

1 **SECTION 1535.** 51.03 (1) of the statutes is renumbered 51.03 (1r).

2 **SECTION 1536.** 51.03 (1g) of the statutes is created to read:

3 51.03 (1g) In this section:

4 (a) “Early intervention” means action to hinder or alter a person’s mental
5 disorder or abuse of alcohol or other drugs in order to reduce the duration of early
6 symptoms or to reduce the duration or severity of mental illness or alcohol or other
7 drug abuse that may result.

8 (b) “Individualized service planning” means a process under which a person
9 with mental illness or who abuses alcohol or other drugs and, if a child, his or her
10 family, receives information, education and skills to enable the person to participate
11 mutually and creatively with his or her mental health or alcohol or other drug abuse
12 service provider in identifying his or her personal goals and developing his or her
13 assessment, crisis protocol, treatment and treatment plan. “Individualized service
14 planning” is tailored to the person and is based on his or her strengths, abilities and
15 needs.

16 (c) “Prevention” means action to reduce the instance, delay the onset or lessen
17 the severity of mental disorder, before the disorders may progress to mental illness,
18 by reducing risk factors for, enhancing protections against and promptly treating
19 early warning signs of mental disorder.

20 (d) “Recovery” means the process of a person’s growth and improvement,
21 despite a history of mental illness or alcohol or other drug abuse, in attitudes,
22 feelings, values, goals, skills and behavior and is measured by a decrease in
23 dysfunctional symptoms and an increase in maintaining the person’s highest level
24 of health, wellness, stability, self-determination and self-sufficiency.

1 (e) “Stigma” means disqualification from social acceptance, derogation,
2 marginalization and ostracism encountered by persons with mental illness or
3 persons who abuse alcohol or other drugs as the result of societal negative attitudes,
4 feelings, perceptions, representations and acts of discrimination.

5 **SECTION 1537.** 51.03 (4) of the statutes is created to read:

6 51.03 (4) Within the limits of available state and federal funds, the department
7 may do all of the following:

8 (a) Promote the creation of coalitions among the state, counties, providers of
9 mental health and alcohol and other drug abuse services, consumers of the services
10 and their families and advocates for persons with mental illness and for alcoholic and
11 drug dependent persons to develop, coordinate and provide a full range of resources
12 to advance prevention; early intervention; treatment; recovery; safe and affordable
13 housing; opportunities for education, employment and recreation; family and peer
14 support; self-help; and the safety and well-being of communities.

15 (b) In cooperation with counties, providers of mental health and alcohol and
16 other drug abuse services, consumers of the services, interested community
17 members and advocates for persons with mental illness and for alcoholic and drug
18 dependent persons, develop and implement a comprehensive strategy to reduce
19 stigma of and discrimination against persons with mental illness, alcoholics and
20 drug dependent persons.

21 (c) Develop and implement a comprehensive strategy to involve counties,
22 providers of mental health and alcohol and other drug abuse services, consumers of
23 the services and their families, interested community members and advocates for
24 persons with mental illness and for alcoholic and drug dependent persons as equal
25 participants in service system planning and delivery.

1 (d) Promote responsible stewardship of human and fiscal resources in the
2 provision of mental health and alcohol and other drug abuse services.

3 (e) Develop and implement methods to identify and measure outcomes for
4 consumers of mental health and alcohol and other drug abuse services.

5 (f) Promote access to appropriate mental health and alcohol and other drug
6 abuse services regardless of a person's geographic location, age, degree of mental
7 illness, alcoholism or drug dependency or availability of personal financial resources.

8 (g) Promote consumer decision making to enable persons with mental illness
9 and alcohol or drug dependency to be more self-sufficient.

10 (h) Promote use by providers of mental health and alcohol and other drug abuse
11 services of individualized service planning, under which the providers develop
12 written individualized service plans that promote treatment and recovery, together
13 with service consumers, families of service consumers who are children and
14 advocates chosen by consumers.

15 **SECTION 1538.** 51.03 (5) of the statutes is created to read:

16 51.03 (5) The department shall ensure that providers of mental health and
17 alcohol and other drug abuse services who use individualized service plans, as
18 specified in sub. (4) (h), do all of the following in using a plan:

19 (a) Establish meaningful and measurable goals for the consumer.

20 (b) Base the plan on a comprehensive assessment of the consumer's strengths,
21 abilities, needs and preferences.

22 (c) Keep the plan current.

23 (d) Modify the plan as necessary.

24 **SECTION 1539d.** 51.05 (2) of the statutes is amended to read:

1 51.05 (2) The department may not accept for admission to a mental health
2 institute any resident person, except in an emergency, unless the county department
3 under s. 51.42 in the county where the person has legal residency authorizes the care,
4 as provided in s. 51.42 (3) (as). Patients who are committed to the department under
5 s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17, 975.06 or 980.06,
6 admitted by the department under s. 975.17, 1977 stats., or are transferred from a
7 juvenile secured correctional facility ~~or~~ a secured child caring institution, ~~as defined~~
8 ~~in s. 938.02 (15g), or a secured group home~~ to a state treatment facility under s. 51.35
9 (3) or from a jail or prison to a state treatment facility under s. 51.37 (5) are not
10 subject to this section.

11 **SECTION 1538p.** 51.032 (1) (intro.) of the statutes is amended to read:

12 51.032 (1) (intro.) The Except as provided in sub. (1m), the department shall
13 require each applicant to provide the department with his or her social security
14 number, if the applicant is an individual, or the applicant's federal employer
15 identification number, if the applicant is not an individual, as a condition of issuing
16 any of the following:

17 **SECTION 1538q.** 51.032 (1m) of the statutes is created to read:

18 51.032 (1m) If an individual who applies for a certification or approval under
19 sub. (1) does not have a social security number, the individual, as a condition of
20 obtaining the certification or approval, shall submit a statement made or subscribed
21 under oath or affirmation to the department that the applicant does not have a social
22 security number. The form of the statement shall be prescribed by the department
23 of workforce development. A certification or approval issued in reliance upon a false
24 statement submitted under this subsection is invalid.

25 **SECTION 1538r.** 51.032 (3) of the statutes is amended to read:

1 51.032 (3) ~~The~~ Except as provided in sub. (1m), the department shall deny an
2 application for the issuance of a certification or approval specified in sub. (1) if the
3 applicant does not provide the information specified in sub. (1).

4 **SECTION 1540.** 51.06 (1) (d) of the statutes is amended to read:

5 51.06 (1) (d) ~~At the southern center for developmentally disabled, services~~
6 Services for up to ~~10~~ 36 individuals with developmental disability who are also
7 diagnosed as mentally ill or who exhibit extremely aggressive and challenging
8 behaviors and ~~at the northern center for developmentally disabled, services for up~~
9 ~~to 12~~ such individuals.

10 **SECTION 1541.** 51.07 (3) of the statutes is amended to read:

11 51.07 (3) The department may provide outpatient services only to patients
12 contracted for with county departments under ss. 51.42 and 51.437 in accordance
13 with s. 46.03 (18), except for those patients whom the department finds to be
14 nonresidents of this state and ~~those patients specified in sub. (4)(a)~~ persons receiving
15 services under contracts under s. 46.043. The full and actual cost less applicable
16 collections of services contracted for with county departments under s. 51.42 or
17 51.437 shall be charged to the respective county department under s. 51.42 or 51.437.
18 The state shall provide the services required for patient care only if no outpatient
19 services are funded by the department in the county or group of counties served by
20 the respective county department under s. 51.42 or 51.437.

21 **SECTION 1542.** 51.07 (4) of the statutes is repealed.

22 **SECTION 1555d.** 51.35 (3) (title) of the statutes is amended to read:

23 51.35 (3) (title) ~~TRANSFER OF CERTAIN JUVENILES FROM JUVENILE CORRECTIONAL~~
24 SECURED JUVENILE FACILITIES AND SECURED CHILD-CARING INSTITUTIONS.

25 **SECTION 1556d.** 51.35 (3) (a) of the statutes is amended to read:

1 51.35 (3) (a) A licensed psychologist of a ~~juvenile~~ secured correctional facility
2 or a secured child caring institution, ~~as defined in s. 938.02 (15g)~~, or a licensed
3 physician of the department of corrections, who has reason to believe that any
4 individual confined in the ~~facility or institution~~ secured correctional facility, secured
5 child caring institution or secured group home is, in his or her opinion, in need of
6 services for developmental disability, alcoholism or drug dependency or in need of
7 psychiatric services, and who has obtained voluntary consent to make a transfer for
8 treatment, shall make a report, in writing, to the superintendent of the ~~facility or~~
9 ~~institution~~ secured correctional facility, secured child caring institution or secured
10 group home, stating the nature and basis of the belief and verifying the consent. In
11 the case of a minor age 14 and over, the minor and the minor's parent or guardian
12 shall consent unless the minor is admitted under s. 51.13 (1) (c); and in the case of
13 a minor under the age of 14, only the minor's parent or guardian need consent. The
14 superintendent shall inform, orally and in writing, the minor and the minor's parent
15 or guardian, that transfer is being considered and shall inform them of the basis for
16 the request and their rights as provided in s. 51.13 (3). If the department of
17 corrections, upon review of a request for transfer, determines that transfer is
18 appropriate, that department shall immediately notify the department of health and
19 family services and, if the department of health and family services consents, the
20 department of corrections may immediately transfer the individual. The
21 department of ~~corrections~~ health and family services shall file a petition under s.
22 51.13 (4) (a) in the court assigned to exercise jurisdiction under chs. 48 and 938 of the
23 county where the treatment facility is located.

24 **SECTION 1557d.** 51.35 (3) (c) of the statutes is amended to read:

1 51.35 (3) (c) A licensed psychologist of a ~~juvenile~~ secured correctional facility
2 or a secured child caring institution, ~~as defined in s. 938.02 (15g)~~, or a licensed
3 physician of the department of corrections, who has reason to believe that any
4 individual confined in the ~~facility or institution~~ secured correctional facility, secured
5 child caring institution or secured group home, in his or her opinion, is mentally ill,
6 drug dependent or developmentally disabled and is dangerous as described in s.
7 51.20 (1) (a) 2. a., b., c. or d., is mentally ill, is dangerous and satisfies the standard
8 under s. 51.20 (1) (a) 2. e. or is an alcoholic and is dangerous as described in s. 51.45
9 (13) (a) 1. and 2., shall file a written report with the superintendent of the ~~facility or~~
10 ~~institution~~ secured correctional facility, secured child caring institution or secured
11 group home, stating the nature and basis of the belief. If the superintendent, upon
12 review of the allegations in the report, determines that transfer is appropriate, he
13 or she shall file a petition according to s. 51.20 or 51.45 in the court assigned to
14 exercise jurisdiction under chs. 48 and 938 of the county where the secured
15 correctional facility ~~or~~, secured child caring institution or secured group home is
16 located. The court shall hold a hearing according to procedures provided in s. 51.20
17 or 51.45 (13).

18 **SECTION 1558d.** 51.35 (3) (c) of the statutes, as affected by 1995 Wisconsin Act
19 292, section 28, and 1999 Wisconsin Act (this act), is repealed and recreated to
20 read:

21 51.35 (3) (c) A licensed psychologist of a secured correctional facility or a
22 secured child caring institution or a licensed physician of the department of
23 corrections, who has reason to believe that any individual confined in the secured
24 correctional facility, secured child caring institution or secured group home, in his
25 or her opinion, is mentally ill, drug dependent or developmentally disabled and is

1 dangerous as described in s. 51.20 (1) (a) 2., or is an alcoholic and is dangerous as
2 described in s. 51.45 (13) (a) 1. and 2., shall file a written report with the
3 superintendent of the secured correctional facility, secured child caring institution
4 or secured group home, stating the nature and basis of the belief. If the
5 superintendent, upon review of the allegations in the report, determines that
6 transfer is appropriate, he or she shall file a petition according to s. 51.20 or 51.45
7 in the court assigned to exercise jurisdiction under ch. 48 of the county where the
8 secured correctional facility, secured child caring institution or secured group home
9 is located. The court shall hold a hearing according to procedures provided in s. 51.20
10 or 51.45 (13).

11 **SECTION 1559d.** 51.35 (3) (e) of the statutes is amended to read:

12 51.35 (3) (e) The department of corrections may authorize emergency transfer
13 of an individual from a ~~juvenile secured~~ secured correctional facility ~~or~~, a secured child caring
14 institution, ~~as defined in s. 938.02 (15g), or a secured group home~~ to a state treatment
15 facility if there is cause to believe that the individual is mentally ill, drug dependent
16 or developmentally disabled and exhibits conduct which constitutes a danger as
17 described under s. 51.20 (1) (a) 2. a., b., c. or d. to the individual or to others, is
18 mentally ill, is dangerous and satisfies the standard under s. 51.20 (1) (a) 2. e. or is
19 an alcoholic and is dangerous as provided in s. 51.45 (13) (a) 1. and 2. The custodian
20 of the sending ~~facility or institution~~ secured correctional facility, secured child caring
21 institution or secured group home shall execute a statement of emergency detention
22 or petition for emergency commitment for the individual and deliver it to the
23 receiving state treatment facility. The department of health and family services
24 shall file the statement or petition with the court within 24 hours after the subject
25 individual is received for detention or commitment. The statement or petition shall

1 conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency transfer is made,
2 the director of the receiving facility may file a petition for continued commitment
3 under s. 51.20 (1) or 51.45 (13) or may return the individual to the ~~facility or~~
4 ~~institution~~ secured correctional facility, secured child caring institution or secured
5 group home from which the transfer was made. As an alternative to this procedure,
6 the procedure provided in s. 51.15 or 51.45 (12) may be used, except that no ~~prisoner~~
7 ~~individual~~ may be released without the approval of the court which directed
8 confinement in the secured correctional facility ~~or~~ secured child caring institution
9 or secured group home.

10 **SECTION 1560d.** 51.35 (3) (e) of the statutes, as affected by 1995 Wisconsin Act
11 292, section 28, and 1999 Wisconsin Act ... (this act), is repealed and recreated to
12 read:

13 51.35 (3) (e) The department of corrections may authorize emergency transfer
14 of an individual from a secured correctional facility, a secured child caring institution
15 or a secured group home to a state treatment facility if there is cause to believe that
16 the individual is mentally ill, drug dependent or developmentally disabled and
17 exhibits conduct which constitutes a danger as described under s. 51.20 (1) (a) 2. to
18 the individual or to others, or is an alcoholic and is dangerous as provided in s. 51.45
19 (13) (a) 1. and 2. The custodian of the sending secured correctional facility, secured
20 child caring institution or secured group home shall execute a statement of
21 emergency detention or petition for emergency commitment for the individual and
22 deliver it to the receiving state treatment facility. The department of health and
23 family services shall file the statement or petition with the court within 24 hours
24 after the subject individual is received for detention or commitment. The statement
25 or petition shall conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency

1 transfer is made, the director of the receiving facility may file a petition for continued
2 commitment under s. 51.20 (1) or 51.45 (13) or may return the individual to the
3 secured correctional facility, secured child caring institution or secured group home
4 from which the transfer was made. As an alternative to this procedure, the
5 procedure provided in s. 51.15 or 51.45 (12) may be used, except that no individual
6 may be released without the approval of the court which directed confinement in the
7 secured correctional facility, secured child caring institution or secured group home.

8 **SECTION 1561d.** 51.35 (3) (g) of the statutes is amended to read:

9 51.35 (3) (g) A minor 14 years of age or older who is transferred to a treatment
10 facility under par. (a) may request in writing a return to the juvenile secured
11 correctional facility or, secured child caring institution, as defined in s. 938.02 (15g)
12 or secured group home. In the case of a minor under 14 years of age, the parent or
13 guardian may make the request. Upon receipt of a request for return from a minor
14 14 years of age or over, the director shall immediately notify the minor's parent or
15 guardian. The minor shall be returned to the juvenile secured correctional facility
16 or, secured child caring institution or secured group home within 48 hours after
17 submission of the request unless a petition or statement is filed for emergency
18 detention, emergency commitment, involuntary commitment or protective
19 placement.

20 **SECTION 1562.** 51.42 (3) (ar) 17. of the statutes is created to read:

21 51.42 (3) (ar) 17. If authorized under s. 46.283 (1) (a) 1., apply to the department
22 of health and family services to operate a resource center under s. 46.283 and, if the
23 department contracts with the county under s. 46.283 (2), operate the resource
24 center.

25 **SECTION 1563.** 51.42 (3) (ar) 18. of the statutes is created to read:

1 51.42 (3) (ar) 18. If authorized under s. 46.284 (1) (a) 1., apply to the department
2 of health and family services to operate a care management organization under s.
3 46.284 and, if the department contracts with the county under s. 46.284 (2), operate
4 the care management organization and, if appropriate, place funds in a risk reserve.

5 **SECTION 1564.** 51.42 (3) (as) 3. of the statutes is amended to read:

6 51.42 (3) (as) 3. Care, services and supplies provided after December 31, 1973,
7 to any person who, on December 31, 1973, was in or under the supervision of a mental
8 health institute, or was receiving mental health services in a facility authorized by
9 s. 51.08 or 51.09, but was not admitted to a mental health institute by the
10 department of health and family services, shall be charged to the county department
11 of community programs which was responsible for such care and services at the place
12 where the patient resided when admitted to the institution. The department of
13 health and family services ~~shall~~ may bill county departments of community
14 programs for care provided at the mental health institutes at rates which reflects the
15 estimated per diem cost of specific levels of care, to be adjusted periodically by the
16 department of health and family services sets on a flexible basis, except that this
17 flexible rate structure shall cover the cost of operations of the mental health
18 institutes.

19 **SECTION 1565.** 51.42 (3) (aw) 1. d. of the statutes is amended to read:

20 51.42 (3) (aw) 1. d. Provide treatment and services that are specified in a
21 conditional release plan approved by a court for a person who is a county resident and
22 is conditionally released under s. 971.17 (3) or (4) or that are specified in a supervised
23 release plan approved by a court under s. 980.06 (2) (c), 1997 stats., or s. 980.08 (5).
24 If the county department provides treatment and services under this subdivision, the

1 department of health and family services shall, from the appropriation under s.
2 20.435 (2) (bj), pay the county department for the costs of the treatment and services.

3 **SECTION 1566.** 51.42 (3) (e) of the statutes is amended to read:

4 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
5 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
6 (3) (c) and 938.78 (2) (a), any subunit of a county department of community programs
7 acting under this section may exchange confidential information about a client,
8 without the informed consent of the client, with any other subunit of the same county
9 department of community programs, with a resource center, care management
10 organization or family care district, or with any person providing services to the
11 client under a purchase of services contract with the county department of
12 community programs or with a resource center, care management organization or
13 family care district, if necessary to enable an employe or service provider to perform
14 his or her duties, or to enable the county department of community programs to
15 coordinate the delivery of services to the client.

16 **SECTION 1568.** 51.423 (2) of the statutes is amended to read:

17 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and
18 (o), the department shall distribute the funding for services provided or purchased
19 by county departments under s. 46.23, 51.42 or 51.437 to such county departments
20 as provided under s. 46.40. County matching funds are required for the distributions
21 under s. 46.40 (2) and (9) (b). Each county's required match for the distributions
22 under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions
23 under s. 46.40 (2) for that year for which matching funds are required plus the
24 amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile
25 delinquency-related services from its distribution for 1987. Each county's required

1 match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that
2 county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds
3 may be from county tax levies, federal and state revenue sharing funds or private
4 donations to the counties that meet the requirements specified in sub. (5). Private
5 donations may not exceed 25% of the total county match. If the county match is less
6 than the amount required to generate the full amount of state and federal funds
7 distributed for this period, the decrease in the amount of state and federal funds
8 equals the difference between the required and the actual amount of county
9 matching funds.

10 **SECTION 1570.** 51.437 (4m) (n) of the statutes is created to read:

11 51.437 (4m) (n) If authorized under s. 46.283 (1) (a) 1., apply to the department
12 of health and family services to operate a resource center under s. 46.283 and, if the
13 department contracts with the county under s. 46.283 (2), operate the resource
14 center.

15 **SECTION 1571.** 51.437 (4m) (p) of the statutes is created to read:

16 51.437 (4m) (p) If authorized under s. 46.284 (1) (a) 1., apply to the department
17 of health and family services to operate a care management organization under s.
18 46.284 and, if the department contracts with the county under s. 46.284 (2), operate
19 the care management organization and, if appropriate, place funds in a risk reserve.

20 **SECTION 1572.** 51.437 (4r) (b) of the statutes is amended to read:

21 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
22 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a),
23 any subunit of the county department of developmental disabilities services acting
24 under this section may exchange confidential information about a client, without the
25 informed consent of the client, with any other subunit of the same county department

1 of developmental disabilities services, with a resource center, care management
2 organization or family care district, or with any person providing services to the
3 client under a purchase of services contract with the county department of
4 developmental disabilities services or with a resource center, care management
5 organization or family care district, if necessary to enable an employe or service
6 provider to perform his or her duties, or to enable the county department of
7 developmental disabilities services to coordinate the delivery of services to the client.

8 **SECTION 1573.** 51.45 (5) of the statutes is repealed.

9 **SECTION 1573g.** 51.48 of the statutes is created to read:

10 **51.48 Alcohol and other drug testing of minors.** A minor's parent or
11 guardian may consent to have the minor tested for the presence of alcohol or other
12 drugs in the minor's body. Consent of the minor is not required under this section.

13 **SECTION 1572m.** 58.06 of the statutes is repealed.

14 **SECTION 1575t.** 59.23 (2) (i) of the statutes is repealed.

15 **SECTION 1576.** 59.25 (3) (f) 2. of the statutes is amended to read:

16 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
17 deposited in the state treasury, the amounts required by s. ~~165.87~~ 757.05 for the
18 penalty assessment surcharge, the amounts required by s. 165.755 for the crime
19 laboratories and drug law enforcement assessment, the amounts required by s.
20 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the
21 crime victim and witness assistance surcharge, the amounts required by s. 938.34
22 (8d) for the delinquency victim and witness assistance surcharge, the amounts
23 required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts
24 required by s. 961.41 (5) for the drug abuse program improvement surcharge, the
25 amounts required by s. 100.261 for the consumer information assessment, the

1 amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the
2 domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the
3 enforcement assessment under the supplemental food program for women, infants
4 and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the
5 railroad crossing improvement assessment, the amounts required by s. 346.655 (2)
6 (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85
7 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the
8 environmental assessment, the amounts required by s. 29.983 for the wild animal
9 protection assessment, the amounts required by s. 29.987 for the natural resources
10 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter
11 removal assessment, the amounts required by s. 350.115 for the snowmobile
12 registration restitution payment and the amounts required by s. 29.989 for natural
13 resources restitution payments, transmit to the state treasurer a statement of all
14 moneys required by law to be paid on the actions entered during the preceding month
15 on or before the first day of the next succeeding month, certified by the county
16 treasurer's personal signature affixed or attached thereto, and at the same time pay
17 to the state treasurer the amount thereof.

18 **SECTION 1576m.** 59.25 (3) (r) of the statutes is repealed.

19 **SECTION 1577.** 59.40 (2) (m) of the statutes is amended to read:

20 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
21 percentage of the fees required to be paid on each civil action, criminal action and
22 special proceeding filed during the preceding month and pay monthly to the
23 treasurer for the use of the state the percentage of court imposed fines and forfeitures
24 required by law to be deposited in the state treasury, the amounts required by s.
25 ~~165.87 (2) (b)~~ 757.05 for the penalty assessment surcharge, the amounts required by

1 s. 165.755 for the crime laboratories and drug law enforcement assessment, the
2 amounts required by s. 167.31 (5) for the weapons assessment, the amounts required
3 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts
4 required by s. 938.34 (8d) for the delinquency victim and witness assistance
5 surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis
6 surcharge, the amounts required by s. 961.41 (5) for the drug abuse program
7 improvement surcharge, the amounts required by s. 100.261 for the consumer
8 information assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required
9 by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by
10 s. 253.06 (4) (c) for the enforcement assessment under the supplemental food
11 program for women, infants and children, the amounts required by ss. 346.177,
12 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the
13 amounts required by s. 346.655 for the driver improvement surcharge, the amounts
14 required by s. 102.85 (4) for the uninsured employer assessment, the amounts
15 required by s. 299.93 for the environmental assessment, the amounts required under
16 s. 29.983 for the wild animal protection assessment, the amounts required under s.
17 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required
18 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.
19 350.115 for the snowmobile registration restitution payment and the amounts
20 required under s. 29.989 (1) (d) for the natural resources restitution payments. The
21 payments shall be made by the 15th day of the month following receipt thereof.

22 **SECTION 1577p.** 59.52 (29) (a) of the statutes is amended to read:

23 59.52 (29) (a) All public work, including any contract for the construction,
24 repair, remodeling or improvement of any public work, building, or furnishing of
25 supplies or material of any kind where the estimated cost of such work will exceed

1 ~~\$20,000~~ \$25,000 shall be let by contract to the lowest responsible bidder. Any public
2 work, the estimated cost of which does not exceed ~~\$20,000~~ \$25,000, shall be let as the
3 board may direct. If the estimated cost of any public work is between \$5,000 and
4 ~~\$20,000~~ \$25,000, the board shall give a class 1 notice under ch. 985 before it contracts
5 for the work or shall contract with a person qualified as a bidder under s. 66.29 (2).
6 A contract, the estimated cost of which exceeds ~~\$20,000~~ \$25,000, shall be let and
7 entered into under s. 66.29, except that the board may by a three-fourths vote of all
8 the members entitled to a seat provide that any class of public work or any part
9 thereof may be done directly by the county without submitting the same for bids.
10 This subsection does not apply to public construction if the materials for such a
11 project are donated or if the labor for such a project is provided by volunteers. This
12 subsection does not apply to highway contracts which the county highway committee
13 or the county highway commissioner is authorized by law to let or make.

14 **SECTION 1578.** 59.69 (3) (a) of the statutes is amended to read:

15 59.69 (3) (a) The county zoning agency ~~shall~~ may direct the preparation of a
16 county development plan or parts thereof for the physical development of the
17 unincorporated territory within the county and areas within incorporated
18 jurisdictions whose governing bodies by resolution agree to having their areas
19 included in the county's development plan. The plan may be adopted in whole or in
20 part and may be amended by the board and endorsed by the governing bodies of
21 incorporated jurisdictions included in the plan. The county development plan, in
22 whole or in part, in its original form or as amended, is hereafter referred to as the
23 development plan. The development plan shall contain at least the elements
24 described in s. 66.0295.

25 **SECTION 1579.** 59.69 (3) (b) of the statutes is repealed and recreated to read:

1 59.69 (3) (b) The development plan shall include the master plan, if any, of any
2 city or village, which was adopted under s. 62.23 (2) or (3) and the official map, if any,
3 of such city or village, which was adopted under s. 62.23 (6) in the county, without
4 change.

5 **SECTION 1579n.** 59.692 (1) (bn) of the statutes is created to read:

6 59.692 (1) (bn) “Shoreland setback area” means an area in a shoreland that is
7 within a certain distance of the ordinary high–water mark in which the construction
8 or placement of buildings or structures has been limited or prohibited under an
9 ordinance enacted under this section.

10 **SECTION 1579p.** 59.692 (1) (d) of the statutes is created to read:

11 59.692 (1) (d) “Special zoning permission” has the meaning given in s. 59.69
12 (15) (g).

13 **SECTION 1579r.** 59.692 (1v) of the statutes is created to read:

14 59.692 (1v) A county shall grant special zoning permission for the construction
15 or placement of a structure on property in a shoreland setback area if all of the
16 following apply:

17 (a) The part of the structure that is nearest to the water is located at least 35
18 feet landward from the ordinary high–water mark.

19 (b) The total floor area of all of the structures in the shoreland setback area of
20 the property will not exceed 200 square feet. In calculating this square footage,
21 boathouses shall be excluded.

22 (c) The structure that is the subject of the request for special zoning permission
23 has no sides or has open or screened sides.

1 (d) The county must approve a plan that will be implemented by the owner of
2 the property to preserve or establish a vegetative buffer zone that covers at least 70%
3 of the half of the shoreland setback area that is nearest to the water.

4 **SECTION 1579u.** 59.692 (6m) of the statutes is created to read:

5 59.692 (6m) For an amendment to an ordinance enacted under this section that
6 affects an activity that meets all of the requirements under s. 281.165 (2) or (3) (a),
7 the department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review
8 the amendment, to determine whether the ordinance, as amended, fails to meet the
9 shoreland zoning standards.

10 **SECTION 1580p.** 60.615 of the statutes is created to read:

11 **60.615 Town of Troy farmland preservation pilot program; special**
12 **zoning powers, purchase of development rights. (1) TOWN BOARD PURCHASE OF**
13 **DEVELOPMENT RIGHTS. (a) Definitions.** In this section:

14 1. “Board” means the town of Troy board of supervisors.

15 2. “Developer” means a person that constructs or creates a land development.

16 3. “Development rights” means a holder’s nonpossessory interest in farmland
17 that imposes a limitation or affirmative obligation the purpose of which is to retain
18 or protect natural, scenic or open space values of farmland, assuring the availability
19 of farmland for agricultural, forest, wildlife habitat, recreational or open space use,
20 protecting natural resources or maintaining or enhancing air or water quality.

21 4. “Farmland” has the meaning given for eligible farmland under s. 91.01 (6).

22 5. “Land development” means the construction of residential dwelling units
23 within the town of Troy in an area that is rezoned under sub. (2).

24 6. “Town of Troy” means the town of Troy in St. Croix County.

1 (b) *Purchase of development rights.* 1. The board may purchase development
2 rights to farmland that is located in the town of Troy.

3 2. The town may purchase the development rights with the grant received from
4 the department of agriculture, trade and consumer protection under s. 20.115 (7) (dr)
5 or from funds received under sub. (2) (a). If the board adopts a resolution requesting
6 the department of agriculture, trade and consumer protection to make the grant
7 payment described under this subdivision, the department shall do so.

8 3. The board shall determine which farmland in the town is the best farmland
9 and shall attempt to purchase the development rights to that farmland.

10 **(2) REZONING.** (a) When the board rezones under s. 91.77 (1), a parcel that is
11 zoned for exclusive agricultural use under subch. V of ch. 91, the board may recover
12 an amount equal to the amount of tax credits that would be subject to a lien, as
13 calculated under s. 91.77 (2) on the parcel. The board may recover that amount either
14 by imposing a lien, in the manner provided in s. 91.19 (8) to (10), on the parcel or by
15 requiring payment from the developer who creates a land development on the parcel.
16 The board may use funds collected under this paragraph only for the purchase of
17 development rights under sub. (1) (b).

18 (b) The provisions of s. 91.77 (2) do not apply to a parcel that is rezoned under
19 par. (a) if the board recovers funds under par. (a).

20 **(3) SUNSET PROVISIONS.** Subsection (2) does not apply after the first day of the
21 12th month beginning after publication.

