

1 4. and another category under par. (e), the percent applied under this paragraph
2 shall be determined by multiplying the percent that each type of creditable service
3 is of the participant's total creditable service by ~~85% and 65%~~ 90% or 70%,
4 respectively, and adding the results, except that the resulting benefit may not be less
5 than the amount of the normal form annuity that could be paid based solely on the
6 creditable service under par. (e) 4.”.

7 *b2725/5.10* **151.** Page 33, line 2: after that line insert:

8 *b2725/5.10* “SECTION 100p. Subchapter IV of chapter 44 [precedes 44.70] of
9 the statutes, as affected by 2001 Wisconsin Acts 16 and (Senate Bill 176), is
10 repealed.”.

11 *b2816/1.1* **152.** Page 33, line 2: after that line insert:

12 *b2816/1.1* “SECTION 100ng. 45.358 (3) (g) of the statutes is amended to read:
13 45.358 (3) (g) A veteran who was discharged or released from active duty in the
14 U.S. armed forces under honorable conditions and who was a resident of the state for
15 at least ~~5~~ 12 consecutive years months after ~~completing~~ entering or reentering
16 service on active duty.

17 *b2816/1.1* SECTION 100nm. 45.43 (1) (title) of the statutes is amended to
18 read:

19 45.43 (1) (title) ELECTION OR APPOINTMENT

20 *b2816/1.1* SECTION 100nq. 45.43 (1) (a) of the statutes is amended to read:

21 45.43 (1) (a) Except as provided under par. (b), the county board shall elect a
22 county veterans' service officer who shall be a Wisconsin resident who served on
23 active duty, other than active duty for training, under honorable conditions in the
24 U.S. armed forces or in forces incorporated as part of the U.S. armed forces ~~for~~

1 ~~consecutive years, except service on active duty for training purposes. An individual~~
2 ~~who is discharged for reasons of hardship or a service-connected disability or~~
3 ~~released due to a reduction in the U.S. armed forces or for the good of the service prior~~
4 ~~to the completion of the required period of service is eligible for election to the office,~~
5 ~~regardless of the actual time served and who meets at least one of the conditions~~
6 listed in s. 45.35 (5) (a) 1. a. to d. and at least one of the conditions listed in s. 45.35
7 (5) (a) 2. a. to c.

8 ***b2816/1.1* SECTION 100ns.** 45.43 (1) (am) of the statutes is created to read:
9 45.43 (1) (am) Except as provided under par. (b), the county board may appoint
10 assistant county veterans' service officers who shall be Wisconsin residents who
11 served on active duty, other than active duty for training, under honorable conditions
12 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and
13 who meet at least one of the conditions listed in s. 45.35 (5) (a) 1. a. to d. and at least
14 one of the conditions listed in s. 45.35 (5) (a) 2. a. to c.

15 ***b2816/1.1* SECTION 100nv.** 45.43 (7m) (a) of the statutes, as created by 2001
16 Wisconsin Act 16, is amended to read:

17 45.43 (7m) (a) Annually, from the appropriation under s. 20.485 (2) (s), the
18 department shall award grants to counties that are not served by transportation
19 services provided by the Wisconsin department of Disabled American Veterans to
20 develop, maintain, and expand transportation services for disabled veterans. The
21 grants may be used to support ~~multi-county~~ multicounty cooperative transportation
22 services.”.

23 ***b2837/1.2* 153.** Page 33, line 2: after that line insert:

24 ***b2837/1.2* “SECTION 100nc.** 46.10 (8) (d) of the statutes is amended to read:

1 46.10 (8) (d) After due regard to the case and to a spouse and minor children
2 who are lawfully dependent on the property for support, compromise or waive any
3 portion of any claim of the state or county for which a person specified under sub. (2)
4 is liable, but not any claim payable by an insurer under s. 632.89 (2) or ~~(2m)~~ (4m) or
5 by any other 3rd party.

6 ***b2837/1.2* SECTION 100nj.** 46.10 (14) (a) of the statutes is amended to read:

7 46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person
8 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons
9 under 18 years of age at community mental health centers, a county mental health
10 complex under s. 51.08, the centers for the developmentally disabled, Mendota
11 mental health institute, and Winnebago mental health institute or care and
12 maintenance of persons under 18 years of age in residential, nonmedical facilities
13 such as group homes, foster homes, treatment foster homes, child caring institutions,
14 and juvenile correctional institutions is determined in accordance with the
15 cost-based fee established under s. 46.03 (18). The department shall bill the liable
16 person up to any amount of liability not paid by an insurer under s. 632.89 (2) or ~~(2m)~~
17 (4m) or by other 3rd party benefits, subject to rules which include formulas governing
18 ability to pay promulgated by the department under s. 46.03 (18). Any liability of the
19 patient not payable by any other person terminates when the patient reaches age 18,
20 unless the liable person has prevented payment by any act or omission.”.

21 ***b2841/4.1* 154.** Page 37, line 25: after that line insert:

22 ***b2841/4.1* “SECTION 119g.** 49.152 (title) of the statutes is renumbered 49.16
23 (title).

1 ***b2841/4.1* SECTION 119gd.** 49.152 (1) of the statutes is renumbered 49.16 (1)
2 and amended to read:

3 49.16 (1) PETITION FOR REVIEW. Any individual whose application for any
4 component of Wisconsin works is not acted upon by the Wisconsin works agency with
5 reasonable promptness after the filing of the application, as defined by the
6 department by rule, or is denied in whole or in part, whose benefit is modified or
7 canceled, or who believes that the benefit was calculated incorrectly or that the
8 employment position in which the individual was placed is inappropriate, may
9 petition the ~~Wisconsin works agency~~ department for a review of such action. Review
10 is unavailable if the action by the Wisconsin works agency occurred more than 45
11 days prior to submission of the petition for review.

12 ***b2841/4.1* SECTION 119gg.** 49.152 (2) of the statutes is repealed.

13 ***b2841/4.1* SECTION 119gj.** 49.152 (3) (title) and (b) of the statutes are
14 consolidated, renumbered 49.16 (3) and amended to read:

15 49.16 (3) REMEDIES. ~~(b)~~ If, following review under sub. (2), the ~~Wisconsin works~~
16 ~~agency or the department~~ determines that an individual's application was not acted
17 upon with reasonable promptness or was improperly denied in whole or in part, that
18 a participant's benefit was improperly modified or canceled, or was calculated
19 incorrectly, or that a participant was placed in an inappropriate Wisconsin works
20 employment position, the Wisconsin works agency shall restore the benefit to the
21 ~~level determined to be appropriate by the Wisconsin works agency or by the~~
22 ~~department~~ grant the appropriate benefit, retroactive to the date on which the
23 individual's application was first not acted upon with reasonable promptness or
24 improperly denied in whole or in part, the individual's benefit was first improperly

1 modified or canceled or incorrectly calculated, or the individual was first placed in
2 an inappropriate Wisconsin works position.

3 *b2841/4.1* SECTION 119gm. 49.152 (3) (a) of the statutes is repealed.

4 *b2841/4.1* SECTION 119j. 49.16 (2) and (4) of the statutes are created to read:

5 49.16 (2) REVIEW. The department shall give an applicant or participant who
6 files a timely petition under sub. (1) an opportunity for a fair hearing. Upon receipt
7 of a timely petition under sub. (1), the department shall provide reasonable notice
8 of the hearing to the applicant or participant, the Wisconsin works agency, and, if
9 appropriate, the county clerk. The department may make any additional
10 investigation that it considers necessary. The Wisconsin works agency and, if
11 appropriate, the county may be represented at the hearing. The department shall
12 render its decision as soon as possible after the hearing and shall send a certified copy
13 of its decision to the applicant or participant, the Wisconsin works agency, and, if
14 appropriate, the county clerk. The decision of the department shall be final, but may
15 be revoked or modified as altered conditions may require. The department shall deny
16 a petition for a hearing or shall refuse to grant relief if any of the following applies:

17 (a) The applicant or participant withdraws the petition in writing.

18 (b) The sole issue in the petition concerns an automatic grant adjustment or
19 change for a class of participants as required by state or federal law, unless the issue
20 concerns an incorrect computation of the participant's benefit.

21 (c) The applicant or participant abandons the petition. Abandonment occurs
22 if the applicant or participant fails to appear in person or by a representative at a
23 scheduled hearing without providing the department with good cause for that failure
24 to appear.

1 (4) NONENTITLEMENT. This section does not create an entitlement to any
2 services or benefits under Wisconsin works.”.

3 ***b2909/2.1* 155.** Page 37, line 25: after that line insert:

4 ***b2909/2.1* “SECTION 119k.** 49.175 (1) (z) of the statutes, as affected by 2001
5 Wisconsin Act 16, is amended to read:

6 49.175 (1) (z) *Community youth grant.* For a competitive grant program
7 administered by the department to fund programs that improve social, academic and
8 employment skills of youth who are eligible to receive temporary assistance for needy
9 families under 42 USC 601 et seq., ~~\$7,579,700~~ \$7,829,700 in fiscal year 2001–02 and
10 ~~\$50,000~~ \$300,000 fiscal year 2002–03.”.

11 ***b2841/4.2* 156.** Page 38, line 6: after that line insert:

12 ***b2841/4.2* “SECTION 119r.** 49.195 (3) of the statutes, as affected by 2001
13 Wisconsin Act 16, is amended to read:

14 49.195 (3) A county, tribal governing body, Wisconsin works agency or the
15 department shall determine whether an overpayment has been made under s. 49.19,
16 49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal
17 governing body, Wisconsin works agency or department shall provide notice of the
18 overpayment to the liable person. The department shall give that person an
19 opportunity for a review following the procedure specified under s. ~~49.152~~ 49.16, if
20 the person received the overpayment under s. 49.141 to 49.161, and for a hearing
21 under ch. 227. Notwithstanding s. 49.96, the department shall promptly recover all
22 overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already
23 been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing

1 policies and procedures to administer this subsection. The rules shall include
2 notification procedures similar to those established for child support collections.”.

3 *b2841/4.3* **157.** Page 38, line 20: after that line insert:

4 *b2841/4.3* “**SECTION 121k.** 49.26 (1) (h) 1. as. of the statutes is amended to
5 read:

6 49.26 (1) (h) 1. as. The individual has failed to request a hearing or has failed
7 to show good cause for not cooperating with case management efforts in a hearing.
8 The hearing shall be requested and held under s. ~~49.152~~ 49.16. The department shall
9 determine by rule the criteria for good cause.”.

10 *b2863/1.2* **158.** Page 38, line 20: after that line insert:

11 *b2863/1.2* “**SECTION 121pb.** 49.45 (2) (a) 9. of the statutes is amended to read:

12 49.45 (2) (a) 9. Periodically set forth conditions of participation and
13 reimbursement ~~in a contract with provider~~ for contracts with providers of service
14 under this section. The department shall promulgate rules that specify criteria for
15 and required procedures for submittal of appropriate claims for reimbursement.

16 *b2863/1.2* **SECTION 121pc.** 49.45 (2) (a) 10. a. of the statutes, as affected by
17 2001 Wisconsin Act 16, is renumbered 49.45 (2) (a) 10. and amended to read:

18 49.45 (2) (a) 10. After reasonable notice and opportunity for a hearing
19 conducted as a class 2 proceeding under ch. 227, recover money improperly or
20 erroneously paid or overpayments to a provider by offsetting or adjusting amounts
21 owed the provider under the program, crediting against a provider’s future claims
22 for reimbursement for other services or items furnished by the provider under the
23 program, or requiring the provider to make direct payment to the department or its
24 fiscal intermediary.

1 ***b2863/1.2* SECTION 121pd.** 49.45 (2) (a) 10. b. of the statutes, as created by
2 2001 Wisconsin Act 16, is repealed.

3 ***b2863/1.2* SECTION 121pe.** 49.45 (2) (a) 10. c. of the statutes, as created by
4 2001 Wisconsin Act 16, is repealed.

5 ***b2863/1.2* SECTION 121pf.** 49.45 (2) (a) 11. a. of the statutes, as affected by
6 2001 Wisconsin Act 16, is renumbered 49.45 (2) (a) 11. and amended to read:

7 49.45 (2) (a) 11. Establish criteria for the certification of eligible providers of
8 medical assistance and, except as provided in ~~par. (b) 6m. and s. 49.48, and subject~~
9 to ~~par. (b) 7. and 8.,~~ certify providers who meet the criteria.

10 ***b2863/1.2* SECTION 121pg.** 49.45 (2) (a) 11. b. of the statutes, as created by
11 2001 Wisconsin Act 16, is repealed.

12 ***b2863/1.2* SECTION 121ph.** 49.45 (2) (a) 12. a. of the statutes, as affected by
13 2001 Wisconsin Act 16, is renumbered 49.45 (2) (a) 12. and amended to read:

14 49.45 (2) (a) 12. Decertify or suspend under this subdivision a provider from
15 ~~or restrict a provider's participation in~~ the medical assistance program, if after
16 giving reasonable notice and opportunity for hearing the department finds that the
17 provider has violated a federal statute or regulation or a state statute or
18 administrative rule and the violation is by statute, regulation, or rule grounds for
19 decertification or restriction. ~~The department shall suspend the provider pending~~
20 ~~the hearing under this subdivision if the department includes in its decertification~~
21 ~~notice findings that the provider's continued participation in the medical assistance~~
22 ~~program pending hearing is likely to lead to the irretrievable loss of public funds and~~
23 ~~is unnecessary to provide adequate access to services to medical assistance~~
24 ~~recipients. As soon as practicable after the hearing, the department shall issue a~~
25 ~~written decision~~ suspension. No payment may be made under the medical assistance

1 program with respect to any service or item furnished by the provider subsequent to
2 decertification or during the period of suspension.

3 *b2863/1.2* SECTION 121pi. 49.45 (2) (a) 12. b. of the statutes, as created by
4 2001 Wisconsin Act 16, is repealed.

5 *b2863/1.2* SECTION 121pj. 49.45 (2) (a) 14. of the statutes is amended to read:
6 49.45 (2) (a) 14. Assure due process in implementing subds. 12. and 13. by
7 providing written notice, ~~a fair hearing and a written decision~~ and a hearing
8 conducted as a class 2 proceeding under ch. 227.

9 *b2863/1.2* SECTION 121pk. 49.45 (2) (b) 6m. of the statutes, as created by
10 2001 Wisconsin Act 16, is repealed.

11 *b2863/1.2* SECTION 121pL. 49.45 (2) (b) 7. of the statutes, as created by 2001
12 Wisconsin Act 16, is repealed.

13 *b2863/1.2* SECTION 121pm. 49.45 (2) (b) 8. of the statutes, as created by 2001
14 Wisconsin Act 16, is repealed.

15 *b2863/1.2* SECTION 121pn. 49.45 (2) (b) 9. of the statutes, as created by 2001
16 Wisconsin Act 16, is repealed.

17 *b2863/1.2* SECTION 121pp. 49.45 (3) (g) 1. of the statutes, as affected by 2001
18 Wisconsin Act 16, is renumbered 49.45 (3) (g) and amended to read:

19 49.45 (3) (g) The secretary may authorize personnel to audit or investigate and
20 report to the department on any matter involving violations or complaints alleging
21 violations of statutes, regulations, or rules applicable to the medical assistance
22 program and to perform such investigations or audits as are required to verify the
23 actual provision of services or items available under the medical assistance program
24 and the appropriateness and accuracy of claims for reimbursement submitted by
25 providers participating in the program. Department employees authorized by the

1 secretary under this paragraph shall be issued, and shall possess at all times while
2 they are performing their investigatory or audit functions under this section,
3 identification, signed by the secretary, that specifically designates the bearer as
4 possessing the authorization to conduct medical assistance investigations or audits.
5 Under the request of a designated person and upon presentation of the person's
6 authorization, providers and medical assistance recipients shall accord the person
7 access to any ~~provider personnel~~, records, books, or documents or other information
8 needed. Under the written request of a designated person and upon presentation of
9 the person's authorization, providers and recipients shall accord the person access
10 to any needed patient health care records of a recipient. Authorized employees may
11 hold hearings, administer oaths, take testimony, and perform all other duties
12 necessary to bring the matter before the department for final adjudication and
13 determination.

14 ***b2863/1.2* SECTION 121pq.** 49.45 (3) (g) 2. of the statutes, as created by 2001
15 Wisconsin Act 16, is repealed.

16 ***b2863/1.2* SECTION 121pr.** 49.45 (3) (h) 1. of the statutes is created to read:
17 49.45 (3) (h) 1. For purposes of any audit, investigation, examination, analysis,
18 review, or other function authorized by law with respect to the medical assistance
19 program, the secretary shall have the power to sign and issue subpoenas to any
20 person requiring the production of any pertinent books, records, patient health care
21 records, or other information. Subpoenas so issued shall be served by anyone
22 authorized by the secretary by delivering a copy to the person named in the
23 subpoena, or by registered mail or certified mail addressed to the person at his or her
24 last-known residence or principal place of business. A verified return by the person
25 serving the subpoena setting forth the manner of service, or, in the event service is

1 by registered or certified mail, the return post-office receipt signed by the person
2 served constitutes proof of service.

3 ***b2863/1.2* SECTION 121ps.** 49.45 (3) (h) 1m. of the statutes, as affected by
4 2001 Wisconsin Act 16, is renumbered 49.45 (3) (h) 3. and amended to read:

5 49.45 (3) (h) 3. The failure or refusal of a provider to accord department
6 auditors or investigators access as required under par. (g) to any provider personnel,
7 records, books, patient health care records of medical assistance recipients, or
8 documents or other information requested constitutes person to purge himself or
9 herself of contempt found under s. 885.12 and perform the act as required by law
10 shall constitute grounds for decertification or suspension of ~~the provider~~ that person
11 from participation in the medical assistance program. No payment may be made for
12 services rendered by ~~the provider~~ that person following decertification, or during the
13 period of suspension, ~~or during any period of provider failure or refusal to accord~~
14 ~~access as required under par. (g).~~

15 ***b2863/1.2* SECTION 121pt.** 49.45 (3) (h) 1n. of the statutes, as created by 2001
16 Wisconsin Act 16, is repealed.

17 ***b2863/1.2* SECTION 121pu.** 49.45 (3) (h) 2. of the statutes is created to read:

18 49.45 (3) (h) 2. In the event of contumacy or refusal to obey a subpoena issued
19 under this paragraph and duly served upon any person, any judge in a court of record
20 in the county in which the person was served may enforce the subpoena in accordance
21 with s. 885.12.

22 ***b2863/1.2* SECTION 121pv.** 49.45 (21) (title) of the statutes, as affected by
23 2001 Wisconsin Act 16, is amended to read:

24 49.45 (21) (title) ~~TAKING OVER PROVIDER'S OPERATION~~ TRANSFER OF BUSINESS,
25 LIABILITY FOR; REPAYMENTS REQUIRED.

1 ***b2863/1.2* SECTION 121pw.** 49.45 (21) (ag) of the statutes, as created by 2001
2 Wisconsin Act 16, is repealed.

3 ***b2863/1.2* SECTION 121pwj.** 49.45 (21) (ar) of the statutes, as affected by
4 2001 Wisconsin Act 16, is renumbered 49.45 (21) (a) and amended to read:

5 49.45 (21) (a) ~~Before a person may take over the operation of a provider that~~
6 ~~is~~ If any provider liable for repayment of improper or erroneous payments or
7 overpayments under ss. 49.43 to 49.497, ~~full repayment shall be made. Upon~~
8 ~~request, the department shall notify the provider or the person that intends to take~~
9 ~~over the operation of the provider as to whether the provider~~ sells or otherwise
10 transfers ownership of his or her business or all or substantially all of the assets of
11 the business, the transferor and transferee are each liable for the repayment. Prior
12 to final transfer, the transferee is responsible for contacting the department and
13 ascertaining if the transferor is liable under this paragraph.

14 ***b2863/1.2* SECTION 121px.** 49.45 (21) (b) of the statutes, as affected by 2001
15 Wisconsin Act 16, is amended to read:

16 49.45 (21) (b) ~~If, notwithstanding the prohibition under par. (ar), a person takes~~
17 ~~over the operation of a provider~~ If a transfer occurs and the applicable amount under
18 ~~par. (ar) (a) has not been repaid, the department may, in addition to withholding~~
19 ~~certification as authorized under sub. (2) (b) 8., proceed against the provider or the~~
20 ~~person either the transferor or the transferee. Within 30 days after the certified~~
21 ~~provider receives~~ receiving notice from the department, the transferor or the
22 transferee shall pay the amount shall be repaid in full. If the amount is not repaid
23 ~~in full~~ Upon failure to comply, the department may bring an action to compel
24 payment. If a transferor fails to pay within 90 days after receiving notice from the
25 department, the department may proceed under sub. (2) (a) 12., or may do both.

1 ***b2863/1.2* SECTION 121py.** 49.45 (21) (e) of the statutes, as created by 2001
2 Wisconsin Act 16, is repealed.”.

3 ***b2865/3.1* 159.** Page 38, line 21: delete the material beginning with that
4 line and ending with page 39, line 10, and substitute:

5 ***b2865/3.1* “SECTION 122b.** 49.45 (49) of the statutes is created to read:

6 49.45 (49) PRESCRIPTION DRUG PRIOR AUTHORIZATION. (a) In this subsection:

7 1. “Average manufacturer price” has the meaning given in 42 USC 1396r–8 (k)
8 (1).

9 2. “HIV infection” has the meaning given in s. 252.01 (2).

10 3. “Institution for mental diseases” has the meaning given in s. 46.011 (1m).

11 4. “Intermediate care facility for the mentally retarded” has the meaning given
12 in s. 46.278 (1m) (am).

13 5. “Nursing home” has the meaning given in s. 50.01 (3).

14 6. “Pharmacist” has the meaning given in s. 450.01 (15).

15 7. “Physician” has the meaning given in s. 448.01 (5).

16 8. “Preferred prescription drug list” means a list of prescription drugs to which
17 prior authorization does not apply.

18 9. “Prescription drug” has the meaning given in s. 450.01 (20).

19 (b) Except for all of the following, beginning July 1, 2003, the department shall
20 subject all prescription drugs that are prescribed for medical assistance recipients
21 to requirements of prior authorization:

22 1. Prescription drugs that are used to treat mental illness, including anxiety,
23 depression, or psychosis, or to treat HIV infection.

1 2. Prescription drugs that are prescribed for residents of nursing homes, of
2 institutions for mental diseases, and of intermediate care facilities for the mentally
3 retarded.

4 3. Prescription drugs that are included in a preferred prescription drug list of
5 the department under par. (f).

6 (c) The secretary shall exercise his or her authority under s. 15.04 (1) (c) to
7 create a prescription drug prior authorization committee and shall appoint as
8 members at least all of the following:

9 1. Two physicians who are currently in practice.

10 2. Two pharmacists.

11 3. One advocate for recipients of medical assistance who has sufficient medical
12 background, as determined by the department, to evaluate a prescription drug's
13 clinical effectiveness.

14 (d) The prescription drug prior authorization committee appointed under par.
15 (c) shall do all of the following:

16 1. Review the department's prior authorization policies and advise the
17 department on issues related to prior authorization decisions made concerning
18 prescription drugs on behalf of medical assistance recipients. In making its review
19 under this subdivision, the committee shall accept information or commentary from
20 representatives of the pharmaceutical manufacturing industry.

21 2. Consider the clinical efficacy, safety, and cost effectiveness of prescription
22 drugs and develop and provide to the department a recommended preferred
23 prescription drug list. In initially developing and subsequently revising the
24 preferred prescription drug list, the committee shall do all of the following:

1 a. Ensure that the manufacturers of prescription drugs that agree to provide
2 a supplemental rebate, as specified in par. (h), have an opportunity to present
3 evidence supporting inclusion of a product on the list.

4 b. At least every 12 months, review all prescription drug classes included in the
5 department's list of preferred prescription drugs under par. (f).

6 c. From the department's list of preferred prescription drugs under par. (f),
7 recommend additions or deletions that permit cost-saving, medically appropriate
8 drug therapies for medical assistance recipients.

9 (e) The department shall do all of the following on behalf of the prescription
10 drug prior authorization committee:

11 1. If the department has received timely notice that a drug or any of its uses
12 has received approval by the federal food and drug administration under a priority
13 new drug application, ensure that the drug will be reviewed by the committee at the
14 committee's earliest regularly scheduled meeting.

15 2. If the department has received notice from a drug manufacturer of a new
16 drug product, schedule, to the extent possible, a product review for the product by
17 the committee at the committee's earliest regularly scheduled meeting.

18 (f) 1. After considering all of the following, the department may, beginning July
19 1, 2002, adopt a preferred prescription drug list and shall disseminate the list to all
20 appropriate providers of medical assistance:

21 a. The recommendation of the prescription drug prior authorization committee
22 under par. (d) 2.

23 b. The clinical efficacy of a prescription drug.

24 c. The price of competing products minus payment of any rebate made under
25 42 USC 1396r-8 and par. (h).

1 d. If par. (h) 4. applies.

2 2. The department shall periodically update the preferred prescription drug
3 list, based on the department's consideration of recommendations of the prescription
4 drug prior authorization committee and shall disseminate the changes to
5 appropriate providers.

6 3. The department shall make the preferred prescription drug list under subd.
7 1. and the updates under subd. 2. publicly available.

8 (g) A medical assistance recipient may contest the decision of the department
9 to deny prior authorization for a prescription drug that is excluded from the
10 preferred prescription drug list under par. (f) by filing, within 45 days after denial
11 of coverage for a prescription drug that is subject to prior authorization, a written
12 request for a hearing under s. 227.44 to the division of hearings and appeals created
13 under s. 15.103 (1).

14 (h) 1. If a manufacturer of a prescription drug pays a rebate under 42 USC
15 1396r–8, one of the following applies:

16 a. If the rebate is less than 15.1%, the department may enter into an
17 arrangement with the manufacturer that requires the manufacturer to provide a
18 supplemental rebate to the department in an amount that, together with the rebate
19 paid under 42 USC 1396r–8, equals at least 15.1% of the average manufacturer price
20 for the manufacturer's prescription drug products that are provided to medical
21 assistance recipients, except that the department may determine that a specific
22 prescription drug is competitive at a lower rebate percentage.

23 b. If the rebate is at least 15.1%, the department may enter into an
24 arrangement with the manufacturer that requires the manufacturer to provide a
25 supplemental rebate to the department in an amount that, together with the rebate

1 paid under 42 USC 1396r–8, equals at least 25.1% of the average manufacturer price
2 for the manufacturer’s prescription drug products that are provided to medical
3 assistance recipients, except that the department may determine that a specific
4 prescription drug is competitive at a lower rebate percentage.

5 2. Payment of rebates under subd. 1. shall be used to offset expenditures under
6 s. 20.435 (4) (b), (bc), (bv), (o), and (p).

7 3. The supplemental rebate under subd. 1. a. or b. may include, at the discretion
8 of the department, a program benefit that offsets a medical assistance cost, including
9 a disease management program, a drug product donation program, a drug utilization
10 control program, a program of prescriber and beneficiary counseling and education,
11 or a program to reduce medical assistance fraud and abuse, or may include a cash
12 rebate. The department may request from the federal secretary of health and human
13 services a waiver of federal medicaid laws necessary to permit the department of
14 health and family services to implement this subdivision.

15 4. If a manufacturer of prescription drugs agrees to pay the minimum
16 supplemental rebate rate under subd. 1. a. or b., the department shall consider
17 including a prescription drug of the manufacturer in the preferred prescription drug
18 list under par. (f).

19 (i) Trade secrets, amounts of rebates or supplemental rebates, percentages of
20 rebate rates, and pricing of prescription drugs by prescription drug manufacturers
21 that are contained in records of the department or the department’s agent with
22 respect to a supplemental rebate negotiation or supplemental rebate agreement
23 under par. (h) 1. are not public records under subch. II of ch. 19 and shall be kept
24 confidential in accordance with 42 USC 1396r–8 (b) (3) (D). Those portions of
25 meetings of the prior authorization prescription drug advisory committee at which

1 trade secrets, amounts of rebates or supplemental rebates, percentages of rebate
2 rates, and pricing of prescription drugs by prescription drug manufacturers are not
3 subject to subch. V of ch. 19 and shall be kept confidential in accordance with 42 USC
4 1396r-8 (b) (3) (D).

5 (j) The department may enter into a contract with an entity to perform the
6 duties and exercise the powers of the department under pars. (h) 1. a. and b.

7 (k) Annually, by January 15, the department shall submit to appropriate
8 standing committees of the legislature under s. 13.172 (3) and to the governor a
9 report on the implementation of the department of the program under this
10 subsection, including any progress made in implementing cost-containment
11 measures under medical assistance and its effect on expenditures under medical
12 assistance for prescription drugs.

13 ***b2865/3.1* SECTION 122c.** 49.45 (50) of the statutes is created to read:

14 49.45 (50) RIGHT TO APPEAL PRESCRIPTION DRUG COVERAGE DECISION. The
15 department shall inform each medical assistance recipient of his or her right, under
16 sub. (49) (g), to contest a decision by the department to deny prior authorization for
17 a prescription drug that is excluded from the preferred prescription drug list under
18 sub. (49) (f), if the decision results in denial of coverage to the recipient for the
19 prescription drug.”.

20 ***b2863/1.3* 160.** Page 46, line 20: after that line insert:

21 ***b2863/1.3* “SECTION 145g.** 49.85 (2) (a) of the statutes, as affected by 2001
22 Wisconsin Act 16, is amended to read:

23 49.85 (2) (a) At least annually, the department of health and family services
24 shall certify to the department of revenue the amounts that, based on the

1 notifications received under sub. (1) and on other information received by the
2 department of health and family services, the department of health and family
3 services has determined that it may recover under s. ~~49.45 (2) (a) 10.~~ or 49.497, except
4 that the department of health and family services may not certify an amount under
5 this subsection unless it has met the notice requirements under sub. (3) and unless
6 its determination has either not been appealed or is no longer under appeal.

7 ***b2863/1.3* SECTION 145h.** 49.85 (3) (a) 1. of the statutes, as affected by 2001
8 Wisconsin Act 16, is amended to read:

9 49.85 (3) (a) 1. Inform the person that the department of health and family
10 services intends to certify to the department of revenue an amount that the
11 department of health and family services has determined to be due under s. ~~49.45~~
12 ~~(2) (a) 10.~~ or 49.497, for setoff from any state tax refund that may be due the person.”.

13 ***b2790/1.1* 161.** Page 47, line 25: after that line insert:

14 ***b2790/1.1* “SECTION 148f.** 50.375 of the statutes is created to read:

15 **50.375 Emergency contraception for alleged victims of sexual assault.**

16 (1) In this section:

17 (a) “Emergency contraception” means a drug, medicine, oral hormonal
18 compound, mixture, preparation, instrument, article, or device that is approved by
19 the federal food and drug administration that prevents a pregnancy after sexual
20 intercourse. “Emergency contraception” does not include a drug, medicine, oral
21 hormonal compound, mixture, preparation, instrument, article, or device of any
22 nature that is prescribed to terminate the pregnancy of a woman who is known by
23 the prescribing licensed health care provider to be pregnant.

24 (b) “Sexual assault” means a violation of s. 940.225 (1), (2), or (3).

1 (2) A hospital that provides emergency services to an alleged victim of sexual
2 assault shall, after obtaining the consent of the victim, do all of the following:

3 (a) Provide to the victim medically and factually accurate and unbiased written
4 and oral information about emergency contraception.

5 (b) Orally inform the victim of her option to receive emergency contraception
6 at the hospital.

7 (c) Provide emergency contraception immediately at the hospital to the victim
8 if she requests it.

9 (3) A hospital that provides emergency care shall ensure that each hospital
10 employee who provides care to an alleged victim of sexual assault has available
11 medically and factually accurate and unbiased information about emergency
12 contraception.

13 (4) The department shall respond to any complaint received by the department
14 concerning noncompliance by a hospital with the requirements of subs. (2) and (3)
15 and shall periodically review hospital procedures to determine if a hospital is in
16 compliance with the requirements.

17 ***b2790/1.1* SECTION 148g.** 50.38 (1) of the statutes is renumbered 50.38 (1)
18 (a).

19 ***b2790/1.1* SECTION 148i.** 50.38 (1) (b) of the statutes is created to read:
20 50.38 (1) (b) Whoever violates a requirement under s. 50.375 (2) or (3) may be
21 required to forfeit not less than \$2,500 nor more than \$5,000 for each violation. If
22 a hospital violates s. 50.375 (2) twice, the department may, after providing notice to
23 the hospital, suspend or revoke the hospital's certificate of approval and may deny
24 application for a new certificate of approval.

25 ***b2790/1.1* SECTION 148j.** 50.38 (2) of the statutes is amended to read:

1 50.38 (2) The department may directly assess forfeitures provided for under
2 sub. (1) (a) or (b). If the department determines that a forfeiture should be assessed
3 for a particular violation, the department shall send a notice of assessment to the
4 hospital. The notice shall specify the amount of the forfeiture assessed, the violation
5 and the statute or rule alleged to have been violated, and shall inform the hospital
6 of the right to a hearing under sub. (3).”.

7 ***b2974/1.1* 162.** Page 47, line 25: after that line insert:

8 ***b2974/1.1*** “SECTION 148g. 50.35 of the statutes is amended to read:

9 **50.35 Application and approval.** Application for approval to maintain a
10 hospital shall be made to the department on forms provided by the department. On
11 receipt of an application, the department shall, except as provided in this section and
12 s. 50.498, issue a certificate of approval if the applicant and hospital facilities meet
13 the requirements established by the department. Except as provided in s. 50.498,
14 this approval shall be in effect until, for just cause and in the manner herein
15 prescribed, it is suspended or revoked. The certificate of approval may be issued only
16 for the premises and persons or governmental unit named in the application and is
17 not transferable or assignable. The department shall withhold, suspend or revoke
18 approval for a violation of s. 150.935 (2) or a failure to comply with s. 150.935 (3) or
19 165.40 (6) (a) 1. or 2. or 2001 Wisconsin Act ... (this act), section 9123 (5qr), but,
20 except as provided in s. 50.498, otherwise may not withhold, suspend or revoke
21 approval unless for a substantial failure to comply with ss. 50.32 to 50.39 or the rules
22 and standards adopted by the department after giving a reasonable notice, a fair
23 hearing and a reasonable opportunity to comply. Failure by a hospital to comply with
24 s. 50.36 (3m) shall be considered to be a substantial failure to comply under this

1 section. After the effective date of this section [revisor inserts date], the
2 department may not issue an initial certificate of approval except for a critical access
3 hospital that is converted from a previously–approved hospital.”.

4 *b2974/1.1* SECTION 148h. 50.35 of the statutes, as affected by 2001
5 Wisconsin Act (this act), is amended to read:

6 **50.35 Application and approval.** Application for approval to maintain a
7 hospital shall be made to the department on forms provided by the department. On
8 receipt of an application, the department shall, except as provided in this section and
9 s. 50.498, issue a certificate of approval if the applicant and hospital facilities meet
10 the requirements established by the department. Except as provided in s. 50.498,
11 this approval shall be in effect until, for just cause and in the manner herein
12 prescribed, it is suspended or revoked. The certificate of approval may be issued only
13 for the premises and persons or governmental unit named in the application and is
14 not transferable or assignable. The department shall withhold, suspend or revoke
15 approval for a violation of s. 150.935 (2) or a failure to comply with s. 150.935 (3) or
16 165.40 (6) (a) 1. or 2. ~~or 2001 Wisconsin Act (this act), section 9123 (5qr), but,~~
17 except as provided in s. 50.498, otherwise may not withhold, suspend or revoke
18 approval unless for a substantial failure to comply with ss. 50.32 to 50.39 or the rules
19 and standards adopted by the department after giving a reasonable notice, a fair
20 hearing and a reasonable opportunity to comply. Failure by a hospital to comply with
21 s. 50.36 (3m) shall be considered to be a substantial failure to comply under this
22 section. After the effective date of this section [revisor inserts date], the
23 department may not issue an initial certificate of approval except for a critical access
24 hospital that is converted from a previously–approved hospital.”.

1 ***b2736/1.1* 163.** Page 48, line 5: after that line insert:

2 ***b2736/1.1*** “SECTION 149g. 51.30 (4) (b) 13. of the statutes is renumbered
3 51.30 (4) (cm) and amended to read:

4 51.30 (4) (cm) Required access to records. ~~To the parents, children~~
5 Notwithstanding par. (a), treatment records of an individual shall be released
6 without informed written consent, except as restricted under par. (c), to the parent,
7 child, sibling, or spouse of an individual who is or was a patient at an inpatient
8 facility; to a law enforcement officer who is seeking to determine whether an
9 individual is on unauthorized absence from the facility; and to mental health
10 professionals who are providing treatment to the individual at the time that the
11 information is released to others. Information released under this subdivision
12 paragraph is limited to notice as to whether or not an individual is a patient at the
13 inpatient facility and, if the individual is no longer a patient at the inpatient facility,
14 the facility or other place, if known, at which the individual is located. This
15 paragraph does not apply to an individual’s parent, child, sibling, or spouse from
16 whom the individual has specifically requested that the information under this
17 paragraph be withheld.”.

