, or municipal center or any combination ~~thereof~~ of the
9 foregoing, or a ~~university~~ University of Wisconsin college campus, as defined in s.
10 36.05 (6m), if the operation of ~~such~~ the college campus has been approved by the
11 board of regents of the ~~university~~ University of Wisconsin ~~system~~ System.

12 (b) The county board, common council ~~of any city~~, or both jointly, ~~are authorized~~
13 ~~in their discretion~~ may, for any of its corporate purposes as set forth in this
14 subsection, to issue bonds on which the principal and interest are payable from the
15 income and revenues of ~~such~~ the project financed with the proceeds of ~~such~~ the bonds
16 or with ~~such~~ the proceeds together with the proceeds of a grant from the federal
17 government to aid in the financing and construction ~~thereof~~ of the project. In the case
18 of municipal parking lots or other parking facilities ~~such~~ the bonds may in addition
19 be payable as to both principal and interest from income and revenues from other
20 similar projects, parking meters, parking fees, or any other income or revenue
21 obtained through parking, or any combination ~~thereof~~ of these methods.

22 (c) The credit of the county, or city, or both jointly, ~~shall~~ may not be pledged to
23 the payment of ~~such~~ the bonds, but ~~shall be~~ the bonds are payable only from the
24 income and revenues described in par. (b) or the funds received from ~~the~~ their sale
25 or disposal ~~thereof~~. If the county board, or common council ~~of a city~~, or both jointly,

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1 so determine, such ~~the~~ the bonds shall be secured either by a trust indenture pledging
2 such ~~the~~ the revenues or by a mortgage on the property comprising such ~~the~~ the project and
3 the revenues ~~therefrom~~ from the project.

4 (2) The bonds or other evidences of indebtedness shall state ~~upon~~ on their face
5 that the ~~bonds are not a debt of the~~ bonds are not a debt of the county, or city, or both jointly, ~~shall not be a debt~~
6 ~~thereof or be~~ and that the county or city, or both jointly, are not liable therefor ~~for the~~
7 indebtedness. Any indebtedness created by this section ~~shall is~~ is not ~~be~~ considered an
8 indebtedness of such ~~the~~ the county or city and shall not be included in ~~such amounts of~~
9 determining the constitutional 5% debt limitations.

10 (3) The provisions of s. ~~66.066~~ 66.0621 relating to the issuance of revenue bonds
11 by cities for public utility purposes, insofar as applicable, and the provisions of ss.
12 67.08 (1) and 67.09 relating to the execution and registration of municipal
13 obligations apply to the issuance of revenue bonds under this section.

14 **SECTION 493.** 66.51 (4) of the statutes is repealed.

NOTE: Repealed as archaic. The subsection validates all actions of a county or city before December 4, 1955, in connection with the construction or other acquisition, equipping, furnishing, operation and maintenance of a joint county-city safety building which would have been valid had ss. 66.51 (1) and 66.508 been in effect when the actions were taken. There appears to be no need to continue the validation.

15 **SECTION 494.** 66.52 of the statutes is renumbered 66.1101 and amended to
16 read:

17 **66.1101 Promotion of industry; industrial sites.** (1) It is declared to be
18 the policy of the state to encourage and promote the development of industry to
19 provide greater employment opportunities and to broaden the state's tax base to
20 relieve the tax burden of residents and home owners. It is recognized that the
21 availability of suitable sites is a prime factor in influencing the location of industry
22 but that existing available sites may be encroached upon by the development of other

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1 uses unless protected from such encroachment by purchase and reservation. It is
2 further recognized that cities, villages and towns have broad power to act for the
3 commercial benefit and the health, safety and public welfare of the public. However,
4 to implement that power, legislation authorizing borrowing is necessary. It is,
5 therefore, ~~declared to be~~ the policy of the state to authorize cities, villages and towns
6 to borrow for the reservation and development of industrial sites, and the
7 expenditure of funds ~~therefor~~ for that purpose is determined to be a public purpose.

8 (2) For financing purposes, the purchase, reservation and development of
9 industrial sites undertaken by ~~any a~~ city, village or town is a public utility within the
10 meaning of s. ~~66.066~~ 66.0621. In financing under that section, rentals and fees ~~shall~~
11 ~~be~~ are considered as to be revenue. Any indebtedness created ~~hereunder~~ under this
12 section shall not be included in arriving at the constitutional debt limitation.

13 (3) Sites purchased for industrial development under this section or ~~pursuant~~
14 ~~to~~ under any other authority may be developed by the city, village or town by the
15 installation of utilities and roadways but not by the construction of buildings or
16 structures. ~~Any such~~ The sites may be sold or leased for industrial purposes but only
17 for a fair consideration to be determined by the governing body.

18 **SECTION 495.** 66.521 (title) and (1) to (6) of the statutes are renumbered 66.1103
19 (title) and (1) to (6), and 66.1103 (1) (a), (2) (d), (f) to (h), (k) 1., 4., 11. and 20. and (L),
20 (3) (intro.), (b) 1. and 2., (d), (e) and (f), (4) (a) (intro.) and (c) to (f), (4m) (c), (5) (a),
21 (b) (intro.) and 1. to 5. and (c) to (f) and (6) (a) and (b), as renumbered, are amended
22 to read:

23 66.1103 (1) (a) It is found and declared that industries located in this state have
24 been induced to move their operations in whole or in part to, or to expand their
25 operations in, other states to the detriment of state, county and municipal revenue

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1 raising through the loss or reduction of income and franchise taxes, real estate and
2 other local taxes, ~~and thereby~~ causing an increase in unemployment; that such
3 conditions now exist in certain areas of the state and may well arise in other areas;
4 that economic insecurity due to unemployment is a serious menace to the general
5 welfare of not only the people of the affected areas but of the people of the entire state;
6 that unemployment results in obligations to grant public assistance and in the
7 payment of unemployment insurance; that the absence of new economic
8 opportunities has caused workers and their families to migrate elsewhere to find
9 work and establish homes, which has resulted in a reduction of the tax base of
10 counties, cities and other local governmental jurisdictions impairing their financial
11 ability to support education and other local governmental services; that security
12 against unemployment and the preservation and enhancement of the tax base can
13 best be provided by the promotion, attraction, stimulation, rehabilitation and
14 revitalization of commerce, industry and manufacturing; and that there is a need to
15 stimulate a larger flow of private investment funds from banks, investment houses,
16 insurance companies and other financial institutions. It is therefore ~~declared to be~~
17 the policy of this state to promote the right to gainful employment, business
18 opportunities and general welfare of ~~the its~~ inhabitants thereof and to preserve and
19 enhance the tax base by authorizing municipalities to acquire industrial buildings
20 and to finance ~~such~~ the acquisition through the issuance of revenue bonds for the
21 purpose of fulfilling the aims of this section ~~and such.~~ These purposes are hereby
22 declared to be public purposes for which public money may be spent and the necessity
23 in the public interest for the provisions ~~herein enacted~~ of this section is declared a
24 matter of legislative determination.

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1 (2) (d) “Equip” means to install or place on or in any building or improvements
2 or the site thereof ~~of the building or improvements~~ equipment of any kind, including,
3 ~~without limiting the generality of the foregoing,~~ machinery, utility service
4 connections, pollution control facilities, building service equipment, fixtures,
5 heating equipment and air conditioning equipment.

6 (f) “Improve”, “improving”, “improvements” and “facilities” embrace any real
7 or personal property or mixed property ~~of any kind~~ of whatever useful life that can
8 be used or that will be useful in an industrial project including, ~~but not limited to,~~
9 sites for buildings, equipment or other improvements, rights-of-way, roads, streets,
10 sidings, foundations, tanks, structures, pipes, pipelines, reservoirs, lagoons,
11 utilities, materials, equipment, fixtures, machinery, furniture, furnishings,
12 improvements, instrumentalities, pollution control facilities, and other real,
13 personal or mixed property ~~of every kind~~.

14 (g) “Indenture” means an instrument under which bonds may be issued and the
15 rights and security of the bondholders are defined, whether such ~~the~~ instrument is
16 in the form of an indenture of trust, deed of trust, resolution of the governing body,
17 mortgage, security agreement, instrument of pledge or assignment or any similar
18 instrument or any combination of the foregoing ~~these forms~~ and whether or not such
19 ~~the~~ instrument creates a lien on property.

20 (h) “Initial resolution” means a resolution of the governing body expressing an
21 intention, which may be subject to conditions therein stated ~~in the resolution~~, to
22 issue revenue bonds under this section in an amount stated, or a sum not to exceed
23 a stated amount, on behalf of a specified eligible participant, for a stated purpose.

24 (k) 1. Assembling, fabricating, manufacturing, mixing or processing facilities
25 for any products of agriculture, forestry, mining or manufacture, even though such

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1 the products may require further treatment before delivery to the ultimate
2 consumer;

3 4. Pollution control facilities, including any connected environmental studies
4 and monitoring systems ~~connected therewith~~;

5 11. Recreational facilities, convention centers and trade centers, as well as
6 related hotels, motels or marinas ~~related thereto~~;

7 20. A shopping center, or an office building, convention or trade center, hotel,
8 motel or other nonresidential facility, which is located in or adjacent to a blighted
9 area as defined by s. ~~66.43~~ 66.1105 (2) (a), 66.1331 (3) (a), ~~66.431~~ or 66.1333 (2m) (b)
10 ~~or 66.46 (2) (a)~~ or in accordance with a redevelopment plan or urban renewal plan
11 adopted under s. ~~66.43~~ 66.1331 (5) or ~~66.431~~ 66.1333 (6).

12 (L) "Revenue agreement" includes any lease, sublease, instalment or direct
13 sales contract, service contract, take or pay contract, loan agreement or similar
14 agreement ~~wherein~~ providing that an eligible participant agrees to pay the
15 municipality an amount of funds sufficient to provide for the prompt payment of the
16 principal of, and interest on, the revenue bonds and agrees to ~~cause~~ construct the
17 project ~~to be constructed~~.

18 **(3) POWERS.** (intro.) Any A municipality may:

19 (b) 1. To finance all or ~~any~~ part of the costs of the construction, equipping,
20 reequipping, acquisition, purchase, installation, reconstruction, rebuilding,
21 rehabilitation, improving, supplementing, replacing, maintaining, repairing,
22 enlarging, extending or remodeling of industrial projects and the improvement of
23 sites ~~therefor~~ for industrial projects;

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1 2. To fund the whole or ~~any~~ part of any revenue bonds ~~theretofore~~ issued by ~~such~~
2 the municipality, including any premium payable with respect ~~thereto~~ to the bonds
3 and any interest accrued or to accrue ~~thereon~~ on the bonds; or

4 (d) Mortgage all or ~~any~~ part of the industrial project or assign the revenue
5 agreements in favor of the holders of the bonds issued ~~therefor~~ for the industrial
6 project and in connection ~~therewith~~ may with the mortgage or assignment
7 irrevocably waive any rights it would otherwise have to redeem the mortgaged
8 premises in the event of foreclosure.

9 (e) Sell and convey the industrial project and site, including without limitation
10 the sale and conveyance ~~thereof~~ subject to a mortgage, for ~~such~~ the price and at ~~such~~
11 the time as that the governing body determines, but no sale or conveyance of any
12 industrial project or site ~~shall~~ may be made ~~in any manner as to impair~~ that impairs
13 the rights or interests of the holders of any bonds issued for the industrial project.

14 (f) Finance an industrial project which is located entirely within the geographic
15 limits of the municipality or some contiguous part of which is located within and
16 some contiguous part outside the geographic limits of the municipality; or, finance
17 an industrial project which is located entirely outside the geographic limits of the
18 municipality, but only if the revenue agreement ~~with respect to such~~ for the project
19 also relates to another project of the same eligible participant ~~some~~, part of which is
20 located within ~~such~~ the geographic limits. ~~Exercise of the~~ of the municipality. ~~The~~
21 power granted by this subsection ~~shall not give rise to any~~ paragraph does not
22 include the power on the part of such municipality to annex, tax, zone or exercise any
23 other municipal power with respect to that part of ~~such~~ the project located outside
24 of the geographic limits of ~~such~~ the municipality.

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1 (4) (a) (intro.) ~~All bonds~~ Bonds issued by a municipality under ~~the authority~~
2 of this section shall be are limited obligations of the municipality. The principal of
3 and interest on such ~~the~~ bonds shall be are payable solely out of the revenues derived
4 ~~pursuant to~~ under the revenue agreement pertaining to the project to be financed by
5 the bonds ~~so issued under this section~~, or, ~~in the event of~~ if there is a default of such
6 the agreement and to the extent that the municipality ~~so provides in the proceedings~~
7 of the governing body ~~whereunder~~ authorizing the bonds ~~are authorized~~ to be issued,
8 out of any revenues derived from the sale, releasing or other disposition of the
9 project, or out of any collateral securing the revenue agreement, or out of the
10 proceeds of the sale of bonds. Bonds and interest coupons issued under this section
11 ~~do~~ are not constitute an indebtedness of the municipality, within the meaning of any
12 state constitutional provision or statutory limitation. Bonds and interest coupons
13 issued under this section ~~do~~ are not constitute ~~nor give rise to~~ a charge against the
14 municipality's general credit or taxing powers or a pecuniary liability of the
15 municipality or a redevelopment authority under s. ~~66.431~~ 66.1333, including but
16 not limited to:

17 (c) The bonds may be executed and delivered at any time; be in ~~such~~ the form
18 and denominations, without limitation as to the denomination of any bond, any other
19 law to the contrary notwithstanding; be registered under s. 67.09; be payable in one
20 or more instalments and at such time, not exceeding 35 years from their date; be
21 payable ~~prior to~~ before maturity on such ~~the~~ terms and conditions; be payable both
22 with respect to principal and interest at ~~such~~ the place in or out of this state; bear
23 interest at ~~such~~ the rate, either fixed or variable in accordance with ~~such~~ the formula;
24 be evidenced in ~~such~~ the manner; and may contain other provisions not inconsistent
25 with this section, as specified by the governing body.

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1 (d) Unless otherwise expressly or implicitly provided in the proceedings of the
2 governing body ~~whereunder~~ authorizing the bonds ~~are authorized~~ to be issued, bonds
3 issued under this section ~~shall be~~ are subject to the general provisions of law, not
4 inconsistent with this section, ~~presently existing or that may hereafter be enacted,~~
5 respecting the authorization, execution and delivery of the bonds of ~~such~~ the
6 municipality.

7 (e) ~~Any bonds,~~ Bonds issued under the ~~authority~~ of this section, may be sold at
8 public or private sale in ~~such~~ the manner, at ~~such~~ the price and at ~~such~~ the time as
9 ~~may be~~ determined by the governing body. The municipality may pay all expenses,
10 premiums and commissions which the governing body ~~may deem~~ considers
11 necessary or advantageous in connection with the authorization, sale and issuance
12 thereof of the bonds.

13 (f) All bonds, issued under the authority of this section, and all interest coupons
14 applicable thereto, ~~shall be construed to be~~ to the bonds, are negotiable instruments,
15 even though they are payable solely from a specified source.

16 ~~(4m)~~ (c) Nothing in this subsection ~~may be deemed to require~~ requires a person
17 with whom a municipality has entered into a revenue agreement to satisfy an
18 estimate under par. (a) 2.

19 ~~(5)~~ (a) The principal of, and interest on, any bonds issued under ~~authority~~ of
20 this section shall be secured by a pledge of the revenues out of which ~~such~~ the bonds
21 ~~shall be~~ are made payable. ~~They~~ The bonds may, but need not, be secured by any one
22 or more of the following:

23 1. A real estate mortgage or a security interest covering all or any part of the
24 project from which the revenues so pledged may be derived;

25 2. A pledge of the revenue agreement; or

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1 3. An assignment of the revenue agreement and any security given ~~therefor~~ for
2 the revenue agreement.

3 (b) (intro.) The proceedings under which the bonds are authorized to be issued
4 under this section, and any indenture given to secure the same bonds, may contain
5 any agreements and provisions customarily contained in instruments securing
6 bonds, including, but not limited to:

7 1. Provisions respecting custody of the proceeds from the sale of the bonds
8 including their investment and reinvestment until used to defray the cost of the
9 project; and

10 2. Provisions respecting the fixing and collection of the proceeds under the
11 revenue agreement pertaining to any project covered by ~~such~~ the proceedings or
12 indenture; and

13 3. The terms to be incorporated in the revenue agreement pertaining to ~~such~~
14 the project; and

15 4. The maintenance and insurance of ~~such~~ the project; and

16 5. The creation, maintenance, custody, investment and reinvestment and use
17 of special funds from the revenues of ~~such~~ the project; and

18 (c) A municipality may provide that proceeds from the sale of bonds and special
19 funds from the revenues of the project and any funds held in reserve or debt service
20 funds shall be invested and reinvested in ~~such~~ securities and other investments as
21 are provided in the proceedings under which the bonds are authorized to be issued.

22 The municipality may also provide that ~~such~~ the proceeds or funds or investments
23 and the revenues derived pursuant to the revenue agreement shall be received, held
24 and disbursed by one or more banks or trust companies located in or out of this state.

25 A municipality may also provide that the project and improvements shall be

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1 constructed or installed by the municipality, the eligible participant or the eligible
2 participant's designee or any one or more of them on real estate owned by the
3 municipality, the eligible participant or the eligible participant's designee and that
4 the bond proceeds shall be disbursed by the trustee bank or trust company during
5 construction upon the estimate, order or certificate of the eligible participant or the
6 eligible participant's designee. In making ~~such~~ agreements or provisions under this
7 paragraph, a municipality shall ~~may~~ not obligate itself, except with respect to the
8 project and the application of the revenues ~~therefrom~~ from the project, and shall ~~may~~
9 not incur a pecuniary liability or a charge upon its general credit or against its taxing
10 powers.

11 (d) The proceedings authorizing any bonds under this section, or any indenture
12 securing ~~such~~ the bonds, may provide that if there is a default in the payment of the
13 principal of, or the interest on, ~~such~~ the bonds or in the performance of any agreement
14 contained in ~~such~~ the proceedings or indenture, the payment and performance may
15 be enforced by the appointment of a receiver with power to charge, collect and apply
16 the revenues from the project in accordance with ~~such~~ the proceedings or the
17 provisions of ~~such~~ the indenture.

18 (e) ~~Any~~ An indenture made under this section to secure bonds and which
19 constitutes a lien on property may also provide that if there is a default in the
20 payment ~~thereof~~ of the bonds or a violation of any agreement contained ~~therein~~ in
21 the indenture, it may be foreclosed and the collateral sold under proceedings in any
22 manner permitted by law. ~~Such~~ The indenture may also provide that ~~any a~~ trustee
23 ~~thereunder~~ under or ~~any a~~ pledgee or assignee ~~thereof~~ of or the holder of any bonds
24 secured ~~thereby~~ by the indenture may become the purchaser at any foreclosure sale
25 if that person is the highest bidder ~~therefor~~.

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1 (f) The revenue agreement may include ~~such~~ any provisions as that the
2 municipality ~~deems~~ considers appropriate to effect the financing of the project,
3 including a provision for payments ~~thereunder~~ to be made in instalments and the
4 securing of the obligation for any ~~such~~ payments by lien or security interest in the
5 undertaking either senior or junior to, or ranking equally with, any lien, security
6 interest or rights of others.

7 **(6)** (a) ~~Prior to~~ Before the execution of a revenue agreement with respect to any
8 a project, the governing body ~~must~~ shall determine all of the following:

9 1. The amount necessary in each year to pay the principal of, and the interest
10 on, the bonds proposed to be issued to finance ~~such~~ the project;.

11 2. The amount necessary to be paid each year into any reserve funds which the
12 governing body deems advisable to establish in connection with the retirement of the
13 proposed bonds and the maintenance of the project; ~~and~~.

14 3. Unless the terms of the revenue agreement provide that the eligible
15 participant ~~shall~~ is obligated to provide for maintenance of the project and the
16 carrying of all proper insurance with respect ~~thereto~~ to the project, the estimated cost
17 of maintaining the project in good repair and keeping it properly insured.

18 (b) The determination and findings of the governing body shall be embodied in
19 the proceedings under which the proposed bonds are to be issued; but the ~~foregoing~~
20 amounts specified in par. (a) need not be expressed in dollars and cents in the revenue
21 agreement and proceedings under which the bonds are authorized to be issued, but
22 may be set forth in the form of a formula. ~~Prior to~~ Before the issuance of the bonds
23 authorized by this section the municipality shall enter into a revenue agreement
24 providing for payment to the municipality or to the trustee for the account of the
25 municipality of ~~such~~ those amounts as, based upon the ~~basis of such~~ determination

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1 and findings, that will be sufficient to pay the principal of, and interest on, the bonds
2 issued to finance the project; to build up and maintain any reserves deemed
3 considered advisable by the governing body, in connection ~~therewith~~ with the project;
4 and, unless the revenue agreement obligates the eligible participant to provide for
5 the maintenance of and insurance on the project, to pay the costs of maintaining the
6 project in good repair and keeping it properly insured.

7 **SECTION 496.** 66.521 (6m) of the statutes, as affected by 1999 Wisconsin Act 9,
8 is renumbered 66.1103 (6m) and amended to read:

9 **SECTION 497.** 66.521 (7) to (13) of the statutes are renumbered 66.1103 (7) to
10 (13), and 66.1103 (7) (intro.), (8), (9), (10) (a), (b) and (d), (11) (a), (12) (a) and (13) (b)
11 (intro.), 1. (intro.) and b. and 2. (intro.), as renumbered, are amended to read:

12 **66.1103 (7) APPLICATION OF PROCEEDS LIMITED.** (intro.) The proceeds from the
13 sale of ~~any~~ bonds, issued under this section, ~~shall~~ may be applied only for the purpose
14 for which the bonds were issued and if, for any reason, any portion of such the
15 proceeds are not needed for the purpose for which the bonds were issued, such the
16 unneeded portion of said the proceeds shall be applied, directly or indirectly, to the
17 payment of the principal or the interest on the bonds. The following costs may be
18 financed as part of ~~any~~ a bond issue:

19 **(8) PURCHASE.** The municipality may, by or with the consent of the eligible
20 participant, accept any bona fide offer to purchase the project which is sufficient to
21 pay all the outstanding bonds, interest, taxes, special levies and other costs that have
22 been incurred. The municipality may also, by or with the consent of the eligible
23 participant, accept any bona fide offer to purchase any unimproved land which is a
24 part of the project, if the purchase price is not less than the cost of such the land to

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1 the municipality computed on a prorated basis and if ~~such~~ the purchase price is
2 applied directly or indirectly to the payment of the principal or interest on the bonds.

3 (9) PAYMENT OF TAXES. ~~When any~~ If an industrial project acquired by a
4 municipality under this section is used by a private person as a lessee, sublessee or
5 in any capacity other than owner, that person ~~shall be~~ is subject to taxation in the
6 same amount and to the same extent as ~~though~~ if that person were the owner of the
7 property. Taxes shall be assessed to ~~such~~ the private person using the real property
8 and collected in the same manner as taxes assessed to owners of real property. When
9 due, the taxes ~~shall~~ constitute a debt due from ~~such~~ the private person to the taxing
10 unit and ~~shall be~~ are recoverable as provided by law, and ~~such~~ the unpaid taxes ~~shall~~
11 become a lien against the property with respect to which they were assessed,
12 superior to all other liens, except a lien under s. 292.31 (8) (i) or 292.81, and shall be
13 placed on ~~their~~ the tax roll when there has been a conveyance of the property in the
14 same manner as ~~are~~ other taxes assessed against real property.

15 (10) (a) ~~Any~~ An action required or permitted by this section to be taken by a
16 governing body may be taken at any lawful meetings ~~thereof~~ of the governing body.
17 A simple majority of a quorum of ~~such~~ the governing body ~~shall be~~ is sufficient for
18 ~~any such~~ the action under this section. The ayes and noes need not be taken with
19 respect to ~~any such~~ the action and ~~such~~ the action need not be officially read ~~prior~~
20 ~~to before~~ adoption. Failure to publish ~~any such~~ an action ~~shall~~ under this section does
21 not affect the validity ~~thereof~~ of the action.

22 (b) Upon the adoption of an initial resolution under this section, public notice
23 of ~~such~~ the adoption shall be given to the electors of the municipality ~~prior to~~ before
24 the issuance of the bonds ~~therein~~ described in the resolution, by publication as a class
25 1 notice, under ch. 985. The notice need not set forth the full contents of the

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1 resolution, but shall state the maximum amount of the bonds; the name of the
2 eligible participant; the purpose of the bonds; the net number of jobs which the
3 project ~~which~~ the municipality would finance with the bond issue is expected to
4 eliminate, create or maintain on the project site and elsewhere in this state which
5 is required to be shown by the proposed eligible participant on the form submitted
6 under sub. (4m) (a) 1.; and that the resolution was adopted under this section. A form
7 of the public notice shall be attached to the initial resolution. Prior to adoption of the
8 initial resolution, the open meeting notice given to members of the public under s.
9 19.84 shall indicate that information with respect to the job impact of the project will
10 be available at the time of consideration of the initial resolution. No other public
11 notice of the authorization, issuance or sale of bonds under this section is required.

12 (d) The governing body may issue bonds under this section without submitting
13 the proposition to the electors of the municipality for approval unless within 30 days
14 from the date of publication of notice of adoption of the initial resolution for ~~such~~ the
15 bonds, a petition conforming to the requirements of s. 8.40, signed by not less than
16 5% of the registered electors of the municipality, or, if there is no registration of
17 electors in the municipality, by 10% of the number of electors of the municipality
18 voting for the office of governor at the last general election as determined under s.
19 115.01 (13), is filed with the clerk of the municipality requesting a referendum upon
20 the question of the issuance of the bonds. If ~~such~~ a petition is filed, the bonds ~~shall~~
21 may not be issued until approved by a majority of the electors of the municipality
22 voting ~~thereon~~ on the referendum at a general or special election.

23 (11) (a) With respect to the enforcement of any construction lien or other lien
24 under ch. 779 arising out of the construction of projects financed under this section,
25 no deficiency judgment or judgment for costs may be entered against the

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1 municipality. Projects financed under this section shall are not be deemed to be
2 public works, public improvements or public construction within the meaning of ss.
3 59.52 (29), 60.47, 61.55, 62.15, 779.14, 779.15 and 779.155 and contracts for the
4 construction of such the projects shall are not be deemed to be public contracts within
5 the meaning of ss. 59.52 (29) and ~~66.29~~ 66.0901 unless factors ~~such as and~~ including
6 municipal control over the costs, construction and operation of the project and the
7 beneficial ownership of the project warrant ~~such~~ the conclusion that they are public
8 contracts.

9 (12) (a) In the absence of fraud, all bonds issued ~~prior to~~ before July 25, 1980,
10 purportedly ~~pursuant to~~ under this section, and all proceedings taken purportedly
11 ~~pursuant to~~ under this section ~~prior to~~ before that date for the authorization and
12 issuance of those bonds or of bonds not yet issued, and the sale, execution and
13 delivery of bonds issued ~~prior to~~ before July 25, 1980, are ~~hereby~~ validated, ratified,
14 approved and confirmed, notwithstanding any lack of power, however patent, other
15 than constitutional, of the issuing municipality or the governing body or municipal
16 officer thereof, to authorize and issue the bonds, or to sell, execute or deliver the ~~same~~
17 bonds, and notwithstanding any defects or irregularities, however patent, other than
18 constitutional, in the proceeding or in the sale, execution or delivery of bonds issued
19 ~~prior to~~ before July 25, 1980. All ~~such~~ bonds issued before July 25, 1980, are binding,
20 legal obligations in accordance with their terms.

21 (13) (b) (intro.) This section may be used to finance all or any part of the cost,
22 tangible or intangible, whenever incurred, of providing an industrial project under
23 this section, whether or not ~~such~~ the industrial project is in existence on the date of
24 adoption of the initial resolution or of issuance of the bonds; whether new or
25 previously used; whether or not previously owned by the eligible participant, the

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1 eligible participant's designee or a party affiliated with either; and notwithstanding
2 that this section was not in effect or did not permit ~~such~~ the financing on the date of
3 ~~such~~ adoption of the resolution or at the time ~~such~~ ownership was acquired, except
4 as follows:

5 1. (intro.) No part of the costs of constructing or acquiring personal property
6 owned by the eligible participant, the eligible participant's designee or a party
7 affiliated with either at any time ~~prior to~~ before the date of adoption of the initial
8 resolution may be so financed except ~~such~~ costs for:

9 b. Personal property which will either be substantially reconstructed,
10 rehabilitated, rebuilt or repaired in connection with the financing or which
11 represents less than 10% of the entire financing. Personal property ~~shall be deemed~~
12 is considered owned only after 50% of the acquisition cost ~~thereof~~ of the personal
13 property has been paid and ~~such~~ the property has been delivered and installed.

14 2. (intro.) No part of the costs of acquiring real property or of acquiring or
15 constructing improvements ~~thereto~~ to the real property may be so financed except
16 ~~such~~ costs:

17 **SECTION 498.** 66.526 of the statutes is renumbered 62.57 and amended to read:

18 **62.57 Uniform salaries in first 1st class cities.** The common council of any
19 ~~city of the first a~~ 1st class, ~~however incorporated,~~ city may at any regular or special
20 meeting, ~~at any time during the calendar year,~~ adopt a uniform and comprehensive
21 salary or wage ordinance, or both, based on a classification of officers, employments
22 and positions in the city service ~~and of and including any and all offices and positions~~
23 ~~whatsoever in the employment of such city,~~ whether previously so classified or not,
24 ~~provided if~~ if provision has been made in the budget of the current year for the total
25 sum of money required for the payment of the salaries and wages ~~for such~~

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1 employment and a tax levied to include the same, with the following exception: That
2 fund the wages and salaries. Wages under this section may be fixed at any such time
3 by resolution ~~alone and that the.~~ The common council may, at any time during the
4 calendar year, at any such meeting, determine a cost-of-living increment or
5 deduction, to be paid in addition to such wages or salaries under this section, based
6 on a proper finding of the United States bureau of labor statistics. ~~Any such~~ The
7 common council may, ~~at any such meeting,~~ provide for overtime pay and
8 compensatory time under s. 103.025 for employees who work in excess of 40 hours per
9 week.

10 **SECTION 499.** 66.527 (title) of the statutes is renumbered 66.0123 (title).

11 **SECTION 500.** 66.527 (1) to (3) of the statutes are renumbered 66.0123 (2) to (4)
12 and amended to read:

13 66.0123 (2) ~~Funds for the establishment, operation and maintenance of a~~
14 ~~department of recreation may be provided by the governing body of any town or~~
15 ~~school district~~ A governmental unit may, after compliance with s. 65.90, provide
16 funds for the establishment, operation and maintenance of a department of public
17 recreation.

18 (3) (a) ~~Any such~~ A governmental unit may delegate the power to establish,
19 maintain and operate a department of public recreation to a ~~board of recreation~~
20 board, which shall consist of 3 members and shall be appointed by the chairperson
21 or other presiding officer of the ~~governing body~~ governmental unit. The first
22 appointments shall be made so that one member ~~will serve~~ serves one year, one ~~for~~
23 serves 2 years and one ~~for~~ serves 3 years; ~~thereafter appointments shall be for terms~~
24 of. After the first appointments, terms are 3 years.

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1 (b) When 2 or more of the aforesaid ~~governing governmental~~ units desire to
2 conduct, jointly, a department of public recreation, the joint recreation board shall
3 consist of not less than 3 members ~~who shall be~~ selected by the presiding officers of
4 ~~such~~ the governmental units acting jointly. Appointments shall be made for terms
5 as provided in par. (a).

6 (c) The members of ~~any such~~ a recreation board shall serve gratuitously.

7 (d) ~~Such~~ A recreation board ~~is authorized to~~ may conduct the activities of ~~such~~
8 ~~public recreation~~ the department, ~~to of public recreation,~~ expend funds ~~therefor, to,~~
9 employ a supervisor of recreation, ~~to~~ employ assistants, ~~to~~ purchase equipment and
10 supplies, and generally ~~to~~ supervise the administration, maintenance and operation
11 of ~~such~~ the department of public recreation and recreational activities authorized by
12 the recreation board.

13 (4) (a) ~~The public~~ A recreation board ~~has the right to~~ may conduct public
14 recreation activities on property purchased or leased by ~~any such governing a~~
15 governmental unit for recreational purposes and under its own custody, on other
16 public property under the custody of any other public authority, body or board with
17 the consent of ~~such~~ the public authority, body or board, or on private property with
18 the consent of its owner, ~~and such.~~ The recreation board, with the approval of the
19 appointing ~~board~~ authority, may accept gifts and bequests of land, money or other
20 personal property, and use the same gifts and bequests in whole or in part, ~~or the~~
21 income ~~therefrom~~ from the gifts and bequests or the proceeds from the sale of any
22 such property in the establishment, maintenance and operation of recreational
23 activities.

24 (b) The A recreation board shall annually submit to the ~~governing body~~
25 governmental unit a report of its the board's activities ~~and showing, including~~

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1 receipts and expenditures. ~~Such reports~~ The report shall be submitted not less than
2 15 days ~~prior to~~ before the annual meeting of such ~~the~~ the governmental unit.

3 (c) An audit shall be made of the accounts of ~~such recreational~~ the recreation
4 board in the same manner as provided for audits for towns or school districts as the
5 case may be.

6 (d) The persons selected by the recreation board shall furnish a surety bond in
7 such an amount as ~~shall be~~ fixed by the ~~governing body~~ governmental unit.

8 **SECTION 501.** 66.53 of the statutes is renumbered 66.0733 (intro.) and amended
9 to read:

10 **66.0733 Repayment of assessments in certain cases.** (intro.) ~~If in any city~~
11 ~~or town any~~ a contract for improvements entered into by a governmental unit
12 authorized to levy special assessments is declared void by any a court of last resort
13 ~~on the following grounds: want of power to make such contract; made contrary to a~~
14 ~~prohibition against contracting in any other than a specified way; or forbidden by~~
15 ~~statute, and if the governing body of the city or town has not adopted the resolution~~
16 ~~referred to in s. 66.295 (1) relating to payment of any person who has furnished any~~
17 ~~benefits under the void contract, the governing body of the city or town may provide~~
18 ~~that all persons who have paid all or any part of any assessment levied against the~~
19 ~~abutting property owners by reason~~ because of the improvement may be reimbursed
20 the amount of the assessment, paid from the fund, as that the governing body may
21 ~~determine.~~ determines. This section applies to contracts for improvements that are
22 void for any of the following reasons:

23 (1) There was insufficient authority to make the contract.

24 (2) The contract was made contrary to a prohibition against contracting in
25 other than a specified way.

ASSEMBLY BILL 710**SECTION 501**

1 **(3) The contract was prohibited by statute.**

NOTE: Expands the scope of the provision to include any governmental entity authorized to levy special assessments.
Reflects the repeal of s. 66.295 by SECTION 336.

2 **SECTION 502.** 66.54 (title) of the statutes is renumbered 66.0713 (title) and
3 amended to read:

4 **66.0713 (title) ~~Special improvement bonds; Contractor's certificates;~~**
5 **general obligation-local improvement bonds; special assessment B bonds.**

6 **SECTION 503.** 66.54 (1) of the statutes is renumbered 66.0713 (1), and 66.0713
7 (1) (intro.), (c) and (d), as renumbered, are amended to read:

8 66.0713 (1) DEFINITIONS. (intro.) ~~Wherever used or referred to in~~ In this
9 section, unless a different meaning clearly appears from the context:

10 (c) ~~"Municipality"~~ "Local governmental unit" means county, city, village, town,
11 farm drainage board, sanitary districts, utility districts, public inland lake
12 protection and rehabilitation districts, and all other public boards, commissions or
13 districts, except 1st class cities, authorized by law to levy special assessments for
14 public improvements against the property benefited by the special improvements.

15 (d) "Public improvement" means the result of the performance of work or the
16 furnishing of materials or both, for which special assessments are authorized to be
17 levied against the property benefited ~~thereby~~ by the work or materials.

18 **SECTION 504.** 66.54 (2) of the statutes is repealed.

NOTE: Repealed as unnecessary. The repealed subsection provides a noninclusive list of methods of funding public improvements by municipalities. Independent authority exists for these funding methods.

19 **SECTION 505.** 66.54 (3) (title) of the statutes is repealed.

20 **SECTION 506.** 66.54 (3) of the statutes is renumbered 66.0709 (2) and amended
21 to read:

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1 66.0709 (2) ~~Whenever~~ If it is determined that the cost of any a public
2 improvement ~~about to be made~~ is to be paid, wholly in whole or in part, by special
3 assessments against the property to be benefited by the improvement, the resolution
4 authorizing such the public improvement shall provide ~~and require~~ that the whole,
5 or any stated proportion, or no part of the estimated aggregate cost of ~~such~~ the public
6 improvement, which is to be levied as special assessments, shall be paid into the
7 ~~municipal~~ treasury of the local governmental unit in cash. ~~No such~~ The public
8 improvement ~~shall~~ may not be commenced nor any contract for the improvement let
9 ~~therefor unless and until such~~ the payment, if any, required by said the resolution,
10 is paid into the treasury of the ~~municipality~~ local governmental unit by the owner
11 or persons having an interest in the property to be benefited, ~~which.~~ The payment
12 shall be credited ~~on~~ against the amount of the special assessments levied or to be
13 levied against benefited property designated by the payer. ~~In the event that~~ If a
14 preliminary payment is required by said the resolution, the refusal of one or more
15 owners or persons having an interest in the property to be benefited to pay such any
16 preliminary payments ~~shall~~ does not prevent the making of such the improvement,
17 if the entire specified sum is obtained from the remaining owners or interested
18 parties.

19 **SECTION 507.** 66.54 (4) (title) of the statutes is renumbered 66.0711 (title) and
20 amended to read:

21 **66.0711** (title) **Discount on contract price cash payments for public**
22 **improvements.**

23 **SECTION 508.** 66.54 (4) of the statutes is renumbered 66.0711 (2) and amended
24 to read:

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1 66.0711 (2) Every bid hereafter received for any public improvement which is
2 not to be paid wholly in cash shall contain a provision that all payments made in cash
3 by the ~~municipality~~ local governmental unit as provided by contract or made on
4 special assessments as ~~hereinafter provided shall be~~ are subject to a specified rate
5 of discount. The ~~municipal~~ treasurer of the local governmental unit shall issue a
6 receipt for every such payment made on any special assessment, stating the date and
7 amount of the cash payment, the discount and the total credit including such ~~the~~
8 discount, on a specified special assessment ~~or assessments~~. The treasurer shall on
9 the same day deliver a duplicate of such ~~the~~ receipt to the clerk, who shall credit the
10 specified assessments accordingly. All moneys so received shall be paid to the
11 contractor as provided by the contract.

12 **SECTION 509.** 66.54 (5) of the statutes is renumbered 66.0713 (9) and amended
13 to read:

14 66.0713 (9) **PAYMENT BY MUNICIPALITY LOCAL GOVERNMENTAL UNIT.** ~~Whenever any~~
15 ~~such~~ If a public improvement has been paid for by the ~~municipality~~ local
16 governmental unit, contractor's certificates as ~~provided for in~~ under sub. (6), ~~or~~ (2),
17 general obligation-local improvement bonds as ~~provided for in~~ sub. (9) under s.
18 67.16, or special assessment B bonds as ~~provided for in~~ under sub. (10) (4) may be
19 issued to the ~~municipality~~ local governmental unit as the owner ~~thereof of the~~
20 certificates or bonds. All of the provisions of subs. (6), (9) and (10) (2) and (4) and s.
21 67.16 applicable to the contractor or to the owner of such ~~the~~ contractor's certificates
22 ~~or to such, the~~ general obligation-local improvement bonds or ~~to such the~~ special
23 assessment B bonds shall be deemed to include the ~~municipality~~ local governmental
24 unit which has paid for such ~~the~~ improvement and to which such ~~the~~ contractor's
25 certificates, general obligation-local improvement bonds or special assessment B

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1 bonds have been issued, except as otherwise provided in this section ~~otherwise~~
2 ~~provided~~.

3 **SECTION 510.** 66.54 (6) (title) of the statutes is renumbered 66.0713 (2) (title).

4 **SECTION 511.** 66.54 (6) (a) and (b) of the statutes are renumbered 66.0713 (2)
5 (a) and (b) and amended to read:

6 66.0713 (2) (a) ~~Whenever any~~ If a public improvement has been made and has
7 been accepted by the governing body of the ~~municipality~~ local governmental unit, it
8 may ~~cause to be issued~~ issue to the contractor for ~~such~~ the public improvement, a
9 contractor's certificate as to each parcel of land against which special assessments
10 have been levied for the unpaid balance of the amount chargeable ~~thereto~~ to the
11 parcel, describing each parcel. ~~Such~~ The certificate shall be substantially in the
12 following form:

13 \$.... No.
14 (name of ~~municipality~~ local governmental unit)
15 CONTRACTOR'S CERTIFICATE
16 FOR CONSTRUCTION OF
17 (name of ~~municipality~~ local governmental unit)
18 ISSUED PURSUANT TO
19 SECTION ~~66.54 (6)~~ 66.0713 (2), WIS. STATS.

20 We, the undersigned officers of the (name of ~~municipality~~), ~~hereby~~ local
21 governmental unit), certify that (name and address of contractor) has performed the
22 work of constructing in benefiting the following premises, ~~to-wit:~~ (insert legal
23 description) in the (name of ~~municipality~~ local governmental unit) County,
24 Wisconsin, pursuant to a contract entered into by said (name of ~~municipality~~ local
25 governmental unit) with ~~the said~~ (name of contractor), dated, and that

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1 entitled to the sum of ... dollars, being the unpaid balance due for said the work
2 chargeable to the property hereinabove described above.

3 ~~Now, therefore,~~ If the said sum shall unpaid balance due is not be paid to the
4 treasurer of (name of ~~municipality~~ local governmental unit) before the first day of the
5 following December, ~~next, the same~~ that amount shall be extended upon the tax roll
6 of the (name of ~~municipality~~ local governmental unit) against the property above
7 described as listed ~~therein~~ in the tax roll, and collected ~~for~~, as provided by law.

8 This certificate is transferable by indorsement but such an assignment or
9 transfer shall be by indorsement is invalid unless ~~the same shall be~~ recorded in the
10 office of the clerk of the (name of ~~municipality~~ local governmental unit) and the fact
11 of such the recording is indorsed on this certificate. THE HOLDER OF THIS CERTIFICATE
12 ~~SHALL HAVE~~ HAS NO CLAIM UPON THE (Name of ~~municipality~~) ~~IN ANY EVENT~~ local
13 governmental unit), EXCEPT FROM THE PROCEEDS OF THE SPECIAL ASSESSMENTS LEVIED
14 FOR SAID THE WORK AGAINST THE ABOVE DESCRIBED LAND.

15 This certificate shall bear interest from its date to the following January 1 ~~next~~
16 succeeding.

17 Given under our hands at (name of ~~municipality~~ local governmental unit), this
18 day of, (year)

19

20 (Mayor, President, Chairperson)

21 Countersigned:

22

23 Clerk, (name of ~~municipality~~ local governmental unit)

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1 Assigned by (Original Contractor) to (Name of Assignee) of ...
2 (Address of Assignee) (Date and signature of clerk)

3 (b) ~~Such certificate shall in no event be a municipal~~ A contractor's certificate
4 is not a liability of a local governmental unit and shall so state in boldface type
5 printed on the face ~~thereof~~ of the certificate. Upon issuance of said a certificate, the
6 clerk of the ~~municipality~~ local governmental unit shall ~~at once~~ immediately deliver
7 to the ~~municipal~~ treasurer of the local governmental unit a schedule of each such
8 certificate showing the date, amount, number, date of maturity, person to whom
9 issued and parcel of land against which the assessment is made. The treasurer shall
10 ~~thereupon~~ notify, by mail, the owner of said the parcel, as the same owner appears
11 on the last assessment roll, that payment is due on said the certificate at the office
12 of said the treasurer, and if such the owner shall ~~pay such~~ pays the amount ~~or part~~
13 ~~thereof so due, said the clerk shall cause the same to be paid~~ pay that amount to the
14 registered holder of said the certificate, and shall indorse such the payment on the
15 face of said the certificate and on the clerk's record ~~thereof~~ of the certificate. The clerk
16 shall keep a record of the names of the persons, firms or corporations to whom such
17 contractor's certificates ~~shall be~~ are issued and of the assignees ~~thereof~~ of certificates
18 when the ~~fact of~~ assignment is made known to such the clerk. Assignments of such
19 contractor's certificates ~~shall be~~ are invalid unless recorded in the office of the clerk
20 of the ~~municipality~~ local governmental unit and the fact of such recording ~~be is~~
21 indorsed on said the certificate. Upon final payment of the certificate, the same
22 certificate shall be delivered to the treasurer of the ~~municipality~~ local governmental
23 unit and by the treasurer delivered to such the clerk. On the first of each month, to
24 and including December 1, the treasurer shall certify to the clerk a detailed
25 statement of all payments made on such certificates.

ASSEMBLY BILL 710**SECTION 512**

1 **SECTION 512.** 66.54 (6) (c) of the statutes is renumbered 66.0713 (10) and
2 amended to read:

3 66.0713 **(10)** After the expiration of 90 days from the date of such a contractor's
4 certificate or any general obligation-local improvement bond or special assessment
5 B bond hereinafter provided for, the same shall be certificate or bond is conclusive
6 evidence of the legality of all proceedings up to and including the issue thereof of the
7 certificate or bond and prima facie evidence of the proper construction of the
8 improvement.

9 **SECTION 513.** 66.54 (6) (d) of the statutes is renumbered 66.0713 (2) (c) and
10 amended to read:

11 66.0713 **(2)** (c) If ~~said certificates are~~ a contractor's certificate is not paid before
12 December 1 in the year in which they are issued, the comptroller or clerk of the
13 ~~municipality~~ local governmental unit shall thereupon include in the statement of
14 special assessments to be placed in the next tax roll an amount sufficient to pay such
15 ~~certificates~~ the certificate, with interest thereon from the date of ~~such certificates~~ the
16 certificate to the following January 1 ~~next succeeding, and thereafter the same~~
17 proceedings for the collection of that amount shall be the same as the proceedings
18 ~~shall be had as in the case for the collection~~ of general property taxes, except as
19 otherwise provided in this section ~~otherwise provided. Such.~~ The delinquent taxes
20 shall be returned to the county treasurer in trust for collection and not for credit. All
21 moneys collected by the ~~municipal~~ treasurer of the local governmental unit or by the
22 county treasurer and remitted to the ~~municipal~~ treasurer of the local governmental
23 unit on account of ~~such~~ the special assessments shall be delivered to the owner of the
24 contractor's certificate on demand.

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1 **SECTION 514.** 66.54 (7) of the statutes is renumbered 66.0715 (3), and 66.0715
2 (3) (title), (a) to (f), (fm) 2. b. and 3. and (g), as renumbered, are amended to read:

3 66.0715 **(3)** (title) ~~ANNUAL INSTALMENTS OF SPECIAL ASSESSMENTS.~~ (a) The
4 governing body of ~~any municipality~~ a local governmental unit may provide that
5 special assessments levied to defray the cost of ~~any a~~ a public improvement or a project
6 constituting part of a general public improvement, except sprinkling or oiling
7 streets, may be paid in annual instalments.

8 (b) The first instalment shall include a proportionate part of the principal of
9 the special assessment, determined by the number of instalments, together with
10 interest on the whole assessment from ~~such a~~ a date, ~~not prior to~~ before the date of the
11 notice ~~hereinafter provided for~~ under par. (e), and to ~~such that~~ that date, not later than
12 December 31, in the year in which ~~same~~ the instalment is to be collected as ~~shall be~~
13 determined by the governing body, ~~and each.~~ Each subsequent instalment shall
14 include ~~a like~~ the same proportion of the principal and one year's interest ~~upon~~ on
15 the unpaid portion of such the assessment.

16 (c) The first instalment shall be entered in the first tax roll prepared after ~~said~~
17 the instalments ~~shall~~ have been determined as a special tax on the property upon
18 which the special assessment was levied, and ~~thereafter this tax shall be treated in~~
19 ~~all respects~~ as any other ~~municipal~~ tax of a local governmental unit, except as
20 otherwise provided in this section ~~otherwise provided.~~ ~~One of the subsequent~~
21 ~~instalments.~~ Each subsequent instalment shall be entered in a like manner and with
22 ~~like effect~~ in each of the subsequent annual tax rolls ~~thereafter~~ until all instalments
23 are levied.

24 (d) If any instalment ~~so~~ entered in the tax roll ~~shall~~ is not be paid to the
25 ~~municipal~~ treasurer of the local governmental unit with the other taxes it shall be

ASSEMBLY BILL 710**SECTION 514**

1 returned to the county as delinquent and accepted and collected by the county in the
2 same manner as delinquent general taxes on real estate, except as otherwise
3 provided in this section ~~otherwise provided~~.

4 (e) ~~Whenever~~ If the governing body determines to permit any special
5 assessments for any a local ~~improvements~~ improvement to be paid in instalments it
6 shall publish a class 1 notice, under ch. 985. ~~Such~~ The notice shall be substantially
7 in the following form:

8 **INSTALMENT ASSESSMENT NOTICE**

9 Notice is hereby given that a contract has been (or is about to be) let for (describe
10 the improvement) and that the amount of the special assessment ~~therefor~~ for the
11 improvement has been determined as to each parcel of real estate affected ~~thereby~~
12 and a statement of the ~~same~~ assessment is on file with the.... clerk; it is proposed to
13 collect the ~~same~~ special assessment in.... instalments, as provided for by section
14 ~~66.54~~ 66.0715 of the Wisconsin statutes Statutes, with interest ~~thereon~~ at.... per cent
15 percent per year; that all assessments will be collected in instalments as provided
16 ~~above provided~~ except ~~such~~ assessments on property where the owner of ~~the same~~
17 ~~shall file~~ files with the.... clerk within 30 days from date of this notice a written notice
18 that the owner elects to pay the special assessment on the owner's property,
19 describing the ~~same~~ property, to the.... treasurer on or before the ~~next succeeding~~
20 following November 1, unless the election is revoked. If, after making ~~such~~ the
21 election, ~~said~~ the property owner fails to make the payment to the.... treasurer, the....
22 clerk shall place the entire assessment on the ~~next succeeding~~ following tax roll.

23 Dated....

24 [Clerk of (name of ~~municipality~~ local governmental unit)]

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1 (f) After the time for making an initial election to pay the special assessment
2 in full under par. (e) expires, any the assessment may be paid in full before due, ~~only~~
3 upon the payment of such that portion of the interest to become due ~~thereon~~ as the
4 governing body ~~shall determine~~ determines.

5 (fm) 2. b. Interest on that amount at the rate used by the ~~municipality~~ local
6 governmental unit for instalment payments under par. (b), covering the period
7 between the date that the initial election was made under par. (e) and the date on
8 which the instalment is paid.

9 3. If the first instalment has not been paid by property owners under par. (c)
10 before the date on which payment in full would have been due for a property owner
11 who initially elected to pay the special assessment in one lump sum, the next
12 property tax bill sent to a person who revoked his or her initial election to make a
13 lump sum payment shall be an amount calculated under par. (b) plus interest on that
14 amount at the rate used by the ~~municipality~~ local governmental unit for instalment
15 payments under par. (b), covering the period between the date that the initial
16 election was made under par. (e) and the date on which the instalment is paid.

17 (g) A schedule of the assessments and assessment instalments ~~thereof~~ shall be
18 recorded in the office of the clerk of the ~~municipality~~ local governmental
19 unit as soon as practicable.

20 **SECTION 515.** 66.54 (8) of the statutes is repealed.

NOTE: Repealed as unnecessary. Authority to issue general obligation-local
improvement bonds and special assessment B bonds is provided independently
in other provisions of renumbered s. 66.54.

21 **SECTION 516.** 66.54 (9) (title) of the statutes is renumbered 66.0713 (3) (title).

22 **SECTION 517.** 66.54 (9) (a) of the statutes is renumbered 66.0713 (3) and
23 amended to read:

ASSEMBLY BILL 710**SECTION 517**

1 66.0713 (3) For the purpose of anticipating the collection of special
2 assessments payable in instalments as provided in ~~this section s. 66.0621 (3)~~ and
3 after ~~such~~ the instalments have been determined, the governing body may issue
4 general obligation-local improvement bonds ~~as more particularly described in this~~
5 ~~subsection under s. 67.16.~~

6 **SECTION 518.** 66.54 (9) (b) and (c) of the statutes are renumbered 67.16 (2) (b)
7 and (c) and amended to read:

8 67.16 (2) (b) The issue of ~~such~~ general obligation-local improvement bonds
9 shall be in an amount not ~~to exceed~~ exceeding the aggregate unpaid special
10 assessments levied for the public improvement ~~which such~~ that the issue is to
11 finance. A single issue of ~~such~~ the bonds may be used to finance one or more different
12 local improvements for which special assessments are authorized to be made in the
13 same year. Sections 67.035, 67.06, 67.07, 67.08 and 67.11, where not contrary to the
14 provisions of this section, ~~shall be applicable to such~~ apply to the bonds. ~~Such~~ The
15 bonds shall mature in the same number of instalments as ~~said~~ the underlying special
16 assessments, but the date of maturity of each instalment of ~~said~~ the bonds shall be
17 fixed in October, November or December. The first maturity of ~~such~~ the bonds may
18 be in the second 2nd year following the date of levy of the first instalment of the
19 underlying special assessment. At the time of ~~that~~ the authorization of such bonds
20 are authorized, the governing body of the ~~municipality~~ local governmental unit shall
21 levy a tax upon all the taxable property of ~~said municipality~~ the local governmental
22 unit sufficient to provide for the payment of the principal and interest of ~~said~~ the
23 bonds at maturity, ~~which.~~ The tax levy ~~shall be~~ is irrevocable. All collections of
24 instalments of the special assessments levied to pay for ~~such~~ the public
25 improvement, either before or after delinquency ~~thereof~~, shall be placed by the

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1 ~~municipal~~ treasurer of the local governmental unit in a special debt service fund,
2 designated and identified for ~~such~~ the issue of ~~such~~ the bonds, and shall be used only
3 for the payment of said the bonds and interest of ~~such~~ the issue. The annual
4 instalment of the irrevocable tax levied for the purpose of payment of ~~such~~ the bonds
5 and interest ~~thereon~~, on the bonds shall be diminished by the amount on hand in ~~such~~
6 the debt service fund on November 1 of each tax levy year after deducting any unpaid
7 interest and principal due in that year, and ~~said~~ the amount ~~so~~ on hand in ~~said~~ the
8 fund shall be applied to the payment of the next succeeding instalment of principal
9 and interest named on ~~said~~ the bonds. Any deficiency in the debt service fund for the
10 payment of ~~such~~ the bonds and interest ~~thereon~~ at maturity shall be paid out of the
11 general fund of the ~~municipality~~ local governmental unit and ~~such~~ the general fund
12 shall be reimbursed from the collection of ~~such~~ that part of the aforesaid irrevocable
13 tax as that is actually levied. Any surplus in ~~said~~ the debt service fund after all bonds
14 and interest ~~thereon~~ are fully paid, shall be paid into the general fund.

15 (c) If any instalment of the aforesaid special assessment ~~so~~ that is entered in
16 the tax roll ~~shall~~ is not be paid to the ~~municipal~~ treasurer of the local governmental
17 unit with the other taxes, it shall be returned to the county treasurer as delinquent
18 in trust for collection.

NOTE: Provisions of s. 66.54 relating to general obligation-local improvement
bonds are relocated to ch. 67, relating to general obligation debt. See, also,
SECTION 623 of this bill.

19 **SECTION 519.** 66.54 (10) and (11) of the statutes are renumbered 66.0713 (4)
20 and (5) and amended to read:

21 66.0713 (4) SPECIAL ASSESSMENT B BONDS. (a) For the purpose of anticipating
22 the collection of special assessments payable in instalments, as provided in this
23 ~~section~~ s. 66.0715 (3) and after ~~said~~ the instalments have been determined, the

ASSEMBLY BILL 710**SECTION 519**

1 governing body may issue special assessment B bonds payable out of the proceeds
2 of such ~~the~~ special assessments as provided in this section. ~~Such~~ The bonds shall in
3 ~~no event be~~ are not a general municipal liability of the local governmental unit.

4 (b) The issue of ~~such~~ special assessment B bonds shall be in an amount not to
5 ~~exceed~~ exceeding the aggregate unpaid special assessments levied for the public
6 improvement ~~which such~~ that the issue is to finance. A separate bond shall be issued
7 for each separate assessment and ~~said~~ the bond shall be secured by and be payable
8 out of only the assessment against which it is issued. ~~Such~~ The bonds shall mature
9 in the same number of instalments as ~~said~~ the underlying special assessments. ~~Such~~
10 The bonds shall carry coupons equal in number to the number of special assessments,
11 ~~which.~~ The coupons shall be detachable and entitle the owner ~~thereof~~ of the bond to
12 the payment of principal and interest collected on the underlying special
13 assessments. ~~Such~~ The bond shall be executed as provided in s. 67.08 (1) and may
14 be registered under s. 67.09. Each bond shall include a statement that it is payable
15 only out of the special assessment on the particular property against which it is
16 issued and the purpose for which ~~same~~ the assessment was levied and ~~such~~ other
17 provisions as that the governing body shall ~~deem proper to insert~~ inserts.

18 (ba) Payments of principal and interest shall conform as nearly as may ~~be~~
19 possible to the payments to be made on the instalments of the assessment, and the
20 principal and interest to be paid on the bonds shall not exceed the principal and
21 interest to be received, on the assessment. All collections of instalments of the special
22 assessments levied to pay for ~~such~~ the public improvement, either before or after
23 delinquency ~~thereof~~, shall be placed by the ~~municipal~~ treasurer of the local
24 governmental unit in a special debt service fund designated and identified for ~~such~~
25 the bond issue ~~of bonds~~ and shall be used only for the payment of ~~said~~ the bonds and

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1 interest of such ~~the~~ the issue. Any surplus in said ~~the~~ the debt service fund after all bonds
2 and interest ~~thereon~~ are fully paid, shall be paid into the general fund.

3 (c) ~~Such~~ Special assessment B bonds ~~must~~ shall be registered in the name of
4 the owner ~~thereof~~ on the records of the clerk of the ~~municipality~~ by which said bonds
5 ~~were~~ local governmental unit that issued the bonds. Upon transfer of the ownership
6 of such ~~the~~ the bonds the ~~fact of such~~ transfer ~~must~~ shall be noted upon the bond and on
7 the record of the clerk of ~~such municipality~~ the local governmental unit. Any transfer
8 not so recorded ~~shall be null and is~~ void and the clerk of the ~~municipality~~ shall be
9 ~~entitled to~~ local governmental unit may make payments of principal and interest to
10 the owner of the bond as registered on the books of the ~~municipality~~ local
11 governmental unit.

12 (d) Principal and interest collected on the underlying special assessments as
13 ~~well as~~ and interest collected on the delinquent special assessments and on
14 delinquent tax certificates issued ~~therefor~~ for the delinquent assessments shall be
15 paid by the treasurer of the ~~municipality~~ local governmental unit out of the debt
16 service fund created for the issue of such ~~the~~ the bonds to the registered holder ~~thereof~~
17 of the bonds upon the presentation and surrender of the coupons due attached to ~~said~~
18 the bonds. If any instalment of the aforesaid special assessment entered in the tax
19 roll ~~shall is~~ not be paid to the ~~municipal~~ of the local governmental unit with
20 the other taxes, it shall be returned to the county treasurer as delinquent in trust for
21 collection.

22 (e) If the tax certificate resulting from the delinquent special assessment is
23 redeemed by any person, ~~firm or corporation~~ other than the county, the county
24 treasurer shall pay to the ~~municipality~~ local governmental unit the full amount
25 received ~~therefor~~ for the tax certificate, including interest, and the ~~municipal~~

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1 treasurer of the local governmental unit shall ~~thereupon~~ then pay the amount of such
2 the remittance into a special debt service fund created for the payment of such the
3 special assessment B bonds.

4 **(5) AREA GROUPING OF AREA-GROUPED SPECIAL ASSESSMENTS ASSESSMENT B BONDS.**

5 (a) ~~Whenever~~ If the governing body determines to issue special assessment B bonds
6 ~~pursuant to subs. (9) and (10)~~ under sub. (4), it may group the special assessments
7 levied against benefited lands and issue ~~such of the~~ bonds against ~~such the~~ special
8 assessments ~~so~~ grouped as a whole. All ~~such of the~~ bonds shall be equally secured
9 by ~~such the~~ assessments without priority one over the other.

10 (b) ~~The~~ All of the following ~~provisions shall be applicable~~ apply to area-grouped
11 special assessment B bonds issued under this section:

12 1. For the purpose of anticipating the collection of special assessments payable
13 in instalments under this section and after ~~said the~~ instalments have been
14 determined, the governing body may issue area-grouped special assessment B bonds
15 payable out of the proceeds of ~~such the~~ special assessments as provided herein. ~~Such~~
16 under sub. (4). The bonds shall in no event be are not a general municipal liability
17 of the local governmental unit.

18 2. The issue of ~~such the~~ bonds shall be in an amount not ~~to exceed~~ exceeding
19 the aggregate unpaid special assessments levied for the public improvement or
20 projects which ~~such the~~ issue is to finance. ~~Such~~ The bonds shall mature over
21 substantially the same period of time in which the special assessment instalments
22 are to be paid. ~~Such~~ The bonds shall be bearer bonds or may be registered bonds
23 under s. 67.09. The bonds shall be executed as provided in s. 67.08 (1) and shall
24 include a statement that they are payable only from the special debt service fund
25 provided for in subd. 4. and a fund created under sub. ~~(15)~~ (7) for the collection and

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1 payment of such the special assessment and such any other provisions as that the
2 governing body deems proper to insert.

3 4. All collections of principal and interest on the underlying special
4 assessments and instalments thereof, either before or after delinquency and after
5 issuance of a tax certificate under s. 74.57, shall be placed by the ~~municipal~~ treasurer
6 of the local governmental unit in a special debt service fund created, designated and
7 identified for the issue of such the bonds and used only for payment of said the bonds
8 and interest ~~thereon~~ on the bonds to the holders of the bonds or coupons in
9 accordance with the terms of the issue. Any surplus in the debt service fund, after
10 all bonds and interest ~~thereon~~ on the bonds are fully paid, shall be paid into the
11 general fund.

12 5. If the tax certificate is redeemed by any person other than the county, the
13 county treasurer shall pay to the ~~municipality~~ local governmental unit the full
14 amount received ~~therefor~~ for the certificate, including interest, and the ~~municipal~~
15 treasurer of the local governmental unit shall ~~thereupon~~ pay the amount of such the
16 remittance into the special debt service fund created for the payment of such the
17 bonds.

18 7. A holder of the bonds or of any coupons attached ~~thereto shall have~~ to the
19 bonds has a lien against the special debt service fund created under subd. 4. for
20 payment of said the bonds and interest ~~thereon~~ on the bonds and against any reserve
21 fund created under sub. ~~(15)~~ (7) and may either at law or in equity protect and enforce
22 such the lien and compel performance of all duties required by this section of the
23 ~~municipality~~ local governmental unit issuing said the bonds.

24 **SECTION 520.** 66.54 (12) (title) of the statutes is renumbered 66.0719 (title).

ASSEMBLY BILL 710**SECTION 521**

1 **SECTION 521.** 66.54 (12) of the statutes is renumbered 66.0719 (2) and amended
2 to read:

3 66.0719 **(2)** If a special assessment is levied for any public improvement, any
4 amount collected on that special assessment or received from the county shall be
5 deposited in the general fund of the ~~municipality~~ local governmental unit if the
6 payment for the improvement was made out of its general fund, deposited in the
7 funds and accounts of a public utility established under s. ~~66.066~~ 66.0621 (2) (c) if
8 ~~such~~ the improvement was paid out of the proceeds of revenue obligations of the
9 ~~municipality~~ local governmental unit or deposited in the debt service fund required
10 for the payment of bonds or notes issued under ch. 67 if ~~such~~ the improvement was
11 paid out of the proceeds ~~thereof~~ of the bonds or notes. That special assessment, when
12 delinquent, shall be returned in trust for collection and the ~~municipality~~ shall have
13 local governmental unit has the same rights as provided in sub. ~~(9)~~ (e) s. 66.0713 (3)
14 (c).

15 **SECTION 522.** 66.54 (15) and (15m) of the statutes are renumbered 66.0713 (7)
16 and (8) and amended to read:

17 66.0713 **(7)** RESERVE FUND FOR SPECIAL ASSESSMENT B BONDS AND REFUNDING B
18 BONDS. If the governing body determines to issue special assessment B bonds under
19 sub. ~~(10)~~ (4) or refunding B bonds under sub. ~~(16)~~ (6), it may establish in its treasury
20 a fund to be designated as a reserve fund for the particular bond issue, to be
21 maintained until ~~such~~ the obligation is paid or otherwise extinguished. Any surplus
22 in the reserve fund after all the bonds have been paid or canceled shall be carried into
23 the general fund of the ~~municipal~~ local governmental unit's treasury. The source of
24 ~~said~~ the fund shall be established either from proceeds of the bonds, the general fund
25 of the ~~municipal~~ local governmental unit's treasury or by the levy of an irrevocable

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1 and irrevocable general tax. ~~Such~~ The bonds shall in no event be are not a general
2 municipal liability of the local governmental unit.

3 **(8) PAYMENT OF B BONDS FROM TAX LEVY.** Any ~~municipality~~ local governmental
4 unit authorized to issue special assessment B bonds, in addition to the special
5 assessments or bond proceeds or other sources, may appropriate funds out of its
6 annual tax levy for the payment of the bonds. The payment of such ~~the~~ the bonds out of
7 funds from a tax levy, ~~however,~~ may not be construed as constituting an obligation
8 of ~~such municipality~~ the local governmental unit to make any other such
9 appropriation.

10 **SECTION 523.** 66.54 (16) of the statutes is renumbered 66.0713 (6) and amended
11 to read:

12 66.0713 **(6) REFUNDING B BONDS.** Any ~~municipality~~ A local governmental unit
13 may issue refunding B bonds to refund any outstanding special assessment B bonds
14 issued under sub. ~~(10) or (11).~~ These (4) or (5). The refunding B bonds shall be
15 secured by and payable only from the special assessments levied to pay for the public
16 improvements financed by the bonds to be refunded, and ~~shall~~ are not be a general
17 municipal liability of the local governmental unit. If bonds issued under sub. ~~(10)~~ (4)
18 are to be refunded, the provisions of sub. ~~(10)~~ (4) (b) to (e) shall apply to the refunding
19 B bonds; if bonds issued under sub. ~~(11)~~ (5) are to be refunded, the provisions of sub.
20 ~~(11)~~ (5) (b) shall apply to the refunding B bonds. If the governing body determines
21 that it is necessary to amend the prior assessments in connection with the issuance
22 of refunding B bonds under this section, it may reconsider and reopen the
23 assessments under s. ~~66.60~~ 66.0703 (10). The notice and hearing ~~provided for~~ under
24 s. ~~66.60~~ 66.0703 (10) may be waived under s. ~~66.60~~ (18) 66.0703 (7) (b) by the owners
25 of the property affected. If the assessments are amended, the refunding B bonds

ASSEMBLY BILL 710**SECTION 523**

1 shall be secured by and payable from the special assessments as amended. If the
2 assessments are amended, all direct and indirect costs reasonably attributable to the
3 refunding of the bonds may be included in the cost of the public improvements being
4 financed. If the governing body determines to issue refunding B bonds, it may create
5 a reserve fund for the issue under sub. ~~(15)~~ (7).

6 **SECTION 524.** 66.55 of the statutes is renumbered 66.0617.

7 **SECTION 525.** 66.60 (title) of the statutes is renumbered 66.0703 (title) and
8 amended to read:

9 **66.0703** (title) **Special assessments and charges, generally.**

10 **SECTION 526.** 66.60 (1), (2), (3) and (4) of the statutes are renumbered 66.0703
11 (1), (4), (5) and (6), and 66.0703 (1), (4), (5) (intro.), (c) (intro.) and 3. and (d) and (6),
12 as renumbered, are amended to read:

13 66.0703 **(1)** (a) Except as provided in sub. ~~(6m)~~ s. 66.0721, as a complete
14 alternative to all other methods provided by law, any city, town or village may, by
15 resolution of its governing body, levy and collect special assessments upon property
16 in a limited and determinable area for special benefits conferred upon ~~such~~ the
17 property by any municipal work or improvement; and may provide for the payment
18 of all or any part of the cost of the work or improvement out of the proceeds of ~~such~~
19 the special assessments.

20 (b) The amount assessed against any property for any work or improvement
21 which does not represent an exercise of the police power shall ~~shall~~ may not exceed the
22 value of the benefits accruing to the property ~~therefrom, and for those representing.~~
23 If an assessment represents an exercise of the police power, the assessment shall be
24 upon a reasonable basis as determined by the governing body of the city, town or
25 village.

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1 (4) ~~Prior to~~ Before the exercise of any powers conferred by this section, the
2 governing body shall declare by preliminary resolution its intention to exercise ~~such~~
3 the powers for a stated municipal purpose. ~~Such~~ The resolution shall describe
4 generally the contemplated purpose, the limits of the proposed assessment district,
5 the number of instalments in which the special assessments may be paid, or that the
6 number of instalments will be determined at the hearing required under sub. (7), and
7 direct the proper municipal officer or employe to make a report ~~thereon~~. ~~Such~~ on the
8 proposal. The resolution may limit the proportion of the cost to be assessed.

9 (5) (intro.) The report required by sub. (2) ~~(4)~~ shall consist of:

10 (c) (intro.) ~~An~~ Except as provided in par. (d), an estimate, as to each parcel of
11 property affected, of:

12 3. The net amount of ~~such~~ the benefits over damages or the net amount of ~~such~~
13 the damages over benefits.

14 (d) A statement that the property against which the assessments are proposed
15 is benefited, ~~where~~ if the work or improvement constitutes an exercise of the police
16 power. ~~In such case~~ If this paragraph applies, the estimates required under par. (c)
17 shall be replaced by a schedule of the proposed assessments.

18 (6) A copy of the report when completed shall be filed with the municipal clerk
19 for public inspection. If property of the state may be subject to assessment under s.
20 ~~66.64~~ 66.0705, the municipal clerk shall file a copy of the report with the state agency
21 which manages the property. If the assessment to the property of the state for a
22 project, as defined under s. ~~66.64~~ 66.0705 (2), is \$50,000 or more, the state agency
23 shall submit a request for approval of the assessment, with its recommendation, to
24 the building commission. The building commission shall review the assessment and
25 shall determine within 90 days of the date on which the commission receives the

ASSEMBLY BILL 710**SECTION 526**

1 report if the assessment is just and legal and if the proposed improvement is
2 compatible with state plans for the facility which is the subject of the proposed
3 improvement. If the building commission so determines, it shall approve the
4 assessment. No project in which the property of the state is assessed at \$50,000 or
5 more may be commenced and no contract on such the project may be let without
6 approval of the assessment by the building commission under this subsection. The
7 building commission shall submit a copy of its determination under this subsection
8 to the state agency ~~which~~ that manages the property which is the subject of the
9 determination.

10 **SECTION 527.** 66.60 (5) of the statutes is renumbered 66.0703 (2) and amended
11 to read:

12 66.0703 (2) The cost of any work or improvement to be paid in whole or in part
13 by special assessment on property may include the direct and indirect cost thereof,
14 the resulting damages ~~occasioned thereby~~, the interest on bonds or notes issued in
15 anticipation of the collection of the assessments, a reasonable charge for the services
16 of the administrative staff of the city, town or village and the cost of any architectural,
17 engineering and legal services, and any other item of direct or indirect cost ~~which~~
18 that may reasonably be attributed to the proposed work or improvement. The
19 amount to be assessed against all property for ~~any such~~ the proposed work or
20 improvement shall be apportioned among the individual parcels in the manner
21 designated by the governing body.

22 **SECTION 528.** 66.60 (6) of the statutes is renumbered 66.0703 (1) (c) and
23 amended to read:

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1 66.0703 (1) (c) If any property ~~deemed that is~~ benefited shall ~~is~~ by reason of any
2 ~~provision of law be exempt from assessment therefor, such, the~~ assessment shall be
3 computed and shall be paid by the city, town or village.

4 **SECTION 529.** 66.60 (6a) of the statutes is renumbered 66.0703 (3) and amended
5 to read:

6 66.0703 (3) A parcel of land against which ~~has been levied~~ a special assessment
7 has been levied for the sanitary sewer or water main laid in one of the streets ~~upon~~
8 ~~which it that the parcel~~ abuts, ~~shall be is~~ entitled to such a deduction or exemption
9 as that the governing body determines to be reasonable and just under the
10 circumstances of each case, when a special assessment is levied for the sanitary
11 sewer or water main laid in the other street ~~upon which such that the~~ corner lot
12 abuts. The governing body may allow a similar deduction or exemption from special
13 assessments levied for any other public improvement.

14 **SECTION 530.** 66.60 (6m) of the statutes is renumbered 66.0721, and 66.0721
15 (1) (intro.) and (b), (2) and (3) (b) and (c), as renumbered, are amended to read:

16 66.0721 (1) (intro.) In this ~~subsection~~ section:

17 (b) "Eligible farmland" means a parcel of 35 or more acres of contiguous land
18 which is devoted exclusively to agricultural use which during the year preceding the
19 year in which the land is subject to a special assessment under this ~~subsection~~ section
20 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or
21 which, during the 3 years preceding the year in which the land is subject to a special
22 assessment under this ~~subsection~~ section, produced gross farm profits, as defined in
23 s. 71.58 (4), of not less than \$18,000.

ASSEMBLY BILL 710**SECTION 530**

1 (2) Except as provided in ~~par. (e)~~ sub. (3), no town sanitary district or town may
2 levy any special assessment on eligible farmland for the construction of a sewerage
3 or water system.