22 **SECTION 1580n.** 60.47 (2) (a) of the statutes is amended to read:

23 60.47 **(2)** (a) No town may enter into a public contract with an estimated cost
24 of more than \$5,000 but not more than ~~\$10,000~~ \$15,000 unless the town board, or a

1 town official or employe designated by the town board, gives a class 1 notice under
2 ch. 985 before execution of that public contract.

3 **SECTION 1580nc.** 60.47 (2) (b) of the statutes is amended to read:

4 60.47 (2) (b) No town may enter into a public contract with a value of more than
5 ~~\$10,000~~ \$15,000 unless the town board, or a town official or employe designated by
6 the town board, advertises for proposals to perform the terms of the public contract
7 by publishing a class 2 notice under ch. 985. The town board may provide for
8 additional means of advertising for bids.

9 **SECTION 1580ni.** 60.47 (5) of the statutes is amended to read:

10 60.47 (5) **EXCEPTION FOR EMERGENCIES AND DONATED MATERIALS AND LABOR.** This
11 section is optional with respect to public contracts for the repair and construction of
12 public facilities when damage or threatened damage to the facility creates an
13 emergency, as declared by resolution of the town board, that endangers the public
14 health or welfare of the town. This subsection no longer applies when the town board
15 declares that the emergency no longer exists. This section is optional with respect
16 to a public contract if the materials related to the contract are donated or if the labor
17 that is necessary to execute the public contract is provided by volunteers.

18 **SECTION 1580m.** 59.79 (13) of the statutes is created to read:

19 59.79 (13) **DESIGN-BUILD CONSTRUCTION PROCESS.** Let a contract for the
20 construction of a sheriff's department training academy, that is located in the county,
21 using the design-build construction process, as defined in s. 66.904 (2) (f). Section
22 66.904 (2) (f) to (i), as it applies to a metropolitan sewerage commission acting under
23 that subsection, applies to the board acting under this subsection.

24 **SECTION 1582s.** 60.62 (4) (a) of the statutes is amended to read:

1 60.62 (4) (a) Notwithstanding ss. 61.35 and 62.23 (1) (a), a town with a
2 population of less than 2,500 that acts under this section may create a “Town Plan
3 Commission” under s. 62.23 (1) (a) that has 5 members, ~~consisting of the town~~
4 ~~chairperson, who shall be its presiding officer, the town engineer, the president of the~~
5 ~~park board, another member of the town board and one citizen. If the town plan~~
6 ~~commission has only 5 members and the town has no engineer or park board, an~~
7 ~~additional citizen member shall be appointed so that the commission has at all times~~
8 5 members all of whom shall be appointed by the town board chairperson, who shall
9 also select the presiding officer. The town board chairperson may appoint himself
10 or herself to the commission and may appoint other town elected or appointed
11 officials to the commission, except that the commission shall always have at least one
12 citizen member who is not a town official. All other provisions of ss. 61.35 and 62.23
13 shall apply to a town plan commission that has 5 members.

14 **SECTION 1582t.** 60.62 (4) (b) of the statutes is amended to read:

15 60.62 (4) (b) If a town plan commission consists of 7 members and the town
16 board enacts an ordinance or adopts a resolution reducing the size of the commission
17 to 5 members, the commission shall continue to operate with 6 or 7 members until
18 the expiration of the terms of the 2 citizen members, who were appointed under s.
19 62.23 (1) (e) (a), whose terms expire soonest after the effective date of the ordinance
20 or resolution that reduces the size of the commission.

21 **SECTION 1582u.** 60.62 (4) (c) of the statutes is amended to read:

22 60.62 (4) (c) If a town plan commission consists of 5 members and the town
23 board enacts an ordinance or adopts a resolution increasing the size of the
24 commission to 7 members, the town board chairperson shall appoint the 2 new
25 members under s. 62.23 (1) (e) (a).

1 **SECTION 1585m.** 61.55 of the statutes is amended to read:

2 **61.55 Contracts involving over \$10,000 \$15,000; how let; exception.** All
3 contracts for public construction, in any such village, exceeding ~~\$10,000~~ \$15,000,
4 shall be let by the village board to the lowest responsible bidder in accordance with
5 s. 66.29 insofar as said section may be applicable. If the estimated cost of any public
6 construction exceeds \$5,000, but is not greater than ~~\$10,000~~ \$15,000, the village
7 board shall give a class 1 notice, under ch. 985, of the proposed construction before
8 the contract for the construction is executed. This provision does not apply to public
9 construction if the materials for such a project are donated or if the labor for such a
10 project is provided by volunteers, and this provision and s. 281.41 are not mandatory
11 for the repair and reconstruction of public facilities when damage or threatened
12 damage thereto creates an emergency, as determined by resolution of the village
13 board, in which the public health or welfare of the village is endangered. Whenever
14 the village board by majority vote at a regular or special meeting declares that an
15 emergency no longer exists, this exemption no longer applies.

16 **SECTION 1588c.** 62.15 (1) of the statutes is amended to read:

17 **62.15 (1) CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR.** All
18 public construction, the estimated cost of which exceeds ~~\$10,000~~ \$15,000, shall be let
19 by contract to the lowest responsible bidder; all other public construction shall be let
20 as the council may direct. If the estimated cost of any public construction exceeds
21 \$5,000 but is not greater than ~~\$10,000~~ \$15,000, the board of public works shall give
22 a class 1 notice, under ch. 985, of the proposed construction before the contract for
23 the construction is executed. This provision does not apply to public construction if
24 the materials for such a project are donated or if the labor for such a project is
25 provided by volunteers. The council may also by a vote of three-fourths of all the

1 members—elect provide by ordinance that any class of public construction or any part
2 thereof may be done directly by the city without submitting the same for bids.

3 **SECTION 1589s.** 62.23 (1) (a) of the statutes is amended to read:

4 62.23 (1) (a) The council of any city may by ordinance create a “City Plan
5 Commission,” to consist of ~~the mayor, who shall be its presiding officer, the city~~
6 ~~engineer, the president of the park board, an alderperson, and 3 citizens.~~ In case the
7 city has no engineer or no park board, ~~an additional citizen member shall be~~
8 ~~appointed so that the board has at all times 7 members.~~ All members of the
9 commission shall be appointed by the mayor, who shall also choose the presiding
10 officer. The mayor may appoint himself or herself to the commission and may
11 appoint other city elected or appointed officials, except that the commission shall
12 always have at least 3 citizen members who are not city officials. Citizen members
13 shall be persons of recognized experience and qualifications. The council may by
14 ordinance provide that the membership of the commission shall be as provided
15 thereunder.

16 **SECTION 1589t.** 62.23 (1) (b) of the statutes is repealed.

17 **SECTION 1589u.** 62.23 (1) (c) of the statutes is repealed.

18 **SECTION 1589v.** 62.23 (1) (d) of the statutes is amended to read:

19 62.23 (1) (d) ~~The additional citizen members, if any, of the commission shall be~~
20 ~~first appointed to hold office for a period ending one year from the succeeding May~~
21 ~~first, and thereafter annually~~ of 3 years. Appointments shall be made by the mayor
22 ~~during the month of April. Whenever a park board is created, or a city engineer~~
23 ~~appointed, the president of such board or such engineer shall succeed to a place on~~
24 ~~the commission when the term of an additional citizen member expires~~ for terms that
25 expire in April or at any other time if a vacancy occurs during the middle of a term.

1 **SECTION 1590.** 62.23 (2) of the statutes is amended to read:

2 **62.23 (2) FUNCTIONS.** It shall be the function and duty of the commission to
3 make and adopt a master plan for the physical development of the city, including any
4 areas outside of its boundaries which in the commission's judgment bear relation to
5 the development of the city provided, however, that in any county where a regional
6 planning department has been established, areas outside the boundaries of a city
7 may not be included in the master plan without the consent of the county board of
8 supervisors. The master plan, with the accompanying maps, plats, charts and
9 descriptive and explanatory matter, shall show the commission's recommendations
10 for such physical development, and ~~may include, among other things without~~
11 ~~limitation because of enumeration, the general location, character and extent of~~
12 ~~streets, highways, freeways, street grades, roadways, walks, bridges, viaducts,~~
13 ~~parking areas, tunnels, public places and areas, parks, parkways, playgrounds, sites~~
14 ~~for public buildings and structures, airports, pierhead and bulkhead lines,~~
15 ~~waterways, routes for railroads and buses, historic districts, and the general location~~
16 ~~and extent of sewers, water conduits and other public utilities whether privately or~~
17 ~~publicly owned, the acceptance, widening, narrowing, extension, relocation,~~
18 ~~removal, vacation, abandonment or change of use of any of the foregoing public ways,~~
19 ~~grounds, places, spaces, buildings, properties, utilities, routes or terminals, the~~
20 ~~general location, character and extent of community centers and neighborhood~~
21 ~~units, the general character, extent and layout of the replanning of blighted districts~~
22 ~~and slum areas, and a comprehensive zoning plan shall contain at least the elements~~
23 described in s. 66.0295. The commission may from time to time amend, extend or add
24 to the master plan or carry any part or subject matter into greater detail. The
25 commission may adopt rules for the transaction of business and shall keep a record

1 of its resolutions, transactions, findings and determinations, which record shall be
2 a public record.

3 **SECTION 1591.** 62.23 (3) (b) of the statutes is amended to read:

4 62.23 (3) (b) The commission may adopt the master plan as a whole by a single
5 resolution, or, as the work of making the whole master plan progresses, may from
6 time to time by resolution adopt a part or parts thereof, any such part to correspond
7 generally with one or more of the ~~functional subdivisions of the subject matter of the~~
8 ~~plan elements specified in s. 66.0295.~~ The adoption of the plan or any part,
9 amendment or addition, shall be by resolution carried by the affirmative votes of not
10 less than a majority of all the members of the city plan commission. The resolution
11 shall refer expressly to the ~~maps, descriptive matter,~~ elements under s. 66.0295 and
12 other matters intended by the commission to form the whole or any part of the plan,
13 and the action taken shall be recorded on the adopted plan or part thereof by the
14 identifying signature of the secretary of the commission, and a copy of the plan or
15 part thereof shall be certified to the common council. The purpose and effect of the
16 adoption and certifying of the master plan or part thereof shall be solely to aid the
17 city plan commission and the council in the performance of their duties.

18 **SECTION 1591k.** 62.231 (6m) of the statutes is created to read:

19 62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an
20 ordinance enacted under this section that affects an activity that meets all of the
21 requirements under s. 281.165 (2) or (3) (a), the department of natural resources may
22 not proceed under sub. (6), or otherwise review the amendment, to determine
23 whether the ordinance, as amended, fails to meet reasonable minimum standards.

24 **SECTION 1592g.** 62.50 (23m) of the statutes is created to read:

1 62.50 (23m) FIREARM LAW MEDIA CAMPAIGN. The board shall conduct a city-wide
2 communications media campaign designed to deter the unlawful possession and use
3 of firearms by educating the public about the legal consequences of unlawful
4 possession and use of firearms. The department of administration shall provide
5 funding to the board for the media campaign under this subsection from the
6 appropriation under s. 20.475 (1) (f). The amounts paid by the department of
7 administration under this subsection may not exceed \$90,000 in the 1999–2000
8 fiscal year and \$60,000 in the 2000–01 fiscal year.

9 **SECTION 1606.** 66.0295 of the statutes is created to read:

10 **66.0295 Comprehensive planning. (1) DEFINITIONS.** In this section:

11 (a) “Comprehensive plan” means:

12 1. For a county, a development plan that is prepared or amended under s. 59.69
13 (2) or (3).

14 2. For a city or a village, or for a town that exercises village powers under s.
15 60.22 (3), a master plan that is adopted or amended under s. 62.23 (2) or (3).

16 3. For a regional planning commission, a master plan that is adopted or
17 amended under s. 66.945 (8), (9) or (10).

18 (b) “Local governmental unit” means a city, village, town, county or regional
19 planning commission that may adopt, prepare or amend a comprehensive plan.

20 **(2) CONTENTS OF A COMPREHENSIVE PLAN.** A comprehensive plan shall contain
21 all of the following elements:

22 (a) *Issues and opportunities element.* Background information on the local
23 governmental unit and a statement of overall objectives, policies, goals and programs
24 of the local governmental unit to guide the future development and redevelopment
25 of the local governmental unit over a 20-year planning period. Background

1 information shall include population, household and employment forecasts that the
2 local governmental unit uses in developing its comprehensive plan, and
3 demographic trends, age distribution, educational levels, income levels and
4 employment characteristics that exist within the local governmental unit.

5 (b) *Housing element.* A compilation of objectives, policies, goals, maps and
6 programs of the local governmental unit to provide an adequate housing supply that
7 meets existing and forecasted housing demand in the local governmental unit. The
8 element shall assess the age, structural, value and occupancy characteristics of the
9 local governmental unit's housing stock. The element shall also identify specific
10 policies and programs that promote the development of housing for residents of the
11 local governmental unit and provide a range of housing choices that meet the needs
12 of persons of all income levels and of all age groups and persons with special needs,
13 policies and programs that promote the availability of land for the development or
14 redevelopment of low-income and moderate-income housing, and policies and
15 programs to maintain or rehabilitate the local governmental unit's existing housing
16 stock.

17 (c) *Transportation element.* A compilation of objectives, policies, goals, maps
18 and programs to guide the future development of the various modes of
19 transportation, including highways, transit, transportation systems for persons
20 with disabilities, bicycles, walking, railroads, air transportation, trucking and water
21 transportation. The element shall compare the local governmental unit's objectives,
22 policies, goals and programs to state and regional transportation plans. The element
23 shall also identify highways within the local governmental unit by function and
24 incorporate state, regional and other applicable transportation plans, including
25 transportation corridor plans, county highway functional and jurisdictional studies,

1 urban area and rural area transportation plans, airport master plans and rail plans
2 that apply in the local governmental unit.

3 (d) *Utilities and community facilities element.* A compilation of objectives,
4 policies, goals, maps and programs to guide the future development of utilities and
5 community facilities in the local governmental unit such as sanitary sewer service,
6 storm water management, water supply, solid waste disposal, on-site wastewater
7 treatment technologies, recycling facilities, parks, telecommunications facilities,
8 power-generating plants and transmission lines, cemeteries, health care facilities,
9 child care facilities and other public facilities, such as police, fire and rescue facilities,
10 libraries, schools and other governmental facilities. The element shall describe the
11 location, use and capacity of existing public utilities and community facilities that
12 serve the local governmental unit, shall include an approximate timetable that
13 forecasts the need in the local governmental unit to expand or rehabilitate existing
14 utilities and facilities or to create new utilities and facilities and shall assess future
15 needs for government services in the local governmental unit that are related to such
16 utilities and facilities.

17 (e) *Agricultural, natural and cultural resources element.* A compilation of
18 objectives, policies, goals, maps and programs for the conservation, and promotion
19 of the effective management, of natural resources such as groundwater, forests,
20 productive agricultural areas, environmentally sensitive areas, threatened and
21 endangered species, stream corridors, surface water, floodplains, wetlands, wildlife
22 habitat, metallic and nonmetallic mineral resources, parks, open spaces, historical
23 and cultural resources, community design, recreational resources and other natural
24 resources.

1 (f) *Economic development element.* A compilation of objectives, policies, goals,
2 maps and programs to promote the stabilization, retention or expansion, of the
3 economic base and quality employment opportunities in the local governmental unit,
4 including an analysis of the labor force and economic base of the local governmental
5 unit. The element shall assess categories or particular types of new businesses and
6 industries that are desired by the local governmental unit. The element shall assess
7 the local governmental unit's strengths and weaknesses with respect to attracting
8 and retaining businesses and industries, and shall designate an adequate number
9 of sites for such businesses and industries. The element shall also evaluate and
10 promote the use of environmentally contaminated sites for commercial or industrial
11 uses. The element shall also identify county, regional and state economic
12 development programs that apply to the local governmental unit.

13 (g) *Intergovernmental cooperation element.* A compilation of objectives,
14 policies, goals, maps and programs for joint planning and decision making with other
15 jurisdictions, including school districts and adjacent local governmental units, for
16 siting and building public facilities and sharing public services. The element shall
17 analyze the relationship of the local governmental unit to school districts and
18 adjacent local governmental units, and to the region, the state and other
19 governmental units. The element shall incorporate any plans or agreements to
20 which the local governmental unit is a party under s. 66.023, 66.30 or 66.945. The
21 element shall identify existing or potential conflicts between the local governmental
22 unit and other governmental units that are specified in this paragraph and describe
23 processes to resolve such conflicts.

24 (h) *Land-use element.* A compilation of objectives, policies, goals, maps and
25 programs to guide the future development and redevelopment of public and private

1 property. The element shall contain a listing of the amount, type, intensity and net
2 density of existing uses of land in the local governmental unit, such as agricultural,
3 residential, commercial, industrial and other public and private uses. The element
4 shall analyze trends in the supply, demand and price of land, opportunities for
5 redevelopment and existing and potential land–use conflicts. The element shall
6 contain projections, based on the background information specified in par. (a), for 20
7 years with detailed maps, in 5–year increments, of future residential, agricultural,
8 commercial and industrial land uses including the assumptions of net densities or
9 other spatial assumptions upon which the projections are based. The element shall
10 also include a series of maps that shows current land uses and future land uses that
11 indicate productive agricultural soils, natural limitations for building site
12 development, floodplains, wetlands and other environmentally sensitive lands, the
13 boundaries of areas to which services of public utilities and community facilities, as
14 those terms are used in par. (d), will be provided in the future, consistent with the
15 timetable described in par. (d), and the general location of future land uses by net
16 density or other classifications.

17 (i) *Implementation element.* A compilation of programs and specific actions to
18 be completed in a stated sequence, including proposed changes to any applicable
19 zoning ordinances, official maps, sign regulations, erosion and storm water control
20 ordinances, historic preservation ordinances, site plan regulations, design review
21 ordinances, building codes, mechanical codes, housing codes, sanitary codes or
22 subdivision ordinances, to implement the objectives, policies, plans and programs
23 contained in pars. (a) to (h). The element shall describe how each of the elements of
24 the comprehensive plan will be integrated and made consistent with the other
25 elements of the comprehensive plan, and shall include a mechanism to measure the

1 local governmental unit's progress toward achieving all aspects of the
2 comprehensive plan. The element shall include a process for updating the
3 comprehensive plan. A comprehensive plan under this subsection shall be updated
4 no less than once every 10 years.

5 (3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS.
6 Beginning on January 1, 2010, any program or action of a local governmental unit
7 that affects land use shall be consistent with that local governmental unit's
8 comprehensive plan, including all of the following:

- 9 (a) Municipal incorporation procedures under s. 66.012, 66.013 or 66.014.
10 (b) Annexation procedures under s. 66.021, 66.024 or 66.025.
11 (c) Cooperative boundary agreements entered into under s. 66.023.
12 (d) Consolidation of territory under s. 66.02.
13 (e) Detachment of territory under s. 66.022.
14 (f) Municipal boundary agreements fixed by judgment under s. 66.027.
15 (g) Official mapping established or amended under s. 62.23 (6).
16 (h) Local subdivision regulation under s. 236.45 or 236.46.
17 (i) Extraterritorial plat review within a city's or village's extraterritorial plat
18 approval jurisdiction, as is defined in s. 236.02 (5).
19 (j) County zoning ordinances enacted or amended under s. 59.69.
20 (k) City or village zoning ordinances enacted or amended under s. 62.23 (7).
21 (L) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.
22 (m) An improvement of a transportation facility that is undertaken under s.
23 84.185.
24 (n) Agricultural preservation plans that are prepared or revised under subch.
25 IV of ch. 91.

1 (o) Impact fee ordinances that are enacted or amended under s. 66.55.

2 (p) Land acquisition for recreational lands and parks under s. 23.09 (20).

3 (q) Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or
4 62.231.

5 (r) Construction site erosion control and storm water management zoning
6 under s. 59.693, 61.354 or 62.234.

7 (s) Any other ordinance, plan or regulation of a local governmental unit that
8 relates to land use.

9 (4) PROCEDURES FOR ADOPTING COMPREHENSIVE PLANS. A local governmental unit
10 shall comply with all of the following before its comprehensive plan may take effect:

11 (a) The governing body of a local governmental unit shall adopt written
12 procedures that are designed to foster public participation, including open
13 discussion, communication programs, information services and public meetings for
14 which advance notice has been provided, in every stage of the preparation of a
15 comprehensive plan. The written procedures shall provide for wide distribution of
16 proposed, alternative or amended elements of a comprehensive plan and shall
17 provide an opportunity for written comments on the plan to be submitted by
18 members of the public to the governing body and for the governing body to respond
19 to such written comments.

