



1997 ASSEMBLY BILL 483

August 21, 1997 - Introduced by Representatives BRANDEMUEHL, MUSSER, FREESE, ALBERS, HAHN, VRAKAS, GOETSCH, KELSO, GROTHMAN, OTT, SCHAFFER, SERATTI, OTTE, POWERS, KEDZIE, AINSWORTH, ZUKOWSKI, GUNDERSON and PLOUFF, cosponsored by Senators PLACHE, FARROW, HUELSMAN, MOEN and SCHULTZ. Referred to Committee on Highways and Transportation.

1 **AN ACT** *to create* 84.095 of the statutes; **relating to:** allowing the department
2 of transportation to contract with public utilities and rural electric cooperative
3 associations for cooperative acquisition, development or maintenance of jointly
4 used rights-of-way.

Analysis by the Legislative Reference Bureau

With specific limits, current law authorizes any municipality to contract with another municipality, and with federally recognized Indian tribes and bands in this state, for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law. If municipal or tribal parties to a contract have varying powers or duties under the law, each may act under the contract to the extent of its lawful powers and duties.

This bill allows the department of transportation to contract with any public utility or rural electric cooperative association for the joint exercise of any power or duty required or authorized by law relating to the acquisition, development or maintenance of rights-of-way to be used jointly by the contracting parties. However, no contract may authorize a party to exceed the party's legal authority.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

