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1 *~~-0183/2.12~~* **SECTION 1528.** 50.39 (3) of the statutes is amended to read:

2 50.39 (3) Facilities governed by ss. 45.365, 48.62, 49.70, 49.72, 50.02, 51.09,
3 ~~58.06, 252.073, 252.076~~ and 252.10, secured correctional facilities as defined in s.
4 938.02 (15m), correctional institutions governed by the department of corrections
5 under s. 301.02 and the offices and clinics of persons licensed to treat the sick under
6 chs. 446, 447 and 448 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do
7 not abridge the rights of the medical examining board, physical therapists affiliated
8 credentialing board, podiatrists affiliated credentialing board, dentistry examining
9 board, pharmacy examining board, chiropractic examining board and board of
10 nursing in carrying out their statutory duties and responsibilities.

11 *~~-0026/1.1~~* **SECTION 1529.** 50.49 (2) (b) of the statutes is amended to read:

12 50.49 (2) (b) The department shall, by rule, set a license fee to be paid by home
13 health agencies. ~~The fee shall be based on the annual net income, as determined by~~
14 ~~the department, of a home health agency.~~

15 *~~-0030/2.98~~* **SECTION 1530.** 50.49 (4) of the statutes is amended to read:

16 50.49 (4) LICENSING, INSPECTION AND REGULATION. ~~The~~ Except as provided in sub.
17 (6m), the department may register, license, inspect and regulate home health
18 agencies as provided in this section. The department shall ensure, in its inspections
19 of home health agencies, that a sampling of records from private pay patients are
20 reviewed. The department shall select the patients who shall receive home visits as
21 a part of the inspection. Results of the inspections shall be made available to the
22 public at each of the regional offices of the department.

23 *~~-0030/2.99~~* **SECTION 1531.** 50.49 (6m) of the statutes is created to read:

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1 50.49 **(6m)** EXCEPTIONS. None of the following is required to be licensed as a
2 home health agency under sub. (4), regardless of whether any of the following
3 provides services that are similar to services provided by a home health agency:

4 (a) A care management organization, as defined in s. 46.2805 (1).

5 (b) A program specified in s. 46.2805 (1) (a).

6 (c) A demonstration program specified in s. 46.2805 (1) (b).

7 ***-2105/1.24*** **SECTION 1532.** 51.01 (14k) of the statutes is created to read:

8 51.01 **(14k)** “Secured child caring institution” has the meaning given in s.
9 938.02 (15g).

10 ***-2105/1.25*** **SECTION 1533.** 51.01 (14m) of the statutes is created to read:

11 51.01 **(14m)** “Secured correctional facility” has the meaning given in s. 938.02
12 (15m).

13 ***-2105/1.26*** **SECTION 1534.** 51.01 (14p) of the statutes is created to read:

14 51.01 **(14p)** “Secured group home” has the meaning given in s. 938.02 (15p).

15 ***-0326/3.1*** **SECTION 1535.** 51.03 (1) of the statutes is renumbered 51.03 (1r).

16 ***-0326/3.2*** **SECTION 1536.** 51.03 (1g) of the statutes is created to read:

17 51.03 **(1g)** In this section:

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

22 (b) “Individualized service planning” means a process under which a person
23 with mental illness or who abuses alcohol or other drugs and, if a child, his or her
24 family, receives information, education and skills to enable the person to participate
25 mutually and creatively with his or her mental health or alcohol or other drug abuse

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1 service provider in identifying his or her personal goals and developing his or her
2 assessment, crisis protocol, treatment and treatment plan. “Individualized service
3 planning” is tailored to the person and is based on his or her strengths, abilities and
4 needs.

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

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

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

18 ***-0326/3.3* SECTION 1537.** 51.03 (4) of the statutes is created to read:

19 51.03 (4) Within the limits of available state and federal funds, the department
20 may do all of the following:

21 (a) Promote the creation of coalitions among the state, counties, providers of
22 mental health and alcohol and other drug abuse services, consumers of the services
23 and their families and advocates for persons with mental illness and for alcoholic and
24 drug dependent persons to develop, coordinate and provide a full range of resources
25 to advance prevention; early intervention; treatment; recovery; safe and affordable

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1 housing; opportunities for education, employment and recreation; family and peer
2 support; self-help; and the safety and well-being of communities.

3 (b) In cooperation with counties, providers of mental health and alcohol and
4 other drug abuse services, consumers of the services, interested community
5 members and advocates for persons with mental illness and for alcoholic and drug
6 dependent persons, develop and implement a comprehensive strategy to reduce
7 stigma of and discrimination against persons with mental illness, alcoholics and
8 drug dependent persons.

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

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

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

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

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

23 (h) Promote use by providers of mental health and alcohol and other drug abuse
24 services of individualized service planning, under which the providers develop
25 written individualized service plans that promote treatment and recovery, together

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1 with service consumers, families of service consumers who are children and
2 advocates chosen by consumers.

3 ***-0326/3.4* SECTION 1538.** 51.03 (5) of the statutes is created to read:

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

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

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

10 (c) Keep the plan current.

11 (d) Modify the plan as necessary.

12 ***-2105/1.27* SECTION 1539.** 51.05 (2) of the statutes is amended to read:

13 51.05 (2) The department may not accept for admission to a mental health
14 institute any resident person, except in an emergency, unless the county department
15 under s. 51.42 in the county where the person has legal residency authorizes the care,
16 as provided in s. 51.42 (3) (as). Patients who are committed to the department under
17 s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17, 975.06 or 980.06,
18 admitted by the department under s. 975.17, 1977 stats., or are transferred from a
19 juvenile secured correctional facility ~~or~~, a secured child caring institution, ~~as defined~~
20 ~~in s. 938.02 (15g), or a secured group home~~ to a state treatment facility under s. 51.35
21 (3) or from a jail or prison to a state treatment facility under s. 51.37 (5) are not
22 subject to this section.

23 ***-0025/1.1* SECTION 1540.** 51.06 (1) (d) of the statutes is amended to read:

24 51.06 (1) (d) ~~At the southern center for developmentally disabled, services~~
25 Services for up to ~~10~~ 36 individuals with developmental disability who are also

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1 diagnosed as mentally ill or who exhibit extremely aggressive and challenging
2 behaviors and at the northern center for developmentally disabled, services for up
3 to 12 such individuals.

4 ***-0023/4.3* SECTION 1541.** 51.07 (3) of the statutes is amended to read:

5 51.07 (3) The department may provide outpatient services only to patients
6 contracted for with county departments under ss. 51.42 and 51.437 in accordance
7 with s. 46.03 (18), except for those patients whom the department finds to be
8 nonresidents of this state and ~~those patients specified in sub. (4)(a)~~ persons receiving
9 services under contracts under s. 46.043. The full and actual cost less applicable
10 collections of services contracted for with county departments under s. 51.42 or
11 51.437 shall be charged to the respective county department under s. 51.42 or 51.437.
12 The state shall provide the services required for patient care only if no outpatient
13 services are funded by the department in the county or group of counties served by
14 the respective county department under s. 51.42 or 51.437.

15 ***-0023/4.4* SECTION 1542.** 51.07 (4) of the statutes is repealed.

16 ***-0689/2.1* SECTION 1543.** 51.15 (1) (a) 5. c. of the statutes is repealed.

17 ***-0689/2.2* SECTION 1544.** 51.15 (1) (c) 4. of the statutes is repealed.

18 ***-0689/2.3* SECTION 1545.** 51.20 (1) (a) 2. e. of the statutes is amended to read:

19 51.20 (1) (a) 2. e. For an individual, other than an individual who is alleged to
20 be drug dependent or developmentally disabled, after the advantages and
21 disadvantages of and alternatives to accepting a particular medication or treatment
22 have been explained to him or her and because of mental illness, evidences either
23 incapability of expressing an understanding of the advantages and disadvantages of
24 accepting medication or treatment and the alternatives, or substantial incapability
25 of applying an understanding of the advantages, disadvantages and alternatives to

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1 his or her mental illness in order to make an informed choice as to whether to accept
2 or refuse medication or treatment; and evidences a substantial probability, as
3 demonstrated by both the individual's treatment history and his or her recent acts
4 or omissions, that the individual needs care or treatment to prevent further
5 disability or deterioration and a substantial probability that he or she will, if left
6 untreated, lack services necessary for his or her health or safety and suffer severe
7 mental, emotional or physical harm that will result in the loss of the individual's
8 ability to function independently in the community or the loss of cognitive or
9 volitional control over his or her thoughts or actions. The probability of suffering
10 severe mental, emotional or physical harm is not substantial under this subd. 2. e.
11 if reasonable provision for the individual's care or treatment is available in the
12 community and there is a reasonable probability that the individual will avail
13 himself or herself of these services or if the individual is appropriate for protective
14 placement under s. 55.06. Food, shelter or other care that is provided to an individual
15 who is substantially incapable of obtaining food, shelter or other care for himself or
16 herself by any person other than a treatment facility does not constitute reasonable
17 provision for the individual's care or treatment in the community under this subd.
18 2. e. The individual's status as a minor does not automatically establish a substantial
19 probability of suffering severe mental, emotional or physical harm under this subd.
20 2.e. ~~This subd. 2. e. does not apply after November 30, 2001.~~

21 ***-0689/2.4* SECTION 1546.** 51.20 (1) (ad) 3. of the statutes is repealed.

22 ***-0689/2.5* SECTION 1547.** 51.20 (10) (cm) 1. of the statutes is renumbered
23 51.20 (10) (cm) and amended to read:

24 51.20 (10) (cm) Prior to or at the final hearing, for individuals for whom a
25 petition is filed under sub. (1)(a) 2. e., the county department under s. 51.42 or 51.437

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1 shall furnish to the court and the subject individual an initial recommended written
2 treatment plan that contains the goals of treatment, the type of treatment to be
3 provided and the expected providers. The treatment plan shall address the
4 individual's needs for inpatient care, residential services, community support
5 services, medication and its monitoring, case management, and other services to
6 enable the person to live in the community upon release from an inpatient facility.
7 The treatment plan shall contain information concerning the availability of the
8 needed services and community treatment providers' acceptance of the individual
9 into their programs. The treatment plan is only a recommendation and is not subject
10 to approval or disapproval by the court. Failure to furnish a treatment plan under
11 this ~~subdivision~~ paragraph does not constitute grounds for dismissal of the petition
12 unless the failure is made in bad faith.

13 ***-0689/2.6* SECTION 1548.** 51.20 (10) (cm) 2. of the statutes is repealed.

14 ***-0112/2.1* SECTION 1549.** 51.20 (13) (g) 1. of the statutes is amended to read:

15 51.20 (13) (g) 1. Except as provided in ~~subd. subds. 2., 2f. and 2g.~~, the first order
16 of commitment of a subject individual under this section may be for a period not to
17 exceed 6 months, and all subsequent consecutive orders of commitment of the
18 individual may be for a period not to exceed one year.

19 ***-0689/2.7* SECTION 1550.** 51.20 (13) (g) 2d. c. of the statutes is repealed.

20 ***-0112/2.2* SECTION 1551.** 51.20 (13) (g) 2f. of the statutes is created to read:

21 51.20 (13) (g) 2f. Any order of commitment of a subject individual under par.
22 (a) 4., following proof of the allegations under sub. (1) (ar), may be for a period not
23 to exceed one year.

24 ***-0112/2.3* SECTION 1552.** 51.20 (13) (g) 2g. of the statutes is amended to read:

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1 51.20 (13) (g) 2g. The total period a person may be committed pursuant to
2 commitments ordered under par. (a) ~~4. or~~ 4m., following proof of the allegations
3 under sub. (1) ~~(ar) or~~ (av), may not exceed 180 days in any 365-day period.

4 ***-0112/2.4*** SECTION 1553. 51.20 (13) (g) 2m. of the statutes is amended to
5 read:

6 51.20 (13) (g) 2m. In addition to the provisions under subs. 1., 2., 2f. and 2g.,
7 no commitment ordered under par. (a) 4. or 4m. may continue beyond the inmate's
8 date of release on parole or extended supervision, as determined under s. 302.11 or
9 302.113, whichever is applicable.

10 ***-0112/2.5*** SECTION 1554. 51.20 (13) (g) 2r. of the statutes is amended to read:

11 51.20 (13) (g) 2r. Twenty-one days prior to expiration of the period of
12 commitment under subd. 1., 2., 2f. 2g. or 2m., the department, if the individual is
13 committed to the department, or the county department to which an individual is
14 committed shall file an evaluation of the individual and the recommendation of the
15 department or county department regarding the individual's recommitment with the
16 committing court and provide a copy of the evaluation and recommendation to the
17 individual's counsel and the counsel designated under sub. (4). If the date for filing
18 an evaluation and recommendation under this subdivision falls on a Saturday,
19 Sunday or legal holiday, the date which is not a Saturday, Sunday or legal holiday
20 and which most closely precedes the evaluation and recommendation filing date
21 shall be the filing date. A failure of the department or the county department to
22 which an individual is committed to file an evaluation and recommendation under
23 this subdivision does not affect the jurisdiction of the court over a petition for
24 recommitment.

25 ***-2105/1.28*** SECTION 1555. 51.35 (3) (title) of the statutes is amended to read:

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1 51.35 (3) (title) ~~TRANSFER OF CERTAIN JUVENILES FROM JUVENILE-CORRECTIONAL~~
2 ~~SECURED JUVENILE FACILITIES AND SECURED CHILD-CARING INSTITUTIONS.~~

3 *~~-2105/1.29~~* **SECTION 1556.** 51.35 (3) (a) of the statutes is amended to read:

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

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1 51.13 (4) (a) in the court assigned to exercise jurisdiction under chs. 48 and 938 of the
2 county where the treatment facility is located.

3 ***-2105/1.30* SECTION 1557.** 51.35 (3) (c) of the statutes is amended to read:

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

21 ***-2105/1.31* SECTION 1558.** 51.35 (3) (c) of the statutes, as affected by 1995
22 Wisconsin Act 292, section 28, and 1999 Wisconsin Act (this act), is repealed and
23 recreated to read:

24 51.35 (3) (c) A licensed psychologist of a secured correctional facility or a
25 secured child caring institution or a licensed physician of the department of

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

14 ***-2105/1.32* SECTION 1559.** 51.35 (3) (e) of the statutes is amended to read:

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

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1 receiving state treatment facility. The department of health and family services
2 shall file the statement or petition with the court within 24 hours after the subject
3 individual is received for detention or commitment. The statement or petition shall
4 conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency transfer is made,
5 the director of the receiving facility may file a petition for continued commitment
6 under s. 51.20 (1) or 51.45 (13) or may return the individual to the ~~facility or~~
7 ~~institution~~ secured correctional facility, secured child caring institution or secured
8 group home from which the transfer was made. As an alternative to this procedure,
9 the procedure provided in s. 51.15 or 51.45 (12) may be used, except that no ~~prisoner~~
10 individual may be released without the approval of the court which directed
11 confinement in the secured correctional facility ~~or~~, secured child caring institution
12 or secured group home.

13 ***-2105/1.33*** SECTION 1560. 51.35 (3) (e) of the statutes, as affected by 1995
14 Wisconsin Act 292, section 28, and 1999 Wisconsin Act (this act), is repealed and
15 recreated to read:

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

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1 family services shall file the statement or petition with the court within 24 hours
2 after the subject individual is received for detention or commitment. The statement
3 or petition shall conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency
4 transfer is made, the director of the receiving facility may file a petition for continued
5 commitment under s. 51.20 (1) or 51.45 (13) or may return the individual to the
6 secured correctional facility, secured child caring institution or secured group home
7 from which the transfer was made. As an alternative to this procedure, the
8 procedure provided in s. 51.15 or 51.45 (12) may be used, except that no individual
9 may be released without the approval of the court which directed confinement in the
10 secured correctional facility, secured child caring institution or secured group home.

11 ***-2105/1.34* SECTION 1561.** 51.35 (3) (g) of the statutes is amended to read:

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

23 ***-0030/2.100* SECTION 1562.** 51.42 (3) (ar) 17. of the statutes is created to

24 read:

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

5 ***-0030/2.101*** SECTION 1563. 51.42 (3) (ar) 18. of the statutes is created to
6 read:

7 51.42 (3) (ar) 18. If authorized under s. 46.284 (1)(a) 1., apply to the department
8 of health and family services to operate a care management organization under s.
9 46.284 and, if the department contracts with the county under s. 46.284 (2), operate
10 the care management organization and, if appropriate, place funds in a risk reserve.

11 ***-1173/1.1*** SECTION 1564. 51.42 (3) (as) 3. of the statutes is amended to read:

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

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1 ***-0284/3.6*** **SECTION 1565.** 51.42 (3) (aw) 1. d. of the statutes is amended to
2 read:

3 51.42 (3) (aw) 1. d. Provide treatment and services that are specified in a
4 conditional release plan approved by a court for a person who is a county resident and
5 is conditionally released under s. 971.17 (3) or (4) or that are specified in a supervised
6 release plan approved by a court under s. 980.06 (2) (~~e~~) (cr) or 980.08 (5) (d). If the
7 county department provides treatment and services under this subdivision, the
8 department of health and family services shall, from the appropriation under s.
9 20.435 (2) (bj), pay the county department for the costs of the treatment and services.

10 ***-0030/2.102*** **SECTION 1566.** 51.42 (3) (e) of the statutes is amended to read:

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

23 ***-0271/4.8*** **SECTION 1567.** 51.423 (1) of the statutes is amended to read:

24 51.423 (1) The department shall fund, within the limits of the department's
25 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (~~kw~~), (kz) and

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1 (o) and subject to this section, services for mental illness, developmental disability,
2 alcoholism and drug abuse to meet standards of service quality and accessibility. The
3 department's primary responsibility is to guarantee that county departments
4 established under either s. 51.42 or 51.437 receive a reasonably uniform minimum
5 level of funding and its secondary responsibility is to fund programs which meet
6 exceptional community needs or provide specialized or innovative services. Moneys
7 appropriated under s. 20.435 (7) (b) and earmarked by the department for mental
8 health services under s. 20.435 (7) (o) shall be allocated by the department to county
9 departments under s. 51.42 or 51.437 in the manner set forth in this section.

10 ***-0275/5.10*** SECTION 1568. 51.423 (2) of the statutes is amended to read:

11 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw), (kz)
12 and (o), the department shall distribute the funding for services provided or
13 purchased by county departments under s. 46.23, 51.42 or 51.437 to such county
14 departments as provided under s. 46.40. County matching funds are required for the
15 distributions under s. 46.40 (2) and (9) (b). Each county's required match for the
16 distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's
17 distributions under s. 46.40 (2) for that year for which matching funds are required
18 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
19 juvenile delinquency-related services from its distribution for 1987. Each county's
20 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
21 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching
22 funds may be from county tax levies, federal and state revenue sharing funds or
23 private donations to the counties that meet the requirements specified in sub. (5).
24 Private donations may not exceed 25% of the total county match. If the county match
25 is less than the amount required to generate the full amount of state and federal

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1 funds distributed for this period, the decrease in the amount of state and federal
2 funds equals the difference between the required and the actual amount of county
3 matching funds.

4 ***-0275/5.11* SECTION 1569.** 51.423 (2m) of the statutes is created to read:

5 51.423 (2m) The department shall pay any performance-based distribution
6 under s. 46.40 (2) earned by a county department under s. 46.23, 51.42 or 51.437 by
7 December 31 of the year after the year in which the performance-based distribution
8 was earned. The county department may expend that distribution for any purpose
9 specified in s. 20.435 (7) (b).

10 ***-0030/2.103* 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 ***-0030/2.104* 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 ***-0030/2.105* 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

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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 *~~0277/4.10~~* SECTION 1573. 51.45 (5) of the statutes is repealed.

9 *~~0689/2.8~~* SECTION 1574. 51.61 (1)(g) 3m. of the statutes is amended to read:
10 51.61 (1) (g) 3m. Following a final commitment order for a subject individual
11 who is determined to meet the commitment standard under s. 51.20 (1)(a) 2. e., the
12 court shall issue an order permitting medication or treatment to be administered to
13 the individual regardless of his or her consent. ~~This subdivision does not apply after~~
14 ~~November 30, 2001.~~

15 *~~0183/2.13~~* SECTION 1575. 58.06 of the statutes is repealed.

16 *~~0063/2.2~~* SECTION 1576. 59.25 (3) (f) 2. of the statutes is amended to read:
17 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
18 deposited in the state treasury, the amounts required by s. ~~165.87~~ 757.05 for the
19 penalty assessment surcharge, the amounts required by s. 165.755 for the crime
20 laboratories and drug law enforcement assessment, the amounts required by s.
21 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the
22 crime victim and witness assistance surcharge, the amounts required by s. 938.34
23 (8d) for the delinquency victim and witness assistance surcharge, the amounts
24 required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts
25 required by s. 961.41 (5) for the drug abuse program improvement surcharge, the

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1 amounts required by s. 100.261 for the consumer information assessment, the
2 amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the
3 domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the
4 enforcement assessment under the supplemental food program for women, infants
5 and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the
6 railroad crossing improvement assessment, the amounts required by s. 346.655 (2)
7 (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85
8 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the
9 environmental assessment, the amounts required by s. 29.983 for the wild animal
10 protection assessment, the amounts required by s. 29.987 for the natural resources
11 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter
12 removal assessment, the amounts required by s. 350.115 for the snowmobile
13 registration restitution payment and the amounts required by s. 29.989 for natural
14 resources restitution payments, transmit to the state treasurer a statement of all
15 moneys required by law to be paid on the actions entered during the preceding month
16 on or before the first day of the next succeeding month, certified by the county
17 treasurer's personal signature affixed or attached thereto, and at the same time pay
18 to the state treasurer the amount thereof.

19 ***-0063/2.3* 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

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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 ***-1256/1.1*** SECTION 1578. 59.69 (3) (a) of the statutes is amended to read:

23 59.69 (3) (a) The county zoning agency shall direct the preparation of a county
24 development plan or parts thereof for the physical development of the
25 unincorporated territory within the county and areas within incorporated

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1 jurisdictions whose governing bodies by resolution agree to having their areas
2 included in the county's development plan. The plan may be adopted in whole or in
3 part and may be amended by the board and endorsed by the governing bodies of
4 incorporated jurisdictions included in the plan. The county development plan, in
5 whole or in part, in its original form or as amended, is hereafter referred to as the
6 development plan. The development plan shall contain at least the elements
7 described in s. 66.0295.

8 ***-1256/1.2* SECTION 1579.** 59.69 (3) (b) of the statutes is repealed and
9 recreated to read:

10 59.69 (3) (b) The development plan shall include the master plan, if any, of any
11 city or village, which was adopted under s. 62.23 (2) or (3) and the official map, if any,
12 of such city or village, which was adopted under s. 62.23 (6) in the county, without
13 change.

14 ***-1065/2.1* SECTION 1580.** 59.692 (6m) of the statutes is created to read:

15 59.692 (6m) For an amendment to an ordinance enacted under this section that
16 affects an activity that meets all of the requirements under s. 281.165 (1) to (5), the
17 department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review the
18 amendment, to determine whether the ordinance, as amended, fails to meet the
19 shoreland zoning standards.

20 ***-0935/3.3* SECTION 1581.** 59.70 (1) of the statutes is amended to read:

21 59.70 (1) BUILDING AND SANITARY CODES. The board may enact building and
22 sanitary codes, make necessary rules and regulations in relation thereto and provide
23 for enforcement of the codes, rules and regulations by forfeiture or otherwise. The
24 codes, rules and regulations do not apply within municipalities which have enacted
25 ordinances or codes concerning the same subject matter. "Sanitary code" does not

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1 include a private small sewage system ordinance enacted under sub. (5). “Building
2 and sanitary codes” does not include well code ordinances enacted under sub. (6).

3 ***-0935/3.4* SECTION 1582.** 59.70 (5) of the statutes is amended to read:

4 59.70 (5) ~~PRIVATE~~ SMALL SEWAGE SYSTEM ORDINANCE. (a) Every governmental
5 unit responsible for the regulation of private small sewage systems, as defined under
6 s. 145.01 (5), shall enact an ordinance governing private small sewage systems, as
7 defined in s. 145.01 ~~(12)~~ (14m), which conforms with the state plumbing code. The
8 ordinance shall apply to the entire area of the governmental unit responsible for the
9 regulation of private small sewage systems, as defined under s. 145.01 (5). After
10 July 1, 1980, no municipality may enact or enforce a private small sewage system
11 ordinance unless it is a governmental unit responsible for the regulation of private
12 small sewage systems, as defined under s. 145.01 (5).

13 (b) The governmental unit responsible for the regulation of private small
14 sewage systems, as defined under s. 145.01 (5), shall administer the private small
15 sewage system ordinance under s. 145.20 and the rules promulgated under s. 145.20.

16 ***-0935/3.5* SECTION 1583.** 60.70 (5) of the statutes is amended to read:

17 60.70 (5) “Private sewage system” ~~has the meaning given under s. 145.01 (12)~~
18 means a sewage treatment and disposal system serving a single structure with a
19 septic tank and soil absorption field located on the same parcel as the structure. This
20 term also means an alternative sewage system approved by the department of
21 commerce including a substitute for the septic tank or soil absorption field, a holding
22 tank, a system serving more than one structure or a system located on a different
23 parcel than the structure. A private sewage system may be owned by the property
24 owner or by a special purpose district.

25 ***-0935/3.6* SECTION 1584.** 60.70 (6m) of the statutes is created to read:

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1 60.70 (6m) “Small sewage system” has the meaning given in s. 145.01 (14m).

2 ***-0935/3.7* SECTION 1585.** 60.726 (2) of the statutes is amended to read:

3 60.726 (2) If a property owner installed on his or her property a private sewage
4 system, ~~as defined in s. 145.01 (12)~~, that conforms with the state plumbing code,
5 before a town sanitary district that encompasses that property came into existence,
6 that property shall be included in the town sanitary district. If the private sewage
7 system was installed on or after 10 years before May 14, 1992, and if the property
8 owner provides the town sanitary district with any information about the cost of the
9 private sewage system required by the district, the town sanitary district, when the
10 district issues any assessment or charges or imposes property taxes to construct a
11 sewage service system, shall pay or credit the property owner an amount equal to
12 10% of the cost of the private sewage system, less any grants or aids received by the
13 property owner for construction of the private sewage system, multiplied by the
14 number of years of remaining life of the private sewage system. The number of years
15 of remaining life of the private sewage system is equal to 10 minus the number of
16 years that the private sewage system has been in operation.

17 ***-0935/3.8* SECTION 1586.** 60.77 (5) (b) of the statutes is amended to read:

18 60.77 (5) (b) Require the installation of private small sewage systems.

19 ***-0935/3.9* SECTION 1587.** 60.77 (5) (bm) of the statutes is amended to read:

20 60.77 (5) (bm) Require the inspection of private small sewage systems that
21 have been already installed to determine compliance with the state plumbing code
22 and may report violations of the state plumbing code to the governmental unit
23 responsible for the regulation of private small sewage systems for enforcement under
24 s. 145.20.

25 ***-0935/3.10* SECTION 1588.** 60.77 (5) (bs) of the statutes is amended to read:

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1 60.77 (5) (bs) Provide direct financial assistance for costs related to the
2 replacement of ~~private~~ small sewage systems, as defined in s. 145.01 ~~(12)~~ (14m), that
3 are failing.

4 *~~0935/3.11~~* **SECTION 1589.** 60.77 (5) (j) of the statutes is amended to read:

5 60.77 (5) (j) Administer the ~~private~~ small sewage system program if authorized
6 under s. 145.20 (1) (am).

7 *~~1256/1.3~~* **SECTION 1590.** 62.23 (2) of the statutes is amended to read:

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

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1 ~~general location, character and extent of community centers and neighborhood~~
2 ~~units, the general character, extent and layout of the replanning of blighted districts~~
3 ~~and slum areas, and a comprehensive zoning plan shall contain at least the elements~~
4 ~~described in s. 66.0295.~~ The commission may from time to time amend, extend or add
5 to the master plan or carry any part or subject matter into greater detail. The
6 commission may adopt rules for the transaction of business and shall keep a record
7 of its resolutions, transactions, findings and determinations, which record shall be
8 a public record.

9 ***-1256/1.4* SECTION 1591.** 62.23 (3) (b) of the statutes is amended to read:

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

24 ***-1065/2.2* SECTION 1592.** 62.231 (6m) of the statutes is created to read:

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1 62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an
2 ordinance enacted under this section that affects an activity that meets all of the
3 requirements under s. 281.165 (1) to (5), the department of natural resources may
4 not proceed under sub. (6), or otherwise review the amendment, to determine
5 whether the ordinance, as amended, fails to meet reasonable minimum standards.

6 ***-1641/1.1*** SECTION 1593. 66.014 (8) (b) of the statutes is amended to read:

7 66.014 (8) (b) On the basis of the hearing the circuit court shall find if the
8 standards under s. 66.015 are met. If the court finds that the standards are not met,
9 the court shall dismiss the petition. If the court finds that the standards are met the
10 court shall refer the petition to the department and ~~thereupon~~ the department shall
11 determine whether ~~or not~~ the standards under s. 66.016 are met, except that if the
12 incorporation is part of a cooperative boundary agreement under s. 66.023, the
13 department is not required to determine whether the standards under s. 66.016 are
14 met.

15 ***-1641/1.2*** SECTION 1594. 66.015 (intro.) of the statutes is amended to read:

16 **66.015 Standards to be applied by the circuit court.** (intro.) Before
17 referring the incorporation petition as provided in s. 66.014 (2) to the department,
18 the court shall determine whether the petition meets the formal and signature
19 requirements and shall further find, except as provided in sub. (6), that the following
20 minimum requirements are met:

21 ***-1641/1.3*** SECTION 1595. 66.015 (5) of the statutes is amended to read:

22 66.015 (5) STANDARDS WHEN NEAR FIRST, SECOND OR THIRD CLASS CITY. Where the
23 proposed boundary of a metropolitan village or city is within 10 miles of the boundary
24 of a city of the first class or 5 miles of a city of the second or third class, the minimum

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1 area requirements shall be ~~4~~ 3 and 6 square miles for villages and cities,
2 respectively.

3 ***-1641/1.4* SECTION 1596.** 66.015 (6) of the statutes is created to read:

4 66.015 (6) INCORPORATION AS PART OF COOPERATIVE PLAN. If an incorporation is
5 part of a cooperative plan under s. 66.023, the court may not consider whether any
6 of the requirements under subs. (1) to (5) are met.

7 ***-0345/1.1* SECTION 1597.** 66.021 (7) (d) of the statutes is amended to read:

8 66.021 (7) (d) The annexation shall be effective ~~upon enactment of~~ when the
9 annexation ordinance is recorded by the clerk with the register of deeds as provided
10 in sub. (8) (a). The board of school directors in any city of the first class shall not be
11 required to administer the schools in any territory annexed to any such city until
12 July 1 following such annexation.

13 ***-0345/1.2* SECTION 1598.** 66.021 (8) (a) of the statutes is amended to read:

14 66.021 (8) (a) The clerk of a city or village which has annexed territory shall
15 file immediately with the secretary of state a certified copy of the ordinance,
16 certificate and plat, and shall send one copy of the ordinance, certificate and plat to
17 each company that provides any utility service in the area that is annexed. The clerk
18 shall also record the ordinance with the register of deeds and file a signed copy of the
19 ordinance with the clerk of any affected school district. ~~Failure to file, record or send~~
20 ~~shall not invalidate the annexation and the duty to file, record or send shall be a~~
21 ~~continuing one.~~ The ordinance that is filed, recorded or sent shall describe the
22 annexed territory and the associated population. The information filed with the
23 secretary of state shall be utilized in making recommendations for adjustments to
24 entitlements under the federal revenue sharing program and distribution of funds
25 under ch. 79. The clerk shall certify annually to the secretary of state and record with

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1 the register of deeds a legal description of the total boundaries of the municipality
2 as those boundaries existed on December 1, unless there has been no change in the
3 12 months preceding.

4 ***-0345/1.3* SECTION 1599.** 66.021 (11) (a) of the statutes is amended to read:

5 66.021 (11) (a) *Annexations within populous counties.* No annexation
6 proceeding within a county having a population of 50,000 or more shall be valid
7 unless the person causing a notice of annexation to be published under sub. (3) shall
8 within 5 days of the publication mail a copy of the notice, legal description and a scale
9 map of the proposed annexation to the clerk of each municipality affected and the
10 department of administration, except that if the department of administration
11 determines within 5 days of receipt of the documents that the legal description or
12 scale map is illegible, contains errors that prevent the department from ascertaining
13 the territory that is proposed to be annexed or do not conform to generally accepted
14 standards for the preparation of legal descriptions and scale maps the department
15 may refuse acceptance of the documents and the annexation process may not
16 continue. If the refused documents are resubmitted by the proposed annexing city
17 or village to the department of administration not later than 10 days after they have
18 been returned and the department determines that they are legible, accurate and
19 conform to generally accepted standards for the preparation of legal descriptions and
20 scale maps the annexation shall proceed. The department may within 20 ~~60~~ days
21 after receipt of the notice mail to the clerk of the town within which the territory lies
22 and to the clerk of the proposed annexing village or city a notice that in its opinion
23 the annexation is against the public interest. No later than 10 days after mailing the
24 notice, the department shall advise the clerk of the town in which the territory is
25 located and the clerk of the village or city to which the annexation is proposed of the

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1 reasons the annexation is against the public interest as defined in par. (c). The
2 annexing municipality shall review the advice before final action is taken.

3 ***-1641/1.5* SECTION 1600.** 66.023 (title) of the statutes is amended to read:

4 **66.023 (title) Boundary change pursuant to approved cooperative**
5 **plan; incorporation of certain towns.**

6 ***-1641/1.6* SECTION 1601.** 66.023 (2) (intro.) of the statutes is amended to
7 read:

8 66.023 (2) BOUNDARY CHANGE AUTHORITY. (intro.) Any combination of
9 municipalities may determine the boundary lines between themselves under a
10 cooperative plan that is approved by the department under this section. The
11 cooperative plan may also include the incorporation of all or part of a town into a city
12 or village, as described in sub. (4) (am). No boundary of a municipality may be
13 changed or maintained under this section unless the municipality is a party to the
14 cooperative agreement. The cooperative plan shall provide one or more of the
15 following:

16 ***-1641/1.7* SECTION 1602.** 66.023 (2) (e) of the statutes is created to read:

17 66.023 (2) (e) The date on which all or part of a town that is a party to the plan
18 is to become incorporated as a city or village and the boundary of the new city or
19 village if it does not include all of the territory of the town from which it was
20 incorporated.

21 ***-1641/1.8* SECTION 1603.** 66.023 (4) (am) of the statutes is created to read:

22 66.023 (4) (am) *Procedure if cooperative plan includes an incorporation.* 1. For
23 a proposed plan to include an incorporation, the steps contained in ss. 66.014 (1) to
24 (4) and (8) and 66.015 shall be concluded before the start of the hearing under par.
25 (b).

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1 2. If the steps described in subd. 1 are concluded before the start of the hearing
2 and if the final cooperative plan is submitted to the department for review under sub.
3 (5), the department shall, as part of its review, consider the effect of the proposed
4 incorporation on the remainder of the town, if any, and on the other parties to the
5 plan.

6 3. The final cooperative plan shall also contain a contingency cooperative plan
7 that will take the place of the final cooperative plan in the event that the proposed
8 incorporation that is part of the final cooperative plan is defeated in the referendum
9 that is described under subd. 4.

10 4. If the department approves a final cooperative plan under sub. (5) that
11 contains an incorporation of all or part of a town, the incorporation may not take
12 effect until it is approved in a referendum that shall be held under s. 66.018. If the
13 majority of votes cast in the referendum is against the incorporation, the contingent
14 cooperative plan shall take the place of the final cooperative plan.

15 ***-1641/1.9*** SECTION 1604. 66.023 (5) (c) 7. of the statutes is created to read:

16 66.023 (5) (c) 7. If the cooperative plan contains a proposed incorporation, the
17 incorporation is in the public interest. In determining whether the incorporation is
18 in the public interest, the department may apply the standards under s. 66.016.

19 ***-1785/1.4*** SECTION 1605. 66.023 (7m) of the statutes is amended to read:

20 66.023 (7m) ZONING IN TOWN TERRITORY. If a town is a party to a cooperative plan
21 with a city or village, the town and city or village may agree, as part of the cooperative
22 plan, to authorize the town, city or village to adopt a zoning ordinance under s. 60.61,
23 61.35 or 62.23 for all or a portion of the town territory covered by the plan. The
24 exercise of zoning authority by a town under this subsection is not subject to s. 60.61
25 (3) or 60.62 (3). If a county zoning ordinance applies to the town territory covered

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1 by the plan, that ordinance and amendments to it continue until a zoning ordinance
2 is adopted under this subsection. If a zoning ordinance is adopted under this
3 subsection, that zoning ordinance continues in effect after the planning period ceases
4 until a different zoning ordinance for the territory is adopted under other applicable
5 law. This subsection does not affect zoning ordinances adopted under ss. 59.692,
6 87.30 or ~~91.71 to 91.78~~ 91.73 to 91.77.

7 ***-1256/1.5* SECTION 1606.** 66.0295 of the statutes is created to read:

8 **66.0295 Comprehensive planning. (1) DEFINITIONS.** In this section:

9 (a) “Comprehensive plan” means:

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

12 2. For a city or a village, or for a town that exercises village powers under s.
13 60.22 (3), a master plan that is adopted or amended under s. 62.23 (2) or (3).

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

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

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

20 (a) *Issues and opportunities element.* Background information on the local
21 governmental unit and a statement of objectives, policies, goals and programs of the
22 local governmental unit to guide the future growth and development of the local
23 governmental unit over a 20-year planning period. Background information shall
24 include population, household and employment forecasts that the local
25 governmental unit uses in developing its plan, and demographic trends, age

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1 distribution, educational levels, income levels and employment characteristics that
2 exist within the local governmental unit. The statement may also include similar
3 elements related to federal and state programs and background information on
4 nearby local governmental units that affect the local governmental unit.

5 (b) *Housing element.* A statement of objectives, policies, goals and programs
6 of the local governmental unit to provide an adequate housing supply that meets
7 existing and forecasted housing demand in the local governmental unit and in
8 nearby local governmental units. The statement shall contain a map and shall
9 assess the age, structural, value and occupancy characteristics of the local
10 governmental unit's housing stock. The statement shall also identify specific policies
11 and programs that promote the development of housing for residents of the local
12 governmental unit with all income levels and with various needs, and policies and
13 programs to maintain or rehabilitate the local governmental unit's existing housing
14 stock.

15 (c) *Transportation element.* A map and a statement of objectives, policies, goals
16 and programs to guide the future development of transportation infrastructure and
17 various modes of transportation, including public transportation, transportation
18 systems for persons with disabilities, bicycles, walking, railroads, air transportation,
19 trucking and water transportation. The statement shall compare the local
20 governmental unit's objectives, policies, goals and programs to state and regional
21 transportation plans. The statement shall also identify highways and streets within
22 the local governmental unit by type and applicable transportation plans, including
23 transportation corridor plans, county highway functional and jurisdictional studies,
24 urban area and rural area transportation plans, airport master plans and rail plans
25 that apply in the local governmental unit.

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

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

23 (f) *Economic development element.* A map and a statement of objectives,
24 policies, goals and programs to promote the stabilization, retention or expansion, of
25 the economic base and quality employment opportunities in the local governmental

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1 unit, including an analysis of the labor force and economic base of the local
2 governmental unit. The statement shall assess categories or particular types of new
3 businesses and industries that are desired by the local governmental unit. The
4 statement shall assess the local governmental unit's strengths and weaknesses with
5 respect to attracting and retaining businesses and industries, and shall designate an
6 adequate number of sites for such businesses and industries. The statement shall
7 also evaluate, and promote the use of environmentally contaminated sites for
8 commercial or industrial uses. The statement shall also identify county, regional and
9 state economic development programs that apply to the local governmental unit.

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

21 (h) *Land-use element.* A map and a statement of objectives, policies, goals and
22 programs to guide the future development and redevelopment of public and private
23 property. The statement shall contain a listing of the amount, type, intensity and net
24 density of existing uses of land in the local governmental unit, such as agricultural,
25 residential, commercial, industrial and other public and private uses. The statement

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

14 (i) *Implementation element.* A statement of programs and specific actions to
15 be completed in a stated sequence, including proposed changes to any applicable
16 zoning ordinances, official maps, sign regulations, erosion and stormwater control
17 ordinances, historic preservation ordinances, site plan regulations, design review
18 ordinances, building codes, mechanical codes, housing codes, sanitary codes or
19 subdivision ordinances, to implement the objectives, policies, plans and programs
20 contained in pars. (a) to (h). The statement shall describe how each of the elements
21 of the comprehensive plan will be integrated and made consistent with the other
22 elements of the comprehensive plan, and shall include a mechanism to measure the
23 local governmental unit's progress toward achieving all aspects of the
24 comprehensive plan. The statement shall include a process for updating the

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1 comprehensive plan. A comprehensive plan under this subsection shall be updated
2 no less than once every 10 years.

3 ***-0030/2.106* SECTION 1607.** 66.04 (1m) (a) of the statutes is amended to read:

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

9 ***-0030/2.107* SECTION 1608.** 66.04 (1m) (b) of the statutes is amended to read:

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

14 ***-0063/2.4* SECTION 1609.** 66.119 (1) (b) 7. c. of the statutes is amended to
15 read:

16 66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does
17 not appear in court, he or she either will be deemed to have tendered a plea of no
18 contest and submitted to a forfeiture, a penalty assessment imposed by s. ~~165.87~~
19 757.05, a jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law
20 enforcement assessment imposed by s. 165.755, any applicable consumer
21 information assessment imposed by s. 100.261 and any applicable domestic abuse
22 assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will
23 be summoned into court to answer the complaint if the court does not accept the plea
24 of no contest.

BILL**SECTION 1610**

1 *~~0063/2.5~~* **SECTION 1610.** 66.119 (1) (b) 7. d. of the statutes is amended to
2 read:

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

12 *~~0063/2.6~~* **SECTION 1611.** 66.119 (1) (c) of the statutes is amended to read:

13 66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of
14 cash deposits that are to be required for the various ordinance violations, and for the
15 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.
16 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by
17 s. 165.755, any applicable consumer information assessment imposed by s. 100.261
18 and any applicable domestic abuse assessment imposed by s. 973.055 (1), for which
19 a citation may be issued. The ordinance shall also specify the court, clerk of court
20 or other official to whom cash deposits are to be made and shall require that receipts
21 be given for cash deposits.

22 *~~0063/2.7~~* **SECTION 1612.** 66.119 (3) (a) of the statutes is amended to read:

23 66.119 (3) (a) The person named as the alleged violator in a citation may appear
24 in court at the time specified in the citation or may mail or deliver personally a cash
25 deposit in the amount, within the time and to the court, clerk of court or other official

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1 specified in the citation. If a person makes a cash deposit, the person may
2 nevertheless appear in court at the time specified in the citation, provided that the
3 cash deposit may be retained for application against any forfeiture, restitution,
4 penalty assessment, jail assessment, crime laboratories and drug law enforcement
5 assessment ~~or~~ consumer information assessment or domestic abuse assessment that
6 may be imposed.

7 ***-0063/2.8* SECTION 1613.** 66.119 (3) (b) of the statutes is amended to read:

8 66.119 (3) (b) If a person appears in court in response to a citation, the citation
9 may be used as the initial pleading, unless the court directs that a formal complaint
10 be made, and the appearance confers personal jurisdiction over the person. The
11 person may plead guilty, no contest or not guilty. If the person pleads guilty or no
12 contest, the court shall accept the plea, enter a judgment of guilty and impose a
13 forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment
14 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement
15 assessment imposed by s. 165.755, any applicable consumer information assessment
16 imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s.
17 973.055 (1). If the court finds that the violation meets the conditions in s. 800.093
18 (1), the court may order restitution under s. 800.093. A plea of not guilty shall put
19 all matters in the case at issue, and the matter shall be set for trial.

20 ***-0063/2.9* SECTION 1614.** 66.119 (3) (c) of the statutes is amended to read:

21 66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear
22 in court, the citation may serve as the initial pleading and the violator shall be
23 considered to have tendered a plea of no contest and submitted to a forfeiture, the
24 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.
25 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by

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

25 *-0063/2.10* SECTION 1615. 66.119 (3) (d) of the statutes is amended to read:

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

BILL**SECTION 1616**

1 ***-0063/2.11*** **SECTION 1616.** 66.12 (1) (b) of the statutes is amended to read:
2 66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss.
3 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
4 or all violations under those ordinances, and may designate the manner in which the
5 stipulation is to be made and fix the penalty to be paid. When a person charged with
6 a violation for which stipulation of guilt or no contest is authorized makes a timely
7 stipulation and pays the required penalty and pays the penalty assessment imposed
8 by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime
9 laboratories and drug law enforcement assessment imposed by s. 165.755, any
10 applicable consumer information assessment imposed by s. 100.261 and any
11 applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated
12 official, the person need not appear in court and no witness fees or other additional
13 costs may be taxed unless the local ordinance so provides. A court appearance is
14 required for a violation of a local ordinance in conformity with s. 346.63 (1). The
15 official receiving the penalties shall remit all moneys collected to the treasurer of the
16 city, village, town sanitary district or public inland lake protection and rehabilitation
17 district in whose behalf the sum was paid, except that all jail assessments shall be
18 remitted to the county treasurer, within 20 days after its receipt by him or her; and
19 in case of any failure in the payment, the treasurer may collect the payment of the
20 officer by action, in the name of the office, and upon the official bond of the officer,
21 with interest at the rate of 12% per year from the time when it should have been paid.
22 In the case of the penalty assessment imposed by s. ~~165.87~~ 757.05, the crime
23 laboratories and drug law enforcement assessment imposed by s. 165.755, the driver
24 improvement surcharge imposed by s. 346.655 (1), any applicable consumer
25 information assessment imposed by s. 100.261 and any applicable domestic abuse

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1 assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary
2 district or public inland lake protection and rehabilitation district shall remit to the
3 state treasurer the sum required by law to be paid on the actions so entered during
4 the preceding month on or before the first day of the next succeeding month. The
5 governing body of the city, village, town sanitary district or public inland lake
6 protection and rehabilitation district shall by ordinance designate the official to
7 receive the penalties and the terms under which the official shall qualify.

8 *~~1265/7.20~~* **SECTION 1617.** 66.12 (3) (b) of the statutes is amended to read:

9 66.12 (3) (b) All forfeitures and penalties recovered for the violation of any
10 ordinance or bylaw of any city, village, town, town sanitary district or public inland
11 lake protection and rehabilitation district shall be paid into the city, village, town,
12 town sanitary district or public inland lake protection and rehabilitation district
13 treasury for the use of the city, village, town, town sanitary district or public inland
14 lake protection and rehabilitation district, except as otherwise provided in par. (c),
15 sub. (1) (b) and s. ~~165.87~~ 757.05. The judge shall report and pay into the treasury,
16 quarterly, or at more frequent intervals if so required, all moneys collected belonging
17 to the city, village, town, town sanitary district or public inland lake protection and
18 rehabilitation district, which report shall be certified and filed in the office of the
19 treasurer; and the judge shall be entitled to duplicate receipts for such moneys, one
20 of which he or she shall file with the city, village or town clerk or with the town
21 sanitary district or the public inland lake protection and rehabilitation district.

22 *~~1085/4.4~~* **SECTION 1618.** 66.285 (4) (f) of the statutes is created to read:

23 66.285 (4) (f) The failure to pay timely due to an occurrence to which s. 893.83
24 applies.

25 *~~1618/3.4~~* **SECTION 1619.** 66.299 (3) (a) 1. of the statutes is amended to read:

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

4 *~~1618/3.5~~* **SECTION 1620.** 66.299 (4) of the statutes is amended to read:

5 66.299 (4) PURCHASE OF RECYCLABLE MATERIALS. A local governmental unit shall,
6 to the extent practicable, make purchasing selections using specifications prepared
7 by state agencies under s. 16.72 (2) (f).

8 *~~0030/2.108~~* **SECTION 1621.** 66.30 (1) (a) of the statutes is amended to read:

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

19 *~~1006/1.1~~* **SECTION 1622.** 66.43 (3) (a) of the statutes is amended to read:

20 66.43 (3) (a) “Blighted area” means any area, including a slum area, in which
21 a majority of the structures are residential or in which there is a predominance of
22 buildings or improvements, whether residential or nonresidential, and which, by
23 reason of dilapidation, deterioration, age or obsolescence, inadequate provision for
24 ventilation, light, air, sanitation, or open spaces, high density of population and
25 overcrowding, environmental pollution or the existence of conditions which

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1 endanger life or property by fire and other causes, or any combination of such factors,
2 is conducive to ill health, transmission of disease, infant mortality, juvenile
3 delinquency and crime, and is detrimental to the public health, safety, morals or
4 welfare.

5 ***-1006/1.2* SECTION 1623.** 66.43 (3) (be) of the statutes is created to read:

6 66.43 (3) (be) “Environmental pollution” has the meaning given in s. 299.01 (4).

7 ***-1006/1.3* SECTION 1624.** 66.431 (2m) (b) 1. of the statutes is amended to
8 read:

9 66.431 (2m) (b) 1. An area, including a slum area, in which there is a
10 predominance of buildings or improvements, whether residential or nonresidential,
11 which by reason of dilapidation, deterioration, age or obsolescence, inadequate
12 provision for ventilation, light, air, sanitation, or open spaces, high density of
13 population and overcrowding, environmental pollution or the existence of conditions
14 which endanger life or property by fire and other causes, or any combination of such
15 factors is conducive to ill health, transmission of disease, infant mortality, juvenile
16 delinquency, or crime, and is detrimental to the public health, safety, morals or
17 welfare.

18 ***-1006/1.4* SECTION 1625.** 66.431 (2m) (b) 2. of the statutes is amended to
19 read:

20 66.431 (2m) (b) 2. An area which by reason of the presence of a substantial
21 number of substandard, slum, deteriorated or deteriorating structures,
22 predominance of defective or inadequate street layout, faulty lot layout in relation
23 to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions,
24 deterioration of site or other improvements, diversity of ownership, tax or special
25 assessment delinquency exceeding the fair value of the land, defective or unusual

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1 conditions of title, environmental pollution or the existence of conditions which
2 endanger life or property by fire and other causes, or any combination of such factors,
3 substantially impairs or arrests the sound growth of a city, retards the provision of
4 housing accommodations or constitutes an economic or social liability and is a
5 menace to the public health, safety, morals, or welfare in its present condition and
6 use.

7 ***-1006/1.5* SECTION 1626.** 66.431 (2m) (b) 3. of the statutes is amended to
8 read:

9 66.431 (2m) (b) 3. An area which is predominantly open and which because of
10 obsolete platting, diversity of ownership, deterioration of structures or of site
11 improvements, environmental pollution or otherwise, substantially impairs or
12 arrests the sound growth of the community.

13 ***-1006/1.6* SECTION 1627.** 66.431 (2m) (bm) of the statutes is amended to
14 read:

15 66.431 (2m) (bm) “Blighted property” means any property within a city,
16 whether residential or nonresidential, which by reason of dilapidation,
17 deterioration, age or obsolescence, inadequate provisions for ventilation, light, air or
18 sanitation, high density of population and overcrowding, or the existence of
19 conditions which endanger life or property by fire and other causes, or any
20 combination of such factors, is conducive to ill health, transmission of disease, infant
21 mortality, juvenile delinquency or crime, and is detrimental to the public health,
22 safety, morals or welfare, or any property which by reason of faulty lot layout in
23 relation to size, adequacy, accessibility or usefulness, insanitary or unsafe
24 conditions, deterioration of site or other improvements, diversity of ownership, tax
25 or special assessment delinquency exceeding the fair market value of the land,

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1 defective or unusual conditions of title, environmental pollution or the existence of
2 conditions which endanger life or property by fire and other causes, or any
3 combination of such factors, substantially impairs or arrests the sound growth of a
4 city, retards the provisions of housing accommodations or constitutes an economic or
5 social liability and is a menace to the public health, safety, morals or welfare in its
6 present condition and use, or any property which is predominantly open and which
7 because of obsolete platting, diversity of ownership, deterioration of structures or of
8 site improvements, environmental pollution or otherwise, substantially impairs or
9 arrests the sound growth of the community.

10 ***-1006/1.7* SECTION 1628.** 66.431 (2m) (fe) of the statutes is created to read:

11 66.431 (2m) (fe) “Environmental pollution” has the meaning given in s. 299.01

12 (4).

13 ***-1006/1.8* SECTION 1629.** 66.46 (2) (a) 1. a. of the statutes is amended to read:

14 66.46 (2) (a) 1. a. An area, including a slum area, in which the structures,
15 buildings or improvements, which by reason of dilapidation, deterioration, age or
16 obsolescence, inadequate provision for ventilation, light, air, sanitation, or open
17 spaces, high density of population and overcrowding, environmental pollution or the
18 existence of conditions which endanger life or property by fire and other causes, or
19 any combination of these factors is conducive to ill health, transmission of disease,
20 infant mortality, juvenile delinquency, or crime, and is detrimental to the public
21 health, safety, morals or welfare.

22 ***-1006/1.9* SECTION 1630.** 66.46 (2) (a) 1. b. of the statutes is amended to read:

23 66.46 (2) (a) 1. b. An area which is predominantly open and which consists
24 primarily of an abandoned highway corridor, as defined in s. 66.431 (2m) (a), or that
25 consists of land upon which buildings or structures have been demolished and which

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1 because of obsolete platting, diversity of ownership, deterioration of structures or of
2 site improvements, environmental pollution or otherwise, substantially impairs or
3 arrests the sound growth of the community.

4 ***-0424/1.6* SECTION 1631.** 66.46 (13) of the statutes is amended to read:

5 66.46 (13) REPORT ON EFFECTS AND IMPACT OF TAX INCREMENTAL FINANCING. The
6 department of ~~commerce~~ revenue, in cooperation with other state agencies and local
7 governments, shall make a comprehensive report to the ~~governor and the chief clerk~~
8 ~~of each house of the legislature, for distribution to the legislature under s. 13.172 (2)~~
9 and to the governor, at the beginning of each biennium, beginning with the ~~1977~~
10 2001–03 biennium, as to the effects and impact of tax incremental financing projects
11 socially, economically and financially.

12 ***-1007/1.1* SECTION 1632.** 66.462 (1) (c) of the statutes is amended to read:

13 66.462 (1) (c) “Eligible costs” means capital costs, financing costs and
14 administrative and professional service costs for the investigation, removal,
15 containment or monitoring of, or the restoration of soil, air, surface water, sediments
16 or groundwater affected by, environmental pollution, including monitoring costs
17 incurred within 2 years after the date on which the department of natural resources
18 certifies that environmental pollution on the property has been remediated, property
19 acquisition costs, demolition costs including asbestos removal, and removing and
20 disposing of abandoned containers, as defined in s. 292.41 (1), except that for any
21 parcel of land “eligible costs” shall be reduced by any amounts received from persons
22 responsible for the discharge, as defined in s. 292.01 (3), of a hazardous substance
23 on the property to pay for the costs of remediating environmental pollution on the
24 property, by any amounts received, or reasonably expected by the political
25 subdivision to be received, from a local, state or federal program for the remediation

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1 of contamination in the district that do not require reimbursement or repayment and
2 by the amount of net gain from the sale of the property by the political subdivision.

3 ***-1007/1.2* SECTION 1633.** 66.462 (1) (i) of the statutes is amended to read:

4 66.462 (1) (i) “Period of certification” means a period of not more than ~~16~~ 23
5 years beginning after the department certifies the environmental remediation tax
6 incremental base of a parcel of property under sub. (4) or a period before all eligible
7 costs have been paid, whichever occurs first.

8 ***-1007/1.3* SECTION 1634.** 66.462 (2) of the statutes is amended to read:

9 66.462 (2) USE OF ENVIRONMENTAL REMEDIATION TAX INCREMENTS. A political
10 subdivision that develops, and whose governing body approves, a written proposal
11 to remediate environmental pollution ~~on property owned by the political subdivision~~
12 may use an environmental remediation tax increment to pay the eligible costs of
13 remediating environmental pollution on contiguous parcels of property that is are
14 not part of a tax incremental district created under s. 66.46 and that is owned by the
15 political subdivision at the time of the remediation and then transferred to another
16 person after the property is remediated, as provided in this section, except that a
17 political subdivision may use an environmental remediation tax increment to pay
18 the cost of remediating environmental pollution of groundwater without regard to
19 whether the property above the groundwater is owned by the political subdivision.

20 No political subdivision may submit an application to the department under sub. (4)
21 until the joint review board approves the political subdivision’s written proposal
22 under sub. (3).

23 ***-0772/1.1* SECTION 1635.** 66.462 (3) (a) of the statutes is amended to read:

24 66.462 (3) (a) Any political subdivision that seeks to use an environmental
25 remediation tax increment under sub. (2) shall convene a joint review board to review

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1 the proposal. The board shall consist of one representative chosen by the school
2 district that has power to levy taxes on the property that is remediated, one
3 representative chosen by the technical college district that has power to levy taxes
4 on the property, one representative chosen by the county that has power to levy taxes
5 on the property that is remediated, one representative chosen by the political
6 subdivision city, village or town that has power to levy taxes on the property that is
7 remediated and one public member. If more than one city, village or town, more than
8 one school district, more than one technical college district or more than one county
9 has the power to levy taxes on the property that is remediated, the unit in which is
10 located property that has the greatest value shall choose that representative to the
11 board. The public member and the board's chairperson shall be selected by a majority
12 of the other board members at the board's first meeting. All board members shall be
13 appointed and the first board meeting held within 14 days after the political
14 subdivision's governing body approves the written proposal under sub. (2).
15 Additional meetings of the board shall be held upon the call of any member. The
16 political subdivision that seeks to act under sub. (2) shall provide administrative
17 support for the board. By majority vote, the board may disband following approval
18 or rejection of the proposal.

19 ***-1007/1.4*** **SECTION 1636.** 66.462 (4) (a) of the statutes is amended to read:

20 66.462 (4) (a) The political subdivision submits a statement that it has incurred
21 some eligible costs, and includes with the statement a detailed proposed remedial
22 action plan that contains cost estimates for anticipated eligible costs, with respect
23 to the parcel or contiguous parcels of property and the statement details the purpose
24 and amount of the expenditures already made and includes a dated certificate issued
25 by the department of natural resources that certifies that environmental pollution

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1 ~~on the parcel of property has been remediated~~ the department of natural resources
2 has approved the site investigation report that relates to the parcel or contiguous
3 parcels in accordance with rules promulgated by the department of natural
4 resources.

5 *~~1193/2.4~~* **SECTION 1637.** 66.504 (2) of the statutes is amended to read:

6 66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
7 contract with a nonprofit corporation organized for civic purposes and located in the
8 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
9 a facility to be used for municipal and civic activities if a majority of the voters voting
10 in a referendum authorize the municipality to enter into the joint contract. The
11 referendum shall be held at a special election or at a spring primary or election or
12 September primary or general election ~~approve the question of entering into the joint~~
13 ~~contract or, if the municipality is a school district, at the next spring election or~~
14 general election to be held not earlier than 45 days after submittal of the issue or at
15 a special election held on the Tuesday after the first Monday in November in an
16 odd-numbered year if that date occurs not earlier than 45 days after submittal of the
17 issue.

18 *~~0570/1.1~~* **SECTION 1638.** 66.521 (10) (g) of the statutes is repealed.

19 *~~0935/3.12~~* **SECTION 1639.** 66.88 (11) of the statutes is amended to read:

20 66.88 (11) "Sewerage system" means all facilities of the district for collection,
21 transportation, storage, pumping, treatment and final disposition of sewage.
22 "Sewerage system" does not include any private small sewage system, as defined in
23 s. 145.01 ~~(12)~~ (14m), or any local sewer.

24 *~~0935/3.13~~* **SECTION 1640.** 66.888 (1) (c) 3. a. of the statutes is amended to
25 read:

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1 66.888 (1) (c) 3. a. The weight to be given to the need for ~~private~~ small sewage
2 systems, as defined in s. 145.01 ~~(12)~~ (14m), to maintain the public health and welfare
3 in any area located within the district prior to a redefinition of the boundary but
4 located outside the district after any redefinition of the boundary.

5 ***-0866/1.1*** **SECTION 1641.** 66.945 (2) (d) of the statutes is created to read:

6 66.945 (2) (d) No regional planning commission that consists of only one county
7 may be created under this subsection after December 31, 2001.

8 ***-0866/1.2*** **SECTION 1642.** 66.945 (3) (b) (intro.) of the statutes is amended to
9 read:

10 66.945 (3) (b) (intro.) ~~For~~ Except as provided in par. (bm), for any region which
11 does not include a city of the first class, the membership composition of a regional
12 planning commission shall be in accordance with resolutions approved by the
13 governing bodies of a majority of the local units in the region, and these units shall
14 have in the aggregate at least half the population of the region. For the purposes of
15 this determination a county, part or all of which is within the region, shall be counted
16 as a local unit, but the population of an approving county shall not be counted. In
17 the absence of the necessary approval by the local units, the membership
18 composition of a commission shall be determined as follows:

19 ***-0866/1.3*** **SECTION 1643.** 66.945 (3) (bm) of the statutes is created to read:

20 66.945 (3) (bm) The membership composition of a regional planning
21 commission that includes a county that contains a 2nd class city and that is created
22 after December 31, 2001, shall be as provided in par. (a).

23 ***-1256/1.6*** **SECTION 1644.** 66.945 (8) (a) of the statutes is amended to read:

24 66.945 (8) (a) The regional planning commission may conduct all types of
25 research studies, collect and analyze data, prepare maps, charts and tables, and

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1 conduct all necessary studies for the accomplishment of its other duties; it may,
2 consistent with the elements specified in s. 66.0295, make plans for the physical,
3 social and economic development of the region, and may, consistent with the
4 elements specified in s. 66.0295, adopt by resolution any plan or the portion of any
5 plan so prepared as its official recommendation for the development of the region; it
6 may publicize and advertise its purposes, objectives and findings, and may distribute
7 reports thereon; it may provide advisory services on regional planning problems to
8 the local government units within the region and to other public and private agencies
9 in matters relative to its functions and objectives, and may act as a coordinating
10 agency for programs and activities of such local units and agencies as they relate to
11 its objectives. All public officials shall, upon request, furnish to the regional planning
12 commission, within a reasonable time, such available information as it requires for
13 its work. In general, the regional planning commission shall have all powers
14 necessary to enable it to perform its functions and promote regional planning. The
15 functions of the regional planning commission shall be solely advisory to the local
16 governments and local government officials comprising the region.

17 ***-1256/1.7* SECTION 1645.** 66.945 (9) of the statutes is amended to read:

18 66.945 (9) PREPARATION OF MASTER PLAN FOR REGION. The regional planning
19 commission shall have the function and duty of making and adopting a master plan
20 for the physical development of the region. The master plan, with the accompanying
21 maps, plats, charts, programs and descriptive and explanatory matter, shall show
22 the commission's recommendations for such physical development and ~~may include,~~
23 ~~among other things without limitation because of enumeration, the general location,~~
24 ~~character and extent of main traffic arteries, bridges and viaducts; public places and~~
25 ~~areas; parks; parkways; recreational areas; sites for public buildings and structures;~~

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1 ~~airports; waterways; routes for public transit; and the general location and extent~~
2 ~~of main and interceptor sewers, water conduits and other public utilities whether~~
3 ~~privately or publicly owned; areas for industrial, commercial, residential,~~
4 ~~agricultural or recreational development~~ shall contain at least the elements
5 described in s. 66.0295. The regional planning commission may amend, extend or
6 add to the master plan or carry any part or subject matter into greater detail.

7 ***-1256/1.8* SECTION 1646.** 66.945 (10) of the statutes is amended to read:

8 66.945 (10) ADOPTION OF MASTER PLAN FOR REGION. The master plan shall be
9 made with the general purpose of guiding and accomplishing a coordinated, adjusted
10 and harmonious development of the region which will, in accordance with existing
11 and future needs, best promote public health, safety, morals, order, convenience,
12 prosperity or the general welfare, as well as efficiency and economy in the process
13 of development. The regional planning commission may adopt the master plan as
14 a whole by a single resolution, or, as the work of making the whole master plan
15 progresses, may by resolution adopt a part or parts thereof, any such part to
16 correspond ~~generally~~ with one or more of the ~~functional subdivisions of the subject~~
17 ~~matter of the plan~~ elements specified in s. 66.0295. The resolution shall refer
18 expressly to the maps, plats, charts, programs and descriptive and explanatory
19 matter, and other matters intended by the regional planning commission to form the
20 whole or any part of the plan, and the action taken shall be recorded on the adopted
21 plan or part thereof by the identifying signature of the chairperson of the regional
22 planning commission and a copy of the plan or part thereof shall be certified to the
23 legislative bodies of the local governmental units within the region. The purpose and
24 effect of adoption of the master plan shall be solely to aid the regional planning

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1 commission and the local governments and local government officials comprising the
2 region in the performance of their functions and duties.

3 ***-0282/3.1* SECTION 1647.** 67.04 (5) (b) 2. of the statutes is repealed.

4 ***-1193/2.5* SECTION 1648.** 67.05 (6a) (a) 2. a. of the statutes is amended to
5 read:

6 67.05 (6a) (a) 2. a. Direct the school district clerk to call a ~~special election~~
7 referendum for the purpose of submitting the resolution to the electors for approval
8 or rejection, ~~or direct that the resolution be submitted at the next regularly~~
9 ~~scheduled primary or spring election or general election~~ to be held not earlier than
10 45 days after the adoption of the resolution or at a special election held on the
11 Tuesday after the first Monday in November in an odd-numbered year if that date
12 occurs not earlier than 45 days after the adoption of the resolution. The resolution
13 shall not be effective unless adopted by a majority of the school district electors voting
14 at the referendum.

15 ***-0282/3.2* SECTION 1649.** 67.12 (12) (a) of the statutes is amended to read:

16 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
17 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
18 limited to paying any general and current municipal expense, and refunding any
19 municipal obligations, including interest on them. Each note, plus interest if any,
20 shall be repaid within 10 years after the original date of the note, except that notes
21 issued under this section for purposes of ss. 145.245 (12m), 281.58 and, 281.59,
22 281.60 and 281.61, or to raise funds to pay a portion of the capital costs of a
23 metropolitan sewerage district, shall be repaid within 20 years after the original date
24 of the note.

25 ***-0030/2.109* SECTION 1650.** 69.30 (1) (am) of the statutes is created to read:

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1 69.30 (1) (am) “Family care district” has the meaning given in s. 46.2805 (5).

2 *~~0030/2.110~~* **SECTION 1651.** 69.30 (2) of the statutes is amended to read:

3 69.30 (2) A financial institution, state agency, county department, Wisconsin
4 works agency ~~or~~, service office or family care district or an employe of a financial
5 institution, state agency, county department, Wisconsin works agency ~~or~~, service
6 office or family care district is not subject to s. 69.24 (1) (a) for copying a certified copy
7 of a vital record for use by the financial institution, state agency, county department,
8 Wisconsin works agency ~~or~~, service office or family care district, including use under
9 s. 45.36 (4m), if the copy is marked “FOR ADMINISTRATIVE USE”.

10 *~~0030/2.111~~* **SECTION 1652.** 70.11 (2) of the statutes is amended to read:

11 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.
12 Property owned by any county, city, village, town, school district, technical college
13 district, public inland lake protection and rehabilitation district, metropolitan
14 sewerage district, municipal water district created under s. 198.22, joint local water
15 authority created under s. 66.0735, family care district under s. 46.2895 or town
16 sanitary district; lands belonging to cities of any other state used for public parks;
17 land tax–dedeed to any county or city before January 2; but any residence located
18 upon property owned by the county for park purposes which is rented out by the
19 county for a nonpark purpose shall not be exempt from taxation. Except as to land
20 acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after
21 August 17, 1961, to any such governmental unit or for its benefit while the grantor
22 or others for his or her benefit are permitted to occupy the land or part thereof in
23 consideration for the conveyance. Leasing the property exempt under this
24 subsection, regardless of the lessee and the use of the leasehold income, does not
25 render that property taxable.

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1 ***-1220/2.1*** SECTION 1653. 70.11 (35) of the statutes is amended to read:

2 70.11 (35) CULTURAL AND ARCHITECTURAL LANDMARKS. Property described in s.
3 234.935 (1), 1997 stats.

4 ***-0756/3.1*** SECTION 1654. 70.11 (40) of the statutes is created to read:

5 70.11 (40) COMPUTERIZED EQUIPMENT. Fax machines, copiers, cash registers and
6 automatic teller machines.

7 ***-0192/1.6*** SECTION 1655. 70.114 (1) (c) of the statutes is amended to read:

8 70.114 (1) (c) "Land" means state forests, as defined in s. 28.02 (1), that are
9 acquired after December 31, 1991, state parks that are acquired after
10 December 31, 1991, under s. 27.01 and other areas that are acquired after
11 December 31, 1991, under s. 23.09 (2) (d), 23.091, 23.0912, 23.27, 23.29, 23.293,
12 23.31 or 29.749 (1).

13 ***-0770/3.1*** SECTION 1656. 70.36 (1m) of the statutes is amended to read:

14 70.36 (1m) Any person, firm or corporation that fails to include information on
15 property that is exempt under s. 70.11 (39) on the report under s. 70.35 shall forfeit
16 \$10 for every \$100 \$1,000 or major fraction thereof that is not reported.

17 ***-2023/1.2*** SECTION 1657. 70.64 (1) (title) of the statutes is amended to read:

18 70.64 (1) (title) BY ~~TAX APPEALS COMMISSION~~ THE DEPARTMENT

19 ***-2023/1.3*** SECTION 1658. 70.64 (1) of the statutes is renumbered 70.64 (1) (b)

20 and amended to read:

21 70.64 (1) (b) The assessment and determination of the relative value of taxable
22 general property in any county or taxation district, made by the department of
23 revenue under s. 70.57, may be reviewed, and a redetermination of the value of such
24 property may be made by the ~~tax appeals commission~~ department, upon appeal by
25 the county or taxation district. The filing of such an appeal in the manner provided

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1 in this section by any county or taxation district shall impose upon the ~~commission~~
2 ~~department~~ the duty, under the powers conferred upon it by s. ~~73.01 (4) (a)~~ 73.03, to
3 review the assessment complained of. If, in its judgment based upon the testimony,
4 evidence and record made on the ~~preliminary hearing of such~~ appeal, the ~~commission~~
5 ~~department~~ finds ~~such~~ an assessment to be unequal and discriminatory, it shall
6 determine to correct ~~such~~ the assessment to bring it into substantial compliance with
7 law. ~~Except as provided in this section, the appeal shall be taken and such review~~
8 ~~and redetermination shall be made as provided in ss. 73.01 and 73.015 and under the~~
9 ~~rules governing the procedure of the commission.~~

10 *~~-2023/1.4~~* **SECTION 1659.** 70.64 (1) (a) of the statutes is created to read:

11 70.64 (1) (a) In this section, “department” means the department of revenue.

12 *~~-2023/1.5~~* **SECTION 1660.** 70.64 (2) of the statutes is amended to read:

13 70.64 (2) **AUTHORIZATION OF APPEALS.** To authorize ~~such~~ an appeal ~~to the~~
14 ~~department~~, an order or resolution directing the same to be taken shall be adopted
15 by the governing body of the county or taxation district taking the appeal at a lawful
16 meeting of the governing body. ~~When~~ After an appeal ~~shall have been~~ is authorized
17 ~~the prosecution of it shall be in charge of~~ by the governing body of a county or taxation
18 district, the chairperson of the county board or the county administrator, or of the
19 chairperson, mayor or president of the taxation district taking the appeal shall
20 prosecute the appeal unless otherwise directed by the governing body of the county
21 or taxation district taking the appeal. The officers or committee in charge of the
22 appeal may employ attorneys to conduct the appeal. After authorizing an appeal as
23 provided in this subsection, any 2 or more taxation districts in the same county or
24 any 2 or more school districts located in whole or in part in the same county may join
25 in taking and prosecuting an appeal.

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1 ***-2023/1.6*** SECTION 1661. 70.64 (3) (intro.) of the statutes is amended to read:

2 70.64 (3) FORM OF APPEAL. (intro.) To accomplish an appeal there shall be filed
3 with the ~~tax appeals commission~~ department on or before October 15 an appeal in
4 writing setting forth:

5 ***-2023/1.7*** SECTION 1662. 70.64 (3) (a) of the statutes is amended to read:

6 70.64 (3) (a) That the county or taxation district, naming the same, appeals to
7 the ~~tax appeals commission~~ department from the assessment made by the
8 department of revenue under s. 70.57, specifying the date of such assessment.

9 ***-2023/1.8*** SECTION 1663. 70.64 (4) of the statutes is amended to read:

10 70.64 (4) CERTIFIED COPIES. Upon the filing of such an appeal, the clerk of the
11 county or taxation district, without delay, shall prepare certified copies of it the
12 appeal, together with certified copies of the value established by the department of
13 revenue from which the appeal is taken and a complete list showing the clerk of each
14 taxation district within the county and the post-office address of each. The clerk
15 shall mail by certified mail 4 sets of certified copies ~~to the tax appeals commission~~
16 ~~and one set of the copies to the department of revenue, and one set each to the county~~
17 clerk and the clerk of each taxation district within the county.

18 ***-2023/1.9*** SECTION 1664. 70.64 (5) of the statutes is amended to read:

19 70.64 (5) APPEARANCE. ~~Not later than~~ Within 30 days after the clerk of the
20 county or taxation district has mailed the certified copies under sub. (4), unless the
21 time is extended by order of the ~~tax appeals commission~~ department, any county,
22 ~~town, city or village may cause an appearance to be entered in its behalf before the~~
23 ~~commission in support of~~ or municipality may file a verified petition with the
24 department under sub. (3) and have the department enter an appearance on its
25 behalf supporting the appeal and uniting with the appellant for the relief demanded;

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1 ~~and by verified petition or statement showing grounds therefor. Any county or~~
2 ~~municipality~~ may apply for other or further review and redetermination than that
3 demanded in the appeal by filing a verified petition with the department under sub.
4 (3) that specifies the grounds for other or further review and redetermination.
5 ~~Within the same time the 30 days from the date on which the clerk of a county or~~
6 ~~taxation district mailed certified copies under sub. (4), a county, town, city or village~~
7 ~~in the county may in the same manner have its appearance entered in opposition to~~
8 ~~or municipality may file a verified petition with the department under sub. (3) and~~
9 ~~have the department enter an appearance in its behalf opposing the appeal and to~~
10 ~~the relief demanded. Such Petitions and appearances under this subsection shall be~~
11 ~~authorized in the manner for authorizing an appeal as provided under sub. (2). When~~
12 ~~so authorized the interests of the county, town, city or village authorizing it shall be~~
13 ~~in the charge of~~ After a petition or appearance is authorized under sub. (2), the
14 chairperson, administrator, mayor or president thereof of the county or municipality
15 that made the authorization under sub. (2) shall protect the county's or
16 municipality's interests in the appeal and may employ an attorney to protect the
17 county's or municipality's interests unless otherwise directed by the governing body
18 authorizing such a petition or appearance; and attorneys may be employed in that
19 behalf. In such appearances any under sub. (2). Any 2 or more of the towns, cities
20 and villages municipalities of the a county may join in a petition or appearance if
21 united in support of or in opposition to the supporting or opposing an appeal. Four
22 copies of each appearance, or petition or statement mentioned in under this
23 subsection shall be filed in the offices of the tax appeals commission and a copy of
24 each mailed by certified mail to with the department of revenue, and a copy of each
25 appearance or petition shall be sent by certified mail to the county clerk, and to the

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1 clerk of each ~~town, city and village~~ municipality within the county, and a copy to the
2 attorney authorized to appear on behalf of the county or ~~any town, city or village on~~
3 behalf of any municipality within the county.

4 ***-2023/1.10* SECTION 1665.** 70.64 (6) of the statutes is amended to read:

5 70.64 (6) HEARING. As soon as practicable, the ~~commission~~ department shall
6 set a time and place for ~~preliminary the~~ hearing of such an appeal. At least 10 days
7 before the time set for ~~such a~~ hearing, the ~~commission~~ department shall ~~cause send~~
8 notice thereof to be mailed of the hearing by certified mail to the county clerk and to
9 the attorney or the clerk of each ~~town, city and village~~ municipality in whose behalf
10 an appearance has been entered in the ~~matter of such~~ appeal, and to the clerk of each
11 interested town, city or village ~~which that~~ has not appeared, and ~~mail a like notice~~
12 to the clerk of the taxation district taking such the appeal and to the department of
13 revenue. The department of revenue shall be prepared to present to the commission
14 at such time during the course of the hearings as the commission requires, the full
15 value of all property subject to general property taxation in each town, village and
16 city of the county, as determined by the department according to s. 70.57 (1) or in the
17 case of a complaint by a taxation district under a county assessor such information
18 as the department has in its possession. Said. The department may adjourn and
19 reschedule the hearing may be adjourned, in the discretion of the tax appeals
20 commission of an appeal, as often and to such times and places as may be necessary
21 ~~in order~~ to determine the facts. If satisfied that no substantial injustice has been
22 done in the appealed taxation district assessment ~~appealed from~~, the ~~commission~~
23 department in its discretion may dismiss ~~such the~~ appeal. If satisfied that
24 substantial injustice has been done in the appealed taxation district assessment, the
25 ~~commission~~ department shall ~~determine to~~ revalue any or all of the taxation districts

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1 in the county, ~~which it deems as necessary, in a manner which in its judgment is best~~
2 calculated to secure substantial justice.

3 *~~2023/1.11~~* SECTION 1666. 70.64 (7) of the statutes is amended to read:

4 70.64 (7) REDETERMINATION. ~~The commission~~ After a hearing under sub. (6), the
5 department shall then proceed to redetermine the value of the taxable general
6 property in ~~such any~~ any of the taxation districts in the county as ~~it deems necessary. It~~
7 ~~may include in such redetermination other taxation districts than first determined~~
8 ~~upon and may include all of the taxation districts in said county, if at any time during~~
9 ~~the progress of its investigations or revaluations it is satisfied that such course is~~
10 ~~necessary in order~~ to accomplish substantial justice and to secure the relative
11 equality ~~as between~~ of the value of the taxable general property in all of the taxation
12 districts in ~~such the~~ the county. ~~It~~ The department shall ~~make careful investigation of~~
13 ~~redetermine~~ the value of the taxable general property in ~~the several a~~ a taxation
14 districts to ~~which such review and redetermination shall extend, in any manner~~
15 ~~which in its judgment is best calculated~~ district to obtain the fair, full value of ~~such~~
16 the property. ~~The commission~~ department may employ ~~such and fix the~~
17 compensation of experts and other assistants ~~as may be that are necessary, and fix~~
18 their compensation for a redetermination of the value of taxable general property
19 under this subsection. ~~In making such investigations redetermining the value of~~
20 taxable general property under this subsection, ~~the commission~~ department and all
21 persons employed ~~therein~~ by the ~~commission~~ department shall have all the authority
22 ~~possessed by of~~ of assessors ~~so far as applicable,~~ including the authority to administer
23 oaths and to examine property owners and witnesses under oath as to the quantity
24 and value of the property subject to ~~assessment belonging to any person or within~~

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1 ~~any taxation district to which the investigation shall extend~~ redetermination under
2 this subsection.

3 ***-2023/1.12* SECTION 1667.** 70.64 (8) of the statutes is repealed.

4 ***-2023/1.13* SECTION 1668.** 70.64 (9) of the statutes is amended to read:

5 70.64 (9) TESTIMONY. The ~~tax appeals commission~~ department may take
6 testimony under subs. (6) and (7). Witnesses summoned ~~at the instance of said~~
7 ~~commission by the department~~ shall be compensated at the rates provided by law for
8 witnesses in courts of record, the same to be audited and paid the same as other
9 claims against the state, upon the certificate of ~~said commission.~~ ~~If any property~~
10 ~~owner or other~~ the department. ~~Any person makes any false statement who testifies~~
11 ~~falsely to said commission~~ the department or to any person employed by it ~~upon the~~
12 department about any matter under investigation ~~that person~~ under this section
13 shall be subject to all the forfeitures and penalties imposed ~~by law for false~~
14 ~~statements to assessors and boards of review~~ under s. 70.36.

15 ***-2023/1.14* SECTION 1669.** 70.64 (10) of the statutes is amended to read:

16 70.64 (10) DETERMINATION. The ~~tax appeals commission~~ department shall
17 make ~~its a~~ a determination upon ~~such an~~ an appeal without unreasonable delay and shall
18 file a copy ~~thereof~~ of its determination in the office of the county clerk and mail by
19 certified mail a like copy ~~to the department of revenue and of its determination~~ to the
20 clerk and attorney of the taxation district appealing, and a copy to the clerk and
21 attorney of each taxation district ~~having that~~ that appeared at the hearing of the appeal.
22 In ~~such its~~ its determination the ~~commission~~ department shall set forth the relative
23 value of the taxable general property in each ~~town, city and village~~ municipality of
24 ~~such the~~ the county as found by them, and what the sum, if any, that shall be added to
25 or deducted from the aggregate value of taxable property in each ~~such~~ taxation

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SECTION 1669

1 district as fixed in the determination of the department of revenue from which such
2 appeal was taken in order to produce a relatively just and equitable taxation district
3 assessment. ~~Such determination shall be final~~ A determination by the department
4 under this section may be appealed to the tax appeals commission under s. 73.01 (5).

5 ***-2023/1.15* SECTION 1670.** 70.64 (11) of the statutes is amended to read:

6 70.64 (11) COMPUTATION. The ~~department's~~ determination of the ~~commission~~
7 ~~under sub. (10)~~ shall not affect the validity of taxes apportioned ~~in accordance with~~
8 ~~according to the appealed~~ taxation district assessment ~~from which such appeal was~~
9 ~~taken; but if it is determined.~~ If the department determines upon such appeal that
10 ~~such a~~ taxation district assessment is relatively unequal, ~~such inequality shall be~~
11 ~~remedied and compensated~~ the department shall remedy the inequality in the
12 apportionment of state and county taxes in ~~such the county of the taxation district~~
13 ~~in the next apportionment~~ following the ~~department's~~ determination of ~~said~~
14 ~~commission in the following manner:~~ under sub. (10). Each town, city and village
15 ~~whose municipality where the department determined that a~~ valuation in ~~such a~~
16 taxation district assessment was ~~determined by said commission to be~~ relatively too
17 high shall be credited a sum equal to the amount of taxes charged to it ~~upon such~~
18 ~~based on the~~ unequal assessment in excess of the amount ~~equitably chargeable~~
19 ~~thereto of taxes charged to it~~ according to the ~~department's~~ determination of the
20 ~~commission; and each town, city and village whose~~ under sub. (10). Each
21 municipality where the department determined that a valuation in ~~such a~~ taxation
22 district assessment was ~~determined by said commission to be~~ relatively too low shall
23 be charged, in addition to all other taxes, a sum equal to the difference between the
24 amount ~~of taxes~~ charged ~~thereto upon such~~ to it based on the unequal assessment
25 and the amount ~~which should have been~~ of taxes charged ~~thereto to it~~ according to

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1 the ~~department's~~ determination of ~~the commission~~ under sub. (10). The department
2 of ~~revenue~~ shall aid the county clerk in making the proper computations.

3 *~~2023/1.16~~* SECTION 1671. 70.64 (12) of the statutes is amended to read:

4 70.64 (12) EXPENSES: The ~~tax appeals commission~~ department shall transmit
5 to the county clerk of the county where an appeal under this section originated, with
6 its determination ~~on such appeal~~ under sub. (10), a statement of all expenses
7 incurred therein by ~~or at the instance of the commission, which the department to~~
8 hear and investigate an appeal under this section. The statement shall include the
9 actual expenses of the ~~commission~~ department and of the regular employes of the
10 ~~commission~~ department, the compensation and actual expenses of all other persons
11 employed by ~~it~~ the department under sub. (7) and the fees of officers employed and
12 witnesses summoned ~~at its instance. A by the department. The department shall~~
13 file a duplicate of such the statement shall be filed in the office of submitted under
14 this subsection with the department of administration. ~~Such~~ The expenses
15 contained in a statement under this subsection shall be audited upon the certificate
16 of the ~~commission~~ department of revenue, and paid out of the state treasury, in the
17 first instance, as other claims against the state are audited and paid. The amount
18 of ~~such~~ the expenses shall be a special charge against ~~such~~ the county where an
19 appeal under this section originated and shall be included in the next apportionment
20 and certification of state taxes and charges, and collected from ~~such~~ the county, as
21 other special charges are certified and collected. Unless otherwise directed by the
22 ~~commission~~ department of revenue in its determination upon ~~such~~ appeal, the
23 county clerk, in the next apportionment of state and county taxes, shall apportion the
24 amount of ~~such~~ special charges to ~~and among the towns, cities and villages in such~~
25 the municipalities in the county whose where relative valuations were increased in

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1 the department of revenue's determination of the commission under sub. (10) in
2 proportion to the amount of ~~such~~ the increase in each of them respectively. The
3 apportionment of ~~such~~ expenses included in the statement under this subsection
4 shall be set forth in the department of revenue's determination of the commission
5 under sub. (10). The amount ~~se~~ of expenses apportioned to each ~~such town, city and~~
6 village municipality shall be charged upon its tax roll and shall be collected and paid
7 over to the county treasurer as other state taxes and special charges are collected and
8 paid.

9 ***-2023/1.17* SECTION 1672.** 70.75 (6) of the statutes is created to read:

10 70.75 (6) REVIEW. Review of the reassessments of the department under this
11 section shall be by appeal to the tax appeals commission under s. 73.01 (5).

12 ***-2023/1.18* SECTION 1673.** 70.85 (4) (c) of the statutes is amended to read:

13 70.85 (4) (c) Appeal of the determination of the department of revenue shall be
14 by an ~~action for certiorari in the circuit court of the county in which the property is~~
15 located appeal to the tax appeals commission under s. 73.01 (5).

16 ***-1917/1.1* SECTION 1674.** 71.01 (16) of the statutes is amended to read:

17 71.01 (16) "Wisconsin taxable income" of natural persons means Wisconsin
18 adjusted gross income less the Wisconsin standard deduction, less the personal
19 exemption described under s. 71.05 (23), with losses, depreciation, recapture of
20 benefits, offsets, depletion, deductions, penalties, expenses and other negative
21 income items determined according to the manner that income is or would be
22 allocated, except that the negative income items on individual or separate returns
23 for net rents and other net returns which are marital property attributable to the
24 investment, rental, licensing or other use of nonmarital property shall be allocated
25 to the owner of the property.

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1 ***-1837/5.1*** SECTION 1675. 71.04 (4) of the statutes is amended to read:

2 71.04 (4) NONRESIDENT ALLOCATION AND APPORTIONMENT FORMULA. Nonresident
3 individuals and nonresident estates and trusts engaged in business within and
4 without the state shall be taxed only on such income as is derived from business
5 transacted and property located within the state. The amount of such income
6 attributable to Wisconsin may be determined by an allocation and separate
7 accounting thereof, when the business of such nonresident individual or nonresident
8 estate or trust within the state is not an integral part of a unitary business, but the
9 department of revenue may permit an allocation and separate accounting in any case
10 in which it is satisfied that the use of such method will properly reflect the income
11 taxable by this state. In all cases in which allocation and separate accounting is not
12 permissible, the determination shall be made in the following manner: for all
13 businesses except financial organizations, public utilities, railroads, sleeping car
14 companies and car line companies there shall first be deducted from the total net
15 income of the taxpayer the part thereof (less related expenses, if any) that follows the
16 situs of the property or the residence of the recipient. The For taxable years
17 beginning before January 1, 2000, the remaining net income shall be apportioned to
18 Wisconsin this state by use of an apportionment fraction composed of a sales factor
19 representing 50% of the fraction, a property factor representing 25% of the fraction
20 and a payroll factor representing 25% of the fraction. For taxable years beginning
21 on or after January 1, 2000, the remaining net income shall be apportioned to this
22 state by use of an apportionment fraction composed of the sales factor under sub. (7).

23 ***-1837/5.2*** SECTION 1676. 71.04 (5) (intro.) of the statutes is amended to read:

24 71.04 (5) PROPERTY FACTOR. (intro.) For purposes of sub. (4) and for taxable
25 years beginning before January 1, 2000: