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1 aid under s. 49.77 whichever is higher. In this subdivision "income" includes earned
 2 or unearned income that would be included in determining eligibility for the
 3 individual or family under s. 49.19 or 49.77, or for the aged, blind or disabled under
 4 42 USC 1381 to 1385. "Income" does not include earned or unearned income which
 5 would be excluded in determining eligibility for the individual or family under s.
 6 49.19 or 49.77, or for the aged, blind or disabled individual under 42 USC 1381 to
 7 1385.

8 *b0616/1.6* SECTION 1815j. 49.47 (4) (c) 1m. of the statutes is created to read:
 9 49.47 (4) (c) 1m. For purposes of determining whether an individual's income
 10 meets the income requirements under subd. 1., "income" includes all of the
 11 individual's earned or unearned income that would be included in determining
 12 eligibility for the individual or family under s. 49.19 or 49.77, or for the aged, blind,
 13 or disabled under 42 USC 1381 to 1385, and "income" does not include earned or
 14 unearned income that would be excluded in determining eligibility for the individual
 15 or family under s. 49.19 or 49.77, or for the aged, blind, or disabled individual under
 16 42 USC 1381 to 1385.

17 *-2016/1.6* SECTION 1816. 49.47 (6) (a) 6. b. of the statutes is amended to read:
 18 49.47 (6) (a) 6. b. An individual who is entitled to coverage under part A of
 19 medicare, entitled to coverage under part B of medicare, meets the eligibility criteria
 20 under sub. (4) (a) and meets the income limitation, the deductible and coinsurance
 21 portions of medicare services under 42 USC 1395 to 1395zz which are not paid under
 22 42 USC 1395 to 1395zz, including those medicare services that are not included in
 23 the approved state plan for services under 42 USC 1396; the monthly premiums
 24 payable under 42 USC 1395v; the monthly premiums, if applicable, under 42 USC
 25 1395i-2 (d); and the late enrollment penalty, if applicable, for premiums under part

SENATE BILL 55**SECTION 1816**

1 A of medicare. Payment of coinsurance for a service under part B of medicare under
2 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital
3 services, may not exceed the allowable charge for the service under medical
4 assistance minus the medicare payment.

5 ***-2016/1.7* SECTION 1817.** 49.47 (6) (a) 6. d. of the statutes is amended to read:

6 49.47 (6) (a) 6. d. An individual who is entitled to coverage under part A of
7 medicare, entitled to coverage under part B of medicare and meets the eligibility
8 criteria for medical assistance under sub. (4) (a) but does not meet the income
9 limitation, the deductible and coinsurance portions of medicare services under 42
10 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those
11 medicare services that are not included in the approved state plan for services under
12 42 USC 1396. Payment of coinsurance for a service under part B of medicare under
13 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital
14 services, may not exceed the allowable charge for the service under medical
15 assistance minus the medicare payment.

16 ***-2016/1.8* SECTION 1818.** 49.47 (6) (a) 6. f. of the statutes is amended to read:

17 49.47 (6) (a) 6. f. For an individual who is only entitled to coverage under part
18 B of medicare and meets the eligibility criteria under sub. (4), but does not meet the
19 income limitation, medical assistance shall include payment of the deductible and
20 coinsurance portions of medicare services under 42 USC 1395j to 1395w, including
21 those medicare services that are not included in the approved state plan for services
22 under 42 USC 1396. Payment of coinsurance for a service under part B of medicare,
23 other than payment of coinsurance for outpatient hospital services, may not exceed
24 the allowable charge for the service under medical assistance minus the medicare
25 payment.

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1 ***-0460/5.14*** **SECTION 1819.** 49.47 (6) (a) 7. of the statutes is amended to read:
2 49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) ~~(a) 2.~~ (ag) 2. or (am) 1., for
3 services under s. 49.46 (2) (a) and (b) that are related to pregnancy, including
4 postpartum services and family planning services, as defined in s. 253.07 (1) (b), or
5 related to other conditions which may complicate pregnancy.

6 ***-1627/4.23*** **SECTION 1820.** 49.472 (6) (a) of the statutes is amended to read:
7 49.472 (6) (a) Notwithstanding sub. (4) (a) 3., from the appropriation under s.
8 20.435 (4) (b) or (w), the department shall, on the part of an individual who is eligible
9 for medical assistance under sub. (3), pay premiums for or purchase individual
10 coverage offered by the individual's employer if the department determines that
11 paying the premiums for or purchasing the coverage will not be more costly than
12 providing medical assistance.

13 ***-1627/4.24*** **SECTION 1821.** 49.472 (6) (b) of the statutes is amended to read:
14 49.472 (6) (b) If federal financial participation is available, from the
15 appropriation under s. 20.435 (4) (b) or (w), the department may pay medicare Part
16 A and Part B premiums for individuals who are eligible for medicare and for medical
17 assistance under sub. (3).

18 ***-1926/3.2*** **SECTION 1822.** 49.473 of the statutes is created to read:
19 **49.473 Medical assistance; women diagnosed with breast or cervical**
20 **cancer. (1)** In this section:
21 (a) "County department" means a county department under s. 46.215, 46.22,
22 or 46.23.
23 (b) "Qualified entity" has the meaning given in 42 USC 1396r-1b (b) (2).

SENATE BILL 55**SECTION 1822**

1 (2) A woman is eligible for medical assistance as provided under sub. (5) if, after
2 applying to the department or a county department, the department or a county
3 department determines that she meets all of the following requirements:

4 (a) The woman is not eligible for medical assistance under ss. 49.46 (1) and
5 (1m), 49.465, 49.468, 49.47, and 49.472, and is not eligible for health care coverage
6 under s. 49.665.

7 (b) The woman is under 65 years of age.

8 (c) The woman is not eligible for health care coverage that qualifies as
9 creditable coverage in 42 USC 300gg (c).

10 (d) The woman has been screened for breast or cervical cancer under a breast
11 and cervical cancer early detection program that is authorized under a grant
12 received under 42 USC 300k.

13 (e) The woman requires treatment for breast or cervical cancer.

14 (3) Prior to applying to the department or a county department for medical
15 assistance, a woman is eligible for medical assistance as provided under sub. (5)
16 beginning on the date on which a qualified entity determines, on the basis of
17 preliminary information, that the woman meets the requirements specified in sub.
18 (2) and ending on one of the following dates:

19 (a) If the woman applies to the department or a county department for medical
20 assistance within the time limit required under sub. (4), the day on which the
21 department or county department determines whether the woman meets the
22 requirements under sub. (2).

23 (b) If the woman does not apply to the department or county department for
24 medical assistance within the time limit required under sub. (4), the last day of the

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1 month following the month in which the qualified entity determines that the woman
2 is eligible for medical assistance.

3 (4) A woman who a qualified entity determines under sub. (3) is eligible for
4 medical assistance shall apply to the department or county department no later than
5 the last day of the month following the month in which the qualified entity
6 determines that the woman is eligible for medical assistance.

7 ^{check} (5) The department shall audit and pay, from the appropriation accounts
8 under s. 20.435 (4) (b) and (o), allowable charges to a provider who is certified under
9 s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who meets the
10 requirements under sub. (2) for all benefits and services specified under s. 49.46 (2).

11 (6) A qualified entity that determines under sub. (3) that a woman is eligible
12 for medical assistance as provided under sub. (5) shall do all of the following:

13 (a) Notify the department of the determination no later than 5 days after the
14 date on which the determination is made.

15 (b) Inform the woman at the of time the determination that she is required to
16 apply to the department or a county department for medical assistance no later than
17 the last day of the month following the month in which the qualified entity
18 determines that the woman is eligible for medical assistance.

19 (7) The department shall provide qualified entities with application forms for
20 medical assistance and information on how to assist women in completing the form.

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23 *b0625/3.21* SECTION 1835k. Subchapter V (title) of chapter 49 [precedes
24 49.66] of the statutes is amended to read:

25

CHAPTER 49

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SECTION 1835k

SUBCHAPTER V

OTHER ~~MEDICALLY RELATED SERVICES~~AND SUPPORT AND MEDICAL PROGRAMS

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4 *~~1627/4.25~~* SECTION 1836. 49.665 (4) (at) 1. a. of the statutes is amended to
5 read:

6 49.665 (4) (at) 1. a. Except as provided in subd. 1. b., the department shall
7 establish a lower maximum income level for the initial eligibility determination if
8 funding under s. 20.435 (4) (bc), (jz) ~~and~~, (p), and (x) is insufficient to accommodate
9 the projected enrollment levels for the health care program under this section. The
10 adjustment may not be greater than necessary to ensure sufficient funding.

11 *~~b0611/1.1~~* SECTION 1836g. 49.665 (4) (at) 1. b. of the statutes is amended to
12 read:

13 49.665 (4) (at) 1. b. The department may not lower the maximum income level
14 for initial eligibility unless the department first submits to the joint committee on
15 finance ~~its plans~~ a plan for lowering the maximum income level ~~and the committee~~
16 ~~approves the plan.~~ If, within 14 days after ~~submitting the plan~~ the date on which the
17 plan is submitted to the joint committee on finance, the cochairpersons of the
18 committee do not notify the secretary that the committee has scheduled a meeting
19 for the purpose of reviewing the plan, the department shall implement the plan is
20 considered approved by the committee as proposed. If within 14 days after the date
21 on which the plan is submitted to the committee, the cochairpersons of the committee
22 notify the secretary that the committee has scheduled a meeting to review the plan,
23 the department may implement the plan only as approved by the committee.

24 *~~b0611/1.1~~* SECTION 1836r. 49.665 (4) (at) 1. c. of the statutes is created to
25 read:

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1 49.665 (4) (at) 1. c. Notwithstanding s. 20.001 (3) (b), if, after reviewing the plan
2 submitted under subd. 1. b., the joint committee on finance determines that the
3 amounts appropriated under s. 20.435 (4) (bc), (jz), (p), and (w) are insufficient to
4 accommodate the projected enrollment levels, the committee may transfer
5 appropriated moneys from the general purpose revenue appropriation account of any
6 state agency, as defined in s. 20.001 (1), other than a sum sufficient appropriation
7 account, to the appropriation account under s. 20.435 (4) (bc) to supplement the
8 health care program under this section if the committee finds that the transfer will
9 eliminate unnecessary duplication of functions, result in more efficient and effective
10 methods for performing programs or more effectively carry out legislative intent, and
11 that legislative intent will not be changed by the transfer.

12 *~~1627/4.26~~* **SECTION 1837.** 49.665 (4) (at) 2. of the statutes is amended to
13 read:

14 49.665 (4) (at) 2. If, after the department has established a lower maximum
15 income level under subd. 1., projections indicate that funding under s. 20.435 (4) (bc),
16 (jz) ~~and~~, (p), ~~and~~ (x) is sufficient to raise the level, the department shall, by state plan
17 amendment, raise the maximum income level for initial eligibility, but not to exceed
18 185% of the poverty line.

19 *b0385/3.2* **SECTION 1837p.** 49.68 (3) (b) of the statutes is amended to read:

20 49.68 (3) (b) ~~The~~ From the appropriation accounts under ss. 20.435 (4) (e) and
21 (je), the state shall pay the cost of medical treatment required as a direct result of
22 chronic renal disease of certified patients from the date of certification, including the
23 cost of administering recombinant human erythropoietin to appropriate patients,
24 whether the treatment is rendered in an approved facility in the state or in a dialysis
25 or transplantation center which is approved as such by a contiguous state, subject

SENATE BILL 55**SECTION 1837p**

1 to the conditions specified under par. (d). Approved facilities may include a hospital
2 in-center dialysis unit or a nonhospital dialysis center which is closely affiliated with
3 a home dialysis program supervised by an approved facility. Aid shall also be
4 provided for all reasonable expenses incurred by a potential living-related donor,
5 including evaluation, hospitalization, surgical costs and postoperative follow-up to
6 the extent that these costs are not reimbursable under the federal medicare program
7 or other insurance. In addition, all expenses incurred in the procurement,
8 transportation and preservation of cadaveric donor kidneys shall be covered to the
9 extent that these costs are not otherwise reimbursable. All donor-related costs are
10 chargeable to the recipient and reimbursable under this subsection.

11 ***b0385/3.2* SECTION 1837q.** 49.683 (2) of the statutes is amended to read:

12 49.683 (2) Approved costs for medical care under sub. (1) shall be paid from the
13 appropriation accounts under s. 20.435 (4) (e) and (je).

14 ***b0385/3.2* SECTION 1837r.** 49.685 (2) of the statutes is amended to read:

15 49.685 (2) ASSISTANCE PROGRAM. The From the appropriation accounts under
16 s. 20.435 (4) (e) and (je), the department shall establish a program of financial
17 assistance to persons suffering from hemophilia and other related congenital
18 bleeding disorders. The program shall assist such persons to purchase the blood
19 derivatives and supplies necessary for home care. The program shall be
20 administered through the comprehensive hemophilia treatment centers.

21 ***b0385/3.2* SECTION 1837s.** 49.687 (title) of the statutes is amended to read:

22 49.687 (title) **Disease aids; patient ~~financial and liability~~ requirements;**
23 **rebate agreements.**

24 ***-1707/1.1* SECTION 1838.** 49.687 (2) of the statutes is amended to read:

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1 49.687 (2) The department shall develop and implement a sliding scale of
2 patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s.
3 49.683 and hemophilia treatment under s. 49.685, based on the patient's ability to
4 pay for treatment. To ensure that the needs for treatment of patients with lower
5 incomes receive priority within the availability of funds under s. 20.435 (4) (e) and
6 (je), the department shall revise the sliding scale for patient liability by January 1,
7 1994, and shall, every 3 years thereafter by January 1, review and, if necessary,
8 revise the sliding scale.

9 ***b0385/3.5* SECTION 1838c.** 49.687 (3) of the statutes is created to read:

10 49.687 (3) The department or an entity with which the department contracts
11 shall provide to a drug manufacturer that sells drugs for prescribed use in this state
12 documents designed for use by the manufacturer in entering into a rebate agreement
13 with the department or entity that is modeled on the rebate agreement specified
14 under 42 USC 1396r-8. The department or entity may enter into a rebate agreement
15 under this subsection that shall include all of the following as requirements:

16 (a) That, as a condition of coverage for prescription drugs of a manufacturer
17 under s. 49.68, 49.683, or 49.685, the manufacturer shall make rebate payments for
18 each prescription drug of the manufacturer that is prescribed for and purchased by
19 persons who meet eligibility criteria under s. 49.68, 49.683, or 49.685, to the state
20 treasurer to be credited to the appropriation under s. 20.435 (4) (je), each calendar
21 quarter or according to a schedule established by the department.

22 (b) That the amount of the rebate payment shall be determined by a method
23 specified in 42 USC 1396r-8 (c), except that, if the average manufacturer price for
24 a prescription drug exceeds the average manufacturer price of the drug as of
25 December 31, 2000, or the first calendar quarter after the day on which the drug was

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SECTION 1838c

1 first available, as adjusted for inflation, the rebate amount shall increase by the
2 amount of the difference.

3 ***b0429/2.7* SECTION 1838t.** 49.85 (1) of the statutes is amended to read:

4 49.85 (1) ~~COUNTY DEPARTMENT~~ DEPARTMENT NOTIFICATION REQUIREMENT. If a
5 county department under s. 46.215, 46.22, or 46.23, ~~or~~ a governing body of a federally
6 recognized American Indian tribe or band ~~or a Wisconsin works agency~~ determines
7 that the department of health and family services may recover an amount under s.
8 49.497 or that the department of workforce development may recover an amount
9 under s. 49.125, 49.161, or 49.195 (3), the county department or governing body shall
10 notify the affected department of the determination. If a Wisconsin works agency
11 determines that the department of workforce development may recover an amount
12 under s. 49.161 or 49.195 (3), the Wisconsin works agency shall notify the
13 department of workforce development of the determination.

14 ***b0625/3.22* SECTION 1838sb.** 49.79 (2) (b) of the statutes is created to read:

15 49.79 (2) (b) An individual who fails to comply with the work requirements of
16 the employment and training program under s. 49.13 (2) (a) is ineligible to
17 participate in the food stamp program as specified under s. 49.13 (3).

18 ***b0625/3.22* SECTION 1838t.** 49.79 (9) of the statutes is created to read:

19 49.79 (9) FRAUD INVESTIGATIONS AND ERROR REDUCTION ACTIVITIES. If the
20 department does not contract with the department of workforce development under
21 s. 49.197 (5), the department shall establish and administer a program to investigate
22 fraudulent activity on the part of recipients of food stamps and to reduce errors in
23 the payments of benefits under the food stamp program.

24

25 ***b0625/3.22* SECTION 1838td.** 49.79 (10) of the statutes is created to read:

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1 49.79 (10) CONTRACT FOR EMPLOYMENT AND TRAINING PROGRAM. The department
2 shall contract with the department of workforce development to administer the
3 employment and training program under s. 49.13.

4 ***b0625/3.22* SECTION 1838v.** 49.85 (1) of the statutes is amended to read:

5 49.85 (1) COUNTY DEPARTMENT NOTIFICATION REQUIREMENT. If a county
6 department under s. 46.215, 46.22 or 46.23, a governing body of a federally
7 recognized American Indian tribe or band or a Wisconsin works agency determines
8 that the department of health and family services may recover an amount under s.
9 49.497 or that the department of workforce development may recover an amount
10 under s. ~~49.125~~, 49.161 ~~or~~, 49.195 (3), or 49.793, the county department or governing
11 body shall notify the affected department of the determination.

12 ***b0625/3.23* SECTION 1839m.** 49.85 (2) (b) of the statutes is amended to read:

13 49.85 (2) (b) At least annually, the department of workforce development shall
14 certify to the department of revenue the amounts that, based on the notifications
15 received under sub. (1) and on other information received by the department of
16 workforce development, the department of workforce development has determined
17 that it may recover under ss. ~~49.125~~, 49.161 ~~and~~, 49.195 (3), and 49.793, except that
18 the department of workforce development may not certify an amount under this
19 subsection unless it has met the notice requirements under sub. (3) and unless its
20 determination has either not been appealed or is no longer under appeal.

21 ***b0625/3.24* SECTION 1840g.** 49.85 (3) (b) 1. of the statutes is amended to
22 read:

23 49.85 (3) (b) 1. Inform the person that the department of workforce
24 development intends to certify to the department of revenue an amount that the
25 department of workforce development has determined to be due under s. ~~49.125~~,

SENATE BILL 55**SECTION 1840g**

1 49.161 ~~or~~, 49.195 (3), or 49.793, for setoff from any state tax refund that may be due
2 the person.

3 ***-1908/1.1* SECTION 1841.** 49.853 (2) of the statutes is amended to read:

4 49.853 (2) FINANCIAL RECORD MATCHING PROGRAM AND AGREEMENTS. The
5 department shall operate a financial record matching program under this section.
6 The department shall promulgate rules specifying procedures under which the
7 department shall enter into agreements with financial institutions doing business
8 in this state to operate the financial record matching program under this section.
9 The agreement shall require the financial institution to participate in the financial
10 record matching program under this section by electing either the financial
11 institution matching option under sub. (3) or the state matching option under sub.
12 (4). ~~The rules promulgated under this section shall provide for reimbursement of~~
13 ~~financial institutions in an amount not to exceed their actual costs of participation~~
14 department shall reimburse a financial institution up to \$125 per quarter for
15 participating in the financial record matching program under this section.

16 ***-0529/6.4* SECTION 1842.** 49.855 (1) of the statutes is amended to read:

17 49.855 (1) If a person obligated to ~~provide pay~~ child support, family support ~~or~~,
18 maintenance, ~~or the receiving and disbursing fee under s. 767.29 (1) (d)~~ is delinquent
19 in making ~~court-ordered~~ any of those payments, or owes an outstanding amount that
20 has been ordered by the court for past support, medical expenses, or birth expenses,
21 upon application under s. 59.53 (5) the department of workforce development shall
22 certify the delinquent payment or outstanding amount to the department of revenue
23 and, at least annually, shall provide to the department of revenue any certifications
24 of delinquencies or outstanding amounts that it receives from another state because
25 the obligor resides in this state.

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1 *~~0529/6.5~~* SECTION 1843. 49.855 (3) of the statutes is amended to read:

2 49.855 (3) Receipt of a certification by the department of revenue shall
3 constitute a lien, equal to the amount certified, on any state tax refunds or credits
4 owed to the obligor. The lien shall be foreclosed by the department of revenue as a
5 setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines
6 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the
7 obligor that the state intends to reduce any state tax refund or credit due the obligor
8 by the amount the obligor is delinquent under the support ~~or~~ maintenance, or
9 receiving and disbursing fee order or obligation, by the outstanding amount for past
10 support, medical expenses, or birth expenses under the court order, or by the amount
11 due under s. 46.10 (4) or 301.12 (4). The notice shall provide that within 20 days the
12 obligor may request a hearing before the circuit court rendering the order under
13 which the obligation arose. Within 10 days after receiving a request for hearing
14 under this subsection, the court shall set the matter for hearing. Pending further
15 order by the court or family court commissioner, the department of workforce
16 development or its designee, whichever is appropriate, is prohibited from disbursing
17 the obligor's state tax refund or credit. The family court commissioner may conduct
18 the hearing. The sole issues at that hearing shall be whether the obligor owes the
19 amount certified and, if not and it is a support or maintenance order, whether the
20 money withheld from a tax refund or credit shall be paid to the obligor or held for
21 future support or maintenance. ~~An obligor may, within 20 days of receiving notice~~
22 ~~that the amount certified shall be withheld from his or her federal tax refund or~~
23 ~~credit, request a hearing under this subsection.~~

24 *~~b0550/1.6~~* SECTION 1844b. 49.855 (4) of the statutes is renumbered 49.855
25 (4) (a) and amended to read:

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SECTION 1844b

1 49.855 (4) (a) The department of revenue shall send ~~that~~ the portion of any
2 state ^{Plain A} ~~or federal~~ tax refunds or credits withheld for delinquent child or family support
3 or maintenance or past support, medical expenses, or birth expenses to the
4 department of workforce development or its designee for ~~distribution to the obligee~~
5 deposit in the support collections trust fund under s. 25.68 and shall send the portion
6 of any state ^{check A} tax refunds or credits withheld for delinquent receiving and disbursing
7 fees to the department of workforce development or its designee for deposit in the
8 appropriation account under s. 20.445 (3) (ja). The department of workforce
9 development shall make a settlement at least annually with the department of
10 revenue. The settlement shall state the amounts certified, the amounts deducted
11 from tax refunds and credits, and the administrative costs incurred by the
12 department of revenue.

13 ***b0550/1.10* SECTION 1844c.** 49.855 (4) (b) of the statutes is created to read:

14 49.855 (4) (b) The department of administration shall send the portion of any
15 federal tax refunds or credits received from the internal revenue service that was
16 withheld for delinquent child or family support or maintenance or past support,
17 medical expenses, or birth expenses to the department of workforce development or
18 its designee for deposit in the support collections trust fund under s. 25.68 and shall
19 send the portion of any federal tax refunds or credits received from the internal
20 revenue service that was withheld for delinquent receiving and disbursing fees to the
21 department of workforce development or its designee for deposit in the appropriation
22 account under s. 20.445 (3) (ja).

23 ***-0529/6.7* SECTION 1845.** 49.855 (4m) (b) of the statutes is amended to read:

24 49.855 (4m) (b) The department of revenue may provide a certification that it
25 receives under sub. (1), (2m), or (2p) to the department of administration. Upon

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1 receipt of the certification, the department of administration shall determine
2 whether the obligor is a vendor or is receiving any other payments from this state,
3 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
4 45.351 (1), this chapter, or ch. 46, 108, or 301. If the department of administration
5 determines that the obligor is a vendor or is receiving payments from this state,
6 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
7 45.351 (1), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount
8 certified from those payments and shall notify the obligor that the state intends to
9 reduce any payments due the obligor by the amount the obligor is delinquent under
10 the support ~~or~~ maintenance, or receiving and disbursing fee order or obligation, by
11 the outstanding amount for past support, medical expenses, or birth expenses under
12 the court order, or by the amount due under s. 46.10 (4) or 301.12 (4). The notice shall
13 provide that within 20 days after receipt of the notice the obligor may request a
14 hearing before the circuit court rendering the order under which the obligation arose.
15 An obligor may, within 20 days after receiving notice, request a hearing under this
16 paragraph. Within 10 days after receiving a request for hearing under this
17 paragraph, the court shall set the matter for hearing. The family court commissioner
18 may conduct the hearing. Pending further order by the court or family court
19 commissioner, the department of workforce development or its designee, whichever
20 is appropriate, may not disburse the payments withheld from the obligor. The sole
21 issues at the hearing are whether the obligor owes the amount certified and, if not
22 and it is a support or maintenance order, whether the money withheld shall be paid
23 to the obligor or held for future support or maintenance.

24 ***-0529/6.8*** SECTION 1846. 49.855 (4m) (c) of the statutes is amended to read:

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SECTION 1846

1 49.855 (4m) (c) Except as provided by order of the court after hearing under
2 par. (b), the department of administration shall continue withholding until the
3 amount certified is recovered in full. The department of administration shall
4 transfer the amounts withheld under this paragraph to the department of workforce
5 development or its designee, the department of health and family services, or the
6 department of corrections, whichever is appropriate. The department of workforce
7 development or its designee shall distribute deposit amounts withheld for
8 delinquent child or family support ~~or~~, maintenance, receiving and disbursing fees
9 or past support, medical expenses, or birth expenses ~~to the obligee in the~~
10 appropriation account under s. 20.445 (3) (kp).

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16 ***-0197/1.1*** SECTION 1878. 50.033 (2s) (intro.) of the statutes is amended to
17 read:

18 50.033 (2s) REQUIRED REFERRAL. (intro.) Subject to sub. (2t), an adult family
19 home shall, within the time period prescribed by the department by rule, refer to a
20 resource center under s. 46.283 a person who is seeking admission, who is at least
21 65 years of age or has developmental disability or a physical disability and whose
22 disability or condition is expected to last at least 90 days, unless any of the following
23 applies:

24

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1 ***-0197/1.2*** **SECTION 1886.** 50.034 (5n) (intro.) of the statutes is amended to
2 read:

3 50.034 (5n) **REQUIRED REFERRAL.** (intro.) Subject to sub. (5p), a residential care
4 apartment complex shall, within the time period prescribed by the department by
5 rule, refer to a resource center under s. 46.283 a person who is seeking admission,
6 who is at least 65 years of age or has developmental disability or a physical disability
7 and whose disability or condition is expected to last at least 90 days, unless any of
8 the following applies:

9

~~****NOTE: This is reconciled s. 50.034 (8). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0428/2 and LRB-1686/3.~~

10 ***-0197/1.3*** **SECTION 1894.** 50.035 (4n) (intro.) of the statutes is amended to
11 read:

12 50.035 (4n) **REQUIRED REFERRAL.** (intro.) Subject to sub. (4p), a
13 community-based residential facility shall, within the time period prescribed by the
14 department by rule, refer to a resource center under s. 46.283 a person who is seeking
15 admission, who is at least 65 years of age or has developmental disability or a
16 physical disability and whose disability or condition is expected to last at least 90
17 days, unless any of the following applies:

18

~~****NOTE: This is reconciled s. 50.035 (11). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0428/2 and LRB-1686/3.~~

19

20

21 ***-0205/3.31*** **SECTION 1923.** 50.06 (7) of the statutes is amended to read:

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SECTION 1923

1 50.06 (7) An individual who consents to an admission under this section may
 2 request that an assessment be conducted for the incapacitated individual under the
 3 long-term support community options program under s. 46.27 (6) or, if the secretary
 4 has certified under s. 46.281 (3) ^{check A} that a resource center is available for the individual,
 5 a functional and financial screen ^{plain text} to determine eligibility for the family care benefit
 6 under s. 46.286 (1). If admission is sought on behalf of the incapacitated individual
 7 or if the incapacitated individual is about to be admitted on a private pay basis, the
 8 individual who consents to the admission may waive the requirement for a financial
 9 screen under s. 46.283 (4) (g), unless the incapacitated individual is expected to
 10 become eligible for medical assistance within 6 months.

****NOTE: This is reconciled s. 50.06 (7). This SECTION has been affected by drafts with the following LRB numbers: LRB-0203/1 and LRB-0205/2.

11 ***-0200/2.3*** SECTION 1927. 50.36 (2) (c) of the statutes is amended to read:

12 50.36 (2) ^(c) The department shall promulgate rules that require that a hospital,
 13 before discharging a patient who is aged 65 or older or who has developmental
 14 disability or physical disability and whose disability or condition requires long-term
 15 care that is expected to last at least 90 days, refer the patient to the resource center
 16 under s. 46.283. The rules shall specify that this requirement applies only if the
 17 secretary has certified under s. 46.281 (3) ^{check A} that a resource center is available for the
 18 hospital and for specified groups of eligible individuals that include persons seeking
 19 admission to or patients of the hospital.

****NOTE: This is reconciled s. 50.36 (2) (c). This SECTION has been affected by drafts with the following LRB numbers: LRB-0200/1 and LRB-0203/1.

20
 21
 22 ***b0358/1.5*** SECTION 1955b. 51.02 (1) (e) of the statutes is repealed.

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2

3

***-0424/5.6* SECTION 1961.** 51.06 (1) (intro.) of the statutes is renumbered 51.06 (1) and amended to read:

4

5

51.06 (1) PURPOSE. The purpose of the northern center for developmentally disabled, central center for developmentally disabled and southern center for developmentally disabled is to provide services needed by developmentally disabled citizens of this state ~~which~~ that are otherwise unavailable to them, and to return ~~such~~ those persons to the community when their needs can be met at the local level.

6

7

8

~~Services to be provided by the department at such centers shall include:~~

9

10

11

***-0424/5.7* SECTION 1962.** 51.06 (1) (a) to (d) of the statutes are renumbered 51.06 (1m) (a) to (d), and 51.06 (1m) (d), as renumbered, is amended to read:

12

13

51.06 (1m) (d) Services for up to ~~36~~ 50 individuals with developmental disability who are also diagnosed as mentally ill or who exhibit extremely aggressive and challenging behaviors.

14

15

***NOTE: This is reconciled s. 51.06 (1m) (d). This SECTION has been affected by drafts with the following LRB numbers: LRB-0424/4 and LRB-0435/1.

16

***-0424/5.8* SECTION 1963.** 51.06 (1m) (intro.) of the statutes is created to read:

17

51.06 (1m) SERVICES. (intro.) Services to be provided by the department at centers for the developmentally disabled shall include:

18

19

***-0424/5.9* SECTION 1964.** 51.06 (1r) of the statutes is created to read:

20

51.06 (1r) ALTERNATIVE SERVICES. (a) In addition to services provided under sub. (1m), the department may, when the department determines that community services need to be supplemented, authorize a center for the developmentally disabled to offer short-term residential services, dental and mental health services,

21

22

23

SENATE BILL 55**SECTION 1964**

1 therapy services, psychiatric and psychological services, general medical services,
2 pharmacy services, and orthotics.

3 (b) Services under this subsection may be provided only under contract
4 between the department and a county department under s. 46.215, 46.22, 46.23,
5 51.42, or 51.437, a school district, or another public or private entity within the state
6 to persons referred from those entities, at the discretion of the department. The
7 department shall charge the referring entity all costs associated with providing the
8 services. Unless a referral is made, the department may not offer services under this
9 subsection to the person who is to receive the services or to his or her family. The
10 department may not impose a charge for services under this subsection upon the
11 person receiving the services or upon his or her family. Any revenues received under
12 this subsection shall be credited to the appropriation account under s. 20.435 (2) (g).

13 (c) 1. Services under this subsection are governed by subchapter XVI of ch. 48
14 and ss. 50.03, 50.032, 50.033, 50.034 (1) to (3), 50.035, 50.04, 50.09, 51.04, 51.42 (7)
15 (b), and 51.61, for the application of which the services shall be considered to be
16 provided by a private entity, by rules promulgated under those statutes, and by the
17 terms of the contract between the department, except that, in the event of a conflict
18 between the contractual terms and the statutes or rules, the services shall comply
19 with the contractual, statutory, or rules provision that is most protective of the
20 service recipient's health, safety, welfare, or rights.

21 2. Sections 46.03 (18), 46.10, 51.15 (2), 51.20 (13) (c) 1., and 51.42 (3) (as) and
22 zoning or other ordinances or regulations of the county, city, town, or village in which
23 the services are provided or the facility is located do not apply to the services under
24 this subsection.

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1 3. The department may not be required, by court order or otherwise, to offer
2 services under this subsection.

3 (d) A residential facility operated by a center for the developmentally disabled
4 that is authorized by the department under this subsection may not be considered
5 to be a hospital, as defined in s. 50.33 (2), an inpatient facility, a state treatment
6 facility, or a treatment facility.

7 *–1884/2.1* **SECTION 1968.** 51.42 (3) (ar) 4m. of the statutes is amended to read:

8 51.42 (3) (ar) 4m. If state, federal, and county funding for alcohol and other
9 drug abuse treatment services provided under subd. 4. are insufficient to meet the
10 needs of all eligible individuals, ensure that first priority for services is given to
11 pregnant women who suffer from alcoholism or alcohol abuse or are drug dependent
12 and that second priority be given to independent foster care adolescents, as defined
13 in 42 USC 1396d (w) (1).

14 *–1884/2.2* **SECTION 1969.** 51.42 (3) (ar) 4p. of the statutes is created to read:

15 51.42 (3) (ar) 4p. If state, federal, and county funding for mental health services
16 provided under subd. 4. are insufficient to meet the needs of all eligible individuals,
17 ensure that first priority for services is given to independent foster care adolescents,
18 as defined in 42 USC 1396d (w) (1).

19 *–0423/1.1* **SECTION 1970.** 51.42 (3) (as) 1. of the statutes is amended to read:

20 51.42 (3) (as) 1. A county department of community programs shall authorize
21 all care of any patient in a state, local or private facility under a contractual
22 agreement between the county department of community programs and the facility,
23 unless the county department of community programs governs the facility. The need
24 for inpatient care shall be determined by the program director or designee in
25 consultation with and upon the recommendation of a licensed physician trained in

SENATE BILL 55**SECTION 1970**

1 psychiatry and employed by the county department of community programs or its
2 contract agency. In cases of emergency, a facility under contract with any county
3 department of community programs shall charge the county department of
4 community programs having jurisdiction in the county where the patient is found.
5 The county department of community programs shall reimburse the facility for the
6 actual cost of all authorized care and services less applicable collections under s.
7 46.036, unless the department of health and family services determines that a
8 charge is administratively infeasible, or unless the department of health and family
9 services, after individual review, determines that the charge is not attributable to the
10 cost of basic care and services. ~~A~~ Except as provided in subd. 1m., a county
11 department of community programs may not reimburse any state institution or
12 receive credit for collections for care received therein by nonresidents of this state,
13 interstate compact clients, transfers under s. 51.35 (3), and transfers from Wisconsin
14 state prisons under s. 51.37 (5) (a), commitments under s. 975.01, 1977 stats., or s.
15 975.02, 1977 stats., or s. 971.14, 971.17 or 975.06 or admissions under s. 975.17, 1977
16 stats., or children placed in the guardianship of the department of health and family
17 services under s. 48.427 or 48.43 or under the supervision of the department of
18 corrections under s. 938.183 or 938.355. The exclusionary provisions of s. 46.03 (18)
19 do not apply to direct and indirect costs which are attributable to care and treatment
20 of the client.

21 *~~0423/1.2~~* **SECTION 1971.** 51.42 (3) (as) 1m. of the statutes is created to read:

22 51.42 (3) (as) 1m. A county department of community programs shall
23 reimburse a mental health institute at the institute's daily rate for custody of any
24 person who is ordered by a court located in that county to be examined at the mental
25 health institute under s. 971.14 (2) for all days that the person remains in custody

SENATE BILL 55

1 at the mental health institute, beginning 48 hours, not including Saturdays,
2 Sundays, and legal holidays, after the sheriff and county department receive notice
3 under s. 971.14 (2) (d) that the examination has been completed.

4 *b0323/3.13* SECTION 1971p. 51.423 (1) of the statutes is amended to read:

5 51.423 (1) The department shall fund, within the limits of the department's
6 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), ~~(kw)~~ and (o)
7 and subject to this section, services for mental illness, developmental disability,
8 alcoholism, and drug abuse to meet standards of service quality and accessibility.
9 The department's primary responsibility is to guarantee that county departments
10 established under either s. 51.42 or 51.437 receive a reasonably uniform minimum
11 level of funding and its secondary responsibility is to fund programs which meet
12 exceptional community needs or provide specialized or innovative services. Moneys
13 appropriated under s. 20.435 (7) (b) and earmarked by the department for mental
14 health services under s. 20.435 (7) (o) shall be allocated by the department to county
15 departments under s. 51.42 or 51.437 in the manner set forth in this section.

16 *b0323/3.13* SECTION 1971r. 51.423 (2) of the statutes is amended to read:

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

SENATE BILL 55**SECTION 1971r**

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

10 ***-0424/5.10* SECTION 1972.** 51.437 (4rm) (c) 2m. of the statutes is amended
11 to read:

12 51.437 (4rm) (c) 2m. Bill the county department of developmental disabilities
13 services for services provided under s. 51.06 (1) (1m) (d) to individuals who are
14 eligible for medical assistance that are not provided by the federal government, using
15 the procedure established under subd. 1.

16 ***-1712/2.10* SECTION 1973.** 51.437 (14) (i) of the statutes is repealed.

17

18 ***b0358/1.6* SECTION 1974m.** 51.437 (14p) of the statutes is repealed.

19 ***b0358/1.6* SECTION 1981b.** 51.437 (14r) (a) 2. (intro.) of the statutes is
20 amended to read:

21 51.437 (14r) (a) 2. (intro.) Perform the following responsibilities related to the
22 state plan, for the delivery of services, that is required under 42 USC 6022, including
23 the construction of facilities:

24 ***b0328/3.2* SECTION 1982r.** 51.44 (3) (c) of the statutes is created to read:

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1 51.44 (3) (c) No county may contribute less funding for early intervention
2 services under this section than the county contributed for early intervention
3 services in 1999, except that, for a county that demonstrated extraordinary effort in
4 1999, the department may waive this requirement and establish with the county a
5 lesser required contribution.

6
7 *~~1394/2.28~~* SECTION 1996. 59.25 (3) (f) 2. of the statutes is amended to read:

8 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
9 deposited in the state treasury, the amounts required by s. 757.05 for the penalty
10 assessment surcharge, ^{check} the amounts required by s. 165.755 for the crime laboratories
11 and drug law enforcement assessment, the amounts required by s. 167.31 (5) for the
12 weapons assessment, the amounts required by s. 973.045 for the crime victim and
13 witness assistance surcharge, the amounts required by s. 938.34 (8d) for the
14 delinquency victim and witness assistance surcharge, the amounts required by s.
15 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts required by
16 s. 961.41 (5) for the drug abuse program improvement surcharge, the amounts
17 required by s. 100.261 for the consumer information protection assessment, the
18 amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the
19 domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the
20 enforcement assessment under the supplemental food program for women, infants
21 and children, the amounts required by s. 349.04 for the truck driver education
22 assessment, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the
23 railroad crossing improvement assessment, the amounts required by s. 346.655 (2)
24 (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85
25 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the

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SECTION 1996

1 environmental assessment, the amounts required by s. 29.983 for the wild animal
2 protection assessment, the amounts required by s. 29.987 for the natural resources
3 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter
4 removal assessment, the amounts required by s. 350.115 for the snowmobile
5 registration restitution payment, and the amounts required by s. 29.989 for natural
6 resources restitution payments, transmit to the state treasurer a statement of all
7 moneys required by law to be paid on the actions entered during the preceding month
8 on or before the first day of the next succeeding month, certified by the county
9 treasurer's personal signature affixed or attached thereto, and at the same time pay
10 to the state treasurer the amount thereof.

11 ^{→ INSERT (FROM P. 700)}
b0457/2.1 SECTION 3996m. 59.34 (1) (a) of the statutes is amended to read:

12 59.34 (1) (a) Participate in inquest proceedings when required by law, except
13 that in any county with a population of 500,000 or more and all counties ~~which~~ that
14 have instituted the medical examiner system this duty and the powers incident
15 thereto shall be vested exclusively in the office of the medical examiner. Except as
16 provided under s. 59.38 (5), the board shall appoint the medical examiner. The office
17 may be occupied on a full-time or part-time basis, and the officeholder shall be paid
18 compensation as the board by ordinance provides. The duties performed by the
19 county coroner and not vested in the medical examiner shall be performed by the
20 clerk. The medical examiner may appoint such assistants as the board authorizes.
21 Whenever requested by the court, attorney general, or district attorney, the medical
22 examiner shall testify to facts and conclusions disclosed by autopsies performed by
23 him or her, at his or her direction or in his or her presence; shall make physical
24 examinations and tests incident to any matter of a criminal nature up for
25 consideration before either the court, attorney general, or district attorney upon

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1 request; shall testify as an expert for either the court or the state in all matters where
2 the examinations or tests have been made; and shall perform such other duties of a
3 pathological or medicolegal nature as may be required.

4 ***b0595/4.2* SECTION 1996f.** 59.25 (3) (j) of the statutes is renumbered 59.25
5 (3) (j) 1. and amended to read:

6 59.25 (3) (j) 1. Retain 10% for fees in receiving and paying into the state
7 treasury all money received by the treasurer for the state for fines and penalties,
8 except that ~~50% of the state forfeitures, fines and penalties under chs. 341 to 347, 349~~
9 ~~and 351 shall be retained as fees as provided in subd. 2.,~~ and retain the other fees
10 for receiving and paying money into the state treasury that are prescribed by law.

11 ***b0595/4.2* SECTION 1996h.** 59.25 (3) (j) 2. of the statutes is created to read:

12 59.25 (3) (j) 2. Retain 50% as fees for receiving and paying into the state
13 treasury all money received by the treasurer for the state for state forfeitures, fines,
14 and penalties under chs. 341 to 347, 349, and 351, unless, during that state fiscal
15 year, the treasurer has already retained under this subdivision an amount equal to
16 the amount that the treasurer retained under s. 59.25 (3) (j), 1999 stats., as fees from
17 state forfeitures, fines, and penalties under chs. 341 to 347, 349, and 351 in the
18 2000–01 state fiscal year.

19 ***b0595/4.2* SECTION 1996j.** 59.25 (3) (jm) of the statutes is created to read:

20 59.25 (3) (jm) Forward to the state treasurer all money received by the
21 treasurer for the state for state forfeitures, fines, and penalties under chs. 341 to 347,
22 349, and 351 if, during that state fiscal year, the treasurer has already retained
23 under par. (j) 2. an amount equal to the amount that the treasurer retained under
24 s. 59.25 (3) (j), 1999 stats., as fees from state forfeitures, fines, and penalties under
25 chs. 341 to 347, 349, and 351 in the 2000–01 state fiscal year. The state treasurer

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SECTION 1996j

1 shall deposit 50% of the amounts received under this paragraph in the general fund
2 and shall credit them to the appropriation account under s. 20.475 (1) (g).

MOVE TO
P. 698
INSERT →

****NOTE: This is reconciled s. 59.25 (3) (f) 2. This SECTION has been affected by drafts with the following LRB numbers: -0454 and -1394.

3 ***-1394/2.29* SECTION 1997.** 59.40 (2) (m) of the statutes is amended to read:

4 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
5 percentage of the fees required to be paid on each civil action, criminal action and
6 special proceeding filed during the preceding month and pay monthly to the
7 treasurer for the use of the state the percentage of court imposed fines and forfeitures
8 required by law to be deposited in the state treasury, the amounts required by s.
9 757.05 for the penalty assessment surcharge, the amounts required by s. 165.755
10 for the crime laboratories and drug law enforcement assessment, the amounts
11 required by s. 167.31 (5) for the weapons assessment, the amounts required by s.
12 973.045 for the crime victim and witness assistance surcharge, the amounts required
13 by s. 938.34 (8d) for the delinquency victim and witness assistance surcharge, the
14 amounts required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the
15 amounts required by s. 961.41 (5) for the drug abuse program improvement
16 surcharge, the amounts required by s. 100.261 for the consumer information
17 protection assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required
18 by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by
19 s. 253.06 (4) (c) for the enforcement assessment under the supplemental food
20 program for women, infants and children, the amounts required by s. 349.04 for the
21 truck driver education assessment, the amounts required by ss. 346.177, 346.495
22 and 346.65 (4r) for the railroad crossing improvement assessment, the amounts
23 required by s. 346.655 for the driver improvement surcharge, the amounts required

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1 by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s.
2 299.93 for the environmental assessment, the amounts required under s. 29.983 for
3 the wild animal protection assessment, the amounts required under s. 29.987 (1) (d)
4 for the natural resources assessment surcharge, the amounts required by s. 29.985
5 for the fishing shelter removal assessment, the amounts required by s. 350.115 for
6 the snowmobile registration restitution payment, and the amounts required under
7 s. 29.989 (1) (d) for the natural resources restitution payments. The payments shall
8 be made by the 15th day of the month following receipt thereof.

***NOTE: This is reconciled s. 59.40 (2) (m). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

9 ***b0670/3.20* SECTION 1999m.** 59.43 (2) (ag) 1. of the statutes is amended to
10 read:

11 59.43 (2) (ag) 1. ~~After June 30, 1991, and subject Subject~~ to s. 59.72 (5), for
12 recording any instrument entitled to be recorded in the office of the register of deeds,
13 ~~\$10~~ \$11 for the first page and \$2 for each additional page, except that no fee may be
14 collected for recording a change of address that is exempt from a filing fee under s.
15 185.83 (1) (b).

16 ***b0670/3.20* SECTION 1999n.** 59.43 (2) (ag) 1. of the statutes, as affected by
17 2001 Wisconsin Act (this act), is amended to read:

18 59.43 (2) (ag) 1. ~~Subject to s. 59.72 (5), for For~~ recording any instrument
19 entitled to be recorded in the office of the register of deeds, \$11 for the first page and
20 \$2 for each additional page, except that no fee may be collected for recording a change
21 of address that is exempt from a filing fee under s. 185.83 (1) (b).⁴

22 ***-1923/1.1* SECTION 2000.** 59.43 (2) (b) of the statutes is amended to read:

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SECTION 2000

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

4 ***b0670/3.21* SECTION 2001m.** 59.43 (2) (e) of the statutes is amended to read:

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

9 ***b0670/3.21* SECTION 2001n.** 59.43 (2) (e) of the statutes, as affected by 2001
10 Wisconsin Act (this act), is amended to read:

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

14 ***b0624/1.1* SECTION 2001m.** 59.52 (11) (c) of the statutes is amended to read:

15 59.52 (11) (c) *Employee insurance.* Provide for individual or group hospital,
16 surgical and life insurance for county officers and employees and for payment of
17 premiums for such officers and employees. ~~In addition, a~~ A county with at least 100
18 employees may elect to provide health care benefits on a self-insured basis to its
19 officers and employees, ~~and any 2 or more counties which together have at least 100~~
20 ~~employees may jointly provide health care benefits on a self-insured basis to officers~~
21 ~~and employees of the counties.~~ A county and one or more cities, villages, towns, or
22 other counties, that together have at least 100 employees, may jointly provide health
23 care benefits to their officers and employees on a self-insured basis. ^{score} Counties which
24 elect to provide health care benefits on a self-insured basis to their officers and

SENATE BILL 55

1 employees shall be subject to the requirements set forth under s. 120.13 (2) (c) to (e)
2 and (g).

3 ***b0485/1.1* SECTION 2002s.** 59.69 (4e) of the statutes is renumbered 59.69 (4e)
4 (intro.) and amended to read:

5 59.69 (4e) (intro.) MIGRANT LABOR CAMPS. The board may not enact an ordinance
6 or adopt a resolution that interferes with any of the following:

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

15

16 ***b0485/1.1* SECTION 2002t.** 59.69 (4e) (b) of the statutes is created to read:

17 59.69 (4e) (b) The construction of new migrant labor camps, as defined in s.
18 103.90 (3), that are built on or after the effective date of this paragraph [revisor
19 inserts date], on property that is adjacent to a food processing plant, as defined in s.
20 100.03 (1) (q), or on property owned by a producer of vegetables, as defined in s.
21 100.03 (1) (zs), if the camp is located on or contiguous to property on which vegetables
22 are produced or adjacent to land on which the producer resides.

23 ***b0635/2.1* 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

SENATE BILL 55**SECTION 2002r**

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

3 ***b0635/2.1* 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 ***b0635/2.1* 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.

SENATE BILL 55

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

23 ***b0670/3.22* SECTION 2003c.** 59.72 (3) (intro.) of the statutes is amended to
24 read:

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SECTION 2003c

1 59.72 (3) LAND INFORMATION OFFICE. The board may establish a county land
2 information office or may direct that the functions and duties of the office be
3 performed by an existing department, board, commission, agency, institution,
4 authority, or office. ~~The~~ If the board establishes a county land information office, the
5 office shall:

6 ***b0670/3.22* SECTION 2003e.** 59.72 (5) (a) of the statutes is amended to read:

7 59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit
8 to the land information board ~~\$6~~ \$7 from the fee for recording the first page of each
9 instrument that is recorded under s. 59.43 (2) (ag) 1. and (e), less any amount
10 retained by the county under par. (b).

11 ***b0670/3.22* SECTION 2003g.** 59.72 (5) (b) (intro.) of the statutes is amended
12 to read:

13 59.72 (5) (b) (intro.) A county may retain ~~\$4~~ \$5 of the ~~\$6~~ \$7 submitted under
14 par. (a) from the fee for recording the first page of each instrument that is recorded
15 under s. 59.43 (2) (ag) 1. and (e) if all of the following conditions are met:

16 ***b0670/3.22* SECTION 2003m.** 59.72 (5) (b) 3. of the statutes is amended to
17 read:

18 59.72 (5) (b) 3. The county uses ~~the fees \$4 of each \$5 fee~~ retained under this
19 paragraph to develop, implement, and maintain the countywide plan for land records
20 modernization, and \$1 of each \$5 fee retained under this paragraph to develop and
21 maintain a computerized indexing of the county's land information records relating
22 to housing, including the housing element of the county's land use plan under s.
23 66.1001 (2) (b), in a manner that would allow for greater public access via the
24 Internet.

25 ***b0624/1.2* SECTION 2003r.** 60.23 (25) of the statutes is amended to read:

SENATE BILL 55

1 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
2 officers and employees on a self-insured basis if the self-insured plan complies with
3 ~~ss. 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85,~~
4 ~~632.853, 632.855, 632.87 (4) and (5), 632.895 (9) and (11) to (14) and 632.896, subject~~
5 ~~to s. 66.0137 (4).~~

6 *~~0618/3.2~~* SECTION 2004. 62.50 (23m) of the statutes is repealed.

7 *~~1394/2.30~~* SECTION 2005. 66.0113 (1) (b) 7. c. of the statutes is amended to
8 read:

9 66.0113 (1) (b) 7. c. That, if the alleged violator makes a cash deposit and does
10 not appear in court, he or she either will be deemed to have tendered a plea of no
11 contest and submitted to a forfeiture, a penalty assessment imposed by s. 757.05, a
12 jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law
13 enforcement assessment imposed by s. 165.755, any applicable consumer
14 ~~information protection~~ assessment imposed by s. 100.261, and any applicable
15 domestic abuse assessment imposed by s. 973.055 (1) not to exceed the amount of the
16 deposit or will be summoned into court to answer the complaint if the court does not
17 accept the plea of no contest.

****NOTE: This is reconciled s. 66.0113 (1) (b) 7. c. This SECTION has been affected
by drafts with the following LRB numbers: -0454 and -1394.

18 *~~1394/2.31~~* SECTION 2006. 66.0113 (1) (b) 7. d. of the statutes is amended to
19 read:

20 66.0113 (1) (b) 7. d. That, if the alleged violator does not make a cash deposit
21 and does not appear in court at the time specified, the court may issue a summons
22 or a warrant for the defendant's arrest or consider the nonappearance to be a plea
23 of no contest and enter judgment under sub. (3) (d), or the municipality may

SENATE BILL 55

1 commence an action against the alleged violator to collect the forfeiture, the penalty
2 assessment imposed by s. 757.05, ^{check A} the jail assessment imposed by s. 302.46 (1), the
3 crime laboratories and drug law enforcement assessment imposed by s. 165.755, any
4 applicable consumer ~~information~~ protection assessment imposed by s. 100.261, and
5 any applicable domestic abuse assessment imposed by s. 973.055 (1).

****NOTE: This is reconciled s. 66.0113 (1) (b) 7. d. This SECTION has been affected
by drafts with the following LRB numbers: -0454 and -1394.

6 ***-1394/2.32* SECTION 2007.** 66.0113 (1) (c) of the statutes is amended to read:

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

****NOTE: This is reconciled s. 66.0113 (1) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

16 ***-1394/2.33* SECTION 2008.** 66.0113 (3) (a) of the statutes is amended to read:

17 66.0113 (3) (a) The person named as the alleged violator in a citation may
18 appear in court at the time specified in the citation or may mail or deliver personally
19 a cash deposit in the amount, within the time and to the court, clerk of court or other
20 official specified in the citation. If a person makes a cash deposit, the person may
21 nevertheless appear in court at the time specified in the citation, but the cash deposit
22 may be retained for application against any forfeiture, restitution, penalty

SENATE BILL 55

1 assessment, jail assessment, crime laboratories and drug law enforcement
2 assessment, consumer ~~information~~ protection assessment, or domestic abuse
3 assessment that may be imposed.

****NOTE: This is reconciled s. 66.0113 (3) (a). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

4 ***-1394/2.34* SECTION 2009.** 66.0113 (3) (b) of the statutes is amended to read:
5 66.0113 (3) (b) If a person appears in court in response to a citation, the citation
6 may be used as the initial pleading, unless the court directs that a formal complaint
7 be made, and the appearance confers personal jurisdiction over the person. The
8 person may plead guilty, no contest or not guilty. If the person pleads guilty or no
9 contest, the court shall accept the plea, enter a judgment of guilty and impose a
10 forfeiture, the penalty assessment imposed by s. 757.05, the jail assessment imposed
11 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
12 imposed by s. 165.755, any applicable consumer ~~information~~ protection assessment
13 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.
14 973.055 (1). If the court finds that the violation meets the conditions in s. 800.093
15 (1), the court may order restitution under s. 800.093. A plea of not guilty shall put
16 all matters in the case at issue, and the matter shall be set for trial.

****NOTE: This is reconciled s. 66.0113 (3) (b). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

17 ***-1394/2.35* SECTION 2010.** 66.0113 (3) (c) of the statutes is amended to read:
18 66.0113 (3) (c) If the alleged violator makes a cash deposit and fails to appear
19 in court, the citation may serve as the initial pleading and the violator shall be
20 considered to have tendered a plea of no contest and submitted to a forfeiture, the
21 penalty assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46
22 (1), the crime laboratories and drug law enforcement assessment imposed by s.

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SECTION 2010

1 165.755, any applicable consumer ~~information~~ protection assessment imposed by s.
2 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1) not
3 exceeding the amount of the deposit. The court may either accept the plea of no
4 contest and enter judgment accordingly or reject the plea. If the court finds the
5 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
6 violator into court to determine if restitution shall be ordered under s. 800.093. If
7 the court accepts the plea of no contest, the defendant may move within 10 days after
8 the date set for the appearance to withdraw the plea of no contest, open the judgment,
9 and enter a plea of not guilty if the defendant shows to the satisfaction of the court
10 that the failure to appear was due to mistake, inadvertence, surprise, or excusable
11 neglect. If the plea of no contest is accepted and not subsequently changed to a plea
12 of not guilty, no costs or fees may be taxed against the violator, but a penalty
13 assessment, <sup>check
place</sup> a jail assessment, a crime laboratories and drug law enforcement
14 assessment and, if applicable, a consumer ~~information~~ protection assessment or a
15 domestic abuse assessment shall be assessed. If the court rejects the plea of no
16 contest, an action for collection of the forfeiture, penalty assessment, <sup>check
place</sup> jail
17 assessment, crime laboratories and drug law enforcement assessment, any
18 applicable consumer ~~information~~ protection assessment, and any applicable
19 domestic abuse assessment may be commenced. A city, village, town sanitary
20 district, or public inland lake protection and rehabilitation district may commence
21 action under s. 66.0114 (1) and a county or town may commence action under s.
22 778.10. The citation may be used as the complaint in the action for the collection of
23 the forfeiture, penalty assessment, jail assessment, crime laboratories and drug law
24 enforcement assessment, any applicable consumer ~~information~~ protection
25 assessment, and any applicable domestic abuse assessment.

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****NOTE: This is reconciled s. 66.0113 (3) (c). This SECTION has been affected by drafts with the following LRB numbers: -0454 and -1394.

1 *~~1394~~/2.36* SECTION 2011. 66.0113 (3) (d) of the statutes is amended to read:
2 66.0113 (3) (d) If the alleged violator does not make a cash deposit and fails to
3 appear in court at the time specified in the citation, the court may issue a summons
4 or warrant for the defendant's arrest or consider the nonappearance to be a plea of
5 no contest and enter judgment accordingly if service was completed as provided
6 under par. (e) or the county, town, city, village, town sanitary district, or public inland
7 lake protection and rehabilitation district may commence an action for collection of
8 the forfeiture, penalty assessment, jail assessment, and crime laboratories and drug
9 law enforcement assessment, any applicable consumer information protection
10 assessment, and any applicable domestic abuse assessment. A city, village, town
11 sanitary district, or public inland lake protection and rehabilitation district may
12 commence action under s. 66.0114 (1) and a county or town may commence action
13 under s. 778.10. The citation may be used as the complaint in the action for the
14 collection of the forfeiture, penalty assessment, ~~jail assessment,~~ and crime
15 laboratories and drug law enforcement assessment, any applicable consumer
16 information protection assessment, and any applicable domestic abuse assessment.
17 If the court considers the nonappearance to be a plea of no contest and enters
18 judgment accordingly, the court shall promptly mail a copy or notice of the judgment
19 to the defendant. The judgment shall allow the defendant not less than 20 days from
20 the date of the judgment to pay any forfeiture, penalty assessment, jail assessment,
21 and crime laboratories and drug law enforcement assessment, any applicable
22 consumer ~~information protection~~ assessment, and any applicable domestic abuse
23 assessment imposed. If the defendant moves to open the judgment within 6 months

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SENATE BILL 55

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

****NOTE: This is reconciled s. 66.0113 (3) (d). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

5 *-1394/2.37* SECTION 2012. 66.0114 (1) (b) of the statutes is amended to read:

6 66.0114 (1) (b) Local ordinances, except as provided in this paragraph or ss.
7 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
8 or all violations under those ordinances, may designate the manner in which the
9 stipulation is to be made and may fix the penalty to be paid. When a person charged
10 with a violation for which stipulation of guilt or no contest is authorized makes a
11 timely stipulation, pays the required penalty and pays the penalty assessment
12 imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the crime
13 laboratories and drug law enforcement assessment imposed by s. 165.755, any
14 applicable consumer information protection assessment imposed by s. 100.261, and
15 any applicable domestic abuse assessment imposed by s. 973.055 (1) to the
16 designated official, the person need not appear in court and no witness fees or other
17 additional costs may be taxed unless the local ordinance so provides. A court
18 appearance is required for a violation of a local ordinance in conformity with s. 346.63
19 (1).

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****NOTE: This is reconciled s. 66.0114 (1) (b). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

20 *-1394/2.38* SECTION 2013. 66.0114 (1) (bm) of the statutes is amended to
21 read:

SENATE BILL 55

1 66.0114 (1) (bm) The official receiving the penalties shall remit all moneys
2 collected to the treasurer of the city, village, town sanitary district, or public inland
3 lake protection and rehabilitation district in whose behalf the sum was paid, except
4 that all jail assessments shall be remitted to the county treasurer, within 20 days
5 after its receipt by the official. If timely remittance is not made, the treasurer may
6 collect the payment of the officer by action, in the name of the office, and upon the
7 official bond of the officer, with interest at the rate of 12% per year from the date on
8 which it was due. In the case of the penalty assessment imposed by s. 757.05, the
9 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the
10 driver improvement surcharge imposed by s. 346.655 (1), the truck driver education
11 assessment imposed by s. 349.04, any applicable consumer information protection
12 assessment imposed by s. 100.261, and any applicable domestic abuse assessment
13 imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary district, or
14 public inland lake protection and rehabilitation district shall remit to the state
15 treasurer the amount required by law to be paid on the actions entered during the
16 preceding month on or before the first day of the next succeeding month. The
17 governing body of the city, village, town sanitary district, or public inland lake
18 protection and rehabilitation district shall by ordinance designate the official to
19 receive the penalties and the terms under which the official qualifies.

****NOTE: This is reconciled s. 66.0114 (1) (bm). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

20 ***-1394/2.39*** SECTION 2014. 66.0114 (3) (b) of the statutes is amended to read:
21 66.0114 (3) (b) All forfeitures and penalties recovered for the violation of an
22 ordinance or bylaw of a city, village, town, town sanitary district, or public inland
23 lake protection and rehabilitation district shall be paid into the city, village, town,

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SENATE BILL 55**SECTION 2014**

1 town sanitary district, or public inland lake protection and rehabilitation district
2 treasury for the use of the city, village, town, town sanitary district, or public inland
3 lake protection and rehabilitation district, except as provided in par. (c), and sub. (1)
4 (bm) ~~and s. 757.05~~. The judge shall report and pay into the treasury, quarterly, or
5 at more frequent intervals if required, all moneys collected belonging to the city,
6 village, town, town sanitary district, or public inland lake protection and
7 rehabilitation district. The report shall be certified and filed in the office of the
8 treasurer. The judge is entitled to duplicate receipts, one of which he or she shall file
9 with the city, village, or town clerk, or with the town sanitary district or the public
10 inland lake protection and rehabilitation district.

11 ***b0624/1.3* SECTION 2014m.** 66.0137 (1) of the statutes is amended to read:

12 66.0137 (1) DEFINITION. In this section, “local governmental unit” means a city,
13 village, town, county, school district (as enumerated in s. 67.01 (5)), sewerage
14 district, drainage district and, without limitation because of enumeration, any other
15 political subdivision of the state ~~should be s. 345.05 (1) (e)~~.

16 ***b0624/1.3* SECTION 2014n.** 66.0137 (4m) of the statutes is created to read:

17 66.0137 (4m) JOINT SELF-INSURED PLANS. (a) In this subsection, “political
18 subdivision” means a city, village, town, or county.

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

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

23 ***-1839/1.3* SECTION 2015.** 66.0203 (8) (b) of the statutes is amended to read:

24 66.0203 (8) (b) On the basis of the hearing the circuit court shall find if the
25 standards under s. 66.0205 are met. If the court finds that the standards are not met,

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1 the court shall dismiss the petition. If the court finds that the standards are met the
2 court shall refer the petition to the department ~~and~~. Upon payment of any fee
3 imposed under s. 16.53 (14), the department shall determine whether the standards
4 under s. 66.0207 are met.

5 *~~1839/1.4~~* **SECTION 2016.** 66.0203 (9) (a) of the statutes is amended to read:

6 66.0203 (9) (a) Upon receipt of the petition from the circuit court and payment
7 of any fee imposed under s. 16.53 (14), the department shall make any necessary
8 investigation to apply the standards under s. 66.0207.

9 *~~1839/1.5~~* **SECTION 2017.** 66.0203 (9) (b) of the statutes is amended to read:

10 66.0203 (9) (b) Within 20 days after the receipt by the department of the
11 petition from the circuit court and payment of any fee imposed under s. 16.53 (14),
12 whichever is later, any party in interest may request a hearing. Upon receipt of the
13 request, the department shall schedule a hearing at a place in or convenient to the
14 territory sought to be incorporated.

15 *~~1839/1.6~~* **SECTION 2018.** 66.0203 (9) (d) of the statutes is amended to read:

16 66.0203 (9) (d) Unless the court sets a different time limit, the department shall
17 prepare its findings and determination, citing the supporting evidence, within 90
18 days after receipt of the referral from the court and payment of any fee imposed under
19 s. 16.53 (14), whichever is later. The findings and determination shall be forwarded
20 by the department to the circuit court. Copies of the findings and determination shall
21 be sent by certified or registered mail to the designated representative of the
22 petitioners, and to all town and municipal clerks entitled to receive mailed notice of
23 the petition under sub. (4).

24 *~~b0639/1.1~~* **SECTION 2018p.** 66.0215 (title) of the statutes is amended to read:

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SECTION 2018p

1 **66.0215** (title) **Incorporation of certain towns adjacent to 1st class**
2 **cities or located in counties with a population greater than 400,000.**

3 ***b0639/1.1* SECTION 2018q.** 66.0215 (1) of the statutes is renumbered 66.0215
4 (1) (a).

5 ***b0639/1.1* SECTION 2018r.** 66.0215 (1) (b) of the statutes is created to read:
6 66.0215 (1) (b) If all of the following conditions are met, the procedure for
7 becoming a 4th class city is initiated:

8 1. The resident population of the town exceeds 6,000 and the population of the
9 county in which the town is located exceeds 400,000, as shown by the last federal
10 census or by a census under sub. (2).

11 2. The town has an equalized valuation in excess of \$100,000,000.

12 3. An incorporation petition that requests submission of the question of
13 incorporation to the electors of the town is signed by 100 or more persons, each an
14 elector and taxpayer of the town.

15 4. The petition under subd. 3. contains the signatures of at least 50% of the
16 owners of real estate in the town.

17 5. The petition under subd. 3. is filed with the town clerk.

18 ***-1839/1.7* SECTION 2019.** 66.0217 (6) (a) of the statutes is amended to read:

19 66.0217 (6) (a) *Annexations within populous counties.* No annexation
20 proceeding within a county having a population of 50,000 or more is valid unless the
21 person publishing a notice of annexation under sub. (4) mails a copy of the notice to
22 the clerk of each municipality affected and the department, together with any fee
23 imposed under s. 16.53 (14), within 5 days of the publication. The department ~~may~~
24 shall within 20 days after receipt of the notice mail to the clerk of the town within
25 which the territory lies and to the clerk of the proposed annexing village or city a

SENATE BILL 55

1 notice that states whether in its opinion the annexation is in the public interest or
2 is against the public interest and that advises the clerks of the reasons the
3 annexation is in or against the public interest as defined in par. (c). The annexing
4 municipality shall review the advice before final action is taken.

5 ~~50637/2.1~~ SECTION 2019m. 66.0221 of the statutes is renumbered 66.0221

6 (1) and amended to read:

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

SENATE BILL 55**SECTION 2019m**

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

3 ***b0637/2.1* 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

12

13 ***b0461/1.1* SECTION 2026r.** 66.0903 (10) (a) of the statutes is amended to read:

14 66.0903 (10) (a) Each contractor, subcontractor, or contractor's or
15 subcontractor's agent performing work on a project that is subject to this section
16 shall keep full and accurate records clearly indicating the name and trade or
17 occupation of every person performing the work described in sub. (4) and an accurate
18 record of the number of hours worked by each of those persons and the actual wages
19 paid for the hours worked. If requested by any person, a contractor, subcontractor,
20 or contractor's or subcontractor's agent performing work on a project that is subject
21 to this section shall permit that person to inspect and copy any of those records to the
22 same extent as if the record were maintained by the department, except that s. 19.36
23 (3) does not limit the duty of a subcontractor or a contractor's or subcontractor's agent
24 to permit inspection and copying of a record under this paragraph. Before permitting
25 the inspection and copying of a record under this paragraph, a contractor,