20 (b) The planning commission or other body of a local governmental unit that
21 is authorized to prepare or amend a comprehensive plan may recommend the
22 adoption or amendment of a comprehensive plan only by adopting a resolution by
23 majority vote. The vote shall be recorded in the official minutes of the planning
24 commission or other body. The resolution shall refer to maps and other descriptive
25 materials that relate to one or more elements of a comprehensive plan. One copy of

1 an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to
2 all of the following:

3 1. Every governmental body that is located in whole or in part within the
4 boundaries of the local governmental unit.

5 2. Every local governmental unit that is adjacent to the local governmental unit
6 which is the subject of the plan that is adopted or amended as described in par. (b)
7 (intro.).

8 3. The Wisconsin land council.

9 4. After September 1, 2003, the department of administration.

10 (c) No recommended comprehensive plan that is adopted or amended under
11 par. (b) may take effect until the plan or amendment is enacted as an ordinance by
12 the local governmental unit. The local governmental unit may not enact an
13 ordinance under this paragraph unless the comprehensive plan contains all of the
14 elements specified in sub. (2). An ordinance may be enacted under this paragraph
15 only by a majority vote of the members–elect, as defined in s. 59.001 (2m), of the
16 governing body. An ordinance that is enacted under this paragraph shall be filed
17 with at least all of the following:

18 1. The public library that serves the area in which the local governmental unit
19 is located.

20 2. The clerk of all adjacent local governmental units.

21 (d) No local governmental unit may enact an ordinance under par. (c) unless
22 the local governmental unit holds at least one public hearing at which the proposed
23 ordinance is discussed. That hearing must be preceded by a class 1 notice under ch.
24 985 that is published at least 30 days before the hearing is held. The local
25 governmental unit may also provide notice of the hearing by any other means it

1 considers appropriate. The class 1 notice shall contain at least the following
2 information:

3 1. The date, time and place of the hearing.

4 2. A summary, which may include a map, of the proposed comprehensive plan
5 or amendment to such a plan.

6 3. The name of an individual employed by the local governmental unit who may
7 provide additional information regarding the proposed ordinance.

8 4. Information relating to where and when the proposed comprehensive plan
9 or amendment to such a plan may be inspected before the hearing, and how a copy
10 of the plan or amendment may be obtained.

11 **SECTION 1606m.** 66.034 of the statutes is created to read:

12 **66.034 Traditional neighborhood developments and conservation**
13 **subdivisions.** (1) DEFINITIONS. In this section:

14 (a) “Conservation subdivision” means a housing development in a rural setting
15 that is characterized by compact lots and common open space, and where the natural
16 features of land are maintained to the greatest extent possible.

17 (b) “Extension” has the meaning given in s. 36.05 (7).

18 (c) “Traditional neighborhood development” means a compact, mixed-use
19 neighborhood where residential, commercial and civic buildings are within close
20 proximity to each other.

21 (2) MODEL ORDINANCES. (a) Not later than January 1, 2001, the extension, in
22 consultation with any other University of Wisconsin System institution or with a
23 landscape architect, as that term is used in s. 443.02 (5), or with independent
24 planners or any other consultant with expertise in traditional neighborhood

1 planning and development, shall develop a model ordinance for a traditional
2 neighborhood development and an ordinance for a conservation subdivision.

3 (b) The model ordinances developed under par. (a) shall be presented to the
4 chief clerk of each house of the legislature, and shall be referred immediately by the
5 speaker of the assembly and the presiding officer of the senate to the appropriate
6 standing committee in each house. The model ordinances shall be considered to have
7 been approved by a standing committee if within 14 working days of the referral, the
8 committee does not schedule a meeting for the purpose of reviewing the model
9 ordinance. If the committee schedules a meeting for the purpose of reviewing the
10 model ordinance, the ordinance may not be considered to have been approved unless
11 the committee approves the model ordinance.

12 **(3) CITY, VILLAGE AND TOWN REQUIREMENTS.** (a) Not later than January 1, 2002,
13 every city and village, and every town with a population of at least 12,500 shall enact
14 an ordinance under s. 62.23 (7) that is substantially similar to the model ordinance
15 that is developed under sub. (2) (a) if the ordinance is approved under sub. (2) (b),
16 although the ordinance is not required to be mapped.

17 (b) A city or village that comes into existence, or town whose population reaches
18 at least 12,500, after January 1, 2002, shall enact an ordinance under s. 62.23 (7) that
19 is substantially similar to the model ordinance that is developed under sub. (2) (a)
20 if the ordinance is approved under sub. (2) (b) not later than the first day of the 12th
21 month beginning after the city or village comes into existence or after the town's
22 population reaches at least 12,500, although the ordinance is not required to be
23 mapped.

24 **SECTION 1607.** 66.04 (1m) (a) of the statutes is amended to read:

1 66.04 (1m) (a) No city, village or town, family care district under s. 46.2895 or
2 agency or subdivision of a city, village or town may authorize funds for or pay to a
3 physician or surgeon or a hospital, clinic or other medical facility for the performance
4 of an abortion except those permitted under and which are performed in accordance
5 with s. 20.927.

6 **SECTION 1608.** 66.04 (1m) (b) of the statutes is amended to read:

7 66.04 (1m) (b) No city, village or town, family care district under s. 46.2895 or
8 agency or subdivision of a city, village or town may authorize payment of funds for
9 a grant, subsidy or other funding involving a pregnancy program, project or service
10 if s. 20.9275 (2) applies to the pregnancy program, project or service.

11 **SECTION 1608p.** 66.085 (2) of the statutes is amended to read:

12 66.085 (2) INTERFERENCE PROHIBITED. The owner or manager of a multiunit
13 dwelling under common ownership, control or management or of a mobile home park
14 or the association or board of directors of a condominium may not prevent a cable
15 operator from providing cable service to a subscriber who is a resident of the
16 multiunit dwelling, mobile home park or of the condominium or interfere with a cable
17 operator providing cable service to a subscriber who is a resident of the multiunit
18 dwelling, mobile home park or of the condominium.

19 **SECTION 1609.** 66.119 (1) (b) 7. c. of the statutes is amended to read:

20 66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does
21 not appear in court, he or she either will be deemed to have tendered a plea of no
22 contest and submitted to a forfeiture, a penalty assessment imposed by s. ~~165.87~~
23 757.05, a jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law
24 enforcement assessment imposed by s. 165.755, any applicable consumer
25 information assessment imposed by s. 100.261 and any applicable domestic abuse

1 assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will
2 be summoned into court to answer the complaint if the court does not accept the plea
3 of no contest.

4 **SECTION 1610.** 66.119 (1) (b) 7. d. of the statutes is amended to read:

5 66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and
6 does not appear in court at the time specified, the court may issue a summons or a
7 warrant for the defendant's arrest or consider the nonappearance to be a plea of no
8 contest and enter judgment under sub. (3) (d), or the municipality may commence an
9 action against the alleged violator to collect the forfeiture, the penalty assessment
10 imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime
11 laboratories and drug law enforcement assessment imposed by s. 165.755, any
12 applicable consumer information assessment imposed by s. 100.261 and any
13 applicable domestic abuse assessment imposed by s. 973.055 (1).

14 **SECTION 1611.** 66.119 (1) (c) of the statutes is amended to read:

15 66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of
16 cash deposits that are to be required for the various ordinance violations, and for the
17 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.
18 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by
19 s. 165.755, any applicable consumer information assessment imposed by s. 100.261
20 and any applicable domestic abuse assessment imposed by s. 973.055 (1), for which
21 a citation may be issued. The ordinance shall also specify the court, clerk of court
22 or other official to whom cash deposits are to be made and shall require that receipts
23 be given for cash deposits.

24 **SECTION 1612.** 66.119 (3) (a) of the statutes is amended to read:

1 66.119 (3) (a) The person named as the alleged violator in a citation may appear
2 in court at the time specified in the citation or may mail or deliver personally a cash
3 deposit in the amount, within the time and to the court, clerk of court or other official
4 specified in the citation. If a person makes a cash deposit, the person may
5 nevertheless appear in court at the time specified in the citation, provided that the
6 cash deposit may be retained for application against any forfeiture, restitution,
7 penalty assessment, jail assessment, crime laboratories and drug law enforcement
8 assessment or consumer information assessment or domestic abuse assessment that
9 may be imposed.

10 **SECTION 1613.** 66.119 (3) (b) of the statutes is amended to read:

11 66.119 (3) (b) If a person appears in court in response to a citation, the citation
12 may be used as the initial pleading, unless the court directs that a formal complaint
13 be made, and the appearance confers personal jurisdiction over the person. The
14 person may plead guilty, no contest or not guilty. If the person pleads guilty or no
15 contest, the court shall accept the plea, enter a judgment of guilty and impose a
16 forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment
17 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement
18 assessment imposed by s. 165.755, any applicable consumer information assessment
19 imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s.
20 973.055 (1). If the court finds that the violation meets the conditions in s. 800.093
21 (1), the court may order restitution under s. 800.093. A plea of not guilty shall put
22 all matters in the case at issue, and the matter shall be set for trial.

23 **SECTION 1614.** 66.119 (3) (c) of the statutes is amended to read:

24 66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear
25 in court, the citation may serve as the initial pleading and the violator shall be

1 considered to have tendered a plea of no contest and submitted to a forfeiture, the
2 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.
3 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by
4 s. ~~165.755~~, any applicable consumer information assessment imposed by s. 100.261
5 and any applicable domestic abuse assessment imposed by s. 973.055 (1) not
6 exceeding the amount of the deposit. The court may either accept the plea of no
7 contest and enter judgment accordingly or reject the plea. If the court finds the
8 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
9 violator into court to determine if restitution shall be ordered under s. 800.093. If
10 the court accepts the plea of no contest, the defendant may move within 10 days after
11 the date set for the appearance to withdraw the plea of no contest, open the judgment
12 and enter a plea of not guilty if the defendant shows to the satisfaction of the court
13 that the failure to appear was due to mistake, inadvertence, surprise or excusable
14 neglect. If the plea of no contest is accepted and not subsequently changed to a plea
15 of not guilty, no costs or fees may be taxed against the violator, but a penalty
16 assessment, a jail assessment, a crime laboratories and drug law enforcement
17 assessment and, if applicable, a consumer information assessment or a domestic
18 abuse assessment shall be assessed. If the court rejects the plea of no contest, an
19 action for collection of the forfeiture, penalty assessment, jail assessment, crime
20 laboratories and drug law enforcement assessment, any applicable consumer
21 information assessment and any applicable domestic abuse assessment may be
22 commenced. A city, village, town sanitary district or public inland lake protection
23 and rehabilitation district may commence action under s. 66.12 (1) and a county or
24 town may commence action under s. 778.10. The citation may be used as the
25 complaint in the action for the collection of the forfeiture, penalty assessment, jail

1 assessment, crime laboratories and drug law enforcement assessment, any
2 applicable consumer information assessment and any applicable domestic abuse
3 assessment.

4 **SECTION 1615.** 66.119 (3) (d) of the statutes is amended to read:

5 66.119 (3) (d) If the alleged violator does not make a cash deposit and fails to
6 appear in court at the time specified in the citation, the court may issue a summons
7 or warrant for the defendant's arrest or consider the nonappearance to be a plea of
8 no contest and enter judgment accordingly if service was completed as provided
9 under par. (e) or the county, town, city, village, town sanitary district or public inland
10 lake protection and rehabilitation district may commence an action for collection of
11 the forfeiture, penalty assessment, jail assessment and crime laboratories and drug
12 law enforcement assessment, any applicable consumer information assessment and
13 any applicable domestic abuse assessment. A city, village, town sanitary district or
14 public inland lake protection and rehabilitation district may commence action under
15 s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation
16 may be used as the complaint in the action for the collection of the forfeiture, penalty
17 assessment, jail assessment and crime laboratories and drug law enforcement
18 assessment, any applicable consumer information assessment and any applicable
19 domestic abuse assessment. If the court considers the nonappearance to be a plea
20 of no contest and enters judgment accordingly, the court shall promptly mail a copy
21 or notice of the judgment to the defendant. The judgment shall allow the defendant
22 not less than 20 days from the date of the judgment to pay any forfeiture, penalty
23 assessment, jail assessment and crime laboratories and drug law enforcement
24 assessment, any applicable consumer information assessment and any applicable
25 domestic abuse assessment imposed. If the defendant moves to open the judgment

1 within 6 months after the court appearance date fixed in the citation, and shows to
2 the satisfaction of the court that the failure to appear was due to mistake,
3 inadvertence, surprise or excusable neglect, the court shall reopen the judgment,
4 accept a not guilty plea and set a trial date.

5 **SECTION 1616.** 66.12 (1) (b) of the statutes is amended to read:

6 66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss.
7 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
8 or all violations under those ordinances, and may designate the manner in which the
9 stipulation is to be made and fix the penalty to be paid. When a person charged with
10 a violation for which stipulation of guilt or no contest is authorized makes a timely
11 stipulation and pays the required penalty and pays the penalty assessment imposed
12 by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime
13 laboratories and drug law enforcement assessment imposed by s. 165.755, any
14 applicable consumer information assessment imposed by s. 100.261 and any
15 applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated
16 official, the person need not appear in court and no witness fees or other additional
17 costs may be taxed unless the local ordinance so provides. A court appearance is
18 required for a violation of a local ordinance in conformity with s. 346.63 (1). The
19 official receiving the penalties shall remit all moneys collected to the treasurer of the
20 city, village, town sanitary district or public inland lake protection and rehabilitation
21 district in whose behalf the sum was paid, except that all jail assessments shall be
22 remitted to the county treasurer, within 20 days after its receipt by him or her; and
23 in case of any failure in the payment, the treasurer may collect the payment of the
24 officer by action, in the name of the office, and upon the official bond of the officer,
25 with interest at the rate of 12% per year from the time when it should have been paid.

1 In the case of the penalty assessment imposed by s. ~~165.87~~ 757.05, the crime
2 laboratories and drug law enforcement assessment imposed by s. 165.755, the driver
3 improvement surcharge imposed by s. 346.655 (1), any applicable consumer
4 information assessment imposed by s. 100.261 and any applicable domestic abuse
5 assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary
6 district or public inland lake protection and rehabilitation district shall remit to the
7 state treasurer the sum required by law to be paid on the actions so entered during
8 the preceding month on or before the first day of the next succeeding month. The
9 governing body of the city, village, town sanitary district or public inland lake
10 protection and rehabilitation district shall by ordinance designate the official to
11 receive the penalties and the terms under which the official shall qualify.

12 **SECTION 1617.** 66.12 (3) (b) of the statutes is amended to read:

13 66.12 (3) (b) All forfeitures and penalties recovered for the violation of any
14 ordinance or bylaw of any city, village, town, town sanitary district or public inland
15 lake protection and rehabilitation district shall be paid into the city, village, town,
16 town sanitary district or public inland lake protection and rehabilitation district
17 treasury for the use of the city, village, town, town sanitary district or public inland
18 lake protection and rehabilitation district, except as otherwise provided in par. (c),
19 sub. (1) (b) and s. ~~165.87~~ 757.05. The judge shall report and pay into the treasury,
20 quarterly, or at more frequent intervals if so required, all moneys collected belonging
21 to the city, village, town, town sanitary district or public inland lake protection and
22 rehabilitation district, which report shall be certified and filed in the office of the
23 treasurer; and the judge shall be entitled to duplicate receipts for such moneys, one
24 of which he or she shall file with the city, village or town clerk or with the town
25 sanitary district or the public inland lake protection and rehabilitation district.

1 SECTION 1617r. 66.184 of the statutes is amended to read:

2 66.184 Self-insured health plans. If a city, including a 1st class city, or a
3 village provides health care benefits under its home rule power, or if a town provides
4 health care benefits, to its officers and employees on a self-insured basis, the
5 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
6 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
7 632.895 (9) to (13), 632.896, and 767.25 (4m) (d), ~~767.51 (3m) (d) and 767.62 (4) (b)~~

8 4. W.P.O. please insert a stricken space after the stricken "4"
^ and before the plain period

9 SECTION 1618m. 66.293 (10) (a) of the statutes is amended to read:

10 66.293 (10) (a) Each contractor, subcontractor or agent thereof performing
11 work on a project that is subject to this section shall keep full and accurate records
12 clearly indicating the name and trade or occupation of every person described in sub.
13 (4) and an accurate record of the number of hours worked by each of those persons
14 and the actual wages paid therefor. If requested by any person, a contractor,
15 subcontractor or agent thereof performing work on a project that is subject to this
16 section shall permit that person to inspect and copy any of those records to the same
17 extent as the department would be required to permit inspection and copying of those
18 records under ss. 19.31 to 19.39 if those records were in the custody of the
19 department.

20 SECTION 1619. 66.299 (3) (a) 1. of the statutes is amended to read:

21 66.299 (3) (a) 1. A local governmental unit shall, to the extent practicable, make
22 purchasing selections using specifications developed by state agencies under s. 16.72
23 (2) (e), except s. 16.72 (2) (e) 2., to maximize the purchase of products utilizing
24 recycled or recovered materials.

25 SECTION 1620. 66.299 (4) of the statutes is amended to read:

1 66.299 (4) PURCHASE OF RECYCLABLE MATERIALS. A local governmental unit shall,
2 to the extent practicable, make purchasing selections using specifications prepared
3 by state agencies under s. 16.72 (2) (f).

4 **SECTION 1621.** 66.30 (1) (a) of the statutes is amended to read:

5 66.30 (1) (a) In this section “municipality” means the state or any department
6 or agency thereof, or any city, village, town, county, school district, public library
7 system, public inland lake protection and rehabilitation district, sanitary district,
8 farm drainage district, metropolitan sewerage district, sewer utility district, solid
9 waste management system created under s. 59.70 (2), local exposition district
10 created under subch. II of ch. 229, local professional baseball park district created
11 under subch. III of ch. 229, family care district under s. 46.2895, water utility district,
12 mosquito control district, municipal electric company, county or city transit
13 commission, commission created by contract under this section, taxation district or
14 regional planning commission.

15 **SECTION 1621e.** 66.307 (2) (a) of the statutes is amended to read:

16 66.307 (2) (a) The governing body of a political subdivision, by a two-thirds vote
17 of the members of the governing body who are present when the vote is taken, may
18 enact an ordinance or adopt a resolution declaring itself to be a premier resort area
19 if, except as provided in par. (e), at least 40% of the equalized assessed value of the
20 taxable property within such political subdivision is used by tourism-related
21 retailers.

22 **SECTION 1621f.** 66.307 (2) (e) of the statutes is created to read:

23 66.307 (2) (e) 1. The legislature finds the following with respect to the city of
24 Eagle River:

25 a. It is extremely close to the 40% threshold described in par. (a).

1 (b) *Bond issuance for public school facilities.* The authority of a 1st class city
2 may issue up to \$170,000,000 in bonds to finance or refinance the development or
3 redevelopment of sites and facilities to be used for public school facilities by the board
4 of school directors of the school district operating under ch. 119 if all of the following
5 apply:

6 1. The board of school directors of the school district operating under ch. 119
7 requests the issuance of the bonds to implement the report approved under 1999
8 Wisconsin Act (this act), section 9158 (7tw) (b).

9 2. The authority determines that the purposes of the financing are consistent
10 with the 1st class city's master plan.

11 (c) *Terms and conditions.* The terms and conditions of bonds issued under this
12 subsection shall be those specified in sub. (5) (a) 4. except that it shall not be
13 necessary that the financed property be located in a project area or a blighted area.
14 The bonds may not have a maturity in excess of 20 years and may not be issued later
15 than the first day of the 60th month beginning after the effective date of this
16 paragraph [revisor inserts date].

17 (d) *Designation of special debt service reserve funds.* The authority may
18 designate one or more accounts in funds created under the resolution authorizing the
19 issuance of bonds under this subsection as special debt service reserve funds if, prior
20 to each issuance of bonds to be secured by the special debt service reserve fund, the
21 secretary of administration determines that all of the following conditions are met
22 with respect to the bonds ~~described under sub (5) (a) 4. d~~:

23 1. 'Purpose.' The proceeds of the bonds, other than refunding bonds, will be
24 used for public school facilities in the school district operating under ch. 119.

1 2. 'Feasibility.' There is a reasonable likelihood that the bonds will be repaid
2 without the necessity of drawing on funds in the special debt service reserve fund
3 that secures the bonds. The secretary of administration may make this
4 determination of reasonable likelihood only after considering all of the following:

5 (a. The extent to which and manner by which revenues of the school district
6 operating under ch. 119 are pledged to the payment of the bonds.)

7 c. The proposed interest rates of the bonds and the resulting cash-flow
8 requirements.
9

10 d. The projected ratio of annual pledged revenues from the school district
11 operating under ch.119 to annual debt service on the bonds, taking into account
12 capitalized interest.

13 e. Whether an understanding exists providing for repayment by the authority
14 to the state of all amounts appropriated to the special debt service reserve fund
15 pursuant to par. (j).

16 f. Whether the authority has agreed that the department of administration will
17 have direct and immediate access, at any time and without notice, to all records of
18 the authority relating to the bonds.

19 3. 'Limit on bonds issued.' The principal amount of all bonds, other than
20 refunding bonds, that would be secured by all special debt service reserve funds of
21 the authority will not exceed \$170,000,000.

22 4. 'Refunding bonds.' All refunding bonds to be secured by the special debt
23 service reserve fund meet all of the following conditions:

24 a. The refunding bonds are to be issued to fund, refund or advance refund bonds
25 secured by a special debt service reserve fund.

1 b. The refunding will not adversely affect the risk that the state will be called
2 on to make a payment under par. (j).

3 5. 'Approval of outstanding debt.' All outstanding bonds of the authority issued
4 under this subsection have been reviewed and approved by the secretary of
5 administration. In determining whether to approve outstanding bonds under this
6 subdivision, the secretary may consider any factor which the secretary determines
7 to have a bearing on whether the state moral obligation pledge under par. (j) should
8 be granted with respect to an issuance of bonds.

9 6. 'Financial reports.' The authority has agreed to provide to the department
10 of administration all financial reports of the authority and all regular monthly
11 statements of any trustee of the bonds on a direct and ongoing basis.

12 (e) *Payment of funds into a special debt service reserve fund.* The authority
13 shall pay into any special debt service reserve fund of the authority any moneys
14 appropriated and made available by the state for the purposes of the special debt
15 service reserve fund, any proceeds of a sale of bonds ^{per} to the extent provided in the
16 bond resolution authorizing the issuance of the bonds and any other moneys that are
17 made available to the authority for the purpose of the special debt service reserve
18 fund from any other source.

19 (f) *Use of moneys in the special debt service reserve fund.* All moneys held in
20 any special debt service reserve fund of the authority for bonds issued under this
21 subsection, except as otherwise specifically provided, shall be used solely for the
22 payment of the principal of the bonds ^{per} the making of sinking fund payments with
23 respect to the bonds, the purchase or redemption of the bonds, the payment of
24 interest on the bonds or the payment of any redemption premium required to be paid
25 when the bonds are redeemed prior to maturity. If moneys in a special debt service

1 reserve fund at any time are less than the special debt service reserve fund
2 requirement under par. (h) for the special debt service reserve fund, the authority
3 may not use these moneys for any optional purchase or optional redemption of the
4 bonds. Any income or interest earned by, or increment to, any special debt service
5 reserve fund due to the investment of moneys in the special debt service reserve fund
6 may be transferred by the authority to other funds or accounts of the authority
7 relating to the bonds to the extent that the transfer does not reduce the amount of
8 the special debt service reserve fund below the special debt service reserve fund
9 requirement under par. (h) for the special debt service reserve fund.

10 (g) *Limitation on bonds secured by a special debt service reserve fund.* The
11 authority shall accumulate in each special debt service reserve fund an amount equal
12 to the special debt service reserve fund requirement under par. (h) for the special debt
13 service reserve fund. The authority may not at any time issue bonds under this
14 subsection secured in whole or in part by a special debt service reserve fund if upon
15 the issuance of these bonds the amount in the special debt service reserve fund will
16 be less than the special debt service reserve fund requirement under par. (h) for the
17 special debt service reserve fund.

18 (h) *Special debt service reserve fund requirement.* The special debt service
19 reserve fund requirement for a special debt service reserve fund, as of any particular
20 date of computation, is equal to an amount of money, as provided in the bond
21 resolution authorizing bonds under this subsection with respect to which the special
22 debt service reserve fund is established, that may not exceed the maximum annual
23 debt service on the bonds of the authority for that fiscal year or any future fiscal year
24 of the authority secured in whole or in part by that special debt service reserve fund.
25 In computing the annual debt service for any fiscal year, bonds deemed to have been

1 paid in accordance with the defeasance provisions of the bond resolution authorizing
2 the issuance of the bonds shall not be included in bonds outstanding on such date of
3 computation. The annual debt service for any fiscal year is the amount of money
4 equal to the aggregate of all of the following calculated on the assumption that the
5 bonds will, after the date of computation, cease to be outstanding by reason, but only
6 by reason, of the payment of bonds when due, and the payment when due, and
7 application in accordance with the bond resolution authorizing those bonds, of all of
8 the sinking fund payments payable at or after the date of computation:

9 1. All interest payable during the fiscal year on all bonds that are secured in
10 whole or in part by the special debt service reserve fund and that are outstanding on
11 the date of computation.

12 2. The principal amount of all of the bonds that are secured in whole or in part
13 by the special debt service reserve fund, are outstanding on the date of computation
14 and mature during the fiscal year.

15 3. All amounts specified in bond resolutions of the authority authorizing any
16 of the bonds that are secured in whole or in part by the special debt service reserve
17 fund to be payable during the fiscal year as a sinking fund payment with respect to
18 any of the bonds that mature after the fiscal year.

19 (i) *Valuation of securities.* In computing the amount of a special debt service
20 reserve fund for the purposes of this subsection, securities in which all or a portion
21 of the special debt service reserve fund is invested shall be valued at par, or, if
22 purchased at less than par, at their cost to the authority.

23 (j) *State moral obligation pledge.* If at any time of valuation the special debt
24 service reserve fund requirement under par. (h) for a special debt service reserve
25 fund exceeds the amount of moneys in the special debt service reserve fund, the

1 authority shall certify to the secretary of administration, the governor and the joint
2 committee on finance the amount necessary to restore the special debt service
3 reserve fund to an amount equal to the special debt service reserve fund requirement
4 under par. (h) for the special debt service reserve fund. If this certification is received
5 by the secretary of administration in an even-numbered year prior to the completion
6 of the budget compilation under s. 16.43, the secretary shall include the certified
7 amount in the budget compilation. In any case, the joint committee on finance shall
8 introduce in either house, in bill form, an appropriation of the amount so certified to
9 the appropriate special debt service reserve fund of the authority. Recognizing its
10 moral obligation to do so, the legislature hereby expresses its expectation and
11 aspiration that, if ever called upon to do so, it shall make this appropriation. This
12 paragraph applies only to bonds issued under, and in compliance with, this
13 subsection.

14 (k) *Minority contracting provisions.* 1. With regard to a public school
15 construction project that is financed from the proceeds of bonds that are issued under
16 this subsection, a person who is awarded a contract for construction work or
17 professional services shall agree, as a condition to receiving the contract, that at least
18 50% of the employees hired because of the contract will be minority group members,
19 as defined in s. 560.036 (1) (f).

20 2. With regard to a public school construction project that is financed from the
21 proceeds of bonds that are issued under this subsection, at least 50% of the aggregate
22 dollar value of contracts awarded shall be awarded to minority businesses, as defined
23 in s. 560.036 (1) (e), in the following areas:

24 a. Contracts for the construction of a public school.

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1 b. Contracts for professional services related to the construction of a public
2 school.

3 (L) *Types of schools.* The proceeds of bonds issued under this subsection may
4 not be used for middle schools, for charter or private schools or for modular schools.

5 **SECTION 1630e.** 66.46 (2) (f) 1. L. of the statutes is created to read:

6 66.46 (2) (f) 1. L. Costs for the removal, or containment, of lead contamination
7 in buildings or infrastructure if the city declares that such lead contamination is a
8 public health concern.

9 **SECTION 1630ed.** 66.46 (4) (h) 1. of the statutes is amended to read:

10 66.46 (4) (h) 1. Subject to subds. 2. ~~and~~, 3. ~~and~~ 4., the planning commission may
11 at any time, by resolution, adopt an amendment to a project plan, which amendment
12 shall be subject to approval by the local legislative body and approval of the
13 amendment shall require the same findings as provided in par. (g). Any amendment
14 to a project plan is also subject to review by a joint review board, acting under sub.
15 (4m). Adoption of an amendment to a project plan shall be preceded by a public
16 hearing held by the plan commission at which interested parties shall be afforded a
17 reasonable opportunity to express their views on the amendment. Notice of the
18 hearing shall be published as a class 2 notice, under ch. 985. The notice shall include
19 a statement of the purpose and cost of the amendment and shall advise that a copy
20 of the amendment will be provided on request. Prior to such publication, a copy of
21 the notice shall be sent by 1st class mail to the chief executive officer or administrator
22 of all local governmental entities having the power to levy taxes on property within
23 the district and to the school board of any school district which includes property
24 located within the proposed district. For any county with no chief executive officer
25 or administrator, this notice shall be sent to the county board chairperson.

1 **SECTION 1630ef.** 66.46 (4) (h) 2. of the statutes is amended to read:

2 66.46 (4) (h) 2. Except as provided in ~~subd. subds. 3. and 4.~~, not more than once
3 during the 7 years after the tax incremental district is created, the planning
4 commission may adopt an amendment to a project plan under subd. 1. to modify the
5 district's boundaries by adding territory to the district that is contiguous to the
6 district and that is served by public works or improvements that were created as part
7 of the district's project plan. Expenditures for project costs that are incurred because
8 of an amendment to a project plan to which this subdivision applies may be made for
9 not more than 3 years after the date on which the local legislative body adopts a
10 resolution amending the project plan.

11 **SECTION 1630eh.** 66.46 (4) (h) 4. of the statutes is created to read:

12 66.46 (4) (h) 4. With regard to a village that has a population of less than 10,000,
13 was incorporated in 1914 and is located in a county that has a population of less than
14 25,000 and that contains a portion of the Yellow River and the Chequamegon Waters
15 Flowage, not more than once during the 11 years after the tax incremental district
16 is created, the planning commission may adopt an amendment to a project plan
17 under subd. 1. to modify the district's boundaries by adding territory to the district
18 that is contiguous to the district and that is to be served by public works or
19 improvements that were created as part of the district's project plan. Expenditures
20 for project costs that are incurred because of an amendment to a project plan to which
21 this subdivision applies may be made for not more than 5 years after the date on
22 which the local legislative body adopts a resolution amending the project plan.

23 **SECTION 1630em.** 66.46 (4m) (b) 2. of the statutes is amended to read:

24 66.46 (4m) (b) 2. ~~No~~ Except as provided in subd. 2m., no tax incremental
25 district may be created and no project plan may be amended unless the board