18 ***b2772/1.1* 164.** Page 48, line 10: after that line insert:

19 ***b2772/1.1*** “SECTION 150tg. 62.13 (5) (i) of the statutes is amended to read:

20 62.13 (5) (i) Any person suspended, reduced, suspended and reduced, or
21 removed by the board may appeal from the order of the board to the circuit court by
22 serving written notice of the appeal on the secretary of the board within 10 days after
23 the order is filed. Within 5 days after receiving written notice of the appeal, the board
24 shall certify to the clerk of the circuit court the record of the proceedings, including

1 all documents, testimony, and minutes. The action shall then be at issue and shall
2 have precedence over any other cause of a different nature pending in the court,
3 which shall always be open to the trial thereof. The court shall upon application of
4 the accused or of the board fix a date of trial, which shall not be later than 15 days
5 after such application except by agreement. The trial shall be by the court and upon
6 the return of the board, except that the court may require further return or the taking
7 and return of further evidence by the board. The question to be determined by the
8 court shall be: Upon the evidence is there just cause, as described under par. (em),
9 to sustain the charges against the accused? No costs shall be allowed either party
10 and the clerk's fees shall be paid by the city. If the order of the board is reversed, the
11 accused shall be forthwith reinstated and entitled to pay as though in continuous
12 service. If the order of the board is sustained, it shall be final and conclusive. This
13 paragraph does not apply to any person who is suspended, reduced, suspended and
14 reduced, or removed by the board or by a committee or person acting under this
15 subsection in place of a board, and who is subject to the terms of a collective
16 bargaining agreement entered into under subch. IV of ch. 111 that provides an
17 alternative to the appeals procedure specified in this paragraph, unless the person
18 chooses to appeal the order to circuit court. If the alternative to the appeals
19 procedure includes a hearing, the hearing shall be open to the public with reasonable
20 advance notice given by the employer. An accused person who chooses to appeal the
21 decision of the board through a collectively bargained alternative to the appeals
22 procedure specified in this paragraph is considered to have waived his or her right
23 to circuit court review of the board decision.”.

24 *b2837/1.3* **165.** Page 48, line 10: after that line insert:

1 ***b2837/1.3*** “**SECTION 150rm.** 66.0137 (4) of the statutes is amended to read:
2 66.0137 (4) **SELF-INSURED HEALTH PLANS.** If a city, including a 1st class city, or
3 a village provides health care benefits under its home rule power, or if a town
4 provides health care benefits, to its officers and employees on a self-insured basis,
5 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
6 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
7 632.89, 632.895 (9) to (14) (15), 632.896, and 767.25 (4m) (d).”

8 ***b2881/1.1* 166.** Page 48, line 10: after that line insert:

9 ***b2881/1.1*** “**SECTION 250b.** 59.43 (1) (L) of the statutes, as affected by 2001
10 Wisconsin Act 10, is amended to read:

11 59.43 (1) (L) File all documents pertaining to security interests, as defined in
12 s. 401.201 (37) (a), that are required or authorized by law to be filed with the register.
13 Except as otherwise prescribed by the department of financial institutions under
14 subch. V of ch. 409, these documents shall be executed ~~on white or light colored sheets~~
15 of paper, 8 or 8.5 inches wide and 5, 7, 10.5, or 14 inches long. ~~Whenever there is~~
16 ~~offered for filing any document that varies more than one-eighth inch from the~~
17 ~~approved size, or that is not on a standard form prescribed by ch. 409 or by the~~
18 ~~department of financial institutions, then in addition to the regular filing fee an~~
19 ~~additional filing fee shall be charged by the register of deeds, as prescribed by sub.~~
20 (2). ~~No assignment, release, or other instrument shall be offered for filing that is~~
21 ~~executed or endorsed on any other document, but each shall be a separate and~~
22 ~~distinct document, except those assignments or notices that are printed or written~~
23 ~~on and immediately following the original agreement or financing statement, offered~~
24 ~~for filing at the same time, shall be considered as one document. All of these~~

1 ~~documents shall be legibly written, and shall have the names of the debtor and~~
2 ~~secured party plainly printed or typed on the document and shall provide a space for~~
3 ~~filing data of the register of deeds on the outside of the document meeting the~~
4 ~~requirements set forth in sub. (2m) (b) 1. to 5.~~

5 ***b2881/1.1* SECTION 150d.** 59.43 (1) (m), (n) and (o) of the statutes, as affected
6 by 2001 Wisconsin Act 10, are amended to read:

7 59.43 (1) (m) ~~Except as otherwise provided in subchs. V and VII of ch. 409, keep~~
8 Keep these chattel documents in consecutive numerical arrangement, for the
9 inspection of all persons, endorsing on each document the document number and the
10 date and time of reception.

11 (n) Upon the filing of a financing statement or other document evidencing the
12 creation of a security interest, as defined in s. 401.201 (37) (a), required to be filed
13 or recorded with the register under s. 409.501 (1) (a), ~~enter the name of each debtor~~
14 ~~alphabetically in indices, of which each page shall be divided into columns which~~
15 ~~shall contain the following information: number of the document, date and time of~~
16 ~~filing, name and address of debtor, name and address of secured party, name of the~~
17 ~~document, the amount if any, shown in the document, brief description of property,~~
18 ~~and the last column set aside for the entry of assignments, continuation statements,~~
19 ~~termination statements, foreclosure affidavits, extensions and releases pertaining~~
20 ~~to such financing statements or chattel security documents. If the financing~~
21 ~~statement evidences the creation of a security interest in fixtures, it also shall be~~
22 ~~entered in the tract index if one is kept in the county index the document in the real~~
23 ~~estate records index under sub. (9).~~

24 (o) ~~Except as otherwise provided in subch. V of ch. 409, upon Upon the filing~~
25 of an assignment, continuation statement, termination statement, foreclosure

1 affidavit, extension, or release pertaining to a filed financing statement or other
2 chattel security document, ~~enter the document number and the date and time of~~
3 ~~filing in the appropriate column of the indices referred to in par. (n) and on the same~~
4 ~~line as that on which the entry of the filed financing statement or other chattel~~
5 ~~security document appears~~ index the document in the real estate records index under
6 sub. (9).

7 ***b2881/1.1* SECTION 150f.** 59.43 (1) (um) of the statutes is created to read:

8 59.43 (1) (um) Submit that portion of recording and filing fees collected under
9 sub. (2) (ag) 1. or (e) and not retained by the county to the land information board
10 under s. 59.72 (5).

11 ***b2881/1.1* SECTION 150h.** 59.43 (1) (um) of the statutes, as created by 2001
12 Wisconsin Act (this act), is repealed.

13 ***b2881/1.1* SECTION 150m.** 59.43 (2) (ag) of the statutes, as affected by 1997
14 Wisconsin Act 27 and 2001 Wisconsin Acts 10 and 16, is repealed and recreated to
15 read:

16 59.43 (2) (ag) 1. Subject to s. 59.72 (5), for recording any instrument entitled
17 to be recorded in the office of register of deeds, \$11 for the first page and \$2 for each
18 additional page, except that no fee may be collected for recording a change of address
19 that is exempt from a filing fee under s. 185.83 (1) (b).

20 2. In the event of conflict in the statutes regarding recording fees, subd. 1. shall
21 control.

22 ***b2881/1.1* SECTION 150p .** 59.43 (2) (ag) of the statutes, as affected by 2001
23 Wisconsin Act (this act), is repealed and recreated to read:

24 59.43 (2) (ag) 1. For recording any instrument entitled to be recorded in the
25 office of register of deeds, \$8 for the first page if the county maintains a land

1 information office under s. 59.72 (3) and \$4 for the first page if the county does not
2 maintain such an office, and \$2 for each additional page, except that no fee may be
3 collected for recording a change of address that is exempt from a filing fee under s.
4 185.83 (1) (b).

5 2. In the event of conflict in the statutes regarding recording fees, subd. 1. shall
6 control.

7 ***b2881/1.1* SECTION 150r.** 59.43 (2) (e) of the statutes, as affected by 1997
8 Wisconsin Act 27 and 2001 Wisconsin Act 16, is repealed and recreated to read:

9 59.43 (2) (e) Subject to s. 59.72 (5), for filing any instrument which is entitled
10 to be filed in the office of register of deeds and for which no other specific fee is
11 specified, \$11 for the first page and \$2 for each additional page.

12 ***b2881/1.1* SECTION 150t.** 59.43 (2) (e) of the statutes, as affected by 2001
13 Wisconsin Act (this act), is repealed and recreated to read:

14 59.43 (2) (e) For filing any instrument which is entitled to be filed in the office
15 of register of deeds and for which no other specific fee is specified, \$8 for the first page
16 if the county maintains a land information office under s. 59.72 (3) and \$4 for the first
17 page if the county does not maintain such an office, and \$2 for each additional page.

18 ***b2881/1.1* SECTION 150v.** 59.72 (5) of the statutes, as affected by 2001
19 Wisconsin Act 16, is repealed and recreated to read:

20 59.72 (5) LAND RECORD MODERNIZATION FUNDING. (a) Before the 16th day of each
21 month a register of deeds shall submit to the land information board \$7 from the fee
22 for recording or filing the first page of each instrument that is recorded or filed under
23 s. 59.43 (2) (ag) 1. or (e), less any amount retained by the county under par. (b).

1 (b) A county may retain \$5 of the \$7 submitted under par. (a) from the fee for
2 recording or filing the first page of each instrument that is recorded or filed under
3 s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

4 1. The county has established a land information office under sub. (3).

5 2. A land information office has been established for less than 2 years or has
6 received approval for a countywide plan for land records modernization under sub.
7 (3) (b).

8 3. The county uses \$4 of each \$5 fee retained under this paragraph to develop,
9 implement, and maintain the countywide plan for land records modernization, and
10 \$1 of each \$5 fee retained under this paragraph to develop and maintain a
11 computerized indexing of the county's land information records relating to housing,
12 including the housing element of the county's land use plan under s. 66.1001 (2) (b),
13 in a manner that would allow for greater public access through use of the Internet.

14 *b2881/1.1* SECTION 150w. 59.72 (5) of the statutes, as affected by 1997
15 Wisconsin Act 27 and 2001 Wisconsin Act ... (this act), is repealed and recreated to
16 read:

17 59.72 (5) LAND RECORD MODERNIZATION FUNDING. A county that establishes a
18 land information office shall use \$4 of the \$8 per page received under s. 59.43 (2) (ag)
19 1. and (e) to develop, implement, and maintain a countywide plan for land records
20 modernization.”.

21 *b2952/1.3* **167.** Page 48, line 10: after that line insert:

22 *b2952/1.3* “SECTION 150d. 59.692 (1) (bn) of the statutes is repealed.

23 *b2952/1.3* SECTION 150g. 59.692 (1) (d) of the statutes is repealed.

24 *b2952/1.3* SECTION 150m. 59.692 (1v) of the statutes is repealed.”.

1 ***b2805/4.1* 168.** Page 49, line 18: after that line insert:

2 ***b2805/4.1* “SECTION 151e.** 66.0218 of the statutes is created to read:

3 **66.0218 Direct annexation of certain town territory. (1) DEFINITIONS.**

4 In this section:

5 (a) “Legal description” has the meaning given in s. 66.0217 (1) (c).

6 (b) “Members–elect” has the meaning given in s. 59.001 (2m).

7 (c) “Municipality” means a city, village, or town.

8 (d) “Public services” includes police and fire protection; sewer and water
9 treatment; stormwater treatment; building, health, and fire prevention inspections;
10 planning; and public works services.

11 (e) “Scale map” has the meaning given in s. 66.0217 (1) (g).

12 **(2) CITY, VILLAGE ORDINANCES.** (a) *Enactment.* The governing body of a city or
13 village may, by a two–thirds vote of its members–elect, enact an ordinance to annex
14 a contiguous town or contiguous town territory if all of the following apply:

15 1. The area of the territory to be annexed is less than 10 square miles and the
16 territory is located in a county with a population of at least 300,000.

17 2. The annexing city or village is contiguous to more than 50% of the length of
18 the territory to be annexed.

19 3. The annexing city or village is capable of providing public services to the
20 territory to be annexed at a level that at least equals the level of service that is being
21 provided by the town.

22 4. The annexation of the territory will reduce any existing problems of
23 duplicative public services being provided within the same area by more than one
24 municipality.

1 5. The boundary of the territory to be annexed is contiguous to one or more cities
2 or villages for at least 95% of its length, excluding areas that border on water, or on
3 land whose condition prohibits development, except that such excluded areas of the
4 border may not exceed 33% of the length of the boundary of the territory that is
5 sought to be annexed.

6 (b) *Requirements.* The annexation ordinance shall contain a legal description
7 of the territory annexed and the name of the town from which the territory is
8 annexed. Upon enactment of the ordinance under par. (a) the city or village clerk
9 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a
10 scale map, and 8 copies of a plat which shows the boundaries of the city or village,
11 including the annexed territory.

12 (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale
13 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale
14 map, and plat to the department of transportation, one copy to the department of
15 administration, one copy to the department of natural resources, one copy to the
16 department of revenue, one copy to the department of public instruction, and one
17 copy to the clerk of the town from which the territory was annexed.

18 (d) *Action to contest annexation.* Section 66.0217 (11) applies to annexations
19 under this section.

20 (3) **EFFECTIVENESS OF ANNEXATION ORDINANCE.** An ordinance enacted under sub.
21 (2) takes effect on the first day of the 2nd month beginning after enactment.”.

22 ***b2870/6.4* 169.** Page 49, line 19: delete the material beginning with that
23 line and ending with page 53, line 4.

24 ***b2903/2.1* 170.** Page 53, line 4: after that line insert:

1 ***b2903/2.1* SECTION 153d.** 66.0903 (10) (a) of the statutes is amended to read:

2 66.0903 (10) (a) Each contractor, subcontractor, or contractor's or
3 subcontractor's agent performing work on a project that is subject to this section
4 shall keep full and accurate records clearly indicating the name and trade or
5 occupation of every person performing the work described in sub. (4) and an accurate
6 record of the number of hours worked by each of those persons and the actual wages
7 paid for the hours worked. If requested by any person, a contractor, subcontractor,
8 or contractor's or subcontractor's agent performing work on a project that is subject
9 to this section shall permit that person to inspect and copy any of those records to the
10 same extent as if the record were maintained by the department, except that s. 19.36
11 (3) does not limit the duty of a subcontractor or a contractor's or subcontractor's agent
12 to permit inspection and copying of a record under this paragraph. Before permitting
13 the inspection and copying of a record under this paragraph, a contractor,
14 subcontractor, or contractor's or subcontractor's agent shall delete from the record
15 any personally identifiable information, as defined in s. 19.62 (5), contained in the
16 record about any person performing the work described in sub. (4) other than the
17 trade or occupation of the person, the number of hours worked by the person, and the
18 actual wages paid for those hours worked.

19 ***b2903/2.1* SECTION 153f.** 66.0903 (11) (a) of the statutes is amended to read:

20 66.0903 (11) (a) Any contractor, subcontractor, or contractor's or
21 subcontractor's agent who fails to pay the prevailing wage rate determined by the
22 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of
23 pay for all hours worked in excess of the prevailing hours of labor is liable to any
24 affected employee in the amount of his or her the employee's unpaid wages or ~~his or~~
25 ~~her~~ unpaid overtime compensation and in an additional equal amount as liquidated

1 damages. ~~An action to recover the liability may be maintained~~ employee may recover
2 that liability by filing a wage claim with the department under s. 109.09 (1) or by
3 commencing an action under s. 109.03 (5) in any court of competent jurisdiction by
4 ~~any employee,~~ for and in behalf of that employee and other employees similarly
5 situated. No employee may be a party plaintiff to ~~the~~ an action commenced under
6 s. 109.03 (5) unless the employee consents in writing to become a party and the
7 consent is filed in the court in which the action is brought. Notwithstanding s. 814.04
8 (1), the court shall, in addition to any judgment awarded to the plaintiff, allow
9 reasonable attorney fees and costs to be paid by the defendant.”.

10 *b2937/2.1* **171.** Page 53, line 4: after that line insert:

11 *b2937/2.1* **SECTION 152d.** 66.0617 (1) (a) of the statutes is amended to read:

12 66.0617 (1) (a) “Capital costs” means the capital costs to purchase, construct,
13 expand, or improve public facilities, including the cost of land, including the costs of
14 conducting the needs assessment that is described under sub. (4) and of preparing
15 an impact fee ordinance, and including legal, engineering, and design costs to
16 construct, expand, or improve public facilities, except that not more than 10% of
17 capital costs may consist of legal, engineering, and design costs unless the political
18 subdivision or school district can demonstrate that its legal, engineering, and design
19 costs which relate directly to the public improvement for which the impact fees were
20 imposed exceed 10% of capital costs. ~~“Capital costs” does not include other~~
21 ~~noncapital costs to construct, expand or improve public facilities or the costs of~~
22 ~~equipment to construct, expand or improve public facilities.~~

23 *b2937/2.1* **SECTION 152db.** 66.0617 (1) (c) of the statutes is amended to read:

1 66.0617 (1) (c) “Impact fees” means cash contributions, contributions of land
2 or interests in land or any other items of value that are imposed on a developer by
3 a political subdivision or school district under this section.

4 ***b2937/2.1* SECTION 152dc.** 66.0617 (1) (d) of the statutes is amended to read:

5 66.0617 (1) (d) “Land development” means the construction or modification of
6 improvements to real property that creates additional residential dwelling units
7 within a political subdivision or school district or that results in nonresidential uses
8 that create a need for new, expanded, or improved public facilities within a political
9 subdivision or school district.

10 ***b2937/2.1* SECTION 152dd.** 66.0617 (1) (f) of the statutes is amended to read:

11 66.0617 (1) (f) “Public facilities” ~~means~~ includes highways, as defined in s.
12 340.01 (22), and other transportation facilities, traffic control devices, facilities for
13 collecting and treating sewage, facilities for collecting and treating storm and
14 surface waters, facilities for pumping, storing, and distributing water, parks,
15 athletic fields, playgrounds and other recreational facilities, solid waste and
16 recycling facilities, fire protection facilities, fire fighting apparatus, law enforcement
17 facilities, emergency medical facilities, public school facilities, and libraries ~~except~~
18 ~~that, with regard to counties, “public facilities” does not include highways, as defined~~
19 ~~in s. 340.01 (22), other transportation facilities or traffic control devices. “Public~~
20 ~~facilities” does not include facilities owned by a school district.~~

21 ***b2937/2.1* SECTION 152de.** 66.0617 (1) (g) of the statutes is amended to read:

22 66.0617 (1) (g) “Service area” means a geographic area delineated by a political
23 subdivision or school district within which there are public facilities.

24 ***b2937/2.1* SECTION 152df.** 66.0617 (1) (h) of the statutes is amended to read:

1 66.0617 (1) (h) “Service standard” means a certain quantity or quality of public
2 facilities relative to a certain number of persons, parcels of land, or other appropriate
3 measure, as specified by the political subdivision or school district.

4 ***b2937/2.1* SECTION 152dg.** 66.0617 (2) (a) of the statutes is amended to read:

5 66.0617 (2) (a) ~~Subject to par. (am), a~~ A political subdivision may enact an
6 ordinance under this section that imposes impact fees on developers to pay for the
7 capital costs that are necessary to accommodate land development. A school district
8 may adopt a resolution under this section that imposes impact fees on developers to
9 pay for the capital costs that are necessary to accommodate land development.

10 ***b2937/2.1* SECTION 152dh.** 66.0617 (2) (am) of the statutes is repealed.

11 ***b2937/2.1* SECTION 152di.** 66.0617 (2) (b) of the statutes is amended to read:

12 66.0617 (2) (b) ~~Subject to par. (c), this~~ This section does not prohibit or limit the
13 authority of a political subdivision or school district to finance public facilities by any
14 other means authorized by law, ~~except that the amount of an impact fee imposed by~~
15 ~~a political subdivision shall be reduced, under sub. (6) (d), to compensate for any~~
16 ~~other costs of public facilities imposed by the political subdivision on developers to~~
17 ~~provide or pay for capital costs.~~

18 ***b2937/2.1* SECTION 152dj.** 66.0617 (2) (c) of the statutes is repealed.

19 ***b2937/2.1* SECTION 152dk.** 66.0617 (3) of the statutes is amended to read:

20 66.0617 (3) PUBLIC HEARING; NOTICE. Before enacting an ordinance or adopting
21 a resolution that imposes impact fees, or amending an existing ordinance or
22 resolution that imposes impact fees, a political subdivision or school district shall
23 hold a public hearing on the proposed ordinance or resolution or amendment. Notice
24 of the public hearing shall be published as a class 1 notice under ch. 985, and shall

1 specify where a copy of the proposed ordinance or resolution or amendment and the
2 public facilities needs assessment may be obtained.

3 ***b2937/2.1* SECTION 152dL.** 66.0617 (4) (a) (intro.) of the statutes is amended
4 to read:

5 66.0617 (4) (a) (intro.) Before enacting an ordinance or adopting a resolution
6 that imposes impact fees or amending an ordinance or resolution that imposes
7 impact fees by revising the amount of the fee or altering the public facilities for which
8 impact fees may be imposed, a political subdivision or school district shall prepare
9 a needs assessment for the public facilities for which it is anticipated that impact fees
10 may be imposed. The public facilities needs assessment shall include, but not be
11 limited to, the following:

12 ***b2937/2.1* SECTION 152dm.** 66.0617 (4) (b) of the statutes is amended to read:

13 66.0617 (4) (b) A public facilities needs assessment or revised public facilities
14 needs assessment that is prepared under this subsection shall be available for public
15 inspection and copying in the office of the clerk of the political subdivision or school
16 district at least 20 days before the hearing under sub. (3).

17 ***b2937/2.1* SECTION 152dn.** 66.0617 (5) of the statutes is amended to read:

18 66.0617 (5) DIFFERENTIAL FEES, IMPACT FEE ZONES. (a) An ordinance enacted or
19 resolution adopted under this section may impose different impact fees on different
20 types of land development.

21 (b) An ordinance enacted or resolution adopted under this section may
22 delineate geographically defined zones within the political subdivision or school
23 district and may impose impact fees on land development in a zone that differ from
24 impact fees imposed on land development in other zones within the political
25 subdivision or school district. The public facilities needs assessment that is required

1 under sub. (4) shall explicitly identify the differences, such as land development or
2 the need for those public facilities, which justify the differences between zones in the
3 amount of impact fees imposed.

4 *b2937/2.1* SECTION 152do. 66.0617 (6) (intro.) of the statutes is amended to
5 read:

6 66.0617 (6) STANDARDS FOR IMPACT FEES. (intro.) Impact fees imposed by an
7 ordinance enacted or resolution adopted under this section:

8 *b2937/2.1* SECTION 152dq. 66.0617 (6) (b) of the statutes is repealed.

9 *b2937/2.1* SECTION 152dr. 66.0617 (6) (d) of the statutes is repealed.

10 *b2937/2.1* SECTION 152ds. 66.0617 (6) (f) of the statutes is repealed.

11 *b2937/2.1* SECTION 152dt. 66.0617 (6) (g) of the statutes is amended to read:

12 66.0617 (6) (g) Shall be payable by the developer to the political subdivision or
13 school district, either in full or in instalment payments that are approved by the
14 political subdivision or school district, before a building permit may be issued or
15 other required approval may be given by the political subdivision or school district.

16 *b2937/2.1* SECTION 152du. 66.0617 (7) of the statutes is amended to read:

17 66.0617 (7) LOW-COST HOUSING. An ordinance enacted or resolution adopted
18 under this section may provide for an exemption from, or a reduction in the amount
19 of, impact fees on land development that provides low-cost housing, except that no
20 amount of an impact fee for which an exemption or reduction is provided under this
21 subsection may be shifted to any other development in the land development in
22 which the low-cost housing is located or to any other land development in the
23 political subdivision or school district.

24 *b2937/2.1* SECTION 152dv. 66.0617 (8) of the statutes is amended to read:

1 66.0617 (8) REQUIREMENTS FOR IMPACT FEE REVENUES. Revenues from impact
2 fees shall be placed in a segregated, interest-bearing account and shall be accounted
3 for separately from the other funds of the political subdivision or school district.
4 Impact fee revenues and interest earned on impact fee revenues may be expended
5 only for capital costs for which the impact fees were imposed.

6 ***b2937/2.1* SECTION 152dw.** 66.0617 (9) of the statutes is amended to read:

7 66.0617 (9) REFUND OF IMPACT FEES. An ordinance enacted or resolution adopted
8 under this section shall specify that impact fees that are imposed and collected by
9 a political subdivision or school district but are not used within a reasonable period
10 of time after they are collected to pay the capital costs for which they were imposed
11 shall be refunded to the current owner of the property with respect to which the
12 impact fees were imposed. The ordinance or resolution shall specify, by type of public
13 facility, reasonable time periods within which impact fees must be spent or refunded
14 under this subsection. In determining the length of the time periods under the
15 ordinance or resolution, a political subdivision or school district shall consider what
16 are appropriate planning and financing periods for the particular types of public
17 facilities for which the impact fees are imposed.

18 ***b2937/2.1* SECTION 152dx.** 66.0617 (10) of the statutes is amended to read:

19 66.0617 (10) APPEAL. A political subdivision that enacts an impact fee
20 ordinance under this section, and a school district that adopts an impact fee
21 resolution under this section, shall, by ordinance or resolution, specify a procedure
22 under which a developer upon whom an impact fee is imposed has the right to contest
23 the amount, collection or use of the impact fee to the governing body of the political
24 subdivision or school district.”

1 ***b2939/1.1* 172.** Page 53, line 4: after that line insert:

2 ***b2939/1.1* SECTION 153s.** 66.1113 (2) (a) of the statutes, as affected by 2001
3 Wisconsin Act 16, is amended to read:

4 66.1113 (2) (a) The governing body of a political subdivision, by a two-thirds
5 vote of the members of the governing body who are present when the vote is taken,
6 may enact an ordinance or adopt a resolution declaring itself to be a premier resort
7 area if, except as provided in ~~par.~~ pars. (e) and (f), at least 40% of the equalized
8 assessed value of the taxable property within such political subdivision is used by
9 tourism-related retailers.

10 ***b2939/1.1* SECTION 153t.** 66.1113 (2) (f) of the statutes is created to read:

11 66.1113 (2) (f) The city of Bayfield may enact an ordinance or adopt a resolution
12 declaring itself to be a premier resort area under par. (a) even if less than 40% of the
13 equalized assessed value of the taxable property within Bayfield is used by
14 tourism-related retailers.”.

15 ***b2757/1.1* 173.** Page 53, line 20: after that line insert:

16 ***b2757/1.1* SECTION 156b.** 70.32 (2) (c) 1. of the statutes is amended to read:

17 70.32 (2) (c) 1. “Agricultural land” means land, exclusive of buildings and
18 improvements and the land necessary for their location and convenience, that is
19 devoted primarily to agricultural use, as defined by rule, if the land is a farm, as
20 defined in sub. (2s) (a) 2., and the owner or lessee of the land files the form under sub.
21 (2s).

22 ***b2757/1.1* SECTION 156d.** 70.32 (2) (c) 1m. of the statutes is created to read:

1 70.32 (2) (c) 1m. “Other” means buildings and improvements located on farms,
2 as defined in sub. (2s) (a) 2., and the land necessary for their location and
3 convenience.

4 ***b2757/1.1* SECTION 156e.** 70.32 (2s) of the statutes is created to read:

5 70.32 (2s) (a) In this subsection:

6 1. “Department” means the department of revenue.

7 2. “Farm” means a business engaged in activities included in the North
8 American Industry Classification System, 1997 edition, published by the U.S. office
9 of management and budget under any of the following classifications, if the business
10 generated at least \$3,500 in gross receipts, including payments in kind for placing
11 land in federal programs, from such activities in the year preceding the date that a
12 form is filed under par. (b) or if the business is likely to generate at least \$3,500 in
13 gross receipts, including payments in kind for placing land in federal programs, from
14 such activities in the year following the date that a form is filed under par. (b):

15 a. Classification 111–Crop production including growing sod, Christmas trees,
16 and ginseng under industry number 111421, but excluding growing nursery product
17 and stock under industry number 111421.

18 b. Classification 112–Animal production.

19 (b) Any person who owns or who is a lessee of land used as a farm shall file a
20 form, as prescribed by the department, with the assessor of each taxation district in
21 which land included in the farm is located no later than March 1 that certifies that
22 the person is the owner or lessee of land used as a farm. The person shall certify on
23 the form that the farm generated at least \$3,500 in gross receipts, including
24 payments in kind for placing land in federal programs, from the activities described
25 under par. (a) 2. in the preceding year, or is likely to generate at least \$3,500 in gross

1 receipts, including payments in kind for placing land in federal programs, from such
2 activities in the year following the date that a form is filed under this paragraph. On
3 the form, the person shall specify each such activity and the gross receipts generated
4 or likely to be generated from each activity. For purposes of this subsection, gross
5 receipts from the activities described under par. (a) 2. shall be calculated on a per
6 farm basis, regardless of whether the farm is located in more than one taxation
7 district. A person who has filed a form under this paragraph shall only file such a
8 form in a subsequent year, if in that subsequent year the person has acquired or
9 leased additional land to be used as part of the farm.

10 (c) If the use of the person's land has changed so that it may no longer be
11 assessed as agricultural land under sub. (2r), the person who owns or who is the
12 lessee of the land shall notify the assessor of the taxation district in which the
13 person's land is located, on a form prescribed by the department. If the use of the
14 person's land has changed so that it may no longer be assessed as agricultural land
15 under sub. (2r) and the person who owns or who is the lessee of the land does not
16 notify the assessor of the taxation district as provided under this paragraph, the
17 taxation district shall treat the difference between the land's value as agricultural
18 land under sub. (2r) and the land's value under the appropriate classification as
19 provided under sub. (2) (a) as omitted property under s. 70.44 and collect from the
20 owner of the land the penalty under s. 74.485.”.

21 *b2890/2.1* **174.** Page 54, line 3: delete the material beginning with that and
22 ending with page 57, line 13.

23 *b2890/2.2* **175.** Page 57, line 22: delete “P.L. 106-554.”.

24 *b2890/2.3* **176.** Page 58, line 5: on lines 5, 11 and 14, delete “P.L. 106-554.”.

- 1 ***b2890/2.4* 177.** Page 58, line 25: delete “P.L. 106–554, P.L. 106–573,”.
- 2 ***b2890/2.5* 178.** Page 59, line 9: on lines 9, 15 and 18, delete “P.L. 106–554,
3 P.L. 106–573,”.
- 4 ***b2890/2.6* 179.** Page 60, line 3: delete the material beginning with “P.L.
5 106–230” and ending with “P.L. 106–573,” on line 4.
- 6 ***b2890/2.7* 180.** Page 60, line 13: delete that line and substitute “and P.L.
7 107–16, excluding”.
- 8 ***b2890/2.8* 181.** Page 60, line 19: delete the material beginning with “P.L.
9 106–230” and ending with “106–573,” on line 20.
- 10 ***b2890/2.9* 182.** Page 60, line 22: delete “P.L. 106–230, P.L. 106–519, P.L.
11 106–554, P.L. 106–573,”.
- 12 ***b2890/2.10* 183.** Page 61, line 1: delete the material beginning with “and
13 before” and ending with “2001,” on line 2.
- 14 ***b2890/2.11* 184.** Page 61, line 7: delete that line and substitute “104–188,
15 and as amended by”.
- 16 ***b2890/2.12* 185.** Page 61, line 8: delete “P.L. 106–573, and”.
- 17 ***b2890/2.13* 186.** Page 61, line 16: delete “P.L. 106–200, P.L. 106–230,”.
- 18 ***b2890/2.14* 187.** Page 61, line 17: delete “P.L. 106–519, P.L. 106–554, P.L.
19 106–573,”.
- 20 ***b2890/2.15* 188.** Page 61, line 21: delete “and before January 1, 2001,”.
- 21 ***b2890/2.16* 189.** Page 61, line 22: delete “P.L. 106–200, P.L.”.

1 ***b2890/2.17* 190.** Page 61, line 23: delete “106-230, P.L. 106-519, P.L.
2 106-554, P.L. 106-573, and”.

3 ***b2890/2.18* 191.** Page 61, line 25: delete “P.L. 106-200, P.L. 106-230, P.L.
4 106-519, P.L.”.

5 ***b2890/2.19* 192.** Page 62, line 1: delete “106-554, P.L. 106-573, and”.

6 ***b2890/2.20* 193.** Page 62, line 3: delete the material beginning with that
7 line and ending with page 63, line 24.

8 ***b2888/1.1* 194.** Page 64, line 9: delete the material beginning with that line
9 and ending with page 66, line 15.

10 ***b2706/6.10* 195.** Page 66, line 15: after that line insert:

11 ***b2706/6.10* SECTION 170pc.** 71.10 (3) (a) of the statutes is amended to read:

12 71.10 (3) (a) Every individual filing an income tax return who has a tax liability
13 or is entitled to a tax refund may designate ~~\$1~~ \$5 for transfer to the Wisconsin
14 election campaign fund for the use of eligible candidates under s. 11.50. If the
15 individuals filing a joint return have a tax liability or are entitled to a tax refund,
16 each individual may make a designation of ~~\$1~~ \$5 under this subsection. Each
17 individual making a designation shall indicate whether the amount designated by
18 that individual shall be placed in the general account for the use of all eligible
19 candidates for state office, or in the account of an eligible political party whose name
20 is certified to the secretary of revenue under s. 11.50 (14). If an individual does not
21 indicate that the amount of his or her designation shall be placed in the account of
22 a particular eligible political party, that amount shall be placed in the general
23 account.

24 ***b2706/6.10* SECTION 170pe.** 71.10 (3) (b) of the statutes is amended to read:

1 71.10 (3) (b) The secretary of revenue shall provide a place for those
2 designations under par. (a) on the face of the individual income tax return and shall
3 provide next to that place a statement that a designation will not increase tax
4 liability. ~~Annually on August 15~~ The secretary shall also provide and highlight a
5 place in the instructions that accompany the return for any information submitted
6 to the secretary by the elections board under s. 11.50 (2m) without cost to the board.
7 No later than the 15th day of each month, the secretary of revenue shall certify to
8 the elections board, the department of administration and the state treasurer ~~under~~
9 ~~s. 11.50~~ the total amount of designations made on returns processed by the
10 department of revenue during the preceding fiscal year month and the amount of
11 designations made during that month for the general account and for the account of
12 each eligible political party. If any individual attempts to place any condition or
13 restriction upon a designation not authorized under par. (a), that individual is
14 deemed not to have made a designation on his or her tax return.”.

15 ***b2890/2.21* 196.** Page 66, line 18: delete the material beginning with that
16 line and ending with page 70, line 8.

17 ***b2890/2.22* 197.** Page 70, line 17: delete “P.L. 106-554.”.

18 ***b2890/2.23* 198.** Page 71, line 2: on lines 2, 8 and 11, delete “P.L. 106-554.”.

19 ***b2890/2.24* 199.** Page 71, line 21: delete “P.L. 106-554, P.L. 106-573.”.

20 ***b2890/2.25* 200.** Page 72, line 6: on lines 6, 13 and 16, delete “P.L. 106-554,
21 P.L. 106-573.”.

22 ***b2890/2.26* 201.** Page 72, line 25: delete “P.L. 106-230, P.L. 106-519, P.L.”.

23 ***b2890/2.27* 202.** Page 73, line 1: delete “106-544, P.L. 106-573.”.

1 ***b2890/2.28* 203.** Page 73, line 11: delete “P.L. 106–230, P.L. 106–519, P.L.
2 106–554,”.

3 ***b2890/2.29* 204.** Page 73, line 12: delete “P.L. 106–573,”.

4 ***b2890/2.30* 205.** Page 73, line 17: delete “106–170, P.L. and substitute
5 “106–170,”.

6 ***b2890/2.31* 206.** Page 73, line 18: delete that line and substitute “and P.L.
7 107–16, excluding”.

8 ***b2890/2.32* 207.** Page 73, line 20: delete “P.L. 106–230,”.

9 ***b2890/2.33* 208.** Page 73, line 21: delete “P.L. 106–519, P.L. 106–554, P.L.
10 106–573,”.

11 ***b2890/2.34* 209.** Page 74, line 1: delete “and before January 1, 2001,”.

12 ***b2890/2.35* 210.** Page 74, line 5: delete that line and substitute “amended
13 by”.

14 ***b2890/2.36* 211.** Page 74, line 6: delete “and P.L.” and substitute “P.L.”.

15 ***b2890/2.37* 212.** Page 74, line 16: delete “P.L. 106–200, P.L. 106–230, P.L.
16 106–519, P.L. 106–554,”.

17 ***b2890/2.38* 213.** Page 74, line 17: delete “P.L. 106–573,”.

18 ***b2890/2.39* 214.** Page 74, line 21: delete “and before January 1, 2001,”.

19 ***b2890/2.40* 215.** Page 74, line 22: delete “P.L. 106–200, P.L. 106–230, P.L.
20 106–519, P.L.”.

21 ***b2890/2.41* 216.** Page 74, line 23: delete “106–554, P.L. 106–573, and”.

22 ***b2890/2.42* 217.** Page 74, line 25: delete that line and substitute “P.L.”.

1 ***b2890/2.43* 218.** Page 75, line 3: delete the material beginning with that
2 line and ending with page 77, line 2.

3 ***b2890/2.44* 219.** Page 77, line 5: delete the material beginning with that
4 line and ending with page 80, line 14.

5 ***b2890/2.45* 220.** Page 80, line 23: delete "P.L. 106-554".

6 ***b2890/2.46* 221.** Page 81, line 6: on lines 6, 12 and 15, delete "P.L.
7 106-554".

8 ***b2890/2.47* 222.** Page 81, line 25: delete "P.L. 106-554, P.L. 106-573".

9 ***b2890/2.48* 223.** Page 82, line 9: on lines 9, 15 and 18, delete "P.L. 106-554,
10 P.L. 106-573".

11 ***b2890/2.49* 224.** Page 83, line 3: delete "P.L. 106-230, P.L.".

12 ***b2890/2.50* 225.** Page 83, line 4: delete "106-519, P.L. 106-554, P.L.
13 106-573".

14 ***b2890/2.51* 226.** Page 83, line 13: on lines 13, 19 and 22, delete "P.L.
15 106-230, P.L. 106-519, P.L. 106-554, P.L. 106-573".

16 ***b2890/2.52* 227.** Page 84, line 1: delete the material beginning with "and"
17 and ending with "2001," on line 2.

18 ***b2890/2.53* 228.** Page 84, line 7: delete that line and substitute "104-188,
19 and as amended by".

20 ***b2890/2.54* 229.** Page 84, line 8: delete "P.L. 106-573, and".

21 ***b2890/2.55* 230.** Page 84, line 16: delete "P.L. 106-200, P.L. 106-230".

1 ***b2890/2.56* 231.** Page 84, line 17: delete “P.L. 106–519, P.L. 106–554, P.L.
2 106–573.”.

3 ***b2890/2.57* 232.** Page 84, line 21: delete “and before January 1, 2001.”.

4 ***b2890/2.58* 233.** Page 84, line 22: delete “P.L. 106–200, P.L. 106–230, P.L.
5 106–519, P.L.”.

6 ***b2890/2.59* 234.** Page 84, line 23: delete “106–554, P.L. 106–573, and”.

7 ***b2890/2.60* 235.** Page 84, line 25: delete that line and substitute “P.L.”.

8 ***b2890/2.61* 236.** Page 85, line 3: delete the material beginning with that
9 line and ending with page 86, line 24.

10 ***b2888/1.2* 237.** Page 87, line 1: delete the material beginning with that line
11 and ending with page 89, line 8.

12 ***b2890/2.62* 238.** Page 89, line 11: delete the material beginning with that
13 line and ending with page 97, line 2.

14 ***b2890/2.63* 239.** Page 97, line 12: on lines 12 and 20, delete “P.L. 106–554.”.

15 ***b2890/2.64* 240.** Page 98, line 4: on lines 4, 13 and 25, delete “P.L.
16 106–554.”.

17 ***b2890/2.65* 241.** Page 99, line 8: on lines 8, 14 and 17, delete “P.L.
18 106–554.”.

19 ***b2890/2.66* 242.** Page 100, line 3: on lines 3, 12 and 21, delete “P.L.
20 106–554, P.L. 106–573.”.

21 ***b2890/2.67* 243.** Page 101, line 5: on lines 5 and 18, delete “P.L. 106–554,
22 P.L. 106–573.”.

- 1 ***b2890/2.68* 244.** Page 102, line 2: on lines 2, 8 and 11, delete “P.L. 106-554,
2 P.L. 106-573,”.
- 3 ***b2890/2.69* 245.** Page 102, line 21: delete “106-170, P.L.” and substitute
4 “106-170.”.
- 5 ***b2890/2.70* 246.** Page 102, line 22: delete that line and substitute “and P.L.
6 107-16, excluding”.
- 7 ***b2890/2.71* 247.** Page 103, line 6: on lines 6 and 15, delete “P.L. 106-230,
8 P.L. 106-519, P.L. 106-554, P.L. 106-573,”.
- 9 ***b2890/2.72* 248.** Page 103, line 24: delete “P.L. 106-230, P.L. 106-519, P.L.
10 106-554,”.
- 11 ***b2890/2.73* 249.** Page 103, line 25: delete “P.L. 106-573,”.
- 12 ***b2890/2.74* 250.** Page 104, line 11: delete “P.L. 106-230, P.L. 106-519,
13 P.L.”.
- 14 ***b2890/2.75* 251.** Page 104, line 12: delete “106-554, P.L. 106-573,”.
- 15 ***b2890/2.76* 252.** Page 104, line 20: delete the material beginning with “P.L.
16 106-230” and ending with “106-573,” on line 21.
- 17 ***b2890/2.77* 253.** Page 105, line 1: delete “P.L. 106-230, P.L. 106-519,”.
- 18 ***b2890/2.78* 254.** Page 105, line 2: delete “P.L. 106-554, P.L. 106-573,”.
- 19 ***b2890/2.79* 255.** Page 105, line 4: delete “P.L. 106-230, P.L. 106-519, P.L.
20 106-554, P.L.”.
- 21 ***b2890/2.80* 256.** Page 105, line 5: delete “106-573,”.

1 ***b2890/2.81* 257.** Page 105, line 8: delete the material beginning with “and”
2 and ending with “2001,” on line 9.

3 ***b2890/2.82* 258.** Page 105, line 15: delete “P.L. 106–200, P.L. 106–230,
4 P.L.”.

5 ***b2890/2.83* 259.** Page 105, line 16: delete “106–519, P.L. 106–554, P.L.
6 106–573, and”.

7 ***b2890/2.84* 260.** Page 105, line 25: delete that line and substitute “and
8 P.L.”.

9 ***b2890/2.85* 261.** Page 106, line 8: delete “P.L. 106–200, P.L. 106–230,”.

10 ***b2890/2.86* 262.** Page 106, line 9: delete “P.L. 106–519, P.L. 106–554, P.L.
11 106–573, and”.

12 ***b2890/2.87* 263.** Page 106, line 18: delete that line and substitute “and
13 P.L.”.

14 ***b2890/2.88* 264.** Page 107, line 5: delete that line and substitute “amended
15 by”.

16 ***b2890/2.89* 265.** Page 107, line 6: delete “and P.L. 107–16” and substitute
17 “P.L. 107–16”.

18 ***b2890/2.90* 266.** Page 107, line 14: delete “P.L. 106–200, P.L. 106–230,”.

19 ***b2890/2.91* 267.** Page 107, line 15: delete “P.L. 106–519, P.L. 106–554, P.L.
20 106–573,”.

21 ***b2890/2.92* 268.** Page 107, line 19: delete “and before January 1, 2001,”.

22 ***b2890/2.93* 269.** Page 107, line 20: delete that line and substitute “Revenue
23 Code made by”.

- 1 ***b2890/2.94* 270.** Page 107, line 21: delete “106-573, and”.
- 2 ***b2890/2.95* 271.** Page 107, line 22: delete “P.L. 106-200”.
- 3 ***b2890/2.96* 272.** Page 107, line 23: delete that line and substitute “P.L.
4 107-16, excluding”.
- 5 ***b2890/2.97* 273.** Page 108, line 1: delete the material beginning with that
6 line and ending with page 112, line 25.
- 7 ***b2890/2.98* 274.** Page 113, line 16: delete the material beginning with that
8 line and ending with page 117, line 10.
- 9 ***b2890/2.99* 275.** Page 117, line 18: delete “P.L. 106-554”.
- 10 ***b2890/2.100* 276.** Page 118, line 3: on lines 3, 11 and 14, delete “P.L.
11 106-554”.
- 12 ***b2890/2.101* 277.** Page 118, line 24: delete “P.L. 106-554, P.L. 106-573”.
- 13 ***b2890/2.102* 278.** Page 119, line 9: delete “P.L. 106-554”.
- 14 ***b2890/2.103* 279.** Page 119, line 10: delete “P.L. 106-573”.
- 15 ***b2890/2.104* 280.** Page 119, line 18: on lines 18 and 21, delete “P.L.
16 106-554, P.L. 106-573”.
- 17 ***b2890/2.105* 281.** Page 120, line 6: delete “P.L. 106-230, P.L.”.
- 18 ***b2890/2.106* 282.** Page 120, line 7: delete “106-519, P.L. 106-554, P.L.
19 106-573”.
- 20 ***b2890/2.107* 283.** Page 120, line 17: delete “P.L. 106-230, P.L. 106-519”.
- 21 ***b2890/2.108* 284.** Page 120, line 18: delete “P.L. 106-554, P.L. 106-573”.

- 1 ***b2890/2.109* 285.** Page 120, line 25: delete “106–170, P.L.” and substitute
2 “106–170.”
- 3 ***b2890/2.110* 286.** Page 121, line 1: delete that line and substitute “and P.L.
4 107–16, excluding”.
- 5 ***b2890/2.111* 287.** Page 121, line 3: delete “P.L. 106–230.”
- 6 ***b2890/2.112* 288.** Page 121, line 4: delete “P.L. 106–519, P.L. 106–554, P.L.
7 106–573.”.
- 8 ***b2890/2.113* 289.** Page 121, line 8: delete “and before January 1, 2001.”
- 9 ***b2890/2.114* 290.** Page 121, line 12: delete “P.L. 106–200, P.L. 106–230,
10 P.L. 106–519, P.L.”.
- 11 ***b2890/2.115* 291.** Page 121, line 13: delete “106–554, P.L. 106–573.”
- 12 ***b2890/2.116* 292.** Page 121, line 23: delete “P.L. 106–200, P.L. 106–230,
13 P.L. 106–519.”.
- 14 ***b2890/2.117* 293.** Page 121, line 24: delete “P.L. 106–554, P.L. 106–573.”
- 15 ***b2890/2.118* 294.** Page 122, line 5: delete “and before January 1, 2001.”
- 16 ***b2890/2.119* 295.** Page 122, line 6: delete “P.L. 106–200, P.L. 106–230, P.L.
17 106–519, P.L.”.
- 18 ***b2890/2.120* 296.** Page 122, line 7: delete “106–554, P.L. 106–573, and”.
- 19 ***b2890/2.121* 297.** Page 122, line 9: delete that line and substitute “and
20 P.L.”.
- 21 ***b2890/2.122* 298.** Page 122, line 12: delete the material beginning with
22 that line and ending with page 124, line 14.

1 ***b2890/2.123* 299.** Page 125, line 19: delete the material beginning with
2 that line and ending with page 129, line 2.

3 ***b2890/2.124* 300.** Page 129, line 10: on lines 10, 17 and 25, delete “P.L.
4 106-554.”.

5 ***b2890/2.125* 301.** Page 130, line 3: delete “P.L. 106-554.”.

6 ***b2890/2.126* 302.** Page 130, line 12: on lines 12 and 20, delete “P.L.
7 106-554, P.L. 106-573.”.

8 ***b2890/2.127* 303.** Page 131, line 3: on lines 3 and 6, delete “P.L. 106-554,
9 P.L. 106-573.”.

10 ***b2890/2.128* 304.** Page 131, line 14: delete “P.L. 106-230, P.L. 106-519,
11 P.L. 106-554.”.

12 ***b2890/2.129* 305.** Page 131, line 15: delete “P.L. 106-573.”.

13 ***b2890/2.130* 306.** Page 131, line 23: delete “P.L. 106-230, P.L. 106-519,
14 P.L. 106-554, P.L. 106-573.”.

15 ***b2890/2.131* 307.** Page 132, line 5: delete “P.L. 106-230, P.L. 106-519.”.

16 ***b2890/2.132* 308.** Page 132, line 6: delete “P.L. 106-554, P.L. 106-573.”.

17 ***b2890/2.133* 309.** Page 132, line 8: delete “P.L. 106-230, P.L. 106-519, P.L.
18 106-554, P.L.”.

19 ***b2890/2.134* 310.** Page 132, line 9: delete “106-573.”.

20 ***b2890/2.135* 311.** Page 132, line 12: delete the material beginning with
21 “and” and ending with “2001.” on line 13.

1 ***b2890/2.136* 312.** Page 132, line 17: delete that line and substitute
2 “amended by”.

3 ***b2890/2.137* 313.** Page 132, line 18: delete “and P.L. 107–16” and
4 substitute “P.L. 107–16”.

5 ***b2890/2.138* 314.** Page 133, line 1: delete that line and substitute “and
6 P.L.”.

7 ***b2890/2.139* 315.** Page 133, line 7: delete “and before January 1, 2001,”.

8 ***b2890/2.140* 316.** Page 133, line 8: delete “P.L. 106–200, P.L. 106–230, P.L.
9 106–519, P.L.”.

10 ***b2890/2.141* 317.** Page 133, line 9: delete “106–554, P.L. 106–573, and”.

11 ***b2890/2.142* 318.** Page 133, line 11: delete that line and substitute “P.L.”.

12 ***b2890/2.143* 319.** Page 133, line 14: delete the material beginning with
13 that line and ending with page 135, line 9.

14 ***b2888/1.3* 320.** Page 135, line 24: delete the material beginning with that
15 line and ending with page 138, line 9.

16 ***b2757/1.2* 321.** Page 139, line 16: after that line insert:

17 ***b2757/1.2* SECTION 233b.** 74.48 of the statutes is repealed.

18 ***b2757/1.2* SECTION 233d.** 74.485 of the statutes is created to read:

19 **74.485 Penalty for converting agricultural land. (1) DEFINITION.** In this
20 section, “agricultural land” has the meaning given in s. 70.32 (2) (c) 1.

21 **(2) PENALTY.** Except as provided in sub. (4), a person who owns land that has
22 been assessed as agricultural land under s. 70.32 (2r) and who converts the land’s
23 use so that the land is not eligible to be assessed as agricultural land under s. 70.32

1 (2r), as determined by the assessor of the taxation district in which the land is
2 located, shall pay a penalty to the county in which the land is located in an amount,
3 calculated by the county treasurer, that is equal to the number of acres converted
4 multiplied by the amount of the difference between the average fair market value of
5 an acre of agricultural land sold in the county in the year before the year that the
6 person converts the land, as determined under sub. (3), and the average equalized
7 value of an acre of agricultural land in the county in the year before the year that the
8 person converts the land, as determined under sub. (3), multiplied by the following:

9 (a) Five percent, if the converted land is more than 30 acres.

10 (b) Seven and one-half percent, if the converted land is 30 acres or less but at
11 least 10 acres.

12 (c) Ten percent, if the converted land is less than 10 acres.

13 (3) VALUE DETERMINATION. Annually, the department of revenue shall
14 determine the average equalized value of an acre of agricultural land in each county
15 in the previous year, as provided under s. 70.57, and the average fair market value
16 of an acre of agricultural land sold in each county in the previous year based on the
17 sales in each county in the previous year of parcels of agricultural land that are 38
18 acres or more to buyers who intend to use the land as agricultural land.

19 (4) EXCEPTIONS AND DEFERRAL. (a) A person who owns land that has been
20 assessed as agricultural land under s. 70.32 (2r) and who converts the land's use so
21 that the land is not eligible to be assessed as agricultural land under s. 70.32 (2r) is
22 not subject to a penalty under sub. (2) if the amount of the penalty determined under
23 sub. (2) represents less than \$25 for each acre of converted land.

24 (b) If a person owes a penalty under sub. (2), the treasurer of the county in
25 which the person's land is located may defer payment of the penalty to the succeeding

1 taxable year if the person demonstrates to the assessor of the taxation district in
2 which the land is located that the person's land will be used as agricultural land in
3 the succeeding taxable year. A person who receives a deferral under this paragraph
4 is not subject to the penalty under sub. (2) related to the deferral, if the person's land
5 is used as agricultural land in the succeeding taxable year. If the land of a person
6 who receives a deferral under this paragraph is not used as agricultural land in the
7 succeeding taxable year, the person shall pay the penalty with interest at the rate
8 of 1% a month, or fraction of a month, from the date that the treasurer granted a
9 deferral to the date that the penalty is paid.

10 (5) PAYMENT. Except as provided in sub. (4), a person who owes a penalty under
11 sub. (2) shall pay the penalty to the county in which the person's land related to the
12 penalty is located no later than 30 days after the date that the penalty is assessed.
13 A penalty that is not paid on the date it is due is considered delinquent and shall be
14 paid with interest at the rate of 1% a month, or fraction of a month, from the date that
15 the penalty is assessed to the date that the penalty is paid. The county shall collect
16 an unpaid penalty as a special charge against the land related to the penalty.

17 (6) DISTRIBUTION. A county that collects a penalty under this section shall
18 distribute 50% of the amount of the penalty to the taxation district in which the land
19 related to the penalty is located. If the land related to the penalty is located in 2 or
20 more taxation districts, the county shall distribute 50% of the amount of the penalty
21 to the taxation districts in proportion to the equalized value of the land related to the
22 penalty that is located in each taxation district. A taxation district shall distribute
23 50% of any amount it receives under this subsection to an adjoining taxation district,
24 if the taxation district in which the land related to the penalty is located annexed the

1 land related to the penalty from the adjoining taxation district in either of the 2 years
2 preceding a distribution under this subsection.

3 (7) NOTICE. A person who owns land that has been assessed as agricultural land
4 under s. 70.32 (2r) and who sells the land shall notify the buyer of the land of all of
5 the following:

6 (a) That the land has been assessed as agricultural land under s. 70.32 (2r).

7 (b) Whether the person who owns the land and who is selling the land has been
8 assessed a penalty under sub. (2) related to the land.

9 (c) Whether the person who owns the land and who is selling the land has been
10 granted a deferral under sub. (4) related to the land.

11 (8) TAXATION DISTRICT ASSESSOR. The assessors of the taxation districts located
12 in the county shall inform the county treasurer and the real property lister of all sales
13 of agricultural land located in the county.

14 (9) ADMINISTRATION. The county in which the land as described in sub. (1) is
15 located shall administer the penalty under this section.”.

16 *b2863/1.4* **322.** Page 139, line 16: after that line insert:

17 *b2863/1.4* “SECTION 232f. 71.93 (1) (a) 3. of the statutes, as affected by 2001
18 Wisconsin Act 16, is amended to read:

19 71.93 (1) (a) 3. An amount that the department of health and family services
20 may recover under s. 49.45 (2) (a) 10. or 49.497, if the department of health and
21 family services has certified the amount under s. 49.85.”.

22 *b2871/1.1* **323.** Page 139, line 16: after that line insert:

23 *b2871/1.1* “SECTION 233b. 77.52 (2) (a) 5. of the statutes is renumbered 77.52
24 (2) (a) 5. a. and amended to read:

1 77.52 (2) (a) 5. a. The sale of telecommunications services, except services
2 subject to 4 USC 116 to 126, as amended by P.L. 106–252, that either originate or
3 terminate in this state; except services that are obtained by means of a toll-free
4 number, that originate outside this state and that terminate in this state; and are
5 charged to a service address in this state, regardless of the location where that charge
6 is billed or paid; and the sale of the rights to purchase telecommunications services,
7 including purchasing reauthorization numbers, by paying in advance and by using
8 an access number and authorization code, except sales that are subject to subd. 5. b.

9 ***b2871/1.1* SECTION 233d.** 77.52 (2) (a) 5. b. of the statutes is created to read:

10 77.52 (2) (a) 5. b. The sale of services subject to 4 USC 116 to 126, as amended
11 by P.L. 106–252, if the customer’s place of primary use of the services is in this state,
12 as determined under 4 USC 116 to 126, as amended by P.L. 106–252. For purposes
13 of this subd. 5. b., all of the provisions of 4 USC 116 to 126, as amended by P.L.
14 106–252, are adopted, except that if 4 USC 116 to 126, as amended by P.L. 106–252,
15 or the application of 4 USC 116 to 126, as amended by P.L. 106–252, is found
16 unconstitutional the sale of telecommunications services is subject to the tax
17 imposed under this section as provided in subd. 5. a.

18 ***b2871/1.1* SECTION 233f.** 77.52 (3m) (intro.) of the statutes is amended to
19 read:

20 77.52 (3m) (intro.) In regard to the sale of the rights to purchase
21 telecommunications services under sub. (2) (a) 5. a.:

22 ***b2871/1.1* SECTION 233h.** 77.52 (3n) of the statutes is created to read:

23 77.52 (3n) In regard to the sale of the rights to purchase telecommunications
24 services under sub. (2) (a) 5. b., the situs of the sale is as determined under 4 USC
25 116 to 126, as amended by P.L. 106–252.

1 ***b2871/1.1* SECTION 233j.** 77.525 of the statutes is amended to read:

2 **77.525 Reduction to prevent double taxation.** Any person who is subject
3 to the tax under s. 77.52 (2) (a) 5. a. on telecommunications services that terminate
4 in this state and who has paid a similar tax on the same services to another state may
5 reduce the amount of the tax remitted to this state by an amount equal to the similar
6 tax properly paid to another state on those services or by the amount due this state
7 on those services, whichever is less. That person shall refund proportionally to the
8 persons to whom the tax under s. 77.52 (2) (a) 5. a. was passed on an amount equal
9 to the amounts not remitted.

10 ***b2871/1.1* SECTION 233k.** 77.54 (46m) of the statutes is created to read:

11 **77.54 (46m)** The gross receipts from the sale of and the storage, use, or other
12 consumption of telecommunications services, if the telecommunications services are
13 obtained by using the rights to purchase telecommunications services, including
14 purchasing reauthorization numbers, by paying in advance and by using an access
15 number and authorization code; and if the tax imposed under s. 77.52 or 77.53 was
16 previously paid on the sale or purchase of such rights.

17 ***b2871/1.1* SECTION 233L.** 77.72 (3) (b) of the statutes is amended to read:

18 **77.72 (3) (b) Exceptions.** ~~Communication~~ A communication service has a situs
19 where the customer is billed for the service if the customer calls collect or pays by
20 credit card. Services subject to s. 77.52 (2) (a) 5. b. have a situs at the customer's place
21 of primary use of the services, as determined under 4 USC 116 to 126, as amended
22 by P.L. 106-252. Towing services have a situs at the location to which the vehicle is
23 delivered. Services performed on tangible personal property have a situs at the
24 location where the property is delivered to the buyer.”

1 ***b2870/6.5* 324.** Page 139, line 17: delete the material beginning with that
2 line and ending with page 153, line 25.

3 ***b2762/2.5* 325.** Page 153, line 25: after that line insert:

4 ***b2762/2.5* "SECTION 258pr.** 84.013 (1) (a) (intro.) of the statutes is amended
5 to read:

6 84.013 (1) (a) (intro.) "Major highway project" means a project, except a project
7 providing an approach to a bridge over a river that forms a boundary of the state or
8 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
9 total cost of more than \$5,000,000 and which involves any of the following:

10 ***b2762/2.5* SECTION 258ps.** 84.013 (2) of the statutes, as affected by 2001
11 Wisconsin Act 16, is amended to read:

12 84.013 (2) (a) Subject to ~~s. ss. 84.555 and~~ 86.255, major highway projects shall
13 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
14 20.866 (2) (ur) to ~~(uu)~~ (uum).

15 (b) Except as provided in ss. 84.014 ~~and~~, 84.03 (3), ~~and 84.555~~; and subject to
16 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
17 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

18 ***b2762/2.5* SECTION 258pt.** 84.014 (2) of the statutes, as created by 2001
19 Wisconsin Act 16, is amended to read:

20 84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and
21 86.255, any southeast Wisconsin freeway rehabilitation projects, including the
22 Marquette interchange reconstruction project and projects that involve adding one
23 or more lanes 5 miles or more in length to the existing freeway, may be funded only

1 from the appropriations under ~~s.~~ ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2)
2 (uum).

3 ***b2762/2.5* SECTION 258pu.** 84.014 (5m) of the statutes is created to read:

4 84.014 (5m) (a) Notwithstanding any other provision of this section, the
5 department may not expend any moneys from the appropriations under s. 20.395 (3)
6 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that
7 involves adding one or more lanes 5 miles or more in length to the existing freeway
8 unless the project is specifically enumerated in a list under par. (b).

9 (b) The department may proceed with the following southeast Wisconsin
10 freeway rehabilitation projects:

11 1. No projects are enumerated under this paragraph as of the effective date of
12 this subdivision [revisor inserts date].

13 ***b2762/2.5* SECTION 258pv.** 84.03 (2) (c) of the statutes is amended to read:

14 84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the
15 joint committee on finance jointly shall determine whether the plan is complete. If
16 the joint committee on finance meets and either approves or modifies and approves
17 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine
18 that the plan is complete, the secretary shall implement the plan as approved by the
19 committee. If the joint committee on finance does not meet and either approve or
20 modify and approve a plan submitted under par. (b) 1. within 14 days after the
21 cochairpersons determine that the plan is complete, the secretary shall implement
22 the proposed plan. If the joint committee on finance approves a plan under s. 84.555
23 for a state fiscal year, the joint committee on finance may modify a plan implemented
24 under this paragraph for that fiscal year.

25 ***b2762/2.5* SECTION 258pw.** 84.555 of the statutes is created to read: