

2001-02
Wisconsin State Budget

Drafting File For:
Enrolled SB-55

Part **F**

.....

1 59.43 (2) (ag) 1. ~~Subject to s. 59.72 (5), for~~ For recording any instrument
2 entitled to be recorded in the office of the register of deeds, \$11 for the first page and
3 \$2 for each additional page, except that no fee may be collected for recording a change
4 of address that is exempt from a filing fee under s. 185.83 (1) (b).

5 **SECTION 2000.** 59.43 (2) (b) of the statutes is amended to read:

6 59.43 (2) (b) For copies of any records or papers, \$2 for the first page plus \$1
7 for each additional page, plus ~~25 cents~~ \$1 for the certificate of the register of deeds,
8 except that the department of revenue is exempt from the fees under this paragraph.

9 **SECTION 2001m.** 59.43 (2) (e) of the statutes is amended to read:

10 59.43 (2) (e) ~~After June 30, 1991, and subject~~ Subject to s. 59.72 (5), for filing
11 any instrument which is entitled to be filed in the office of register of deeds and for
12 which no other specific fee is specified, ~~\$10~~ \$11 for the first page and \$2 for each
13 additional page.

14 **SECTION 2001n.** 59.43 (2) (e) of the statutes, as affected by 2001 Wisconsin Act
15 (this act), is amended to read:

16 59.43 (2) (e) ~~Subject to s. 59.72 (5), for~~ For filing any instrument which is
17 entitled to be filed in the office of register of deeds and for which no other specific fee
18 is specified, \$11 for the first page and \$2 for each additional page.

19 **SECTION 2001nm.** 59.52 (6) (a) of the statutes is amended to read:

20 59.52 (6) (a) *How acquired; purposes.* Take and hold land acquired under ch.
21 75 and acquire, lease or rent property, real and personal, for public uses or purposes
22 of any nature, including without limitation acquisitions for county buildings,
23 airports, parks, recreation, highways, dam sites in parks, parkways and
24 playgrounds, flowages, sewage and waste disposal for county institutions, lime pits
25 for operation under s. 59.70 (24), equipment for clearing and draining land and

(E)

(F)

1 controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and
2 transfer of real property to the state for new collegiate institutions or research
3 facilities, and for transfer to the state for state parks, for state forests and for the
4 other uses and purposes specified in s. 23.09 (2) (d).

5 **SECTION 2001q.** 59.52 (11) (c) of the statutes is amended to read:

6 59.52 (11) (c) *Employee insurance.* Provide for individual or group hospital,
7 surgical and life insurance for county officers and employees and for payment of
8 premiums for such officers and employees. ~~In addition, a~~ A county with at least 100
9 employees may elect to provide health care benefits on a self-insured basis to its
10 officers and employees, ~~and any 2 or more counties which together have at least 100~~
11 ~~employees may jointly provide health care benefits on a self-insured basis to officers~~
12 ~~and employees of the counties.~~ A county and one or more cities, villages, towns, or
13 other counties, that together have at least 100 employees, may jointly provide health
14 care benefits to their officers and employees on a self-insured basis. Counties which
15 elect to provide health care benefits on a self-insured basis to their officers and
16 employees shall be subject to the requirements set forth under s. 120.13 (2) (c) to (e)
17 and (g).

18 **SECTION 2001r.** 59.52 (29) (c) of the statutes is created to read:

19 59.52 (29) (c) If a county enacts an ordinance or adopts a resolution that
20 authorizes preferences or set-asides to minority businesses in the awarding of a
21 public work contract under par. (a), the ordinance or resolution shall require that the
22 minority business be certified by the department of commerce under s. 560.036 (2).

23 **SECTION 2002j.** 59.57 (1) (b) of the statutes is amended to read:

24 59.57 (1) (b) If a county with a population of 500,000 or more appropriates
25 money under par. (a) to fund nonprofit agencies, the county shall have a goal of

1 expending 20% of the money appropriated for this purpose to fund a nonprofit agency
2 that is ~~actively managed by minority group members, as defined in s. 560.036 (1) (f),~~
3 a minority business certified by the department of commerce under s. 560.036 (2) and
4 that principally serves minority group members.

5 **SECTION 2002j.** 59.54 (27) of the statutes is created to read:

6 59.54 (27) RELIGIOUS ORGANIZATIONS; CONTRACT POWERS. (a) *Definition.* In this
7 subsection, “board” includes any department, as defined in s. 59.60 (2) (a).

8 (b) *General purpose and authority.* The purpose of this subsection is to allow
9 the board to contract with, or award grants to, religious organizations, under any
10 program administered by the county dealing with delinquency and crime prevention
11 or the rehabilitation of offenders, on the same basis as any other nongovernmental
12 provider, without impairing the religious character of such organizations and
13 without diminishing the religious freedom of beneficiaries of assistance funded
14 under such program.

15 (c) *Nondiscrimination against religious organizations.* If the board is
16 authorized to contract with a nongovernmental entity, or is authorized to award
17 grants to a nongovernmental entity, religious organizations are eligible, on the same
18 basis as any other private organization, to be contractors and grantees under any
19 program administered by the board so long as the programs are implemented
20 consistently with the first amendment to the U.S. Constitution and article I, section
21 18, of the Wisconsin constitution. Except as provided in par. (L), the board may not
22 discriminate against an organization that is or applies to be a contractor or grantee
23 on the basis that the organization does or does not have a religious character or
24 because of the specific religious nature of the organization.

1 (d) *Religious character and freedom.* 1. The board shall allow a religious
2 organization with which the board contracts or to which the board awards a grant
3 to retain its independence from government, including the organization's control
4 over the definition, development, practice, and expression of its religious beliefs.

5 2. The board may not require a religious organization to alter its form of
6 internal governance or to remove religious art, icons, scripture, or other symbols to
7 be eligible for a contract or grant.

8 (e) *Rights of beneficiaries of assistance.* 1. If the board contracts with, or
9 awards grants to, a religious organization for the provision of crime prevention or
10 offender rehabilitation assistance under a program administered by the board, an
11 individual who is eligible for this assistance shall be informed in writing that
12 assistance of equal value and accessibility is available from a nonreligious provider
13 upon request.

14 2. The board shall provide an individual who is otherwise eligible for assistance
15 from an organization described under subd. 1. with assistance of equal value from
16 a nonreligious provider if the individual objects to the religious character of the
17 organization described under subd. 1. and requests assistance from a nonreligious
18 provider. The board shall provide such assistance within a reasonable period of time
19 after the date of the objection and shall ensure that it is accessible to the individual.

20 (g) *Nondiscrimination against beneficiaries.* A religious organization may not
21 discriminate against an individual in regard to rendering assistance that is funded
22 under any program administered by the board on the basis of religion, a religious
23 belief or nonbelief, or a refusal to actively participate in a religious practice.

24 (h) *Fiscal accountability.* 1. Except as provided in subd. 2., any religious
25 organization that contracts with or receives a grant from the board is subject to the

1 same laws and rules as other contractors and grantees regarding accounting, in
2 accord with generally accepted auditing principles, for the use of the funds provided
3 under such programs.

4 2. If the religious organization segregates funds provided under programs
5 administered by the board into separate accounts, only the financial assistance
6 provided with those funds shall be subject to audit.

7 (i) *Compliance.* Any party that seeks to enforce its rights under this subsection
8 may bring a civil action for injunctive relief against the entity that allegedly commits
9 the violation.

10 (j) *Limitations on use of funds for certain purposes.* No funds provided directly
11 to religious organizations by the board may be expended for sectarian worship,
12 instruction, or proselytization.

13 (k) *Certification of compliance.* Every religious organization that contracts
14 with or receives a grant from the county board to provide delinquency and crime
15 prevention or offender rehabilitation services to eligible recipients shall certify in
16 writing that it has complied with the requirements of pars. (g) and (j) and submit to
17 the board a copy of this certification and a written description of the policies the
18 organization has adopted to ensure that it has complied with the requirements under
19 pars. (g) and (j).

20 (L) *Preemption.* Nothing in this subsection may be construed to preempt any
21 other statute that prohibits or restricts the expenditure of federal or state funds by
22 or the granting of federal or state funds to religious organizations.

23 **SECTION 2002r.** 59.60 (1) of the statutes is amended to read:

24 59.60 (1) APPLICATION. The provisions of this section shall apply to all counties
25 with a population of 500,000 or more. Any Except as provided in sub. (13), any county

1 with a county executive or county administrator may elect to be subject to the
2 provisions of this section.

3 **SECTION 2002s.** 59.60 (5) (g) of the statutes is amended to read:

4 59.60 (5) (g) A complete summary of all the budget estimates and a statement
5 of the property tax levy required if funds were appropriated on the basis of these
6 estimates. In determining the property tax levy required, the director shall deduct
7 from the total estimated expenditures the estimated amount of revenue from sources
8 other than the property tax levy and shall deduct the amount of any surplus at the
9 close of the preceding fiscal year not yet appropriated. The board, by two-thirds vote,
10 may adopt a resolution before the adoption of the tax levy authorizing the use of the
11 surplus fund in whole or in part as a sinking fund for the redemption or repurchase
12 of bonds or to provide funds for emergency needs under sub. (9), but for no other
13 purposes, except as provided in sub. (13).

14 **SECTION 2002t.** 59.60 (13) of the statutes is created to read:

15 59.60 (13) TAX STABILIZATION FUND. (a) Notwithstanding sub. (1), only a county
16 with a population of at least 500,000 may create a tax stabilization fund under this
17 subsection.

18 (b) The board of a county described in par. (a) may enact an ordinance creating
19 a tax stabilization fund in the county. If such fund is created under this paragraph,
20 the following amounts, if positive, shall be deposited into the tax stabilization fund:

21 1. The amount determined by subtracting the estimated nonproperty tax
22 revenues collected by the county in the prior year from the corresponding actual
23 receipts for the prior year, as determined by the comptroller not later than April 15
24 of each year.

1 2. The amount determined by subtracting total adjusted operating budget
2 appropriations for the prior year from total expenditures, commitments, and
3 reserves for the prior year, as determined by the comptroller not later than April 15
4 of each year.

5 3. Any general surplus balance as of December 31 of the prior year, as
6 determined by the comptroller not later than April 15 of each year.

7 4. Any amounts included in the county's property tax levy that are designated
8 for deposit in the fund.

9 (c) Subject to par. (d), the board may withdraw amounts from the tax
10 stabilization fund, by a three-quarters vote of the members-elect, or by a majority
11 vote of the members-elect if the county's total levy rate, as defined in s. 59.605 (1)
12 (g), is projected by the board to increase by more than 3% in the current fiscal year
13 and the withdrawn funds would prevent an increase of more than 3%.

14 (d) The tax stabilization fund may not be used to offset any of the following:

15 1. Any deficit that occurs between the board's total estimated nonproperty tax
16 revenue, and the total actual nonproperty tax revenue.

17 2. Any deficit that occurs between total appropriations and total expenditures.

18 (e) If the uncommitted balance in the tax stabilization fund exceeds 5% of the
19 current year's budget that is under the board's control, as of June 1 of the current
20 year, any amount that exceeds that 5% shall be used to reduce the county's next
21 property tax levy.

22 **SECTION 2002u.** 59.69 (4e) of the statutes is renumbered 59.69 (4e) (intro.) and
23 amended to read:

24 59.69 (4e) (intro.) **MIGRANT LABOR CAMPS.** The board may not enact an ordinance
25 or adopt a resolution that interferes with any of the following:

1 (a) Any repair or expansion of migrant labor camps, as defined in s. 103.90 (3),
2 ~~that are in existence on May 12, 1992, if the repair or expansion is required by an~~
3 ~~administrative rule that is promulgated by the department of workforce~~
4 ~~development under ss. 103.90 to 103.97. An ordinance or resolution of the county~~
5 ~~that is in effect on May 12, 1992, and that is in effect on the effective date of this~~
6 paragraph [revisor inserts date], and that interferes with any construction,
7 repair, or expansion of existing migrant labor camps that is required by such an
8 administrative rule is void.

9 **SECTION 2002w.** 59.69 (4e) (b) of the statutes is created to read:

10 59.69 (4e) (b) The construction of new migrant labor camps, as defined in s.
11 103.90 (3), that are built on or after the effective date of this paragraph [revisor
12 inserts date], on property that is adjacent to a food processing plant, as defined in s.
13 100.03 (1) (q), or on property owned by a producer of vegetables, as defined in s.
14 100.03 (1) (zs), if the camp is located on or contiguous to property on which vegetables
15 are produced or adjacent to land on which the producer resides.

16 **SECTION 2003c.** 59.72 (3) (intro.) of the statutes is amended to read:

17 59.72 (3) LAND INFORMATION OFFICE. The board may establish a county land
18 information office or may direct that the functions and duties of the office be
19 performed by an existing department, board, commission, agency, institution,
20 authority, or office. The If the board establishes a county land information office, the
21 office shall:

22 **SECTION 2003e.** 59.72 (5) (a) of the statutes is amended to read:

23 59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit
24 to the land information board \$6 \$7 from the fee for recording the first page of each

1 instrument that is recorded under s. 59.43 (2) (ag) 1. and (e), less any amount
2 retained by the county under par. (b).

3 **SECTION 2003g.** 59.72 (5) (b) (intro.) of the statutes is amended to read:

4 59.72 (5) (b) (intro.) A county may retain \$4 \$5 of the \$6 \$7 submitted under
5 par. (a) from the fee for recording the first page of each instrument that is recorded
6 under s. 59.43 (2) (ag) 1. and (e) if all of the following conditions are met:

7 **SECTION 2003m.** 59.72 (5) (b) 3. of the statutes is amended to read:

8 59.72 (5) (b) 3. The county uses ~~the fees~~ \$4 of each \$5 fee retained under this
9 paragraph to develop, implement, and maintain the countywide plan for land records
10 modernization, and \$1 of each \$5 fee retained under this paragraph to develop and
11 maintain a computerized indexing of the county's land information records relating
12 to housing, including the housing element of the county's land use plan under s.
13 66.1001 (2) (b), in a manner that would allow for greater public access via the
14 Internet.

15 **SECTION 2003pc.** 60.10 (1) (g) of the statutes is created to read:

16 60.10 (1) (g) *Hourly wage of certain employees.* Establish the hourly wage to
17 be paid under s. 60.37 (4) to a town employee who is also an elected town officer,
18 unless the authority has been delegated to the town board under sub. (2) (L).

19 **SECTION 2003pd.** 60.10 (2) (g) of the statutes is amended to read:

20 60.10 (2) (g) *Disposal of property.* Authorize the town board to dispose of town
21 real property, ~~real or personal,~~ other than property donated to and required to be held
22 by the town for a special purpose.

23

24 **SECTION 2003pe.** 60.10 (2) (L) of the statutes is created to read:

1 60.10 (2) (L) *Hourly wage of certain employees.* Authorize the town board to
2 establish the hourly wage to be paid under s. 60.37 (4) to a town employee who is also
3 an elected town officer, other than a town board supervisor.

4 **SECTION 2003mn.** 59.74 (2) (g) of the statutes is amended to read:

5 59.74 (2) (g) Every land surveyor and every officer of the department of natural
6 resources, every officer of the department of forestry and the district attorney shall
7 enforce this subsection.

8 **SECTION 2003r.** 60.23 (25) of the statutes is amended to read:

9 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
10 officers and employees on a self-insured basis ~~if the self-insured plan complies with~~
11 ~~ss. 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85,~~
12 ~~632.853, 632.855, 632.87 (4) and (5), 632.895 (9) and (11) to (14) and 632.896, subject~~
13 ~~to s. 66.0137 (4).~~

14 **SECTION 2003t.** 60.47 (7) of the statutes is created to read:

15 60.47 (7) MINORITY CONTRACTING. If a town board enacts an ordinance or adopts
16 a resolution that authorizes preferences or set-asides to minority businesses in the
17 awarding of a public work contract under subs. (2) and (3), the ordinance or
18 resolution shall require that the minority business be certified by the department of
19 commerce under s. 560.036 (2).

20 **SECTION 2003up.** 61.55 of the statutes is renumbered 61.55 (1) and amended
21 to read:

22 61.55 (1) All contracts for public construction, in any ~~such~~ village, exceeding
23 \$15,000, shall be let by the village board to the lowest responsible bidder in
24 accordance with s. 66.0901 insofar as said that section ~~may be~~ is applicable. If the
25 estimated cost of any public construction exceeds \$5,000, but is not greater than

1 \$15,000, the village board shall give a class 1 notice, under ch. 985, of the proposed
2 construction before the contract for the construction is executed.

3 (2) This provision does not apply to public construction if the materials for such
4 a project are donated or if the labor for such a project is provided by volunteers, and
5 this provision and s. 281.41 are not mandatory for the repair and reconstruction of
6 public facilities when damage or threatened damage thereto creates an emergency,
7 as determined by resolution of the village board, in which the public health or welfare
8 of the village is endangered. Whenever the village board by majority vote at a regular
9 or special meeting declares that an emergency no longer exists, this exemption no
10 longer applies.

11 SECTION 2003uq. 61.55 (3) of the statutes is created to read:

12 61.55 (3) If a village board enacts an ordinance or adopts a resolution that
13 authorizes preferences or set-asides to minority businesses in the awarding of a
14 public work contract under sub. (1), the ordinance or resolution shall require that the
15 minority business be certified by the department of commerce under s. 560.036 (2).

16 SECTION 2003vp. 62.15 (1) of the statutes is renumbered 62.15 (1) (a) and
17 amended to read:

18 62.15 (1) CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. (a)
19 All public construction, the estimated cost of which exceeds \$15,000, shall be let by
20 contract to the lowest responsible bidder; ~~all.~~ All other public construction shall be
21 let as the council may direct. If the estimated cost of any public construction exceeds
22 \$5,000 but is not greater than \$15,000, the board of public works shall give a class
23 1 notice, under ch. 985, of the proposed construction before the contract for the
24 construction is executed.

1 (b) This provision does not apply to public construction if the materials for such
2 a project are donated or if the labor for such a project is provided by volunteers. The
3 council may also by a vote of three-fourths of all the members-elect provide by
4 ordinance that any class of public construction or any part thereof may be done
5 directly by the city without submitting the same for bids.

6 **SECTION 2003vq.** 62.15 (1) (c) of the statutes is created to read:

7 62.15 (1) (c) If a council enacts an ordinance or adopts a resolution that
8 authorizes preferences or set-asides to minority businesses in the awarding of a
9 public work contract under par. (a), the ordinance or resolution shall require that the
10 minority business be certified by the department of commerce under s. 560.036 (2).

11 **SECTION 2003rm.** 60.34 (1) (a) of the statutes is amended to read:

12 60.34 (1) (a) ~~Receive~~ Except as provided in s. 66.0608, receive and take charge
13 of all money belonging to the town, or which is required by law to be paid into the
14 town treasury, and disburse the money under s. 66.0607.

15 **SECTION 2003rn.** 61.26 (2) of the statutes is amended to read:

16 61.26 (2) ~~Receive~~ Except as provided in s. 66.0608, receive all moneys belonging
17 or accruing to the village or directed by law to be paid to the treasurer.

18 **SECTION 2003ve.** 61.26 (3) of the statutes is amended to read:

19 61.26 (3) ~~Deposit~~ Except as provided in s. 66.0608, deposit upon receipt the
20 funds of the village in the name of the village in the public depository designated by
21 the board. Failure to comply with this subsection shall be prima facie grounds for
22 removal from office. When the money is deposited, the treasurer and bonders are not
23 liable for the losses defined by s. 34.01 (2), and the interest shall be paid into the
24 village treasury.
25

1 **SECTION 2003we.** 62.09 (9) (a) of the statutes is amended to read:

2 62.09 (9) (a) ~~The~~ Except as provided in s. 66.0608, the treasurer shall collect
3 all city, school, county, and state taxes, receive all moneys belonging to the city or
4 which by law are directed to be paid to the treasurer, and pay over the money in the
5 treasurer's hands according to law.

6 **SECTION 2003wg.** 62.09 (9) (e) of the statutes is amended to read:

7 62.09 (9) (e) ~~The~~ Except as provided in s. 66.0608, the treasurer shall deposit
8 immediately upon receipt thereof the funds of the city in the name of the city in the
9 public depository designated by the council. Such deposit may be in either a demand
10 deposit or in a time deposit, maturing in not more than one year. Failure to comply
11 with the provisions hereof shall be prima facie grounds for removal from office. When
12 the money is so deposited, the treasurer and the treasurer's bonders shall not be
13 liable for such losses as are defined by s. 34.01 (2). The interest arising therefrom
14 shall be paid into the city treasury.

15 **SECTION 2003tm.** 60.77 (6) (a) of the statutes is amended to read:

16 60.77 (6) (a) Let contracts for any work or purchase that involves an
17 expenditure of ~~\$5,000~~ \$15,000 or more to the lowest responsible bidder in the manner
18 prescribed by the commission. Section 66.0901 applies to contracts let under this
19 paragraph.

20 **SECTION 2003sc.** 60.323 of the statutes is amended to read:

21 **60.323 Compensation when acting in more than one official capacity.**

22 Except for offices combined under s. 60.305, no town may compensate a town officer
23 for acting in more than one ~~official capacity or~~ office of the town at the same time.

24 **SECTION 2003se.** 60.37 (1) of the statutes is amended to read:

1 60.37 (1) GENERAL. The town board may employ on a temporary or permanent
2 basis persons necessary to carry out the functions of town government including,
3 subject to sub. (4), any elected officer of the town. The board may establish the
4 qualifications and terms of employment, which may include the residency of the
5 employee. The board may delegate the authority to hire town employees to any town
6 official or employee.

7 **SECTION 2003sg.** 60.37 (4) of the statutes is created to read:

8 60.37 (4) ELECTED OFFICERS SERVING AS EMPLOYEES. (a) An elected town officer
9 who also serves as a town employee may be paid an hourly wage for serving as a town
10 employee, not exceeding a total of \$5,000 each year. Amounts that are paid under
11 this paragraph may be paid in addition to any amount that an individual receives
12 under s. 60.32 or as a volunteer fire fighter, emergency medical technician, or first
13 responder under s. 66.0501 (4). The \$5,000 maximum in this paragraph includes
14 amounts paid to a town board supervisor who is acting as superintendent of
15 highways under s. 81.01 (1).

16 (b) 1. Except as provided in subd. 2., the town meeting shall establish the hourly
17 wage to be paid an elected town officer for serving as a town employee.

18 2. If authorized by the town meeting under s. 60.10 (2) (L), the town board may
19 establish the hourly wage to be paid an elected town officer, other than a town board
20 supervisor, for serving as a town employee.

21 **SECTION 2004.** 62.50 (23m) of the statutes is repealed.

22 **SECTION 2004g.** 64.12 (4) of the statutes is amended to read:

23 64.12 (4) At the end of each fiscal year the council shall cause a full and
24 complete examination of all the books and accounts of the city to be made by
25 competent certified public accountants licensed or certified under ch. 442 who shall

1 report in full to the council. The summaries of such audits shall be presented and
2 furnished to all newspapers and libraries of the city and to such other persons as
3 shall apply therefor.

4 **SECTION 2004j.** 64.34 (2) of the statutes is amended to read:

5 64.34 (2) At the end of each year the council shall cause a full and complete
6 examination of all of the books and accounts of the city to be made by competent
7 certified public accountants licensed or certified under ch. 442, who shall report in
8 full thereon to the council. Copies of such reports shall be furnished by the council
9 to all newspapers of the city and to all persons who shall apply therefor.

10 **SECTION 2005.** 66.0113 (1) (b) 7. c. of the statutes is amended to read:

11 66.0113 (1) (b) 7. c. That, if the alleged violator makes a cash deposit and does
12 not appear in court, he or she either will be deemed to have tendered a plea of no
13 contest and submitted to a forfeiture, a penalty assessment imposed by s. 757.05, a
14 jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law
15 enforcement assessment imposed by s. 165.755, any applicable consumer
16 ~~information~~ protection assessment imposed by s. 100.261, and any applicable
17 domestic abuse assessment imposed by s. 973.055 (1) not to exceed the amount of the
18 deposit or will be summoned into court to answer the complaint if the court does not
19 accept the plea of no contest.

20 **SECTION 2006.** 66.0113 (1) (b) 7. d. of the statutes is amended to read:

21 66.0113 (1) (b) 7. d. That, if the alleged violator does not make a cash deposit
22 and does not appear in court at the time specified, the court may issue a summons
23 or a warrant for the defendant's arrest or consider the nonappearance to be a plea
24 of no contest and enter judgment under sub. (3) (d), or the municipality may
25 commence an action against the alleged violator to collect the forfeiture, the penalty

1 assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the
2 crime laboratories and drug law enforcement assessment imposed by s. 165.755, any
3 applicable consumer ~~information~~ protection assessment imposed by s. 100.261, and
4 any applicable domestic abuse assessment imposed by s. 973.055 (1).

5 **SECTION 2007.** 66.0113 (1) (c) of the statutes is amended to read:

6 66.0113 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of
7 cash deposits that are to be required for the various ordinance violations, and for the
8 penalty assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46
9 (1), the crime laboratories and drug law enforcement assessment imposed by s.
10 165.755, any applicable consumer ~~information~~ protection assessment imposed by s.
11 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1),
12 for which a citation may be issued. The ordinance shall also specify the court, clerk
13 of court or other official to whom cash deposits are to be made and shall require that
14 receipts be given for cash deposits.

15 **SECTION 2008.** 66.0113 (3) (a) of the statutes is amended to read:

16 66.0113 (3) (a) The person named as the alleged violator in a citation may
17 appear in court at the time specified in the citation or may mail or deliver personally
18 a cash deposit in the amount, within the time and to the court, clerk of court or other
19 official specified in the citation. If a person makes a cash deposit, the person may
20 nevertheless appear in court at the time specified in the citation, but the cash deposit
21 may be retained for application against any forfeiture, restitution, penalty
22 assessment, jail assessment, crime laboratories and drug law enforcement
23 assessment, consumer ~~information~~ protection assessment, or domestic abuse
24 assessment that may be imposed.

25 **SECTION 2009.** 66.0113 (3) (b) of the statutes is amended to read:

1 66.0113 (3) (b) If a person appears in court in response to a citation, the citation
2 may be used as the initial pleading, unless the court directs that a formal complaint
3 be made, and the appearance confers personal jurisdiction over the person. The
4 person may plead guilty, no contest or not guilty. If the person pleads guilty or no
5 contest, the court shall accept the plea, enter a judgment of guilty and impose a
6 forfeiture, the penalty assessment imposed by s. 757.05, the jail assessment imposed
7 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
8 imposed by s. 165.755, any applicable consumer ~~information~~ protection assessment
9 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.
10 973.055 (1). If the court finds that the violation meets the conditions in s. 800.093
11 (1), the court may order restitution under s. 800.093. A plea of not guilty shall put
12 all matters in the case at issue, and the matter shall be set for trial.

13 **SECTION 2010.** 66.0113 (3) (c) of the statutes is amended to read:

14 66.0113 (3) (c) If the alleged violator makes a cash deposit and fails to appear
15 in court, the citation may serve as the initial pleading and the violator shall be
16 considered to have tendered a plea of no contest and submitted to a forfeiture, the
17 penalty assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46
18 (1), the crime laboratories and drug law enforcement assessment imposed by s.
19 165.755, any applicable consumer ~~information~~ protection assessment imposed by s.
20 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1) not
21 exceeding the amount of the deposit. The court may either accept the plea of no
22 contest and enter judgment accordingly or reject the plea. If the court finds the
23 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
24 violator into court to determine if restitution shall be ordered under s. 800.093. If
25 the court accepts the plea of no contest, the defendant may move within 10 days after

1 the date set for the appearance to withdraw the plea of no contest, open the judgment,
2 and enter a plea of not guilty if the defendant shows to the satisfaction of the court
3 that the failure to appear was due to mistake, inadvertence, surprise, or excusable
4 neglect. If the plea of no contest is accepted and not subsequently changed to a plea
5 of not guilty, no costs or fees may be taxed against the violator, but a penalty
6 assessment, a jail assessment, a crime laboratories and drug law enforcement
7 assessment and, if applicable, a consumer ~~information~~ protection assessment or a
8 domestic abuse assessment shall be assessed. If the court rejects the plea of no
9 contest, an action for collection of the forfeiture, penalty assessment, jail assessment,
10 crime laboratories and drug law enforcement assessment, any applicable consumer
11 ~~information~~ protection assessment, and any applicable domestic abuse assessment
12 may be commenced. A city, village, town sanitary district, or public inland lake
13 protection and rehabilitation district may commence action under s. 66.0114 (1) and
14 a county or town may commence action under s. 778.10. The citation may be used
15 as the complaint in the action for the collection of the forfeiture, penalty assessment,
16 jail assessment, crime laboratories and drug law enforcement assessment, any
17 applicable consumer ~~information~~ protection assessment, and any applicable
18 domestic abuse assessment.

19 **SECTION 2011.** 66.0113 (3) (d) of the statutes is amended to read:

20 66.0113 (3) (d) If the alleged violator does not make a cash deposit and fails to
21 appear in court at the time specified in the citation, the court may issue a summons
22 or warrant for the defendant's arrest or consider the nonappearance to be a plea of
23 no contest and enter judgment accordingly if service was completed as provided
24 under par. (e) or the county, town, city, village, town sanitary district, or public inland
25 lake protection and rehabilitation district may commence an action for collection of

1 the forfeiture, penalty assessment, jail assessment, and crime laboratories and drug
2 law enforcement assessment, any applicable consumer ~~information~~ protection
3 assessment, and any applicable domestic abuse assessment. A city, village, town
4 sanitary district, or public inland lake protection and rehabilitation district may
5 commence action under s. 66.0114 (1) and a county or town may commence action
6 under s. 778.10. The citation may be used as the complaint in the action for the
7 collection of the forfeiture, penalty assessment, jail assessment, and crime
8 laboratories and drug law enforcement assessment, any applicable consumer
9 ~~information~~ protection assessment, and any applicable domestic abuse assessment.
10 If the court considers the nonappearance to be a plea of no contest and enters
11 judgment accordingly, the court shall promptly mail a copy or notice of the judgment
12 to the defendant. The judgment shall allow the defendant not less than 20 days from
13 the date of the judgment to pay any forfeiture, penalty assessment, jail assessment,
14 and crime laboratories and drug law enforcement assessment, any applicable
15 consumer ~~information~~ protection assessment, and any applicable domestic abuse
16 assessment imposed. If the defendant moves to open the judgment within 6 months
17 after the court appearance date fixed in the citation, and shows to the satisfaction
18 of the court that the failure to appear was due to mistake, inadvertence, surprise, or
19 excusable neglect, the court shall reopen the judgment, accept a not guilty plea and
20 set a trial date.

21 **SECTION 2012.** 66.0114 (1) (b) of the statutes is amended to read:

22 66.0114 (1) (b) Local ordinances, except as provided in this paragraph or ss.
23 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
24 or all violations under those ordinances, may designate the manner in which the
25 stipulation is to be made and may fix the penalty to be paid. When a person charged

1 with a violation for which stipulation of guilt or no contest is authorized makes a
2 timely stipulation, pays the required penalty and pays the penalty assessment
3 imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the crime
4 laboratories and drug law enforcement assessment imposed by s. 165.755, any
5 applicable consumer ~~information~~ protection assessment imposed by s. 100.261, and
6 any applicable domestic abuse assessment imposed by s. 973.055 (1) to the
7 designated official, the person need not appear in court and no witness fees or other
8 additional costs may be taxed unless the local ordinance so provides. A court
9 appearance is required for a violation of a local ordinance in conformity with s. 346.63
10 (1).

11 **SECTION 2013.** 66.0114 (1) (bm) of the statutes is amended to read:

12 66.0114 (1) (bm) The official receiving the penalties shall remit all moneys
13 collected to the treasurer of the city, village, town sanitary district, or public inland
14 lake protection and rehabilitation district in whose behalf the sum was paid, except
15 that all jail assessments shall be remitted to the county treasurer, within 20 days
16 after its receipt by the official. If timely remittance is not made, the treasurer may
17 collect the payment of the officer by action, in the name of the office, and upon the
18 official bond of the officer, with interest at the rate of 12% per year from the date on
19 which it was due. In the case of the penalty assessment imposed by s. 757.05, the
20 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the
21 driver improvement surcharge imposed by s. 346.655 (1), the truck driver education
22 assessment imposed by s. 349.04, any applicable consumer ~~information~~ protection
23 assessment imposed by s. 100.261, and any applicable domestic abuse assessment
24 imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary district, or
25 public inland lake protection and rehabilitation district shall remit to the state

1 treasurer the amount required by law to be paid on the actions entered during the
2 preceding month on or before the first day of the next succeeding month. The
3 governing body of the city, village, town sanitary district, or public inland lake
4 protection and rehabilitation district shall by ordinance designate the official to
5 receive the penalties and the terms under which the official qualifies.

6 **SECTION 2014.** 66.0114 (3) (b) of the statutes is amended to read:

7 66.0114 (3) (b) All forfeitures and penalties recovered for the violation of an
8 ordinance or bylaw of a city, village, town, town sanitary district, or public inland
9 lake protection and rehabilitation district shall be paid into the city, village, town,
10 town sanitary district, or public inland lake protection and rehabilitation district
11 treasury for the use of the city, village, town, town sanitary district, or public inland
12 lake protection and rehabilitation district, except as provided in par. (c), and sub. (1)
13 (bm) ~~and s. 757.05~~. The judge shall report and pay into the treasury, quarterly, or
14 at more frequent intervals if required, all moneys collected belonging to the city,
15 village, town, town sanitary district, or public inland lake protection and
16 rehabilitation district. The report shall be certified and filed in the office of the
17 treasurer. The judge is entitled to duplicate receipts, one of which he or she shall file
18 with the city, village, or town clerk, or with the town sanitary district or the public
19 inland lake protection and rehabilitation district.

20 **SECTION 2014m.** 66.0137 (1) of the statutes is amended to read:

21 66.0137 (1) DEFINITION. In this section, “local governmental unit” means a city,
22 village, town, county, school district (as enumerated in s. 67.01 (5)), sewerage
23 district, drainage district and, without limitation because of enumeration, any other
24 political subdivision of the state ~~should be s. 345.05 (1) (c)~~.

25 **SECTION 2014n.** 66.0137 (4m) of the statutes is created to read:

1 66.0137 (4m) JOINT SELF-INSURED PLANS. (a) In this subsection, “political
2 subdivision” means a city, village, town, or county.

3 (b) A political subdivision and one or more other political subdivisions, that
4 together have at least 100 employees, may jointly provide health care benefits to
5 their officers and employees on a self insured basis.

6 (c) Any plan under par. (b) shall comply with the provisions listed in sub. (4).

7 **SECTION 2015.** 66.0203 (8) (b) of the statutes is amended to read:

8 66.0203 (8) (b) On the basis of the hearing the circuit court shall find if the
9 standards under s. 66.0205 are met. If the court finds that the standards are not met,
10 the court shall dismiss the petition. If the court finds that the standards are met the
11 court shall refer the petition to the department ~~and~~. Upon payment of any fee
12 imposed under s. 16.53 (14), the department shall determine whether the standards
13 under s. 66.0207 are met.

14 **SECTION 2016.** 66.0203 (9) (a) of the statutes is amended to read:

15 66.0203 (9) (a) Upon receipt of the petition from the circuit court and payment
16 of any fee imposed under s. 16.53 (14), the department shall make any necessary
17 investigation to apply the standards under s. 66.0207.

18 **SECTION 2017.** 66.0203 (9) (b) of the statutes is amended to read:

19 66.0203 (9) (b) Within 20 days after the receipt by the department of the
20 petition from the circuit court and payment of any fee imposed under s. 16.53 (14),
21 whichever is later, any party in interest may request a hearing. Upon receipt of the
22 request, the department shall schedule a hearing at a place in or convenient to the
23 territory sought to be incorporated.

24 **SECTION 2018.** 66.0203 (9) (d) of the statutes is amended to read:

1 66.0203 (9) (d) Unless the court sets a different time limit, the department shall
2 prepare its findings and determination, citing the supporting evidence, within 90
3 days after receipt of the referral from the court and payment of any fee imposed under
4 s. 16.53 (14), whichever is later. The findings and determination shall be forwarded
5 by the department to the circuit court. Copies of the findings and determination shall
6 be sent by certified or registered mail to the designated representative of the
7 petitioners, and to all town and municipal clerks entitled to receive mailed notice of
8 the petition under sub. (4).

9
10 **SECTION 2019.** 66.0217 (6) (a) of the statutes is amended to read:

11 66.0217 (6) (a) *Annexations within populous counties.* No annexation
12 proceeding within a county having a population of 50,000 or more is valid unless the
13 person publishing a notice of annexation under sub. (4) mails a copy of the notice to
14 the clerk of each municipality affected and the department, together with any fee
15 imposed under s. 16.53 (14), within 5 days of the publication. The department ~~may~~
16 shall within 20 days after receipt of the notice mail to the clerk of the town within
17 which the territory lies and to the clerk of the proposed annexing village or city a
18 notice that states whether in its opinion the annexation is in the public interest or
19 is against the public interest and that advises the clerks of the reasons the
20 annexation is in or against the public interest as defined in par. (c). The annexing
21 municipality shall review the advice before final action is taken.

22 **SECTION 2019g.** 66.0217 (9) (b) of the statutes is amended to read:

23 66.0217 (9) (b) Within 10 days of receipt of the ordinance, certificate and plat,
24 the secretary of state shall forward 2 copies of the ordinance, certificate and plat to
25 the department of transportation, one copy to the department of administration, one

1 copy to the department of revenue, one copy to the department of public instruction,
2 one copy to the department, one copy to the department of natural resources, one
3 copy to the department of forestry, one copy to the department of agriculture, trade
4 and consumer protection and 2 copies to the clerk of the municipality from which the
5 territory was annexed.

6 **SECTION 2019m.** 66.0221 of the statutes is renumbered 66.0221 (1) and
7 amended to read:

8 66.0221 (1) Upon its own motion, a city or village, by a two-thirds vote of the
9 entire membership of its governing body, may enact an ordinance annexing territory
10 which comprises a portion of a town or towns and which was completely surrounded
11 by territory of the city or village on December 2, 1973. The ordinance shall include
12 all surrounded town areas except those that are exempt by mutual agreement of all
13 of the governing bodies involved. The annexation ordinance shall contain a legal
14 description of the territory and the name of the town or towns from which the
15 territory is detached. Upon enactment of the ordinance, the city or village clerk
16 immediately shall file 6 certified copies of the ordinance in the office of the secretary
17 of state, together with 6 copies of a scale map. The secretary of state shall forward
18 2 copies of the ordinance and scale map to the department of transportation, one copy
19 to the department of natural resources, one copy to the department of revenue and
20 one copy to the department of administration. This ~~section~~ subsection does not apply
21 if the town island was created only by the annexation of a railroad right-of-way or
22 drainage ditch. This ~~section~~ subsection does not apply to land owned by a town
23 government which has existing town government buildings located on the land. No
24 town island may be annexed under this ~~section~~ subsection if the island consists of
25 over 65 acres or contains over 100 residents. Section 66.0217 (11) applies to

1 annexations under this section. ~~After subsection. Except as provided in sub. (2),~~
2 ~~after~~ December 2, 1973, no city or village may, by annexation, create a town area
3 which is completely surrounded by the city or village.

4 **SECTION 2019mn.** 66.0221 (1) of the statutes, as affected by 2001 Wisconsin Act
5 (this act), is amended to read:

6 66.0221 (1) Upon its own motion, a city or village by a two-thirds vote of the
7 entire membership of its governing body may enact an ordinance annexing territory
8 which comprises a portion of a town or towns and which was completely surrounded
9 by territory of the city or village on December 2, 1973. The ordinance shall include
10 all surrounded town areas except those that are exempt by mutual agreement of all
11 of the governing bodies involved. The annexation ordinance shall contain a legal
12 description of the territory and the name of the town or towns from which the
13 territory is detached. Upon enactment of the ordinance, the city or village clerk
14 immediately shall file 6 certified copies of the ordinance in the office of the secretary
15 of state, together with 6 copies of a scale map. The secretary of state shall forward
16 2 copies of the ordinance and scale map to the department of transportation, one copy
17 to the department of natural resources, one copy to the department of forestry, one
18 copy to the department of revenue and one copy to the department of administration.
19 This subsection does not apply if the town island was created only by the annexation
20 of a railroad right-of-way or drainage ditch. This subsection does not apply to land
21 owned by a town government which has existing town government buildings located
22 on the land. No town island may be annexed under this subsection if the island
23 consists of over 65 acres or contains over 100 residents. Section 66.0217 (11) applies
24 to annexations under this subsection. Except as provided in sub. (2), after

1 December 2, 1973, no city or village may, by annexation, create a town area which
2 is completely surrounded by the city or village.

3 **SECTION 2019n.** 66.0221 (2) of the statutes is created to read:

4 66.0221 (2) A city or village may, by annexation, create a town area that is
5 completely surrounded by the city or village if one of the following applies:

6 (a) An intergovernmental cooperation agreement under s. 66.0301, to which
7 the town and the annexing city or village are parties, applies to the territory that is
8 annexed.

9 (b) A cooperative plan for boundary change under s. 66.0307, to which the town
10 and the annexing city or village are parties, applies to the territory that is annexed.

11 **SECTION 2026k.** 66.0901 (6) of the statutes is amended to read:

12 66.0901 (6) SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS. In public
13 contracts for the construction, repair, remodeling, or improvement of a public
14 building or structure, other than highway structures and facilities, a municipality
15 may bid projects based on a single or multiple division of the work. Public contracts
16 shall be awarded according to the division of work selected for bidding. The
17 municipality may set out in any public contract reasonable and lawful conditions as
18 to the hours of labor, wages, residence, character, and classification of workers to be
19 employed by any contractor, classify contractors as to their financial responsibility,
20 competency, and ability to perform work, and set up a classified list of contractors.
21 The municipality may reject the bid of any person, if the person has not been
22 classified for the kind or amount of work in the bid. If one of the conditions a
23 municipality imposes under a contract that is let under this section authorizes
24 preferences or set-asides to minority businesses in the awarding of a contract under

1 this section, the condition shall require that the minority business be certified by the
2 department of commerce under s. 560.036 (2).

3 **SECTION 2020n.** 66.0301 (1) (a) of the statutes is amended to read:

4 66.0301 (1) (a) In this section “municipality” means the state or any
5 department or agency thereof, or any city, village, town, county, school district, public
6 library system, public inland lake protection and rehabilitation district, sanitary
7 district, farm drainage district, metropolitan sewerage district, sewer utility district,
8 solid waste management system created under s. 59.70 (2), local exposition district
9 created under subch. II of ch. 229, local professional baseball park district created
10 under subch. III of ch. 229, local professional football stadium district created under
11 subch. IV of ch. 229, a local cultural arts district created under subch. V of ch. 229,
12 family care district under s. 46.2895, water utility district, mosquito control district,
13 municipal electric company, county or city transit commission, commission created
14 by contract under this section, taxation district ~~or~~, regional planning commission, or
15 city-county health department.

16 **SECTION 2020m.** 66.0609 (3) of the statutes is amended to read:

17 66.0609 (3) The ordinance under sub. (1) shall require that the governing body
18 of the city or village obtain an annual detailed audit of its financial transactions and
19 accounts by a certified public accountant licensed or certified under ch. 442 and
20 designated by the governing body.

21 **SECTION 2020i.** 66.0607 (1) of the statutes is amended to read:

22 66.0607 (1) Except as otherwise provided in subs. (2) to (5) and in s. 66.0608,
23 in a county, city, village, town, or school district, all disbursements from the treasury
24 shall be made by the treasurer upon the written order of the county, city, village,
25 town, or school clerk after proper vouchers have been filed in the office of the clerk.

1 If the statutes provide for payment by the treasurer without an order of the clerk, the
2 clerk shall draw and deliver to the treasurer an order for the payment before or at
3 the time that the payment is required to be made by the treasurer. This section
4 applies to all special and general provisions of the statutes relative to the
5 disbursement of money from the county, city, village, town, or school district treasury
6 except s. 67.10 (2).

7 **SECTION 2020ic.** 66.0608 of the statutes is created to read:

8 **66.0608 Separate accounts for municipal fire, emergency medical**
9 **technician, and first responder volunteer funds. (1) DEFINITIONS.** In this
10 section:

11 (a) “Emergency medical technician” has the meaning given in s. 146.50 (1) (e).

12 (b) “Emergency medical technician volunteer funds” means funds of a
13 municipality that are raised by employees of the municipality’s emergency medical
14 technician department, by volunteers, or by donation to the emergency medical
15 technician department, for the benefit of the municipality’s emergency medical
16 technician department.

17 (c) “Fire volunteer funds” means funds of a municipality that are raised by
18 employees of the municipality’s fire department, by volunteers, or by donation to the
19 fire department, for the benefit of the municipality’s fire department.

20 (d) “First responder” has the meaning given in s. 146.53 (1) (d).

21 (e) “First responder volunteer funds” means funds of a municipality that are
22 raised by employees of the municipality’s first responder department, by volunteers,
23 or by donation to the first responder department, for the benefit of the municipality’s
24 first responder department.

25 (f) “Municipality” means any city, village, or town.

1 (g) “Public depository” has the meaning given in s. 34.01 (5).

2 (h) “Volunteer funds” means emergency medical technician volunteer funds,
3 fire volunteer funds, or first responder volunteer funds.

4 (2) GENERAL AUTHORITY. Subject to subs. (3) and (4), the governing body of a
5 municipality may enact an ordinance that does all of the following:

6 (a) Authorizes a particular official or employee of the municipality’s fire
7 department, emergency medical technician department, or first responder
8 department to deposit volunteer funds of the department for which the individual
9 serves as an official or employee, in an account in the name of the fire department,
10 emergency medical technician department, or first responder department, in a
11 public depository.

12 (b) Gives the municipality’s fire department, emergency medical technician
13 department, or first responder department, through the official or employee
14 described under par. (a), exclusive control over the expenditure of volunteer funds
15 of the department for which the individual serves as an official or employee in an
16 account described under par. (a).

17 (3) LIMITATIONS, REQUIREMENTS. An ordinance enacted under sub. (2) may
18 include any of the following limitations or requirements:

19 (a) A limit on the type and amount of funds that may be deposited into the
20 account described under sub. (2) (a).

21 (b) A limit on the amount of withdrawals from the account described under sub.
22 (2) (a) that may be made, and a limit on the purposes for which such withdrawals may
23 be made.

24 (c) Reporting and audit requirements that relate to the account described
25 under sub. (2) (a).

1 (4) OWNERSHIP OF FUNDS. Notwithstanding an ordinance enacted under sub. (2),
2 volunteer funds shall remain the property of the municipality until the funds are
3 disbursed.

4 **SECTION 2022s.** 66.0316 of the statutes is created to read:

5 **66.0316 Renew Wisconsin performance review.** (1) DEFINITIONS. In this
6 section:

7 (a) “Analysis” means a performance analysis of the cost and benefit of a political
8 subdivision providing a governmental service compared to a private person
9 providing the same service.

10 (b) “Chief executive officer” has the meaning given in s. 66.1106 (1) (a).

11 (c) “Department” means the department of revenue.

12 (d) “Extension” has the meaning given in s. 36.05 (7).

13 (e) “Governmental service” means a service related to any of the following:

- 14 1. Law enforcement.
- 15 2. Fire protection.
- 16 3. Emergency services.
- 17 4. Public health.
- 18 5. Solid waste collection and disposal.
- 19 6. Recycling.
- 20 7. Public transportation.
- 21 8. Public housing.
- 22 9. Animal control.
- 23 10. Libraries.
- 24 11. Recreation and culture.
- 25 12. Human services.

1 13. Youth services.

2 (f) “Political subdivision” means any city, village, town, or county with a
3 population greater than 2,500.

4 **(2) PILOT PROGRAM.** The department shall establish a pilot program to study
5 governmental services delivered by and to political subdivisions. The department
6 shall solicit political subdivisions to participate in the program. Based on the
7 department’s solicitation, the department shall select 5 political subdivisions to form
8 councils as provided under sub. (3) and shall include in that selection at least one
9 county and at least one city, village, or town.

10 **(3) CREATION OF COUNCIL.** (a) No later than January 1, 2002, each political
11 subdivision selected under sub. (2) shall create a council consisting of 5 members, as
12 follows:

- 13 1. The chief executive officer of the political subdivision, or his or her designee.
- 14 2. A member who is an employee of the political subdivision.
- 15 3. A member with cost accounting experience who is a resident of the political
16 subdivision and who is not a political subdivision officer or employee.
- 17 4. Two members, not including the member under subd. 3., who are residents
18 of the political subdivision and who are not political subdivision officers or
19 employees.

20 (b) The political subdivision’s chief executive officer shall appoint the council
21 members under par. (a) 2. to 4. The chief executive officer shall appoint 2 members
22 to initial terms of 2 years and the remaining 2 members to initial terms of 4 years.
23 The chief executive officer shall appoint the respective successors of the members
24 under par. (a) 2. to 4. to terms of 4 years. All members under par. (a) 2. to 4. shall
25 serve until their successors are appointed and qualified.

1 (c) The council shall organize annually at its first meeting to elect a
2 chairperson. Four members of the council shall constitute a quorum.

3 (4) DUTIES OF COUNCIL. The council shall conduct an analysis of governmental
4 services provided by the political subdivision with which the council is affiliated. In
5 conducting such an analysis, the council shall do all of the following:

6 (a) Establish specific benchmarks for performance, including goals related to
7 intergovernmental cooperation to provide governmental services.

8 (b) Conduct research and establish new methods to promote efficiency in the
9 delivery of governmental services.

10 (c) Identify and recommend collaborative agreements to be developed with
11 other political subdivisions to deliver governmental services.

12 (5) DATA COLLECTION AND ANALYSIS. (a) A council may conduct an analysis of a
13 governmental service provided by the political subdivision with which the council is
14 affiliated on its own or after receiving any of the following:

15 1. A written suggestion regarding delegating a governmental service to a
16 private person.

17 2. A written complaint that a governmental service provided by the political
18 subdivision is competing with the same or a similar service provided by a private
19 person.

20 3. A written suggestion by a political subdivision employee or political
21 subdivision employee labor organization to review a governmental service delegated
22 to a private person.

23 (b) After receiving a suggestion or complaint under par. (a), the council shall
24 meet to decide whether an analysis of the governmental service indicated in the
25 suggestion or complaint is necessary. The council may hold hearings, conduct

1 inquiries, and gather data to make its decision. If the council decides to analyze a
2 governmental service under this paragraph, the council shall do all of the following:

3 1. Determine the costs of providing the governmental service, including the
4 cost of personnel and capital assets used in providing the service.

5 2. Determine how often and to what extent the governmental service is
6 provided and the quality of the governmental service provided.

7 3. Make a cost–benefit determination based on the findings under subs. 1. and
8 2.

9 4. Determine whether a private person can provide the governmental service
10 at a cost savings to the political subdivision providing the service and at a quality at
11 least equal to the quality of the service provided by the political subdivision.

12 5. If the council decides that a governmental service is not suitable for
13 delegating to a private person, determine whether the governmental service should
14 be retained in its present form, modified, or eliminated.

15 (c) After completing an analysis under par. (b), the council shall make a
16 recommendation to the political subdivision providing the governmental service
17 analyzed under par. (b) and publish the council's recommendation. The
18 recommendation shall specify the recommendation's impact on the political
19 subdivision and the political subdivision's employees.

20 (6) TRAINING AND ASSISTANCE. The board of regents of the University of
21 Wisconsin System shall direct the extension to assist councils created under this
22 section in performing their duties under subs. (4) and (5). The board of regents shall
23 ensure that council members are trained in how to do all of the following:

24 (a) Conduct an analysis of a governmental service.

1 (b) Determine ways to improve the efficiency of delivering a governmental
2 service.

3 (c) Establish, quantify, and monitor performance standards.

4 (d) Prepare the reports required under sub. (7) (a) and (b).

5 **(7) REPORTS.** (a) On or before June 30, 2002, each council shall submit a report
6 to the department describing the council's activities.

7 (b) On or before June 30, 2003, each council shall submit a final report to the
8 department describing the council's activities and recommendations and the extent
9 to which its recommendations have been adopted by the political subdivision with
10 which the council is affiliated. A report submitted under this paragraph shall
11 provide a detailed explanation of all analyses conducted under subs. (4) and (5).

12 (c) On or before July 31, 2003, the department shall submit a report concerning
13 the activities and recommendations described in the reports submitted under pars.
14 (a) and (b) to the legislature under s. 13.172 (2) and to the governor. The
15 department's report shall describe ways to implement such recommendations
16 statewide.

17 **SECTION 2022t.** 66.0317 of the statutes is created to read:

18 **66.0317 Cooperation region. (1) DEFINITIONS.** In this section:

19 (a) "Cooperation region" means a federal standard metropolitan statistical
20 area. For purposes of this section, if only a part of a county is located in a federal
21 standard metropolitan statistical area the entire county is considered to be located
22 in the federal standard metropolitan statistical area.

23 (b) "Governmental service" has the meaning given in s. 66.0316 (1) (e).

1 (c) “Metropolitan service delivery” means any governmental service provided
2 to a city that is provided by the city or by another city or by a town, village, or county
3 and provided on a multijurisdictional basis.

4 (d) “Municipality” means any city, village, or town.

5 (2) AREA COOPERATION COMPACTS. (a) 1. Except as provided in subd. 3., beginning
6 in 2003 and ending in 2005, a municipality shall enter into an area cooperation
7 compact with at least 2 municipalities or counties located in the same cooperation
8 region as the municipality, or with any combination of at least 2 such entities, to
9 perform at least 2 governmental services.

10 2. Except as provided in subd. 3., beginning in 2006 and in each subsequent
11 year, a municipality shall enter into an area cooperation compact with at least 4
12 municipalities or counties located in the same cooperation region as the municipality,
13 or with any combination of at least 4 such entities, to perform at least 5 governmental
14 services.

15 3. A municipality that is not adjacent to at least 2 other municipalities located
16 in the same cooperation region as the municipality may enter into a cooperation
17 compact with any adjacent municipality or with the county in which the municipality
18 is located to perform the number of governmental services as specified under subd.
19 1. or 2.

20 (b) An area cooperation compact shall provide a plan for any municipalities or
21 counties that enter into the compact to collaborate to provide governmental services.
22 The compact shall provide benchmarks to measure the plan’s progress and provide
23 outcome-based performance measures to evaluate the plan’s success.
24 Municipalities and counties that enter into the compact shall structure the compact

1 in a way that results in significant tax savings to taxpayers within those
2 municipalities and counties.

3 (c) 1. Annually, beginning in 2002, a municipality shall certify to the
4 department of revenue by May 1, in a manner prescribed by the department that the
5 municipality complied with pars. (a) and (b).

6 2. Annually, beginning in 2002, a municipality shall submit to the department
7 of revenue on or before June 30, in a manner prescribed by the department, a report
8 that indicates whether the municipality has entered into any agreements with any
9 other municipality or any county located in the same cooperation region as the
10 municipality related to the following:

11 a. Establishment of performance standards for delivery of governmental
12 services by municipalities or counties within a federal standard metropolitan
13 statistical area or county.

14 b. Collaborative service delivery.

15 c. Reduction or elimination of overlapping service delivery.

16 d. Municipal revenue sharing under s. 66.0305.

17 e. Smart growth planning under s. 16.965.

18 f. Metropolitan service delivery.

19 g. Financial incentives for shared regional planning services.

20 h. Boundary issues.

21 i. Other intergovernmental issues.

22 (d) The department of revenue may grant a municipality additional time to
23 submit any report under par. (c), if the municipality shows good cause for granting
24 the additional time.

1 (e) Annually, beginning in 2004, the legislative audit bureau shall prepare a
2 report on the performance of area cooperation compacts and shall submit copies of
3 the report to the chief clerk of each house of the legislature for distribution to the
4 appropriate standing committees under s. 13.172 (3) by June 30.

5 **SECTION 2020e.** 66.0501 (4) of the statutes is amended to read:

6 66.0501 (4) COMPATIBLE OFFICES AND POSITIONS. A volunteer fire fighter,
7 emergency medical technician, or first responder in a city, village, or town whose
8 annual compensation from one or more of those positions, including fringe benefits,
9 does not exceed \$2,500 the amount specified in s. 946.13 (2) (a) may also hold an
10 elected elective office in that city, village, or town. It is compatible with his or her
11 office for an elected town officer to receive wages under s. 60.37 (4) for work that he
12 or she performs for the town.

13 **SECTION 2021.** 66.0627 (title) of the statutes is amended to read:

14 **66.0627 (title) Special charges for current services.**

15 **SECTION 2022.** 66.0627 (2) of the statutes is amended to read:

16 66.0627 (2) Except as provided in sub. (5), the governing body of a city, village
17 or town may impose a special charge against real property for ~~current services~~ that
18 are available, regardless of whether the services are actually rendered, by allocating
19 all or part of the cost of the service to the property that is served or that is eligible
20 to be served. The authority under this section is in addition to any other method
21 provided by law.

22 **SECTION 2022e.** 66.0627 (3) (a) of the statutes is amended to read:

23 66.0627 (3) (a) Except as provided in par. (b), before a special charge may be
24 imposed a public hearing shall be held on the imposition of the proposed special
25 charge by the governing body of the city, village or town ~~may determine the manner~~

1 of providing notice of a special charge. Notice of the hearing shall be by class 1 notice
2 under ch. 985, and the notice shall specify where a copy of the proposed ordinance
3 relating to the special charge may be obtained.

4 **SECTION 2023.** 66.0707 (2) of the statutes is amended to read:

5 66.0707 (2) A city, village or town may impose a special charge under s. 66.0627
6 against real property in an adjacent city, village or town that is served by current
7 services that are available, regardless of whether the services are actually rendered
8 by the municipality imposing the special charge if the municipality in which the
9 property is located approves the imposition by resolution, except that such a
10 resolution may not be approved before the governing body of the municipality in
11 which the property is located holds a public hearing on the imposition. Notice of the
12 public hearing shall be by class 1 notice under ch. 985, and the notice shall specify
13 where a copy of the proposed resolution and ordinance relating to the special charge
14 may be obtained. The owner of the property is entitled to the use and enjoyment of
15 the service for which the special charge is imposed on the same conditions as the
16 owner of property within the city, village or town.

17 **SECTION 2020m.** 66.0223 of the statutes is amended to read:

18 **66.0223 Annexation of territory owned by a city or village.** In addition
19 to other methods provided by law and subject to ss. 59.692 (7) and 66.0307 (7),
20 territory owned by and lying near but not necessarily contiguous to a village or city
21 may be annexed to a village or city by ordinance enacted by the board of trustees of
22 the village or the common council of the city, provided that in the case of
23 noncontiguous territory the use of the territory by the city or village is not contrary
24 to any town or county zoning regulation. The ordinance shall contain the exact
25 description of the territory annexed and the names of the towns from which

1 detached, and attaches the territory to the village or city upon the filing of 7 certified
2 copies of the ordinance in the office of the secretary of state, together with 7 copies
3 of a plat showing the boundaries of the territory attached. Two copies of the
4 ordinance and plat shall be forwarded by the secretary of state to the department of
5 transportation, one copy to the department of administration, one copy to the
6 department of natural resources, one copy to the department of forestry, one copy to
7 the department of revenue and one copy to the department of public instruction.
8 Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be
9 mailed or delivered to the clerk of the county in which the annexed territory is
10 located. Section 66.0217 (11) applies to annexations under this section.

11 **SECTION 2021g.** 66.0235 (5) of the statutes is amended to read:

12 66.0235 (5) APPORTIONMENT BOARD. The boards or councils of the local
13 governmental units, or committees selected for that purpose, acting together,
14 constitute an apportionment board. When a local governmental unit is dissolved
15 because all of its territory is transferred the board or council of the local
16 governmental unit existing at the time of dissolution shall, for the purpose of this
17 section, continue to exist as the governing body of the local governmental unit until
18 there has been an apportionment of assets by agreement of the interested local
19 governmental units or by an order of the circuit court. After an agreement for
20 apportionment of assets has been entered into between the interested local
21 governmental units, or an order of the circuit court becomes final, a copy of the
22 apportionment agreement, or of the order, certified to by the clerks of the interested
23 local governmental units, shall be filed with the department of revenue, the
24 department of natural resources, the department of forestry, the department of
25 transportation, the state superintendent of public instruction, the department of

1 administration, and with any other department or agency of the state from which the
2 town may be entitled by law to receive funds or certifications or orders relating to the
3 distribution or disbursement of funds, with the county treasurer, with the treasurer
4 of any local governmental unit, or with any other entity from which payment would
5 have become due if the dissolved local governmental unit had continued in existence.
6 Subject to ss. 79.006 and 86.303 (4), payments from the shared revenue account
7 made pursuant to ch. 79, payments of forest crop taxes under s. 77.05, of
8 transportation aids under s. 20.395, of state aids for school purposes under ch. 121,
9 payments for managed forest land under subch. VI of ch. 77 and all payments due
10 from a department or agency of the state, from a county, from a local governmental
11 unit, or from any other entity from which payments would have become due if the
12 dissolved local governmental unit had continued in existence, shall be paid to the
13 interested local governmental unit as provided by the agreement for apportionment
14 of assets or by any order of apportionment by the circuit court and the payments have
15 the same force and effect as if made to the dissolved local governmental unit.

16
17 **SECTION 2021p.** 66.0307 (4) (a) 1. of the statutes is amended to read:

18 66.0307 (4) (a) 1. The department, the department of natural resources, the
19 department of forestry, the department of agriculture, trade and consumer
20 protection and the department of transportation.

21 **SECTION 2021r.** 66.0407 (5) of the statutes is amended to read:

22 66.0407 (5) This section does not apply to Canada thistle or annual noxious
23 weeds that are located on land that the department of natural resources or the
24 department of forestry owns, occupies, or controls and that is maintained in whole
25 or in part as habitat for wild birds by the either department of natural resources.

1 **SECTION 2026m.** 66.0901 (9) (b) of the statutes is amended to read:

2 66.0901 (9) (b) *Retained percentages.* As the work progresses under a contract
3 involving \$1,000 or more for the construction, execution, repair, remodeling or
4 improvement of a public work or building or for the furnishing of supplies or
5 materials, regardless of whether proposals for the contract are required to be
6 advertised by law, the municipality, from time to time, shall grant to the contractor
7 an estimate of the amount and proportionate value of the work done, which entitles
8 the contractor to receive the amount of the estimate, less the retainage, from the
9 proper fund. The retainage shall be an amount equal to ~~10%~~ 5% of the estimate until
10 50% of the work has been completed. At 50% completion, further partial payments
11 shall be made in full to the contractor and no additional amounts may be retained
12 unless the architect or engineer certifies that the job is not proceeding satisfactorily,
13 but amounts previously retained shall not be paid to the contractor. At 50%
14 completion or any time after 50% completion when the progress of the work is not
15 satisfactory, additional amounts may be retained but the total retainage may not be
16 more than ~~10%~~ 5% of the value of the work completed. Upon substantial completion
17 of the work, an amount retained may be paid to the contractor. When the work has
18 been substantially completed except for work which cannot be completed because of
19 weather conditions, lack of materials or other reasons which in the judgment of the
20 municipality are valid reasons for noncompletion, the municipality may make
21 additional payments, retaining at all times an amount sufficient to cover the
22 estimated cost of the work still to be completed or may pay out the entire amount
23 retained and receive from the contractor guarantees in the form of a bond or other
24 collateral sufficient to ensure completion of the job. For the purposes of this section,
25 estimates may include any fabricated or manufactured materials and components

1 specified, previously paid for by the contractor and delivered to the work or properly
2 stored and suitable for incorporation in the work embraced in the contract.

3 **SECTION 2026nz.** 66.0903 (3) (ap) of the statutes is created to read:

4 66.0903 (3) (ap) In defining under par. (am) the trades or occupations that are
5 commonly employed on projects that are subject to this section, the department:

6 1. May not define swimming pool installer as a separate trade or occupation for
7 purposes of determining the prevailing wage rates for the trades or occupations that
8 are commonly employed in the construction of swimming pools.

9 2. Shall define metal building assembler as a separate trade or occupation for
10 purposes of determining the prevailing wage rates for that trade or occupation and
11 shall include among the typical duties of that trade or occupation reroofing and
12 repairing existing prefabricated, packaged metal buildings and constructing
13 prefabricated, packaged metal additions to existing prefabricated, packaged metal
14 buildings.

15 **SECTION 2026p.** 66.0903 (3) (av) of the statutes is amended to read:

16 66.0903 (3) (av) In determining prevailing wage rates under par. (am) or (ar),
17 the department may not use data from projects that are subject to this section, s.
18 103.49 or 103.50, or 40 USC 276a unless the department determines that there is
19 insufficient wage data in the area to determine those prevailing wage rates, in which
20 case the department may use data from projects that are subject to this section, s.
21 103.49 or 103.50, or 40 USC 276a. The department may also use data from a project
22 that is subject to this section, s. 103.49 or 103.50, or 40 USC 276a in determining
23 prevailing wage rates under par. (am) or (ar) if the department determines that the
24 wage rate paid on that project is higher than the prevailing wage rate determined
25 for that project.

1 **SECTION 2026r.** 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).

17 **SECTION 2029ss.** 66.1105 (5) (bh) of the statutes is created to read:

18 66.1105 (5) (bh) Notwithstanding the time limits in subs. (4) (e) and (4m) (b)
19 2., if the village clerk of a village that created, or attempted to create, a tax
20 incremental district before June 2000 and amended or tried to amend the district's
21 boundaries in September 2000 files with the department of revenue, not later than
22 November 30, 2000, the forms and application that were originally due on or before
23 December 31, 2000, the tax incremental base of the district shall be calculated by the
24 department of revenue as if the time limits described in subs. (4) (e) and (4m) (b) 2.
25 had been strictly complied with and, until the tax incremental district terminates,

1 the department of revenue shall allocate tax increments and treat the district in all
2 other respects as if the time limits described in subs. (4) (e) and (4m) (b) 2. had been
3 strictly complied with and as if the district were created on January 1, 2000, except
4 that the department of revenue may not certify a value increment under par. (b)
5 before 2002.

6
7 **SECTION 2049h.** 66.1113 (2) (a) of the statutes is amended to read:

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

14 **SECTION 2049i.** 66.1113 (2) (e) of the statutes is created to read:

15 66.1113 (2) (e) 1. The legislature finds the following with respect to the city of
16 Eagle River:

17 a. That it has an atypical percentage of tax-exempt land within its boundaries
18 that is used for tourism-related purposes.

19 b. That it is the site of national recreational competitions that draw tourism
20 business to the entire northern region of this state.

21 2. The city of Eagle River may enact an ordinance or adopt a resolution
22 declaring itself to be a premier resort area under par. (a) even if less than 40% of the
23 equalized assessed value of the taxable property within Eagle River is used by
24 tourism-related retailers.

25 **SECTION 2056g.** 67.05 (6m) (a) of the statutes is amended to read:

1 67.05 (6m) (a) An initial resolution adopted by a technical college district board
2 for an issue of bonds in an amount of money not exceeding ~~\$500,000~~ \$1,000,000 for
3 building remodeling or improvement need not be submitted to the electors of the
4 district for approval unless within 30 days after the initial resolution is adopted there
5 is filed with the technical college district secretary a petition conforming to the
6 requirements of s. 8.40 requesting a referendum thereon. Such a petition shall be
7 signed by electors from each county lying wholly or partially within the district. The
8 number of electors from each county shall equal at least 1.5% of the population of the
9 county as determined under s. 16.96 (2) (c). If a county lies in more than one district,
10 the technical college system board shall apportion the county's population as
11 determined under s. 16.96 (2) (c) to the districts involved and the petition shall be
12 signed by electors equal to the appropriate percentage of the apportioned population.
13 Any initial resolution adopted under sub. (1) in an amount of money not exceeding
14 ~~\$500,000~~ \$1,000,000 at the discretion of the district board, may be submitted to the
15 electors without waiting for the filing of a petition. All initial resolutions adopted
16 under sub. (1) in an amount of money in excess of ~~\$500,000~~ \$1,000,000 or more for
17 building remodeling or improvement shall be submitted to the electors of the district
18 for approval. If a referendum is duly petitioned or required under this subsection,
19 bonds may not be issued until the electors of the district have approved the issue.

20 **SECTION 2056r.** 67.12 (12) (e) 5. of the statutes is amended to read:

21 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district
22 board of a resolution under subd. 1. to issue a promissory note for a purpose under
23 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
24 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
25 the resolution, but shall state the amount proposed to be borrowed, the method of

1 borrowing, the purpose thereof, that the resolution was adopted under this
2 subsection and the place where and the hours during which the resolution is
3 available for public inspection. If the amount proposed to be borrowed is for building
4 remodeling or improvement and does not exceed ~~\$500,000~~ \$1,000,000 or is for
5 movable equipment, the district board need not submit the resolution to the electors
6 for approval unless, within 30 days after the publication or posting, a petition
7 conforming to the requirements of s. 8.40 is filed with the secretary of the district
8 board requesting a referendum at a special election to be called for that purpose.
9 Such petition shall be signed by electors from each county lying wholly or partially
10 within the district. The number of electors from each county shall equal at least 1.5%
11 of the population of the county as determined under s. 16.96 (2) (c). If a county lies
12 in more than one district, the technical college system board shall apportion the
13 county's population as determined under s. 16.96 (2) (c) to the districts involved and
14 the petition shall be signed by electors equal to the appropriate percentage of the
15 apportioned population. In lieu of a special election, the district board may specify
16 that the referendum shall be held at the next succeeding spring primary or election
17 or September primary or general election. Any resolution to borrow amounts of
18 money in excess of ~~\$500,000~~ \$1,000,000 for building remodeling or improvement
19 shall be submitted to the electors of the district for approval. If a referendum is held
20 or required under this subdivision, no promissory note may be issued until the
21 issuance is approved by a majority of the district electors voting at such referendum.
22 The referendum shall be noticed, called and conducted under s. 67.05 (6a) insofar as
23 applicable, except that the notice of special election and ballot need not embody a
24 copy of the resolution and the question which shall appear on the ballot shall be
25 "Shall (name of district) be authorized to borrow the sum of \$.... for (state purpose)

1 by issuing its general obligation promissory note (or notes) under section 67.12 (12)
2 of the Wisconsin Statutes?”

3 **SECTION 2057.** 69.01 (6g) of the statutes is created to read:

4 69.01 (6g) “Date of death” means the date that a person is pronounced dead by
5 a physician, coroner, deputy coroner, medical examiner, or deputy medical examiner.

6 **SECTION 2058.** 69.01 (16m) of the statutes is created to read:

7 69.01 (16m) “Medical certification” means those portions of a death certificate
8 that provide the cause of death, the manner of death, injury–related data, and any
9 other medically–related data that is collected as prescribed by the state registrar
10 under s. 69.18 (1m) (c) 2.

11 **SECTION 2059.** 69.01 (22) of the statutes is amended to read:

12 69.01 (22) “Research” means a systematic study through scientific inquiry for
13 the purpose of expanding a field of knowledge, including ~~but not limited to~~
14 environmental or epidemiological research or special studies, that is conducted by
15 persons who meet criteria for access that are specified in rules promulgated under
16 s. 69.20 (4).

17 **SECTION 2060.** 69.01 (26) of the statutes is renumbered 69.01 (26) (intro.) and
18 amended to read:

19 69.01 (26) (intro.) “Vital records” means ~~certificates~~ any of the following:

20 (a) Certificates of birth, death, and divorce or annulment, and marriage
21 documents ~~and data.~~

22 (c) Data related thereto to documents under par. (a) or worksheets under par.
23 (b).

24 **SECTION 2061.** 69.01 (26) (b) of the statutes is created to read:

1 69.01 (26) (b) Worksheets that use forms that are approved by the state
2 registrar and are related to documents under par. (a).

3 **SECTION 2062.** 69.03 (5) of the statutes is amended to read:

4 69.03 (5) Under this subchapter, accept for registration, assign a date of
5 acceptance, and index and preserve original certificates of birth and death, original
6 marriage documents and original divorce reports. Indexes prepared for public use
7 under s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event,
8 county of occurrence, county of residence, and, at the discretion of the state registrar,
9 state file number. Notwithstanding s. 69.24 (1) (e), the state registrar may transfer
10 the paper original of a vital record to optical disc or electronic format in accordance
11 with s. 16.61 (5) or to microfilm reproduction in accordance with s. 16.61 (6) and
12 destroy the paper original of any vital record that is so converted. For the purposes
13 of this subchapter, the electronic format version or microfilm reproduction version
14 of the paper original of a vital record that has been transferred under this subsection
15 shall serve as the original vital record.

16 **SECTION 2063.** 69.06 (2) of the statutes is amended to read:

17 69.06 (2) Make, file, and index an exact copy of every certificate accepted under
18 sub. (1). Indexes prepared for public use under s. 69.20 (3) (e) shall consist of the
19 registrant's full name, date of the event, county of occurrence, county of residence,
20 and, at the discretion of the state registrar, local file number.

21 **SECTION 2064.** 69.07 (2) of the statutes is amended to read:

22 69.07 (2) Make, file, and index an exact copy of every vital record accepted
23 under sub. (1) or received under s. 69.05 (3). Indexes prepared for public use under
24 s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event, county of

1 occurrence, county of residence, and, at the discretion of the state registrar, local file
2 number.

3 **SECTION 2065b.** 69.08 (1) of the statutes is amended to read:

4 69.08 (1) Is on a form prescribed or supplied for the record by the state registrar.

5 **SECTION 2067.** 69.11 (3) (b) 2. of the statutes is amended to read:

6 69.11 (3) (b) 2. Cause of death, if the vital record is a death certificate and if the
7 amendment is accompanied by a statement ~~which~~ that the person who signed the
8 ~~medical certificate part of the death certificate under s. 69.18 (2) certification~~ has
9 submitted to support the amendment.

10 **SECTION 2068.** 69.11 (3) (b) 3. of the statutes is repealed.

11 **SECTION 2069.** 69.11 (4) (b) of the statutes is amended to read:

12 69.11 (4) (b) ~~If 365 days have elapsed since the occurrence of the event which~~
13 ~~is the subject of a birth certificate, the~~ The state registrar may amend an item on the
14 a birth certificate which ~~that~~ affects information about the name, sex, date of birth,
15 place of birth, ~~parents' surnames~~ parent's name, or marital status of the mother ~~on~~
16 ~~a birth certificate~~ if 365 days have elapsed since the occurrence of the event that is
17 the subject of the birth certificate, if the amendment is at the request of a person with
18 a direct and tangible interest in the record and is on a request form supplied by the
19 state registrar, and if the amendment is accompanied by 2 items of documentary
20 evidence from early childhood that are sufficient to prove that the item to be changed
21 is in error and by the affidavit of the person requesting the amendment. A change
22 in the marital status on the birth certificate may be made under this paragraph only
23 if the marital status is inconsistent with information concerning the father or
24 husband that appears on the birth certificate. This paragraph may not be used to

1 add to or delete from a birth certificate the name of a parent or to change the identity
2 of a parent named on the birth certificate.

3 **SECTION 2070.** 69.11 (5) (a) 2. of the statutes is repealed and recreated to read:

4 69.11 (5) (a) 2. If the amendment changes the information on the vital record,
5 do all of the following:

6 a. Record the correct information in the relevant area of the vital record.

7 b. Maintain legibility of the changed information by placing a single line
8 through the changed entry, by recording the changed information elsewhere on the
9 legal portion of the vital record, or both.

10 c. Make a notation on the vital record that clearly states that the vital record
11 has been amended and that gives the number of the item corrected, the date of the
12 correction, and the source of the amending information.

13 d. Initial the amendment notation specified in subd. 2. c.

14 **SECTION 2071.** 69.12 (5) of the statutes is created to read:

15 69.12 (5) A change in the marital status on the certificate of birth may be
16 requested under this section only if the marital status is inconsistent with father or
17 husband information appearing on the certificate of birth. This section may not be
18 used to add or delete the name of a parent on the certificate of birth or change the
19 identity of either parent named on the certificate of birth.

20 **SECTION 2072.** 69.13 of the statutes is created to read:

21 **69.13 Correction of facts misrepresented by informant for certificate**
22 **of birth.** The state registrar may, under an order issued by the circuit court of the
23 county in which a birth occurred, correct information about the parent or the marital
24 status of the mother on a certificate of birth that is registered in this state if all of
25 the following conditions apply:

1 (1) The correction may not be accomplished under s. 69.11, 69.12, or 69.15
2 because the disputed information was misrepresented by the informant during the
3 preparation of the birth certificate.

4 (2) The state registrar receives, on a form prescribed by the state registrar, a
5 court order that is accompanied by all of the following:

6 (a) A petition for correction filed by a person with a direct and tangible interest
7 in the certificate of birth.

8 (b) Certification that all of the following supporting evidence, as listed by the
9 court in the order, was presented in addition to oral testimony:

10 1. A certified copy of the original certificate of birth.

11 2. If the birth occurred in a hospital, a copy of the birth worksheet and any other
12 supporting documentation from the hospital.

13 3. If the birth did not occur in a hospital, a statement from the birth attendant.

14 4. If relevant to the correction sought, a certified copy of a marriage document,
15 a certified copy of a certificate of divorce or annulment or a final divorce decree that
16 indicates that the mother was not married to the person listed as her husband at any
17 time during the pregnancy, a legal name change order, or any other legal document
18 that clarifies the disputed information.

19 5. A statement signed by the certificate of birth informant or the petitioner
20 acknowledging that the disputed information was misrepresented.

21 (c) The supporting evidence specified in par. (b) 1. to 5.

22 (d) The fee specified under s. 69.22 (5) (b) 1.

23 **SECTION 2073.** 69.14 (1) (a) 1. of the statutes is amended to read:

24 69.14 (1) (a) 1. Except as provided under subd. 2., a certificate of birth for every
25 birth ~~which that~~ occurs in this state shall be filed ~~in the registration district in which~~

1 the birth occurs within 5 days after the birth and shall be registered with the state
2 registrar, who shall register the birth under this subchapter and shall make a copy
3 of the certificate of birth available to the registration district in which the birth
4 occurred and the registration district in which the mother of the registrant resided
5 at the time of the birth.

6 **SECTION 2074.** 69.14 (1) (cm) of the statutes is amended to read:

7 69.14 (1) (cm) *Information concerning paternity.* For a birth which occurs en
8 route to or at a hospital, the filing party shall give the mother a copy of the pamphlet
9 under s. 69.03 (14). If the child's parents are not married at the time of the child's
10 birth, the filing party shall give the mother a copy of the form prescribed by the state
11 registrar under s. 69.15 (3) (b) 3. The filing party shall ensure that trained,
12 designated hospital staff provide to the child's available parents oral information or
13 an audio or video presentation and written information about the form and the
14 significance and benefits of, and alternatives to, establishing paternity, before the
15 parents sign the form. The filing party shall also provide an opportunity to complete
16 the form and have the form notarized in the hospital. If the mother provides a
17 completed form to the filing party while she is a patient in the hospital and within
18 5 days after the birth, the filing party shall send the form directly to the state
19 registrar. From the appropriation under s. 20.445 (3) ~~(me)~~ (dz), the department of
20 workforce development shall pay the filing party a financial incentive for correctly
21 filing a form within 60 days after the child's birth.

22 **SECTION 2075.** 69.15 (1) (b) of the statutes is amended to read:

23 69.15 (1) (b) A clerk of court or, for a paternity action, a clerk of court or county
24 child support agency under s. 59.53 (5), sends the state registrar a certified report
25 of an order of a court in this state on a form supplied by the state registrar or, in the

1 case of any other order, the state registrar receives a certified copy of the order and
2 the proper fee under s. 69.22.

3 SECTION 2077. 69.18 (1) (bm) (intro.) of the statutes is amended to read:

4 69.18 (1) (bm) (intro.) A person required to file a certificate of death under par.
5 (b) shall obtain the information required for the certificate of death from the next of
6 kin or the best qualified person or source available. The person filing the certificate
7 of death shall enter his or her signature on the certificate and include his or her
8 address and the date of signing and shall present or mail the certificate, within 24
9 hours after being notified of the death, to the physician, coroner or medical examiner
10 responsible for completing and signing the medical certification ~~under sub. (2).~~

11 Within 2 days after receipt of the medical certification ~~under sub. (2)~~, the person
12 filing the certificate of death, together with the fee required under s. 69.22 (7), shall
13 mail or present the certificate of death in:

*1 checked
by MDK
prepared
cec
cjs*

14 SECTION 2078. 69.18 (1) (c) of the statutes is amended to read:

15 69.18 (1) (c) A hospital ~~or~~, a nursing home, as defined in s. 50.01 (3), or a hospice,
16 as defined in s. 50.90 (1), which is the place of death of a person may prepare a
17 certificate of death for the person and give the certificate to the person who moves
18 the corpse under par. (a).

19 SECTION 2079. 69.18 (1) (d) of the statutes is amended to read:

20 69.18 (1) (d) A hospital ~~or~~, nursing home, or hospice, as defined in s. 50.90 (1)
21 (c), may not release a corpse to any person under par. (a) unless the person presents
22 a notice of removal on a form prescribed by the state registrar, in duplicate, to the
23 administrator of the hospital ~~or~~, nursing home, or hospice. The administrator shall
24 retain one copy and forward the other copy to the local registrar of the registration
25 district in which the hospital ~~or~~, nursing home, or hospice is located.

1 **SECTION 2080.** 69.18 (1m) of the statutes is created to read:

2 69.18 (1m) **FORMAT.** Beginning on January 1, 2003, a certificate of death shall
3 consist of the following parts:

4 (a) ~~Fact-of-death~~ information, which shall include all of the following:

5 1. The name and other identifiers of the decedent, including the decedent's
6 social security number, if any.

7 2. The date, time, and place that the decedent was pronounced dead.

8 3. The manner of the decedent's death.

9 4. The identity of the person certifying the death.

10 5. The dates of certification and filing of the certificate of death.

11 (b) ~~Extended fact-of-death~~ information, which includes all of the following:

12 1. All information under par. (a).

13 2. Information on final disposition and cause of death.

14 3. Injury-related data.

15 (c) ~~Statistical-use-only~~ information, which includes all of the following:

16 1. All information other than that under par. (b) that is collected on the
17 standard death record form recommended by the federal agency responsible for
18 national vital statistics.

19 2. Other data, as directed by the state registrar, including race, educational
20 background, and health risk behavior.

21 **SECTION 2081.** 69.18 (2) (a) of the statutes is amended to read:

22 69.18 (2) (a) On the form for a certificate of death prescribed by the state
23 registrar under sub. (1) (b), the state registrar shall provide for a ~~separate~~ medical
24 certification ~~section~~ to be completed under this subsection.

25 **SECTION 2082.** 69.18 (2) (d) 1. of the statutes is amended to read:

1 69.18 (2) (d) 1. Except as provided under par. (e), if a death is the subject of a
2 coroner's or medical examiner's determination under s. 979.01 or 979.03, the coroner
3 or medical examiner or a physician supervised by a coroner or medical examiner in
4 the county where the event which caused the death occurred shall complete and sign
5 the medical certification ~~part of the death certificate~~ for the death and mail the death
6 certificate within 5 days after the pronouncement of death or present the certificate
7 to the person responsible for filing the death certificate under sub. (1) within 6 days
8 after the pronouncement of death.

9 **SECTION 2083.** 69.18 (2) (d) 2. of the statutes is amended to read:

10 69.18 (2) (d) 2. Except as provided under par. (e), if the decedent was not under
11 the care of a physician for the illness or condition from which the person died, the
12 coroner or medical examiner, or a physician supervised by a coroner or medical
13 examiner, in the county of the place of death shall complete and sign the medical
14 certification ~~part of the death certificate~~ for the death and mail the death certificate
15 within 5 days after the pronouncement of death or present the certificate to the
16 person responsible for filing the death certificate under sub. (1) within 6 days after
17 the pronouncement of death.

18 **SECTION 2085.** 69.20 (2) (a) of the statutes is renumbered 69.20 (2) (a) (intro.)
19 and amended to read:

20 69.20 (2) (a) (intro.) Except as provided under sub. (3), information in the part
21 of a ~~birth certificate, of birth or divorce or annulment or a marriage document or~~
22 ~~divorce report~~ that is designated on the form as being collected for statistical or
23 medical and statistical use only and information in the part of a death certificate that
24 is designated on the form as being collected as statistical-use-only information

1 under s. 69.18 (1m) (c) may not be disclosed to any person except the subject
2 following:

3 1. The subject of the information, or, if the subject is a minor, ~~to~~ his or her parent
4 or guardian.

5 **SECTION 2086.** 69.20 (2) (a) 2. of the statutes is created to read:

6 69.20 (2) (a) 2. For a certificate of death, any of the persons specified under s.
7 69.18 (4) (a) 1. to 6. or an individual who is authorized in writing by one of the persons.

8 **SECTION 2087.** 69.20 (2) (c) of the statutes is created to read:

9 69.20 (2) (c) Except as provided under sub. (3), until 50 years after a decedent's
10 date of death, the state registrar and a local registrar may not permit inspection of
11 or disclose information contained in the portion under s. 69.18 (1m) (b) 2. and 3. of
12 the certificate of death to anyone except to a person specified under sub. (1), or to a
13 direct descendent of the decedent.

14 **SECTION 2088.** 69.20 (3) (e) of the statutes is repealed and recreated to read:

15 69.20 (3) (e) Public use indexes of certificates of birth, death, or divorce or
16 annulment, or marriage documents that are filed in the system of vital statistics at
17 the state or local level are accessible only by inspection at the office of the state
18 registrar or of a local registrar and may not be copied or reproduced except as follows:

19 1. a. Certificate of birth index information may be copied or reproduced for the
20 public only after 100 years have elapsed from the year in which the birth occurred.
21 No information in the index that has been impounded under s. 69.15 may be released.

22 b. Subdivision 1. a. does not apply to certificate of birth indexes of events that
23 occurred before October 1, 1907.

1 2. Indexes of certificates of death or divorce or annulment may be copied or
2 reproduced for the public after 24 months have elapsed from the year in which the
3 event occurred.

4 3. Beginning January 1, 2003, any information that is obtained from an index
5 under subd. 1. or 2. and that is released shall contain the following statement: “This
6 information is not a legal vital record index. Inclusion of any information does not
7 constitute legal verification of the fact of the event.”

8 **SECTION 2089.** 69.20 (4) of the statutes is amended to read:

9 69.20 (4) ~~The Under procedures that are promulgated by rule, the state~~
10 registrar and every local registrar shall protect vital records from mutilation,
11 alteration ~~or, theft, or fraudulent use and shall protect the privacy rights of~~
12 ~~registrants and their families~~ by strictly controlling direct access to any vital record
13 filed or registered in paper form ~~through procedures promulgated by rule.~~

14 **SECTION 2090.** 69.21 (1) (a) 2. b. of the statutes is amended to read:

15 69.21 (1) (a) 2. b. Any information of the part of a ~~birth~~ certificate, of birth,
16 death, or divorce or annulment or a marriage document or divorce report, the
17 disclosure of which is limited under s. 69.20 (2) (a) and (c), unless the requester is the
18 subject of the information ~~or, for a decedent, unless the requester is specified in s.~~
19 69.20 (2) (a) 2.

20 **SECTION 2091.** 69.21 (1) (b) 4. of the statutes is amended to read:

21 69.21 (1) (b) 4. ~~Any A~~ copy of a death certificate issued under par. (a) for a death
22 that occurred before January 1, 2003, shall include, ~~without limitation due to~~
23 ~~enumeration,~~ the name, sex, date and place of death, age or birth date, cause and
24 manner of death, and social security number, if any, of the decedent, and the file

1 number and the file date of the certificate, except that a requester may, upon request,
2 obtain a copy that does not include the cause of death.

3 **SECTION 2092.** 69.21 (1) (b) 5. of the statutes is created to read:

4 69.21 (1) (b) 5. A copy of a death certificate issued under par. (a) for a death that
5 occurs after December 31, 2002, shall be on a form that contains only fact-of-death
6 information specified in s. 69.18 (1m) (a), except that a requester may, upon request,
7 obtain a form that contains extended fact-of-death information specified in s. 69.18
8 (1m) (b).

9 **SECTION 2093.** 69.22 (1) (intro.) of the statutes is amended to read:

10 69.22 (1) (intro.) The Except as provided in subs. (6) and (7), the state registrar
11 and any local registrar acting under this subchapter shall collect the following fees:

12 **SECTION 2094.** 69.22 (1) (a) of the statutes is amended to read:

13 69.22 (1) (a) Except as provided under par. (c), \$7 for issuing one certified copy
14 of a vital record and \$2 \$3 for any additional certified copy of the same vital record
15 issued at the same time.

16 **SECTION 2095g.** 69.22 (1) (b) of the statutes is repealed and recreated to read:

17 69.22 (1) (b) Except as provided under par. (c), all of the following:

18 1. For issuing an uncertified copy of a vital record issued under s. 69.21 (2) (a)
19 or (b) for an event that occurred before 1930 or for verifying information about the
20 event submitted by a requester without issuance of a copy, \$3, and \$1 for any
21 additional copy of the same vital record issued at the same time.

22 2. For issuing an uncertified copy of a vital record issued under s. 69.21 (2) (a)
23 or (b) for an event that occurs after December 31, 1929, or for verifying information
24 about the event submitted by a requester without issuance of a copy, \$7, and \$3 for
25 any additional copy of the same vital record issued at the same time.

1 **SECTION 2095h.** 69.22 (1) (c) of the statutes is renumbered 69.22 (1) (c) 1. and
2 amended to read:

3 69.22 (1) (c) 1. Twelve dollars for issuing ~~a~~ an uncertified copy of a birth
4 certificate for a birth that occurred after December 31, 1929, or a certified copy of a
5 birth certificate, \$7 of which shall be forwarded to the state treasurer as provided in
6 sub. (1m) and credited to the appropriations under s. 20.433 (1) (g) and (h); and \$3
7 for issuing any additional certified or uncertified copy of the same birth certificate
8 issued at the same time.

9 **SECTION 2095i.** 69.22 (1) (c) 2. of the statutes is created to read:

10 69.22 (1) (c) 2. Three dollars for issuing an uncertified copy of a birth certificate
11 for a birth that occurred before 1930, and \$1 for any additional uncertified copy of
12 the same birth certificate issued at the same time.

13 **SECTION 2096.** 69.22 (1) (d) of the statutes is created to read:

14 69.22 (1) (d) In addition to other fees under this subchapter, \$10 for expedited
15 service in issuing a vital record.

16 **SECTION 2096c.** 69.22 (1m) of the statutes is amended to read:

17 69.22 (1m) The state registrar and any local registrar acting under this
18 subchapter shall, for each copy of a birth certificate for which a fee under sub. (1) (c)
19 1. is charged that is issued during a calendar quarter, forward to the state treasurer
20 the amount for deposit in the appropriations under s. 20.433 (1) (g) and (h) the
21 amounts specified in sub. (1) (c) for each copy of a birth certificate issued during a
22 calendar quarter by the 15th day of the first month following the end of the calendar
23 quarter.

24 **SECTION 2097.** 69.22 (5) (a) 2. of the statutes is amended to read:

1 69.22 (5) (a) 2. Making ~~alterations~~ any change ordered by a court under s. 69.12
2 (3) or 69.15 (4) (a).

3 **SECTION 2098.** 69.22 (5) (a) 3. of the statutes is amended to read:

4 69.22 (5) (a) 3. Making ~~alterations~~ any change in a birth certificate under s.
5 69.15 (3) ~~or (3m)~~.

6 **SECTION 2099.** 69.22 (5) (b) 1. of the statutes is amended to read:

7 69.22 (5) (b) 1. Any new vital record registered under s. 69.12 (4), 69.14 (2) (b)
8 6., 69.15 (1), (2), (3) ~~or (4) (3m)~~, (4) (b), or (6), 69.16 (2), or 69.19, or any corrected vital
9 record registered under s. 69.13.

10 **SECTION 2100.** 69.22 (6) of the statutes is amended to read:

11 69.22 (6) The state registrar may ~~provide free search and free charge a~~
12 reasonable fee for providing searches of vital records and for providing copies of vital
13 records to state agencies for program use. The register of deeds may provide free
14 searches and free copies to agencies in his or her county at the direction of the county
15 board.

16 **SECTION 2100m.** 69.22 (7) of the statutes is created to read:

17 69.22 (7) In a county with a population greater than 600,000, in addition to any
18 applicable fee under sub. (1), the state registrar and any local registrar shall charge
19 a fee of \$10 for filing a certificate of death and a surcharge of \$1 for issuing a certified
20 copy or additional certified copy of a certificate of death, regardless of whether the
21 death occurred before or after 1930. By the 15th day of the first month following the
22 end of a calendar quarter, the state registrar and local registrar shall forward to the
23 state treasurer the amounts received under this subsection during the calendar
24 quarter. The state treasurer shall credit all amounts received under this subsection
25 to the cemetery management insurance fund.

1 **SECTION 2101.** 69.24 (2) (b) of the statutes is amended to read:

2 69.24 (2) (b) ~~Wilfully~~ Willfully and knowingly refuses to provide information
3 required under this subchapter for ~~a death certificate or for any part of a birth~~
4 certificate which is not designated as the part for statistical or medical and statistical
5 use or for a death certificate.

6 **SECTION 2103.** 70.11 (9) of the statutes is amended to read:

7 **70.11 (9) MEMORIALS.** All memorial halls and the real estate upon which the
8 same are located, owned and occupied by any organization of United States war
9 veterans organized pursuant to act of congress and domesticated in this state
10 pursuant to the laws of this state, containing permanent memorial tablets with the
11 names of former residents of any given town, village, city or county who lost their
12 lives in the military or naval service of the state or the United States in any war
13 inscribed thereon, and all personal property owned by such organizations, and all
14 buildings erected, purchased or maintained by any county, city, town or village as
15 memorials under s. 45.05 or 45.055. The renting of such halls or buildings for public
16 purposes shall not render them taxable, provided that all income derived therefrom
17 be used for the upkeep and maintenance thereof. Where such hall or building is used
18 in part for exempt purposes and in part for pecuniary profit, it shall be assessed for
19 taxation to the extent of such use for pecuniary profit as provided in s. 70.1105 (1).

20 **SECTION 2103g.** 70.11 (10) of the statutes is repealed.

21 **SECTION 2103k.** 70.11 (12) (a) of the statutes is amended to read:

22 **70.11 (12) (a)** Property owned by units which are organized in this state of the
23 following organizations: the Salvation Army; the Boy Scouts of America; the Boys'
24 Clubs of America; the Girl Scouts or Camp Fire Girls; the Young Men's Christian
25 Association, not exceeding 40 acres for property that is located outside the limit of

1 any incorporated city or village and not exceeding 10 acres for property that is located
2 inside the limit of any incorporated city or village; the Young Women's Christian
3 Association, not exceeding 40 acres for property that is located outside the limit of
4 any incorporated city or village and not exceeding 10 acres for property that is located
5 inside the limit of any incorporated city or village; or any person as trustee for them
6 of property used for the purposes of those organizations, provided no pecuniary profit
7 results to any individual owner or member.

8 **SECTION 2104.** 70.11 (21) (a) of the statutes is amended to read:

9 70.11 (21) (a) All property purchased or constructed as a waste treatment
10 facility used for the treatment of industrial wastes, as defined in s. 281.01 (5), or air
11 contaminants, as defined in s. 285.01 (1), but not for other wastes, as defined in s
12 281.01 (7) ~~and approved by the department of revenue,~~ for the purpose of abating or
13 eliminating pollution of surface waters, the air, or waters of the state if that property
14 is not used to grow agricultural products for sale and, if the property's owner is taxed
15 under ch. 76, if the property is approved by the department of revenue. For the
16 purposes of this subsection, "industrial waste" also includes wood chips, sawdust,
17 and other wood residue from the paper and wood products manufacturing process
18 that can be used as fuel and would otherwise be considered superfluous, discarded,
19 or fugitive material. The department of natural resources and department of health
20 and family services shall make recommendations upon request to the department of
21 revenue regarding such property. All property purchased or upon which
22 construction began prior to July 31, 1975, shall be subject to s. 70.11 (21), 1973 stats.

23 **SECTION 2105.** 70.11 (21) (c) of the statutes is amended to read:

24 70.11 (21) (c) A prerequisite to exemption under this subsection for owners who
25 are taxed under ch. 76 is the filing of a statement on forms prescribed by the

1 department of revenue with the department of revenue. This statement shall be filed
2 not later than January 15 of the year in which a new exemption is requested or in
3 which a waste treatment facility that has been granted an exemption is retired,
4 replaced, disposed of, moved to a new location, or sold.

5 **SECTION 2106.** 70.11 (21) (d) of the statutes is amended to read:

6 70.11 (21) (d) The department of revenue shall allow an extension to February
7 15; ~~or, if the owner is subject to tax under ch. 76, to a date determined by the~~
8 department by rule; ~~of the due date for filing the report form required under par. (c)~~
9 if a written application for an extension, stating the reason for the request, is filed
10 with the department of revenue before January 15.

11 **SECTION 2107.** 70.11 (21) (e) of the statutes is repealed.

12 **SECTION 2108.** 70.11 (21) (f) of the statutes is amended to read:

13 70.11 (21) (f) If property about which a statement has been filed under par. (c)
14 is determined to be taxable, the owner may appeal that determination ~~to the tax~~
15 ~~appeals commission under s. 73.01 (5) (a), except that assessments under s. 76.07~~
16 ~~shall be appealed under s. 76.08 and except that assessments under s. 70.995 (5)~~
17 ~~shall be appealed under s. 70.995 (8).~~

18 **SECTION 2108q.** 70.11 (39) of the statutes is amended to read:

19 70.11 (39) COMPUTERS. If the owner of the property fulfills the requirements
20 under s. 70.35, mainframe computers, minicomputers, personal computers,
21 networked personal computers, servers, terminals, monitors, disk drives, electronic
22 peripheral equipment, tape drives, printers, basic operational programs, systems
23 software, and prewritten software ~~and custom software~~. The exemption under this
24 subsection does not apply to automatic teller machines, custom software, fax
25 machines, copiers, equipment with embedded computerized components or

1 telephone systems, including equipment that is used to provide telecommunications
2 services, as defined in s. 76.80 (3). For the purposes of s. 79.095, the exemption under
3 this subsection does not apply to property that is otherwise exempt under this
4 chapter.

5 **SECTION 2108s.** 70.11 (39m) of the statutes is created to read:

6 70.11 (39m) If the owner of the property fulfills the requirements under s.
7 70.35, cash registers and fax machines, excluding fax machines that are also copiers.

8 **SECTION 2109.** 70.11 (41) of the statutes is created to read:

9 70.11 (41) FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY. All property owned by
10 the Fox River Navigational System Authority, provided that use of the property is
11 primarily related to the purposes of the authority.

12 **SECTION 2110.** 70.11 (42) of the statutes is created to read:

13 70.11 (42) HUB FACILITY. (a) In this subsection:

14 1. “Air carrier company” means any person engaged in the business of
15 transportation in aircraft of persons or property for hire on regularly scheduled
16 flights. In this subdivision, “aircraft” has the meaning given in s. 76.02 (1).

17 2. “Hub facility” means any of the following:

18 a. A facility at an airport from which an air carrier company operated at least
19 45 common carrier departing flights each weekday in the prior year and from which
20 it transported passengers to at least 15 nonstop destinations, as defined by rule by
21 the department of revenue, or transported cargo to nonstop destinations, as defined
22 by rule by the department of revenue.

23 b. An airport or any combination of airports in this state from which an air
24 carrier company cumulatively operated at least 20 common carrier departing flights

1 each weekday in the prior year, if the air carrier company's headquarters, as defined
2 by rule by the department of revenue, is in this state.

3 (b) Property owned by an air carrier company that operates a hub facility in this
4 state, if the property is used in the operation of the air carrier company.

5 **SECTION 2111.** 70.1105 of the statutes is renumbered 70.1105 (1).

6 **SECTION 2112.** 70.1105 (2) of the statutes is created to read:

7 70.1105 (2) Property, excluding land, that is owned or leased by a corporation
8 that provides services pursuant to 15 USC 79 to a light, heat, and power company,
9 as defined under s. 76.28 (1) (e), that is subject to taxation under s. 76.28 and that
10 is affiliated with the corporation shall be assessed for taxation at the portion of the
11 fair market value of the property that is not used to provide such services.

12 **SECTION 2112m.** 70.111 (25) of the statutes is amended to read:

13 70.111 (25) DIGITAL BROADCASTING EQUIPMENT. Digital broadcasting equipment
14 owned and used by a radio station ~~or a~~ television station, ~~except that this subsection~~
15 ~~does not apply to digital broadcasting equipment that is owned and used by a~~ or cable
16 television system, as defined in s. ~~66.082~~ 66.0419 (2) (d).

17 **SECTION 2113.** 70.112 (4) of the statutes is renumbered 70.112 (4) (a) and
18 amended to read:

19 70.112 (4) (a) All special property assessed under ss. 76.01 to 76.26 and
20 property of any light, heat, and power company taxed under s. 76.28, telephone
21 company, car line company, and electric cooperative association that is used and
22 useful in the operation of the business of such company or association. If a general
23 structure for which an exemption is sought under this section is used and useful in
24 part in the operation of any public utility assessed under ss. 76.01 to 76.26 or of the
25 business of any light, heat, and power company taxed under s. 76.28, telephone

1 company, car line company, or electric cooperative association and in part for
2 nonoperating purposes of the public utility or company or association, that general
3 structure shall be assessed for taxation under this chapter at the percentage of its
4 full market value that fairly measures and represents the extent of its use for
5 nonoperating purposes. Nothing provided in this subsection paragraph shall
6 exclude any real estate or any property which is separately accounted for under s.
7 196.59 from special assessments for local improvements under s. 66.0705.

8 **SECTION 2114.** 70.112 (4) (b) of the statutes is created to read:

9 70.112 (4) (b) If real or tangible personal property is used more than 50%, as
10 determined by the department of revenue, in the operation of a telephone company
11 that is subject to the tax imposed under s. 76.81, the department of revenue shall
12 assess the property and that property shall be exempt from the general property
13 taxes imposed under this chapter. If real or tangible personal property is used less
14 than 50%, as determined by the department of revenue, in the operation of a
15 telephone company that is subject to the tax imposed under s. 76.81, the taxation
16 district in which the property is located shall assess the property and that property
17 shall be subject to the general property taxes imposed under this chapter.

18 **SECTION 2114c.** 70.112 (5) of the statutes is amended to read:

19 70.112 (5) MOTOR VEHICLES, BICYCLES, SNOWMOBILES. Every automobile,
20 low-speed vehicle, motor bicycle, motor bus, motorcycle, motor truck, moped, road
21 tractor, school bus, snowmobile, truck tractor, or other similar motor vehicle, or
22 trailer or semitrailer used in connection therewith.

23 **SECTION 2114gb.** 70.113 (1) (intro.) of the statutes is amended to read:

24 70.113 (1) (intro.) As soon after April 20 of each year as is feasible the
25 department of natural resources shall pay to the city, village, or town treasurer all

1 of the following amounts from the following appropriations for each acre situated in
2 the municipality of ~~state forest lands, as defined in s. 28.02 (1)~~, state parks under s.
3 27.01 and state public shooting, trapping or fishing grounds and reserves or refuges
4 operated thereon, acquired at any time under s. 29.10, 1943 stats., s. 23.09 (2) (d) or
5 29.749 (1) or from the appropriations made by s. 20.866 (2) (tp) by the department
6 of natural resources or leased from the federal government by the department of
7 natural resources:

8 **SECTION 2114gd.** 70.113 (1m) of the statutes is created to read:

9 70.113 (1m) As soon after April 20 of each year as is feasible, the department
10 of forestry shall pay to the city, village, or town treasurer all of the following amounts
11 from the following appropriations for each acre situated in the municipality that is
12 state forest land, as defined in s. 28.02 (1).

13 (a) Eighty cents, to be paid from the appropriation under s. 20.375 (3) (d) or (s).

14 (b) Eight cents, to be paid from the appropriation under s. 20.375 (3) (s).

15 **SECTION 2114ge.** 70.113 (2) (a) of the statutes is amended to read:

16 70.113 (2) (a) Towns, cities or villages shall be paid for forest lands as defined
17 in s. 28.02 (1), state parks under s. 27.01, and other lands acquired under s. 23.09 (2)
18 (d), 23.27, 23.29, 23.293, 23.31, or 29.749 (1) located within such municipality and
19 acquired after June 30, 1969. Such payments shall be ~~made from the appropriation~~
20 ~~under s. 20.370 (5) (da) or (dq) and~~ remitted by the department of natural resources
21 or the department of forestry in the amounts certified by the department of revenue
22 according to par. (b).

23 **SECTION 2114gf.** 70.114 (1) (a) of the statutes is repealed.

24 **SECTION 2114gj.** 70.114 (1) (d) of the statutes is amended to read:

1 70.114 (1) (d) “Purchase price” means the amount paid by the department of
2 natural resources or by the department of forestry for a fee simple interest in real
3 property. “Purchase price” does not include administrative costs incurred by the
4 either department to acquire the land, such as legal fees, appraisal costs or recording
5 fees. If real estate is transferred by gift to the applicable department ~~by gift~~ or is sold
6 to the applicable department for an amount that is less than the estimated fair
7 market value of the property as shown on the property tax bill prepared for the prior
8 year under s. 74.09, “purchase price” means an amount equal to the estimated fair
9 market value of the property as shown on that tax bill. If the real estate is exempt
10 from taxation at the time that it is transferred or sold to the applicable department
11 and if the property was not sold at an arm’s-length sale, “purchase price” means the
12 fair market value of the real estate at the time that the applicable department takes
13 title to it.

14 **SECTION 2114gk.** 70.114 (2) of the statutes is amended to read:

15 70.114 (2) APPLICATION. For all land acquired after December 31, 1991, the
16 department of natural resources and the department of forestry shall pay aids in lieu
17 of taxes under this section and not under s. 70.113.

18 **SECTION 2114gL.** 70.114 (3) of the statutes is amended to read:

19 70.114 (3) ASCERTAINING RATE. Each year, the department of natural resources
20 and the department of forestry shall ascertain from the clerks of the taxation district
21 the aggregate net general property tax rate for taxation districts to which aids are
22 paid under this section.

23 **SECTION 2114gn.** 70.114 (4) (a) of the statutes is amended to read:

24 70.114 (4) (a) On or before January 31, the department of natural resources
25 shall pay to each treasurer of a taxation district, with respect to each parcel of land

1 acquired by that is under the jurisdiction of the department and that is within the
2 taxation district on or before January 1 of the preceding year, ~~an~~.

3 (c) The amount to be paid under par. (a) or (b) shall be determined by
4 multiplying each parcel's estimated value equated to the average level of assessment
5 in the taxation district by the aggregate net general property tax rate that would
6 apply to the parcel of land if it were taxable, as shown on property tax bills prepared
7 for that year under s. 74.09.

8 **SECTION 2114gp.** 70.114 (4) (b) of the statutes is created to read:

9 70.114 (4) (b) On or before January 31, the department of forestry shall pay to
10 each treasurer of a taxation district, with respect to each parcel of state land acquired
11 that is under the jurisdiction of the department of forestry and that is within the
12 taxation district on or before January 1 of the preceding year.

13 **SECTION 2114m.** 70.32 (2) (c) 4. of the statutes is amended to read:

14 70.32 (2) (c) 4. "Swampland or wasteland" means bog_; marsh_; lowland brush_;
15 uncultivated land zoned as shoreland under s. 59.692 and shown as a wetland on a
16 final map under s. 23.32; undeveloped land that is not classified under this
17 subsection as agricultural or as productive forest land and that is part of a parcel that
18 is designated as managed forest land under subch. VI of ch. 77; or other
19 nonproductive lands not otherwise classified under this subsection.

20 **SECTION 2114p.** 70.35 (1) of the statutes is amended to read:

21 70.35 (1) To determine the amount and value of any personal property for
22 which any person, firm or corporation should be assessed, any assessor may examine
23 such person or the managing agent or officer of any firm or corporation under oath
24 as to all such items of personal property, the taxable value thereof as defined in s.
25 70.34 if the property is taxable and the fair market value if the property is exempt

1 under s. 70.11 (39) or (39m). In the alternative the assessor may require such person,
2 firm or corporation to submit a return of such personal property and of the taxable
3 value thereof. There shall be annexed to such return the declaration of such person
4 or of the managing agent or officer of such firm or corporation that the statements
5 therein contained are true.

6 **SECTION 2114q.** 70.35 (2) of the statutes is amended to read:

7 70.35 (2) The return shall be made and all the information therein requested
8 given by such person on a form prescribed by the assessor with the approval of the
9 department of revenue which shall provide suitable schedules for such information
10 bearing on value as the department deems necessary to enable the assessor to
11 determine the true cash value of the taxable personal property, and of the personal
12 property that is exempt under s. 70.11 (39) and (39m), that is owned or in the
13 possession of such person on January 1 as provided in s. 70.10. The return may
14 contain methods of deriving assessable values from book values and for the
15 conversion of book values to present values, and a statement as to the accounting
16 method used. No person shall be required to take detailed physical inventory for the
17 purpose of making the return required by this section.

18 **SECTION 2114s.** 70.36 (1m) of the statutes is amended to read:

19 70.36 (1m) Any person, firm or corporation that fails to include information on
20 property that is exempt under s. 70.11 (39) and (39m) on the report under s. 70.35
21 shall forfeit \$10 for every \$100 or major fraction thereof that is not reported.

22 **SECTION 2115.** 70.425 of the statutes is repealed.

23 **SECTION 2115m.** 70.58 of the statutes is amended to read:

24 **70.58 Forestation state tax.** There is levied an annual tax of two-tenths of
25 one mill for each dollar of the assessed valuation of the property of the state as

1 determined by the department of revenue under s. 70.57, for the purpose of
2 acquiring, preserving and developing the forests of the state and for the purpose of
3 forest crop law and county forest law administration and aid payments, for grants
4 to forestry cooperatives under s. 36.56, and for the acquisition, purchase and
5 development of forests described under s. ~~25.29 (7) (a)~~ 25.28 (3) (am) and (b), the
6 proceeds of the tax to be paid into the ~~conservation~~ forestry fund. The tax shall not
7 be levied in any year in which general funds are appropriated for the purposes
8 specified in this section, equal to or in excess of the amount which the tax would
9 produce.

10 SECTION 2119. 70.73 (1m) of the statutes is created to read:

11 70.73 (1m) AFTER BOARD OF REVIEW. If a town, village, or city clerk or treasurer
12 discovers a palpable error, as described under s. 74.33 (1), in the assessment roll after
13 the board of review has adjourned for the year under s. 70.47 (4), the clerk or
14 treasurer shall correct the assessment roll before calculating the property taxes that
15 are due on the property related to the error and notify the department of revenue of
16 the correction under s. 74.41 (1).

17
18 SECTION 2120. 70.995 (5) of the statutes is amended to read:

19 70.995 (5) ~~Commencing January 1, 1974, and annually thereafter, the~~ The
20 department of revenue shall assess all property of manufacturing establishments
21 included under subs. (1) and (2) as of the close of January 1 of each year, if on or before
22 March 1 of that year the department has classified the property as manufacturing
23 or the owner of the property has requested, in writing, that the department make
24 such a classification and the department later does so. A change in ownership,
25 location, or name of the manufacturing establishment does not necessitate a new

1 request. In assessing lands from which metalliferous minerals are being extracted
2 and valued for purposes of the tax under s. 70.375, the value of the metalliferous
3 mineral content of such lands shall be excluded.

4 **SECTION 2121.** 70.995 (6) of the statutes is amended to read:

5 70.995 (6) Prior to February 15 of each year the department of revenue shall
6 notify each municipal assessor of the manufacturing property within the taxation
7 district that, as of that date, will be assessed by the department during the current
8 assessment year.

9 **SECTION 2122.** 70.995 (8) (b) of the statutes is renumbered 70.995 (8) (b) 1. and
10 amended to read:

11 70.995 (8) (b) 1. The department of revenue shall annually notify each
12 manufacturer assessed under this section and the municipality in which the
13 manufacturing property is located of the full value of all real and personal property
14 owned by the manufacturer. The notice shall be in writing and shall be sent by 1st
15 class mail. In addition, the notice shall specify that objections to valuation, amount,
16 or taxability must be filed with the state board of assessors within 60 days of issuance
17 of the notice of assessment, that objections to a change from assessment under this
18 section to assessment under s. 70.32 (1) must be filed within 60 days after receipt of
19 the notice, that the fee under par. (c) 1. or (d) must be paid and that the objection is
20 not filed until the fee is paid. A statement shall be attached to the assessment roll
21 indicating that the notices required by this section have been mailed and failure to
22 receive the notice does not affect the validity of the assessments, the resulting tax
23 on real or personal property, the procedures of the tax appeals commission or of the
24 state board of assessors, or the enforcement of delinquent taxes by statutory means.

25 **SECTION 2123.** 70.995 (8) (b) 2. of the statutes is created to read: