

CHAPTER 653

AN ACT to amend 86.21 of the statutes, relating to the construction, acquisition, operation and financing of interstate bridges by municipalities and counties.

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

86.21 of the statutes is amended to read:

86.21 (1) Any *county* or town, or any village or city however organized, bordering upon any navigable waters which form the boundary line between this and another state, may construct, maintain and operate a foot and vehicular toll bridge over and across such river or waters, commencing at a point within or near the limits of such *county*, town, village or city, and may acquire land in this and in such other state for approaches, abutments and piers, or may acquire, maintain and operate any such toll bridge which spans any such river or waters, whether such bridge is located wholly or partly only within the boundaries of this state and whether such bridge is located within or only partly within and partly without the limits of such *county*, town, village or city.

(2) (a) Before any such toll bridge is constructed or acquired under this section, a resolution authorizing the construction or acquisition thereof and specifying the method of payment therefor, shall be adopted by a majority of the members of the governing body of such *county*, town, village or city at a regular meeting, after publication of said resolution, at least one week previous in the official newspaper. The resolution shall include a general description of the property it is proposed to acquire or construct. Any *county*, town, village or city constructing or acquiring a toll bridge under this section may provide for the payment of the same or any part thereof from the general fund, from taxation, or from the proceeds of either municipal bonds, mortgage bonds, mortgage certificates or as otherwise provided by law. Such resolution shall not be * * * effective until 15 days after its passage and publication. If within said 15 days a petition * * * is filed with the clerk of such municipality signed by 20 per cent of the electors thereof requesting that the question of acquiring such toll bridge be submitted to the said electors, such question shall be submitted at any general or regular municipal election that may be held not less than 10 nor more than 40 days from the date of filing such petition. In case no such general or regular municipal election is to be held within such stated period, then the governing body of such municipality shall order a special election to be held within 30 days from the filing of such petition upon the question of whether such toll bridge shall be acquired by said municipality. The question submitted to the electors shall specify the method of payment for such toll bridge as provided in the resolution for the acquisition thereof. If no such petition * * * is filed, or if the majority of votes cast at such referendum election * * * are in favor of the acquisition of such toll bridge, then the resolution of the governing body for the acquisition of such toll bridge shall be * * * in effect.

(b) Where such payment is to be made in whole or in part through the issuance of mortgage bonds or mortgage certificates, such bonds or certificates shall be issued * * * as provided in s. 66.066. The amount of all incidental expenses incurred in connection with the construction or acquisition of the bridge and in connection with the authorization and issuance of the bonds or certificates may be included in the amount for which bonds or certificates are issued. Such mortgage bonds or certificates shall be payable solely from the revenues to be derived from the operation of the

bridge or bridges as acquired or constructed, and shall not constitute a general indebtedness of the county, town, village or city. Any toll bridge property owned or acquired pursuant to this section is * * * declared to be a public utility. The provisions of s. 66.068 shall be applicable to the management of such bridge and the provisions of ss. 66.066 and 66.068 shall govern insofar as they may be applicable. *For purposes of management, operation and financing, 2 or more such bridges, whether acquired or constructed, may be combined into a single project or public utility, and such mortgage bonds or certificates may be issued payable from the revenues of such combined project or utility.*

Approved January 31, 1962.
