

1 49.127 (2m) No person may knowingly fail to report changes in income,
2 assets or other facts as required under 7 USC 2015 (c) (1) or regulations
3 issued under that provision.

4 ••87-4976/3••SECTION 152. 49.128 of the statutes is created to read:

5 49.128 FOOD STAMP DEMONSTRATION PROJECT. (1) The department shall apply
6 to the U.S. secretary of agriculture under 7 USC 2026 (b) (1) for a demon-
7 stration project in which recipients of supplemental security income under 42
8 USC 1381 to 1383c or state supplemental payments under s. 49.177 receive food
9 stamp program benefits as cash payments instead of food coupons. If the
10 demonstration project is approved, the department shall conduct the project.

11 (2) After the department is notified that the demonstration project under
12 sub. (1) is approved or denied, the department shall inform the U.S. secretary
13 of agriculture that the state supplemental payments under s. 49.177 do not
14 include an amount in lieu of food stamps, regardless of whether the demon-
15 stration project under sub. (1) is approved.

16 ••87-5406/3••SECTION 154. 49.19 (5) (am) 1. (intro.) of the statutes, as
17 created by 1987 Wisconsin Act 27, is amended to read:

18 49.19 (5) (am) 1. (intro.) ~~Instead~~ Except as provided under subd. 1m,
19 instead of the disregards under par. (a) 4 and 4m, after disregarding the
20 amounts specified under par. (a) 2 and 3, \$30 of earned income and an amount
21 equal to one-sixth of the remaining earned income not disregarded shall be
22 disregarded from the earned income of a person specified in par. (a) 2. These
23 disregards do not apply to:

24 ••87-5406/3••SECTION 155. 49.19 (5) (am) 1m of the statutes is created to
25 read:

26 49.19 (5) (am) 1m. If a waiver under subd. 2 is granted, the department
27 may select individuals to whom the disregards under par. (a) 4 and 4m apply,

1 rather than the disregard under subd. 1, as a control group for all or part of
2 the period during which the waiver is in effect.

3 ••87b3392/1••SECTION 157i. 49.41 (1) of the statutes, as affected by 1987
4 Wisconsin Act 27, is renumbered 49.41 and amended to read:

5 49.41 (title) ASSISTANCE GRANTS EXEMPT FROM LEVY. ~~Except as provided in~~
6 ~~sub. (2), all~~ All grants of aid to families with dependent children, payments
7 made for social services, and benefits under s. 49.177 or federal Title XVI,
8 are exempt from every tax, and from execution, garnishment, attachment and
9 every other process and shall be inalienable.

10 ••87b3392/1••SECTION 157j. 49.41 (2) of the statutes, as created by 1987
11 Wisconsin Act 27, is repealed.

12 ••87-5192/4••SECTION 159. 49.45 (6g) (a) of the statutes, as created by
13 1987 Wisconsin Act 27, is renumbered 49.45 (6g) (a) (intro.) and amended to
14 read:

15 49.45 (6g) (a) (intro.) Notwithstanding sub. (6m) (ag) and except as
16 provided under par. (ar), if during the period beginning on July 1, 1987 and
17 ending on June 30, 1989, the federal health care financing administration or
18 the department finds a skilled nursing facility or intermediate care facility
19 in this state that provides care to medical assistance recipients for which
20 the facility receives reimbursement under sub. (6m) to be an institution for
21 mental diseases, as defined under 42 CFR 435.1009, the department shall
22 transfer or credit funds as specified in par. (ag) from the appropriation
23 under s. 20.435 (1) (b) to the appropriation under s. 20.435 (4) (h) for
24 distribution to a county department under s. 51.42 until June 30, 1989, under
25 this section ~~at 60% of the daily medical assistance reimbursement rate under~~
26 ~~sub. (6m) of the facility, for the care of any person residing in the facility~~
27 ~~on the date of the finding whose care in the facility has been disallowed for~~

1 ~~federal financial participation. the following persons occupying beds in the~~
2 ~~facility found to be an institution for mental diseases:~~

3 ••87-5192/4••SECTION 160. 49.45 (6g) (a) 1 to 3 of the statutes are
4 created to read:

5 49.45 (6g) (a) 1. A person residing in the facility on the date of the
6 finding whose care in the facility is disallowed for federal financial
7 participation.

8 2. A person specified under s. 46.266 (3).

9 3. A person who is aged 21 to 64, who has a diagnosis of mental illness,
10 who would meet the level of care requirements for medical assistance reim-
11 bursement in a skilled nursing facility or intermediate care facility but for
12 a finding that the facility is an institution for mental diseases, and for
13 whom services would be provided in place of a person specified in subd. 1 who
14 discontinues services.

15 ••87-5192/4••SECTION 161. 49.45 (6g) (ag) of the statutes is created to
16 read:

17 49.45 (6g) (ag) Funds transferred or credited under par. (a) shall be all
18 of the following:

19 1. Funds at 90% of the daily medical assistance reimbursement rate under
20 sub. (6m) of the facility, unless the amount of \$6,544,100 plus the state
21 share of the daily medical assistance reimbursement rate that is budgeted for
22 this purpose and for relocations under s. 46.266 for state fiscal year 1988-89
23 under s. 20.435 (1) (b) is insufficient to reimburse all eligible costs, in
24 which case the funds shall be prorated by the department.

25 2. Funds, calculated according to a method specified by the department,
26 equivalent to the state share of the average daily medical assistance payment
27 for noninstitutional medical services for residents of skilled nursing

1 facilities or intermediate care facilities found to be institutions for mental
2 diseases whose care has been disallowed for federal financial participation.

3 ••87-5192/4••SECTION 162. 49.45 (6g) (ar) of the statutes is created to
4 read:

5 49.45 (6g) (ar) The total number of beds in skilled nursing facilities or
6 intermediate care facilities that are funded at any one time under pars. (a)
7 and (ag) may not exceed the number of beds available for the persons specified
8 in par. (a) 1, minus the number of beds reduced under s. 46.266 (1) for per-
9 sons who are not persons specified under s. 46.266 (3).

10 ••87b2673/2••SECTION 162m. 49.45 (6g) (d) of the statutes is created to
11 read:

12 49.45 (6g) (d) No skilled nursing facility or intermediate care facility
13 that has residents who are 21 to 64 years of age and have a diagnosis of
14 mental illness may receive funds under this subsection unless the skilled
15 nursing facility or intermediate care facility has received distinct part or
16 separate licensure under s. 50.03 (1m).

17 ••87-5398/4••SECTION 163. 49.45 (6j) of the statutes is created to read:

18 49.45 (6j) LIMITATION ON CERTAIN FACILITY COVERAGE. The department shall
19 determine, under a method devised by the department, the average population
20 during the period from January 1, 1987, to the last day of the first month
21 beginning after the effective date of this subsection [revisor inserts
22 date], of persons in each skilled nursing facility or an intermediate care
23 facility who are mentally ill and are aged 21 to 64, except persons under 22
24 years of age who were receiving medical assistance services in the facility
25 prior to reaching age 21 and continuously thereafter. Beginning July 1, 1988,
26 the payment under sub. (6m) for services provided by a facility to persons who
27 are mentally ill and are within the age limitations specified in this subsec-

1 tion may not exceed the payment for the average population of these persons in
2 that facility, as determined by the department.

3 ••87-5391/1••SECTION 164. 49.45 (6m) (ar) 1. a of the statutes, as
4 affected by 1987 Wisconsin Act 27, is amended to read:

5 49.45 (6m) (ar) 1. a. The department shall establish standards for pay-
6 ment of allowable direct care costs that are at least 110% of the median for
7 direct care costs for facilities that do not primarily service the develop-
8 mentally disabled and separate standards for payment of allowable direct care
9 costs that are at least 110% of the median for direct care costs for facili-
10 ties primarily serving the developmentally disabled. The standards shall be
11 adjusted by the department for regional labor cost variations. The department
12 may decrease the percentage established for the standards only if amounts
13 available under par. (ag) (intro.) are insufficient to provide total payment
14 under par. (am), less capital costs under subd. 5.

15 ••87-5398/4••SECTION 165. 49.45 (6u) (intro.) of the statutes, as
16 affected by 1987 Wisconsin Act 27, is amended to read:

17 49.45 (6u) FACILITY OPERATING DEFICIT REDUCTION. (intro.) Except as
18 provided in par. (g), from the appropriation under s. 20.435 (1) (o), for
19 reduction of operating deficits, as defined under criteria developed by the
20 department, incurred by a facility, as defined under sub. (6m) (a) 2, that is
21 established under s. 49.14 (1) or that is owned and operated by a city or
22 village, the department shall allocate \$3,715,000 in fiscal year 1987-88 and
23 \$3,715,000 in fiscal year 1988-89 to these facilities and up to \$1,000,000 in
24 fiscal year 1988-89, as determined by the department, and shall perform all of
25 the following:

26 ••87b2717/2••SECTION 166m. 49.45 (25) (d) of the statutes is created to
27 read:

1 49.45 (25) (d) This subsection does not apply to case management services
2 provided under sub. (15) or s. 49.46 (2) (a) 2 or through a community support
3 program under s. 49.46 (2) (cm).

4 ••87-5294/1••SECTION 168. 49.45 (27) of the statutes is created to read:
5 49.45 (27) ELIGIBILITY OF ALIENS. A person who is not a U.S. citizen or
6 an alien lawfully admitted for permanent residence or otherwise permanently
7 residing in the United States under color of law may not receive medical
8 assistance benefits except as provided under 8 USC 1255a (h) (3) or 42 USC
9 1396b (v).

10 ••87b3656/1••SECTION 168i. 49.45 (29) of the statutes is created to read:
11 49.45 (29) HOSPICE REIMBURSEMENT. The department shall promulgate rules
12 limiting aggregate payments made to a hospice under ss. 49.46 and 49.47.

13 ••87b2668/3••SECTION 168m. 49.46 (2) (a) 4. a of the statutes, as
14 affected by 1987 Wisconsin Act 27, is amended to read:

15 49.46 (2) (a) 4. a. Inpatient hospital services other than services in an
16 institution for mental diseases, including psychiatric and alcohol or other
17 drug abuse treatment services, subject to the limitations under par. (i).

18 ••87b2633/1••SECTION 168s. 49.46 (2) (a) 5 of the statutes, as created by
19 1987 Wisconsin Act 27, is amended to read:

20 49.46 (2) (a) 5. Hospice care, as provided under par. (g). This sub-
21 division does not apply beginning on July 1, 1988, and ending on July 31,
22 1989.

23 ••87b2668/3••SECTION 170g. 49.46 (2) (b) 6. e of the statutes is amended
24 to read:

25 49.46 (2) (b) 6. e. Inpatient hospital, subject to the limitations under
26 par. (i), skilled nursing facility and intermediate care facility services for
27 patients of any institution for mental diseases who are under 21 years of age,

1 are under 22 years of age and who were receiving these services immediately
2 prior to reaching age 21, or are 65 years of age or older.

3 ••87b2633/1••SECTION 170r. 49.46 (2) (b) 10 of the statutes is created to
4 read:

5 49.46 (2) (b) 10. Hospice care as defined in 42 USC 1396d (o) (1). No
6 person may receive benefits under this subdivision after July 31, 1989, unless
7 that person receives benefits under this subdivision on July 31, 1989.

8 ••87b3377/1••SECTION 170t. 49.46 (2) (cm) of the statutes is created to
9 read:

10 49.46 (2) (cm) 1. From the appropriation under s. 20.435 (1) (o), the
11 department shall pay the portion reimbursed by the federal government of the
12 cost of mental health services, including case management services, provided
13 by the staff of a community support program in a county in which all of the
14 following conditions are satisfied:

15 a. The community support program meets the standards for certification
16 under s. 49.45 (2) (a) 11.

17 b. The county provides the portion of the cost of those services not
18 reimbursed by the federal government.

19 2. The department shall seek federal approval of medical assistance
20 coverage of community support program services as provided in subd. 1. Sub-
21 division 1 applies only after December 31, 1988, and only if federal approval
22 is received.

23 ••87-5192/4••SECTION 171. 49.46 (2) (dm) of the statutes, as created by
24 1987 Wisconsin Act 27, is repealed and recreated to read:

25 49.46 (2) (dm) Benefits under this section may not include payment for
26 services to individuals aged 21 to 64 who are residents of an institution for
27 mental diseases and who are otherwise eligible for medical assistance, except
28 for individuals under 22 years of age who were receiving these services

1 immediately prior to reaching age 21 and continuously thereafter and except
2 for services to individuals who are on convalescent leave or are conditionally
3 released from the institution for mental diseases. For purposes of this
4 paragraph, the department shall define "convalescent leave" and "conditional
5 release" by rule.

6 ••87b2633/1••SECTION 171m. 49.46 (2) (g) of the statutes, as created by
7 1987 Wisconsin Act 27, is amended to read:

8 49.46 (2) (g) The department shall pay for hospice care provided to a
9 medical assistance beneficiary who resides in a skilled nursing facility or an
10 intermediate care facility, is entitled to medicare part A benefits, under 42
11 USC 1395c to 1395i-2, and is terminally ill. This paragraph does not apply
12 beginning on July 1, 1988, and ending on July 31, 1989.

13 ••87b2668/3••SECTION 172m. 49.46 (2) (i) of the statutes is created to
14 read:

15 49.46 (2) (i) 1. The department may pay for inpatient hospital psychi-
16 atric care, including alcohol and other drug abuse services, under par. (a) 4.
17 a or (b) 6. e only if that care is determined to be medically necessary prior
18 to the admission or, for emergency admissions, within 24 hours after the
19 admission by a medical peer review organization under a contract with the
20 department after consulting with a provider designated by the department and
21 certified under s. 49.45 (2) (a) 11. The department may not pay for continu-
22 ing inpatient psychiatric care under par. (a) 4. a or (b) 6. e if the peer
23 review organization determines, after consulting with the designated provider,
24 based on a periodic review of the recipient's needs, that continued inpatient
25 treatment is not medically necessary.

26 2. The department shall contract with a peer review organization and with
27 certified providers to determine, under subd. 1, the medical necessity of

1 inpatient psychiatric admissions and continuing inpatient psychiatric care at
2 intervals determined by the department.

3 ••87b2633/1••SECTION 178g. 49.47 (6) (a) 1 of the statutes, as affected
4 by 1987 Wisconsin Act 27, is amended to read:

5 49.47 (6) (a) 1. All beneficiaries, for those services enumerated under
6 s. 49.46 (2) (a) and (b) 3 and 6. a to d and h to j and, beginning on July 1,
7 1988, and ending on July 31, 1989, under s. 49.46 (2) (b) 10.

8 ••87b2633/1••SECTION 178r. 49.47 (6) (a) 4 of the statutes, as created by
9 1987 Wisconsin Act 27, is amended to read:

10 49.47 (6) (a) 4. Beneficiaries described under s. 49.46 (2) (g), for
11 hospice care. This subdivision does not apply beginning on July 1, 1988, and
12 ending on July 31, 1989.

13 ••87-5192/4••SECTION 179. 49.47 (6) (a) 5 of the statutes is created to
14 read:

15 49.47 (6) (a) 5. Beneficiaries who are patients of a skilled nursing
16 facility or intermediate care facility that is an institution for mental
17 diseases, who are under 21 years of age, are under 22 years of age and were
18 receiving these services immediately prior to reaching age 21, or are 65 years
19 of age or older, for skilled nursing facility or intermediate care facility
20 services, if prescribed by a physician.

21 ••87-5192/4••SECTION 180. 49.47 (6) (c) 4 of the statutes, as created by
22 1987 Wisconsin Act 27, is repealed and recreated to read:

23 49.47 (6) (c) 4. Services to individuals aged 21 to 64 who are residents
24 of an institution for mental diseases and who are otherwise eligible for
25 medical assistance, except for individuals under 22 years of age who were
26 receiving these services immediately prior to reaching age 21 and continuously
27 thereafter and except for services to individuals who are on convalescent
28 leave or are conditionally released from the institution for mental diseases.

1 For purposes of this subdivision, the department shall defined "convalescent
2 leave" and "conditional release" by rule.

3 ••87b2664/2••SECTION 182g. 49.50 (7) (g) (intro.) of the statutes, as
4 created by 1987 Wisconsin Act 27, is amended to read:

5 49.50 (7) (g) (intro.) ~~An~~ Beginning on September 1, 1988, an individual
6 who is a recipient of aid under s. 49.19 shall attend school to meet the
7 participation requirements of the program under this subsection if all of the
8 following apply:

9 ••87b2664/2••SECTION 182r. 49.50 (7) (g) 3 of the statutes, as created by
10 1987 Wisconsin Act 27, is amended to read:

11 49.50 (7) (g) 3. The individual is ~~physically able to attend school and~~
12 ~~is~~ not excused from attending school under s. 118.15 (3).

13 ••87b2664/2••SECTION 183m. 49.50 (7) (g) 4 to 10 of the statutes are
14 created to read:

15 49.50 (7) (g) 4. The individual is a parent or is residing with his or
16 her natural or adoptive parent.

17 5. If the individual is the caretaker of a child, the child is at least
18 90 days old.

19 6. If child care services are necessary in order for the individual to
20 attend school, child care licensed under s. 48.65, certified under s. 48.651
21 or established under s. 120.13 (14) is available for the child and trans-
22 portation to and from child care is also available.

23 7. The individual is not prohibited from attending school while an
24 expulsion under s. 119.25 or 120.13 (1) is pending.

25 8. If the individual was expelled from a school under s. 119.25 or 120.13
26 (1), there is another school available which the individual can attend.

1 9. If the individual is 16 to 19 years of age, the school district does
2 not determine that the individual will fail to graduate from high school
3 before reaching age 20.

4 10. The individual does not have good cause for failing to attend school,
5 as defined by the department by rule.

6 ••87b2719/2••SECTION 185g. 49.50 (7) (h) of the statutes, as created by
7 1987 Wisconsin Act 27, is renumbered 49.50 (7) (h) 1. (intro.) and amended to
8 read:

9 49.50 (7) (h) 1. (intro.) An individual who fails to meet the require-
10 ments under par. (g) is subject to sanctions, as provided by the department by
11 rule, if all of the following requirements are satisfied:

12 ••87b2719/2••SECTION 185r. 49.50 (7) (h) 1. a to c of the statutes are
13 created to read:

14 49.50 (7) (h) 1. a. The school offered the individual program or curric-
15 ulum modifications, under s. 118.15 (1) (d), prior to the last unexcused
16 absence on which the sanction is based.

17 b. If the individual is under 18 years of age, the school attendance
18 officer, or the private school in which the individual was enrolled, notified
19 the individual's parent or guardian of each unexcused absence on which the
20 sanction is based, as evidenced by a copy of the written notice or the written
21 record of a telephone call.

22 c. The county department under s. 46.215, 46.22 or 46.23 held a fact-
23 finding meeting to determine whether all of the conditions under par. (g)
24 apply to the individual.

25 ••87-5406/3••SECTION 186. 49.50 (7) (h) 2 of the statutes is created to
26 read:

27 49.50 (7) (h) 2. The first time an individual is sanctioned under subd.
28 1, if application of the sanction would result in the family receiving no

1 payment, the department shall make a payment to meet only the needs of the
2 individual's parent or parents who would otherwise be eligible for aid under
3 s. 49.19, for up to 3 months.

4 ••87-5406/3••SECTION 187. 49.50 (7) (hm) of the statutes is created to
5 read:

6 49.50 (7) (hm) The department may require consent to the release of
7 school attendance records, under s. 118.125 (2) (e), as a condition of eligi-
8 bility for aid under s. 49.19.

9 ••87b2719/2••SECTION 187m. 49.50 (7) (hr) of the statutes is created to
10 read:

11 49.50 (7) (hr) If an individual required to attend school under par. (g)
12 is enrolled in a public school, communications between the school district and
13 the department or a county department under s. 46.215, 46.22 or 46.23 con-
14 cerning the individual's school attendance may only be made by a school
15 attendance officer, as defined under s. 118.16 (1) (a).

16 ••87-5406/3••SECTION 188. 49.50 (7) (i) of the statutes, as created by
17 1987 Wisconsin Act 27, is amended to read:

18 49.50 (7) (i) The department shall request a waiver from the secretary of
19 the federal department of health and human services to permit the application
20 of the school attendance requirement under par. (g). Paragraphs (e) 1, and
21 (g) ~~and (h)~~ to (hr) do not apply unless the federal waiver is in effect. If a
22 waiver is received, the department shall implement ~~para-~~ par. (e) 1, ~~(g)~~ and
23 ~~(h)~~ beginning with the fall 1987 school term, as defined under s. 115.001
24 (12), or on the date the waiver is effective, whichever is later.

25 ••87b2734/3••SECTION 189m. 49.50 (7g) (em) of the statutes is created to
26 read:

27 49.50 (7g) (em) The department shall contract with a local service
28 agency, as defined in s. 101.35 (1) (d), to use all or part of the grant of an

1 individual receiving aid for families with dependent children to supplement
2 the wages of the individual, if his or her wages are subsidized under s.
3 101.35. The rules promulgated by the department establishing criteria for
4 recipient participation do not apply to contracts under this paragraph. Con-
5 tracts between the department and local service agencies shall use the most
6 effective means of implementing grant diversion under 42 USC 614. This para-
7 graph does not apply after June 30, 1991.

8 ••87b2428/1••SECTION 192m. 49.50 (7r) of the statutes is created to read:
9 49.50 (7r) CHILD CARE FOR EMPLOYMENT PROGRAM PARTICIPANTS. (a) Except
10 as authorized in sub. (7) (e) 2, the department may not provide, or reimburse
11 a person for, child care under sub. (7), (7c), (7j) or (7m) unless the child
12 care provider is licensed under s. 48.65 or certified under s. 48.651.

13 (b) Except as provided under sub. (7) (g), the department may not require
14 a person to participate in a program under sub. (7), (7c), (7j) or (7m) if the
15 person is the caretaker of a child and child care services are necessary for
16 the person to participate in the program unless child care licensed under s.
17 48.65 or certified under s. 48.651 is available for the child.

18 ••87-5299/1••SECTION 195. 49.52 (1) (ag) 3 of the statutes is created to
19 read:

20 49.52 (1) (ag) 3. For the first 6 months of 1989:

21 a. Divide the projected county workload change for the first 6 months of
22 1989, as determined by the department, by the projected statewide workload
23 change for the first 6 months of 1989, as determined by the department.

24 b. Multiply the amount determined under subd. 3. a by 0.75.

25 c. Multiply the amount determined under subd. 3. b by 50% of the county
26 base allocation for 1989.

27 d. If the county has a projected workload increase, add the amount
28 determined under subd. 3. c to 50% of the county base allocation for 1989; and

1 if the county has a projected workload decrease, subtract the amount deter-
2 mined under subd. 3. c from 50% of the county base allocation for 1989.

3 e. A county's reimbursement equals the amount determined under subd. 3. d
4 or 95% of 50% of the county base allocation for 1989, whichever is greater.

5 •87b2411/1•SECTION 196b. 49.90 (1) (a) 2 of the statutes is amended to
6 read:

7 49.90 (1) (a) 2. Except as provided under ~~sub-~~ subs. (11) and (13) (a),
8 the parent of a dependent person under the age of 18 shall maintain a child of
9 the dependent person so far as the parent is able and to the extent that the
10 dependent person is unable to do so. ~~This~~ The requirement under this sub-
11 division does not supplant any requirement under subd. 1 and applies regard-
12 less of whether a court has ordered maintenance by the parent of the dependent
13 person or established a level of maintenance by the parent of the dependent
14 person.

15 •87b2411/1•SECTION 196e. 49.90 (2) of the statutes is renumbered 49.90
16 (2) (a) 1 and amended to read:

17 49.90 (2) (a) 1. Upon failure of these relatives to provide maintenance
18 the authorities or board shall submit to the district attorney a report of its
19 findings. Upon receipt of the report the district attorney shall, within 60
20 days, apply to the circuit court for the county in which the dependent person
21 under sub. (1) (a) 1 or the child of a dependent person under sub. (1) (a) 2
22 resides for an order to compel such maintenance. Upon such an application the
23 district attorney shall make a written report to the county department under
24 s. 46.215 ~~or~~ 46.22 or 46.23, with a copy to the chairperson of the county
25 board of supervisors in a county with a single-county department or the county
26 boards of supervisors in counties with a multicounty department, and to the
27 department of health and social services.

1 ••87b3371/1••SECTION 196ea. 49.90 (2) (a) 1 of the statutes, as affected
2 by 1987 Wisconsin Act (this act), is repealed and recreated to read:

3 49.90 (2) (a) 1. Upon failure of these relatives to provide maintenance
4 the authorities or board shall submit to the support enforcement attorney a
5 report of its findings. Upon receipt of the report the support enforcement
6 attorney shall, within 60 days, apply to the circuit court for the county in
7 which the dependent person under sub. (1) (a) 1 or the child of a dependent
8 person under sub. (1) (a) 2 resides for an order to compel such maintenance.

9 Upon such an application, the support enforcement attorney shall make a writ-
10 ten report to the county department under s. 46.215, 46.22 or 46.23, with a
11 copy to the chairperson of the county board of supervisors in a county with a
12 single-county department or the county boards of supervisors in counties with
13 a multicounty department, and to the department of health and social services.

14 ••87b2411/1••SECTION 196h. 49.90 (2) (a) 2 and (b) of the statutes are
15 created to read:

16 49.90 (2) (a) 2. Subdivision 1 does not apply after December 31, 1989.

17 (b) 1. Upon failure of these relatives to provide maintenance the
18 authorities or board shall submit to the support enforcement attorney a report
19 of its findings. Upon receipt of the report the support enforcement attorney
20 shall, within 60 days, apply to the circuit court for the county in which the
21 dependent person resides for an order to compel such maintenance. Upon such
22 an application, the support enforcement attorney shall make a written report
23 to the county department under s. 46.215, 46.22 or 46.23, with a copy to the
24 chairperson of the county board of supervisors in a county with a
25 single-county department or the county boards of supervisors in counties with
26 a multicounty department, and to the department of health and social services.

27 2. Subdivision 1 applies after December 31, 1989.

1 ••87b2411/1••SECTION 196L. 49.90 (2g) and (2r) of the statutes are
2 created to read:

3 49.90 (2g) (a) In addition to the remedy specified in sub. (2), upon
4 failure of a grandparent to provide maintenance under sub. (1) (a) 2, another
5 grandparent who is or may be required to provide maintenance under sub. (1)
6 (a) 2, a child of a dependent minor or the child's parent may apply to the
7 circuit court for the county in which the child resides for an order to compel
8 the provision of maintenance. A county department under s. 46.215, 46.22 or
9 46.23, a county child support agency or the department may initiate an action
10 to obtain maintenance of the child by the child's grandparent under sub. (1)
11 (a) 2, regardless of whether the child receives public assistance.

12 (b) Paragraph (a) does not apply after December 31, 1989.

13 (2r) (a) An action under sub. (2) or (2g) for maintenance of a grandchild
14 by a grandparent may be joined with an action to determine paternity under s.
15 767.45 (1) or an action for child support under s. 767.02 (1) (f) or (j) or
16 767.08, or both.

17 (b) Paragraph (a) does not apply after December 31, 1989.

18 ••87b2411/1••SECTION 196n. 49.90 (3) of the statutes is renumbered 49.90
19 (3) (a) and amended to read:

20 49.90 (3) (a) At least 10 days prior to the hearing on said the applica-
21 tion under sub. (2) or (2g), notice thereof of the hearing shall be served
22 upon such-relatives the grandparent or other relative who is alleged not to
23 have provided maintenance. in the manner provided for the service of summons
24 in courts of record.

25 ••87b2411/1••SECTION 196r. 49.90 (3) (b) to (d) of the statutes are
26 created to read:

27 49.90 (3) (b) Paragraph (a) does not apply after December 31, 1989.

1 (c) At least 10 days prior to the hearing on the application under sub.
2 (2), notice of the hearing shall be served upon the relative who is alleged
3 not to have provided maintenance, in the manner provided for the service of
4 summons in courts of record.

5 (d) Paragraph (c) applies after December 31, 1989.

6 ••87b2411/1••SECTION 196u. 49.90 (4) (a) 1, (10) and (11) (a) of the
7 statutes are amended to read:

8 49.90 (4) (a) 1. The circuit court shall in a summary way hear the alle-
9 gations and proofs of the parties and by order require maintenance from these
10 relatives, if they have sufficient ability (considering their own future
11 maintenance and making reasonable allowance for the protection of the property
12 and investments from which they derive their living and their care and pro-
13 tection in old age) in the following order: First the husband or wife; then
14 the father and the mother; and then the grandparents in the instances in which
15 sub. (1) (a) 2 applies. The order shall specify a sum which will be suffi-
16 cient for the support of the dependent person under sub. (1) (a) 1 or the
17 maintenance of a child of a dependent person under sub. (1) (a) 2, to be paid
18 weekly or monthly, during a period fixed by the order or until the further
19 order of the court. If the court is satisfied that any such relative is
20 unable wholly to maintain the dependent person or the child, but is able to
21 contribute to the person's support or the child's maintenance, the court may
22 direct 2 or more of the relatives to maintain the person or the child and
23 prescribe the proportion each shall contribute. If the court is satisfied
24 that these relatives are unable together wholly to maintain the dependent
25 person or the child, but are able to contribute to the person's support or the
26 child's maintenance, the court shall direct a sum to be paid weekly or monthly
27 by each relative in proportion to ability. Contributions directed by court
28 order, if for less than full support, shall be paid to the department of

1 ~~health and social services~~ and distributed as required by state and federal
2 law. An order under this subdivision that relates to maintenance required
3 under sub. (1) (a) 2 shall specifically assign responsibility for and direct
4 the manner of payment of the child's health care expenses, subject to the
5 limitations under subs. (1) (a) 2 and (11) (a). Upon application of any party
6 affected by the order and upon like notice and procedure, the court may modify
7 such an order. Obedience to such an order may be enforced by proceedings for
8 contempt.

9 (10) If an action under this section relates to support or maintenance of
10 a child, to the extent appropriate the court shall determine maintenance or
11 support in the manner provided in which support is determined under s. 767.25.

12 (11) (a) The Except as provided in sub. (13) (b), the parent of a depen-
13 dent person who is under the age of 18 and is alleged to be the father of a
14 child is responsible for maintenance of that child only if the paternity of
15 the child has been determined to be that of the dependent person as provided
16 in subch. VIII of ch. 48 or under ss. 767.45 to 767.60. Subject to the
17 limitations under sub. (1) (a), if a parent of ~~the~~ a dependent person is
18 liable for the health care expenses of the dependent person's child under sub.
19 (4) (a) 1, this liability extends to all expenses of the child's medical care
20 and treatment, including those associated with the childbirth, regardless of
21 whether they were incurred prior to the determination of paternity and
22 regardless of whether the determination of paternity is made after the child's
23 father attains 18 years of age, except that the period for which maintenance
24 payment is ordered for the parent of a dependent person may not extend beyond
25 the date on which the dependent person attains 18 years of age. The court may
26 limit the liability of the dependent person's parent for the child's medical
27 expenses if the expenses exceed 5% of the parent's federal adjusted gross
28 income for the previous taxable year, if the parent files separately, or 5% of

1 the sum of the parents' federal adjusted gross income for the previous taxable
2 year, if the parents file jointly.

3 ••87b2411/1••SECTION 196y. 49.90 (12) and (13) of the statutes are
4 created to read:

5 49.90 (12) (a) The parent of a dependent person who maintains a child of
6 the dependent person under sub. (1) (a) 2 may, after the dependent person
7 attains the age of 18, apply to the circuit court for the county in which the
8 child resides for an order to compel restitution by the dependent person of
9 the amount of maintenance provided to the dependent person's child by that
10 parent. The circuit court shall in a summary way hear the allegations and
11 proof of the parties and, after considering the financial resources and the
12 future ability of the dependent person to pay, may by order specify a sum in
13 payment of the restitution, to be paid weekly or monthly, during a period
14 fixed by the order or until further order of the court. Upon application of
15 any party affected by the order and following notice and an opportunity for
16 presentation of allegations and proof by the parties, the court may modify the
17 order. The parent of the dependent person may file a restitution order with
18 the clerk of circuit court. Upon payment of the fee under s. 814.61 (5) (a),
19 the clerk shall enter the order on the judgment docket under s. 806.10 in the
20 same manner as for a judgment in a civil action. Thereafter, the parent of
21 the dependent person may enforce the order against the dependent person in the
22 same manner as for a judgment in a civil action.

23 (b) Paragraph (a) does not apply after December 31, 1989.

24 (13) (a) The parent of a dependent person who is the victim of a sexual
25 assault under s. 940.225 (1) (a) for which a conviction is obtained and which
26 results in the birth of a child before the dependent person attains the age of
27 18 is not responsible under sub. (1) (a) 2 for the maintenance of that child
28 of the dependent person.

1 (b) If a dependent person is convicted at any time of causing a pregnancy
2 under s. 940.225 (1) (a) which results in the birth of a child before the
3 dependent person attains the age of 18, the parent of that dependent person is
4 solely liable under the requirements of sub. (1) (a) 2 for the maintenance of
5 the dependent person's child.

6 (c) If the parent of the dependent person specified in par. (a) provides
7 maintenance to the dependent person's child and if par. (b) applies, the
8 parent may apply to the circuit court for the county in which the child
9 resides for an order to compel restitution by the parent specified in par. (b)
10 of the amount of maintenance provided. The circuit court shall in a summary
11 way hear the allegations and proof of the parties and, after considering the
12 financial resources and future ability of the parent of the dependent person
13 specified in par. (b) to pay, may by order specify a sum in payment of the
14 restitution, to be paid weekly or monthly, during a period fixed by the order
15 or until further order of the court. Upon application of any party affected
16 by the order and following notice and an opportunity for presentation of
17 allegations and proof by the parties, the court may modify the order. The
18 parent specified in par. (a) may file a restitution order with the clerk of
19 circuit court. Upon payment of a fee under s. 814.61 (5) (a), the clerk shall
20 enter the order on the judgment docket under s. 806.10 in the same manner as
21 for a judgment in a civil action. Thereafter, the parent specified in par.
22 (a) may enforce the order against the parent specified in par. (b) in the same
23 manner as for a judgment in a civil action.

24 (d) Paragraphs (a) to (c) do not apply after December 31, 1989.

25 ••87b2673/2••SECTION 196z. 50.03 (1m) of the statutes is created to read:
26 50.03 (1m) DISTINCT PART OR SEPARATE LICENSURE FOR INSTITUTIONS FOR MENTAL
27 DISEASES. Upon application to the department, the department may approve
28 licensure of the operation of a nursing home or a distinct part of a nursing

1 home as an institution for mental diseases, as defined under 42 CFR 435.1009.
2 Conditions and procedures for application for, approval of, operation under
3 and renewal of licensure under this subsection shall be established in rules
4 promulgated by the department.

5 ••87-5398/4••SECTION 197. 50.04 (3) (d) of the statutes is created to
6 read:

7 50.04 (3) (d) Survey of institutions for mental diseases. Before July 1,
8 1988, the department shall conduct a survey to determine whether any nursing
9 home that is licensed under this section is an institution for mental
10 diseases, as defined under 42 CFR 435.1009. On or after July 1, 1988, the
11 department shall make these determinations during inspections conducted under
12 par. (a).

13 ••87-4950/2••SECTION 198. 50.51 (1) (d) of the statutes is created to
14 read:

15 50.51 (1) (d) If a person or establishment licensed under ch. 97 is
16 incidentally engaged in an activity for which a permit is required under this
17 section, the department may, by rule, exempt the person or establishment from
18 the permit requirement under this section. Rules under this paragraph shall
19 conform to a memorandum of understanding between the department and the
20 department of agriculture, trade and consumer protection.

21 ••87b2729/1••SECTION 198b. 50.53 (1) (b) of the statutes, as affected by
22 1987 Wisconsin Act 27, is amended to read:

23 50.53 (1) (b) For a tourist rooming house, \$70 \$40.

24 ••87b3371/1••SECTION 198bn. 51.20 (4) of the statutes is amended to read:

25 51.20 (4) PUBLIC REPRESENTATION. Except as provided in ss. 51.42 (3)
26 (ar) 1 and 51.437 (4m) (f), ~~the district attorney or, if designated by the~~
27 ~~county board of supervisors, the corporation counsel or other counsel~~ shall
28 represent the interests of the public in the conduct of all proceedings under

1 this chapter, including the drafting of all necessary papers related to the
2 action.

3 ••87b2724/1••SECTION 198c. 51.30 (4) (b) 18 of the statutes is amended to
4 read:

5 51.30 (4) (b) 18. To staff members of the protection and advocacy agency
6 designated under s. 51.62 (2) or to staff members of the private, nonprofit
7 corporation with which the agency has contracted under s. 51.62 (3) (a) 3, if
8 any, for the purpose of protecting and advocating the rights of persons with
9 developmental disabilities, as defined under s. 51.62 (1) (a), or mental
10 illness, as defined under s. 51.62 (1) (bm), except that if the patient has a
11 guardian information concerning the patient obtainable by staff members of the
12 agency or nonprofit corporation with which the agency has contracted is
13 limited to the name, birth date and county of residence of the patient,
14 information regarding whether the patient was voluntarily admitted, involun-
15 tarily committed or protectively placed and the date and place of admission,
16 placement or commitment, and the name and address of any guardian of the
17 patient and the date and place of the guardian's appointment. Any staff
18 member who wishes to obtain additional information shall notify the patient's
19 guardian in writing of the request and of the guardian's right to object. The
20 staff member shall send the notice by mail to the guardian's address. If the
21 guardian does not object in writing within 15 days after the notice is mailed,
22 the staff member may obtain the additional information. If the guardian
23 objects in writing within 15 days after the notice is mailed, the staff member
24 may not obtain the additional information.

25 ••87b3371/1••SECTION 198d. 51.42 (3) (ar) 1 of the statutes is amended to
26 read:

27 51.42 (3) (ar) 1. Enter into contracts to render services to or secure
28 services from other agencies or resources including out-of-state agencies or

1 resources. Notwithstanding ss. 59.07 (44), 59.456 and ~~59.47~~ 978.05, any
2 multicounty department of community programs may contract for professional
3 legal services that are necessary to carry out the duties of the multicounty
4 department of community programs if the corporation counsel of each county of
5 the multicounty department of community programs has notified the multicounty
6 department of community programs that he or she is unable to provide ~~such~~
7 those services in a timely manner.

8 ••87b3371/1••SECTION 198e. 51.437 (4m) (f) of the statutes is amended to
9 read:

10 51.437 (4m) (f) Enter into contracts to provide or secure services from
11 other agencies or resources including out-of-state agencies or resources.
12 Notwithstanding ss. 59.07 (44), 59.456 and ~~59.47~~ 978.05, any multicounty
13 department of developmental disabilities services may contract for profes-
14 sional legal services that are necessary to carry out the duties of the
15 multicounty department of developmental disabilities services if the corpora-
16 tion counsel of each county of the multicounty department of developmental
17 disabilities services has notified the multicounty department of developmental
18 disabilities services that he or she is unable to provide ~~such~~ those services
19 in a timely manner.

20 ••87b2724/1••SECTION 198g. 51.62 (1) (bm) of the statutes is created to
21 read:

22 51.62 (1) (bm) "Mental illness" means mental disease to such extent that
23 a person so afflicted requires care and treatment for his or her welfare, or
24 the welfare of others, or of the community and is an inpatient or resident in
25 a facility rendering care or treatment or has been discharged from the facil-
26 ity for not more than 90 days.

27 ••87b2724/1••SECTION 198i. 51.62 (1) (c) of the statutes is amended to
28 read:

1 51.62 (1) (c) "Protection and advocacy agency" means an entity designated
2 by the governor to implement a system to protect and advocate the rights of
3 persons with developmental disabilities, as authorized under 42 USC 6012 or
4 mental illness, as authorized under 42 USC 10801 to 10851.

5 ••87b2724/1••SECTION 198k. 51.62 (2) (a) 2 and 3 and (b) 2. a and b of
6 the statutes are amended to read:

7 51.62 (2) (a) 2. The council on developmental disabilities and the coun-
8 cil on mental health.

9 3. An agency that provides treatment, services or habilitation to persons
10 with developmental disabilities or mental illness.

11 (b) 2. a. The council on developmental disabilities and the council on
12 mental health.

13 b. Major organizations, in the state, of persons with developmental dis-
14 abilities or mental illness and families and representatives of these persons.

15 ••87b2724/1••SECTION 198m. 51.62 (3) (a) 1 of the statutes is amended to
16 read:

17 51.62 (3) (a) 1. Pursue legal, administrative and other appropriate
18 remedies to ensure the protection of the rights of persons with developmental
19 disabilities or mental illness and to provide information on and referral to
20 programs and services addressing the needs of persons with developmental dis-
21 abilities or mental illness.

22 ••87b2694/1••SECTION 198p. 53.11 (5m) of the statutes is created to read:

23 53.11 (5m) Before a person is released on parole under this section, the
24 department shall notify persons specified in s. 57.06 (1) (c) 3 who have sub-
25 mitted cards under s. 57.06 (1) (f) regarding the person to be released.

26 ••87b3371/1••SECTION 198pb. 55.06 (1) (c) of the statutes is amended to
27 read:

1 55.06 (1) (c) If requested by the court, the ~~district attorney or cor-~~
2 poration counsel shall assist in conducting proceedings under this chapter.

3 ••87b2694/1••SECTION 198r. 57.06 (1) (g) of the statutes, as affected by
4 1987 Wisconsin Act (Senate Bill 4), is amended to read:

5 57.06 (1) (g) Before a person is released on parole under this
6 subsection, the department shall so notify the municipal police department and
7 the county sheriff for the area where the person will be residing. The noti-
8 fication requirement under this paragraph does not apply if a municipal
9 department or county sheriff submits to the department a written statement
10 waiving the right to be notified. Before a person is released on parole under
11 this subsection, the department shall also notify persons specified in par.
12 (c) 3 who have submitted cards under par. (f) regarding the person to be
13 released.

14 ••87b3371/1••SECTION 198tb. 59.07 (3) (b) of the statutes is amended to
15 read:

16 59.07 (3) (b) The board may delegate its power in regard to any claim,
17 demand or cause of action not exceeding \$500 to the ~~district attorney if~~
18 ~~assigned civil matters or to the~~ corporation counsel. If the ~~district attor-~~
19 ~~ney or~~ corporation counsel finds that payment of the claim to a claimant is
20 justified, the ~~district attorney or~~ corporation counsel may order the claim
21 paid. The claim shall be paid upon certification of the ~~district attorney or~~
22 corporation counsel and shall be annually reported to the board.

23 ••87b3723/2••SECTION 198thm. 59.07 (64m) of the statutes is created to
24 read:

25 59.07 (64m) REGULATION OF OBSCENITY. Enact an ordinance to prohibit
26 conduct that is the same as that prohibited by s. 944.21. A county may bring
27 an action for a violation of the ordinance regardless of whether the attorney
28 general has determined under s. 165.25 (3m) that an action may be brought.

1 The ordinance may provide for a forfeiture not to exceed \$10,000 for each
2 violation.

3 ••87b3371/1••SECTION 198tc. 59.07 (97) of the statutes is amended to
4 read:

5 59.07 (97) CHILD AND SPOUSAL SUPPORT; PATERNITY PROGRAM; MEDICAL SUPPORT
6 LIABILITY PROGRAM. The county board shall contract with the department of
7 health and social services to implement and administer the child and spousal
8 support and establishment of paternity and the medical support liability pro-
9 grams provided for by Title IV of the federal social security act. The board
10 may designate by board resolution any office, officer, board, department or
11 agency as the county designee. The board or its designee shall implement and
12 administer the programs in accordance with the contract with the state
13 department of health and social services. ~~The district attorney, corporation~~
14 ~~counsel support enforcement attorneys,~~ family court commissioner, clerk of
15 court and all other county officials shall cooperate with the county and the
16 department as necessary to provide the services required under the programs.
17 The county shall charge the fee established by the department under s. 46.25
18 for services provided under this subsection to persons not receiving assis-
19 tance under s. 49.19 or 49.47.

20 ••87b2714/3••SECTION 198x. 59.07 (140) of the statutes is amended to
21 read:

22 59.07 (140) (title) WATERWAYS PROTECTION, IMPROVEMENT AND RECREATIONAL
23 DEVELOPMENT. May establish an inland lake protection and rehabilitation pro-
24 gram and may create, develop and implement inland lake protection and reha-
25 bilitation projects, similar to projects which an inland lake protection and
26 rehabilitation district is authorized to create, develop and implement under
27 subch. IV of ch. 33, or waterways protection, improvement or recreational
28 development activities under subch. III of ch. 33. As used in this subsection

1 "activity," "lake rehabilitation", "~~program~~", "~~project~~" and "lake" have the
2 meanings specified under s. 33.01 ~~(1), (4), (6), (7)~~ and (8), respectively.

3 ••87b3371/1••SECTION 199bg. 59.071 (5) (b) of the statutes is amended to
4 read:

5 59.071 (5) (b) The articles of incorporation shall be signed and
6 acknowledged by persons designated by the county board or where counties join
7 in the formation of the agency by the county boards of ~~such~~ those counties and
8 shall include at least 3 of the following from each county: the county
9 executive, if there is one; the chairperson of the county board; the chair-
10 person of the county board finance committee, if there is one; the county
11 corporation counsel ~~or district attorney in counties having no corporation~~
12 ~~counsel~~ and the county auditor or county treasurer in counties having no
13 county auditor, and only ~~such~~ those persons so signing and acknowledging the
14 articles of incorporation shall for the purposes of ch. 181 be the incorpo-
15 rators of the agency. When counties join in the formation of the agency, the
16 articles of incorporation shall be recorded in the office of the register of
17 deeds of each county.

18 ••87b3371/1••SECTION 199bh. 59.071 (5) (e) of the statutes is amended to
19 read:

20 59.071 (5) (e) The articles of incorporation shall provide for 2 classes
21 of directors, each class to consist of such number as is provided in the
22 bylaws. The county executive, if there is one, the chairperson of the county
23 board, the chairperson of the county board finance committee, if there is one,
24 the county corporation counsel ~~or district attorney in counties having no~~
25 ~~corporation counsel~~ and the county auditor or county treasurer in counties
26 having no county auditor, shall be members of the board of directors by virtue
27 of their office and as representatives of the county in which they hold ~~such~~
28 the office and the county board of each county shall have the right to desig-

1 nate such additional county directors as the bylaws authorize. The county
2 directors shall at all times constitute not less than a majority of the total
3 authorized number of directors. Public directors shall be appointed by the
4 county board and shall hold office at the pleasure of the county board.

5 ••87b3388/1••SECTION 199bi. 59.072 of the statutes is created to read:

6 59.072 EMPLOYE OWNERSHIP GRANTS AND LOANS. (1) In this section:

7 (a) "Employee group" means a group formed by or on behalf of employes or
8 former employes of a business that is considering substantial layoffs or
9 closing, if the group is formed to assume or attempt to assume control of the
10 business and reorganize it as an employe-owned business.

11 (b) "Employee-owned business" has the meaning given in section 560.16 (1)

12 (c) of the statutes.

13 (2) A county board of a county having a population of 500,000 or more may
14 make grants or loans to an employe group for any of the following:

15 (a) Costs associated with financial, legal or organizational services
16 associated with assuming control of a business and reorganizing it as an
17 employe-owned business.

18 (b) Costs associated with buying stock or assets or pursuing other means
19 to assume control of a business and reorganize it as an employe-owned
20 business.

21 (3) A county board may not issue bonds or similar obligations, including
22 bonds under s. 66.066, to finance grants or loans under this section.

23 (4) This section does not apply after December 31, 1990.

24 ••87b3371/1••SECTION 199bj. 59.12 of the statutes is amended to read:

25 59.12 COUNTY OFFICERS; TERMS. A county clerk, treasurer, sheriff,
26 coroner, clerk of circuit court, ~~district attorney~~, register of deeds and
27 surveyor, who shall be a registered land surveyor, shall be elected in each
28 county for full terms at the general election held in each even-numbered year.

1 The regular term of office of each such officer shall commence on the first
2 Monday of January next succeeding his or her election and shall continue 2
3 years and until his or her successor qualifies. In lieu of electing a sur-
4 veyor in any county, the county board may, by resolution, designate that the
5 duties under ss. 59.60 and 59.635 be performed by any registered land surveyor
6 employed by the county. In any county containing one town only, the county
7 board may, by resolution, designate any county office a part-time position,
8 combine 2 or more county offices, and, if concurred in by the town board,
9 combine the offices of county clerk and town clerk and any other county and
10 town offices, provided that the offices combined are not incompatible and the
11 combination is not expressly forbidden by law. If the town board so concurs,
12 the election ~~shall~~ may be for the combined office and no separate election for
13 the town office shall be held until after the county board has by resolution
14 decided to abandon ~~such~~ the combination and the town board has concurred by
15 resolution. In counties having a population of 500,000 or more, no county
16 coroner or county surveyor ~~shall~~ may be elected. In any county in which a
17 medical examiner system is instituted, no coroner ~~shall~~ may be elected.

18 ••87b3371/1••SECTION 199bn. 59.125 of the statutes is amended to read:

19 59.125 ELIGIBILITY FOR COUNTY OFFICE. No person is eligible to file
20 nomination papers as a candidate for, have his or her name placed on a ballot
21 for election to, or hold a county elective office who is not an elector of the
22 county. No person is eligible to file nomination papers as a candidate for,
23 have his or her name placed on a ballot for election to, or hold the office of
24 county supervisor who is not an elector of the supervisory district from which
25 he or she is chosen. ~~No person is eligible to hold the office of district~~
26 ~~attorney who is not licensed to practice law in this state.~~

27 ••87b3371/1••SECTION 199bp. 59.13 (1) (f) of the statutes is repealed.

1 ••87b3032/1••SECTION 199g. 59.20 (5) (b) of the statutes, as affected by
2 1987 Wisconsin Act 27, is amended to read:

3 59.20 (5) (b) For all court imposed fines and forfeitures required by law
4 to be deposited in the state treasury, the amounts required by s. 165.87 for
5 the penalty assessment surcharge, the amounts required by s. 167.31 (5) for
6 the weapons assessment, the amounts required by s. 973.045 for the crime vic-
7 tim and witness assistance surcharge, the amounts authorized by s. 971.37 (1m)
8 (c) 1 or required by s. 973.055 for the domestic abuse assessment surcharge,
9 the amounts required by s. 346.655 for the driver improvement surcharge, any
10 amounts imposed under s. 144.029 for well contamination assessments, the
11 amounts required by s. 29.997 for the natural resources assessment surcharge
12 and the amount required by s. 29.998 for natural resources restitution
13 payments, transmit to the state treasurer a statement of all moneys required
14 by law to be paid on the actions so entered during the preceding month on or
15 before the first day of the next succeeding month, certified by personal
16 affidavit endorsed upon or attached thereto, and at the same time pay to the
17 state treasurer the amount thereof.

18 ••87b3032/1••SECTION 199r. 59.395 (5) of the statutes, as affected by
19 1987 Wisconsin Act 27, is amended to read:

20 59.395 (5) Pay monthly to the county treasurer for the use of the state
21 the state's percentage of the fees required to be paid on each civil action,
22 criminal action and special proceeding filed during the preceding month and
23 pay monthly to the county treasurer for the use of the state the percentage of
24 court imposed fines and forfeitures required by law to be deposited in the
25 state treasury, the amounts required by s. 165.87 (2) (b) for the penalty
26 assessment surcharge, the amounts required by s. 167.31 (5) for the weapons
27 assessment, the amounts required by s. 973.045 for the crime victim and
28 witness assistance surcharge, the amounts authorized by s. 971.37 (1m) (c) 1

1 or required by s. 973.055 for the domestic abuse assessment surcharge, the
2 amounts required by s. 346.655 for the driver improvement surcharge, any
3 amounts imposed under s. 144.029 for well contamination assessments, the
4 amounts required under s. 29.997 (1) (d) for the natural resources assessment
5 surcharge and the amounts required under s. 29.998 (1) (d) for the natural
6 resources restitution payments. The payments shall be made by the 15th day of
7 the month following receipt thereof.

8 ••87b3371/1••SECTION 199tc. 59.44 of the statutes is repealed.

9 ••87b3371/1••SECTION 199td. 59.45 of the statutes is repealed.

10 ••87b3371/1••SECTION 199te. 59.457 of the statutes is created to read:

11 59.457 CORPORATION COUNSEL; ATTORNEY DESIGNEE. In lieu of employing a
12 corporation counsel under s. 59.07 (44) or in addition to employing a cor-
13 poration counsel under s. 59.07 (44) or 59.455, a county board shall designate
14 an attorney to perform the duties of a corporation counsel as the need arises.
15 Two or more counties may jointly designate an attorney to perform the duties
16 of a corporation counsel. If an attorney has been designated to perform the
17 duties of a corporation counsel, that person may exercise any powers and per-
18 form any duties of the corporation counsel.

19 ••87b3371/1••SECTION 199tf. 59.458 of the statutes is created to read:

20 59.458 SUPPORT ENFORCEMENT ATTORNEYS. (1) Each county shall establish
21 and maintain a support enforcement office consisting of support enforcement
22 attorneys and office personnel. In counties having a population of less than
23 500,000, a county budget under s. 65.90 shall list the proposed appropriation
24 under s. 65.90 (2) for the support enforcement office separate from any other
25 office, department or activity. In counties having a population of 500,000 or
26 more, a county budget shall treat a support enforcement office as a
27 department, as defined in s. 59.84 (2) (a), separate from all other
28 departments.

1 (2) Support enforcement attorneys shall institute, commence, appear in or
2 perform other prescribed duties in actions or proceedings under ss. 46.25 (7),
3 59.07 (97), 767.075, 767.08, 767.45 and 767.65.

4 (3) If the place of trial is changed to another county in any action or
5 proceeding under sub. (2), a support enforcement attorney shall continue to
6 prosecute or defend the action or proceeding in the other county.

7 ••87b3371/1••SECTION 199tg. 59.46 of the statutes is repealed.

8 ••87b3371/1••SECTION 199th. 59.47 of the statutes is repealed.

9 ••87b3371/1••SECTION 199ti. 59.475 of the statutes is repealed.

10 ••87b3371/1••SECTION 199tj. 59.48 of the statutes is repealed.

11 ••87b3371/1••SECTION 199tk. 59.485 of the statutes is repealed.

12 ••87b3371/1••SECTION 199tL. 59.49 of the statutes is repealed.

13 ••87b3501/1••SECTION 199tm. 59.68 (7) of the statutes is amended to read:

14 59.68 (7) A county may establish extensions of the jail, which need not
15 be at the county seat, to serve as places of temporary confinement. No person
16 may be detained in such an extension for more than 24 consecutive hours,
17 except that a court may order that a person subject to imprisonment under ss.
18 23.33 (13) (b) 2 or 3 or (c) or 350.11 (3) (a) 2 or 3 or (b) be imprisoned for
19 more than 24 consecutive hours in such an extension. Jail extensions shall be
20 subject to plans and specifications approval by the department of health and
21 social services and shall conform to other requirements imposed by law on
22 jails, except that cells may be designed and used for multiple occupancy.

23 ••87-5351/1••SECTION 200. 59.84 (3m) of the statutes is amended to read:

24 59.84 (3m) ACCOUNTING AND BUDGETING PROCEDURE. Every accounting and
25 budgeting procedure applied under this section shall comply with generally
26 accepted accounting principles for government as promulgated by the ~~national~~
27 ~~council on governmental accounting~~ governmental accounting standards board or
28 its successor bodies or other authoritative sources.

1 ••87b2498/1••SECTION 200d. 59.974 (2) of the statutes is amended to read:
2 59.974 (2) (title) AUTHORITY OR REQUIREMENT TO ENACT ORDINANCE. To
3 effect the purposes of s. 144.266 and to promote the public health, safety and
4 general welfare, a county ~~may~~ shall enact a construction site erosion control
5 ordinance and may enact a storm water management zoning ordinance applicable
6 to all of its unincorporated area. ~~This ordinance~~ These ordinances may be
7 enacted separately from ordinances enacted under s. 59.97.

8 ••87b3371/1••SECTION 200dc. 59.974 (8) of the statutes is amended to
9 read:

10 59.974 (8) APPLICABILITY TO LOCAL GOVERNMENTS AND AGENCIES. An ordinance
11 enacted under this section is applicable to activities conducted by a unit of
12 local government and an agency of that unit of government. An ordinance
13 enacted under this section is not applicable to activities conducted by an
14 agency, as defined under s. 227.01 (1) but also including the office of dis-
15 trict attorney, which is subject to the state construction site erosion con-
16 trol and storm water management plan promulgated or a memorandum of under-
17 standing entered into under s. 144.266 (2).

18 ••87b2714/3••SECTION 200f. 60.23 (21) of the statutes is created to read:
19 60.23 (21) WATERWAYS PROTECTION, IMPROVEMENT AND RECREATIONAL
20 DEVELOPMENT. May create, develop and implement waterways protection,
21 improvement or recreational development activities under subch. III of ch. 33.

22 ••87b2502/3••SECTION 200h. 60.24 (3) (zm) of the statutes is amended to
23 read:

24 60.24 (3) (zm) Approve bonds furnished by contractors for public works
25 under s. 779.14 ~~(1)~~ (1m).

26 ••87b2301/1••SECTION 200j. 60.55 (2) (b) of the statutes is amended to
27 read:

1 60.55 (2) (b) Charge property owners a fee for the cost of fire ~~calls~~
2 ~~made protection provided~~ to their property under sub. (1) (a) according to a
3 written schedule established by the town board.

4 ••87b2498/1••SECTION 200m. 61.354 (2) of the statutes is amended to read:
5 61.354 (2) (title) AUTHORITY OR REQUIREMENT TO ENACT ORDINANCE. To
6 effect the purposes of s. 144.266 and to promote the public health, safety and
7 general welfare, a village ~~may~~ shall enact a construction site erosion control
8 ordinance and may enact a storm water management zoning ordinance applicable
9 to all of its incorporated area. ~~This ordinance~~ These ordinances may be
10 enacted separately from ordinances enacted under s. 61.35.

11 ••87b3371/1••SECTION 200dmag. 61.354 (7) of the statutes is amended to
12 read:

13 61.354 (7) APPLICABILITY TO LOCAL GOVERNMENTS AND AGENCIES. An ordinance
14 enacted under this section is applicable to activities conducted by a unit of
15 local government and an agency of that unit of government. An ordinance
16 enacted under this section is not applicable to activities conducted by an
17 agency, as defined under s. 227.01 (1) but also including the office of dis-
18 trict attorney, which is subject to the state construction site erosion con-
19 trol and storm water management plan promulgated or a memorandum of under-
20 standing entered into under s. 144.266 (2).

21 ••87b3401/1••SECTION 200mg. 61.65 (1) (a) (intro.) of the statutes is
22 amended to read:

23 61.65 (1) (a) (intro.) ~~Each~~ Except as provided under s. 61.66, each
24 village with a population of 5,000 or more shall provide police protection
25 services by one of the following methods:

26 ••87b3401/1••SECTION 200mj. 61.65 (2) (a) (intro.) of the statutes is
27 amended to read:

1 61.65 (2) (a) (intro.) ~~Each~~ Except as provided under s. 61.66, each
2 village with a population of 5,500 or more shall provide fire protection ser-
3 vices by one of the following methods:

4 ••87b3401/1••SECTION 200mL. 61.66 of the statutes is created to read:

5 61.66 COMBINED PROTECTIVE SERVICES. (1) Notwithstanding s. 61.65 (1)
6 (a), (2) (a) and (3g) (d) 2, any village with a population of less than 20,000
7 may provide police and fire protection services by any of the following:

8 (a) A department which is neither a police department under s. 61.65 (1)
9 (a) nor a fire department under s. 61.65 (2) (a), which was created prior to
10 January 1, 1987, and in which the same person may be required to perform
11 police protection and fire protection duties without being required to perform
12 police protection duties for more than 8 hours in each 24 hours except in
13 emergency situations, as specified under s. 62.13 (7n).

14 (b) Persons in a police department or fire department who, alone or in
15 combination with persons designated as police officers or firefighters, may be
16 required to perform police protection and fire protection duties without being
17 required to perform police protection duties for more than 8 hours in each 24
18 hours except in emergency situations, as specified under s. 62.13 (7n), if
19 those persons were required to perform those duties prior to January 1, 1987.

20 (2) The governing body of a village acting under sub. (1) may designate
21 any person required to perform police protection and fire protection duties
22 under sub. (1) as primarily a police officer or fire fighter for purposes of
23 s. 891.45.

24 ••87b2774/1••SECTION 200n. 62.22 (1e) of the statutes is created to read:

25 62.22 (1e) CERTAIN INDUSTRIAL SITES. The governing body of a 2nd class
26 city which is adjacent to Lake Michigan and which is located in a county with
27 a population of less than 110,000, according to the most recent estimate by
28 the department of administration, may acquire real property by gift outside

1 the city boundaries for industrial sites; may improve and beautify the same;
2 may construct, own, lease and maintain buildings on such property for public
3 purposes; and may sell and convey such property.

4 ••87b2498/1••SECTION 200p. 62.234 (2) of the statutes is amended to read:
5 62.234 (2) (title) AUTHORITY OR REQUIREMENT TO ENACT ORDINANCE. To
6 effect the purposes of s. 144.266 and to promote the public health, safety and
7 general welfare, a city may shall enact a construction site erosion control
8 ordinance and may enact a storm water management zoning ordinance applicable
9 to all of its incorporated area. ~~This ordinance~~ These ordinances may be
10 enacted separately from ordinances enacted under s. 62.23.

11 ••87b3371/1••SECTION 200pg. 62.234 (7) of the statutes is amended to
12 read:

13 62.234 (7) APPLICABILITY TO LOCAL GOVERNMENTS AND AGENCIES. An ordinance
14 enacted under this section is applicable to activities conducted by a unit of
15 local government and an agency of that unit of government. An ordinance
16 enacted under this section is not applicable to activities conducted by an
17 agency, as defined under s. 227.01 (1) but also including the office of dis-
18 trict attorney, which is subject to the state construction site erosion con-
19 trol and storm water management plan promulgated or a memorandum of under-
20 standing entered into under s. 144.266 (2).

21 ••87b3371/1••SECTION 200q. 63.03 (2) (L) of the statutes is repealed.

22 ••87b3371/1••SECTION 200r. 63.03 (2) (m) of the statutes is repealed.

23 ••87b2284/6••SECTION 200s. 66.011 of the statutes is created to read:

24 66.011 TOWNS MAY BECOME VILLAGES OR CITIES. (1) CONDITIONS. A town
25 board may initiate the procedure for incorporating its town as a village or
26 city under this section by adopting a resolution providing for a referendum by
27 the electors of the town on the question of whether the town should become a

1 village or city if on the date of adoption of the resolution all of the
2 following conditions are satisfied:

3 (a) The most recent federal census or a census taken under sub. (2) shows
4 that the resident population of the town exceeds 10,000.

5 (b) The town is contiguous to a 2nd class city with a resident population
6 exceeding 65,000.

7 (c) The most recent per capita equalized valuation figures available from
8 the department of revenue show that the per capita equalized valuation for the
9 town is equal to or greater than the average per capita equalized valuation
10 for all cities and villages of the state.

11 (d) The town board of the town is authorized to exercise village powers.

12 (e) The town contains at least 300 acres of land which has been zoned for
13 industrial, commercial or public utility use.

14 (f) The town contains at least 100 acres of land actually used for
15 industrial, commercial or public utility purposes.

16 (g) The common council or village board of each city or village contigu-
17 ous to the town has adopted a resolution approving the incorporation of the
18 town as a village or city.

19 (2) CENSUS. To determine the population of the territory to be incorpo-
20 rated under this section, a town board may adopt a resolution directing that a
21 census be taken of the resident population of such territory as it may be on
22 some day not more than 10 weeks prior to the date of a referendum to be held
23 under this section, exhibiting the name of every head of a family and the name
24 of every person who is a resident in good faith of such territory on such day,
25 and the lot or quarter section of land on which that person resides, which
26 shall be verified by the affidavit of the person taking the census affixed to
27 the census.

1 (3) REFERENDUM RESOLUTION. The resolution of the town board required
2 under sub. (1) shall do all of the following:

3 (a) Certify that all of the conditions under sub. (1) are satisfied.

4 (b) Contain a description of the territory to be incorporated suffi-
5 ciently accurate to determine its location and a statement that a scale map
6 reasonably showing the boundaries of such territory is on file with the town
7 clerk.

8 (c) If incorporation as a city is proposed, specify the number of members
9 of the common council and the method of election; and if the members are to be
10 elected from aldermanic districts, specify the numbers and boundaries of the
11 districts.

12 (d) Determine the polling place for each ward and, if subdivision of
13 existing wards is required to enable creation of aldermanic districts, deter-
14 mine the numbers and boundaries of each ward of the proposed city in accor-
15 dance with s. 5.15 (2) (b) and (4) (a).

16 (e) Determine the date of the referendum, which may not be earlier than 6
17 weeks after the adoption of the resolution.

18 (4) NOTICE OF REFERENDUM. The town clerk shall publish a type C notice
19 of a referendum under s. 10.01 (2) (c) which shall include a copy of the
20 referendum resolution. The notice shall be published in a newspaper published
21 in the town, if there is one, or in a newspaper designated in the resolution,
22 once a week for 4 successive weeks, the first publication to be 4 weeks before
23 the referendum. The town board shall give a notice of the referendum to the
24 clerk of each city and village contiguous to the town by mailing to each clerk
25 a copy of the referendum resolution by certified or registered mail. The town
26 clerk shall publish a type E notice of the referendum under s. 10.01 (2) (e)
27 on the 4th Tuesday before the referendum is held, and shall publish type B, C
28 and D notices under s. 10.01 (2) (b), (c) and (d) on the day before the

1 referendum is held. Section 5.01 (1) applies in the event of failure to
2 comply with the notice requirements of this paragraph.

3 (5) VOTING PROCEDURE. A referendum under this section shall be conducted
4 in the same manner as elections for supervisors of the town board. The ques-
5 tion appearing on the ballot shall be "Shall the Town of become a
6 village?" or "Shall the Town of become a city?". Two squares shall
7 appear below the question. To the left of one square shall appear the words
8 "For a village" or "For a city", and to the left of the other square shall
9 appear the words "Against a village" or "Against a city". The inspectors
10 shall make a return to the clerk of the town.

11 (6) CERTIFICATE OF INCORPORATION. If a majority of the votes cast in a
12 referendum under this section are in favor of a village or city, the town
13 clerk shall certify that fact to the secretary of state, together with the
14 results of the census if any, and 4 copies of a description of the legal
15 boundaries of the town and 4 copies of a plat thereof, whereupon the secretary
16 of state shall issue a certificate of incorporation and record that certifi-
17 cate in a book kept for that purpose. Two copies of the description and plat
18 shall be forwarded by the secretary of state to the department of transporta-
19 tion and one copy to the department of revenue. The town clerk shall also
20 transmit a copy of the certification and the resolution under sub. (1) to the
21 county clerk.

22 (7) ACTION. No action to contest the validity of an incorporation under
23 this section on any grounds may be commenced after 60 days from the date of
24 issuance of the certificate of incorporation by the secretary of state under
25 sub. (6). In any such action, the burden of proof as to all issues is upon
26 the person bringing the action to show that the incorporation is not valid.
27 An action contesting such an incorporation shall be accorded precedence in the
28 circuit court over other matters not accorded similar precedence by law.

1 (8) VILLAGE OR CITY POWERS. Every village or city incorporated under
2 this section shall be a body corporate and politic, with powers and privileges
3 of a municipal corporation at common law and those conferred upon a village or
4 city by statute.

5 (9) EXISTING ORDINANCES. Ordinances in force in the territory incorpo-
6 rated or any part thereof, insofar as not inconsistent with an applicable
7 provision of these statutes, shall continue in force until amended or
8 repealed.

9 (10) INTERIM OFFICERS. All officers of the town incorporated under this
10 section as a village or city shall continue to exercise the powers and duties
11 that they exercised prior to incorporation until the first meeting of the
12 board of trustees or common council at which a quorum is present.

13 (11) FIRST VILLAGE OR CITY ELECTION. (a) Within 10 days after the date of
14 the certificate of incorporation issued by the secretary of state, the town
15 board shall fix a time for the first village or city election, determine the
16 expiration dates of the terms of the officers to be elected and name at least
17 3 inspectors of election for each polling place. The time for the election
18 shall be fixed no less than 40 days after the date of the certificate of
19 incorporation issued by the secretary of state. If a primary is required for
20 any office, the date fixed for the election shall be the date of the primary
21 and the election shall be held on the date provided in s. 8.50 (2) (b). Nom-
22 ination papers shall conform to ch. 8. Nomination papers may be circulated no
23 earlier than the date of the certificate of incorporation issued by the
24 secretary of state and may be filed no later than 5 p.m. 28 days before the
25 date of the election.

26 (b) The town clerk shall publish a type A notice of the election under s.
27 10.01 (2) (a) no later than 35 days before the election, a type E notice of
28 the election under s. 10.01 (2) (e) on the 4th Tuesday before the election and

1 type B and D notices of the election under s. 10.01 (2) (b) and (d) on the day
2 before the election. Notice shall be given by publication in the newspapers
3 selected under sub. (4) and by posting notices in 3 public places in the
4 village or city. Section 5.01 (1) applies in the event of failure to comply
5 with the notice requirements of this paragraph.

6 (c) The election shall be conducted as prescribed by chs. 5 to 12. The
7 inspectors shall make returns to the town board of canvassers which shall,
8 within one week after the election, canvass the returns and certify the
9 results. The clerk shall notify the officers-elect and issue certificates of
10 election. If the first election is on the first Tuesday in April, the offi-
11 cers so elected shall commence and hold their offices as for a regular term,
12 as shall also their appointees. Otherwise they shall take office within 3
13 days after certification of the results and hold their offices until their
14 terms expire. The terms of their appointees shall expire as soon as succes-
15 sors qualify.

16 (12) SUNSET. This section does not apply after June 30, 1990.

17 ••87-5360/1••SECTION 201. 66.03 (1) of the statutes is amended to read:

18 66.03 (1) DEFINITION. In this section, "municipality" includes town
19 sanitary districts, school district districts, vocational, technical and adult
20 education district, town, village districts, towns, villages and city cities.

21 ••87b2757/1••SECTION 201d. 66.04 (2) (a) 1 of the statutes, as affected
22 by 1987 Wisconsin Act 27, is amended to read:

23 66.04 (2) (a) 1. Time deposits in any credit union, bank, savings bank,
24 trust company or savings and loan association which is authorized to transact
25 business in this state if the time deposits mature in not more than one year 3
26 years.

27 ••87b2450/1••SECTION 201h. 66.04 (2) (a) 4 of the statutes, as created by
28 1987 Wisconsin Act 27, is amended to read:

1 66.04 (2) (a) 4. Any security which matures or which may be tendered for
2 purchase at the option of the holder within not more than 7 years of the date
3 on which it is acquired, if that security ~~is rated~~ has a rating which is the
4 highest or 2nd highest rating category assigned by Standard & Poor's
5 corporation, Moody's investors service or other similar nationally recognized
6 rating agency or if that security is senior to, or on a parity with, a secur-
7 ity of the same issuer which has such a rating.

8 ••87b3723/2••SECTION 201hg. 66.051 (intro.), (1), (2), (3) and (4) of the
9 statutes are renumbered 66.051 (1) (intro.), (a), (b) and (c) and (2), and
10 66.051 (2), as renumbered, is amended to read:

11 66.051 (2) ~~Nothing~~ Except as provided in sub. (3), nothing in this
12 section ~~shall~~ may be construed to preclude cities and villages from prohib-
13 iting conduct which is the same as or similar to that prohibited by chs. 941
14 to 947.

15 ••87b3723/2••SECTION 201hm. 66.051 (2) of the statutes, as affected by
16 1987 Wisconsin Act (this act), is repealed and recreated to read:

17 66.051 (2) Except as provided in sub. (3), nothing in this section may be
18 construed to preclude cities and villages from prohibiting conduct which is
19 the same as or similar to that prohibited by chs. 941 to 948.

20 ••87b3723/2••SECTION 201hr. 66.051 (3) of the statutes is created to
21 read:

22 66.051 (3) The board or council of a city, village or town may not, by
23 ordinance, prohibit conduct which is the same as or similar to conduct pro-
24 hibited by s. 944.21.

25 ••87b2861/1••SECTION 201j. 66.092 of the statutes is created to read:

26 66.092 MUNICIPAL REGULATION OF FIREARMS. (1) In this section:

1 (a) "Firearm" means a rifle, shotgun or handgun as defined under s.
2 175.35 (1) or any component, ammunition or supply of a rifle, shotgun or
3 handgun as defined under s. 175.35 (1).

4 (b) "Municipality" means a county, town, city or village.

5 (2) No municipality may prohibit the ownership of firearms, except that a
6 municipality may prohibit the ownership of a firearm by any person under the
7 age of 18 years.

8 ••87b2697/1••SECTION 201k. 66.114 (2) (a) of the statutes, as affected by
9 1987 Wisconsin Act 27, is amended to read:

10 66.114 (2) (a) If the person so arrested and released fails to appear,
11 personally or by an authorized attorney or agent, before the court at the time
12 fixed for hearing of the case, then the bond and money deposited, or such
13 portion thereof as the court may determine to be an adequate penalty, plus
14 costs, including any applicable fees prescribed in ~~ss. 814.63 (1) and (2) and~~
15 ~~814.635~~ ch. 814, may be declared forfeited by the court or may be ordered
16 applied upon the payment of any penalty which may be imposed after an ex parte
17 hearing together with the costs. In either event, the surplus, if any, shall
18 be refunded to the person who made the deposit.

19 ••87b3414/1••SECTION 201ka. 66.23 (7) of the statutes is amended to read:

20 66.23 (7) A per diem compensation not to exceed ~~30~~ 50 may be paid to
21 commissioners. Commissioners shall be reimbursed for actual expenses incurred
22 as commissioners in carrying out the work of the commission.

23 ••87b3415/1••SECTION 201kb. 66.24 (3) of the statutes is amended to read:

24 66.24 (3) CONNECTIONS WITH SYSTEM. The commission may require any person
25 or municipality in the district to provide for the discharge of its sewage
26 into the district's collection and disposal system, or to connect any sanitary
27 sewerage system with the district's disposal system wherever reasonable
28 opportunity therefor is provided; may regulate the manner in which such

1 connections are made; may require any person or municipality discharging
2 sewage into the system to provide preliminary treatment therefor; may prohibit
3 and impose a penalty for the discharge into the system of any substance which
4 it determines will or may be harmful to the system or any persons operating
5 it; and may, with the prior approval of the department, after hearing upon 30
6 days' notice to the municipality involved, require any municipality to
7 discontinue the acquisition, improvement or operation of any facility for
8 disposal of any wastes or material handled by the commission wherever and so
9 far as adequate service is or will be provided by the commission. The
10 commission shall have access to all sewerage records of any municipality in
11 the district and shall require all such municipalities to submit plans of
12 existing systems and proposed extensions of local services or systems. The
13 commission or its employes may enter upon the land in any municipality within
14 the district for the purpose of making surveys or examinations.

15 ••87b3415/1••SECTION 201kd. 66.24 (9) of the statutes is created to read:
16 66.24 (9) EXTRATERRITORIAL SERVICE BY CONTRACT. A district may provide
17 service to territory outside the district, including territory in a county not
18 in that district, under s. 66.30, subject to ss. 66.20 to 66.26 and 66.902,
19 except that s. 66.23 (1) does not require the appointment of a commissioner
20 from that territory.

21 ••87b3415/1••SECTION 201kf. 66.26 (1) of the statutes is amended to read:
22 66.26 (1) Territory outside the district which becomes annexed for
23 municipal purposes to a city or village ~~that was included in its entirety~~
24 which, prior to the annexation, is located entirely within the original dis-
25 trict shall may be added to the district upon receipt by the commission, and
26 the regional planning commission of the region within which the district or
27 the greatest portion of the district is located, of official notice from the
28 city or village that the municipal annexation has occurred, except that such

1 territory shall be added under sub. (2) if, within 30 days after receipt of
2 such notice, that regional planning commission files with the commission a
3 written objection to any part of the annexation or the commission issues a
4 written determination disapproving the addition of the territory under this
5 subsection. Failure of the commission to disapprove the addition of the ter-
6 ritory under this subsection is subject to review under ch. 227.

7 ••87b3415/1••SECTION 201k. 66.26 (4) of the statutes is created to read:

8 66.26 (4) Section 66.23 (1) does not require the appointment of a
9 commissioner from territory annexed under this section if that territory, on
10 the day before the annexation, has a population of less than 8.5% of the total
11 population served by the district.

12 ••87b2886/1••SECTION 201L. 66.33 (5) of the statutes, as affected by 1987
13 Wisconsin Act 27, is amended to read:

14 66.33 (5) Any municipality may participate in the state financial assis-
15 tance program for water resources protection established under s. 144.21,
16 144.24, 144.241 or 144.25 and may enter into agreements with the department of
17 natural resources for that purpose. Any county may participate in the state
18 financial assistance program for soil and water resources protection estab-
19 lished under s. 92.14 and may enter into agreements with the department of
20 agriculture, trade and consumer protection for that purpose.

21 ••87b2550/2••SECTION 201m. 66.431 (5) (a) 4. c of the statutes, as
22 affected by 1987 Wisconsin Act 27, is amended to read:

23 66.431 (5) (a) 4. c. To issue bonds in its discretion to finance or
24 refinance its activities under this section, including the payment of prin-
25 cipal and interest upon any advances for surveys and plans, or to finance or
26 refinance under this section project costs, as defined in s. 66.46 (2) (f) 1,
27 incurred or estimated to be incurred, in a project area, as defined in sub.
28 (4) (h) or directly in relation to blighted property, as defined in sub. (4)

1 (bm), and may issue refunding bonds for the payment or retirement of such
2 bonds previously issued by it.—Such or for the payment or retirement of bonds
3 issued by the city to finance or refinance project costs, as defined in s.
4 66.46 (2) (f) 1, incurred or estimated to be incurred, in a project area, as
5 defined in sub. (4) (h) or directly in relation to blighted property, as
6 defined in sub. (4) (bm). Except as provided under s. 66.46 (9) (b) 6, such
7 bonds shall be made payable, as to both principal and interest, solely from
8 the income, proceeds, revenues, and funds of the authority derived from or
9 held in connection with its undertaking and carrying out of projects or
10 activities under this section; provided that payment of such bonds, both as to
11 principal and interest, may be further secured by a pledge of any loan, grant
12 or contribution from the federal government or other source, in aid of any
13 projects or activities of the authority under this section, and by a mortgage
14 of any such projects or activities, or any part thereof. Bonds issued under
15 this section shall not constitute an indebtedness within the meaning of any
16 constitutional or statutory debt limitation or restriction of the state, city
17 or of any public body other than the authority issuing the bonds, and shall
18 not be subject to any other law or charter relating to the authorization,
19 issuance or sale of bonds. Bonds issued under this section are declared to be
20 issued for an essential public and governmental purpose and, together with
21 interest thereon and income therefrom, shall be exempt from all taxes. Bonds
22 issued under this section shall be authorized by resolution of the authority
23 and may be issued in one or more series and shall bear such date, be payable
24 upon demand or mature at such time, bear interest at such rate, be in such
25 denomination, be in such form either with or without coupon or registered,
26 carry such conversion or registration privileges, have such rank or priority,
27 be payable in such medium of payment, at such place, and be subject to such
28 terms of redemption, with or without premium, be secured in such manner, and

1 have such other characteristics, as is provided by the resolution, trust
2 indenture or mortgage issued pursuant thereto. Bonds issued under this
3 section shall be executed as provided in s. 67.08 (1) and may be registered
4 under s. 67.09. The bonds may be sold or exchanged at public sale or by pri-
5 vate negotiation with bond underwriters as the authority may provide. The
6 bonds may be sold or exchanged at such price or prices as the authority shall
7 determine. If sold or exchanged at public sale, the sale shall be held after
8 a class 2 notice, under ch. 985, published prior to such sale in a newspaper
9 having general circulation in the city and in such other medium of publication
10 as the authority determines. Such bonds may be sold to the federal government
11 at private sale, without publication of any notice, at not less than par, and,
12 if less than all of the authorized principal amount of such bonds is sold to
13 the federal government, the balance may be sold at private sale at not less
14 than par at an interest cost to the authority of not to exceed the interest
15 cost to the authority of the portion of the bonds sold to the federal
16 government. Any provision of any law to the contrary notwithstanding, any
17 bonds issued pursuant to this section shall be fully negotiable. In any suit,
18 action or proceeding involving the validity or enforceability of any bond
19 issued under this section or the security therefor, any such bond reciting in
20 substance that it has been issued by the authority in connection with a
21 project or activity under this section shall be conclusively deemed to have
22 been issued for such purpose and such project or activity shall be conclu-
23 sively deemed to have been planned, located and carried out in accordance with
24 this section.

25 ••87b2550/2••SECTION 201mb. 66.46 (2) (f) 1. b of the statutes is amended
26 to read:

27 66.46 (2) (f) 1. b. Financing costs, including, but not limited to, all
28 rent paid by the city for any property which is part of a project and all

1 interest paid by the city to holders of evidences of indebtedness issued to
2 pay for project costs and any premium paid over the principal amount thereof
3 because of the redemption of such obligations prior to maturity.

4 ••87b2550/2••SECTION 201md. 66.46 (6) (am) 2. c of the statutes is
5 created to read:

6 66.46 (6) (am) 2. c. Financing costs and contributions described in sub.
7 (2) (f) 1. b or h incurred, committed or provided for by the city within 5
8 years after the tax incremental district is created.

9 ••87b2550/2••SECTION 201mf. 66.46 (6) (am) 2. d of the statutes is
10 created to read:

11 66.46 (6) (am) 2. d. Tax increments paid over to an authority by the city
12 pursuant to a pass-through agreement under sub. (9) (b) 6 entered into within
13 5 years after the tax incremental district is created.

14 ••87b2550/2••SECTION 201mh. 66.46 (6) (c) of the statutes, as affected by
15 1987 Wisconsin Act 27, is amended to read:

16 66.46 (6) (c) All Except as provided in sub. (9) (b) 6, all tax incre-
17 ments received with respect to a tax incremental district shall, forthwith
18 upon receipt by the city treasurer, be deposited into a special fund for such
19 district. The city treasurer may deposit additional moneys into such fund
20 pursuant to an appropriation by the common council. No moneys may be paid out
21 of such fund except to pay project costs with respect to such district, to
22 reimburse the city for such payments, or to satisfy claims of holders of bonds
23 or notes issued with respect to such district. Moneys paid out of the fund to
24 pay project costs with respect to a district may be paid out before or after
25 the district is terminated under sub. (7). Subject to any agreement with
26 bondholders, moneys in such fund may be temporarily invested in the same man-
27 ner as other city funds if any investment earnings are applied to reduce
28 project costs. After all project costs and all bonds and notes with respect

1 to such district have been paid or the payment thereof provided for, subject
2 to any agreement with bondholders, if there remain in such fund any moneys,
3 they shall be paid over to the treasurer of each county, school district or
4 other tax levying municipality or to the general fund of the city in such
5 amounts as belong to each respectively, having due regard for what portion of
6 such moneys, if any, represents tax increments not allocated to the city and
7 what portion thereof, if any, represents voluntary deposits of the city into
8 such fund.

9 ••87b2550/2••SECTION 201mi. 66.46 (9) (a) 8 and 9 of the statutes are
10 amended to read:

11 66.46 (9) (a) 8. Payment out of the proceeds of the sale of tax incre-
12 mental bonds or notes issued by it under this subsection; ~~or~~

13 9. Payment out of the proceeds of revenue bonds issued by the city as
14 provided by s. 66.521, for a purpose specified in that section; or

15 ••87b2550/2••SECTION 201mj. 66.46 (9) (a) 10 of the statutes is created
16 to read:

17 66.46 (9) (a) 10. Payment out of the proceeds of the sale of bonds or
18 notes issued by a redevelopment authority under s. 66.431 (5) (a) 4. c.

19 ••87b2550/2••SECTION 201mL. 66.46 (9) (b) 6 of the statutes is created to
20 read:

21 66.46 (9) (b) 6. If project costs are paid out of the proceeds of the
22 sale of bonds or notes issued by a redevelopment authority under par. (a) 10,
23 or if a redevelopment authority issues its bonds under s. 66.431 (5) (a) 4. c
24 for the purpose of refunding municipal obligations which were issued under or
25 authorized by par. (a) 3, the city may enter into a pass-through agreement
26 with the redevelopment authority under which the city agrees to pay over to
27 the redevelopment authority, an amount of the tax increment received under
28 sub. (6) (b) which is equal to but not more than the amount required to pay

1 the principal of and interest on those redevelopment authority bonds, notes or
2 refunding bonds.

3 ••87b2549/1••SECTION 201p. 66.521 (1) (d) of the statutes is created to
4 read:

5 66.521 (1) (d) It is found and declared that the provision of services by
6 charitable organizations is necessary to retain existing industry in, and
7 attract new industry to, this state and to protect the health, welfare and
8 safety of residents of this state.

9 ••87b2549/1••SECTION 201pb. 66.521 (2) (am) of the statutes is created to
10 read:

11 66.521 (2) (am) "Charitable organization" means any organization de-
12 scribed in 26 USC 501 (a) and (c) 3.

13 ••87b2549/1••SECTION 201pd. 66.521 (2) (k) 22 of the statutes is created
14 to read:

15 66.521 (2) (k) 22. Facilities owned by a charitable organization, at
16 least 90% of which are used in furtherance of the charitable organization's
17 purposes.

18 ••87b2549/1••SECTION 201pf. 66.521 (3) (b) 1m of the statutes is created
19 to read:

20 66.521 (3) (b) 1m. To prepay the whole or any part of any indebtedness of
21 a charitable organization originally incurred for an industrial project
22 including any premium payable with respect thereto and any interest accrued to
23 or to accrue thereon;

24 ••87b2549/1••SECTION 201ph. 66.521 (3) (b) 1r of the statutes is created
25 to read:

26 66.521 (3) (b) 1r. To purchase revenue bonds or other indebtedness
27 theretofore issued, whether or not such bonds or other indebtedness are