4 (3) (b) If after an initial special assessment for the construction of a sewerage
5 or water system is levied in a service area any eligible farmland subject to ~~subd. 1.~~
6 par. (a) or exempted from a special assessment under ~~par. (b)~~ sub. (2) is divided into
7 2 or more parcels at least one of which is not devoted exclusively to agricultural use,
8 the town sanitary district or town may levy on each parcel on which it has either
9 levied a special assessment under ~~subd. 1.~~ par. (a) or has not levied a special
10 assessment for the construction of a sewerage or water system a special assessment
11 for that purpose that does not exceed the amount of the special assessment for that
12 purpose that would have been levied on the parcel if the parcel had not been exempt
13 under ~~par. (b)~~ sub. (2) or that has already been levied under ~~subd. 1.~~ par. (a). The
14 special assessment shall be apportioned among the parcels resulting from the
15 division in proportion to their area. The town sanitary district or town may also
16 charge interest, from the date the eligible farmland is divided into 2 or more parcels
17 at least one of which is not devoted exclusively to agricultural use, on the special
18 assessment at an annual rate that does not exceed the average interest rate paid by
19 the district or town on its obligations between the time the district or town first levies
20 a special assessment for the construction of a sewerage or water system in the service
21 area in which the eligible farmland is located and the time it levies the special
22 assessment on that eligible farmland under this ~~subdivision~~ paragraph. This
23 ~~subdivision~~ paragraph does not apply to any eligible farmland unless the town
24 sanitary district or town records a lien on that eligible farmland in the office of the
25 register of deeds within 90 days after it first levies a special assessment for the

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1 construction of a sewerage or water system for the service area in which the eligible
2 farmland is located, describing either the applicability of ~~subd. 1. par. (a)~~ or the
3 exemption under ~~par. (b) sub. (2)~~ and the potential for a special assessment under
4 this subdivision paragraph.

5 (c) If, after a town sanitary district or town first levies a special assessment for
6 the construction of a sewerage or water system in a service area, the eligible
7 farmland in that service area exempted from the special assessment under ~~par. (b)~~
8 sub. (2) is not devoted exclusively to agricultural use for a period of one year or more,
9 the town sanitary district or town may levy on that eligible farmland the special
10 assessment for the construction of a sewerage or water system that it would have
11 levied if the eligible farmland had not been exempt under ~~par. (b) sub. (2)~~. The town
12 sanitary district or town may also charge interest, from the date the eligible
13 farmland has not been devoted exclusively to agricultural use for a period of at least
14 one year, on the special assessment at an annual rate that does not exceed the
15 average interest rate paid by the district or town on its obligations between the time
16 the district or town first levies a special assessment for the construction of a sewerage
17 or water system in the service area in which the eligible farmland is located and the
18 time it levies the special assessment on that eligible farmland. This ~~subdivision~~
19 paragraph does not apply to any land unless the town or special purpose district
20 records a lien on that eligible farmland in the office of the register of deeds within
21 90 days after it first levies a special assessment for the construction of a sewerage
22 or water system in the service area in which the eligible farmland is located,
23 describing the exemption under ~~par. (b) sub. (2)~~ and the potential for a special
24 assessment under this ~~subdivision~~ paragraph.

ASSEMBLY BILL 710**SECTION 531**

1 **SECTION 531.** 66.60 (7) of the statutes is renumbered 66.0703 (7) (a) and
2 amended to read:

3 66.0703 **(7)** (a) Upon the completion and filing of the report required by sub.
4 ~~(3) (4)~~, the city, town or village clerk shall prepare a notice to be given stating
5 the nature of the proposed work or improvement, the general boundary lines of the
6 proposed assessment district including, in the discretion of the governing body, a
7 small map thereof, the place and time at which the report may be inspected, and the
8 place and time at which all interested persons ~~interested~~, or their agents or
9 attorneys, may appear before the governing body ~~or, a committee thereof of the~~
10 governing body or the board of public works and be heard concerning the matters
11 contained in the preliminary resolution and the report. ~~Such~~ The notice shall be
12 published as a class 1 notice, under ch. 985, in the city, town or village and a copy of
13 ~~such the~~ notice shall be mailed, at least 10 days before the hearing or proceeding, to
14 every interested person whose post-office address is known, or can be ascertained
15 with reasonable diligence. The hearing shall commence not less than 10 ~~and not~~ nor
16 more than 40 days after ~~such~~ publication.

17 **SECTION 532.** 66.60 (8) to (12) and (15) of the statutes are renumbered 66.0703
18 (8) to (12) and (13) and amended to read:

19 66.0703 **(8)** (a) After the hearing upon any proposed work or improvement, the
20 governing body may approve, disapprove or modify, or it may rerefer the report
21 prepared pursuant to under subs. ~~(2) (4)~~ and ~~(3) (5)~~ to the designated officer or
22 employe with ~~such~~ directions as ~~it deems necessary~~ to change the plans and
23 specifications and to accomplish a fair and equitable assessment.

24 (b) If an assessment of benefits ~~be~~ is made against any property and an award
25 of compensation or damages ~~be~~ is made in favor of the same property, the governing

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1 body shall assess against or award in favor thereof of the property only the difference
2 between such the assessment of benefits and the award of damages or compensation.

3 (c) When the governing body finally determines to proceed with the work or
4 improvement, it shall approve the plans and specifications ~~therefor~~ and adopt a
5 resolution directing that such the work or improvement be carried out and paid for
6 in accordance with the report as finally approved ~~and that payment therefor be made~~
7 as ~~therein~~ provided.

8 (d) The city, town or village clerk shall publish the final resolution as a class
9 1 notice, under ch. 985, in the assessment district and a copy of such the resolution
10 shall be mailed to every interested person whose post-office address is known, or can
11 be ascertained with reasonable diligence.

12 (e) When the final resolution is published, all work or improvements therein
13 described in the resolution and all awards, compensations and assessments arising
14 ~~therefrom~~ from the resolution are deemed legally then authorized and made, subject
15 to the right of appeal under sub. (12).

16 **(9)** ~~Where~~ If more than a single type of project is undertaken as part of a general
17 improvement affecting any property, the governing body may finally combine the
18 assessments for all purposes as a single assessment on each property affected,
19 ~~provided that if~~ each property owner shall be enabled to may object to ~~any such~~ the
20 assessment for any single purpose or for more than one purpose.

21 **(10)** If the actual cost of any project shall, upon completion or after the receipt
22 of bids, ~~be~~ is found to vary materially from the estimates, ~~or~~ if any assessment is void
23 or invalid ~~for any reason~~, or if the governing body shall ~~determine~~ decides to
24 reconsider and reopen any assessment, it is ~~empowered~~ may, after giving notice as
25 provided in sub. (7) (a) and after a public hearing, ~~to~~ amend, cancel or confirm any

ASSEMBLY BILL 710**SECTION 532**

1 such the prior assessment, ~~and thereupon.~~ A notice of the resolution amending,
2 canceling or confirming such the prior assessment shall be given by the clerk as
3 provided in sub. (8) (d). If the assessments are amended to provide for the refunding
4 of special assessment B bonds under s. ~~66.54 (16)~~ 66.0713 (6), all direct and indirect
5 costs reasonably attributable to the refunding of the bonds may be included in the
6 cost of the public improvements being financed.

7 (11) If the cost of the project ~~shall be~~ is less than the special assessments levied,
8 the governing body, without notice or hearing, shall reduce each special assessment
9 proportionately and ~~where~~ if any assessments or instalments ~~thereof~~ have been paid
10 the excess over cost shall be applied to reduce succeeding unpaid instalments, ~~where~~
11 if the property owner has elected to pay in instalments, or refunded to the property
12 owner.

13 (12) (a) ~~If any~~ A person having an interest in ~~any a~~ parcel of land affected by
14 ~~any a~~ determination of the governing body, ~~pursuant to~~ under sub. (8) (c), (10) or (11),
15 feels aggrieved thereby ~~that person~~ may, within 90 days after the date of the notice
16 or of the publication of the final resolution ~~pursuant to~~ under sub. (8) (d), appeal
17 ~~therefrom~~ the determination to the circuit court of the county in which such the
18 property is situated ~~by causing~~ located. The person appealing shall serve a written
19 notice of appeal ~~to be served~~ upon the clerk of such the city, town or village and ~~by~~
20 ~~executing~~ execute a bond to the city, town or village in the sum of \$150 with 2 sureties
21 or a bonding company to be approved by the city, town or village clerk, conditioned
22 for the faithful prosecution of such the appeal and the payment of all costs that may
23 be adjudged against that person. The clerk, ~~in case such~~ if an appeal is taken, shall
24 ~~make~~ prepare a brief statement of the proceedings ~~had~~ in the matter before the
25 governing body, with its decision ~~thereon~~ on the matter, and shall transmit the ~~same~~

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1 statement with the original or certified copies of all the papers in the matter to the
2 clerk of the circuit court.

3 (b) ~~Such~~ The appeal shall be tried and determined in the same manner as cases
4 originally commenced in ~~such~~ circuit court, and costs awarded as provided in s.
5 893.80.

6 (c) ~~In case any~~ If a contract has been made for making the improvement ~~such~~
7 the appeal shall does not affect ~~such~~ the contract, and certificates or bonds may be
8 issued in anticipation of the collection of the entire assessment for ~~such~~ the
9 improvement, including the assessment on any property represented in ~~such~~ the
10 appeal as if ~~such~~ the appeal had not been taken.

11 (d) Upon appeal ~~pursuant to~~ under this subsection, the court may, based ~~upon~~
12 on the improvement as actually constructed, render a judgment affirming, annulling
13 or modifying and affirming, as modified, the action or decision of the governing body.
14 If the court finds that any assessment or any award of damages is excessive or
15 insufficient, ~~such~~ the assessment or award need not be annulled, but the court may
16 reduce or increase the assessment or award of damages and affirm the ~~same~~
17 assessment or award as so modified.

18 (e) An appeal under this subsection ~~shall be~~ is the sole remedy of any person
19 aggrieved by a determination of the governing body, whether or not the improvement
20 was made according to the plans and specifications ~~therefor~~, and shall raise any
21 question of law or fact, stated in the notice of appeal, involving the making of ~~such~~
22 the improvement, the assessment of benefits or the award of damages or the levy of
23 any special assessment ~~therefor~~. The limitation ~~provided for~~ in par. (a) shall does not
24 apply to appeals based ~~upon~~ on fraud or ~~upon~~ on latent defects in the construction
25 of the improvement discovered after ~~such~~ the period of limitation.

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1 (f) It ~~shall be~~ is a condition to the maintenance of such an appeal that any
2 assessment appealed from shall be paid ~~as and when the same~~ assessment or any
3 instalments thereof become due ~~and payable, and upon.~~ If there is a default in
4 making such a payment, ~~any such~~ the appeal shall be dismissed.

5 (13) Every special assessment levied under this section ~~shall be~~ is a lien on the
6 property against which it is levied on behalf of the municipality levying ~~same~~ the
7 assessment or the owner of any certificate, bond or other document issued by public
8 authority, evidencing ownership of or any interest in such the special assessment,
9 from the date of the determination of such the assessment by the governing body.
10 The governing body shall provide for the collection of such the assessments and may
11 establish penalties for payment after the due date. The governing body shall provide
12 that all assessments or instalments thereof ~~which~~ that are not paid by the date
13 specified shall be extended upon the tax roll as a delinquent tax against the property
14 and all proceedings in relation to the collection, return and sale of property for
15 delinquent real estate taxes shall apply to such the special assessment, except as
16 otherwise provided by statute.

17 **SECTION 533.** 66.60 (16) of the statutes is repealed.

NOTE: Restated as a separate section. See SECTION 170 of this bill.

18 **SECTION 534.** 66.60 (17) of the statutes is renumbered 66.0703 (14) and
19 amended to read:

20 66.0703 (14) If any a special assessment or ~~special charge~~ levied pursuant to
21 under this section ~~shall be~~ is held invalid because ~~such statutes shall be~~ this section
22 is found to be unconstitutional, the governing body of ~~such~~ municipality may
23 thereafter reassess such the special assessment or ~~special charge~~ pursuant to the
24 ~~provisions of~~ under any applicable law.

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1 **SECTION 535.** 66.60 (18) of the statutes is renumbered 66.0703 (7) (b) and
2 amended to read:

3 66.0703 (7) (b) ~~The governing body of any city, town or village may, without any~~
4 ~~notice or hearing, levy and assess the whole or any part of the cost of any municipal~~
5 ~~work or improvement as a special assessment upon the property specially benefited~~
6 ~~thereby whenever notice and hearing thereon is in writing~~ requirements under par.
7 (a) do not apply if they are waived, in writing, by all the owners of property affected
8 by such the special assessment.

9 **SECTION 536.** 66.604 of the statutes is renumbered 66.0717 and amended to
10 read:

11 **66.0717 Lien of special assessment.** A special assessment levied under any
12 authority ~~whatsoever shall be~~ is a lien on the property against which it is levied on
13 behalf of the municipality levying the same assessment or the owner of any
14 certificate, bond or other document issued by the municipality, evidencing ownership
15 of any interest in such the special assessment, from the date of the levy, to the same
16 extent as a lien for a tax levied upon real property.

17 **SECTION 537.** 66.605 of the statutes is renumbered 66.0715 (2) and amended
18 to read:

19 66.0715 (2) ~~SPECIAL ASSESSMENTS~~ DEFERRAL. (a) Notwithstanding any other
20 statute, the due date of any special assessment levied against property abutting on
21 or benefited by a public improvement may be deferred on such the terms and in such
22 the manner as prescribed by ~~its~~ the governing body while no use of the improvement
23 is made in connection with the property. ~~Such~~ A deferred special assessment may
24 be paid in instalments within the time prescribed by the governing body. ~~Any such~~

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1 ~~A deferred~~ special assessment ~~shall be~~ is a lien against the property from the date
2 of the levy.

3 (b) If a tax certificate is issued under s. 74.57 for property which is subject to
4 a special assessment that is deferred under this ~~section~~ subsection, the governing
5 body may provide that the amounts of any deferred special assessments are due on
6 the date that the tax certificate is issued and are payable as are other delinquent
7 special assessments from any moneys received under s. 75.05 or 75.36.

8 (c) The lien of any unpaid amounts of special assessments deferred under this
9 ~~section~~ subsection with respect to which a governing body has not taken action under
10 ~~sub. (2)~~ par. (b) is not merged in the title to property taken by the county under ch.
11 75.

NOTE: This section is combined with s. 66.54 (7), relating to annual instalments of special assessments. See SECTIONS 204, 205 and 514 of this bill. Note that the definitions for the newly combined and renumbered section provided in SECTION 205 of this bill, which previously applied only to the provisions of renumbered s. 66.0715 that related to instalment payments, will now apply to deferral of special assessments as well.

12 **SECTION 538.** 66.606 of the statutes is renumbered 287.093.

13 **SECTION 539.** 66.608 of the statutes is renumbered 66.1109, and 66.1109 (3) (d),
14 as renumbered, is amended to read:

15 66.1109 (3) (d) Either the board or the municipality, as specified in the
16 operating plan as adopted, or amended and approved under this section, ~~shall have~~
17 has all powers necessary or convenient to implement the operating plan, including
18 the power to contract.

19 **SECTION 540.** 66.609 of the statutes is renumbered 66.1007.

20 **SECTION 541.** 66.610 of the statutes is renumbered 62.71, and 62.71 (title), (1),
21 (2) (intro.), (a), (b), (e), (i) and (n), (3) (a) to (c), (4), (5) (b) (intro.) and 4. and (c) to (e),
22 (6) (intro.), (b) and (c), (7) to (11) and (13), as renumbered, are amended to read:

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1 **62.71** (title) **Pedestrian malls in cities of the 1st class cities.** (1) PURPOSE.

2 The purpose of this section is to authorize any city of the a 1st class city to undertake,
3 develop, finance, construct and operate pedestrian malls as local improvements.

4 **(2)** DEFINITIONS. (intro.) ~~As used in~~ In this section:

5 (a) “Annual pedestrian mall improvement” includes, ~~without limitation~~
6 ~~because of enumeration,~~ any reconstruction, replacement or repair of trees,
7 plantings, furniture, shelters or other pedestrian mall facilities.

8 (b) “Annual pedestrian mall improvement cost” includes, ~~without limitation~~
9 ~~because of enumeration,~~ planning consultant fees, public liability and property
10 damage insurance premiums, reimbursement of the city’s reasonable and necessary
11 costs incurred in operating and maintaining a pedestrian mall, levying and
12 collecting special assessments and taxes, publication costs, and any other costs
13 related to annual improvements and the operation and maintenance of a pedestrian
14 mall.

15 (e) “City” means a city of the 1st class city.

16 (i) “Intersecting street” means, unless the council declares otherwise, any
17 street which meets or intersects a pedestrian mall, but includes only those portions
18 thereof ~~of the intersecting street~~ which lay between the mall or mall intersection and
19 the first intersection of such ~~the~~ the intersecting street with a street open to general
20 vehicular traffic.

21 (n) “Pedestrian mall improvement” means, ~~without limitation because of~~
22 ~~enumeration,~~ includes any construction or installation of pedestrian thoroughfares,
23 perimeter parking facilities, public seating, park areas, outdoor cafes, skywalks,
24 sewers, shelters, trees, flower or shrubbery plantings, sculptures, newsstands,
25 telephone booths, traffic signs, sidewalks, traffic lights, kiosks, water pipes, fire

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1 hydrants, street lighting, ornamental signs, ornamental lights, graphics, pictures,
2 paintings, trash receptacles, display cases, marquees, awnings, canopies, overhead
3 or underground radiant heating pipes or fixtures, walls, bollards, chains and all such
4 other fixtures, equipment, facilities and appurtenances which, in the council's
5 judgment, will enhance the movement, safety, convenience and enjoyment of
6 pedestrians and benefit the city and the affected property owners.

7 (3) (a) Upon petition of ~~any~~ a community development advisory body or upon
8 its own motion, the council may by resolution designate lands to be acquired,
9 improved and operated as pedestrian malls or may by ordinance designate streets,
10 including a federal, state, county or any other highway system with the approval of
11 the jurisdiction responsible for maintaining that highway system, in or adjacent to
12 business districts to be improved for primarily pedestrian uses. The council may
13 acquire by gift, purchase, eminent domain, or otherwise, land, real property or
14 rights-of-way for inclusion in a pedestrian mall district or for use in connection with
15 pedestrian mall purposes. The council may also make improvements on mall
16 intersections, intersecting streets or upon facilities acquired for parking and other
17 related purposes, if ~~such~~ the improvements are necessary or convenient to the
18 operation of the mall.

19 (b) In establishing or improving a pedestrian mall, the council may narrow any
20 street designated a part of a pedestrian mall, reconstruct or remove any street vaults
21 or hollow sidewalks existing by virtue of a permit issued by the city, construct
22 crosswalks at any point on the pedestrian mall, or cause the roadway to curve and
23 meander within the limits of the street without regard to the uniformity of width of
24 the street or curve or absence of curve in the center line of ~~such~~ the street.

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1 (c) 1. Subject to subd. 2., the council may authorize the payment of the entire
2 cost of any pedestrian mall improvement established under this section by
3 appropriation from the general fund, by taxation or special assessments, and by the
4 issuance of municipal bonds, general or particular special improvement bonds,
5 revenue bonds, mortgages or certificates, or by any combination of ~~such~~ these
6 financing methods.

7 2. If ~~such~~ a pedestrian mall improvement is financed by special assessments
8 and special improvement bonds are not issued, ~~such~~ the special assessments, when
9 collected, shall be applied to the payment of the principal and interest on any general
10 obligation bonds issued or to the reduction of general taxes if ~~such~~ general obligation
11 bonds or the general tax levy ~~are~~ is used to finance the improvement.

12 (4) PRELIMINARY FINDINGS. No pedestrian mall may be established under sub.
13 (3) unless the council finds ~~that~~ all of the following:

14 (a) ~~The~~ That the proposed pedestrian mall will be located primarily in or
15 adjacent to a business district.

16 (b) ~~There~~ That there exist reasonably convenient alternate routes for private
17 vehicles to other parts of the city and state.

18 (c) ~~The~~ That the continued unlimited use by private vehicles of all or part of the
19 streets ~~or parts thereof~~ in the proposed mall district endangers pedestrian safety.

20 (d) ~~Properties~~ That properties abutting the proposed mall can be reasonably
21 and adequately provided with emergency vehicle services and delivery and receiving
22 of merchandise or materials either from other streets or alleys or by the limited use
23 of the pedestrian mall for ~~such~~ these purposes.

24 (e) ~~It~~ That it is in the public interest to use ~~such~~ all or part of the street ~~or~~
25 ~~portions thereof~~ in the proposed mall district primarily for pedestrian purposes.

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1 (5) (b) (intro.) Upon receiving the authority under par. (a) and upon completion
2 of the public hearing, the commissioner of public works shall prepare a report which
3 shall include all of the following:

4 4. A description of the property necessary to be acquired or interfered with and
5 the identity of the owner of each ~~such~~ parcel if the same owner can be readily
6 ascertained by the commissioner.

7 (c) In preparing ~~such~~ the report under par. (b), the commissioner of public
8 works shall consult with any community development advisory body which has been
9 organized in the proposed pedestrian mall district.

10 (d) After referring the report described in par. (b) to the city plan commission
11 for review and recommendations, the commissioner of public works shall submit
12 ~~such~~ the report, with the city plan commission's recommendations, if any, to the
13 council and shall file a copy in the office of the city clerk. The council may ~~then~~ refer
14 the report and recommendations, with any necessary modifications ~~it deems~~
15 necessary, to the board of assessment for action pursuant to subch. II of ch. 32.

16 (e) Notwithstanding any other provision of this section, if a petition protesting
17 the establishment of a pedestrian mall or a pedestrian mall improvement, duly
18 signed and acknowledged by the owners of 51% or more of the front footage of lands
19 abutting all or part of a street ~~or part thereof~~ proposed as a pedestrian mall, is filed
20 with the city clerk at any time prior to the conclusion of all proceedings required
21 under this section, the council shall terminate its proceedings, and no proposal for
22 the establishment of the same pedestrian mall or substantially the same pedestrian
23 mall may be introduced or adopted within one year after ~~such~~ termination of
24 proceedings under this paragraph.

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1 **(6) ORDINANCES; REQUIRED PROVISIONS.** (intro.) ~~Any~~ An ordinance establishing
2 as a pedestrian mall shall accomplish all of the following:

3 (b) Designate the streets, including intersecting streets, or parts thereof of
4 streets to be used as a pedestrian mall.

5 (c) Limit the use of the surface of ~~such~~ all or part of a street or part thereof used
6 as a pedestrian mall to pedestrian users and to emergency, public works,
7 maintenance and utility transportation vehicles during such times as that the
8 council determines appropriate to enhance the purposes and function of the
9 pedestrian mall.

10 **(7) USE BY PUBLIC CARRIERS.** If the council finds that all or part of a street or part
11 thereof which is designated as a pedestrian mall is served by a common carrier
12 engaged in mass transportation of persons within the city and that continued use of
13 ~~such~~ all or part of the street or part thereof by ~~such~~ the common carrier will benefit
14 the city, the public and adjacent property, the council may permit ~~such~~ the carrier to
15 use ~~such~~ all or part of the street or part thereof for ~~such~~ these purposes to the same
16 extent and subject to the same obligations and restrictions ~~which~~ that are applicable
17 to ~~such~~ the carrier in the use of other streets of the city. Upon like findings, the
18 council may permit use of ~~such~~ all or part of the street or part thereof by taxicabs or
19 other public passenger carriers.

20 **(8) PERMITS.** (a) If, at the time an ordinance establishing a pedestrian mall is
21 ~~adopted~~ enacted, any property abutting ~~such~~ all or part of the pedestrian mall or part
22 thereof does not have access to some other street or alley for the delivery or receiving
23 of merchandise or materials, ~~such~~ the ordinance shall provide for either one of the
24 following:

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1 1. The issuance of special access permits to the affected owners for ~~such~~ these
2 purposes; ~~or~~.

3 2. The designation of the hours or days on which ~~such~~ the pedestrian mall may
4 be used for ~~such~~ these purposes without unreasonable interference with the use of
5 all or part of the mall ~~or part thereof~~ by pedestrians and other authorized vehicles.

6 (b) The council may issue temporary permits for closing all or part of a
7 pedestrian mall ~~or any part thereof~~ to all vehicular traffic for the promotion and
8 conduct of sidewalk art fairs, sidewalk sales, craft shows, entertainment programs,
9 special promotions and for ~~such~~ other special activities consistent with the ordinary
10 purposes and functions of the pedestrian mall.

11 **(9) EXCESS ESTIMATED COST; ASSESSMENT ADJUSTMENTS.** (a) If, after the
12 completion of any pedestrian mall improvement, the commissioner of public works
13 certifies that the actual cost is less than the estimated cost upon which any aggregate
14 assessment is based, ~~such~~ the aggregate assessment shall be reduced, subject to par.
15 (c), by a percentage amount of the excess estimated cost which is equal to the
16 percentage of the estimated cost financed by ~~such~~ the aggregate assessment. The
17 city comptroller shall certify to the city treasurer the amount that is refundable
18 under this subsection.

19 (b) If ~~such~~ the aggregate assessment described in par. (a) has been fully
20 collected, the city treasurer shall refund the excess assessment to the affected
21 property owners on a proportional basis.

22 (c) If ~~such~~ the aggregate assessment described in par. (a) has not been fully
23 collected, the amount of the refundable assessment shall be reduced by a sum
24 determined by the council to be sufficient to cover anticipated assessment collection
25 deficiencies, and the balance, if any, shall be refunded to the affected owners on a

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1 proportional basis. The treasurer shall deduct the appropriate amount from
2 instalments due after the receipt of the certificate from the city comptroller.

3 **(10) ANNUAL COSTS; SPECIAL ACCOUNT.** (a) Concurrently with the submission of
4 the plan, and annually thereafter by June 15 of each year, the city comptroller and
5 the commissioner of public works, with the assistance of a community development
6 advisory body, if any, shall furnish the council with a report estimating the cost of
7 improving, operating and maintaining any pedestrian mall district for the next fiscal
8 year. Under the plan in effect, ~~such~~ the report shall include itemized cost estimates
9 of any proposed changes in the plan under consideration by the council and also a
10 detailed summary of the estimated costs chargeable to all of the following categories:

11 1. The amount of the annual costs chargeable to the general fund. ~~Such~~ The
12 amount may not exceed that amount which the city normally allocates from the
13 general fund for maintenance and operation of a street of similar size and location
14 not improved as a pedestrian mall.

15 2. The amount of the annual costs chargeable to owners of property in the
16 district who are benefited by ~~such~~ annual mall improvements. The aggregate
17 amount assessed against ~~such~~ the owners may not exceed the aggregate benefits
18 accruing to all ~~such~~ assessable property.

19 3. The amount of the annual costs, if any, to be specially taxed against taxable
20 property in the district. ~~Such~~ The amount shall be determined by deducting from the
21 estimated annual costs the amounts under subds. 1. and 2. and the amount of
22 anticipated rentals received from vendors using pedestrian mall facilities.

23 (b) Moneys appropriated and collected for annual pedestrian mall
24 improvement costs shall be credited to a special account. The council may incur ~~such~~
25 necessary annual costs as ~~it deems necessary~~, whether or not they have been

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1 included in the budget for that fiscal year, except that such nonbudgeted
2 expenditures shall be included in the estimate required under par. (a) for the next
3 following fiscal year. Any unexpended balances in ~~such~~ the special account
4 remaining at the end of a fiscal year shall be carried over to the appropriate category
5 of the estimate required under par. (a) for the ~~next~~ following fiscal year.

6 **(11) NUISANCES: LIMITATION OF LIABILITY.** (a) The installation of any furniture,
7 structure or facility or the permitting of any use in a pedestrian mall district under
8 a final plan adopted under this section ~~may~~ is not be deemed a nuisance or unlawful
9 obstruction or condition by reason of the location of ~~such~~ the installation or use.

10 (b) ~~Such installation or use may not cause the~~ The city or any person acting
11 under permit ~~to be~~ is not liable for injury to persons or property in the absence of
12 negligence in the construction, maintenance, operation or conduct of ~~such~~ the
13 installation or use under par. (a).

14 **(13) SUBSTANTIAL COMPLIANCE; VALIDITY.** Substantial compliance with the
15 requirements of this section is sufficient to give effect to any proceedings hereunder
16 conducted under this section and any error, irregularity or informality not affecting
17 substantial justice does not affect the validity of ~~such~~ the proceedings.

18 **SECTION 542.** 66.615 of the statutes is renumbered 66.0907, and 66.0907 (1),
19 (2), (3) (a), (c) (intro.), 1. and 2., (d), (e) and (f), (5), (6), (7) and (10) (intro.), as
20 renumbered, are amended to read:

21 66.0907 **(1) PART OF STREET; OBSTRUCTIONS.** Streets shall provide a right-of-way
22 for vehicular traffic and, where the council so requires, a sidewalk on either or both
23 sides thereof; ~~the~~ of the street. The sidewalk shall be for the use of persons on foot,
24 and no person shall be allowed to may encumber the same sidewalk with boxes or

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1 other material; ~~but such.~~ The sidewalk shall be kept clear for the uses specified
2 herein use of persons on foot.

3 (2) GRADE. ~~In all cases where~~ If the grades of sidewalks shall are not have been
4 specially fixed by ordinance, the sidewalks shall be laid to the established grade of
5 the street.

6 (3) (a) *Authority of council.* The council may ~~from time to time~~ by ordinance
7 or resolution determine where sidewalks shall be constructed and establish the
8 width, determine the material and prescribe the method of construction of standard
9 sidewalks, ~~and the.~~ The standard so fixed may be different for different streets, ~~and.~~
10 The council may order by ordinance or resolution sidewalks to be laid as provided in
11 this subsection.

12 (c) *Notice.* (intro.) A copy of the ordinance, resolution or order directing such
13 the laying, removal, replacement or repair of sidewalks shall be served upon the
14 owner, or an agent, of each lot or parcel of land in front of which such the work is
15 ordered. The board of public works, or either the street commissioner or the city
16 engineer if so requested by the council, may serve the notice. Service of the notice
17 may be made by any of the following methods:

- 18 1. Personal delivery; ~~;~~
- 19 2. Certified or registered mail; ~~or.~~

20 (d) *Default of owner.* ~~Whenever any such owner shall neglect~~ If the owner
21 neglects for a period of 20 days after such service of notice under par. (c) to lay,
22 remove, replace or repair ~~any such~~ the sidewalk the city may cause such the work
23 to be done at the expense of such the owner. All work for the construction of sidewalks
24 shall be let by contract to the lowest responsible bidder except as provided in s. 62.15
25 (1).

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1 (e) *Minor repairs.* If the cost of repairs of any sidewalk in front of any lot or
2 parcel of land does not exceed the sum of \$100, the board of public works, street
3 commissioner or city engineer, if so required by the council, may immediately repair
4 such the sidewalk, without notice or ~~letting the work by contract~~, and charge the cost
5 ~~thereof of the repair~~ to the owner of such the lot or parcel of land, as provided in this
6 section.

7 (f) *Expense.* The board of public works shall keep an accurate account of the
8 expenses of laying, removing and repairing sidewalks in front of each lot or parcel
9 of land, whether the work is done by contract or otherwise, and report the same
10 expenses to the comptroller ~~who.~~ The comptroller shall annually prepare a
11 statement of the expense so incurred in front of each lot or parcel of land and report
12 the same amount to the city clerk, ~~and the.~~ The amount therein charged to each lot
13 or parcel of land shall be entered by such the clerk in the tax roll as a special tax
14 against said the lot or parcel of land, and ~~the same shall be collected in all respects~~
15 like other taxes upon real estate. The council by resolution or ordinance may provide
16 that the expense so incurred may be paid in up to 10 annual instalments and ~~upon~~
17 ~~such determination~~, the comptroller shall prepare the expense statement as herein
18 ~~required in such manner and with such frequency as the improved to reflect the~~
19 instalment payment schedule allows. If annual instalments for such ~~expense~~
20 sidewalk expenses are authorized, the city clerk shall charge the amount to each lot
21 or parcel of land and enter it on the tax roll as a special tax against such the lot or
22 parcel each year until all instalments have been entered, and the same amount shall
23 be collected ~~in all respects~~ like other taxes upon real estate. The council may provide
24 that the street commissioner or city engineer shall perform the duties imposed by
25 this section on the board of public works.

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1 **(5) SNOW AND ICE.** The board of public works shall keep the sidewalks of the city
2 clear of snow and ice in all cases where the owners or occupants of abutting lots fail
3 to do so, and the expense of ~~so doing~~ clearing in front of any lot or parcel of land shall
4 be included in the statement to the comptroller required by sub. (3) (f), ~~and~~ in the
5 comptroller's statement to the city clerk and in the special tax to be levied as ~~therein~~
6 ~~provided~~. The city may also impose a fine or penalty for neglecting to keep sidewalks
7 clear of snow and ice.

8 **(6) REPAIR AT CITY EXPENSE.** ~~Whenever the~~ The council shall by resolution or
9 ~~ordinance so determine,~~ may provide that sidewalks shall be kept in repair by and
10 at the expense of the city, ~~or the council~~ may direct that a certain proportion of the
11 cost of construction, reconstruction or repair be paid by the city and the balance by
12 abutting property owners.

13 **(7) RULES.** The council may ~~from time to time make all needful rules and~~
14 ~~regulations by ordinance for carrying the aforesaid~~ implement the provisions into
15 effect, ~~for regulating of this section,~~ regulate the use of the sidewalks of the city and
16 ~~preventing~~ prevent their obstruction.

17 **(10) APPLICATION OF SECTION; DEFINITIONS.** (intro.) The provisions of this section
18 shall do not apply to 1st class cities but shall be applicable apply to towns and
19 villages, and when applied to towns and villages:

20 **SECTION 543.** 66.616 of the statutes is renumbered 66.0909, and 66.0909 (1),
21 as renumbered, is amended to read:

22 **66.0909 (1)** The standard for construction of curbs and sidewalks on each side
23 of ~~any a~~ city or village street, or ~~any a~~ connecting highway or town road for which
24 curbs and sidewalks have been prescribed by the governing body of the town, city or
25 village having jurisdiction ~~thereover~~, shall include curb ramping providing access to

ASSEMBLY BILL 710**SECTION 543**

1 crosswalks at intersections and other designated locations. Curb ramping includes
2 the curb opening, the ramp and that part of the sidewalk or apron leading to and
3 adjacent to the curb opening. Any person constructing new curbs or sidewalks or
4 replacing curbs or sidewalks within 5 feet of a legal crosswalk in any city street,
5 village street, connecting highway or town road shall comply with the standards for
6 curb ramping under this section.

7 **SECTION 544.** 66.62 of the statutes is renumbered 66.0701 and amended to
8 read:

9 **66.0701 Special assessments by local ordinance.** (1) Except as provided
10 in s. ~~66.60 (6m)~~ 66.0721, in addition to other methods provided by law, the ~~common~~
11 ~~council governing body~~ of any a town, village or 2nd, 3rd or 4th class city, a village
12 ~~board or a town board~~ may, by ordinance, provide that the cost of installing or
13 constructing any public work or improvement shall be charged in whole or in part
14 to the property benefited ~~thereby~~, and to make an assessment against such the
15 property benefited in such the manner as ~~such council or board~~ that the governing
16 body determines. ~~Such~~ The special assessment shall be is a lien against the property
17 from the date of the levy.

18 (2) Every ~~such~~ ordinance under this section shall contain provisions for
19 reasonable notice and hearing. Any person against whose land a special assessment
20 is levied under ~~any such~~ the ordinance shall ~~have the right to~~ may appeal therefrom
21 in the manner prescribed in s. ~~66.60~~ 66.0703 (12) within 40 days of the date of the
22 final determination of the governing body.

23 **SECTION 545.** 66.625 of the statutes is renumbered 66.0911 and amended to
24 read:

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1 **66.0911 Laterals and service pipes.** ~~Whenever~~ If the governing body shall
2 by resolution ~~require~~ requires water, heat, sewer and gas laterals or service pipes to
3 be constructed from the lot line or near the lot line to the main or from the lot line
4 to the building to be serviced, or both, it may provide that when the work is done by
5 the city, village or town or under a city, village or town contract, a record of the cost
6 of constructing ~~sueh~~ the laterals or service pipes shall be kept and ~~sueh~~ the cost, or
7 the average current cost of laying ~~sueh~~ the laterals or service pipes, shall be charged
8 and be a lien against the lot or parcel served.

9 **SECTION 546.** 66.63 of the statutes is renumbered 66.0725 and amended to
10 read:

11 **66.0725 Assessment of condemnation benefits.** (1) As a complete
12 alternative to any other method provided by law, for the purpose of payment of the
13 expenses, including ~~sueh~~ the excess of damages and all other expenses and costs,
14 incurred for the taking of private property for the purpose set forth in ss. 32.02 (1),
15 61.34 (3) and 62.22, the governing body of the a town, city or village may, by
16 resolution, levy and assess the whole or any part of ~~sueh~~ the expenses, as a special
17 assessment upon ~~sueh~~ the property ~~as they determine that the governing body~~
18 determines is specially benefited thereby, ~~and they by the taking.~~ The governing
19 body shall include in ~~said~~ the levy the whole or any part of the excess of benefits over
20 total damages, if any, ~~making therein~~ and make a list of every lot or parcel of land
21 so assessed, the name of the owner ~~thereof~~, if known, and the amount levied ~~thereon~~
22 on the property.

23 (2) ~~Sueh~~ The resolution under sub. (1) shall be published as a class 2 notice,
24 under ch. 985, ~~and with~~ with a notice ~~therewith~~ that at a the time and place stated ~~therein~~,
25 the governing body will meet ~~at their usual place of meeting~~ and hear all objections

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1 ~~which may be made to such~~ the assessment or to any part thereof. If such the
2 resolution levies an assessment against property outside the corporate limits, notice
3 ~~as provided herein~~ shall be given by mailing a copy of the resolution and the notice
4 by registered mail to the last-known address of the owner of such the property. A
5 copy of such the resolution shall be filed with the clerk of the town in which the
6 property is located.

7 (3) At the time so fixed the governing body shall meet and hear ~~all such~~
8 objections, and for that purpose may adjourn to a date set by the governing body, until
9 the hearing is completed, and shall by resolution confirm or modify such the
10 assessment in whole or in part. At any time before the first day of the next November
11 ~~thereafter~~ any party liable may pay any such the assessment to the town, city or
12 village treasurer. On ~~such first day of~~ November 1, if any such the assessment
13 remains unpaid, the treasurer shall make a certified statement showing what
14 assessments ~~so levied~~ under this section remain unpaid, and file the ~~same~~ statement
15 with the clerk, who shall ~~extend the same upon~~ place the unpaid assessments on the
16 tax roll of such municipality, ~~in addition to and as part of all other taxes therein levied~~
17 ~~on such land, to be collected therewith~~ for collection.

18 (4) At the time of making out the tax roll, next after the filing of any assessment
19 ~~to pay the expenses incurred in proceedings for the condemnation of lands outside~~
20 ~~the corporate limits, the~~ The town clerk shall enter in said on the tax roll the benefits
21 not offset by damages or an excess of benefits over damages which shall be are levied
22 ~~on the land described as a special assessment~~ under this section by a city or village
23 on land in the town and shall be collected the same collect the assessment in the same
24 manner as other taxes. ~~Such amounts when~~ The assessments collected shall be paid
25 over to the city or village treasurer to be applied in payment of any damages or excess

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1 of damages over benefits awarded by ~~such~~ the assessment; ~~and in case.~~ If the amount
2 of ~~such~~ special assessments ~~are~~ is insufficient to pay all damages or excess of
3 damages over benefits so awarded, ~~then~~ the difference shall be paid by the city or
4 village. ~~Any such damages~~ Damages or excess of damages over benefits may be paid
5 out of ~~such~~ the fund ~~prior to~~ before the collection of ~~such~~ the special assessments, ~~to~~
6 be and reimbursed ~~therefrom~~ when collected.

7 (5) Any person against whose land an assessment of benefits is made ~~pursuant~~
8 ~~to~~ under this section may appeal ~~therefrom~~ as prescribed in s. 32.06 (10) within 30
9 days of the adoption of the resolution required under sub. (3).

10 **SECTION 547.** 66.635 of the statutes is renumbered 66.0731 and amended to
11 read:

12 **66.0731 Reassessment of invalid condemnation and public**
13 **improvement assessments.** (1) If in any an action, other than an action ~~pursuant~~
14 ~~to s. 66.60 (12), for the recovery of damages arising from a failure to make a proper~~
15 ~~assessment of benefits and damages, as provided by law, or failure to observe any~~
16 ~~provision of law, or because of any act or defect in any proceeding in which benefits~~
17 ~~and damages are assessed, and in any action to set aside any~~ under s. 66.0703 (12),
18 involving a special assessment, special assessment certificate, bond or note or tax
19 certificate based ~~upon~~ on the special assessment, the court determines that
20 ~~such~~ the assessment is invalid by reason of a defective assessment of benefits and
21 damages, or for any cause, it shall stay all proceedings, frame an issue therein and
22 summarily try the ~~same~~ issue and determine the amount ~~which~~ that the plaintiff
23 justly ought to pay or which should be justly assessed against the property in
24 question. ~~Such~~ That amount shall be ordered to be paid into court for the benefit of
25 the parties entitled ~~thereto~~ to the amount within a fixed time ~~to be fixed~~. Upon

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1 compliance with said the order judgment shall be entered for the plaintiff with costs.
2 If the plaintiff fails to comply with such the order the action shall be dismissed with
3 costs.

4 (2) If the common council, village board or town board determines that any
5 special assessment is invalid for any reason, it may reopen and reconsider such the
6 assessment as provided in s. ~~66.60~~ 66.0703 (10).

7 **SECTION 548.** 66.64 of the statutes is renumbered 66.0705 and amended to
8 read:

9 **66.0705 Special Property of public and private entities subject to**
10 **special assessments for local improvements.** (1) (a) The property of the this
11 state, except that held for highway right-of-way purposes or acquired and held for
12 purposes under s. 85.09, and the property of every county, city, village, town, school
13 district, sewerage district or commission, sanitary or water district or commission,
14 or any public board or commission within this state, and of every corporation,
15 company or individual operating any railroad, telegraph, telecommunications,
16 electric light or power system, or doing any of the business mentioned in ch. 76, and
17 of every other corporation or company ~~whatever, shall be~~ is in all respects subject to
18 all special assessments for local improvements.

19 (b) Certificates and improvement bonds ~~therefor~~ for special assessments may
20 be issued and the lien ~~thereof~~ of the special assessments enforced against such
21 property described in par. (a), except property of the state, in the same manner and
22 to the same extent as the property of individuals. ~~Such assessments shall~~ Special
23 assessments on property described in par. (a) may not extend to the right, easement
24 or franchise to operate or maintain railroads, telegraph, telecommunications or
25 electric light or power systems in streets, alleys, parks or highways. The amount

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1 represented by any certificate or improvement bond issued as aforesaid shall be
2 under this paragraph is a debt due personally from such the corporation, company
3 or individual, payable in the case of a certificate when the taxes for the year of its
4 issue are payable, and in the case of a bond according to the terms thereof of the bond.

5 (2) In this subsection, "assessment" means a special assessment on property
6 of the this state and "project" means any continuous improvement within overall
7 project limits regardless of whether small exterior segments are left unimproved. If
8 the assessment of a project is less than \$50,000, or if the assessment of a project is
9 \$50,000 or more and the building commission approves the assessment under s.
10 ~~66.60 (4)~~ 66.0703 (6), the state agency which manages the property shall pay the
11 assessment from the revenue source which supports the general operating costs of
12 the agency or program against which the assessment is made.

13 **SECTION 549.** 66.645 of the statutes is repealed.

NOTE: Repealed as unnecessary. The provision, which refers to special assessments levied under s. 66.64, provides for the collection and enforcement of those assessments. Collection and enforcement of special assessments are provided elsewhere in the statutes; for example, ss. 66.0701, 66.0703 (13), 66.0717 and 74.53.

14 **SECTION 550.** 66.65 (title) and (1) of the statutes are renumbered 66.0707 (title)
15 and (1) and amended to read:

16 **66.0707** (title) **Assessment or special charge against city, village or**
17 **town property abutting on improvement in adjacent city, village or town.**

18 (1) A city, village or town may levy special assessments for municipal work or
19 improvement under s. ~~66.60 upon~~ 66.0703 on property in an adjacent city, village or
20 town, if such the property abuts upon and benefits from such the work or
21 improvement and if the governing body of the municipality where the property is
22 located, by resolution approves such the levy. ~~In any such case the~~ by resolution. ~~The~~

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1 owner of such ~~the~~ property shall be is entitled to the use of the work or improvement
2 upon ~~on~~ which such ~~the~~ assessment is based upon ~~on~~ the same conditions as the
3 owner of property within the city, village or town.

4 **SECTION 551.** 66.65 (2) of the statutes is renumbered 66.0707 (3) and amended
5 to read:

6 66.0707 (3) A special assessment or special charge under this section shall be
7 is a lien against the benefited property and shall be collected by the treasurer in the
8 same manner as the taxes of the municipality and paid over by the treasurer to the
9 treasurer of the municipality levying such ~~the~~ assessment.

NOTE: The scope of this provision is expanded to include special charges. See
SECTION 192 of this bill.

10 **SECTION 552.** 66.694 of the statutes is renumbered 66.0727 and amended to
11 read:

12 **66.0727 Special assessments against railroad for street improvement.**

13 (1) (a) If ~~any a~~ city, village or town causes ~~any~~ improves a street, alley or public
14 highway within its corporate limits ~~to be improved, including~~ by grading, curbing,
15 ~~or paving or otherwise improving the street, alley or public highway, where, if~~ the
16 entire or partial cost of the improvement is assessed against abutting property, and
17 if the street, alley or public highway is crossed by the track of ~~any a~~ railroad engaged
18 as a common carrier, the common council or board of public works of the city, or the
19 village or town board, shall, at any time after the completion and acceptance of the
20 improvement by the municipality, file with the local agent of the railroad corporation
21 operating the railroad a statement showing the amount chargeable to the railroad
22 corporation for the improvement.

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1 (b) The amount chargeable to the railroad corporation ~~shall be an~~ is the amount
2 equal to the cost of constructing the improvement along the street, alley or public
3 highway immediately in front of and abutting its right-of-way on each side of the
4 street, alley or public highway at the point where the track crosses the street, alley
5 or public highway, based upon the price per square yard, lineal foot or other unit of
6 value used in determining the total cost of the improvement.

7 (2) The amount charged against ~~any a~~ a railroad corporation for improving the
8 street, alley or public highway, fronting or abutting its right-of-way, ~~shall~~ may not
9 exceed the average amount per front foot assessed against the remainder of the
10 property fronting or abutting on the improved street, alley or public highway so
11 ~~improved~~. The amount calculated under sub. (1) and contained in the statement
12 ~~shall be~~ is due and payable by the railroad corporation to the municipality, ~~causing~~
13 filing the statement ~~to be filed~~ within 30 days of the date when the statement ~~shall~~
14 ~~be~~ is presented to the local representative of the railroad corporation.

15 **SECTION 553.** 66.695 (title) of the statutes is repealed.

16 **SECTION 554.** 66.695 of the statutes is renumbered 66.0727 (3) and amended
17 to read:

18 66.0727 (3) If ~~any a~~ a railroad corporation fails or refuses to pay ~~to any a~~ a city,
19 village or town the amount set forth in any statement or claim for ~~the making of~~
20 street, alley or public highway improvements, ~~as provided in s. 66.694, under this~~
21 section within the time specified in the statement, the city, village or town ~~shall have~~
22 ~~a valid~~ has a claim for ~~such~~ that amount against the railroad corporation, and may
23 maintain an action in any circuit court within this state to recover the amount in the
24 statement.

25 **SECTION 555.** 66.696 (title) of the statutes is renumbered 66.0729 (title).

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1 **SECTION 556.** 66.696 of the statutes is renumbered 66.0729 (1) and amended
2 to read:

3 66.0729 (1) If the track of ~~any a~~ railroad is laid upon or along ~~any a~~ street, alley
4 or public highway within any city, village or town, the corporation operating the
5 railroad shall maintain and improve the portion of the street, alley or public highway
6 that is occupied by its tracks. The railroad corporation shall grade, pave or otherwise
7 improve the portion of the street, alley or public highway ~~or portion thereof~~ in such
8 the manner and with ~~such~~ the materials as that the common council of the city or the
9 village or town board determines. The railroad corporation is not required to pave
10 or improve that portion of the street, alley or public highway occupied by it with
11 different material or in a different manner from that in which the remainder of the
12 street is paved or improved. The railroad corporation ~~shall be~~ is liable to pay for
13 paving, grading or otherwise improving a street, alley or public highway only to the
14 extent that the actual cost of the improvement exceeds the estimated cost of the
15 improvement were the street, alley or public highway not occupied by the tracks of
16 the railroad.

17 **SECTION 557.** 66.697 (title) of the statutes is repealed.

18 **SECTION 558.** 66.697 (1) and (2) of the statutes are renumbered 66.0729 (2) and
19 (3) and amended to read:

20 66.0729 (2) If ~~any a~~ city, village or town orders ~~any a~~ street, alley or public
21 highway to be paved, graded, curbed or improved, as provided in s. ~~66.696 sub. (1)~~,
22 the clerk of the city, village or town shall ~~cause to be served upon~~ serve the local agent
23 of the railroad corporation, a notice setting forth the action taken by the city, village
24 or town relative to the improvement of the street, alley or public highway.

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1 **(3)** If the railroad corporation elects to construct the street, alley or public
2 highway improvement, it shall within 10 days of the receipt of the notice from the
3 clerk of the city, village or town, file with the clerk a notice of its intention to construct
4 the street, alley or public highway improvement, and it shall be allowed until the
5 following June 30 ~~thereafter~~ to complete the work, unless the work is ordered after
6 May 20 of any year, and in that case the railroad corporation shall be allowed 40 days
7 from the time the clerk of the municipality presents the notice to the railroad agent,
8 in which to complete the work.

9 **SECTION 559.** 66.698 (title) of the statutes is repealed.

10 **SECTION 560.** 66.698 (1) and (2) of the statutes are renumbered 66.0729 (4) and
11 (5) and amended to read:

12 66.0729 (4) If ~~any~~ a city, village or town orders ~~any~~ a street, alley or public
13 highway improved, ~~as provided in s. 66.696,~~ under sub. (1) and serves notice on the
14 railroad corporation, ~~as provided in s. 66.697,~~ under sub. (2) and the railroad
15 corporation elects not to construct the improvement or elects to construct the
16 improvement but fails to construct the improvement within the time ~~provided in s.~~
17 ~~66.697~~ under sub. (3), the city, village or town shall ~~proceed to~~ let a contract for the
18 construction of the improvement, and ~~cause~~ improve the street, alley or public
19 highway ~~to be improved~~ as determined under s. 66.696, ~~and when~~ sub. (1). When the
20 improvement is completed and accepted by the city, village or town, the clerk of the
21 city, village or town shall present to the local agent of the railroad corporation a
22 statement of the actual cost of the improvement, and the railroad corporation shall,
23 within 20 days of its receipt of the statement, pay ~~to~~ the treasurer of the city, village
24 or town the amount shown by the statement.

ASSEMBLY BILL 710**SECTION 560**

1 (5) If any a railroad corporation fails to pay the cost of constructing any
2 pavement or other street improvement as provided under sub. (1), the city, village or
3 town causing responsible for the improvement to be constructed shall have the right
4 to may enforce collection of the amount by an action at law against the railroad
5 corporation as provided in s. ~~66.695~~ 66.0727 (3).

6 **SECTION 561.** 66.699 of the statutes is repealed.

NOTE: Restated in renumbered ss. 66.0727 (4) and 66.0729 (6). See SECTIONS
209 and 210 of this bill.

7 **SECTION 562.** 66.70 of the statutes is renumbered 66.0611 and amended to
8 read:

9 **66.0611 Political subdivisions prohibited from levying tax on incomes.**

10 No county, city, village, town, or other unit of government authorized to levy taxes
11 shall may assess, levy or collect any tax on income, or measured by income, and any
12 such tax so assessed or levied is void.

13 **SECTION 563.** 66.73 of the statutes is repealed.

NOTE: Repeals s. 66.73, which authorizes a county, municipal or school board to
annually provide for and appropriate funds for a program of citizenship
education, including a ceremony of the induction to citizenship for those who
have been enfranchised within the past year.

14 **SECTION 564.** 66.74 of the statutes is renumbered 66.0613.

15 **SECTION 565.** 66.75 (title), (1) and (1m) (a) to (e) and (f) 1. and 2. of the statutes
16 are renumbered 66.0615 (title), (1) and (1m) (a) to (e) and (f) 1. and 2., and 66.0615
17 (1) (dm) and (1m) (a) and (b) 2., as renumbered, are amended to read:

18 66.0615 (1) (dm) "Sponsoring municipality" means any a city, village or town
19 that creates a district either separately or in combination with another city, village,
20 town or county.

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1 **(1m)** (a) The governing body of a municipality may enact an ordinance, and a
2 district, under par. (e), may adopt a resolution, imposing a tax on the privilege of
3 furnishing, at retail, except sales for resale, rooms or lodging to transients by
4 hotelkeepers, motel operators and other persons furnishing accommodations that
5 are available to the public, irrespective of whether membership is required for use
6 of the accommodations. ~~Any~~ A tax imposed under this paragraph is not subject to
7 the selective sales tax imposed by s. 77.52 (2) (a) 1. and may not be imposed on sales
8 to the federal government and persons listed under s. 77.54 (9a). ~~Any~~ A tax imposed
9 under this paragraph by a municipality shall be paid to the municipality and may
10 be forwarded to a commission if one is created under par. (c), as provided in par. (d).
11 Except as provided in par. (am), ~~any~~ a tax imposed under this paragraph by a
12 municipality may not exceed 8%. Except as provided in par. (am), if a tax greater
13 than 8% under this paragraph is in effect on May 13, 1994, the municipality imposing
14 the tax shall reduce the tax to 8%, effective on June 1, 1994.

15 (b) 2. If 2 or more municipalities in a zone impose a room tax under par. (a), the
16 municipalities shall enter into a contract under s. ~~66.30~~ 66.0301 to create a
17 commission under par. (c). If no tourism entity exists in any of the municipalities in
18 the zone that have formed a commission, the commission shall contract with another
19 organization in the zone to perform the functions of the tourism entity. Each
20 municipality in a single zone that imposes a room tax shall levy the same percentage
21 of tax. If the municipalities are unable to agree on the percentage of tax for the zone,
22 the commission shall set the percentage.

23 **SECTION 566.** 66.75 (1m) (f) 3. of the statutes, as affected by 1999 Wisconsin Act
24 9, is renumbered 66.0615 (1m) (f) 3.

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1 **SECTION 567.** 66.75 (1m) (f) 4. and 5., (2) and (3) of the statutes are renumbered
2 66.0615 (1m) (f) 4. and 5., (2) and (3), and 66.0615 (2) (a) and (c), as renumbered, are
3 amended to read:

4 66.0615 (2) (a) ~~Whenever the~~ If a municipality or district has probable cause
5 to believe that the correct amount of room tax has not been assessed or that the tax
6 return is not correct, inspect and audit the financial records of any person subject to
7 sub. (1m) pertaining to the furnishing of accommodations to determine whether ~~or~~
8 ~~not~~ the correct amount of room tax is assessed and whether ~~or not~~ any room tax
9 return is correct.

10 (c) Determine the tax under sub. (1m) according to its best judgment if ~~any a~~
11 person required to make a return fails, neglects or refuses to do so for the amount,
12 in the manner and form and within the time prescribed by the municipality or
13 district.

14 **SECTION 568.** 66.77 of the statutes is renumbered 59.605.

15 **SECTION 569.** 66.80 (title) of the statutes is renumbered 62.63 (title) and
16 amended to read:

17 **62.63 (title) Benefit funds for officers and employes of first 1st class**
18 **cities.**

19 **SECTION 570.** 66.80 (1) of the statutes is repealed.

NOTE: Restated as part of s. 62.63 (1), created by SECTION 15 of this bill.

20 **SECTION 571.** 66.80 (2) of the statutes is renumbered 62.63 (2) and amended
21 to read:

22 62.63 (2) RETIREMENT BOARD. ~~Upon approval by~~ By a majority vote of the its
23 members ~~of~~, the common council of ~~such a~~ 1st class city ~~the common council shall~~ may
24 create a retirement board, ~~the members of which shall serve without compensation,~~

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1 ~~which board shall have full power and authority to administer such an annuity and~~
2 ~~benefit fund, and to under this section. The retirement board may make such rules~~
3 ~~and regulations under which all participants shall contribute to and receive benefits~~
4 ~~from such the fund. Members of the board shall serve without compensation. Three~~
5 ~~members of the retirement board shall be city employees elected by the members of~~
6 ~~the retirement system and shall serve 4-year terms and 5 members shall be~~
7 ~~appointed under s. ~~66.146~~ 62.51 and shall serve 3-year terms. The common council~~
8 ~~may provide for contribution by the city to such the annuity and benefit fund. The~~
9 ~~executive director of the retirement board shall be appointed under s. ~~66.146~~ 62.51.~~

10 **SECTION 572.** 66.80 (3) of the statutes is repealed.

NOTE: Restated as part of s. 62.63 (1), created by SECTION 15 of this bill.

11 **SECTION 573.** 66.805 of the statutes is renumbered 62.65 and amended to read:

12 **62.65 Death benefit payments to foreign beneficiaries.** ~~A retirement~~
13 ~~system of any The common council of a 1st class city of the first class may provide by~~
14 ~~appropriate enactment of the local legislative body that under the city's retirement~~
15 ~~system no beneficiary may be designated for the payment of any retirement~~
16 ~~allowance, pension or proceeds of a member of such the retirement system if such the~~
17 ~~beneficiary is not a resident of either the United States or Canada. If a beneficiary~~
18 ~~is designated who is neither a resident of the United States nor Canada, any~~
19 ~~contributions or retirement allowance which would have been paid to the beneficiary~~
20 ~~had the beneficiary been a resident of either the United States or Canada shall be~~
21 ~~deemed is payable to the estate of the deceased member of such the retirement~~
22 ~~system. The local legislative body of the city of the first class common council may~~
23 ~~also provide by appropriate enactment that if a death benefit would be payable~~
24 ~~because of the death of a member of the retirement system and the designated~~

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1 beneficiary of such the death benefit is not a resident of either the United States or
2 Canada, the death benefit which would have been paid had the designated
3 beneficiary been a resident of either the United States or Canada, ~~shall be deemed~~
4 is payable to the estate of the deceased member.

5 **SECTION 574.** 66.81 of the statutes is renumbered 62.63 (4) and amended to
6 read:

7 **62.63 (4) EXEMPTION OF FUNDS AND BENEFITS FROM TAXATION, EXECUTION AND**
8 **ASSIGNMENT.** Except as provided in s. 49.852 and subject to s. 767.265, all moneys and
9 assets of ~~any a~~ retirement system of ~~any a 1st class~~ city of ~~the first class~~ and all
10 benefits and allowances ~~and every portion thereof~~, both before and after payment to
11 any beneficiary, granted under ~~any such~~ the retirement system ~~shall be~~ are exempt
12 from any state, county or municipal tax or from attachment or garnishment process,
13 ~~and shall.~~ The benefits and allowances may not be seized, taken, detained or levied
14 upon by virtue of any executions, or any process or proceeding ~~whatsoever~~ issued out
15 of or by any court of this state, for the payment and ratification in whole or in part
16 of any debt, claim, damage, demand or judgment against any member of or
17 beneficiary under ~~any such~~ the retirement system, ~~and no.~~ No member of or
18 beneficiary under ~~any such~~ the retirement system shall have ~~any right to~~ may assign
19 any benefit or allowance, ~~or any part thereof~~, either by way of mortgage or otherwise;
20 ~~however, this.~~ The prohibition shall against assigning a benefit or allowance does
21 not apply to assignments made for the payment of insurance premiums. The
22 exemption from taxation ~~contained herein shall~~ under this section does not apply
23 with respect to any tax on income.

24 **SECTION 575.** 66.82 of the statutes is renumbered 62.63 (3) and amended to
25 read:

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1 62.63 (3) INVESTMENT OF RETIREMENT FUNDS IN 1ST CLASS CITIES. The board of any
2 a retirement system ~~in~~ of a 1st class city, whose funds are independent of control by
3 the investment board, ~~shall have the power in addition to others provided to~~ may
4 invest funds from the system, in excess of the amount of cash required for current
5 operations, in loans, securities and any other investments authorized for investment
6 of funds of the public employe trust fund under s. 25.17 (3) (a) and (4). The
7 independent retirement system board ~~shall be then~~ is subject to the conditions
8 imposed on the investment board in making the investments under s. 25.17 (3) (e)
9 to (g), (4), (7), (8) and (15) but is exempt from the operation of ch. 881. In addition
10 to all other authority for the investment of funds granted to the board of ~~any a~~
11 retirement system of a 1st class city whose funds are independent of the control of
12 the investment board, the retirement system board of the city may invest its funds
13 in accordance with s. 206.34, 1969 stats. In making investments under this ~~section~~
14 subsection, the board of a retirement system of a 1st class city may invest in shares
15 of investments authorized under this ~~section~~ subsection.

16 **SECTION 576.** 66.88 of the statutes is renumbered 200.21, and 200.21 (intro.),
17 (3), (4), (6), (7) and (10), as renumbered, are amended to read:

18 **200.21 Definitions.** (intro.) In ~~ss. 66.88 to 66.918~~ this subchapter:

19 (3) "Commission" means the metropolitan sewerage commission created under
20 s. ~~66.882~~ 200.23.

21 (4) "District" means the metropolitan sewerage district created under s. ~~66.882~~
22 200.23.

23 (6) "Local sewer" means any sewer constructed, operated or maintained by any
24 municipality. "Local sewer" does not include any sewer that has been incorporated

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1 into the sewerage system under s. ~~66.896~~ 200.37 (2). If the classification of any sewer
2 is unclear, the presumption shall be that the sewer is local.

3 (7) “Municipality” means any city, town, village, sanitary district organized
4 under subch. IX of ch. 60 or metropolitan sewerage district organized under ss. ~~66.20~~
5 200.01 to ~~66.26~~ 200.15 that is located wholly or partially within the district or that
6 contracts for services under s. ~~66.898~~ 200.39.

7 (10) “Sewerage service area” means the area of the district and the area for
8 which service is provided by contract under s. ~~66.898~~ 200.39.

9 **SECTION 577.** 66.882 of the statutes is renumbered 200.23, and 200.23 (1) (a)
10 and (b) 1. and (2) (a) (intro.) and (b), as renumbered, are amended to read:

11 200.23 (1) (a) Except as provided in par. (b), a commission is established under
12 ~~ss. 66.88 to 66.918~~ this subchapter if the common council of any 1st class city passes
13 a resolution of necessity by a majority vote of the members–elect.

14 (b) 1. On April 27, 1982, each metropolitan sewerage district organized under
15 s. 59.96, 1979 stats., is reorganized as a district under ~~ss. 66.88 to 66.918~~ this
16 subchapter and a commission is created under ~~ss. 66.88 to 66.918~~ this subchapter.

17 (2) (a) (intro.) Except as provided in s. ~~66.884~~ 200.25 (7), the mayor of the 1st
18 class city shall appoint 7 individuals as members of the commission, each of whom
19 shall have his or her principal residence in the 1st class city. Three of the
20 commissioners appointed under this paragraph shall be elected officials. Each
21 commissioner appointed under this paragraph may take his or her seat immediately
22 upon appointment, pending confirmation or rejection by a majority of the
23 members–elect of the common council. An appointee whose confirmation is pending
24 may act within the scope of authority of a commissioner until the mayor withdraws
25 the appointment or the common council rejects the appointment, whichever is

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1 earlier. The mayor shall withdraw any appointment that the common council rejects
2 and may only resubmit the appointment for confirmation after at least one
3 subsequent appointment is rejected. For the purposes of this paragraph, "elected
4 official" means:

5 (b) Except as provided in s. ~~66.884~~ 200.25 (7), an executive council composed
6 of the elected executive officer of each city, village and town that is wholly or partly
7 within the boundaries of the district under s. ~~66.888~~ 200.29 (1), except a 1st class city,
8 shall appoint 4 members of the commission by a majority vote of the members of the
9 executive council. Each of these members shall have his or her principal residence
10 within the district but outside the 1st class city. Three of these members shall be
11 elected officials. Each commissioner appointed under this paragraph may take his
12 or her seat immediately upon appointment.

13 **SECTION 578.** ~~66.884~~ of the statutes is renumbered 200.25, and 200.25 (1) (a)
14 1. to 3. and (c), (2), (3), (4), (7) (a) and (8), as renumbered, are amended to read:

15 200.25 (1) (a) 1. Each commissioner appointed by the mayor of the 1st class city
16 under s. ~~66.882~~ 200.23 (2) (a) who is not an elected officer serves for a 3-year term
17 or until a successor is appointed, whichever is later.

18 2. Each commissioner appointed by the mayor of the 1st class city under s.
19 ~~66.882~~ 200.23 (2) (a) who is an elected officer serves for a one-year term or until a
20 successor is appointed, whichever is later.

21 3. Each commissioner appointed by the executive council under s. ~~66.882~~
22 200.23 (2) (b) serves for a 3-year term or until a successor is appointed, whichever
23 is later.

24 (c) Of the initial commissioners who are not elected officers appointed by the
25 mayor of the 1st class city under s. ~~66.882~~ 200.23 (2) (a), one commissioner has a term

ASSEMBLY BILL 710**SECTION 578**

1 of one year, one commissioner has a term of 2 years and 2 commissioners have a term
2 of 3 years. One of the initial commissioners appointed by the executive council under
3 s. ~~66.882~~ 200.23 (2) (b) has a term of one year, one of the initial commissioners has
4 a term of 2 years and 2 of the initial commissioners have terms of 3 years.

5 (2) SUCCESSORS. The mayor shall appoint successors to commissioners
6 appointed under s. ~~66.882~~ 200.23 (2) (a) and the executive council shall appoint
7 successors to commissioners appointed under s. ~~66.882~~ 200.23 (2) (b), as provided in
8 s. ~~66.882~~ 200.23. Each successor shall be appointed at least 6 weeks before the
9 expiration of the preceding commissioner's term.

10 (3) CHANGE OF RESIDENCE OR LOSS OF ELECTED STATUS. Any commissioner
11 appointed under s. ~~66.882~~ 200.23 (2) (a) who moves his or her principal residence
12 outside the 1st class city and any commissioner appointed under s. ~~66.882~~ 200.23 (2)
13 (b) who moves his or her principal residence outside the district or into the 1st class
14 city shall resign. Any commissioner who is an elected official and who is not reelected
15 or who otherwise leaves the elected office may serve not more than an additional 90
16 days after leaving office or until a successor is appointed, whichever occurs first.

17 (4) VACANCIES. Vacancies occurring during the term of any commissioner shall
18 be filled as provided under s. ~~66.882~~ 200.23, but only for the balance of the unexpired
19 term. All vacancies shall be filled within 90 days. The balance of the unexpired term
20 constitutes one term for the commissioner appointed to fill the vacancy. A
21 commissioner appointed to fill a vacancy may be reappointed for subsequent full
22 terms, as provided in sub. (1) (a).

23 (7) (a) Commencing in 1990, in the year immediately following the date when
24 the federal decennial census of population becomes available in printed form, the
25 commission shall reapportion the allocation of appointments between s. ~~66.882~~

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1 200.23 (2) (a) and (b) to reflect as nearly as possible the proportionate populations
2 within the district of the 1st class city and of the cities, villages and towns that are
3 represented on the executive council. As part of its reapportionment the commission
4 may increase the number of seats to not more than 13 and may decrease the number
5 of seats to not less than 9.

6 **(8) REMOVAL FROM OFFICE.** Any commissioner appointed by the mayor under s.
7 ~~66.882~~ 200.23 (2) (a) may be removed by the mayor. Any commissioner appointed by
8 the executive council under s. ~~66.882~~ 200.23 (2) (b) may be removed by the same
9 process as is used for appointment.

10 **SECTION 579.** 66.886 of the statutes is renumbered 200.27, and 200.27 (1), (2)
11 (a) 1. and (b), (3) and (4), as renumbered, are amended to read:

12 **200.27 (1) QUORUM.** Six commissioners constitute a quorum for the transaction
13 of business. If after reapportionment under s. ~~66.884~~ 200.25 (7) the number of
14 commissioners is increased to 12 or 13, 7 commissioners constitute a quorum. If after
15 reapportionment under s. ~~66.884~~ 200.25 (7) the number of commissioners is reduced
16 to 9 or 10, 5 commissioners constitute a quorum.

17 **(2) (a) 1.** No resolution adopted by the commission under s. ~~66.91~~ 200.55 (1),
18 (3) (c) or (6), 67.05 (1) or 67.12 (12), no schedule of charges under s. ~~66.076~~ 66.0821,
19 ~~66.898~~ 200.39 (4), ~~66.899~~ 200.41 or ~~66.91~~ 200.55 (5) (b) 3., no decision to borrow
20 against taxes under s. 67.12 (1) and no decision to borrow under s. 24.61 (3) (a) 7. is
21 valid unless adopted by an affirmative vote of at least a two-thirds majority of all
22 commissioners.

23 (b) If one or more resolutions authorizing full financing of the capital budget
24 adopted under s. ~~66.908~~ 200.53 are not adopted on or before October 15 succeeding
25 the annual adoption of the budget, the commission may by a vote of a simple majority

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1 of all commissioners annually levy taxes under s. ~~66.91~~ 200.55 (6) (a) 4. or otherwise
2 appropriate a sum from any source for the purpose of financing the capital budget.
3 The total levy and appropriation may not exceed \$40,000,000.

4 (3) CHAIRPERSON. The commission shall elect one commissioner as chairperson
5 of the commission, for a term specified by rule by the commission. The chairperson
6 is removable at pleasure by the commission. The chairperson shall preside over the
7 meetings of the commission and shall perform other duties imposed upon the
8 chairperson by ~~ss. 66.88 to 66.918~~ this subchapter or assigned by the commission.
9 The commission may also appoint a vice chairperson who may exercise the powers
10 and shall perform the duties of the chairperson in the absence or disability of the
11 chairperson.

12 (4) SECRETARY. The commission shall appoint a secretary who is not a member
13 of the commission. The secretary is removable at pleasure by the commission and
14 shall receive the compensation the commission determines. The compensation shall
15 be paid at the time and in the same manner that the salaries of other employes of the
16 district are paid. The secretary shall maintain all records concerning the district and
17 shall perform the other duties that are imposed upon the secretary by ~~ss. 66.88 to~~
18 ~~66.918~~ this subchapter or that are assigned by the commission.

19 **SECTION 580.** 66.888 of the statutes is renumbered 200.29, and 200.29 (1) (b)
20 and (c) 3. and (2) (b), as renumbered, are amended to read:

21 200.29 (1) (b) The initial boundary of a district created under s. ~~66.882~~ 200.23
22 (1) (b) is the same as the boundary of the district created under s. 59.96 (5), 1979 stats.

23 (c) 3. Within 90 days after all commissioners have been appointed under s.
24 ~~66.882~~ 200.23, the commission shall adopt rules concerning the factors to be
25 considered in determining the redefined boundary of the district under subd. 2. The

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1 commission may also establish conditions by rule that shall apply if an area is not
2 within the district after the boundary is redefined but is subsequently added to the
3 district under par. (d). When adopting rules under this subdivision the commission
4 shall consider, among other considerations:

5 (2) (b) The name of a district created under s. ~~66.882~~ 200.23 (1) (b) is the
6 Milwaukee metropolitan sewerage district.

7 **SECTION 581.** 66.89 of the statutes is renumbered 200.31, and 200.31 (intro.),
8 as renumbered, is amended to read:

9 **200.31 General duties of the commission.** (intro.) Subject to ss. ~~66.88~~
10 200.21 to ~~66.918~~ 200.65, the commission shall:

11 **SECTION 582.** 66.892 of the statutes is renumbered 200.33, and 200.33 (1) (b),
12 as renumbered, is amended to read:

13 200.33 (1) (b) Except as provided in sub. (2), ss. ~~66.88~~ 200.21 to ~~66.918~~ 200.65
14 do not authorize the commission to operate, maintain, rehabilitate or preserve local
15 sewers or appurtenant local facilities constructed by a municipality or to separate
16 combined storm and sanitary sewers.

17 **SECTION 583.** 66.894 of the statutes is renumbered 200.35, and 200.35 (1)
18 (intro.), (2) (b), (5) (a) and (11) (a) and (c), as renumbered, are amended to read:

19 200.35 (1) **GENERAL POWERS OF THE COMMISSION.** (intro.) To the extent necessary
20 to carry out its duties under s. ~~66.89~~ 200.31, the commission may project, plan,
21 design, adopt, construct, operate and maintain:

22 (2) (b) Nothing in ss. ~~66.88~~ to ~~66.918~~ this subchapter authorizes the
23 commission to lay or construct any part of the sewerage system after April 27, 1982,
24 over, upon or under any land covered by any outlying waters, as defined in s. 29.001

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1 (63), unless the commission first obtains the prior consent of both houses of the
2 legislature and the governor.

3 (5) (a) In its actions under ~~ss. 66.88 to 66.918~~ this subchapter, the commission
4 shall comply with local zoning and land use ordinances unless it finds that, in
5 carrying out its responsibilities under ~~ss. 66.88 to 66.918~~ this subchapter, deviation
6 from these ordinances meets the test of public necessity, as that term is used for the
7 purposes of ch. 32. The commission may only make determinations of public
8 necessity by resolution. This paragraph does not authorize the commission to
9 deviate from floodplain or shoreland zoning ordinances.

10 (11) (a) The commission may enter upon any land or water in the district for
11 the purpose of making examinations, test borings, tests or surveys in the
12 performance of its responsibilities under ~~ss. 66.88 to 66.918~~ this subchapter. The
13 commission shall compensate for damage caused by its examinations, test borings,
14 tests or surveys. The commission may examine any sewer or sewerage system to
15 determine if the sewer or sewerage system is defective in operation, construction,
16 design or supervision.

17 (c) If the consent of the owner cannot be obtained, the district shall obtain a
18 special entry warrant prior to entry onto the land. To obtain a special entry warrant,
19 the district shall petition the circuit court for the county in which the land to be
20 entered is located and shall mail a copy of the petition by registered mail to the
21 owner's last-known address, if any. If the court determines that entry onto the land
22 is reasonably related to the performance of the district's responsibilities under ~~ss.~~
23 ~~66.88 to 66.918~~ this subchapter, the court shall issue the warrant on the district's
24 affidavit that the district intends to enter the land under this subsection, that the
25 district has mailed, at least 5 days prior to the affidavit, a copy of the petition for the

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1 warrant to the owner as required in this paragraph and that the district has been
2 otherwise unable to obtain the owner's consent.

3 **SECTION 584.** 66.896 of the statutes is renumbered 200.37, and 200.37 (2) (a)
4 and (3), as renumbered, are amended to read:

5 200.37 (2) (a) The commission may temporarily use any public sewer or drain,
6 including any storm sewer or drain, in the district for the purposes of ~~ss. 66.88 to~~
7 ~~66.918~~ this subchapter. The commission may incorporate with the sewerage system
8 for use as an outfall sewer into a channeled watercourse or as an interceptor sewer
9 any public sewer or drain, including any storm sewer or drain, and any of their
10 appurtenances, either in their existing condition or with repairs or modifications as
11 the commission may determine. The commission may condemn, close up, abolish,
12 destroy, alter the functions or increase the flow of any of those public sewers and
13 drains incorporated with the sewerage system as it deems necessary to carry out the
14 purposes of ~~ss. 66.88 to 66.918~~ this subchapter. If the commission decides to
15 incorporate or utilize a sewer or drain under this subsection, it shall use the
16 procedures specified in par. (b).

17 (3) POWER TO REQUIRE CONNECTION. The commission may compel any owner or
18 occupant of any premises located along the line of any interceptor sewer or along the
19 line of any sewer of a municipality that is discharging sewage, refuse or industrial
20 wastes of any kind into any river or canal within the drainage area of the district to
21 change or rebuild any outlet, drain or sewer so as to discharge all the sewage, refuse
22 or industrial wastes into the sewers of the town, city or village or into the district's
23 interceptor sewer under rules adopted by the commission under s. ~~66.902~~ 200.45.

24 **SECTION 585.** 66.898 of the statutes is renumbered 200.39, and 200.39 (1) to
25 (3), (4) (a) and (b) and (5) (a) (intro.) and 2., as renumbered, are amended to read:

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1 200.39 (1) GENERAL POWER OF THE COMMISSION. Subject to subs. (2) to (6), the
2 commission may contract with any city, town, village, sanitary district organized
3 under subch. IX of ch. 60 or metropolitan sewerage district organized under ~~ss. 66.20~~
4 ~~to 66.26~~ subch. I wholly or partially outside the boundaries of the district, but wholly
5 or partially within the same general drainage area as the district for the
6 transmission, treatment or disposal of sewage from any territory located in the city,
7 town, village, sanitary district or metropolitan sewerage district. Each contract
8 executed under this section shall specify the terms of payment of sewerage service
9 charges by the contracting party.

10 (2) PRIOR APPROVALS. Before permitting any city, town, village, sanitary district
11 or metropolitan sewerage district to connect its sewers with or use any of the district's
12 interceptor sewers under this section, the sewers shall be approved as provided in
13 s. ~~66.896~~ 200.37 (1). The governing body of the city, town, village, sanitary district
14 or metropolitan sewerage district may enter into a contract under this section only
15 by a vote of three-fourths of its members.

16 (3) SERVICE CHARGES FOR OPERATION AND MAINTENANCE. As part of any contract
17 executed under this section, the commission may assess reasonable and just
18 sewerage service charges against the contracting party with respect to operating and
19 maintenance costs. These charges shall be established in accordance with s. ~~66.912~~
20 200.59 and are subject to review under s. ~~66.912~~ 200.59. The schedule of service
21 charges may, but need not, be uniform with any other schedule of charges established
22 by the commission.

23 (4) (a) As part of any contract executed under this section, the commission may
24 assess reasonable and just sewerage service charges against the contracting party
25 with respect to capital costs. These sewerage service charges are subject to review

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1 under s. ~~66.912~~ 200.59. The schedule of sewerage service charges with respect to
2 capital costs used in contracts executed under this section shall be uniform with the
3 system used to recover capital costs within the district.

4 (b) Except as provided in par. (c), the charges assessed under this subsection
5 shall be established in accordance with s. ~~66.076~~ 66.0821 or ~~66.91~~ 200.55 (5). In
6 computing the schedule of charges under this subsection, the commission may
7 consider the factors specified in s. ~~66.076~~ 66.0821 (5) or ~~66.91~~ 200.55 (5). In
8 computing the schedule of charges under this subsection, the commission may also
9 consider the fact that sewerage service may not be available to or may be available
10 to but not utilized by a part of the property located within the territorial limits of a
11 contracting party at the time of computing the schedule.

12 (5) (a) (intro.) Any city, town, village, sanitary district organized under subch.
13 IX of ch. 60 or metropolitan sewerage district organized under ~~ss. 66.20 to 66.26~~
14 subch. I that contracts under this subsection may provide for the payment of charges
15 from any available source, including:

16 2. Assessments upon and assessments of charges against the whole city, town,
17 village, sanitary district organized under subch. IX of ch. 60 or metropolitan
18 sewerage district organized under ~~ss. 66.20 to 66.26~~ subch. I or upon or against any
19 part thereof that the governing body determines to be benefited by the service.

20 **SECTION 586.** 66.899 of the statutes is renumbered 200.41, and 200.41 (1) to
21 (3), as renumbered, are amended to read:

22 200.41 (1) Notwithstanding ss. ~~66.076~~ 66.0821 and ~~66.91~~ 200.55 (5), if the
23 commission establishes a system to recover capital costs within the district on the
24 basis of the value of property in the area to be served, as equalized under s. 70.57,
25 the commission shall establish a system of sewerage service charges to recover

ASSEMBLY BILL 710**SECTION 586**

1 capital costs which shall be used with respect to any area which is served by the
2 district and which is outside the boundaries of the district and outside of any
3 municipality which has contracted with the district under s. ~~66.898~~ 200.39. The
4 charges shall be equal to the amount the commission would be authorized to levy as
5 taxes upon the area served if the area were within the district's boundaries.

6 (2) Any charge made by the district under this section is reviewable under s.
7 ~~66.912~~ 200.59 (5) if the charge has been paid.

8 (3) Section ~~66.91~~ 200.55 (5) (b) and (d) apply to charges assessed under this
9 section.

10 **SECTION 587.** 66.90 of the statutes is renumbered 200.43, and 200.43 (1), as
11 renumbered, is amended to read:

12 200.43 (1) GENERAL POWER OF THE COMMISSION. The commission may acquire by
13 gift, purchase, lease or other methods of acquisition or by condemnation, any real
14 property situated in the state and all tenements, hereditaments and appurtenances
15 belonging or in any way appertaining to, or in any interest, franchise, easement,
16 right or privilege therein, that may be needed for the purpose of projecting, planning,
17 constructing and maintaining the sewerage system, that may be needed for the
18 collection, transmission or disposal of all sewage or drainage of the district or that
19 may be needed for improving any river or stream within the district under s. ~~66.894~~
20 200.35 (8) (a) or (b).

21 **SECTION 588.** 66.902 of the statutes is renumbered 200.45, and 200.45 (1) (b),
22 as renumbered, is amended to read:

23 200.45 (1) (b) The rules shall apply throughout the territory served by the
24 sewerage system and, except as provided in s. ~~66.894~~ 200.35 (5), shall have

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1 precedence over any conflicting ordinance, code or regulation of or permit issued by
2 any municipality within the territory.

3 **SECTION 589.** 66.904 (title), (1) and (2) (title) of the statutes are renumbered
4 200.47 (title), (1) and (2) (title), and 200.47 (1), as renumbered, is amended to read:

5 200.47 (1) GENERAL POWERS OF THE COMMISSION. The commission may enter into
6 contracts, agreements or stipulations necessary to perform its duties and exercise its
7 powers under ss. ~~66.88 to 66.918~~ this subchapter, including contracts to purchase,
8 lease or otherwise obtain the use of all necessary equipment, supplies and labor.

9 **SECTION 590.** 66.904 (2) (a) of the statutes, as affected by 1999 Wisconsin Act
10 9, is renumbered 200.47 (2) (a) and amended to read:

11 200.47 (2) (a) Except as provided in par. (b), all work done and all purchases
12 of supplies and materials by the commission shall be by contract awarded to the
13 lowest responsible bidder complying with the invitation to bid, if the work or
14 purchase involves an expenditure of \$20,000 or more. If the commission decides to
15 proceed with construction of any sewer after plans and specifications for the sewer
16 are completed and approved by the commission and by the department of natural
17 resources under ch. 281, the commission shall advertise by a class 2 notice under ch.
18 985 for construction bids. All contracts and the awarding of contracts are subject to
19 s. ~~66.29~~ 66.0901.

20 **SECTION 591.** 66.904 (2) (b) to (e) and (3) to (5) of the statutes are renumbered
21 200.47 (2) (b) to (e) and (3) to (5), and 200.47 (2) (cm) 1. and (e), as renumbered, are
22 amended to read:

23 200.47 (2) (cm) 1. Except as provided under subd. 4., in determining the lowest
24 responsible bid for any contract awarded prior to December 31, 1993, the commission
25 may evaluate the multiplier effect on state revenues and tax receipts of contract

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1 moneys which will be spent in this state under the contract. The commission shall
2 promulgate by rule any condition and evaluation criterion which it applies to a bid
3 evaluated under this subdivision. If the commission accepts a bid evaluated under
4 this subdivision, it shall file with the secretary of the commission a written report
5 detailing the reasons for its acceptance. The secretary shall make the report
6 available for public inspection. The commission shall include in the annual report
7 prepared under s. ~~66.886~~ 200.27 (9) a summary of all bids accepted after an
8 evaluation under this subdivision.

9 (e) Paragraphs (a) to (d) do not apply to contracts awarded under s. ~~66.905~~
10 200.49.

11 **SECTION 592.** 66.905 of the statutes is renumbered 200.49.

12 **SECTION 593.** 66.906 of the statutes is renumbered 200.51, and 200.51 (1), as
13 renumbered, is amended to read:

14 200.51 (1) GENERAL POWERS OF THE COMMISSION. The commission may appoint
15 or employ professional or technical advisers and experts and other personnel the
16 commission requires for the proper execution of its duties under ~~ss. 66.88 to 66.918~~
17 this subchapter, fix their compensations and remove or discharge the employes at
18 pleasure.

19 **SECTION 594.** 66.908 of the statutes is renumbered 200.53.

20 **SECTION 595.** 66.91 of the statutes is renumbered 200.55, and 200.55 (1) (a) to
21 (c), (d) 1. (intro.) and 3., (e) (intro.) and (f) to (g), (1m), (3) (intro.) and (c), (5) (a), (c)
22 2. and (d), (6) (a) 1. and (6m), as renumbered, are amended to read:

23 200.55 (1) (a) The district may issue bonds, notes or certificates for the
24 purposes provided in s. ~~66.066~~ 66.0621. Except as provided in pars. (b) to (fa), the

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1 procedure for issuance of these bonds, notes or certificates is as specified in s. ~~66.066~~
2 66.0621.

3 (b) The commission has the powers and duties specified for a board or council
4 in s. ~~66.066~~ 66.0621. The district has the powers and duties specified for a
5 municipality in s. ~~66.066~~ 66.0621. If s. ~~66.066~~ 66.0621 specifies that a board, council
6 or municipality shall act by ordinance, the commission shall act by resolution.

7 (c) District bonds issued under s. ~~66.066~~ 66.0621 (2) (a) shall be executed by the
8 chairperson and secretary of the commission rather than by a chief executive and
9 clerk.

10 (d) 1. (intro.) Section ~~66.066~~ 66.0621 (2) (a) 2. does not apply to district bonds.
11 District bonds shall either mature:

12 3. Notwithstanding s. ~~66.066~~ 66.0621 (2) (a) 1., district bonds shall be made
13 payable within 50 years from the date of the bonds, whether the bonds mature
14 serially or within a specified term of years.

15 (e) (intro.) Notwithstanding s. ~~66.066~~ 66.0621 (2) (c):

16 (f) Deeds or mortgages that secure principal and interest of bonds under s.
17 ~~66.066~~ 66.0621 shall be executed by the commission chairperson and secretary
18 rather than by a chief executive and clerk.

19 (fa) Notwithstanding any contrary provision of s. ~~66.066~~ 66.0621, the district
20 may issue bond anticipation notes under s. ~~66.066~~ 66.0621 (2) (m) in the form of
21 commercial paper. If the district issues such commercial paper, the district may
22 borrow to pay the interest on such paper, may obtain credit and liquidity facilities
23 and may delegate authority to any person to sell, execute, determine the interest
24 rates, maturities and amounts of such paper and to conduct the issuance of such
25 paper as provided by the commission in the resolution under s. ~~66.066~~ 66.0621 (2)

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1 (m) authorizing the issuance. Such issuance under a single resolution shall be
2 deemed a single issue of securities issued as of the date of the sale of the first such
3 paper and not as a series of refundings. A resolution authorizing the issuance of
4 commercial paper under this paragraph and any taxes levied or any pledge made on
5 such issuance is irrevocable as specified in the authorizing resolution.

6 (g) User charges and service charges established by the commission under sub.
7 (5) or s. ~~66.076~~ 66.0821 to comply with any covenant concerning the sufficiency of the
8 charges contained in a resolution or ordinance providing for the issuance of revenue
9 bonds or notes under s. ~~66.066~~ 66.0621 shall be presumed reasonable in any review
10 of the charges by the public service commission under s. ~~66.912~~ 200.59 (5).

11 **(1m)** INVESTMENT OF FUNDS. Notwithstanding any of the limits or restrictions
12 in ss. ~~66.066~~ 66.0621 (2) (d) and (f), ~~66.069 (1) (e)~~ 66.0811 (2) and 67.11 (2) on the debt
13 instruments in which the district or commission may invest any of its funds that are
14 not immediately needed, the district may invest any such funds in a debt instrument
15 listed under s. ~~66.04 (2)~~ 66.0605 (1).

16 **(3)** MARKETING REVENUE BONDS. (intro.) To enhance the marketability of district
17 bonds or notes issued under s. ~~66.066~~ 66.0621, the commission may:

18 (c) Levy a direct, irrevocable, annual, general tax in an amount sufficient to
19 provide for the payment of all the principal and interest on the issue as it matures.
20 The amount of the levy entered on the tax roll and collected each year shall be
21 reduced by the amount in the special redemption fund provided under s. ~~66.066~~
22 66.0621 or in any similar fund that is available for payment of principal and interest
23 on the issue during the ensuing year. The portion of the principal of the issue not paid
24 or provided for is a debt of the district and shall be included in determining its debt
25 limit under article XI, section 3, of the constitution.

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1 (5) (a) For service provided to any user, the commission may establish, assess
2 and collect service charges under s. ~~66.076~~ 66.0821 or under this subsection. For
3 service to any user outside the district and not located in a municipality which has
4 contracted with the district under s. ~~66.898~~ 200.39, the commission may establish,
5 assess and collect service charges under s. ~~66.899~~ 200.41. Except as provided under
6 s. ~~66.899~~ 200.41 (2), any charge made by the district under this subsection is
7 reviewable under s. ~~66.912~~ 200.59 (5). The sewerage service charges established
8 under s. ~~66.076~~ 66.0821 or under this subsection with respect to capital costs for
9 service to any user shall be uniform.

10 (c) 2. The commission may classify users on the basis of uses and may establish
11 separate charges for separate classes. In computing charges, the commission may
12 consider any reasonable factor, including wastewater flow or drainage, delivery flow
13 characteristics, water consumption, type and number of sewerage connections or
14 plumbing fixtures, population served, lot size, portion of lot improved and assessed
15 value of property served. The commission may also compute its fee schedules as
16 needed to meet the requirements of s. ~~66.076~~ 66.0821 or of title II of the water
17 pollution control act, 33 USC 1251 et seq.

18 (d) 1. Each sanitary district organized under subch. IX of ch. 60 and each
19 metropolitan sewerage district organized under ss. ~~66.20 to 66.26~~ subch. I that is
20 billed by the commission under par. (b) shall, within 5 days of receipt of a bill from
21 the commission, in turn bill each city, town or village served by the sanitary district
22 or metropolitan sewerage district organized under ss. ~~66.20 to 66.26~~ subch. I. Each
23 city, town or village located within the district and billed under this paragraph or
24 billed by the commission under par. (b) or under s. ~~66.076~~ 66.0821 shall, within 45
25 days of receiving the bill, pay the full amount billed to the district. Each municipality

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1 may levy a reasonable penalty for late payment by the user to the municipality. Each
2 municipality may provide for the payment of charges to it by any means specified in
3 s. ~~66.898~~ 200.39 (5).

4 2. Any city, town or village may collect and tax charges made by it to users in
5 the same manner as water rates are taxed and collected under s. ~~66.069 (1) or 66.071~~
6 ~~(1)(e)~~ 62.69 (2) (f) or 66.0809. Charges taxed under this subdivision are a lien upon
7 the property served, as provided in s. ~~66.091 (1) or 66.071 (1) (e)~~ 62.69 (2) (f) or
8 66.0809.

NOTE: Corrects an apparent incorrect cross-reference in the last sentence. The cross-reference to s. 66.091 (1) [renumbered s. 893.81] is to a provision dealing with local liability for mob damage, not with liens on property. It appears the correct cross-reference is to s. 66.0809 [former s. 66.069 (1)], which is also cross-referenced earlier in the sentence.

9 **(6)** (a) 1. To make payments to a county as provided in s. ~~66.882~~ 200.23 (1) (b)
10 2.;

11 **(6m)** TAX STABILIZATION FUND. The commission may establish a tax stabilization
12 fund for any purpose authorized by ss. ~~66.88 to 66.918~~ this subchapter.

13 **SECTION 596.** 66.911 of the statutes is renumbered 200.57.

14 **SECTION 597.** 66.912 of the statutes is renumbered 200.59, and 200.59 (4) and
15 (5), as renumbered, are amended to read:

16 200.59 (4) COLLECTION OF FEES BY MUNICIPALITIES. Every sanitary district
17 organized under subch. IX of ch. 60 or metropolitan sewerage district organized
18 under ss. ~~66.20 to 66.26~~ subch. I billed by a district under sub. (2) shall in turn bill
19 every city, town or village served by the sanitary district or metropolitan sewerage
20 district organized under s. ~~66.20 to 66.26~~ subch. I. Every city, town and village billed
21 by a district under sub. (2), by a sanitary district or metropolitan sewerage district
22 organized under ss. ~~66.20 to 66.26~~ subch. I under this subsection shall collect such

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1 charges from the individual sewer system users in the city, town or village and shall
2 promptly remit the same to the district. The district may adopt rules for the
3 establishment and administration of collection procedures and the settlement of
4 such collections with the district as required by this section. Under such rules the
5 district may provide for reimbursement of the municipality for the expense of
6 collecting late payments of charges. Each municipality shall pay the district in full
7 within 45 days after receiving a bill from the district. The district or, if the district
8 does not act, every municipality is empowered to levy a penalty for late payment by
9 the user to the municipality. Any city, town or village may collect under s. ~~66.076~~
10 66.0821 (7) any charge which is due under this section and which is delinquent. In
11 the event that any municipality does not remit such charges to the district within 45
12 days of the billing date, the district may borrow moneys, repayable in not longer than
13 18 months, sufficient to offset such uncollected charges.

14 (5) REVIEW BY PUBLIC SERVICE COMMISSION. Except as provided under s. ~~66.899~~
15 200.41 (2), upon complaint to the public service commission by any user that charges,
16 rules and practices under this section are unreasonable or unjustly discriminatory,
17 according to the standards and criteria which the commission is required to follow
18 under state or federal law, including, without limitation because of enumeration, this
19 section, 33 USC 1251 et seq. and ch. 283, or upon complaint of a holder of a revenue
20 bond or other evidence of debt, secured by a mortgage on the sewerage system or any
21 part thereof or pledge of the income of sewerage service charges, that charges are
22 inadequate, the public service commission shall investigate the complaint. If
23 sufficient cause therefor appears, the public service commission shall set the matter
24 for a public hearing upon 10 days' notice to the complainant and the commission.
25 After the hearing, if the public service commission determines that the charges, rules

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1 or practices complained of are unreasonable or unjustly discriminatory, it shall
2 determine and by order fix reasonable charges, rules and practices and shall make
3 such other order respecting such complaint as may be just and reasonable. The
4 proceedings under this subsection shall be governed, as far as applicable, by ss.
5 196.26 to 196.40. The commission may submit the factual data, reports and analyses
6 considered by it in establishing the charges, rules or practices subject to a complaint
7 under this subsection. The public service commission shall give due weight to such
8 data, reports and analyses. Judicial review of the determination of the public service
9 commission may be had by any person aggrieved in the manner prescribed under ch.
10 227. If any user pays a charge and the public service commission or court, on appeal
11 from the public service commission, finds such charge, after reviewing a complaint
12 filed under this subsection, to be excessive, the district shall refund to the user the
13 excess plus the interest thereon computed at the rate then paid by the district for
14 borrowing funds for a term of one year or less.

15 **SECTION 598.** 66.914 of the statutes is renumbered 200.61.

16 **SECTION 599.** 66.916 of the statutes is renumbered 200.63 and amended to
17 read:

18 **200.63 Construction.** Nothing in ss. ~~66.88~~ 200.21 to ~~66.914~~ 200.61 in any way
19 limits or takes away any of the powers of any municipality located in the district,
20 relating to the construction, extension or repair of local or sanitary sewers or drains
21 except that all plans and specifications for the construction of any local or sanitary
22 sewers or extensions thereof shall be submitted to and approved in writing by the
23 district before the sewers are constructed.

24 **SECTION 600.** 66.918 of the statutes is renumbered 200.65.

25 **SECTION 601.** 66.92 of the statutes is repealed.

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NOTE: Repealed as no longer necessary. Furthermore, housing authorities may carry out housing projects for veterans. See s. 66.0807 (9) (r), as renumbered. [Current s. 66.04 (9) (s).] Section 66.92 authorizes counties, cities, villages and towns to promote and provide housing for veterans and directs the department of veterans affairs (DVA) and the Wisconsin housing and economic development authority to provide information and assistance for the local efforts.

1 **SECTION 602.** 66.925 of the statutes is renumbered 66.1013.

2 **SECTION 603.** 66.93 of the statutes is renumbered 45.051.

3 **SECTION 604.** 66.935 of the statutes is renumbered 66.0625, and 66.0625 (title)

4 and (2), as renumbered, are amended to read:

5 **66.0625 (title) Mass Joint issuance of mass transit bonding.**

6 **(2)** In addition to the provisions of any other statutes specifically authorizing
7 cooperation between political subdivisions or public transit bodies, unless ~~such~~ those
8 statutes specifically exclude action under this section, any political subdivision or
9 public transit body may, for mass transit purposes, issue bonds or, with any other
10 political subdivision or public transit body, jointly issue bonds.

11 **SECTION 605.** 66.94 of the statutes, as affected by 1999 Wisconsin Act 9, is
12 repealed.

NOTE: Section 66.94, relating to metropolitan transit authorities, is repealed. The statute, originally intended to apply to Milwaukee County and its municipalities, apparently has never been utilized nor does it appear likely to be utilized in the future.

13 **SECTION 606.** 66.943 of the statutes is renumbered 66.1021, and 66.1021 (1) (a),
14 (5) (a), (7) (b), (9) and (10) to (12), as renumbered, are amended to read:

15 66.1021 **(1)** (a) ~~Any~~ A city, village or town may enact an ordinance for the
16 establishment, maintenance and operation of a comprehensive unified local
17 transportation system, the major portion of which is ~~or is to be~~ located within, or the
18 major portion of the service of which is ~~or is to be~~ supplied to the inhabitants of ~~such,~~
19 the city, village or town, and which system is used ~~or to be used~~ for the transportation
20 of persons or freight.

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1 (5) (a) The first members of the transit commission shall be appointed for
2 staggered 3-year terms. The term of office of each member ~~thereafter~~ appointed
3 after the first members of the transit commission shall be 3 years.

4 (7) (b) For the purpose of receiving, considering and acting upon any
5 complaints or applications that may be presented to it or for the purpose of
6 conducting investigations or hearings on its own motion the transit commission shall
7 hold regular meetings at least once a week except in the months of July and August
8 and special meetings on the call of the chairperson or at the request of the ~~city~~
9 common council or village or town board.

10 (9) ~~Initial~~ The initial acquisition of the properties for the establishment of, and
11 to comprise, the comprehensive unified local transportation system ~~shall be~~ is
12 subject to s. ~~66.065~~ 66.0803 or ch. 197.

13 (10) (a) Any city, village, town or federally recognized Indian tribe or band may
14 by contract under s. ~~66.30~~ 66.0301 establish a joint municipal transit commission
15 with the powers and duties of city, village or town transit commissions under this
16 section. Membership on ~~such a~~ the joint transit commission shall be as provided in
17 the contract established under s. ~~66.30~~ 66.0301.

18 (b) Notwithstanding any other provision of this section, no joint municipal
19 transit commission under par. (a) may provide service outside the corporate limits
20 of the parties to the contract under s. ~~66.30~~ 66.0301 which establish the joint
21 municipal transit commission unless the joint municipal transit commission
22 receives financial support for the service ~~pursuant to~~ under a contract with a public
23 or private organization for ~~such~~ the service. This paragraph does not apply to service
24 provided by a joint municipal transit commission outside the corporate limits of the
25 parties to the contract under s. ~~66.30~~ 66.0301 which establish the joint municipal

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1 transit commission if the joint municipal transit commission is providing the service
2 on April 28, 1994, without receiving financial support from a public or private
3 organization for the service, and elects to continue ~~such~~ the service.

4 (11) (a) In lieu of providing transportation services, a city, village or town may
5 contract with a private organization for ~~such~~ the services.

6 (b) Notwithstanding any other provision of this section, no municipality may
7 contract with a private organization to provide service outside the corporate limits
8 of ~~such~~ the municipality unless the municipality receives financial support for the
9 service ~~pursuant to~~ under a contract with a public or other private organization for
10 ~~such~~ the service. This paragraph does not apply to service provided under par. (a)
11 outside the corporate limits of a municipality if a private organization is providing
12 the service on April 28, 1994, without receiving financial support from a public or
13 private organization for the service, and the municipality elects to continue ~~such~~ the
14 service.

15 (12) Notwithstanding any other provision of this section, no transit
16 commission may provide service outside the corporate limits of the city which
17 establishes the transit commission unless the transit commission receives financial
18 support for the service ~~pursuant to~~ under a contract with a public or private
19 organization for ~~such~~ the service. This subsection does not apply to service provided
20 by a transit commission outside the corporate limits of the city which establishes the
21 transit commission if the transit commission is providing the service on April 28,
22 1994, without receiving financial support from a public or private organization for
23 the service, and elects to continue ~~such~~ the service.

24 **SECTION 607.** 66.944 of the statutes is renumbered 66.1023, and 66.1023 (1) (c),
25 as renumbered, is amended to read:

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1 66.1023 (1) (c) Notwithstanding ~~s. 66.94 (29)~~ or any other law, no city, city
2 transit commission or metropolitan transit authority may be required to contribute
3 to more than one retirement fund for an affected employee.

4 **SECTION 608.** 66.945 (title), (1) to (7) and (8) (title) of the statutes are
5 renumbered 66.0309 (title), (1) to (7) and (8) (title), and 66.0309 (2) (a) and (c), (2m),
6 (3) (a) 2. and (b) (intro.), (5) and (7), as renumbered, are amended to read:

7 66.0309 (2) (a) A regional planning commission may be created by the governor,
8 or ~~such a~~ state agency or official as the governor designates, upon petition in the form
9 of a resolution by the governing body of a local governmental unit and the holding
10 of a public hearing on ~~such~~ the petition. If the petition is joined in by the governing
11 bodies of all the local units in the proposed region, including the county board of any
12 county, part or all of which is in the proposed region, the governor may dispense with
13 the hearing. Notice of any public hearing shall be given by the governor by mail at
14 least 10 days in advance to the clerk of each local unit in the proposed region.

15 (c) Territory included within a regional planning commission that consists of
16 one county or less in area also may be included in the creation of a multicounty
17 regional planning commission. ~~Such~~ The creation does not require that the existing
18 regional planning commission consisting of one county or less in area be terminated
19 or altered, but upon creation of the multicounty commission, the existing commission
20 shall cease to have authority to make charges upon participating local governmental
21 units ~~pursuant to~~ under sub. (14) and shall adopt a name other than “regional
22 planning commission”.

23 **(2m) LIMITATION ON TERRITORY.** No regional planning commission may be
24 created to include territory located in 3 or more uniform state districts as established
25 by 1970 executive order 22 dated August 24, 1970. Any existing regional planning

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1 commission which includes territory located in 3 or more ~~such~~ uniform state districts
2 shall be dissolved no later than December 31, 1972.

3 (3) (a) 2. Two members from each participating county shall be appointed by
4 the governor. At least one ~~such~~ appointee shall be a person, selected from a list of
5 2 or more persons nominated by the county board, who has experience in local
6 government in elective or appointive offices or who is professionally engaged in
7 advising local governmental units in the fields of land-use planning, transportation,
8 law, finance, engineering or recreation and natural resources development. The
9 governor in making appointments ~~hereunder~~ under this subdivision shall give due
10 weight to the place of residence of the appointees within the various counties
11 encompassed by the region.

12 (b) (intro.) For any region which does not include a ~~city of the first class~~ 1st class
13 city, the membership composition of a regional planning commission shall be in
14 accordance with resolutions approved by the governing bodies of a majority of the
15 local units in the region, and these units shall have in the aggregate at least half the
16 population of the region. For the purposes of this determination a county, part or all
17 of which is within the region, shall be counted as a local unit, but the population of
18 an approving county shall not be counted. In the absence of the necessary approval
19 by the local units, the membership composition of a commission shall be determined
20 as follows:

21 (5) CHAIRPERSON; RULES OF PROCEDURE; RECORDS. Each regional planning
22 commission shall elect its own chairperson and executive committee and shall
23 establish its own rules of procedure, and may create and fill ~~such~~ other offices as it
24 may determine necessary. The commission may authorize the executive committee
25 to act for it on all matters ~~pursuant to~~ under rules adopted by it. The commission

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1 shall meet at least once each year. It shall keep a record of its resolutions,
2 transactions, findings and determinations, which shall be a public record.

3 (7) ADVISORY COMMITTEES OR COUNCILS; APPOINTMENT. The regional planning
4 commission may appoint advisory committees or councils whose membership may
5 consist of individuals whose experience, training or interest in the program may
6 qualify them to lend valuable assistance to the regional planning commission by
7 acting in an advisory capacity in consulting with the regional planning commission
8 on all phases of the commission's program. Members of such advisory bodies shall
9 receive no compensation for their services but may be reimbursed for actual expenses
10 incurred in the performance of their duties.

11 **SECTION 609.** 66.945 (8) (a) of the statutes, as affected by 1999 Wisconsin Act
12 9, is renumbered 66.0309 (8) (a) and amended to read:

13 66.0309 (8) (a) 1. The regional planning commission may ~~conduct~~ take any of
14 the following actions:

15 a. Conduct all types of research studies, collect and analyze data, prepare
16 maps, charts and tables, and conduct all necessary studies for the accomplishment
17 of its other duties; ~~it may, consistent,~~

18 b. Consistent with the elements specified in s. ~~66.0295~~ 66.1001, make plans for
19 the physical, social and economic development of the region, and ~~may, consistent~~
20 with the elements specified in s. ~~66.0295~~ 66.1001, adopt by resolution any plan or the
21 portion of any plan so prepared as its official recommendation for the development
22 of the region; ~~it may publicize,~~

23 c. Publicize and advertise its purposes, objectives and findings, and ~~may~~
24 distribute reports ~~thereon; it may provide~~ concerning these items.

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1 d. Provide advisory services on regional planning problems to the local
2 government units within the region and to other public and private agencies in
3 matters relative to its functions and objectives, and may act as a coordinating agency
4 for programs and activities of ~~such~~ local units and agencies as they relate to its
5 objectives.

6 2. All public officials shall, upon request, furnish to the regional planning
7 commission, within a reasonable time, ~~such~~ available information as it requires for
8 its work. In general, the regional planning commission shall have all powers
9 necessary to enable it to perform its functions and promote regional planning. The
10 functions of the regional planning commission shall be solely advisory to the local
11 governments and local government officials comprising the region.

12 **SECTION 610.** 66.945 (8) (b) of the statutes is renumbered 66.0309 (8) (b).

13 **SECTION 611.** 66.945 (9) and (10) of the statutes, as affected by 1999 Wisconsin
14 Act 9, are renumbered 66.0309 (9) and (10) and amended to read:

15 **66.0309 (9) PREPARATION OF MASTER PLAN FOR REGION.** The regional planning
16 commission shall have the function and duty of making and adopting a master plan
17 for the physical development of the region. The master plan, with the accompanying
18 maps, plats, charts, programs and descriptive and explanatory matter, shall show
19 the commission's recommendations for ~~such~~ physical development and shall contain
20 at least the elements described in s. ~~66.0295~~ 66.1001. The regional planning
21 commission may amend, extend or add to the master plan or carry any part or subject
22 matter into greater detail.

23 **(10) ADOPTION OF MASTER PLAN FOR REGION.** The master plan shall be made with
24 the general purpose of guiding and accomplishing a coordinated, adjusted and
25 harmonious development of the region which will, in accordance with existing and

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1 future needs, best promote public health, safety, morals, order, convenience,
2 prosperity or the general welfare, as well as efficiency and economy in the process
3 of development. The regional planning commission may adopt the master plan as
4 a whole by a single resolution, or, as the work of making the whole master plan
5 progresses, may by resolution adopt a part or parts ~~thereof~~ of the master plan, any
6 ~~such~~ part to correspond with one or more of the elements specified in s. ~~66.0295~~
7 66.1001. The resolution shall refer expressly to the maps, plats, charts, programs
8 and descriptive and explanatory matter, and other matters intended by the regional
9 planning commission to form the whole or any part of the plan, and the action taken
10 shall be recorded on the adopted plan or part ~~thereof~~ of the adopted plan by the
11 identifying signature of the chairperson of the regional planning commission and a
12 copy of the plan or part ~~thereof~~ of the adopted plan shall be certified to the legislative
13 bodies of the local governmental units within the region. The purpose and effect of
14 adoption of the master plan shall be solely to aid the regional planning commission
15 and the local governments and local government officials comprising the region in
16 the performance of their functions and duties.

17 **SECTION 612.** 66.945 (11) to (16) of the statutes are renumbered 66.0309 (11)
18 to (16), and 66.0309 (11), (12) (b) (intro.) and 1., (13), (14) (a) to (c), (d) (intro.) and 1.,
19 (e) and (f), (15) and (16), as renumbered, are amended to read:

20 **66.0309 (11) MATTERS REFERRED TO REGIONAL PLANNING COMMISSION.** The officer
21 or public body of a local governmental unit within the region having final authority
22 ~~thereon~~ may refer to the regional planning commission, for its consideration and
23 report, the following matters: The location of or acquisition of land for any of the
24 items or facilities which are included in the adopted regional master plan. Within
25 20 days after the matter is referred to the regional planning commission or ~~such a~~

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1 longer period as may be stipulated by the referring officer or public body, the
2 commission shall report its recommendations to the referring officer or public body.
3 The report and recommendations of the commission shall be advisory only. State
4 agencies A state agency may authorize the regional planning commission with the
5 consent of the commission to act for ~~such~~ the agency in approving, examining or
6 reviewing plats, under s. 236.12 (2) (a). ~~Regional planning commissions~~ A regional
7 planning commission authorized by a local unit on November 1, 1980 to act for the
8 local unit in approving plats may continue to so act until the commission withdraws
9 its consent or the local unit its approval. A local unit may authorize a regional
10 planning commission, with the consent of the commission, to conduct an advisory
11 review of plats.

12 **(12)** (b) (intro.) In addition to the other powers specified in this section a
13 regional planning commission may enter into a contract with any local unit within
14 the region under s. ~~66.30~~ 66.0301 to make studies and offer advice on any of the
15 following topics:

16 1. Land use, thoroughfares, community facilities, and public improvements;

17 **(13)** AID FROM GOVERNMENTAL AGENCIES; GIFTS AND GRANTS. Aid, in any form, for
18 the purpose of accomplishing the objectives of the regional planning commission may
19 be accepted from all governmental agencies whether local, state or federal, if the
20 conditions under which ~~such~~ aid is furnished are not incompatible with the other
21 provisions of this section. The regional planning commission may accept gifts and
22 grants from public or private individuals or agencies if the conditions under which
23 ~~such~~ the grants are made are in accordance with the accomplishment of the
24 objectives of the regional planning commission.

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1 (14) (a) For the purpose of providing funds to meet the expenses of a regional
2 planning commission, the commission shall annually on or before October 1 prepare
3 and approve a budget reflecting the cost of its operation and services to the local
4 governmental units within the region. The amount of the budget charged to any local
5 governmental unit shall be in the proportion of the equalized value for tax purposes
6 of the land, buildings and other improvements ~~thereon of such~~ on the land of the local
7 governmental unit, within the region, to the total ~~such~~ equalized value within the
8 region. The amount charged to a local governmental unit shall not exceed .003 per
9 cent of ~~such~~ equalized value under its jurisdiction and within the region, unless the
10 governing body of ~~such~~ the unit expressly approves the amount in excess of ~~such~~ that
11 percentage. All tax or other revenues raised for a regional planning commission shall
12 be forwarded by the treasurer of the local unit to the treasurer of the commission on
13 written order of the treasurer of the commission.

14 (b) Where one-half or more of the land within a county is within a region, the
15 chairperson of the regional planning commission shall certify to the county clerk,
16 ~~prior to~~ before August 1 of each year, the proportionate amount of the budget charged
17 to the county for the services of the regional planning commission. Unless the county
18 board finds ~~such~~ the charges unreasonable, and institutes the procedures ~~set forth~~
19 ~~below for such a contingency~~ under par. (d), it shall take ~~such necessary~~ legislative
20 action as necessary to provide the funds called for in the certified statement.

21 (c) Where less than one-half of the land within a county is within a region, the
22 chairperson of the regional planning commission shall before August 1 of each year
23 certify to the clerk of the local governmental unit involved a statement of the
24 proportionate charges assessed to that local governmental unit. ~~Such~~ The clerk shall

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1 extend the amount shown in ~~such~~ the statement as a charge on the tax roll under s.
2 281.43 (2).

3 (d) (intro.) If any local governmental unit makes a finding by resolution within
4 20 days of the certification to its clerk that the charges of the regional planning
5 commission are unreasonable, it may take any of the following actions:

6 1. Submit the issue to arbitration by 3 arbitrators, one to be chosen by the local
7 governmental unit, one to be chosen by the regional planning commission and the
8 third to be chosen by the first 2 arbitrators. If the arbitrators are unable to agree,
9 the vote of 2 shall be the decision. They may affirm or modify the report, and shall
10 submit their decision in writing to the local governmental unit and the regional
11 planning commission within 30 days of their appointment unless the time be
12 extended by agreement of the commission and the local governmental unit. The
13 decision shall be binding. Election to arbitrate shall be waiver of right to proceed by
14 action. Two-thirds of the expenses of arbitration shall be paid by the party
15 requesting arbitration and the balance by the other, ~~or~~.

16 (e) By agreement between the regional planning commission and a local
17 governmental unit, special compensation to the commission for unique and special
18 services provided to ~~such~~ the local governmental unit may be arranged.

19 (f) The regional planning commission may accept from any local governmental
20 unit supplies, the use of equipment, facilities and office space and the services of
21 personnel as part or all of the financial support assessed against ~~such~~ the local
22 governmental unit.

23 **(15) DISSOLUTION OF REGIONAL PLANNING COMMISSIONS.** Upon receipt of certified
24 copies of resolutions recommending the dissolution of a regional planning
25 commission adopted by the governing bodies of a majority of the local units in the

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1 region, including the county board of any county, part or all of which is within the
2 region, and upon a finding that all outstanding indebtedness of the commission has
3 been paid and all unexpended funds returned to the local units which supplied them,
4 or that adequate provision has been made ~~therefor~~ for the outstanding indebtedness
5 or unexpended funds, the governor shall issue a certificate of dissolution of the
6 commission which shall ~~thereupon~~ then cease to exist.

7 (16) **WITHDRAWAL.** Within 90 days of the issuance by the governor of an order
8 creating a regional planning commission, any local unit of government within the
9 boundaries of ~~such~~ the region may withdraw from the jurisdiction of ~~such~~ the
10 commission by a two-thirds vote of the members-elect of the governing body after
11 a public hearing. Notice ~~thereof~~ of withdrawal shall be given to the commission by
12 registered mail not more than 3 nor less than 2 weeks ~~prior thereto~~ before
13 withdrawal and by publication of a class 2 notice, under ch. 985. A local unit may
14 withdraw from a regional planning commission at the end of any fiscal year by a
15 two-thirds vote of the members-elect of the governing body taken at least 6 months
16 ~~prior to~~ before the effective date of ~~such~~ the withdrawal. However, ~~such~~ the local unit
17 shall be responsible for its allocated share of the contractual obligations of the
18 regional planning commission continuing beyond the effective date of its
19 withdrawal.

20 **SECTION 613.** 66.948 of the statutes is renumbered 66.0411.

21 **SECTION 614.** 66.949 of the statutes is renumbered 66.0133, and 66.0133 (1) (c)
22 and (3), as renumbered, are amended to read:

23 66.0133 (1) (c) “Performance contract” means a contract for the evaluation and
24 recommendation of energy conservation and facility improvement measures, and for
25 the implementation of one or more ~~such~~ of these measures.

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1 **(3) NOTICE.** Notwithstanding ss. 27.065 (5) (a), 30.32, 38.18, 43.17 (9) (a), 59.52
2 (29) (a), 59.70 (11), 60.47 (2) to (4), 60.77 (6) (a), 61.55, 61.56, 61.57, 62.15 (1), 62.155,
3 ~~66.24 (5) (d), 66.299 (2), 66.431 (5) (a) 2., 66.47 (11), 66.505 (10), 66.508 (10) and~~
4 ~~66.904 (2)~~ 66.0131 (2), 66.0923 (10), 66.0925 (10), 66.0927 (11), 66.1333 (5) (a) 2.,
5 200.11 (5) (d) and 200.47 (2), before entering into a performance contract under this
6 section, a local governmental unit shall solicit bids or competitive sealed proposals
7 from qualified providers. A local governmental unit may only enter into a
8 performance contract if the contract is awarded by the governing body of the local
9 governmental unit. The governing body shall give at least 10 days' notice of the
10 meeting at which the body intends to award a performance contract. The notice shall
11 include a statement of the intent of the governing body to award the performance
12 contract, the names of all potential parties to the proposed performance contract, and
13 a description of the energy conservation and facility improvement measures
14 included in the performance contract. At the meeting, the governing body shall
15 review and evaluate the bids or proposals submitted by all qualified providers and
16 may thereafter award the performance contract to the qualified provider that best
17 meets the needs of the local governmental unit, which need not be the lowest cost
18 provider.

19 **SECTION 615.** 66.95 of the statutes is renumbered 66.0431 and amended to
20 read:

21 **66.0431 Prohibiting operators from leaving keys in parked motor**
22 **vehicles.** The governing body of ~~any a~~ city, village or town may by ordinance require
23 every passenger motor vehicle to be equipped with a lock suitable to lock either the
24 starting lever, throttle, steering apparatus, gear shift lever or ignition system;
25 prohibit any person from permitting a motor vehicle in the person's custody from

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1 standing or remaining unattended on any street, road, or alley or in any other public
2 place, except an attended parking area, unless either the starting lever, throttle,
3 steering apparatus, gear shift or ignition of the vehicle is locked and the key for that
4 lock is removed from the vehicle; and provide forfeitures for ~~such~~ violations. ~~The~~
5 ~~foregoing provisions shall of the ordinance.~~ This section does not apply to motor
6 vehicles operated by common carriers of passengers under ch. 194.

7 **SECTION 616.** 66.955 of the statutes is renumbered 23.235, and 23.235 (3), as
8 renumbered, is amended to read:

9 23.235 (3) The department of ~~natural resources~~ may conduct research on the
10 control of nuisance weeds. The secretaries of natural resources and of agriculture,
11 trade and consumer protection may authorize any person to plant or cultivate
12 nuisance weeds for the purpose of controlled experimentation.

13 **SECTION 617.** 66.96 (title) and (1) of the statutes are renumbered 66.0407 (title)
14 and (1) (intro.), and 66.0407 (1) (intro.), as renumbered, are amended to read:

15 66.0407 (1) (intro.) The term “destroy” In this section:

16 (a) “Destroy” means the complete killing of weeds or the killing of weed plants
17 above the surface of the ground by the use of chemicals, cutting, tillage, cropping
18 system, pasturing livestock, or any or all of these in effective combination, at such
19 a time and in such a manner as will effectually prevent such the weed plants from
20 maturing to the bloom or flower stage.

21 **SECTION 618.** 66.96 (2) of the statutes is renumbered 66.0407 (1) (b) and
22 amended to read:

23 66.0407 (1) (b) The term “noxious weeds” as used in this chapter includes the
24 following: “Noxious weed” means Canada thistle, leafy spurge and field bindweed
25 (creeping Jenny) and any other ~~such weeds as~~ weed the governing body of any

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1 municipality or the county board of any county by ordinance or resolution declares
2 to be noxious within its respective boundaries.

3 **SECTION 619.** 66.96 (3) to (5) of the statutes are renumbered 66.0407 (3) to (5),
4 and 66.0407 (3), as renumbered, is amended to read:

5 66.0407 (3) ~~Every A person owning, occupying or controlling land~~ shall destroy
6 all noxious weeds on ~~all lands which the person shall own, occupy or control~~ the land.
7 The person having immediate charge of any public lands shall destroy all noxious
8 weeds on ~~such~~ the lands. The highway patrolman on all federal, state or county
9 trunk highways shall destroy all noxious weeds on that portion of the highway which
10 that highway patrolman patrols. ~~The town board shall cause to be destroyed is~~
11 responsible for the destruction of all noxious weeds on the town highways.

12 **SECTION 620.** 66.97 to 66.99 of the statutes are repealed.

NOTE: Restated as s. 66.0517, with minor amendments. See SECTION 154.

13 **SECTION 621.** 67.01 (9) (h) of the statutes is amended to read:

14 67.01 (9) (h) To contractor's certificates, ~~general obligation-local improvement~~
15 ~~bonds~~ or special assessment B bonds issued pursuant to s. 66.54 under s. 66.0713
16 ~~except as therein specified~~ provided in that section or to general obligation-local
17 improvement bonds issued under s. 67.16, except as provided in that section.

18 **SECTION 622.** 67.05 (5) (b) of the statutes is amended to read:

19 67.05 (5) (b) No city or village may issue any bonds for any purposes other than
20 for water systems, lighting works, gas works, bridges, street lighting, street
21 improvements, street improvement funding, hospitals, airports, harbor
22 improvements, river improvements, breakwaters and protection piers, sewerage,
23 garbage disposal, rubbish or refuse disposal, any combination of sewage, garbage or
24 refuse or rubbish disposal, parks and public grounds, swimming pools and band

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1 shells thereon, veterans housing projects, paying the municipality's portion of the
2 cost of abolishing grade crossings, for the construction of police facilities and
3 combined fire and police safety buildings, for the purchase of sites for engine houses,
4 for fire engines and other equipment of the fire department, for construction of
5 engine houses, and for pumps, water mains, reservoirs and all other reasonable
6 facilities for fire protection apparatus or equipment for fire protection, for parking
7 lots or other parking facilities, for school purposes, for libraries, for buildings for the
8 housing of machinery and equipment, for acquiring and developing sites for industry
9 and commerce as will expand the municipal tax base, for financing the cost of
10 low-interest mortgage loans under s. ~~66.38~~ 62.237, for providing financial assistance
11 to blight elimination, slum clearance, community development, redevelopment and
12 urban renewal programs and projects under ss. ~~66.405~~ 66.1105, 66.1301 to ~~66.425~~,
13 ~~66.43~~, ~~66.431~~, ~~66.4325~~, ~~66.435~~ and ~~66.46~~ 66.1329 and 66.1331 to 66.1337 or for
14 ~~university~~ University of Wisconsin system System college campuses, as defined in
15 s. 36.05 (6m), until the proposition for their issue for the special purpose thereof has
16 been submitted to the electors of the city or village and adopted by a majority vote.
17 Except as provided under sub. (15), if the common council of ~~any~~ a city or the village
18 board of ~~any~~ a village declares its purpose to raise money by issuing bonds for any
19 purpose other than those ~~above~~ specified in this subsection, it shall direct by
20 resolution, which shall be recorded at length in the record of its proceedings, the clerk
21 to call a special election for the purpose of submitting the question of bonding to the
22 city or village electors. If a number of electors of a city or village equal to at least 15%
23 of the votes cast for governor at the last general election in their city or village sign
24 and file a petition conforming to the requirements of s. 8.40 with the city or village
25 clerk requesting submission of the resolution, the city or village may not issue bonds

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1 for financing the cost of low-interest mortgage loans under s. ~~66.38~~ 62.237 without
2 calling a special election to submit the question of bonding to the city or village
3 electors for their approval.

4 **SECTION 623.** 67.16 of the statutes is created to read:

5 **67.16 General obligation-local improvement bonds. (1)** In this section:

6 (a) "Debt service fund" means the fund, however derived, set aside for the
7 payment of principal and interest on bonds issued under this section.

8 (b) "Governing body" means the body or board vested by statute with the power
9 to levy special assessments for public improvement.

10 (c) "Local governmental unit" means a county, city, village, town, farm drainage
11 board, sanitary district, utility district, public inland lake protection and
12 rehabilitation district or any other public board, commission or district, except a 1st
13 class city, authorized by law to levy special assessments for public improvements
14 against the property benefited by the special improvements.

15 (d) "Public improvement" means the result of the performance of work or the
16 furnishing of materials or both, for which special assessments are authorized to be
17 levied against the property benefited by the special assessment.

18 **(2)** (a) For the purpose of anticipating the collection of special assessments
19 payable in instalments under s. 66.0621 (3), the governing body of a local
20 governmental unit, after the instalments have been determined, may issue general
21 obligation-local improvement bonds under this section.

22 **(3)** After the expiration of 90 days from the date of a general obligation-local
23 improvement bond, the bond is conclusive evidence of the legality of all proceedings
24 up to and including the issue of the bond and prima facie evidence of the proper
25 construction of the improvement.

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NOTE: Provisions of s. 66.54 relating to general obligation-local improvement bonds are relocated to ch. 67, relating to general obligation debt. See ALSO SECTION 518 of this bill.

1 **SECTION 624.** 70.11 (18) of the statutes is amended to read:

2 70.11 **(18)** HOUSING. Property of housing authorities exempt from taxation
3 under ~~ss. 66.39 (9) and 66.40 (22)~~ s. 66.1201 (22).

4 **SECTION 625.** 74.53 (1) (b) of the statutes is amended to read:

5 74.53 **(1)** (b) The cost of razing and removing property and restoring the site
6 to a dust-free and erosion-free condition incurred under s. ~~66.05 (2), (5), (8) (bg) or~~
7 ~~(10)~~ 66.0413 (1) (br) 2., (f), (g) or (i), (2) (d) or (4) or of filling an excavation incurred
8 under s. ~~66.05 (6)~~ 66.0427 if the person owned the property when the property was
9 razed and removed and the site restored or the excavation was filled.

10 **SECTION 626.** 85.20 (3) (b) 4. of the statutes is amended to read:

11 85.20 **(3)** (b) 4. The eligible applicant complies with any applicable provisions
12 of ss. 59.58 (2) (j) 2., (k) 2. and (L) and (3) (h) 2. and (j), ~~66.94 (30m) and 66.943~~ 66.1021
13 (10) (b), (11) (b) and (12) with respect to limitation on service.

14 **SECTION 627.** 87.01 (7) of the statutes is amended to read:

15 87.01 **(7)** "Public service corporation" means any corporation specified in s.
16 ~~200.01~~ 201.01.

17 **SECTION 628.** 103.49 (1) (d), (3) (a) and (b), (4r), (5) (a) and (b), (6m) (a) to (e)
18 and (7) (a) and (d) of the statutes are amended to read:

19 103.49 **(1)** (d) "Prevailing 1. Except as provided in subd. 2., "prevailing wage
20 rate" for any trade or occupation engaged in the erection, construction, remodeling,
21 repairing or demolition of any project of public works in any area means the hourly
22 basic rate of pay, plus the hourly contribution for health insurance benefits, vacation
23 benefits, pension benefits and any other bona fide economic benefit, paid directly or

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1 indirectly for a majority of the hours worked in the trade or occupation on projects
2 in the area, ~~or if,~~

3 2. If there is no rate at which a majority of the hours worked in the trade or
4 occupation on projects in the area is paid, ~~then the “prevailing wage rate”~~ for any
5 trade or occupation engaged in the erection, construction, remodeling, repairing or
6 demolition of any project of public works in any area shall be means the average
7 hourly basic rate of pay, weighted by the number of hours worked, plus the average
8 hourly contribution, weighted by the number of hours worked, for health insurance
9 benefits, vacation benefits, pension benefits and any other bona fide economic
10 benefit, paid directly or indirectly for all hours worked at the hourly basic rate of pay
11 of the highest-paid 51% of hours worked in that trade or occupation.

12 **(3)** (a) Before bids are asked for any work to which this section applies, the state
13 agency having the authority to prescribe the specifications shall apply to the
14 department to determine the prevailing wage rate and prevailing hours of labor for
15 each trade or occupation required in the work under contemplation in the area in
16 which the work is to be done. The department shall make ~~such~~ investigations and
17 hold ~~such~~ public hearings as ~~may be~~ necessary to define the trades or occupations
18 that are commonly employed on projects that are subject to this section and to inform
19 itself as to the prevailing wage rates and prevailing hours of labor in all areas of the
20 state for those trades or occupations, with a view to ascertaining the prevailing wage
21 rate and prevailing hours of labor for each ~~such~~ trade or occupation. The department
22 shall issue its determination within 30 days after receiving the request and shall file
23 the ~~same~~ determination with the requesting state agency ~~applying therefor~~. For the
24 information of the employes working on the project, the prevailing wage rates and
25 prevailing hours of labor determined by the department and the provisions of subs.

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1 (2) and (6m) shall be kept posted by the state agency in at least one conspicuous and
2 easily accessible place on the site of the project.

3 (b) Any person may request a recalculation of any portion of a determination
4 within 30 days after the initial determination date if the person submits evidence
5 with the request showing that the prevailing wage rate or prevailing hours of labor
6 for any given trade or occupation included in the initial determination does not
7 represent the prevailing wage rate or prevailing hours of labor for that trade or
8 occupation in the area. ~~Such~~ The evidence shall include wage rate and hours of labor
9 information for work performed in the contested trade or occupation in the area
10 within the previous 12 months. The department shall affirm or modify the initial
11 determination within 15 days after the date on which the department receives the
12 request for recalculation.

13 **(4r) COMPLIANCE.** (a) When the department finds that a state agency has not
14 requested a determination under sub. (3) (a) or that a state agency, contractor or
15 subcontractor has not physically incorporated a determination into a contract or
16 subcontract as required under sub. (2) or has not notified a minor subcontractor of
17 a determination in the manner prescribed by the department by rule promulgated
18 under sub. (2), the department shall notify the state agency, contractor or
19 subcontractor of ~~such~~ the noncompliance and shall file the determination with the
20 state agency, contractor or subcontractor within 30 days after such notice.

21 (b) Upon completion of a project and before receiving final payment for his or
22 her work on the project, each agent or subcontractor shall furnish the contractor with
23 an affidavit stating that the agent or subcontractor has complied fully with the
24 requirements of this section. A contractor may not authorize final payment until
25 ~~such an~~ the affidavit is filed in proper form and order.

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1 (c) Upon completion of a project and before receiving final payment for his or
2 her work on the project, each contractor shall file with the state agency authorizing
3 the work an affidavit stating that the contractor has complied fully with the
4 requirements of this section and that the contractor has received an affidavit under
5 par. (b) from each of the contractor's agents and subcontractors. A state agency may
6 not authorize a final payment until ~~such an~~ the affidavit is filed in proper form and
7 order. If a state agency authorizes a final payment before ~~such an~~ affidavit is filed
8 in proper form and order or if the department determines, based on the greater
9 weight of the credible evidence, that any person specified in sub. (2m) has been or
10 may have been paid less than the prevailing wage rate or less than 1.5 times the
11 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor
12 and requests that the state agency withhold all or part of the final payment, but the
13 state agency fails to do so, the state agency is liable for all back wages payable up to
14 the amount of the final payment.

15 (5) (a) Each contractor, subcontractor or contractor's or subcontractor's agent
16 ~~thereof~~ performing work on a project that is subject to this section shall keep full and
17 accurate records clearly indicating the name and trade or occupation of every person
18 described in sub. (2m) and an accurate record of the number of hours worked by each
19 of those persons and the actual wages paid ~~therefor~~ for the hours worked.

20 (b) It shall be the duty of the department to enforce this section. To this end
21 it may demand and examine, and ~~it shall be the duty of~~ every contractor,
22 subcontractor and contractor's and subcontractor's agent ~~thereof to~~ shall keep, and
23 furnish ~~to~~ upon request by the department, copies of payrolls and other records and
24 information relating to the wages paid to persons described in sub. (2m) for work to
25 which this section applies. The department may inspect records in the manner

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1 provided in this chapter and chs. 104 to 106. Every contractor, subcontractor or agent
2 performing work on a project that is subject to this section is subject to the
3 requirements of ch. 101 relating to the examination of records. Section 111.322 (2m)
4 applies to discharge and other discriminatory acts arising in connection with any
5 proceeding under this section.

6 **(6m)** (a) Except as provided in pars. (b), (d) and (f), any contractor,
7 subcontractor or contractor's or subcontractor's agent thereof who violates this
8 section may be fined not more than \$200 or imprisoned for not more than 6 months
9 or both. Each day that ~~any such~~ a violation continues ~~shall be considered~~ is a
10 separate offense.

11 (b) Whoever induces any individual who seeks to be or is employed on any
12 project that is subject to this section to give up, waive or return any part of the wages
13 to which the individual is entitled under the contract governing ~~such~~ the project, or
14 who reduces the hourly basic rate of pay normally paid to an employe for work on a
15 project that is not subject to this section during a week in which the employe works
16 both on a project that is subject to this section and on a project that is not subject to
17 this section, by threat not to employ, by threat of dismissal from ~~such~~ employment
18 or by any other means is guilty of an offense under s. 946.15 (1).

19 (c) Any person employed on a project that is subject to this section who
20 knowingly permits a contractor, subcontractor or contractor's or subcontractor's
21 agent thereof to pay him or her less than the prevailing wage rate set forth in the
22 contract governing ~~such~~ the project, who gives up, waives or returns any part of the
23 compensation to which he or she is entitled under the contract, or who gives up,
24 waives or returns any part of the compensation to which he or she is normally
25 entitled for work on a project that is not subject to this section during a week in which

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1 the person works both on a project that is subject to this section and on a project that
2 is not subject to this section, is guilty of an offense under s. 946.15 (2).

3 (d) Whoever induces any individual who seeks to be or is employed on any
4 project that is subject to this section to permit any part of the wages to which the
5 individual is entitled under the contract governing ~~such~~ the project to be deducted
6 from the individual's pay is guilty of an offense under s. 946.15 (3), unless the
7 deduction would be permitted under 29 CFR 3.5 or 3.6 from an individual who is
8 working on a project that is subject to 40 USC 276c.

9 (e) Any person employed on a project that is subject to this section who
10 knowingly permits any part of the wages to which he or she is entitled under the
11 contract governing ~~such~~ the project to be deducted from his or her pay is guilty of an
12 offense under s. 946.15 (4), unless the deduction would be permitted under 29 CFR
13 3.5 or 3.6 from a person who is working on a project that is subject to 40 USC 276c.

14 **(7)** (a) Except as provided under pars. (b) and (c), the department shall
15 distribute to all state agencies and to the University of Wisconsin Hospitals and
16 Clinics Authority a list of all persons whom the department has found to have failed
17 to pay the prevailing wage rate determined under sub. (3) or has found to have paid
18 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
19 prevailing hours of labor determined under sub. (3) at any time in the preceding 3
20 years. The department shall include with any ~~such~~ name the address of ~~such~~ the
21 person and shall specify when ~~such~~ the person failed to pay the prevailing wage rate
22 and when ~~such~~ the person paid less than 1.5 times the hourly basic rate of pay for
23 all hours worked in excess of the prevailing hours of labor. A state agency or the
24 University of Wisconsin Hospitals and Clinics Authority may not award any contract
25 to ~~such~~ the person unless otherwise recommended by the department or unless 3

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1 years have elapsed from the date the department issued its findings or date of final
2 determination by a court of competent jurisdiction, whichever is later.

3 (d) Any person submitting a bid on a project that is subject to this section shall
4 ~~be required~~, on the date the person submits the bid, to identify any construction
5 business in which the person, or a shareholder, officer or partner of the person, if the
6 person is a business, owns, or has owned at least a 25% interest on the date the person
7 submits the bid or at any other time within 3 years preceding the date the person
8 submits the bid, if the business has been found to have failed to pay the prevailing
9 wage rate determined under sub. (3) or to have paid less than 1.5 times the hourly
10 basic rate of pay for all hours worked in excess of the prevailing hours of labor
11 determined under sub. (3).

NOTE: For consistency, s. 103.49 (prevailing wage rates for state building projects) is amended to make editorial changes that parallel those made to current s. 66.293 (prevailing wage rates for municipalities) by SECTION 335.

12 **SECTION 629.** 103.50 (1) (d), (7) (a) to (e) and (8) of the statutes are amended
13 to read:

14 103.50 (1) (d) ~~“Prevailing 1. Except as provided in subd. 2., “prevailing wage~~
15 ~~rate”~~ for any trade or occupation in any area means the hourly basic rate of pay, plus
16 the hourly contribution for health insurance benefits, vacation benefits, pension
17 benefits and any other bona fide economic benefit, paid directly or indirectly, for a
18 majority of the hours worked in the trade or occupation in the area, ~~or if,~~

19 2. If there is no rate at which a majority of the hours worked in the trade or
20 occupation in the area is paid, then the prevailing wage rate shall be “prevailing
21 wage rate” means the average hourly basic rate of pay, weighted by the number of
22 hours worked, plus the average hourly contribution, weighted by the number of
23 hours worked, for health insurance benefits, vacation benefits, pension benefits and

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1 any other bona fide economic benefit, paid directly or indirectly for all hours worked
2 at the hourly basic rate of pay of the highest-paid 51% of hours worked in that trade
3 or occupation in that area.

4 (7) (a) Except as provided in pars. (b), (d) and (f), any contractor, subcontractor
5 or contractor's or subcontractor's agent thereof who violates this section may be fined
6 not more than \$200 or imprisoned for not more than 6 months or both. Each day that
7 ~~any such a violation continues shall be considered~~ is a separate offense.

8 (b) Whoever induces any individual who seeks to be or is employed on any
9 project that is subject to this section to give up, waive or return any part of the wages
10 to which the individual is entitled under the contract governing ~~such~~ the project, or
11 who reduces the hourly basic rate of pay normally paid to an employe for work on a
12 project that is not subject to this section during a week in which the employe works
13 both on a project that is subject to this section and on a project that is not subject to
14 this section, by threat not to employ, by threat of dismissal from ~~such~~ employment
15 or by any other means is guilty of an offense under s. 946.15 (1).

16 (c) Any person employed on a project that is subject to this section who
17 knowingly permits a contractor, subcontractor or contractor's or subcontractor's
18 ~~agent thereof~~ to pay him or her less than the prevailing wage rate set forth in the
19 contract governing ~~such~~ the project, who gives up, waives or returns any part of the
20 compensation to which he or she is entitled under the contract, or who gives up,
21 waives or returns any part of the compensation to which he or she is normally
22 entitled for work on a project that is not subject to this section during a week in which
23 the person works both on a project that is subject to this section and on a project that
24 is not subject to this section, is guilty of an offense under s. 946.15 (2).

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1 (d) Whoever induces any individual who seeks to be or is employed on any
2 project that is subject to this section to permit any part of the wages to which the
3 individual is entitled under the contract governing ~~such~~ the project to be deducted
4 from the individual's pay is guilty of an offense under s. 946.15 (3), unless the
5 deduction would be permitted under 29 CFR 3.5 or 3.6 from an individual who is
6 working on a project that is subject to 40 USC 276c.

7 (e) Any person employed on a project that is subject to this section who
8 knowingly permits any part of the wages to which he or she is entitled under the
9 contract governing ~~such~~ the project to be deducted from his or her pay is guilty of an
10 offense under s. 946.15 (4), unless the deduction would be permitted under 29 CFR
11 3.5 or 3.6 from an individual who is working on a project that is subject to 40 USC
12 276c.

13 (8) ENFORCEMENT AND PROSECUTION. The department of transportation shall
14 require adherence to subs. (2) and (6). The department of transportation may
15 demand and examine, and ~~it shall be the duty of every contractor, subcontractor and~~
16 contractor's or subcontractor's agent thereof to shall keep and furnish ~~to~~ upon
17 request by the department of transportation, copies of payrolls and other records and
18 information relating to the wages paid to persons described in sub. (2m) for work to
19 which this section applies. Upon request of the department of transportation or upon
20 complaint of alleged violation, the district attorney of the county in which the work
21 is located shall ~~make such investigation~~ investigate as necessary and prosecute
22 violations in a court of competent jurisdiction. Section 111.322 (2m) applies to
23 discharge and other discriminatory acts arising in connection with any proceeding
24 under this section.

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NOTE: For consistency, s. 103.50 (prevailing wage rates for state highway projects) is amended to make editorial changes that parallel those made to current s. 66.293 (prevailing wage rates for municipalities) by SECTION 335.

1 **SECTION 630.** 117.132 (1m) (a) of the statutes is amended to read:

2 117.132 **(1m)** (a) “Annexed” means annexed or attached under s. ~~66.021,~~
3 ~~66.022, 66.023, 66.024, 66.025~~ or ~~66.027~~ 66.0217, 66.0219, 66.0221, 66.0223,
4 66.0225, 66.0227 or 66.0307.

5 **SECTION 631.** 119.04 (1) of the statutes, as affected by 1997 Wisconsin Act 77
6 and 1999 Wisconsin Act 9, is amended to read:

7 119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
8 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
9 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to
10 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
11 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,
12 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125, 120.13
13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35) ~~and~~, 120.14 and 120.25 are
14 applicable to a 1st class city school district and board.

15 **SECTION 632.** 120.25 (title) of the statutes is created to read:

16 **120.25** (title) **School board cooperation in acquiring school facilities.**

17 **SECTION 633.** 182.025 (1) of the statutes is amended to read:

18 182.025 **(1)** Any domestic corporation formed to furnish water, heat, light,
19 power, telegraph or telecommunications service or signals by electricity may, subject
20 to the provisions of ch. ~~200~~ 201 and by an affirmative vote of at least two-thirds of
21 its outstanding shares entitled to vote thereon, or any cooperative association
22 organized under ch. 185 to furnish water, heat, light, power, telegraph or
23 telecommunications service to its stockholders or members only may, by a vote of a

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1 majority of a quorum of its stockholders or members present at any regular or special
2 meeting held upon due notice as to the purpose of the meeting or when authorized
3 by the written consent of the holders of a majority of its capital stock outstanding and
4 entitled to vote or of a majority of its members, mortgage or trust deed any or all of
5 the property, rights and privileges and franchises that it may then own or thereafter
6 acquire, to secure the payment of its bonds or notes to a fixed amount or in amounts
7 to be from time to time determined by the board of directors, and may, in and by such
8 mortgage or deed of trust, provide for the disposal of any of its property and the
9 substitution of other property in its place. Every such mortgage or deed of trust may
10 be recorded in the office of the register of deeds of the county in which such
11 corporation is located at the time of such recording, and such record shall have the
12 same effect as if the instrument were filed in the proper office as a chattel mortgage
13 or financing statement, and so remain until satisfied or discharged without any
14 further affidavit, continuation statement or proceeding whatever. For this purpose
15 the location of such corporation shall be deemed to be: as to a corporation or a
16 cooperative association not at the time subject to either s. 180.0501 or 185.08, the
17 location designated in its articles as then in effect; as to a corporation subject to s.
18 180.0501, the location of its registered office; and as to a cooperative association
19 subject to s. 185.08, the location of its principal office or registered agent as
20 designated thereunder.

21 **SECTION 634.** 182.031 (2) of the statutes is amended to read:

22 182.031 (2) POWERS; PLACE OF BUSINESS. Every such corporation shall possess
23 all the rights and powers conferred upon corporations by chs. 180 and ~~200~~ 201. It
24 may have its principal place of business without the state. If its principal place of
25 business is outside the state, process in actions against it may be served as provided

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1 in s. 180.1510 for service on a foreign stock corporation authorized to transact
2 business in this state.

3 **SECTION 635.** 182.70 (9) (a) of the statutes is amended to read:

4 182.70 **(9)** (a) The company may, after certification from the commission
5 according to the procedures under ss. ~~200.03 and 200.04~~ 201.03 and 201.04, issue
6 bonds or other obligations secured by pledge, assignment, mortgage or trust deed of
7 its property.

8 **SECTION 636.** 182.71 (7) (c) of the statutes is amended to read:

9 182.71 **(7)** (c) The company may, after certification from the commission
10 according to the procedures under ss. ~~200.03 and 200.04~~ 201.03 to 201.04, issue
11 capital stock or negotiable bonds. The money received by the company upon account
12 of capital stock or sale of its negotiable bonds shall be used to pay the original cost
13 of purchase, construction or improvement of the reservoir system. All tolls collected
14 under sub. (5) shall be applied only to the payment of cost of maintenance and
15 operation of the system and payment of the net return on capital so that the capital
16 stock and bonds of the corporation shall be maintained at par value at all times.

17 **SECTION 637.** 195.60 (2) of the statutes is amended to read:

18 195.60 **(2)** The office shall annually, within 90 days after the close of each fiscal
19 year, ascertain the total of its expenditures during such year which are reasonably
20 attributable to the performance of its duties relating to railroads. For purposes of
21 such calculation, 90% of the expenditures so determined shall be expenditures of the
22 office and 10% of the expenditures so determined shall be expenditures for state
23 government operations. The office shall deduct therefrom all amounts chargeable
24 to railroads under sub. (1) and s. ~~200.10~~ 201.10 (3). A sum equal to the remainder
25 plus 10% of the remainder shall be assessed by the office to the several railroads in

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1 proportion to their respective gross operating revenues during the last calendar year,
2 derived from intrastate operations. Such assessment shall be paid within 30 days
3 after the bill has been mailed to the several railroads, which bill shall constitute
4 notice of assessment and demand of payment thereof. The total amount which may
5 be assessed to the railroads under authority of this subsection shall not exceed 1.75%
6 of the total gross operating revenues of such railroads, during such calendar year,
7 derived from intrastate operations. Ninety percent of the payment shall be credited
8 to the appropriation account under s. 20.155 (2) (g). The railroads shall furnish such
9 financial information as the office requires.

10 **SECTION 638.** 196.02 (7) of the statutes is amended to read:

11 196.02 (7) COMMISSION INITIATIVE. In any matter within its jurisdiction,
12 including, but not limited to, chs. 197 and ~~200~~ 201 and this chapter, the commission
13 may initiate, investigate and order a hearing at its discretion upon such notice as it
14 deems proper.

15 **SECTION 639.** 196.195 (1) of the statutes is amended to read:

16 196.195 (1) REGULATION IMPOSED. Except as provided in this section and ss.
17 196.202, 196.203, 196.215 and 196.219, a telecommunications utility is subject to
18 every applicable provision of this chapter and ch. ~~200~~ 201.

19 **SECTION 640.** 196.195 (5) of the statutes is amended to read:

20 196.195 (5) COMMISSION ACTION. If after the proceedings under subs. (2), (3) and
21 (4) the commission has determined that effective competition exists in the market
22 for the telecommunications service which justifies a lesser degree of regulation and
23 that lesser regulation in that market will serve the public interest, the commission
24 may, by order, suspend any of the following provisions of law, except as provided
25 under subs. (7) and (8): ch. ~~200~~ 201 and s. 196.02 (2); s. 196.05; s. 196.06; s. 196.07;

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1 s. 196.09; s. 196.10; s. 196.12; s. 196.13 (2); s. 196.19; tariffing requirements under
2 s. 196.194; s. 196.196 (1) or (5); s. 196.20; s. 196.204 (7); s. 196.21; s. 196.22; s. 196.26;
3 s. 196.28; s. 196.37; s. 196.49; s. 196.52; s. 196.58; s. 196.60; s. 196.604; s. 196.77; s.
4 196.78; s. 196.79; and s. 196.805.

5 **SECTION 641.** 196.202 (2) of the statutes is amended to read:

6 196.202 (2) SCOPE OF REGULATION. A commercial mobile radio service provider
7 is not subject to ch. ~~200~~ 201 or this chapter, except a commercial mobile radio service
8 provider is subject to s. 196.218 (3) to the extent not preempted by federal law. If the
9 application of s. 196.218 (3) to a commercial mobile radio service provider is not
10 preempted, a commercial mobile radio service provider shall respond, subject to the
11 protection of the commercial mobile radio service provider's competitive
12 information, to all reasonable requests for information about its operations in this
13 state from the commission necessary to administer the universal service fund.

14 **SECTION 642.** 196.203 (1) of the statutes, as affected by 1997 Wisconsin Act 140,
15 is amended to read:

16 196.203 (1) Except as provided in this section, alternative telecommunications
17 utilities are exempt from all provisions of ch. ~~200~~ 201 and this chapter.

18 **SECTION 643.** 196.203 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
19 140, is amended to read:

20 196.203 (3) (a) In response to a petition from any interested person, or upon
21 its own motion, the commission shall determine whether the public interest requires
22 that any provision of ch. ~~200~~ 201 or this chapter be imposed on a person providing
23 or proposing to provide service as an alternative telecommunications utility in a
24 relevant market. In making this determination, the commission may consider
25 factors including the quality of service, customer complaints, concerns about the

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1 effect on customers of local exchange telecommunications utilities and the extent to
2 which similar services are available from alternative sources.

3 **SECTION 644.** 196.203 (4) of the statutes is amended to read:

4 196.203 (4) The commission may impose any provision of ch. ~~200~~ 201 or this
5 chapter on one or more, but not necessarily all, alternative telecommunications
6 utilities providing service in a relevant market.

7 **SECTION 645.** 196.795 (5) (a) of the statutes is amended to read:

8 196.795 (5) (a) No holding company which is not a public utility and no
9 nonutility affiliate is subject to any regulatory power of the commission except under
10 this section, ss. 196.52, 196.525 and 196.84 and except under ch. ~~200~~ 201 if the
11 commission has made a determination under sub. (7) (a) which makes such holding
12 company a public service corporation, as defined under s. ~~200.01~~ 201.01 (2).

13 **SECTION 646.** 196.795 (5) (b) of the statutes is amended to read:

14 196.795 (5) (b) The commission has full access to any book, record, document
15 or other information relating to a holding company system to the extent that such
16 information is relevant to the performance of the commission's duties under ch. ~~200~~
17 201, this chapter or any other statute applicable to the public utility affiliate. The
18 commission may require a holding company to keep any record or document which
19 is necessary for the commission to perform its duties under this section and which
20 is consistent with generally accepted accounting and record-keeping practices of the
21 particular type of business involved. Any information obtained under this
22 paragraph is subject to sub. (9), when applicable.

23 **SECTION 647.** 196.80 (1m) (d) of the statutes is amended to read:

24 196.80 (1m) (d) Consolidate or merge with any Wisconsin corporation if
25 substantially all of the assets of the corporation consist of the entire stock of the

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1 public utility. The total of the resulting securities outstanding of the possessor
2 corporation which have not been authorized previously under ch. ~~200~~ 201 shall
3 require authorization under ch. ~~200~~ 201 as a condition precedent to the merger or
4 consolidation.

5 **SECTION 648.** 196.85 (1) of the statutes is amended to read:

6 196.85 (1) If the commission in a proceeding upon its own motion, on complaint,
7 or upon an application to it deems it necessary in order to carry out the duties
8 imposed upon it by law to investigate the books, accounts, practices and activities of,
9 or make appraisals of the property of any public utility, power district or sewerage
10 system or to render any engineering or accounting services to any public utility,
11 power district or sewerage system, the public utility, power district or sewerage
12 system shall pay the expenses attributable to the investigation, including the cost
13 of litigation, appraisal or service. The commission shall mail a bill for the expenses
14 to the public utility, power district or sewerage system either at the conclusion of the
15 investigation, appraisal or services, or during its progress. The bill constitutes notice
16 of the assessment and demand of payment. The public utility, power district or
17 sewerage system shall, within 30 days after the mailing of the bill pay to the
18 commission the amount of the special expense for which it is billed. Ninety percent
19 of the payment shall be credited to the appropriation account under s. 20.155 (1) (g).
20 The total amount in any one calendar year for which any public utility, power district
21 or sewerage system is liable, by reason of costs incurred by the commission within
22 the calendar year, including charges under s. ~~200.10~~ 201.10 (3), may not exceed
23 four-fifths of one percent of its gross operating revenues derived from intrastate
24 operations in the last preceding calendar year. Nothing in this subsection shall
25 prevent the commission from rendering bills in one calendar year for costs incurred

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1 within a previous year. For the purpose of calculating the costs of investigations,
2 appraisals and other services under this subsection, 90% of the costs determined
3 shall be costs of the commission and 10% of the costs determined shall be costs of
4 state government operations.

5 **SECTION 649.** 196.85 (2) of the statutes is amended to read:

6 196.85 (2) The commission shall annually, within 90 days of the
7 commencement of each fiscal year, calculate the total of its expenditures during the
8 prior fiscal year which are reasonably attributable to the performance of its duties
9 relating to public utilities, sewerage systems and power districts under this chapter
10 and chs. 66, 198 and ~~200~~ 201 and expenditures of the state for state government
11 operations to support the performance of such duties. For purposes of such
12 calculation, 90% of the expenditures so determined shall be expenditures of the
13 commission and 10% of the expenditures so determined shall be expenditures for
14 state government operations. The commission shall deduct from this total all
15 amounts chargeable to public utilities, sewerage systems and power districts under
16 sub. (1) and s. ~~200.10~~ 201.10 (3). The commission shall assess a sum equal to the
17 remainder plus 10% of the remainder to the public utilities and power districts in
18 proportion to their respective gross operating revenues during the last calendar year,
19 derived from intrastate operations. If, at the time of payment, the prior year's
20 expenditures made under this section exceeded the payment made under this section
21 in the prior year, the commission shall charge the remainder to the public utilities
22 and power districts in proportion to their gross operating revenues during the last
23 calendar year. If, at the time of payment it is determined that the prior year's
24 expenditures made under this section were less than the payment made under this
25 section in the prior year, the commission shall credit the difference to the current

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1 year's payment. The assessment shall be paid within 30 days after the bill has been
2 mailed to the public utilities and power districts. The bill constitutes notice of the
3 assessment and demand of payment. Ninety percent of the payment shall be credited
4 to the appropriation account under s. 20.155 (1) (g).

5 **SECTION 650.** Chapter 200 (title) of the statutes is renumbered chapter 201
6 (title).

7 **SECTION 651.** Chapter 200 (title) of the statutes is created to read:

8 **CHAPTER 200**
9 **METROPOLITAN**
10 **SEWERAGE DISTRICTS**

11 **SECTION 652.** Subchapter I (title) of chapter 200 [precedes 200.01] of the
12 statutes is created to read:

13 **CHAPTER 200**

14 **SUBCHAPTER I**

15 **DISTRICTS GENERALLY**

16 **SECTION 653.** 200.01 to 200.05 of the statutes, as affected by 1999 Wisconsin
17 Act 9, are renumbered 201.01 to 201.05.

18 **SECTION 654.** 200.06 (title) and (1) of the statutes are renumbered 201.06 (title)
19 and (1).

20 **SECTION 655.** 200.06 (2) of the statutes is renumbered 201.06 (2) and amended
21 to read:

22 201.06 (2) The commission may attach to the issuance of any certificate under
23 this chapter such terms, conditions or requirements as in its judgment are
24 reasonably necessary to protect the public interest. Any public service corporation
25 dissatisfied with any of the terms or conditions so imposed by the commission in such
26 certificate of authority shall be limited in its remedy to an action to modify or set

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1 aside the commission order authorizing a certificate of authority, as provided by s.
2 ~~200.08~~ 201.08. Any public service corporation issuing securities pursuant to any
3 certificate of authority, not having brought any such action to set aside such order
4 shall be deemed thereby to have waived any and all objections to the terms,
5 conditions and requirements contained in such certificate of authority.

6 **SECTION 656.** 200.07 to 200.11 of the statutes, as affected by 1997 Wisconsin
7 Act 283, are renumbered 201.07 to 201.11.

8 **SECTION 657.** 200.12 of the statutes is renumbered 201.12 and amended to
9 read:

10 **201.12 Judicial sale of corporation, reorganization.** Whenever the
11 rights, powers, privileges and franchises of any domestic public service corporation
12 shall be sold at judicial sale or pursuant to the foreclosure of a mortgage, the
13 purchaser shall, within 60 days after the sale, organize a new corporation pursuant
14 to the laws respecting corporations for similar purposes and shall convey to the new
15 corporation the rights, privileges and franchises which the former corporation had,
16 or was entitled to have, at the time of the sale and which are provided by the statutes
17 applicable to domestic public service corporations. The amount of securities that
18 may be issued by the new corporation for the purpose of acquiring the property of the
19 former corporation shall be determined in accordance with ss. ~~200.04, 200.05 and~~
20 200.06 201.04, 201.05 and 201.06.

21 **SECTION 658.** 200.13 of the statutes is renumbered 201.13.

22 **SECTION 659.** 200.14 of the statutes is renumbered 201.14 and amended to
23 read:

24 **201.14 Validation of securities issued without certificate.** Securities
25 issued by any such corporation, for the issuance of which a certificate should have

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1 been, but through excusable neglect or mistake was not, applied for, may be validated
2 by the commission upon application of such corporation, signed and verified by the
3 president and secretary, and setting forth the information required by s. ~~200.05~~
4 201.05 (1), and in addition thereto a concise statement of the reasons why such
5 application was not made at the time such securities were issued. If the commission
6 shall find and determine that such failure to make application was due to excusable
7 neglect or mistake, and was not occasioned by any design to evade compliance with
8 the law, and that such issue was otherwise in accordance with law, the commission
9 shall issue to the corporation a validating certificate.

10 **SECTION 660.** 200.15 of the statutes is renumbered 201.15.

11 **SECTION 661.** Subchapter II (title) of chapter 200 [precedes 200.21] of the
12 statutes is created to read:

13 **CHAPTER 200**

14 **SUBCHAPTER II**

15 **DISTRICTS INCLUDING**

16 **1ST CLASS CITIES**

17 **SECTION 662.** 289.33 (3) (d) of the statutes is amended to read:

18 289.33 (3) (d) "Local approval" includes any requirement for a permit, license,
19 authorization, approval, variance or exception or any restriction, condition of
20 approval or other restriction, regulation, requirement or prohibition imposed by a
21 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
22 a town, city, village, county or special purpose district, including without limitation
23 because of enumeration any ordinance, resolution or regulation adopted under s.
24 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9),
25 (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27),

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1 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23),
2 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12), (16),
3 (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6), 59.56
4 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and
5 (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8),
6 (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and
7 (11), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34, 61.35, 61.351, 61.354,
8 62.11, 62.23, 62.231, 62.234, ~~66.01, 66.052, 66.24 (8)~~ 66.0101, 66.0415, 87.30, 91.73,
9 196.58, 200.11 (8), 236.45, 281.43 or 349.16 or subch. VIII of ch. 60.

10 **SECTION 663.** 632.103 (2) (a) 1. of the statutes is amended to read:

11 632.103 (2) (a) 1. Costs incurred in the course of enforcing ~~s. 66.05~~ ss. 66.0413
12 and 66.0427 or a local ordinance relating to demolition, with respect to the building
13 or other structure for which the funds are withheld.

14 **SECTION 664.** 755.045 (2) of the statutes is amended to read:

15 755.045 (2) A municipal judge may issue civil warrants to enforce matters
16 which are under the jurisdiction of the municipal court. Municipal judges are also
17 authorized to issue inspection warrants under ~~ss. 66.122 and 66.123~~ s. 66.0119.

18 **SECTION 665.** 823.21 of the statutes is amended to read:

19 **823.21 Dilapidated buildings declared nuisances.** Any building which,
20 under s. ~~66.05 (1m)~~ 66.0413 (1) (b) 1., has been declared so old, dilapidated or out of
21 repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human
22 habitation or has been determined to be unreasonable to repair under s. ~~66.05 (1m)~~
23 66.0413 (1) (b) 1. is a public nuisance and may be proceeded against under this
24 chapter.

25 **SECTION 666.** 823.215 of the statutes is amended to read:

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1 **823.215 Dilapidated wharves and piers in navigable waters declared**
2 **nuisances.** Any wharf or pier in navigable waters which is declared so old,
3 dilapidated or in need of repair that it is dangerous, unsafe or unfit for use under s.
4 ~~66.0495 (1) (b)~~ 30.15 (5m) (a) 2. or repair is determined unreasonable under that
5 section is a public nuisance and may be proceeded against under this chapter.

6 **SECTION 667.** 893.33 (5) of the statutes is amended to read:

7 893.33 (5) This section bars all claims to an interest in real property, whether
8 rights based on marriage, remainders, reversions and reverter clauses in covenants
9 restricting the use of real estate, mortgage liens, old tax deeds, death and income or
10 franchise tax liens, rights as heirs or under will, or any claim of any nature, however
11 denominated, and whether such claims are asserted by a person sui juris or under
12 disability, whether such person is within or without the state, and whether such
13 person is natural or corporate, or private or governmental, unless within the 30-year
14 period provided by sub. (2) there has been recorded in the office of the register of
15 deeds some instrument expressly referring to the existence of the claim, or a notice
16 pursuant to this section. This section does not apply to any action commenced or any
17 defense or counterclaim asserted, by any person who is in possession of the real
18 estate involved as owner at the time the action is commenced. This section does not
19 apply to any real estate or interest in real estate while the record title to the real
20 estate or interest in real estate remains in a railroad corporation, a public service
21 corporation as defined in s. ~~200.01~~ 201.01, an electric cooperative organized and
22 operating on a nonprofit basis under ch. 185, or any trustee or receiver of a railroad
23 corporation, a public service corporation or an electric cooperative, or to claims or
24 actions founded upon mortgages or trust deeds executed by that cooperative or
25 corporation, or trustees or receivers of that cooperative or corporation. This section

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1 also does not apply to real estate or an interest in real estate while the record title
2 to the real estate or interest in real estate remains in the state or a political
3 subdivision or municipal corporation of this state.

4 **SECTION 668.** 893.76 of the statutes is amended to read:

5 **893.76 Order to repair or remove building or restore site; contesting.**

6 An application under s. ~~66.05 (3)~~ 66.0413 (1) (h) to a circuit court for an order
7 restraining the inspector of buildings or other designated officer from razing and
8 removing a building or part of a building and restoring a site to a dust-free and
9 erosion-free condition shall be made within 30 days after service of the order issued
10 under s. ~~66.05 (1m)~~ 66.0413 (1) (b) or be barred.

11 **SECTION 669.** 893.765 of the statutes is amended to read:

12 **893.765 Order to remove wharves or piers in navigable waters;**
13 **contesting.** An application under s. ~~66.0495 (3)~~ 30.15 (5m) (c) to circuit court for a
14 restraining order prohibiting the removal of a wharf or pier shall be made within 30
15 days after service of the order issued under s. ~~66.0495 (1)~~ 30.15 (5m) (a) or be barred.

16 **SECTION 670.** 946.15 of the statutes is amended to read:

17 **946.15 Public construction contracts at less than full rate. (1)** Any
18 employer, or any agent or employe of an employer, who induces any person who seeks
19 to be or is employed pursuant to a public contract as defined in s. ~~66.29~~ 66.0901 (1)
20 (c) or who seeks to be or is employed on a project on which a prevailing wage rate
21 determination has been issued by the department of workforce development under
22 s. ~~66.293~~ 66.0903 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as
23 defined in s. ~~66.293~~ 66.0903 (1) (d), under s. ~~66.293~~ 66.0903 (6) to give up, waive or
24 return any part of the compensation to which that person is entitled under his or her
25 contract of employment or under the prevailing wage rate determination issued by

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1 the department or local governmental unit, or who reduces the hourly basic rate of
2 pay normally paid to an employe for work on a project on which a prevailing wage
3 rate determination has not been issued under s. ~~66.293~~ 66.0903 (3) or (6), 103.49 (3)
4 or 103.50 (3) during a week in which the employe works both on a project on which
5 a prevailing wage rate determination has been issued and on a project on which a
6 prevailing wage rate determination has not been issued, is guilty of a Class E felony.

7 (2) Any person employed pursuant to a public contract as defined in s. ~~66.29~~
8 66.0901 (1) (c) or employed on a project on which a prevailing wage rate
9 determination has been issued by the department of workforce development under
10 s. ~~66.293~~ 66.0903 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as
11 defined in s. ~~66.293~~ 66.0903 (1) (d), under s. ~~66.293~~ 66.0903 (6) who gives up, waives
12 or returns to the employer or agent of the employer any part of the compensation to
13 which the employe is entitled under his or her contract of employment or under the
14 prevailing wage determination issued by the department or local governmental unit,
15 or who gives up any part of the compensation to which he or she is normally entitled
16 for work on a project on which a prevailing wage rate determination has not been
17 issued under s. ~~66.293~~ 66.0903 (3) or (6), 103.49 (3) or 103.50 (3) during a week in
18 which the person works part-time on a project on which a prevailing wage rate
19 determination has been issued and part-time on a project on which a prevailing
20 wage rate determination has not been issued, is guilty of a Class C misdemeanor.

21 (3) Any employer or labor organization, or any agent or employe of an employer
22 or labor organization, who induces any person who seeks to be or is employed on a
23 project on which a prevailing wage rate determination has been issued by the
24 department of workforce development under s. ~~66.293~~ 66.0903 (3), 103.49 (3) or
25 103.50 (3) or by a local governmental unit, as defined in s. ~~66.293~~ 66.0903 (1) (d),

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1 under s. ~~66.293~~ 66.0903 (6) to permit any part of the wages to which that person is
2 entitled under the prevailing wage rate determination issued by the department or
3 local governmental unit to be deducted from the person's pay is guilty of a Class E
4 felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a
5 person who is working on a project that is subject to 40 USC 276c.

6 (4) Any person employed on a project on which a prevailing wage rate
7 determination has been issued by the department of workforce development under
8 s. ~~66.293~~ 66.0903 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as
9 defined in s. ~~66.293~~ 66.0903 (1) (d), under s. ~~66.293~~ 66.0903 (6) who permits any part
10 of the wages to which that person is entitled under the prevailing wage rate
11 determination issued by the department or local governmental unit to be deducted
12 from his or her pay is guilty of a Class C misdemeanor, unless the deduction would
13 be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that
14 is subject to 40 USC 276c.

15 **SECTION 671.** 946.82 (4) of the statutes, as affected by 1999 Wisconsin Act 9,
16 is amended to read:

17 946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961
18 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission
19 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),
20 180.0129, 181.0129, 185.825, ~~200.09~~ 201.09 (2), 215.12, 221.0625, 221.0636,
21 221.0637, 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2),
22 940.01, 940.19 (3) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31,
23 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) or (2g), 943.011,
24 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d),
25 943.201, 943.23 (1g), (1m), (1r), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30,

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1 943.32, 943.34 (1) (b) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4)
 2 (b) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34,
 3 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31,
 4 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05,
 5 948.08, 948.12 and 948.30.

6 **SECTION 672. Cross-reference changes.** In the sections of the statutes listed
 7 in Column A, the cross-references shown in Column B are changed to the
 8 cross-references shown in column C:

9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A Statute Sections	B Old Cross-Reference	C New Cross-Reference
	5.01 (4) (a)	66.23 (11) (am)	200.09 (11) (am)
	5.58 (2m)	66.23 (11) (am)	200.09 (11) (am)
	5.60 (1) (b)	66.23 (11) (am)	200.09 (11) (am)
	5.60 (4m)	66.23 (11) (am)	200.09 (11) (am)
	6.50 (5)	66.05 (2)	66.0413 (1) (j)
	7.10 (1) (a)	66.23 (11) (am)	200.09 (11) (am)
	7.21 (2)	66.146	62.51
	7.60 (4) (a)	66.23 (11) (am)	200.09 (11) (am)
	7.60 (5)	66.23 (11) (am)	200.09 (11) (am)
	7.70 (3) (d)	66.23 (11) (am)	200.09 (11) (am)
	8.10 (6) (a)	66.23 (11) (am)	200.09 (11) (am)
	8.11 (1) (b)	66.01	66.0101
	13.48 (2) (f)	66.51	66.0913

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1	13.48 (2) (g)	66.60 (4)	66.0703 (6)
2	13.48 (14) (b)	66.60 (4)	66.0703 (6)
3	16.30 (2) (a)	66.395 or 66.40	66.1201 or 66.1213
4	16.30 (2) (b)	66.431 (5) (a) 9.	66.1333 (3)
5	16.30 (2) (b)	66.4325 (4)	66.1335 (4)
6	16.528 (1) (b)	66.29 (1) (d)	96.0901 (1) (d)
7	16.73 (1)	66.29	66.0901
8	16.73 (4) (a)	66.29	66.0901
9	16.855 (12)	66.29	66.0901
10	16.971 (4) (c) 2.	66.29 (1) (b)	66.0901 (1) (a)
11	17.12 (1)	66.146 (1) (b)	62.51 (1) (b)
12	17.27 (1m)	66.23 (11) (am)	200.09 (11) (am)
13	19.21 (8)	66.88 to 66.918	200.21 to 200.65
14	20.285 (1) (ep), as	66.034	66.1027
15	created by 1999 Wis.		
16	Act 9		
17	20.370 (2) (dv)	66.365	283.87 (4)
18	20.556 (1) (gg)	66.75 (1m) (a) and (b)	66.0615 (1m) (a) and (b)
19	20.835 (4) (gg)	66.75 (1m) (a) and (b)	66.0615 (1m) (a) and (b)
20	20.866 (2) (tc)	66.905 (2) (b)	200.49 (2) (b)
21	20.866 (2) (to)	66.905	200.49
22	24.60 (2)	66.22	200.05

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1	24.60 (2)	66.882	200.23
2	24.61 (3) (a) 6.	66.22	200.05
3	24.61 (3) (a) 7.	66.882	200.23
4	24.66 (2p)	66.22	200.05
5	24.66 (2p)	66.882	200.23
6	24.66 (2p)	66.882 (2) (a)	200.23 (2) (a)
7	24.66 (5) (b)	66.072	66.0827
8	24.67 (1) (i)	66.22	200.05
9	24.67 (1) (j)	66.882	200.23
10	24.67 (2) (c)	66.22	200.05
11	24.67 (2) (f)	66.882	200.23
12	27.065 (4) (b)	66.615	66.0907
13	27.065 (9) (h)	66.54	66.0713
14	27.10 (1) (b)	66.042	66.0607
15	27.10 (4) (g)	66.635	66.0731
16	30.126 (6) (d)	66.32	66.0105
17	30.126 (7) (c)	66.32	66.0105
18	30.16 (2)	66.0495	30.13 (5m)
19	30.30 (3) (c)	66.60	66.0703
20	30.30 (6)	66.45	66.0315
21	30.31 (5)	66.30	66.0301
22	30.31 (6)	66.60	66.0703

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1	30.31 (6)	66.60 (8) (d)	66.0703 (8) (d)
2	30.34 (3) (a)	66.066 (4)	66.0621 (5)
3	30.34 (3) (a)	66.521	66.1103
4	30.34 (3) (c)	66.066	66.0621
5	30.34 (3) (c)	66.066 (2) (b)	66.0621 (4) (b)
6	30.35 (2m)	66.066 (2) (a)	66.0621 (4) (a)
7	30.35 (2m)	66.066 (2) (i) and (m)	66.0621 (4) (i) and (L)
8	30.38 (13) (a)	66.521	66.1103
9	30.72 (2)	66.30 (5)	66.0303
10	30.77 (3) (dm) 1. b., as	66.299 (1) (a)	66.0131 (1) (a)
11	affected by 1999 Wis.		
12	Act 9		
13	30.772 (3) (f)	66.0495	30.13 (5m)
14	30.78 (3) (b)	66.32	66.0105
15	30.92 (1) (b)	66.299 (1) (a)	66.0131 (1) (a)
16	31.14 (2) (a)	66.60	66.0703
17	31.36 (2)	66.60	66.0703
18	31.38 (4)	66.60	66.0703
19	31.38 (6)	66.60	66.0703
20	32.01 (1)	66.40 to 66.404	66.1201 to 66.1211
21	32.01 (1)	66.30	66.0301
22	32.01 (1)	66.431	66.1333

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1	32.01 (11)	66.431	66.1333
2	32.02 (1)	66.30	66.0301
3	32.02 (11)	66.40 to 66.404	66.1201 to 66.1211
4	32.02 (11)	66.4325	66.1335
5	32.05 (intro.)	66.40 to 66.404	66.1201 to 66.1211
6	32.05 (intro.)	66.431	66.1333
7	32.05 (1) (a)	66.0375	66.0823
8	32.05 (1) (a)	66.22	200.05
9	32.05 (1) (a)	66.30	66.0301
10	32.05 (1) (a)	66.40 to 66.404	66.1201 to 66.1211
11	32.05 (1) (a)	66.431	66.1333
12	32.05 (1) (a)	66.4325	66.1335
13	32.05 (1) (a)	66.88 to 66.918	200.21 to 200.65
14	32.05 (3) (i)	66.40 to 66.404	66.1201 to 66.1211
15	32.05 (3) (i)	66.431	66.1333
16	32.05 (3) (i)	66.4325	66.1335
17	32.05 (9) (a) (intro.)	66.40 to 66.404	66.1201 to 66.1211
18	32.05 (9) (a) (intro.)	66.431	66.1333
19	32.05 (9) (a) (intro.)	66.4325	66.1335
20	32.07 (2)	66.0735	66.0823
21	32.07 (2)	66.30	66.0301
22	32.07 (2)	66.40 to 66.404	66.1201 to 66.1211

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1	32.07 (2)	66.431	66.1333
2	32.22 (1) (b)	66.40 to 66.404	66.1201 to 66.1211
3	32.22 (1) (b)	66.431	66.1333
4	32.22 (1) (b)	66.4325	66.1335
5	32.57 (2) (c)	66.610	62.71
6	32.57 (2) (c)	66.64 (2)	66.0705 (2)
7	32.58 (2) (a) 2. a.	66.079	66.0829
8	33.01 (9m)	66.88 (1)	200.21 (1)
9	33.22 (4)	66.30	66.0301
10	33.32 (1) (b)	66.60	66.0703
11	33.32 (2)	66.54 (7)	66.0715 (3)
12	33.32 (2m)	66.60 (15) or (16) (b)	66.0627 (4) or 66.0703
13			(13)
14	33.32 (5)	66.076	66.0821
15	34.05 (1)	66.04 (2)	66.0603 (1)
16	34.105 (1)	66.042 (1) to (5)	66.0607 (1) to (5)
17	34.105 (2)	66.042 (6)	66.0607 (6)
18	38.12 (2)	66.042 (6)	66.0607 (6)
19	38.20 (2) (d)	66.04 (2)	66.0603 (1)
20	38.20 (2) (e)	66.04 (2)	66.0603 (1)
21	40.22 (2) (j)	66.944	66.1023
22	44.42 (1) (intro.)	66.037 (4)	66.1111 (4)

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1	44.42 (2)	66.037 (4)	66.1111 (4)
2	44.60 (1) (b)	66.4325 (1)	66.1335 (1)
3	44.60 (1) (c)	66.405 (3) (s)	66.1301 (3) (s)
4	44.60 (1) (c)	66.431 (3)	66.1333 (3)
5	46.28 (1) (e) 6.	66.395, 66.40 or 66.4325	66.1201, 66.1213 or
6			66.1335
7	46.30 (2) (a) 3.	66.433	66.0125
8	46.30 (2) (b) 2.	66.433	66.0125
9	59.10 (2) (c)	66.196	66.0505
10	59.25 (3) (L)	66.12 (3) (c)	66.0317 (3) (c)
11	59.28 (2)	66.305	66.0313
12	59.28 (2)	66.315	66.0513
13	59.40 (3) (b)	66.04 (2)	66.0603 (1)
14	59.52 (6) (d) 2.	66.066	66.0621
15	59.52 (7)	66.30	66.0301
16	59.52 (29) (a)	66.29, 66.29 (2)	66.0901, 66.0901 (2)
17	59.53 (22) (a)	66.40 to 66.404	66.1201 to 66.1211
18	59.53 (22) (b)	66.40 to 66.404	66.1201 to 66.1211
19	59.53 (23) (b)	66.40 to 66.404	66.1201 to 66.1211
20	59.53 (23) (c)	66.40 to 66.404	66.1201 to 66.1211
21	59.56 (3) (h)	66.30	66.0301
22	59.58 (1) (b)	66.066	66.0621

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1	59.58 (2) (i)	66.065	66.0803
2	59.58 (2) (j) 1.	66.30	66.0301
3	59.58 (2) (j) 2.	66.30	66.0301
4	59.58 (3) (h) 1.	66.30	66.0301
5	59.58 (3) (h) 1.	66.30 (1)	66.0301 (1) (b)
6	59.58 (3) (h) 2.	66.30	66.0301
7	59.58 (6) (e) 4.	66.945	66.0309
8	59.692 (4) (a)	66.30	66.0301
9	59.692 (4) (a)	66.945	66.0309
10	59.692 (7) (ad) (intro.)	66.012, 66.014, 66.018 or	66.0203, 66.0211,
11		66.019	66.0213 or 66.0215
12	59.693 (9) (a)	66.30	66.0301
13	59.693 (9) (b)	66.945	66.0309
14	59.693 (9) (c)	66.30	66.0301
15	59.70 (13) (a) 10.	66.30 (5)	66.0303
16	59.70 (13) (c) 2.	66.299 (2)	66.0131 (2)
17	59.79 (9) (a)	66.91 (5)	200.55 (5)
18	59.79 (9) (a)	66.912	200.59
19	60.05 (5)	66.03	66.0235
20	60.079 (2) (c)	66.03	66.0235
21	60.23 (1)	66.30	66.0301
22	60.23 (2)	66.072	66.0827

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1	60.23 (3) (g)	66.505	66.0923
2	60.23 (3) (g)	66.508	66.0925
3	60.23 (15)	66.296	66.1003
4	60.23 (20)	66.30	66.0301
5	60.23 (23)	66.051 (3)	66.0107 (3)
6	60.23 (27)	66.40 to 66.404	66.1201 to 66.1211
7	60.23 (27)	66.40 (10)	66.1201 (10)
8	60.23 (28)	66.508	66.0925
9	60.24 (1) (c) 2.	66.042	66.0607
10	60.24 (3) (i)	66.072 (2)	66.0827 (2)
11	60.32 (1) (a)	66.199	66.0507
12	60.34 (1) (a)	66.042	66.0607
13	60.307 (3) (a)	66.19 (2) (b)	66.0509 (2) (b)
14	60.43 (1)	66.041	66.0605
15	60.44 (2) (a) (intro.)	66.042	66.0607
16	60.45	66.042	66.0607
17	60.47 (3)	66.29	66.0901
18	60.47 (4)	66.30 (1) (a)	66.0301 (1) (a)
19	60.50 (3)	66.615	66.0907
20	60.53	66.625	66.0911
21	60.627 (8) (a)	66.30	66.0301
22	60.627 (8) (b)	66.945	66.0309

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1	60.627 (8) (c)	66.30	66.0301
2	60.72 (6)	66.072	66.0827
3	60.77 (5) (e)	66.069	66.0809
4	60.77 (5) (e)	66.076	66.0821
5	60.77 (5) (f)	66.60	66.0703
6	60.77 (5) (f)	66.60 (6m)	66.0721
7	60.77 (6) (a)	66.29	66.0901
8	60.78	66.066	66.0621
9	60.78	66.54	66.0713
10	60.79 (1) (b)	66.066	66.0621
11	60.79 (4) (c)	66.066	66.0621
12	60.79 (4) (d)	66.54 (9)	67.16
13	60.79 (4) (d)	66.54 (10)	66.0713 (4)
14	60.79 (4) (d)	66.60	66.0703
15	61.189 (4)	66.015	66.0205
16	61.189 (4)	66.016	66.0207
17	61.195	66.01	66.0101
18	61.197 (1) (e)	66.19	66.0509
19	61.197 (2)	66.01	66.0101
20	61.24	66.042	66.0607
21	61.354 (8) (a)	66.30	66.0301
22	61.354 (8) (b)	66.945	66.0309

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1	61.354 (8) (c)	66.30	66.0301
2	61.55	66.29	66.0901
3	62.071 (3)	66.021	66.0217
4	62.075 (1)	66.03	66.0235
5	62.09 (1) (a)	66.018 (1)	66.0211 (1)
6	62.09 (1) (b)	66.01	66.0101
7	62.09 (3) (b) 5.	66.19	66.0509
8	62.09 (3) (b) 6.	66.01	66.0101
9	62.09 (3) (c)	66.01	66.0101
10	62.09 (11) (d)	66.042	66.0607
11	62.12 (6) (a)	66.042	66.0607
12	62.15 (10)	66.29 (9) (b)	66.0901 (9) (b)
13	62.175 (1)	66.916	200.63
14	62.23 (6) (am) 1. b.	66.31	62.1009
15	62.23 (7a) (a)	66.32	66.0105
16	62.23 (14)	66.54	66.0713
17	62.234 (8) (a)	66.30	66.0301
18	62.234 (8) (b)	66.945	66.0309
19	62.234 (8) (c)	66.30	66.0301
20	63.27	66.146	62.51
21	64.01 (1)	66.01	66.0101
22	64.01 (3)	66.01	66.0101

ASSEMBLY BILL 710**SECTION 672**

1	64.11 (8)	66.19	66.0509
2	64.25	66.01	66.0101
3	65.07 (1) (c)	66.51 (1)	66.0913 (1)
4	66.949 (3)	66.299 (2)	66.0131 (2)
5	67.01 (1)	66.886 (4)	200.27 (4)
6	67.01 (2)	66.88 to 66.918	200.21 to 200.65
7	67.01 (5)	66.20 to 66.26	200.01 to 200.15
8	67.01 (5)	66.88 to 66.918	200.21 to 200.65
9	67.01 (9) (g)	66.059	66.0619
10	67.01 (9) (g)	66.06 to 66.078	62.69, 66.0621 and
11			66.0801 to 66.0827
12	67.01 (9) (g)	66.066 (2) (b)	66.0621 (4) (b)
13	67.01 (9) (g)	66.91 (1) (fa)	200.55 (1) (fa)
14	67.015	66.39 to 66.404	66.1201 to 66.1213
15	67.025	66.066, 66.46 (9) (b),	66.0621, 66.0713,
16		66.521 and 66.54	66.1103 and 66.1105 (9)
17			(b)
18	67.04 (2) (b)	66.38	62.237
19	67.045 (1) (b)	66.77 (1) (b)	59.605 (1) (b)
20	67.045 (2) (a)	66.77 (1) (b)	59.605 (1) (b)
21	67.05 (5) (a)	66.38	62.237
22	67.05 (5) (b)	66.38	62.237

ASSEMBLY BILL 710

1	67.05 (6)	66.20 to 66.26	200.01 to 200.15
2	67.05 (6)	66.88 to 66.918	200.21 to 200.65
3	67.05 (7) (f)	66.30	66.0301
4	67.08 (1)	66.88 to 66.918	200.21 to 200.65
5	67.10 (3)	66.04 (2)	66.0603 (1)
6	67.12 (12) (g)	66.30 (6)	120.25
7	67.25	66.431 (13)	66.1333 (13)
8	67.25	66.43	66.1331
9	67.25	66.431	66.1333
10	67.25	66.435	66.1337
11	70.043 (1)	66.058 (1) (d)	66.0435 (1) (d)
12	70.043 (2)	66.058 (1) (d)	66.0435 (1) (d)
13	70.105 (3) (a) 2.	66.40	66.1201
14	70.105 (3) (a) 2.	66.431	66.1333
15	70.11 (2)	66.0735	66.0823
16	70.111 (19) (b)	66.058	66.0435
17	70.112 (4)	66.64	66.0705
18	70.112 (7)	66.058	66.0435
19	70.27 (1)	66.60	66.0703
20	70.99 (3) (a)	66.30	66.0301
21	71.07 (9) (a) 3.	66.058 (3) (c)	66.0435 (3) (c)
22	71.07 (9) (a) 4.	66.40 (22)	66.1201 (22)

ASSEMBLY BILL 710**SECTION 672**

1	71.26 (1) (b)	66.0735	66.0823
2	71.26 (1m) (b)	66.40	66.1201
3	71.26 (1m) (c)	66.431	66.1333
4	71.26 (1m) (d)	66.4325	66.1335
5	71.26 (1m) (g)	66.066	66.0621
6	71.36 (1m)	66.066	66.0621
7	71.36 (1m)	66.40	66.1201
8	71.36 (1m)	66.431	66.1333
9	71.36 (1m)	66.4325	66.1335
10	71.45 (1t) (b)	66.40	66.1201
11	71.45 (1t) (c)	66.431	66.1333
12	71.45 (1t) (d)	66.4325	66.1335
13	71.45 (1t) (g)	66.066	66.0621
14	71.52 (2)	66.058 (3) (c)	66.0435 (3) (c)
15	71.52 (7)	66.058 (3) (c)	66.0435 (3) (c)
16	71.53 (2) (e)	66.40 (22)	66.1201 (22)
17	71.54 (2) (c) 2.	66.40 (22)	66.1201 (22)
18	73.028	66.77	59.605
19	74.01 (5)	66.606 (1) (a) 2.	287.093 (1) (a) 2.
20	74.01 (5)	66.606 (2)	287.093 (2)
21	74.10	66.30	66.0301
22	74.67	66.03	66.0235

ASSEMBLY BILL 710

1	74.87 (4)	66.88 to 66.918	200.21 to 200.65
2	74.87 (8)	66.88 to 66.918	200.21 to 200.65
3	75.36 (1)	66.605	66.0715 (2)
4	75.36 (1)	66.605 (3)	66.0715 (2) (c)
5	75.61 (1)	66.635	66.0731
6	76.28 (1) (e) (intro.)	66.069 (2)	66.0813
7	77.10 (2) (c)	66.299 (1) (a)	66.0131 (1) (a)
8	77.16 (11m)	66.299 (1) (a)	66.0131 (1) (a)
9	77.52 (2) (a) 1.	66.058 (1) (d)	66.0435 (1) (d)
10	77.54 (9a) (c)	66.47	66.0927
11	77.54 (9a) (d)	66.20 to 66.26	200.01 to 200.15
12	77.54 (9a) (d)	66.88 to 66.918	200.21 to 200.65
13	77.54 (9a) (em)	66.0735	66.0823
14	77.54 (36)	66.058 (1) (d)	66.0435 (1) (d)
15	77.88 (8)	66.299 (1) (a)	66.0131 (1) (a)
16	77.994 (1) (intro.)	66.307	66.113
17	79.02 (2) (b)	66.77 (4)	59.605 (4)
18	79.02 (3)	66.77 (4)	59.605 (4)
19	79.03 (3) (b) 3.	66.46	66.1105
20	79.03 (3) (b) 3.	66.462	66.1106
21	79.03 (3) (b) 4. a.	66.46	66.1105
22	79.03 (3) (b) 4. a.	66.462	66.1106

ASSEMBLY BILL 710**SECTION 672**

1	79.03 (4b)	66.77 (4)	59.605 (4)
2	79.04 (1) (intro.)	66.069 (2)	66.0813
3	79.04 (1) (intro.)	66.073	66.0736
4	79.04 (2) (a)	66.069 (2)	66.0813
5	79.04 (2) (a)	66.073	66.0736
6	79.05 (1) (a)	66.46	66.1105
7	79.05 (1) (c) 1.	66.46	66.1105
8	79.05 (1) (c) 2.	66.46	66.1105
9	80.12	66.60	66.0703
10	83.013 (1) (a)	66.0485	66.0141
11	84.07 (3)	66.96	66.0407
12	84.295 (4m) (d)	66.24 (5) (b)	200.11 (5) (b)
13	84.295 (4m) (e) 2.	66.20 to 66.26	200.01 to 200.15
14	84.40 (3)	66.29	66.0901
15	85.08 (2) (i)	66.30	66.0301
16	85.08 (2) (i)	66.943	66.1021
17	85.08 (4m) (b) 1.	66.30	66.0301
18	85.08 (4m) (b) 1.	66.943	66.1021
19	85.20 (1) (d)	66.30	66.0301 or 66.0303
20	85.243 (1) (b)	66.30	66.0301 or 66.0303
21	85.52 (1) (ag)	66.943	66.1021
22	86.13 (1)	66.694	66.0727

ASSEMBLY BILL 710

1	86.18 (4)	66.60	66.0703
2	86.18 (4)	66.60 (12)	66.0703 (12)
3	86.19 (1)	66.046	66.0429
4	86.21 (2) (b)	66.066	66.0621
5	86.21 (2) (b)	66.068	66.0805
6	86.25 (3)	66.60	66.0703
7	86.25 (4)	66.29	66.0901
8	86.30 (2) (dm) 1.	66.77 (4) (b)	59.605 (4) (b)
9	86.305	66.046 (3)	66.0429 (3)
10	87.076 (1)	66.60	66.0703
11	91.59 (3)	66.945	66.0309
12	101.055 (5) (b)	66.122	66.0119
13	101.65 (1) (b)	66.30	66.0301
14	101.76 (1) (b)	66.30	66.0301
15	101.86 (1) (b)	66.30	66.0301
16	103.49 (3) (ar)	66.293	66.0903
17	103.49 (3g)	66.293 (5)	66.0903 (5)
18	103.50 (4m)	66.293	66.0903
19	106.04 (1)	66.432 and 66.433	66.0125 and 66.1011
20	106.04 (1m) (h)	66.058 (1) (d)	66.0435 (1) (d)
21	107.25 (1) (b)	66.43 (3) (i)	66.1331 (3) (i)
22	109.09 (1)	66.293	66.0903

ASSEMBLY BILL 710**SECTION 672**

1	111.322 (2m) (c)	66.293	66.0903
2	111.70 (5)	66.11 (2)	66.0501 (2)
3	115.86 (7) (b)	66.03	66.0235
4	117.09 (5) (d)	66.03 (2c) (a) 1.	66.0235 (2c) (a) 1.
5	117.10 (4)	66.03 (2c) (a) 1.	66.0235 (2c) (a) 1.
6	117.25 (2) (a)	66.03	66.0235
7	118.40 (3) (c)	66.30	66.0301
8	119.04 (1)	66.03 (3) (c)	66.0235 (3) (c)
9	119.49 (1) (a)	66.30 (6)	120.25
10	119.50 (3)	66.042 (5)	66.0607 (5)
11	120.10 (11)	66.527	66.0123
12	120.12 (3) (b)	66.03	66.0235
13	120.12 (7)	66.04 (2)	66.0603 (1)
14	120.13 (24)	66.30 (6)	120.25
15	120.16 (2)	66.042	66.0607
16	120.16 (2)	66.042 (3)	66.0607 (3)
17	120.16 (6)	66.042	66.0607
18	120.16 (6)	66.042 (3)	66.0607 (3)
19	121.004 (2)	66.46	66.1105
20	121.004 (2)	66.462	66.1106
21	121.54 (5)	66.30	66.0301
22	125.26 (1)	66.053 (1)	66.0433 (1)

ASSEMBLY BILL 710

1	125.27 (1) (a)	66.053 (1)	66.0433 (1)
2	125.27 (2) (b)	66.053 (1)	66.0433 (1)
3	134.42 (1) (a)	66.082 (2) (b)	66.0419 (2) (b)
4	134.42 (1) (b)	66.082 (2) (c)	66.0419 (2) (c)
5	145.20 (2) (h)	66.036	145.195
6	145.20 (4)	66.60	66.0703
7	145.245 (13)	66.122	66.0119
8	157.11 (9g) (a) 1. (intro.)	66.04 (2) (c)	66.0603 (1) (c)
9	157.12 (2) (c) 2.	66.057 (2)	157.129 (2)
10	157.128 (3) (a)	66.057	157.129
11	157.70 (2) (a)	66.122	66.0119
12	157.70 (6m) (a)	66.066 (1) (a)	66.0621 (1) (a)
13	165.55 (10) (intro.)	66.123	66.0119 (3)
14	165.755 (4)	66.12 (1) (b)	66.0114 (1) (b)
15	166.03 (7) (a)	66.30	66.0301
16	182.0175 (2) (am) 5.	66.047	66.0831
17	196.01 (5) (b) 5.	66.0735	66.0823
18	196.04 (4) (a) 1., as	66.082 (2) (b)	66.0419 (2) (b)
19	created by 1999 Wis.		
20	Act 9		

ASSEMBLY BILL 710

1	196.04 (4) (a) 2. a., as	66.076	66.0821
2	created by 1999 Wis.		
3	Act 9		
4	196.04 (4) (a) 2. d., as	66.24 (2) or 66.89 (1)	200.11 (2) or 200.31 (1)
5	created by 1999 Wis.		
6	Act 9		
7	196.491 (2) (b) 7.	66.945	66.0309
8	196.50 (1) (c)	66.082	66.0419
9	196.52 (3) (b) 1.	66.0735	66.0823
10	196.80 (2)	66.06 to 66.078	62.69, 66.0621 and
11			66.0801 to 66.0827
12	196.85 (1m) (b)	66.082 (2) (b)	66.0419 (2) (b)
13	198.14 (4)	66.07	66.0817
14	198.14 (10)	66.066	66.0621
15	198.22 (12)	66.069 (1) (c)	66.0811 (2)
16	219.06 (1)	66.88 to 66.918	200.21 to 200.65
17	219.06 (1)	66.91	200.55
18	219.07	66.431	66.1333
19	224.77 (5) (b)	66.432	66.1011
20	227.01 (13) (t)	66.293	66.0903
21	229.21 (7)	66.51	66.0913
22	229.42 (1) (a) 5.	66.75 (1m) (a)	66.0615 (1m) (a)

ASSEMBLY BILL 710

1	229.42 (8)	66.75 (1m) (b)	66.0615 (1m) (b)
2	229.44 (5)	66.30	66.0301
3	229.44 (6)	66.30	66.0301
4	229.44 (15)	66.75 (1m) (a)	66.0615 (1m) (a)
5	229.44 (15)	66.75 (1m)	66.0615 (1m)
6	229.46 (1) (a)	66.905 (1) (a)	200.49 (1) (a)
7	229.47	66.75 (1m)	66.0615 (1m)
8	229.48 (1m)	66.75 (1m) (a) and (b)	66.0615 (1m) (a) and (b)
9	229.50 (1) (b) (intro.)	66.75 (1m) (b)	66.0615 (1m) (b)
10	229.65 (2)	66.066	66.0621
11	229.68 (5)	66.30	66.0301
12	229.68 (6)	66.30	66.0301
13	229.68 (8) (intro.)	66.066	66.0621
14	229.682 (2)	66.293	66.0903
15	229.74 (1) (intro.)	66.066 (2) (e)	66.0621 (4) (e)
16	231.17	66.04 (2) (a)	66.0603 (1) (a)
17	234.01 (9) (b)	66.395 or 66.40	66.1201 or 66.1213
18	234.49 (1) (f) 2.	66.465	66.1107
19	234.49 (1) (i)	66.395 or 66.40	66.1201 or 66.1213
20	234.49 (2) (a) 4.	66.395 or 66.40	66.1201 or 66.1213
21	234.622 (7)	66.058	66.0435
22	234.65 (6) (a) 1.	66.905 (1) (a)	200.49 (1) (a)

ASSEMBLY BILL 710

1	234.76 (1) (e) 1.	66.43 (3) (a)	66.1331 (3) (a)
2	234.76 (2) (b) 1.	66.43 (3) (a)	66.1331 (3) (a)
3	236.10 (2)	66.32	66.0105
4	236.10 (4)	66.30	66.0301
5	236.10 (4)	66.945 (11)	66.0309 (11)
6	236.13 (2) (b)	66.54 (3)	66.0709
7	236.292 (2)	66.032 (1) (m)	66.0403 (1) (m)
8	236.445	66.296	66.1003
9	250.045 (2)	66.122	66.0119
10	251.09	66.30	66.0301
11	252.02 (1)	66.122	66.0119
12	254.11 (13)	66.184	66.0137 (4)
13	254.58	66.052	66.0415
14	281.19 (7)	66.076	66.0821
15	281.19 (7)	66.20 to 66.26	200.01 to 200.15
16	281.35 (1) (i)	66.072	66.0827
17	281.43 (4) (e)	66.076	66.0821
18	281.43 (1m)	66.024	66.0219
19	281.43 (1m)	66.024 (2)	66.0219 (2)
20	281.43 (1m)	66.024 (4)	66.0219 (4)
21	281.57 (8) (c) 2.	66.88 to 66.918	200.21 to 200.65
22	281.58 (8) (d)	66.30	66.0301

ASSEMBLY BILL 710

1	281.58 (13m) (a)	66.905 (2) (b)	200.49 (2) (b)
2	281.58 (14) (b) 7.	66.88 to 66.918	200.21 to 200.65
3	281.59 (9) (am)	s. 66.36	sub. (13f)
4	281.63 (4) (b)	66.905	200.49
5	281.65 (2) (am)	66.20 to 66.26	200.01 to 200.15
6	281.65 (2) (am)	66.88 to 66.918	200.21 to 200.65
7	281.68 (3) (a)	66.299 (1) (a)	66.0131 (1) (a)
8	281.69 (3) (a)	66.299 (1) (a)	66.0131 (1) (a)
9	281.77 (4) (c)	66.60	66.0703
10	283.13 (4) (c)	66.88 to 66.918	200.21 to 200.65
11	283.91 (2)	66.902 (1) or (2)	200.45 (1) or (2)
12	287.01 (5m)	66.299 (1) (a)	66.0131 (1) (a)
13	287.03 (1) (am)	66.35	285.54
14	287.09 (1) (d)	66.30	66.0301
15	292.11 (9) (e) 1.	66.431	66.1333
16	292.11 (9) (e) 1.	66.435 (4)	66.1337 (4)
17	292.35 (1) (bm)	66.431	66.1333
18	292.35 (1) (bm)	66.435 (4)	66.1337 (4)
19	292.35 (2g) (b) (intro.)	66.122	66.0119
20	302.336 (1)	66.30	66.0301
21	302.336 (4)	66.30	66.0301
22	302.44	66.30	66.0301

ASSEMBLY BILL 710**SECTION 672**

1	345.05 (4)	66.09	66.0117
2	346.42	66.046 (2)	66.0429 (2)
3	346.655 (2) (b)	66.12 (1) (b)	66.0114 (1) (b)
4	349.02 (2) (b) 4.	66.051 (1) (bm)	66.0107 (1) (bm)
5	349.03 (2)	66.046 (1) and (3)	66.0429 (1) and (3)
6	452.17 (4) (b)	66.432	66.1011
7	560.03 (15) (intro.)	66.521	66.1103
8	560.034 (1)	66.521 (4m) (a) 1.	66.1103 (4m) (a) 1.
9	560.034 (1)	66.521 (4m) (b)	66.1103 (4m) (b)
10	560.034 (2)	66.521 (4m) (a)	66.1103 (4m) (a)
11	560.036 (2) (a)	66.911	200.57
12	560.097	66.521 (6m)	66.1103 (6m)
13	560.60 (6)	66.943	66.1021
14	562.05 (3r)	66.01	66.0101
15	601.41 (1)	66.184	66.0137 (4)
16	632.102 (3) (b) 6. a.	66.05	66.0413
17	632.103 (1) (a) 1.	66.05	66.0413
18	632.103 (2) (a) 1.	66.05	66.0413
19	632.895 (10) (a)	66.184	66.0137 (4)
20	700.41 (2) (e)	66.032	66.0403 (1) (k)
21	700.41 (2) (g)	66.032	66.0403 (1) (L)
22	700.41 (2) (h)	66.032 (1) (m)	66.0403 (1) (m)

ASSEMBLY BILL 710

1	706.11 (1) (e)	66.521	66.1103
2	706.11 (1) (e)	66.521 (2) (n)	66.1103 (2) (n)
3	707.02 (4)	66.058 (1) (e)	66.0435 (1) (e)
4	709.02	66.073 (3) (h)	66.0825 (3) (h)
5	709.07	66.073 (3) (h)	66.0825 (3) (h)
6	710.15 (1) (b)	66.058 (1) (d)	66.0435 (1) (d)
7	755.01 (4)	66.30	66.0301
8	757.05 (1) (c), as affected	66.12 (1) (b)	66.0114 (1) (b)
9	by 1999 Wis. Act 9		
10	801.50 (5m)	66.882	200.23
11	802.10 (1)	66.12	66.0317
12	815.18 (6) (b) 2.	66.81	62.63 (4)
13	815.18 (13) (h)	66.81	62.63 (4)
14	823.02	66.20 to 66.26	200.01 to 200.15
15	823.02	66.88 to 66.918	200.21 to 200.65
16	823.07	66.052 (1)	66.0415 (1)
17	823.215	66.0495	30.13 (5) (a) 2.
18	844.22	66.032 (1) (m)	66.0403 (1) (m)
19	893.73 (2) (b)	66.021 (10) (a)	66.0217 (11)
20	893.765	66.0495 (3)	30.13 (5) (c)
21	893.765	66.0495 (1)	30.13 (5) (a)
22	938.237 (1)	66.119	66.0113

ASSEMBLY BILL 710**SECTION 672**

1	938.237 (2)	66.119	66.0113
2	938.237 (2)	66.119 (3) (c) and (d),	66.0113 (3) (c) and (d),
3		66.12 (1)	66.0317 (1)
4	943.014 (2)	66.05	66.0413
5	946.13 (8)	66.521	66.1103
6	973.055 (2) (b)	66.12 (1) (b)	66.0114 (1) (b)
7	992.20 (1)	66.30 (1) (a)	66.0301 (1) (a)

SECTION 673. Initial applicability.

(1) The treatment of sections 60.23 (20) and 66.0627 of the statutes first applies to costs for removal and disposition of dead animals, conservation work and snow removal incurred on the effective date of this subsection.

(2) The treatment of sections 66.021 (3) (b) and 66.0217 (4) (a) 6. of the statutes first applies to notices of intent to circulate an annexation petition submitted for publication on the effective date of this subsection.

(3) The treatment of section 66.021 (4) (a) of the statutes first applies to annexation petitions first circulated on the effective date of this subsection.

(4) The treatment of section 66.025 of the statutes first applies to:

(a) Annexation ordinances enacted on the effective date of this paragraph.

(b) Actions to contest the validity of an annexation commenced on the effective date of this paragraph.

(5) The treatment of section 66.045 (3) of the statutes first applies to privileges applied for on the effective date of this subsection.

(6) The treatment of section 66.0707 (2) of the statutes first applies to costs incurred on the effective date of this subsection.

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1 (7) The treatment of section 66.296 (2) (a) and (c) of the statutes first applies
2 to discontinuance resolutions introduced on the effective date of this subsection.

3 **SECTION 674. Effective date.**

4 (1) This act takes effect on January 1, 2001.

NOTE: The following list shows the general treatment of provisions of ch. 66 by this bill. The left-hand column ("Current Section") lists the current provisions of ch. 66. The right-hand column ("Treatment") shows the general treatment of each provision by this bill.

<i>Current Section</i>	<i>Treatment</i>
66.01 (1) to (3)	Renumbered s. 66.0101 (1) to (3)
66.01 (3a)	Renumbered s. 66.0101 (12)
66.01 (4) to (8)	Renumbered s. 66.0101 (4) to (8)
66.01 (9) to (11)	Renumbered s. 66.0101 (9) (a), (b) and (d)
66.01 (12)	Renumbered s. 66.0101 (10)
66.01 (14)	Repealed
66.01 (15)	Renumbered s. 66.0101 (11)
66.01 (16)	Renumbered s. 61.188
66.012	Renumbered s. 66.0215
66.013	Renumbered s. 66.0201
66.014	Renumbered s. 66.0203
66.015	Renumbered s. 66.0205
66.016	Renumbered s. 66.0207
66.017	Renumbered s. 66.0209
66.018	Renumbered s. 66.0211
66.019	Renumbered s. 66.0213 and substantively amended
66.02	Renumbered s. 66.0229
66.021 (1) (intro.) and (a)	Renumbered s. 66.0217 (1) (intro.) and (a)
66.021 (1) (am) to (e)	Renumbered s. 66.0217 (1) (c) to (g)
66.021 (2)	Renumbered s. 66.0217 (3)
66.021 (2m)	Renumbered s. 66.0217 (10) (b)
66.021 (3)	Renumbered s. 66.0217 (4) and substantively amended

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<i>Current Section</i>	<i>Treatment</i>
66.021 (4)	Renumbered s. 66.0217 (5) and substantively amended
66.021 (5)	Renumbered s. 66.0217 (7)
66.021 (6)	Renumbered s. 66.0217 (10) (a)
66.021 (7)	Renumbered s. 66.0217 (8)
66.021 (8)	Renumbered s. 66.0217 (9)
66.021 (9)	Renumbered s. 66.0217 (12)
66.021 (10)	Renumbered s. 66.0217 (11)
66.021 (11)	Renumbered s. 66.0217 (6) and substantively amended
66.021 (12)	Renumbered s. 66.0217 (2)
66.021 (13)	Repealed
66.021 (15)	Renumbered s. 66.0221
66.021 (16)	Renumbered s. 66.0217 (13)
66.022	Renumbered s. 66.0227
66.023	Renumbered s. 66.0307
66.024	Renumbered s. 66.0219
66.025	Renumbered s. 66.0223 and substantively amended
66.026	Renumbered s. 66.0231
66.027	Renumbered s. 66.0225
66.028	Renumbered s. 66.0305
66.029	Renumbered s. 66.0233
66.0295	Renumbered s. 66.1001
66.03	Renumbered s. 66.0235
66.031	Renumbered s. 66.0401 (1)
66.032	Renumbered s. 66.0403
66.033	Combined with s. 66.031 and renumbered s. 66.0401 (2)
66.034	Renumbered s. 66.1027
66.035	Repealed; restated as s. 66.0103
66.036	Renumbered s. 145.195
66.037	Renumbered s. 66.1111
66.038	Repealed

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<i>Current Section</i>	<i>Treatment</i>
66.04	Renumbered ss. 66.0601 and 66.0603
66.041	Renumbered s. 66.0605
66.042	Renumbered s. 66.0607
66.044	Renumbered s. 66.0609
66.045	Renumbered s. 66.0425; sub. (3) substantively amended
66.046	Renumbered s. 66.0429
66.047	Renumbered s. 66.0831
66.048	Renumbered s. 66.0915
66.0485	Renumbered s. 66.0141
66.049	Renumbered s. 66.0405 and substantively amended
66.0495	Renumbered s. 30.13 (5m)
66.05 (1g)	Repealed; restated as s. 66.0413 (1) (a) 1.
66.05 (1m) (a)	Repealed; restated as s. 66.0413 (1) (a) 2., (b) and (d)
66.05 (1m) (b)	Renumbered s. 66.0413 (1) (c)
66.05 (1m) (c)	Renumbered s. 66.0413 (1) (L) 1.
66.05 (1m) (d)	Renumbered s. 66.0413 (1) (e)
66.05 (2) (a)	Renumbered s. 66.0413 (1) (f) and (j)
66.05 (2) (b)	Renumbered s. 66.0413 (1) (g)
66.05 (2) (c)	Renumbered s. 66.0413 (1) (br) 2.
66.05 (3) and (5)	Renumbered s. 66.0413 (1) (h) and (i)
66.05 (5m)	Renumbered s. 66.0413 (1) (L) 2.
66.05 (6)	Renumbered s. 66.0427
66.05 (8) (a) to (bm)	Renumbered s. 66.0413 (2) (a) to (e)
66.05 (8) (d)	Repealed; restated as s. 66.0413 (2) (a) 2.
66.05 (9) and (10)	Renumbered s. 66.0413 (3) and (4)
66.051	Renumbered s. 66.0107
66.052	Renumbered s. 66.0415
66.053	Renumbered s. 66.0433
66.057	Renumbered s. 157.129

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<i>Current Section</i>	<i>Treatment</i>
66.058	Renumbered s. 66.0435
66.0585	Combined with s. 66.058; renumbered s. 66.0435 (9)
66.059	Renumbered s. 66.0619
66.06	Repealed; replaced by s. 66.0801
66.061	Renumbered s. 66.0815; sub. (1) (a) substantively amended
66.064	Renumbered s. 66.0807 and substantively amended
66.065	Renumbered s. 66.0803
66.066	Renumbered s. 66.0621; sub. (2) (j) repealed
66.067	Repealed; substance included in renumbered s. 66.0621 (1) (b)
66.068 (1)	Repealed; restated as s. 66.0805 (1) and partially restated in renumbered s. 66.0805 (3)
66.068 (2) to (4)	Renumbered s. 66.0805 (2) to (4)
66.068 (5)	Repealed; restated in s. 66.0805 (4) (a)
66.068 (6) and (7)	Renumbered s. 66.0805 (5) and (6)
66.069 (1) (a) to (bn)	Renumbered s. 66.0809 (1) to (4)
66.069 (1) (c) and (d)	Renumbered s. 66.0811 (2) and (3)
66.069 (1) (e)	Renumbered s. 66.0811 (1)
66.069 (2)	Renumbered s. 66.0813
66.07	Renumbered s. 66.0817
66.071 (intro.)	Repealed; restated as s. 62.69 (1)
66.071 (1) (a)	Renumbered s. 62.69 (2) (c)
66.071 (1) (b)	Renumbered s. 62.69 (2) (a) and partially repealed; repealed portion restated as s. 62.69 (2) (b)
66.071 (1) (c) to (j)	Renumbered s. 62.69 (2) (d) to (L)
66.071 (2)	Renumbered s. 62.69 (3)
66.072	Renumbered s. 66.0827
66.073	Renumbered s. 66.0825
66.0735	Renumbered s. 66.0823

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<i>Current Section</i>	<i>Treatment</i>
66.074	Repealed
66.075	Repealed
66.076 (1)	Renumbered s. 66.0821 (2) (a); portion repealed, restated as s. 66.0821 (3) (a)
66.076 (1m)	Renumbered s. 66.0821 (1) (intro.) and (a)
66.076 (2)	Renumbered s. 66.0821 (3) (b)
66.076 (3)	Renumbered s. 66.0821 (6)
66.076 (4) and (5)	Renumbered s. 66.0821 (4) (a) and (b)
66.076 (6)	Renumbered s. 66.0821 (3) (c)
66.076 (7)	Renumbered s. 66.0821 (4) (c)
66.076 (8)	Renumbered s. 66.0821 (2) (b)
66.076 (9) and (10)	Renumbered s. 66.0821 (5) (a) and (b)
66.076 (11)	Renumbered s. 66.0821 (1) (b)
66.076 (12)	Renumbered s. 66.0821 (7)
66.077	Renumbered s. 66.0819
66.078	Renumbered s. 66.0623
66.079	Renumbered s. 66.0829
66.08	Renumbered s. 66.0723
66.081	Repealed
66.082	Renumbered s. 66.0419
66.083	Renumbered s. 66.0423
66.085	Renumbered s. 66.0421
66.09	Renumbered s. 66.0177
66.091	Renumbered s. 893.81
66.092	Renumbered s. 66.0409
66.10	Repealed
66.11	Renumbered s. 66.0501; s. 66.0501 (2) substantively amended
66.111	Repealed
66.113	Renumbered s. 66.0515; substantively amended

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<i>Current Section</i>	<i>Treatment</i>
66.114	Renumbered s. 66.0111
66.115	Renumbered s. 66.0109
66.117	Renumbered s. 66.0115
66.119	Renumbered s. 66.0119
66.12	Renumbered s. 66.0114
66.121	Renumbered s. 75.377
66.122	Renumbered s. 66.0119
66.123	Combined with s. 66.122 and renumbered s. 66.0119 (3)
66.124	Renumbered s. 66.0417
66.125	Renumbered s. 66.0121
66.13	Repealed
66.14	Renumbered s. 62.09 (4) (d)
66.144	Renumbered s. 62.53
66.145	Renumbered s. 62.55
66.146	Renumbered s. 62.51
66.18	Renumbered s. 66.0137 (2)
66.182	Combined with s. 66.18 and renumbered s. 66.0137 (3)
66.184	Combined with s. 66.18 and renumbered s. 66.0137 (4)
66.185	Combined with s. 66.18 and renumbered s. 66.0137 (5)
66.186	Renumbered s. 62.61
66.187	Renumbered s. 62.59
66.189	Renumbered s. 62.67
66.19	Renumbered s. 66.0509
66.192	Renumbered s. 66.0503
66.196	Renumbered s. 66.0505
66.197	Repealed
66.199	Renumbered s. 66.0507
66.20	Renumbered s. 200.01
66.21	Renumbered s. 200.03
66.22	Renumbered s. 200.05

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<i>Current Section</i>	<i>Treatment</i>
66.225	Renumbered s. 200.07
66.23	Renumbered s. 200.09
66.24	Renumbered s. 200.11
66.25	Renumbered s. 200.13
66.26	Renumbered s. 200.15
66.27	Renumbered s. 66.1025
66.28	Renumbered s. 66.0319
66.285	Renumbered s. 66.0135
66.286	Combined with s. 66.285 and renumbered s. 66.0135 (7)
66.29	Renumbered s. 66.0901
66.293	Renumbered s. 66.0903
66.295	Repealed
66.296	Renumbered s. 66.1003 and substantively amended
66.297	Renumbered s. 62.73
66.298	Renumbered s. 66.0905
66.299	Renumbered s. 66.0131
66.30 (1) and (2)	Renumbered s. 66.0301 (1) and (2)
66.30 (2g)	Renumbered s. 66.0311
66.30 (2m)	Renumbered s. 36.11 (19)
66.30 (3) and (3m)	Renumbered s. 66.0301 (3) and (4)
66.30 (3n) and (3p)	Consolidated, renumbered s. 66.0301 (5)
66.30 (4)	Repealed [substance placed in renumbered s. 66.0301 (2)]
66.30 (5)	Renumbered s. 66.0303
66.30 (6)	Renumbered s. 120.25
66.301	Renumbered s. 66.1019 (1)
66.302	Combined with s. 66.301 and renumbered s. 66.1019 (2)
66.303	Combined with s. 66.301 and renumbered s. 66.1019 (3)
66.304	Renumbered s. 66.1017
66.305	Renumbered s. 66.0313

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<i>Current Section</i>	<i>Treatment</i>
66.307	Renumbered s. 66.1113
66.31	Renumbered s. 66.1009
66.312	Renumbered s. 66.0511
66.315	Renumbered s. 66.0513
66.32	Renumbered s. 66.0105
66.325	Renumbered s. 166.23
66.33	Renumbered s. 281.695
66.34	Renumbered s. 92.115
66.345	Repealed
66.35	Renumbered s. 285.54
66.36	Renumbered s. 281.59 (13f)
66.365	Renumbered s. 283.87 (4)
66.37	Repealed
66.375	Renumbered s. 66.1015
66.38	Renumbered s. 62.237
66.39	Repealed [sub. (1) relocated to s. 66.1201 (9) (x), as renumbered]
66.395	Renumbered s. 66.1213
66.40	Renumbered s. 66.1201
66.401	Renumbered s. 66.1203
66.402	Renumbered s. 66.1205
66.4025	Renumbered s. 66.1207
66.403	Renumbered s. 66.1209
66.404	Renumbered s. 66.1211; s. 66.1211 (4) substantively amended
66.405	Renumbered s. 66.1301
66.406	Renumbered s. 66.1303
66.407	Renumbered s. 66.1305
66.408	Renumbered s. 66.1307
66.41	Renumbered s. 66.1307 (2) (b)
66.411	Renumbered s. 66.1329
66.412	Renumbered s. 66.1309
66.413	Renumbered s. 66.1311
66.414	Renumbered s. 66.1313

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<i>Current Section</i>	<i>Treatment</i>
66.415	Renumbered s. 66.1315
66.416	Renumbered s. 66.1317
66.417	Renumbered s. 66.1319
66.418	Renumbered s. 66.1321
66.419	Renumbered s. 66.1323 (1)
66.42	Renumbered s. 66.1325
66.421	Combined with s. 66.419; renumbered s. 66.1323 (2)
66.422	Renumbered s. 66.1327 (1)
66.424	Combined with s. 66.422; renumbered s. 66.1327 (2)
66.425	Combined with s. 66.422; renumbered s. 66.1327 (3)
66.43	Renumbered s. 66.1331
66.431	Renumbered s. 66.1333
66.432	Renumbered s. 66.1011
66.4325	Renumbered s. 66.1335
66.433	Renumbered s. 66.0125
66.434	Renumbered s. 46.30 (5)
66.435	Renumbered s. 66.1337
66.436	Renumbered s. 66.1339
66.437	Renumbered s. 66.1341
66.44	Repealed
66.45	Renumbered s. 66.0315
66.46	Renumbered s. 66.1105
66.462	Renumbered s. 66.1106
66.465	Renumbered s. 66.1107
66.47	Renumbered s. 66.0927; sub. (6) repealed
66.48	Renumbered s. 66.0917
66.49	Renumbered s. 66.0919
66.50	Renumbered s. 66.0127; sub. (1) (f) substantively amended
66.501	Renumbered s. 66.0129

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<i>Current Section</i>	<i>Treatment</i>
66.504	Renumbered s. 66.0921
66.505	Renumbered s. 66.0923
66.508	Renumbered s. 66.0925
66.51	Renumbered s. 66.0913; sub. (4) repealed
66.52	Renumbered s. 66.1101
66.521	Renumbered s. 66.1103
66.526	Renumbered s. 62.57
66.527	Renumbered s. 66.0123
66.53	Renumbered s. 66.0733 and substantively amended
66.54 (1)	Renumbered s. 66.0713 (1)
66.54 (2)	Repealed
66.54 (3)	Renumbered s. 66.0709
66.54 (4)	Renumbered s. 66.0711
66.54 (5)	Renumbered s. 66.0713 (9)
66.54 (6) (a) and (b)	Renumbered s. 66.0713 (2) (a) and (b)
66.54 (6) (c)	Renumbered s. 66.0713 (10)
66.54 (6) (d)	Renumbered s. 66.0713 (2) (c)
66.54 (7)	Combined with s. 66.605 and renumbered s. 66.0715 (3)
66.54 (8)	Repealed
66.54 (9) (a)	Renumbered s. 66.0713 (3)
66.54 (9) (b) and (c)	Renumbered s. 67.16 (2) (b) and (c)
66.54 (10) and (11)	Renumbered s. 66.0713 (4) and (5)
66.54 (12)	Renumbered s. 66.0719
66.54 (15) and (15m)	Renumbered s. 66.0713 (7) and (8)
66.54 (16)	Renumbered s. 66.0713 (6)
66.55	Renumbered s. 66.0617
66.60 (1) to (4)	Renumbered s. 66.0703 (1), (4), (5) and (6)
66.60 (5)	Renumbered s. 66.0703 (2)
66.60 (6)	Renumbered s. 66.0703 (1) (c)

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<i>Current Section</i>	<i>Treatment</i>
66.60 (6a)	Renumbered s. 66.0703 (3)
66.60 (6m)	Renumbered s. 66.0721
66.60 (7)	Renumbered s. 66.0703 (7) (a)
66.60 (8) to (12) and (15)	Renumbered s. 66.0703 (8) to (13)
66.60 (16)	Repealed; restated as s. 66.0627 and substantively amended
66.60 (17)	Renumbered s. 66.0703 (14)
66.60 (18)	Renumbered s. 66.0703 (7) (b)
66.604	Renumbered s. 66.0717
66.605	Combined with s. 66.54 (7) and renumbered s. 66.0715 (2)
66.606	Renumbered s. 287.093
66.608	Renumbered s. 66.1109
66.609	Renumbered s. 66.1007
66.610	Renumbered s. 62.71
66.615	Renumbered s. 66.0907
66.616	Renumbered s. 66.0909
66.62	Renumbered s. 66.0701
66.625	Renumbered s. 66.0911
66.63	Renumbered s. 66.0725
66.635	Renumbered s. 66.0731
66.64	Renumbered s. 66.0705
66.645	Repealed
66.65	Renumbered s. 66.0707 and substantively amended
66.694	Renumbered s. 66.0727
66.695	Combined with s. 66.694 and renumbered s. 66.0727 (3)
66.696	Renumbered s. 66.0729 (1)
66.697	Combined with s. 66.696 and renumbered s. 66.0729 (2) and (3)
66.698	Combined with ss. 66.696 and 66.697 and renumbered s. 66.0729 (4) and (5)

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<i>Current Section</i>	<i>Treatment</i>
66.699	Repealed; substance included in renumbered ss. 66.0727 (4) and 66.0729 (6)
66.70	Renumbered s. 66.0611
66.73	Repealed
66.74	Renumbered s. 66.0613
66.75	Renumbered s. 66.0615
66.77	Renumbered s. 59.605
66.80 (1)	Repealed; restated as part of s. 62.63 (1)
66.80 (2)	Renumbered s. 62.63 (2)
66.80 (3)	Repealed; restated as part of s. 62.63 (1)
66.805	Renumbered s. 62.65
66.81	Combined with s. 66.80 and renumbered s. 62.63 (4)
66.82	Combined with s. 66.80 and renumbered s. 62.63 (3)
66.88	Renumbered s. 200.21
66.882	Renumbered s. 200.23
66.884	Renumbered s. 200.25
66.886	Renumbered s. 200.27
66.888	Renumbered s. 200.29
66.89	Renumbered s. 200.31
66.892	Renumbered s. 200.33
66.894	Renumbered s. 200.35
66.896	Renumbered s. 200.37
66.898	Renumbered s. 200.39
66.899	Renumbered s. 200.41
66.90	Renumbered s. 200.43
66.902	Renumbered s. 200.45
66.904	Renumbered s. 200.47
66.905	Renumbered s. 200.49
66.906	Renumbered s. 200.51
66.908	Renumbered s. 200.53

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<i>Current Section</i>	<i>Treatment</i>
66.91	Renumbered s. 200.55; cross-reference in sub. (5) (d) 2. corrected
66.911	Renumbered s. 200.57
66.912	Renumbered s. 200.59
66.914	Renumbered s. 200.61
66.916	Renumbered s. 200.63
66.918	Renumbered s. 200.65
66.92	Repealed
66.925	Renumbered s. 66.1013
66.93	Renumbered s. 45.051
66.935	Renumbered s. 66.0625
66.94	Repealed
66.943	Renumbered s. 66.1021
66.944	Renumbered s. 66.1023
66.945	Renumbered s. 66.0309
66.948	Renumbered s. 66.0411
66.949	Renumbered s. 66.0133
66.95	Renumbered s. 66.0431
66.955	Renumbered s. 23.235
66.96	Renumbered s. 66.0407 and substantively amended
66.97	Repealed. Substance in new s. 66.0517
66.98	Repealed. Substance in new s. 66.0517
66.99	Repealed. Substance in new s. 66.0517