



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 391
[2005 Senate Bill 478]

**State Building Projects; Dissolution
of Villages**

2005 Wisconsin Act 391 changes laws governing state building projects. The Act also changes the method of allocation of village assets and liabilities upon dissolution, and prohibits a village from dissolving if the town (or towns) from which all of the village territory was taken no longer exists.

State Building Projects

The Act allows the Governor to delegate (with certain exceptions for environmental remediation) authority to approve any contract or change order requiring the Governor's approval that involves expenditure of less than \$150,000 to the Secretary of Administration or the Secretary's designee. The Act also increases:

- From \$100,000 to \$150,000 the threshold cost for a building project, above which state building projects generally require review and approval by the Building Commission. Below that threshold, the Building Commission may authorize simplified procedures to be used instead of statutorily prescribed procedures.
- From \$30,000 to \$40,000 the threshold for the estimated cost of construction for a project, above which the Department of Administration must generally (with specified exceptions) publicly solicit bids and let by contract to the lowest qualified responsible bidder all construction work.
- From \$250,000 to \$500,000 the maximum expenditure that the Governor may approve for repair and construction in "emergency" situations without the approval of the Building Commission. The Act authorizes the Governor to delegate to the Secretary of Administration the authority to grant such approvals. The Act defines "emergency" to mean "any natural or human-caused situation that results in or may result in substantial injury or harm to the population or substantial damage to or loss of property."

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

Dissolution of Villages

The Act changes the prior-law method for allocating village assets and liabilities upon dissolution of a village. Under both prior law and the Act, the territory included within the village at the time of its dissolution reverts to and becomes a part of the town or towns from which it was taken or in which it is then located. *Under prior law*, the village board disposed of village property and settled claims, used assets to pay debts, and designated the manner in which the remaining property and assets were used. *Under the Act*, all assets and liabilities of the village are assigned to the town or towns to which the village territory reverts, based on a statute that governs the allocation of assets and liabilities of local governmental units--including cities, villages, towns and school districts--whose territory is transferred from one local governmental unit to another.

The Act also prohibits a village from dissolving if the town (or towns) from which all of the village territory was taken is no longer in existence.

Effective Date: The Act takes effect on May 25, 2006. The treatment of the statutory provisions relating to dissolution of villages first applies to an election for the dissolution of a village that is held on May 25, 2006.

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