

1 49.849 (3) (b) A person who possesses or receives property of a decedent shall
2 transmit the property to the department, if the conditions in sub. (2) (a) 1. and, if
3 applicable, sub. (2) (a) 2. are satisfied, upon receipt of an affidavit by a person
4 designated by the secretary of health services to administer this section showing that
5 the department paid on behalf of the decedent or the decedent's spouse recoverable
6 benefits specified in sub. (2) (a). Upon transmittal, the person is released from any
7 obligation to other creditors or heirs of the decedent.

8 *~~1152/P1.20~~**SECTION 1843.** 49.849 (3) (c) 5. of the statutes is amended to
9 read:

10 49.849 (3) (c) 5. That the person may request from the department a hardship
11 waiver, if the person co-owned the property with the decedent or is a beneficiary of
12 the property. This subdivision does not apply for the recovery of aid under s. 49.785.

13 *~~1152/P1.21~~**SECTION 1844.** 49.849 (3) (c) 6. of the statutes is amended to
14 read:

15 49.849 (3) (c) 6. How to request a hardship waiver under subd. 5. This
16 subdivision does not apply for the recovery of aid under s. 49.785.

17 *~~1152/P1.22~~**SECTION 1845.** 49.849 (4) (b) (intro.) of the statutes is amended
18 to read:

19 49.849 (4) (b) (intro.) The Except as provided in par. (bm), the department may
20 enforce a lien under par. (a) by foreclosure in the same manner as a mortgage on real
21 property, unless any of the following is alive:

22 *~~1152/P1.23~~**SECTION 1846.** 49.849 (4) (bm) of the statutes is created to read:

23 49.849 (4) (bm) The department may enforce a lien under par. (a) for the
24 recovery of aid under s. 49.785 by foreclosure in the same manner as a mortgage on

1 real property regardless of whether the decedent's spouse or any child of the decedent
2 is alive.

3 ***-1461/P2.185*SECTION 1847.** 49.849 (6) (b) of the statutes is amended to read:

4 49.849 (6) (b) From the appropriation under s. 20.435 (~~7~~) (4) (im), with respect
5 to funds collected by the department under sub. (2) related to long-term community
6 support services funded under s. 46.27 (7) paid on behalf of the decedent or the
7 decedent's spouse, the department shall pay claims under sub. (5) and shall spend
8 the remainder of the funds recovered under this section for long-term community
9 support services funded under s. 46.27 (7).

10 ***-1152/P1.24*SECTION 1848.** 49.849 (7) of the statutes is amended to read:

11 49.849 (7) RULES FOR HARDSHIP WAIVER. The department shall promulgate rules
12 establishing standards to determine whether the application of this section would
13 work an undue hardship in individual cases. If the department determines that the
14 application of this section would work an undue hardship in a particular case, the
15 department shall waive the application of this section in that case. This subsection
16 does not apply with respect to the recovery of aid under s. 49.785.

17 ***-0132/2.4*SECTION 1849.** 49.85 (1) of the statutes is amended to read:

18 49.85 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under
19 s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American
20 Indian tribe or band determines that the department of health services may recover
21 an amount under s. 49.497, 49.793, or 49.847, or that the department of children and
22 families may recover an amount under s. 49.138 (5), 49.161, or 49.195 (3) or collect
23 an amount under s. 49.147 (6) (cm), the county department or governing body shall
24 notify the affected department of the determination. If a Wisconsin Works agency
25 determines that the department of children and families may recover an amount

1 under s. 49.138 (5), 49.161, or 49.195 (3), or collect an amount under s. 49.147 (6) (cm),
2 the Wisconsin Works agency shall notify the department of children and families of
3 the determination.

4 ***-0132/2.5*SECTION 1850.** 49.85 (2) (b) of the statutes is amended to read:

5 49.85 (2) (b) At least annually, the department of children and families shall
6 certify to the department of revenue the amounts that, based on the notifications
7 received under sub. (1) and on other information received by the department of
8 children and families, the department of children and families has determined that
9 it may recover under ss. 49.138 (5), 49.161, and 49.195 (3) and collect under s. 49.147
10 (6) (cm), except that the department of children and families may not certify an
11 amount under this subsection unless it has met the notice requirements under sub.
12 (3) and unless its determination has either not been appealed or is no longer under
13 appeal.

14 ***-0132/2.6*SECTION 1851.** 49.85 (3) (b) 1. of the statutes is amended to read:

15 49.85 (3) (b) 1. Inform the person that the department of children and families
16 intends to certify to the department of revenue an amount that the department of
17 children and families has determined to be due under s. 49.138 (5), 49.161, or 49.195
18 (3) or to be delinquent under a repayment agreement for a loan under s. 49.147 (6),
19 for setoff from any state tax refund that may be due the person.

20 ***-0020/1.1*SECTION 1852.** 49.854 (5) (c) of the statutes is renumbered 49.854

21 (5) (c) 1. and amended to read:

22 49.854 (5) (c) 1. Notwithstanding par. (b), if a lien under par. (b) is in favor of
23 another state, the notice sent by the department to the financial institution may
24 consist of the request from the other state to enforce the lien, a certification by the
25 department that any necessary due process requirements were met in the other

1 state, a request that the financial institution honor the request from the other state
2 by sending the amount specified in the request directly to the other state, and the
3 address to which the financial institution shall send the funds.

4 3. Notice and hearing requirements under pars. (d) and (f) do not apply to a lien
5 in favor of another state.

6 ***-0020/1.2*SECTION 1853.** 49.854 (5) (c) 2. of the statutes is created to read:

7 49.854 (5) (c) 2. If a financial institution receives directly from another state,
8 or a child support agency in another state, a notice of levy or request to enforce a lien
9 in favor of that other state, along with a certification by the other state that any
10 necessary due process requirements were met in the other state, the financial
11 institution shall honor the notice of levy or request from the other state by sending
12 the amount specified in the notice of levy or request, up to the amount contained in
13 the account or accounts minus any financial institution fee under par. (e) and levy
14 fee under sub. (11) (a), directly to the other state at the address to which the financial
15 institution is directed to send the funds in the notice or request.

16 ***-0020/1.3*SECTION 1854.** 49.854 (5) (e) of the statutes is amended to read:

17 49.854 (5) (e) *Financial institution fees.* A financial institution may continue
18 to collect fees, under the terms of the account agreement, on accounts frozen or levied
19 against under this subsection. In addition to the levy fee authorized under sub. (11)
20 (a), a financial institution may collect any early withdrawal penalty incurred under
21 the terms of an account as a result of the levy. Financial institution fees authorized
22 under this paragraph may be charged to the account immediately prior to the
23 remittance of the amount to the department or the other state and may be charged
24 even if the amounts in the obligor's accounts are insufficient to pay the total amount
25 of support owed and the department's levy costs under sub. (11) (b).

1 *~~0313/2.1~~**SECTION 1855.** 49.855 (1) of the statutes is renumbered 49.855 (1)
2 (a) and amended to read:

3 49.855 (1) (a) If a person obligated to pay child support, family support,
4 maintenance, or the receiving and disbursing fee under s. 767.57 (1e) (a) is
5 delinquent in making any of those payments, or owes an outstanding amount that
6 has been ordered by the court for past support, medical expenses, or birth expenses,
7 upon application under s. ~~59.53 (5)~~ for cases in which the payee is receiving services
8 under s. 49.22 or the state is a real party in interest under s. 767.205 (2), the
9 department of children and families shall certify the delinquent payment or
10 outstanding amount to the department of revenue ~~and, at.~~

11 (b) At least annually, the department of children and families shall certify to
12 the department of revenue delinquent payments of the receiving and disbursing fee
13 under s. 767.57 (1e) (a) not certified under par. (a) and shall provide to the
14 department of revenue any certifications of delinquencies or outstanding amounts
15 that it receives from another state because the obligor resides in this state.

16 *~~0807/P6.205~~**SECTION 1856.** 49.857 (1) (d) 4. of the statutes is amended to
17 read:

18 49.857 (1) (d) 4. A certification, license, training permit, registration, approval
19 or certificate issued under s. 49.45 (2) (a) 11., ~~252.23 (2), 252.24 (2),~~ 254.176 (1) or (3)
20 (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47 (1), 254.64 (1) (a) or (b), 254.71 (2),
21 ~~255.08 (2),~~ or 256.15 (5) (a) or (b), (6g) (a), or (8) (a).

22 *~~0602/P4.5~~**SECTION 1857.** 49.857 (1) (d) 4. of the statutes, as affected by 2015
23 Wisconsin Act (this act), is amended to read:

24 49.857 (1) (d) 4. A certification, license, training permit, registration, approval
25 or certificate issued under s. 49.45 (2) (a) 11., 97.33, 97.605 (1) (a) or (b), 97.67 (1),

SECTION 1857

1 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), ~~254.47 (1), 254.64 (1) (a)~~
2 or (b), ~~254.71 (2)~~, or 256.15 (5) (a) or (b), (6g) (a), or (8) (a).

****NOTE: This is reconciled s. 49.857 (1) (d) 4. This SECTION has been affected by
drafts with the following LRB numbers: -0602/P3 and -0807/P5.

3 ~~*-0610/P3.23~~SECTION 1858. 49.857 (1) (d) 8. of the statutes is amended to
4 read:

5 49.857 (1) (d) 8. A license issued under s. ~~102.17 (1) (e)~~, 104.07 or 105.05.

6 ~~*-0610/P3.24~~SECTION 1859. 49.857 (1) (d) 20. of the statutes is amended to
7 read:

8 49.857 (1) (d) 20. A license issued under s. 102.17 (1) (c), 628.04, 628.92 (1),
9 632.69 (2), or 633.14 or a temporary license issued under s. 628.09.

10 ~~*-0311/P4.39~~SECTION 1860. 50.01 (1g) (i) of the statutes is created to read:

11 50.01 (1g) (i) A facility licensed as a foster home, group home, or residential
12 care center for children and youth that provides care and maintenance for persons
13 specified in s. 48.599 (1g) or 48.619.

14 ~~*-1461/P2.186~~SECTION 1861. 50.034 (5m) of the statutes is amended to read:

15 50.034 (5m) PROVISION OF INFORMATION REQUIRED. Subject to sub. (5p), when a
16 residential care apartment complex first provides written material regarding the
17 residential care apartment complex to a prospective resident, the residential care
18 apartment complex shall also provide the prospective resident information specified
19 by the department concerning the services of a resource center or other entity under
20 s. 46.283, the family care benefit under s. 46.286, and the availability of a functional
21 screening and a financial and cost-sharing screening to determine the prospective
22 resident's eligibility for the family care benefit under s. 46.286 (1).

1 ***-1461/P2.187*SECTION 1862.** 50.034 (5n) (intro.) of the statutes is amended
2 to read:

3 50.034 (5n) REQUIRED REFERRAL. (intro.) Subject to sub. (5p), when a residential
4 care apartment complex first provides written material regarding the residential
5 care apartment complex to a prospective resident who is at least 65 years of age or
6 has developmental disability or a physical disability and whose disability or
7 condition is expected to last at least 90 days, the residential care apartment complex
8 shall refer the prospective resident to a resource center or other entity under s.
9 46.283, unless any of the following applies:

10 ***-1461/P2.188*SECTION 1863.** 50.034 (5n) (a) of the statutes is amended to
11 read:

12 50.034 (5n) (a) For a person for whom a screening for functional eligibility
13 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
14 under this subsection need not include performance of an additional functional
15 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

16 ***-1461/P2.189*SECTION 1864.** 50.034 (5n) (d) of the statutes is amended to
17 read:

18 50.034 (5n) (d) For a person who seeks admission or is about to be admitted on
19 a private pay basis and who waives the requirement for a financial and cost-sharing
20 screening under s. 46.283 (4) ~~(g)~~ (3) (o), the referral under this subsection may not
21 include performance of a financial and cost-sharing screening under s. 46.283 (4) ~~(g)~~
22 (3) (o), unless the person is expected to become eligible for medical assistance within
23 6 months.

24 ***-1461/P2.190*SECTION 1865.** 50.034 (5p) of the statutes is amended to read:

1 50.034 (5p) APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary
2 has certified under s. 46.281 (3) that a resource center or other entity is available for
3 the residential care apartment complex and for specified groups of eligible
4 individuals that include those persons seeking admission to or the residents of the
5 residential care apartment complex.

6 *~~1461/P2.191~~*SECTION 1866. 50.034 (6) of the statutes is amended to read:

7 50.034 (6) FUNDING. Funding for supportive, personal or nursing services that
8 a person who resides in a residential care apartment complex receives, other than
9 private or 3rd-party funding, may be provided only under s. 46.27 (11) (c) 7. or 46.277
10 (5) (e), except if the provider of the services is a certified medical assistance provider
11 under s. 49.45 or if the funding is provided as ~~a family care benefit under ss. the~~
12 family care program as defined in s. 46.2805 to 46.2895 (4m).

13 *~~1461/P2.192~~*SECTION 1867. 50.035 (4m) of the statutes is amended to read:

14 50.035 (4m) PROVISION OF INFORMATION REQUIRED. Subject to sub. (4p), when a
15 community-based residential facility first provides written material regarding the
16 community-based residential facility to a prospective resident, the
17 community-based residential facility shall also provide the prospective resident
18 information specified by the department concerning the services of a resource center
19 or other entity under s. 46.283, the family care benefit under s. 46.286, and the
20 availability of a functional screening and a financial and cost-sharing screening to
21 determine the prospective resident's eligibility for the family care benefit under s.
22 46.286 (1).

23 *~~1461/P2.193~~*SECTION 1868. 50.035 (4n) (intro.) of the statutes is amended
24 to read:

1 50.035 (4n) REQUIRED REFERRAL. (intro.) When a community-based residential
2 facility first provides written information regarding the community-based
3 residential facility to a prospective resident who is at least 65 years of age or has
4 developmental disability or a physical disability and whose disability or condition is
5 expected to last at least 90 days, the community-based residential facility shall refer
6 the individual to a resource center or other entity under s. 46.283 or, if the secretary
7 has not certified under s. 46.281 (3) that a resource center or other entity is available
8 in the area of the community-based residential facility to serve individuals in an
9 eligibility group to which the prospective resident belongs, to the county department
10 that administers a program under ss. 46.27 or 46.277, unless any of the following
11 applies:

12 *~~1461/P2.194~~SECTION 1869. 50.035 (4n) (a) of the statutes is amended to
13 read:

14 50.035 (4n) (a) For a person for whom a screening for functional eligibility
15 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
16 under this subsection need not include performance of an additional functional
17 screening under s. 46.283 ~~(4) (g)~~ (3) (o).

18 *~~1461/P2.195~~SECTION 1870. 50.035 (4n) (d) of the statutes is amended to
19 read:

20 50.035 (4n) (d) For a person who seeks admission or is about to be admitted on
21 a private pay basis and who waives the requirement for a financial and cost-sharing
22 screening under s. 46.283 ~~(4) (g)~~ (3) (o), the referral under this subsection may not
23 include performance of a financial and cost-sharing screening under s. 46.283 ~~(4) (g)~~
24 (3) (o), unless the person is expected to become eligible for medical assistance within
25 6 months.

SECTION 1871

1 ***-1461/P2.196*****SECTION 1871.** 50.035 (4p) of the statutes is amended to read:

2 50.035 (4p) APPLICABILITY. Subsection (4m) applies only if the secretary has
3 certified under s. 46.281 (3) that a resource center or other entity is available for the
4 community-based residential facility and for specified groups of eligible individuals
5 that include those persons seeking admission to or the residents of the
6 community-based residential facility.

7 ***-1461/P2.197*****SECTION 1872.** 50.04 (2g) (a) of the statutes is amended to read:

8 50.04 (2g) (a) Subject to sub. (2i), a nursing home shall, within the time period
9 after inquiry by a prospective resident that is prescribed by the department by rule,
10 inform the prospective resident of the services of a resource center or other entity
11 under s. 46.283, the family care benefit under s. 46.286, and the availability of a
12 functional screening and a financial and cost-sharing screening to determine the
13 prospective resident's eligibility for the family care benefit under s. 46.286 (1).

14 ***-1461/P2.198*****SECTION 1873.** 50.04 (2h) (a) (intro.) of the statutes is amended
15 to read:

16 50.04 (2h) (a) (intro.) Subject to sub. (2i), a nursing home shall, within the time
17 period prescribed by the department by rule, refer to a resource center or other entity
18 under s. 46.283 a person who is seeking admission, who is at least 65 years of age or
19 has developmental disability or physical disability and whose disability or condition
20 is expected to last at least 90 days, unless any of the following applies:

21 ***-1461/P2.199*****SECTION 1874.** 50.04 (2h) (a) 1. of the statutes is amended to
22 read:

23 50.04 (2h) (a) 1. For a person for whom a screening for functional eligibility
24 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral

1 under this paragraph need not include performance of an additional functional
2 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

3 ***-1461/P2.200*SECTION 1875.** 50.04 (2h) (a) 4. of the statutes is amended to
4 read:

5 50.04 (2h) (a) 4. For a person who seeks admission or is about to be admitted
6 on a private pay basis and who waives the requirement for a financial and
7 cost-sharing screening under s. 46.283 (4) ~~(g)~~ (3) (o), the referral under this
8 subsection may not include performance of a financial and cost-sharing screening
9 under s. 46.283 (4) ~~(g)~~ (3) (o), unless the person is expected to become eligible for
10 medical assistance within 6 months.

11 ***-1461/P2.201*SECTION 1876.** 50.04 (2i) of the statutes is amended to read:

12 50.04 (2i) APPLICABILITY. Subsections (2g) and (2h) apply only if the secretary
13 has certified under s. 46.281 (3) that a resource center or other entity is available for
14 the nursing home and for specified groups of eligible individuals that include those
15 persons seeking admission to or the residents of the nursing home.

16 ***-1461/P2.202*SECTION 1877.** 50.04 (2m) (b) of the statutes is amended to
17 read:

18 50.04 (2m) (b) Paragraph (a) does not apply to those residents for whom the
19 secretary has certified under s. 46.281 (3) that a resource center or other entity is
20 available.

21 ***-1461/P2.203*SECTION 1878.** 50.06 (7) of the statutes is amended to read:

22 50.06 (7) An individual who consents to an admission under this section may
23 request that an assessment be conducted for the incapacitated individual under the
24 long-term support community options program under s. 46.27 (6) or, if the secretary
25 has certified under s. 46.281 (3) that a resource center or other entity is available for

1 the individual, a functional screening and a financial and cost-sharing screening to
2 determine eligibility for the family care benefit under s. 46.286 (1). If admission is
3 sought on behalf of the incapacitated individual or if the incapacitated individual is
4 about to be admitted on a private pay basis, the individual who consents to the
5 admission may waive the requirement for a financial and cost-sharing screening
6 under s. 46.283 (4) (g) (3) (o), unless the incapacitated individual is expected to
7 become eligible for medical assistance within 6 months.

8 ***-0971/P5.517*SECTION 1879.** 50.38 (10) of the statutes is amended to read:

9 50.38 (10) In each state fiscal year, the secretary of administration shall
10 transfer from the critical access hospital assessment fund to the Medical Assistance
11 trust fund an amount equal to the amount collected under sub. (2) (b) minus the state
12 share of the amount required to be expended under s. 49.45 (3) (e) 12., ~~minus the~~
13 ~~amounts appropriated under s. 20.285 (1) (qe) and (qj),~~ and minus any refunds paid
14 to critical access hospitals from the critical access hospital assessment fund under
15 sub. (6m) (a) in that fiscal year.

16 ***-1461/P2.204*SECTION 1880.** 50.49 (6m) (b) of the statutes is amended to
17 read:

18 50.49 (6m) (b) A program specified in s. 46.2805 (1) (a) (9m).

19 ***-1461/P2.205*SECTION 1881.** 50.49 (6m) (c) of the statutes is amended to
20 read:

21 50.49 (6m) (c) A demonstration program specified in s. 46.2805 (1) (b) (4k).

22 ***-0807/P6.206*SECTION 1882.** 50.92 (3m) of the statutes is created to read:

23 50.92 (3m) The department may conduct plan reviews of all capital
24 construction and remodeling of structures that are owned or leased for operation of

1 a hospice. The department shall promulgate rules that establish a fee schedule for
2 its services in conducting the plan reviews under this subsection.

3 ~~*-1461/P2.206*~~SECTION 1883. 51.06 (8) (b) 6. of the statutes is amended to
4 read:

5 51.06 (8) (b) 6. The extent of Medical Assistance provided to relocated or
6 diverted individuals that is in addition to Medical Assistance provided to the
7 individuals under s. 46.27 (11), 46.275, 46.277, or 46.278, ~~as a~~ under the family care
8 ~~benefit under ss. program as defined in s. 46.2805 to 46.2895 (4m),~~ or under any other
9 home-based or community-based program for which the department has received
10 a waiver under 42 USC 1396n (c).

11 ~~*-1074/P2.1*~~SECTION 1884. 51.15 (2) of the statutes is amended to read:

12 51.15 (2) FACILITIES FOR DETENTION. The law enforcement officer or other person
13 authorized to take a child into custody under ch. 48 or to take a juvenile into custody
14 under ch. 938 shall transport the individual, or cause him or her to be transported,
15 for detention, if the county department of community programs in the county in
16 which the individual was taken into custody approves the need for detention, and for
17 evaluation, diagnosis, and treatment if permitted under sub. (8). The county
18 department may approve the detention only if a physician who has completed a
19 residency in psychiatry, a psychologist licensed under ch. 455, or a mental health
20 professional has performed a crisis assessment on the individual and agrees with the
21 need for detention and the county department reasonably believes the individual will
22 not voluntarily consent to evaluation, diagnosis, and treatment necessary to
23 stabilize the individual and remove the substantial probability of physical harm,
24 impairment, or injury to himself, herself, or others. Detention may only be in a

1 treatment facility approved by the department or the county department, if the
2 facility agrees to detain the individual, or a state treatment facility.

3 *~~1074/P2.2~~*SECTION 1885. 51.15 (4) of the statutes is repealed.

4 *~~1074/P2.3~~*SECTION 1886. 51.15 (4m) of the statutes is repealed.

5 *~~1074/P2.4~~*SECTION 1887. 51.15 (5) of the statutes is amended to read:

6 51.15 (5) ~~DETENTION PROCEDURE; OTHER COUNTIES. In counties having a~~
7 ~~population of less than 750,000, the~~ The law enforcement officer or other person
8 authorized to take a child into custody under ch. 48 or to take a juvenile into custody
9 under ch. 938 shall sign a statement of emergency detention that shall provide
10 detailed specific information concerning the recent overt act, attempt, or threat to
11 act or omission on which the belief under sub. (1) is based and the names of persons
12 observing or reporting the recent overt act, attempt, or threat to act or omission. The
13 law enforcement officer or other person is not required to designate in the statement
14 whether the subject individual is mentally ill, developmentally disabled, or drug
15 dependent, but shall allege that he or she has cause to believe that the individual
16 evidences one or more of these conditions. The statement of emergency detention
17 shall be filed by the officer or other person with the detention facility at the time of
18 admission, and with the court immediately thereafter. The filing of the statement
19 has the same effect as a petition for commitment under s. 51.20. When, upon the
20 advice of the treatment staff, the director of a facility specified in sub. (2) determines
21 that the grounds for detention no longer exist, he or she shall discharge the
22 individual detained under this section. Unless a hearing is held under s. 51.20 (7)
23 or 55.135, the subject individual may not be detained by the law enforcement officer
24 or other person and the facility for more than a total of 72 hours after the individual

1 is taken into custody for the purposes of emergency detention, exclusive of
2 Saturdays, Sundays, and legal holidays.

3 ***-1074/P2.5*SECTION 1888.** 51.15 (7) of the statutes is amended to read:

4 51.15 (7) INTERCOUNTY AGREEMENTS. Counties may enter into contracts
5 whereby one county agrees to conduct commitment hearings for individuals who are
6 detained in that county but who are taken into custody under this section in another
7 county. Such contracts shall include provisions for reimbursement to the county of
8 detention for all reasonable direct and auxiliary costs of commitment proceedings
9 conducted under this section and s. 51.20 by the county of detention concerning
10 individuals taken into custody in the other county and shall include provisions to
11 cover the cost of any voluntary or involuntary services provided under this chapter
12 to the subject individual as a result of proceedings or conditional suspension of
13 proceedings resulting from the notification of detention. Where there is such a
14 contract binding the county where the individual is taken into custody and the
15 county where the individual is detained, the statements of detention specified in
16 ~~subs. (4) and sub. (5) and the notification specified in sub. (4)~~ shall be filed with the
17 court having probate jurisdiction in the county of detention, unless the subject
18 individual requests that the proceedings be held in the county in which the
19 individual is taken into custody.

20 ***-1074/P2.6*SECTION 1889.** 51.15 (12) of the statutes is amended to read:

21 51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)
22 knowing the information contained therein to be false is guilty of a Class H felony.

23 ***-1074/P2.7*SECTION 1890.** 51.20 (4) (c) of the statutes is amended to read:

24 51.20 (4) (c) Paragraph (b) does not apply to a petition originating under s.
25 51.15 (4), (5), or (10).

SECTION 1891

1 ***-1461/P2.207*SECTION 1891.** 51.22 (3) of the statutes is amended to read:

2 51.22 (3) Whenever an admission is made through the department, the
3 department shall determine the need for inpatient care of the individual to be
4 admitted. Unless a state-operated facility is used, the department may only
5 authorize care in an inpatient facility which is operated by or under a purchase of
6 service contract with a county department under s. 51.42 or 51.437 or an inpatient
7 facility which is under a contractual agreement with the department. Except in the
8 case of state treatment facilities, the department shall reimburse the facility for the
9 actual cost of all authorized care and services from the appropriation under s. 20.435
10 (7) (5) (da). For collections made under the authority of s. 46.10 (16), moneys shall
11 be credited or remitted to the department no later than 60 days after the month in
12 which collections are made. Such collections are also subject to s. 46.036 or special
13 agreement. Collections made by the department under ss. 46.03 (18) and 46.10 shall
14 be deposited in the general fund.

15 ***-1074/P2.8*SECTION 1892.** 51.35 (2) of the statutes is amended to read:

16 51.35 (2) TRANSFER OF CERTAIN DEVELOPMENTALLY DISABLED PATIENTS. The
17 department may authorize a transfer of a patient from a center for the
18 developmentally disabled to a state treatment facility if the patient is mentally ill
19 and exhibits conduct which constitutes a danger as described in s. 51.20 (1) (a) 2. to
20 himself or herself or to others in the treatment facility where he or she is present.
21 The department shall file a statement of emergency detention with the committing
22 court within 24 hours after receiving the person for emergency detention. The
23 statement shall conform to the requirements specified in s. 51.15 (4) (5).

24 ***-1074/P2.9*SECTION 1893.** 51.35 (3) (e) of the statutes is amended to read:

1 51.35 (3) (e) The department of corrections may authorize emergency transfer
2 of an individual from a juvenile correctional facility or a secured residential care
3 center for children and youth to a state treatment facility if there is cause to believe
4 that the individual has a mental illness, drug dependency, or developmental
5 disability and exhibits conduct that constitutes a danger as described under s. 51.20
6 (1) (a) 2. a., b., c., or d. to the individual or to others, has a mental illness, is dangerous,
7 and satisfies the standard under s. 51.20 (1) (a) 2. e., or is an alcoholic and is
8 dangerous as provided in s. 51.45 (13) (a) 1. and 2. The custodian of the sending
9 juvenile correctional facility or secured residential care center for children and youth
10 shall execute a statement of emergency detention or petition for emergency
11 commitment for the individual and deliver it to the receiving state treatment facility.
12 The department of health services shall file the statement or petition with the court
13 within 24 hours after the subject individual is received for detention or commitment.
14 The statement or petition shall conform to s. 51.15 (4) ~~or~~ (5) or 51.45 (12) (b). After
15 an emergency transfer is made, the director of the receiving facility may file a
16 petition for continued commitment under s. 51.20 (1) or 51.45 (13) or may return the
17 individual to the juvenile correctional facility or secured residential care center for
18 children and youth from which the transfer was made. As an alternative to this
19 procedure, the procedure provided in s. 51.15 or 51.45 (12) may be used, except that
20 no individual may be released without the approval of the court that directed
21 confinement in the juvenile correctional facility or secured residential care center for
22 children and youth.

23 *~~1074/P2.10~~SECTION 1894. 51.37 (5) (b) of the statutes is amended to read:

24 51.37 (5) (b) The department of corrections may authorize an emergency
25 transfer of an individual from a prison, jail or other criminal detention facility to a

SECTION 1894

1 state treatment facility if there is cause to believe that the individual is mentally ill,
2 drug dependent or developmentally disabled and exhibits conduct which constitutes
3 a danger as described in s. 51.20 (1) (a) 2. a., b., c. or d. of physical harm to himself
4 or herself or to others, or is mentally ill and satisfies the standard under s. 51.20 (1)
5 (a) 2. e. or is an alcoholic and is dangerous as provided in s. 51.45 (13) (a) 1. and 2.
6 The correctional custodian of the sending institution shall execute a statement of
7 emergency detention or petition for emergency commitment for the individual and
8 deliver it to the receiving state treatment facility. The department of health services
9 shall file the statement or petition with the court within 24 hours after receiving the
10 subject individual for detention. The statement or petition shall conform to s. 51.15
11 (4) ~~or~~ (5) or 51.45 (12) (b). After an emergency transfer is made, the director of the
12 receiving facility may file a petition for continued commitment under s. 51.20 (1) or
13 51.45 (13) or may return the individual to the institution from which the transfer was
14 made. As an alternative to this procedure, the emergency detention procedure in s.
15 51.15 or 51.45 (12) may be used, except that no prisoner may be released without the
16 approval of the court which directed confinement in the institution.

17 ***-1461/P2.208***SECTION 1895. 51.42 (1) (b) of the statutes is amended to read:

18 51.42 (1) (b) *County liability.* The county board of supervisors except in
19 Milwaukee County, has the primary responsibility for the well-being, treatment and
20 care of the mentally ill, developmentally disabled, alcoholic and other drug
21 dependent citizens residing within its county and for ensuring that those individuals
22 in need of such emergency services found within its county receive immediate
23 emergency services. In Milwaukee County, the Milwaukee County mental health
24 board has the primary responsibility for the well-being, treatment and care of the
25 mentally ill, alcoholic, and other drug dependent citizens residing within Milwaukee

1 County and for ensuring that those individuals in need of such emergency services
2 found within Milwaukee County receive immediate emergency services. The county
3 board of supervisors of Milwaukee County has the primary responsibility for the
4 well-being, treatment, and care of the developmentally disabled citizens residing
5 within Milwaukee County, except where the responsibility is delegated explicitly
6 under this section to the Milwaukee County mental health board, and for ensuring
7 that developmentally disabled individuals in need of such emergency services found
8 within Milwaukee County receive immediate emergency services. This primary
9 responsibility is limited to the programs, services and resources that the county
10 board of supervisors, or, as applicable, the Milwaukee County mental health board,
11 is reasonably able to provide within the limits of available state and federal funds
12 and of county funds required to be appropriated to match state funds. County
13 liability for care and services purchased through or provided by a county department
14 of community programs established under this section shall be based upon the
15 client's county of residence except for emergency services for which liability shall be
16 placed with the county in which the individual is found. For the purpose of
17 establishing county liability, "emergency services" includes those services provided
18 under the authority of s. 55.05 (4), 2003 stats., or s. 55.06 (11) (a), 2003 stats., or s.
19 51.15, 51.45 (11) (a) or (b) or (12), 55.13, or 55.135 for not more than 72 hours.
20 Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other
21 statute creating liability upon the individual receiving a service or any other
22 designated responsible party, or prevents reimbursement by the department of
23 health services for the actual cost of all care and services from the appropriation
24 under s. 20.435 (7) (5) (da), as provided in s. 51.22 (3).

1 ***-1461/P2.209***SECTION 1896. 51.42 (3) (ar) 17. of the statutes is amended to
2 read:

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

6 ***-1461/P2.210***SECTION 1897. 51.42 (3) (ar) 18. of the statutes is amended to
7 read:

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

12 ***-1461/P2.211***SECTION 1898. 51.42 (3) (e) of the statutes is amended to read:

13 51.42 (3) (e) *Exchange of information*. Notwithstanding ss. 46.2895 (9), 48.78
14 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3)
15 (c), and 938.78 (2) (a), any subunit of a county department of community programs
16 or tribal agency acting under this section may exchange confidential information
17 about a client, without the informed consent of the client, with any other subunit of
18 the same county department of community programs or tribal agency, with a
19 resource center or other contracted entity under s. 46.283 (2), a care management
20 organization, or a long-term care district, or with any person providing services to
21 the client under a purchase of services contract with the county department of
22 community programs or tribal agency or with a resource center or other contracted
23 entity under s. 46.283 (2), care management organization, or long-term care district,
24 if necessary to enable an employee or service provider to perform his or her duties,
25 or to enable the county department of community programs or tribal agency to

1 coordinate the delivery of services to the client. Any agency releasing information
2 under this paragraph shall document that a request was received and what
3 information was provided.

4 *~~1461/P2.212~~**SECTION 1899.** 51.42 (3) (e) of the statutes, as affected by 2015
5 Wisconsin Act (this act), is amended to read:

6 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. ~~46.2895 (9)~~, 48.78
7 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3)
8 (c), and 938.78 (2) (a), any subunit of a county department of community programs
9 or tribal agency acting under this section may exchange confidential information
10 about a client, without the informed consent of the client, with any other subunit of
11 the same county department of community programs or tribal agency, with a
12 resource center or other contracted entity under s. 46.283 (2), or a care management
13 organization, ~~or a long-term care district~~, or with any person providing services to
14 the client under a purchase of services contract with the county department of
15 community programs or tribal agency or with a resource center or other contracted
16 entity under s. 46.283 (2), or care management organization, ~~or long-term care~~
17 ~~district~~, if necessary to enable an employee or service provider to perform his or her
18 duties, or to enable the county department of community programs or tribal agency
19 to coordinate the delivery of services to the client. Any agency releasing information
20 under this paragraph shall document that a request was received and what
21 information was provided.

22 *~~0596/P4.13~~**SECTION 1900.** 51.42 (5) (a) 13. of the statutes is repealed.

23 *~~0596/P4.14~~**SECTION 1901.** 51.42 (6m) (o) of the statutes is repealed.

24 *~~0596/P4.15~~**SECTION 1902.** 51.421 (3) (e) of the statutes is repealed.

25 *~~0596/P4.16~~**SECTION 1903.** 51.423 (3) of the statutes is repealed.

SECTION 1904

1 ***-1461/P2.213***SECTION 1904. 51.437 (4m) (n) of the statutes is amended to
2 read:

3 51.437 (4m) (n) If authorized under s. 46.283 (1) (a) ~~1~~, apply to the department
4 of health services to operate a resource center under s. 46.283 and, if the department
5 contracts with the county under s. 46.283 (2), operate the resource center.

6 ***-1461/P2.214***SECTION 1905. 51.437 (4m) (p) of the statutes is amended to
7 read:

8 51.437 (4m) (p) If authorized under s. 46.284 (1) (a) ~~1~~, apply to the department
9 of health services to operate a care management organization under s. 46.284 and,
10 if the department contracts with the county under s. 46.284 (2), operate the care
11 management organization and, if appropriate, place funds in a risk reserve.

12 ***-1461/P2.215***SECTION 1906. 51.437 (4r) (b) of the statutes is amended to
13 read:

14 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
15 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),
16 any subunit of a county department of developmental disabilities services or tribal
17 agency acting under this section may exchange confidential information about a
18 client, without the informed consent of the client, with any other subunit of the same
19 county department of developmental disabilities services or tribal agency, with a
20 resource center or other contracted entity under s. 46.283 (2), a care management
21 organization, or a long-term care district, or with any person providing services to
22 the client under a purchase of services contract with the county department of
23 developmental disabilities services or tribal agency or with a resource center or other
24 contracted entity under s. 46.283 (2), a care management organization, or a
25 long-term care district, if necessary to enable an employee or service provider to

1 perform his or her duties, or to enable the county department of developmental
 2 disabilities services or tribal agency to coordinate the delivery of services to the
 3 client. Any agency releasing information under this paragraph shall document that
 4 a request was received and what information was provided.

5 ***-1461/P2.216*SECTION 1907.** 51.437 (4r) (b) of the statutes, as affected by
 6 2015 Wisconsin Act (this act), is amended to read:

7 51.437 (4r) (b) Notwithstanding ss. ~~46.2895 (9)~~, 48.78 (2) (a), 49.45 (4), 49.83,
 8 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),
 9 any subunit of a county department of developmental disabilities services or tribal
 10 agency acting under this section may exchange confidential information about a
 11 client, without the informed consent of the client, with any other subunit of the same
 12 county department of developmental disabilities services or tribal agency, with a
 13 resource center or other contracted entity under s. 46.283 (2), or a care management
 14 organization, ~~or a long-term care district~~, or with any person providing services to
 15 the client under a purchase of services contract with the county department of
 16 developmental disabilities services or tribal agency or with a resource center or other
 17 contracted entity under s. 46.283 (2), or a care management organization, ~~or a~~
 18 ~~long-term care district~~, if necessary to enable an employee or service provider to
 19 perform his or her duties, or to enable the county department of developmental
 20 disabilities services or tribal agency to coordinate the delivery of services to the
 21 client. Any agency releasing information under this paragraph shall document that
 22 a request was received and what information was provided.

23 ***-1053/P2.6*SECTION 1908.** 54.15 (8) (a) 3. of the statutes is amended to read:

1 54.15 (8) (a) 3. Any license, certificate, permit, or registration of the proposed
2 guardian that is required under chs. 89, 202, or 440 to 480 or by the laws of another
3 state for the practice of a profession or occupation has been suspended or revoked.

4 *~~0807/P6.207~~*SECTION 1909. 55.043 (4) (b) 5. of the statutes is amended to
5 read:

6 55.043 (4) (b) 5. Refer the case to the department of ~~safety and professional~~
7 ~~services~~ financial institutions and professional standards if the financial
8 exploitation, neglect, self-neglect, or abuse involves an individual who is required
9 to be registered under s. 202.13 or 202.14 or to hold a credential, as defined in s.
10 440.01 (2) (a), under chs. 440 to 460.

11 *~~0807/P6.208~~*SECTION 1910. 55.043 (4) (b) 5g. of the statutes is repealed.

12 *~~1387/P1.2~~*SECTION 1911. 59.25 (3) (gm) of the statutes is created to read:

13 59.25 (3) (gm) Deposit all moneys received under s. 973.0455 (2) into a crime
14 prevention fund and, on order of the crime board under s. 59.54 (28) (d), make grant
15 payments as the crime board directs.

16 *~~1059/9.63~~*SECTION 1912. 59.26 (8) (a) of the statutes is amended to read:

17 59.26 (8) (a) In any county with a population of less than 500,000, the board,
18 by ordinance, may fix the number of deputy sheriffs to be appointed in that county
19 at not less than that number required by sub. (1) (a) and (b) and may set the salary
20 of those deputies. Subject to sub. (10), the board may provide by ordinance that
21 deputy sheriff positions be filled by appointment by the sheriff from a list of all
22 persons with the 3 highest scores for each position based on a competitive
23 examination. Such competitive examinations may be by a county civil service
24 commission or by the ~~division~~ bureau of merit recruitment and selection in the ~~office~~
25 ~~of state employment relations~~ department of administration at the option of the

1 board and it shall so provide by ordinance. The ~~division~~ bureau of merit recruitment
2 and selection ~~in the office of state employment relations~~ shall, upon request of the
3 board, conduct such examination according to the methods used in examinations for
4 the state civil service and shall certify an eligible list of the names of all persons with
5 the 3 highest scores on that examination for each position to the sheriff of that county
6 who shall, subject to sub. (10), make an appointment from that list to fill the position
7 within 10 days after he or she receives the eligible list. The county for which such
8 examination is conducted shall pay the cost of that examination. If a civil service
9 commission is decided upon for the selection of deputy sheriffs, then ss. 63.01 to 63.17
10 shall apply so far as consistent with this subsection, except ss. 63.03, 63.04 and 63.15
11 and except the provision governing minimum compensation of the commissioners.
12 The ordinance or an amending ordinance may provide for employee grievance
13 procedures and disciplinary actions, for hours of work, for tours of duty according to
14 seniority and for other administrative regulations. Any board provision consistent
15 with this paragraph and existing on July 25, 1951, is validated. If the sheriff fills a
16 deputy sheriff position by promotion, the sheriff shall, subject to sub. (10), make the
17 appointment to the position from a list of 3 deputy sheriffs who receive the highest
18 scores in a competitive examination. Such competitive examinations may be by a
19 county civil service commission or by the ~~division~~ bureau of merit recruitment and
20 selection ~~in the office of state employment relations~~ at the option of the board and
21 it shall so provide by ordinance.

22 *~~1387/P1.3~~**SECTION 1913.** 59.40 (2) (n) of the statutes is amended to read:

23 59.40 (2) (n) Pay monthly to the treasurer the amounts required by s. 302.46
24 (1) for the jail assessment surcharge and the amounts required by s. 973.0455 (2).
25 The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 1914

1 *~~0994/1.1~~*SECTION 1914. 59.40 (4) of the statutes is amended to read:

2 59.40 (4) CLERK OF CIRCUIT COURT; DEBT COLLECTOR CONTRACT. If authorized by
3 the board under s. 59.52 (28) (a), the clerk of circuit court may contract with a debt
4 collector, as defined in s. 427.103 (3), for the collection of unpaid fines and forfeitures.
5 Any contract entered into shall provide that the debt collector shall be paid from the
6 proceeds recovered by the debt collector. The net proceeds received by the clerk of
7 circuit court after the payment to the debt collector shall be considered the amount
8 of fines and forfeitures collected for purposes of distribution to the state and county
9 under sub. (2) (m).

10 *~~1242/P5.4~~*SECTION 1915. 59.48 of the statutes is amended to read:

11 **59.48 County and regional assessment unit assessor.** The county
12 executive elected under s. 59.17 or the county administrator elected or appointed
13 under s. 59.18 shall appoint a county assessor as prescribed in and subject to the
14 limitations of s. ~~70.99~~, ~~approve the hiring of the assessor's staff as prescribed in that~~
15 ~~section and otherwise comply with that section~~ 70.991. In counties with neither a
16 county executive nor a county administrator the appointment of the county assessor
17 shall be the duty of the chairperson of the board subject to the approval of the board
18 and subject to the limitations of s. ~~70.99~~. ~~The hiring of the assessor's staff shall be~~
19 ~~the duty of the county assessor subject to the limitations of s. 70.99~~ 70.991. In the
20 case of a regional assessment unit, the appointments under this section shall be
21 made by the county executive, the county administrator, or by the board chairperson
22 with the approval of the board, consistent with this section, of the most populous
23 county in the regional assessment unit, unless specified otherwise in the ordinance
24 adopted under s. 70.991 (2) to form the unit.

1 *~~0994/1.2~~*SECTION 1916. 59.52 (28) of the statutes is renumbered 59.52 (28)

2 (a).

3 *~~0994/1.3~~*SECTION 1917. 59.52 (28) (b) of the statutes is created to read:

4 59.52 (28) (b) The board may enter into a written agreement under s. 71.93 (8)

5 (b) to have the department of revenue collect any amount owed to the county.

6 *~~1387/P1.4~~*SECTION 1918. 59.54 (28) of the statutes is created to read:

7 59.54 (28) CRIME PREVENTION FUNDING BOARD. (a) In this subsection:

8 1. “Chief elected official” means the mayor of a city or, if the city is organized
9 under subch. I of ch. 64, the president of the council of that city, the village president
10 of a village, or the town board chairperson of a town.

11 2. “Crime board” means the crime prevention funding board that is created
12 under this subsection.

13 3. “Municipality” means a city, village, or town.

14 (b) There is created in each county, in which the treasurer receives moneys and
15 deposits them as described in s. 59.25 (3) (gm), a crime board. The funds in such an
16 account may be distributed upon the direction of the crime board under par. (d). The
17 crime board shall meet, and its members may receive no compensation, other than
18 reimbursement for actual and reasonable expenses incurred in the performance of
19 their duties. Members shall serve for the terms that are determined by the crime
20 board.

21 (c) A county crime board shall consist of the following members:

22 1. The presiding judge of the circuit court, or his or her designee

23 2. The district attorney, or his or her designee.

24 3. The sheriff, or his or her designee.

25 4. One of the following county officials, or his or her designee:

1 a. The county executive.

2 b. If the county does not have a county executive, the county administrator.

3 c. The chairperson of the county board of supervisors, or his or her designee,
4 if the county does not have a county executive or a county administrator.

5 5. The chief elected official of the largest municipality in the county, as
6 determined by population, or his or her designee.

7 6. A person chosen by a majority vote of the sheriff and all of the chiefs of police
8 departments that are located wholly or partly within the county.

9 7. A person chosen by the county's public defender's office.

10 (d) 1. The crime board may solicit applications for grants in a format
11 determined by the crime board, and may vote to direct the treasurer to distribute
12 grants to applicants from moneys in the crime prevention fund under s. 59.25 (3)
13 (gm). The crime board may direct the treasurer to distribute grants to any of the
14 following entities, in amounts determined by the crime board:

15 a. One or more private nonprofit organizations within the county that has as
16 its primary purpose preventing crime, providing a funding source for crime
17 prevention programs, encouraging the public to report crime, or assisting law
18 enforcement agencies in the apprehension of criminal offenders.

19 b. A law enforcement agency within the county that has a crime prevention
20 fund, if the contribution is credited to the crime prevention fund and is used for crime
21 prevention purposes.

22 2. Not less than 50 percent of the payments made under subd. 1. shall be made
23 to one or more organizations described in subd. 1. a.

24 (e) Annually, the crime board shall submit a report on its activities to the clerk
25 of court for the county that distributed the funds, to the county board, and to the

1 legislative bodies of each municipality that is located wholly or partly within the
2 county. The report shall contain at least all of the following information for the year
3 to which the report relates:

4 1. The name and address of each entity that received a grant, including contact
5 information for the leadership of the entity.

6 2. A full accounting of all funds disbursed by the treasurer at the direction of
7 the crime board, including the amount of the funds disbursed, the dates of disbursement,
8 and the purposes for which the grant was made.

9 (f) Annually, each recipient of a grant awarded under this subsection shall
10 submit a report on its activities to all of the entities specified in par. (e). The report
11 shall contain at least all of the following information for the year to which the report
12 relates:

13 1. The name and address of the entity.

14 2. The name and address, and title, of each member of the governing body of
15 the entity.

16 3. The purposes for which the grant money was spent.

17 4. A detailed accounting of all receipts and expenditures of the entity that relate
18 to the grant money.

19 5. The balance of any funds remaining.

20 *~~0971/P5.518~~SECTION 1919. 59.56 (3) (a) of the statutes is amended to read:

21 59.56 (3) (a) *Creation.* ~~A~~ Subject to approval of the Board of Regents of the
22 University of Wisconsin System Authority, a board may establish and maintain an
23 educational program in cooperation with the University of Wisconsin System
24 Authority, referred to in this subsection as “University Extension Program”.

1 ***-0971/P5.519***SECTION 1920. 59.56 (3) (c) 2. of the statutes is amended to
2 read:

3 59.56 (3) (c) 2. The committee on agriculture and extension education may
4 enter into joint employment agreements with the university extension or with other
5 counties and the university extension if the county funds that are committed in the
6 agreements have been appropriated by the board. Persons so employed under
7 cooperative agreements and approved by the board of regents shall be considered
8 employees of both the county and the University of Wisconsin System Authority.

9 ***-0971/P5.520***SECTION 1921. 59.56 (3) (f) 1. (intro.) of the statutes is
10 amended to read:

11 59.56 (3) (f) 1. (intro.) ~~A~~ Subject to approval of the Board of Regents of the
12 University of Wisconsin System Authority, a university extension program is
13 authorized, under the direction and supervision of the county committee on
14 agriculture and extension education, cooperating with the university extension of
15 the University of Wisconsin System Authority, and within the limits of funds
16 provided by the board and cooperating state and federal agencies, to make available
17 the necessary facilities and conduct programs in the following areas:

18 ***-0971/P5.521***SECTION 1922. 59.56 (3) (g) of the statutes is amended to read:

19 59.56 (3) (g) *Department of government*. For the purposes of s. 59.22 (2) (d) the
20 university extension program shall be a department of county government and the
21 committee on agriculture and extension education shall be the committee which is
22 delegated the authority to direct and supervise the department. ~~In~~ Subject to
23 approval of the Board of Regents of the University of Wisconsin System Authority,
24 and in cooperation with the university extension of the University of Wisconsin
25 System Authority, the committee on agriculture and extension education shall have

1 the responsibility to formulate and execute the university extension program. The
2 university extension shall annually report to the board its activities and
3 accomplishments.

4 ***-0971/P5.522*SECTION 1923.** 59.56 (4) of the statutes is amended to read:

5 59.56 (4) UNIVERSITY COLLEGE CAMPUSES. The board may appropriate money for
6 the construction, remodeling, expansion, acquisition or equipping of land, buildings
7 and facilities for a University of Wisconsin System college campus, as defined in s.
8 36.05 (6m), if the operation of it has been approved by the board of regents.

9 ***-1215/P3.94*SECTION 1924.** 59.57 (1) (a) of the statutes is amended to read:

10 59.57 (1) (a) Subject to par. (b), the board may appropriate money for and create
11 a county industrial development agency or to any nonprofit agency organized to
12 engage or engaging in activities described in this paragraph, appoint an executive
13 officer and provide a staff and facilities to promote and develop the resources of the
14 county and of its component municipalities. To this end the agency may, without
15 limitation because of enumeration, develop data regarding the industrial needs,
16 advantages and sites in the county, acquaint the purchaser with the products of the
17 county by promotional activities, coordinate its work with that of the county
18 planning commission, the Wisconsin Economic Development Corporation Forward
19 Wisconsin Development Authority, and private credit development corporations,
20 and do all things necessary to provide for the continued improvement of the
21 industrial climate of the county.

22 ***-0807/P6.209*SECTION 1925.** 59.57 (1) (b) of the statutes is amended to read:

23 59.57 (1) (b) If a county with a population of 500,000 750,000 or more
24 appropriates money under par. (a) to fund nonprofit agencies, the county shall have
25 a goal of expending 20% of the money appropriated for this purpose to fund a

SECTION 1925

1 nonprofit agency that is actively managed by minority group members, as defined
2 in s. ~~16.287~~ 203.07 (1) (f), and that principally serves minority group members.

3 ***-0971/P5.523*SECTION 1926.** 59.693 (8) of the statutes is amended to read:

4 59.693 (8) APPLICABILITY TO LOCAL GOVERNMENTS AND AGENCIES. An ordinance
5 that is enacted under this section is applicable to activities conducted by a unit of
6 local government and an agency of that unit of government. An ordinance that is
7 enacted under this section is not applicable to activities conducted by an agency, as
8 defined under s. 227.01 (1) but also including the office of district attorney and the
9 University of Wisconsin System Authority, which is subject to the state plan
10 promulgated or a memorandum of understanding entered into under s. 281.33 (2).

11 ***-1025/3.1*SECTION 1927.** 60.05 (4) of the statutes is amended to read:

12 60.05 (4) COURT ORDER. If, after the hearing under sub. (3), the court finds that
13 the area of the proposed town meets the requirements of sub. (1), the court shall enter
14 an order establishing a new town under the name proposed in the petition and shall
15 designate the location of the first town meeting of the new town. The clerk of court
16 shall immediately file certified copies of the order with the secretary of state
17 administration and the county clerk.

18 ***-1025/3.2*SECTION 1928.** 60.065 of the statutes is amended to read:

19 **60.065 Change of town name.** The name of a town shall be changed if a
20 petition designating the new name is signed and filed with the town clerk under the
21 procedures in s. 9.20 (1), certified by the town clerk under the procedure in s. 9.20
22 (3), approved by the electors in an election held under the procedures in s. 9.20 (4)
23 and the result of the election is published in the town's official paper, or posted in the
24 town, and the new name is filed ~~in the office of~~ with the secretary of state
25 administration.

1 *~~-1242/P5.5~~*SECTION 1929. 60.10 (1) (b) 3. of the statutes is repealed.

2 *~~-1242/P5.6~~*SECTION 1930. 60.10 (2) (j) of the statutes is repealed.

3 *~~-1215/P3.95~~*SECTION 1931. 60.23 (4) (c) of the statutes is amended to read:

4 60.23 (4) (c) Coordinate its activities with the county planning commission, the
5 ~~Wisconsin Economic Development Corporation~~ Forward Wisconsin Development
6 Authority, and private credit development organizations.

7 *~~-1242/P5.7~~*SECTION 1932. 60.30 (1) (a) 3. of the statutes is repealed.

8 *~~-1242/P5.8~~*SECTION 1933. 60.30 (2) (a) of the statutes is renumbered 60.30
9 (2) and amended to read:

10 60.30 (2) Only an elector of the town may hold a town office, other than an
11 ~~assessor appointed under s. 60.307 or~~ a town clerk, town treasurer, or combined town
12 clerk and town treasurer, appointed under sub. (1e).

13 *~~-1242/P5.9~~*SECTION 1934. 60.30 (2) (b) of the statutes is repealed.

14 *~~-1242/P5.10~~*SECTION 1935. 60.30 (2) (c) of the statutes is repealed.

15 *~~-1242/P5.11~~*SECTION 1936. 60.30 (2) (d) of the statutes is repealed.

16 *~~-1242/P5.12~~*SECTION 1937. 60.30 (4) (b) of the statutes is amended to read:

17 60.30 (4) (b) The regular term of elected town officers, ~~other than the town~~
18 ~~assessor,~~ commences on the 3rd Tuesday of April in the year of their election. ~~The~~
19 ~~regular term of an elected assessor commences on June 1 in the year of the assessor's~~
20 ~~election.~~

21 *~~-1242/P5.13~~*SECTION 1938. 60.305 (2) of the statutes is repealed.

22 *~~-1242/P5.14~~*SECTION 1939. 60.307 of the statutes is repealed.

23 *~~-1242/P5.15~~*SECTION 1940. 60.61 (5) (c) of the statutes is amended to read:

24 60.61 (5) (c) Immediately after the record of nonconforming uses is filed with
25 the town clerk, the clerk shall furnish the town assessor the record of nonconforming

1 uses within the town. After the assessment for the following year and each
2 succeeding assessment, the town assessor shall file a written report, certified by the
3 board of review, with the town clerk listing all nonconforming uses which have been
4 discontinued since the prior assessment. The town clerk shall record discontinued
5 nonconforming uses as soon as reported by the assessor. In this paragraph, “town
6 assessor” includes the county assessor assessing the town under s. ~~70.99~~ 70.991.

7 *~~0971/P5.524~~*SECTION 1941. 60.627 (7) of the statutes is amended to read:

8 60.627 (7) APPLICABILITY TO LOCAL GOVERNMENTS AND AGENCIES. An ordinance
9 enacted under this section is applicable to activities conducted by a unit of local
10 government and an agency of that unit of government. An ordinance enacted under
11 this section is not applicable to activities conducted by an agency, as defined under
12 s. 227.01 (1) but also including the office of district attorney and the University of
13 Wisconsin System Authority, which is subject to the state plan promulgated or a
14 memorandum of understanding entered into under s. 281.33 (2).

15 *~~1242/P5.16~~*SECTION 1942. 60.85 (5) (h) of the statutes is amended to read:

16 60.85 (5) (h) The ~~town~~ assessor shall identify upon the assessment roll
17 returned and examined under s. 70.45 those parcels of property which are within
18 each existing tax incremental district, specifying the name of each district. A similar
19 notation shall appear on the tax roll made by the town clerk under s. 70.65.

20 *~~1025/3.3~~*SECTION 1943. 61.187 (2) (d) of the statutes is amended to read:

21 61.187 (2) (d) If, in accordance with par. (a), the results of the election under
22 sub. (1) provide for dissolution, the village clerk shall, within 10 days after the
23 election, record the petition and determination of the village board of canvassers in
24 the office of the register of deeds of the county or counties in which the village is
25 located and file with the secretary of state administration certified copies of the

1 petition and the determination of inspectors of election. The village clerk shall also
2 record in the office of the register of deeds a certificate by the village clerk showing
3 the date on which the dissolution takes effect and file with the secretary of state
4 administration 4 copies of the certificate. These documents shall be recorded and
5 indexed by the register of deeds. The index shall include the volume or reel number
6 and the page or image number of the original documents. The secretary of state
7 administration shall forward 2 copies of the certificate to the department of
8 transportation and one to the department of revenue.

9 *~~1025/3.4~~SECTION 1944. 61.189 (2) of the statutes is amended to read:

10 61.189 (2) The election shall be noticed and conducted and the result canvassed
11 and certified as in the case of regular village elections and the village clerk shall
12 immediately file with the secretary of state administration 4 copies of a certification
13 certifying the fact of holding such election and the result thereof and a description
14 of the legal boundaries of such village or proposed city and 4 certified copies of a plat
15 thereof; and thereupon a certificate of incorporation shall be issued to such city by
16 the secretary of state administration. Two copies of the certification and plat shall
17 be forwarded by the secretary of state administration to the department of
18 transportation and one copy to the department of revenue. Thereafter such city shall
19 in all things be governed by the general city charter law. All debts, obligations and
20 liabilities existing against such village at the time of such change shall continue and
21 become like debts, obligations and liabilities against such city, and such city may
22 carry out and complete all proceedings then pending for the issue of bonds for
23 improvements therein.

24 *~~1242/P5.17~~SECTION 1945. 61.19 of the statutes is amended to read:

1 **61.19 Annual elections; appointments.** At the annual spring election in
2 each village in odd-numbered years, except as otherwise provided herein, there shall
3 be chosen: A president, a clerk, a treasurer, ~~an assessor if election of the assessor is~~
4 ~~provided~~ and a constable. In villages in counties having a population of 500,000 or
5 more, the officers named shall be elected for a term of 2 years on the first Tuesday
6 of April of each even-numbered year. Any other officers shall be appointed annually
7 by the village board at their first meeting after the first Tuesday in April unless the
8 board otherwise provides. No person not a resident elector in such village shall be
9 elected to any office therein. The village clerk may appoint a deputy clerk for whom
10 the clerk shall be responsible, and who shall take and file the oath of office, and in
11 case of the absence, sickness or other disability of the clerk, may perform the clerk's
12 duties and receive the same compensation unless the village board appoints a person
13 to act as such clerk. ~~No assessor shall be elected or appointed if the village has come~~
14 ~~within the jurisdiction of a county assessor under s. 70.99.~~

15 *~~1242/P5.18~~*SECTION 1946. 61.27 of the statutes is repealed.

16 *~~0971/P5.525~~*SECTION 1947. 61.354 (7) of the statutes is amended to read:

17 61.354 (7) APPLICABILITY TO LOCAL GOVERNMENTS AND AGENCIES. An ordinance
18 enacted under this section is applicable to activities conducted by a unit of local
19 government and an agency of that unit of government. An ordinance enacted under
20 this section is not applicable to activities conducted by an agency, as defined under
21 s. 227.01 (1) but also including the office of district attorney and the University of
22 Wisconsin System Authority, which is subject to the state plan promulgated or a
23 memorandum of understanding entered into under s. 281.33 (2).

24 *~~1025/3.5~~*SECTION 1948. 62.02 of the statutes is amended to read:

1 **62.02 Repeal of special charters.** All special charters for cities of the 2nd,
2 3rd and 4th classes are hereby repealed and such cities are hereby incorporated
3 under this subchapter. The city clerk shall forthwith certify the boundaries of such
4 city to the secretary of state administration, who shall file the same and issue to such
5 city a certificate of incorporation as of the date when this subchapter became
6 effective, and record the same.

7 *~~1025/3.6~~**SECTION 1949.** 62.075 (5) of the statutes is amended to read:

8 62.075 (5) NOTICE OF ENTRY OF JUDGMENT; UPON WHOM SERVED. A certified copy
9 of every such order shall be filed with the town and city clerk and with the county
10 clerk and 4 copies with the secretary of state administration. The secretary of state
11 administration shall forward 2 copies to the department of transportation and one
12 copy to the department of revenue.

13 *~~1242/P5.19~~**SECTION 1950.** 62.09 (1) (a) of the statutes is amended to read:

14 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
15 attorney, engineer, one or more assessors unless the city is assessed by ~~a county~~ an
16 assessor under s. ~~70.99~~ 70.991, one or more constables as determined by the common
17 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
18 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
19 except in cities where not applicable, chief of police except in a city where it is not
20 applicable, chief of the fire department except in a city where it is not applicable, chief
21 of a combined protective services department except in a city where it is not
22 applicable, board of public works, 2 alderpersons from each aldermanic district, and
23 such other officers or boards as are created by law or by the council. If one
24 alderperson from each aldermanic district is provided under s. 66.0211 (1), the
25 council may, by ordinance adopted by a two-thirds vote of all its members and

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1 approved by the electors at a general or special election, provide that there shall be
2 2 alderpersons from each aldermanic district. If a city creates a combined protective
3 services department under s. 62.13 (2e) (a) 1., it shall create the office of chief of such
4 a department and shall abolish the offices of chief of police and chief of the fire
5 department.

6 ***-0971/P5.526*SECTION 1951.** 62.234 (7) of the statutes is amended to read:

7 62.234 (7) APPLICABILITY TO LOCAL GOVERNMENTS AND AGENCIES. An ordinance
8 enacted under this section is applicable to activities conducted by a unit of local
9 government and an agency of that unit of government. An ordinance enacted under
10 this section is not applicable to activities conducted by an agency, as defined under
11 s. 227.01 (1) but also including the office of district attorney and the University of
12 Wisconsin System Authority, which is subject to the state plan promulgated or a
13 memorandum of understanding entered into under s. 281.33 (2).

14 ***-1025/3.7*SECTION 1952.** 62.26 (7) of the statutes is amended to read:

15 62.26 (7) CHANGE OF CITY NAME. The name of any city of the fourth class shall
16 be changed if a majority of the electors shall address a written petition therefor to
17 the council designating the new name, and the council shall by a two-thirds vote of
18 all the members adopt an ordinance changing to such new name. The change shall
19 be in effect upon publication of the ordinance in the official paper, and the filing of
20 a copy thereof in ~~the office of~~ with the secretary of state administration.

21 ***-1023/3.1*SECTION 1953.** 66.0137 (4m) (title) of the statutes is amended to
22 read:

23 66.0137 (4m) (title) JOINT SELF-INSURED PLANS AND STOP LOSS INSURANCE.

24 ***-1023/3.2*SECTION 1954.** 66.0137 (4m) (bm) of the statutes is created to read:

1 66.0137 (4m) (bm) A technical college district and one or more other technical
2 college districts, that together have at least 100 employees, may jointly do any of the
3 following:

4 1. Provide health care benefits to their officers and employees on a self-insured
5 basis.

6 2. Procure stop loss insurance.

7 3. Self-insure stop loss risk.

8 *~~1023/3.3~~SECTION 1955. 66.0137 (4m) (c) of the statutes is amended to read:

9 66.0137 (4m) (c) Any plan under par. (b) or (bm) 1. shall comply with the
10 provisions listed in sub. (4).

11 *~~1025/3.8~~SECTION 1956. 66.0203 (7) (a) of the statutes is amended to read:

12 66.0203 (7) (a) No action to contest the validity of an incorporation on any
13 grounds, whether procedural or jurisdictional, may be commenced after 60 days from
14 the date of issuance of the certificate of incorporation by the secretary of state
15 administration.

16 *~~1025/3.9~~SECTION 1957. 66.0211 (5) of the statutes is amended to read:

17 66.0211 (5) CERTIFICATION OF INCORPORATION. If a majority of the votes in an
18 incorporation referendum are cast in favor of a village or city, the clerk of the circuit
19 court shall certify the fact to the secretary of state administration and supply the
20 secretary of state administration with a copy of a description of the legal boundaries
21 of the village or city and the associated population and a copy of a plat of the village
22 or city. Within 10 days of receipt of the description and plat, the secretary of state
23 administration shall forward 2 copies to the department of transportation and one
24 copy each to the department of administration and the department of revenue. The

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1 secretary of state administration shall issue a certificate of incorporation and record
2 the certificate.

3 ***-1025/3.10*SECTION 1958.** 66.0213 (4) (a) of the statutes is amended to read:

4 66.0213 (4) (a) Within 10 days after incorporation of the village or city, the
5 county clerk of the county in which the petition was filed shall fix a time for the first
6 election, and where appropriate designate the polling place or places, and name 3
7 inspectors of election for each place. The time for the election shall be fixed no less
8 than 40 nor more than 50 days after the date of the certificate of incorporation issued
9 by the secretary of state administration, irrespective of any other provision in the
10 statutes. Nomination papers shall conform to ch. 8 to the extent applicable.
11 Nomination papers shall be signed by not less than 5% nor more than 10% of the total
12 votes cast at the referendum election, and be filed no later than 15 days before the
13 time fixed for the election. Ten days' previous notice of the election shall be given by
14 the county clerk by publication in the newspapers selected under s. 66.0211 (2) and
15 by posting notices in 3 public places in the village or city, but failure to give notice
16 does not invalidate the election.

17 ***-1025/3.11*SECTION 1959.** 66.0213 (6) of the statutes is amended to read:

18 66.0213 (6) REORGANIZATION OF CITY AS VILLAGE. If the population of any city falls
19 below 1,000 as determined by the United States census, the council may upon filing
20 of a petition conforming to the requirements of s. 8.40 containing the signatures of
21 at least 15% of the electors submit at any general or city election the question
22 whether the city shall reorganize as a village. If three-fifths of the votes cast on the
23 question are for reorganization the mayor and council shall record the return in the
24 office of the register of deeds, file a certified copy with the clerk of the circuit court,
25 and immediately call an election, to be conducted as are village elections, for the

1 election of village officers. Upon the qualification of the officers, the board of trustees
2 shall declare the city reorganized as a village, and the reorganization is effective.
3 The clerk shall certify a copy of the declaration to the secretary of state
4 administration who shall file the declaration and endorse a memorandum of the
5 declaration on the record of the certificate of incorporation of the city. Rights and
6 liabilities of the city continue in favor of or against the village. Ordinances, so far
7 as within the power of the village, remain in force until changed.

8 *~~1025/3.12~~*SECTION 1960. 66.0215 (5) of the statutes is amended to read:

9 66.0215 (5) CERTIFICATE OF INCORPORATION. If a majority of the votes are cast
10 in favor of a city the clerk shall certify the fact to the secretary of state
11 administration, together with the result of the census, if any, and 4 copies of a
12 description of the legal boundaries of the town and 4 copies of a plat of the town. The
13 secretary of state administration shall then issue a certificate of incorporation, and
14 record the certificate in a book kept for that purpose. Two copies of the description
15 and plat shall be forwarded by the secretary of state administration to the
16 department of transportation and one copy to the department of revenue.

17 *~~1025/3.13~~*SECTION 1961. 66.0216 (5) of the statutes is amended to read:

18 66.0216 (5) CERTIFICATE OF INCORPORATION. If a majority of the votes are cast
19 in favor of a city or village, the town clerk shall certify that fact to the secretary of
20 state administration together with 4 copies of a description of the legal boundaries
21 of the town, and 4 copies of a plat of the town. The town clerk shall also send the
22 secretary of state administration an incorporation fee of \$1,000. Upon receipt of the
23 town clerk's certification, the incorporation fee, and other required documents, the
24 secretary of state administration shall issue a certificate of incorporation and record
25 the certificate in a book kept for that purpose. The secretary of state administration

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1 shall provide 2 copies of the description and plat to the department of transportation
2 and one copy to the department of revenue. The town clerk shall also transmit a copy
3 of the certification and the resolution under sub. (1) to the county clerk.

4 ***-1025/3.14*SECTION 1962.** 66.0216 (6) of the statutes is amended to read:

5 66.0216 (6) ACTION. No action to contest the validity of an incorporation under
6 this section on any grounds, whether procedural or jurisdictional, may be
7 commenced after 60 days from the date of issuance of the certificate of incorporation
8 by the secretary of state administration. In any such action, the burden of proof as
9 to all issues is upon the person bringing the action to show that the incorporation is
10 not valid. An action contesting an incorporation shall be given preference in the
11 circuit court.

12 ***-0224/P3.10*SECTION 1963.** 66.0217 (9) (a) of the statutes is amended to read:

13 66.0217 (9) (a) The clerk of a city or village which has annexed territory shall
14 file immediately with the secretary of state administration a certified copy of the
15 ordinance, certificate and plat, and shall send one copy to each company that
16 provides any utility service in the area that is annexed. The city or village shall also
17 file with the county clerk or board of election commissioners the report required by
18 s. 5.15 (4) (bg). The clerk shall record the ordinance with the register of deeds and
19 file a signed copy of the ordinance with the clerk of any affected school district.
20 Failure to file, record or send does not invalidate the annexation and the duty to file,
21 record or send is a continuing one. The ordinance that is filed, recorded or sent shall
22 describe the annexed territory and the associated population. The information filed
23 with the secretary of state administration shall be utilized in making
24 recommendations for adjustments to entitlements under the federal revenue
25 sharing program and distribution of funds under ch. 79. The clerk shall certify

1 annually to the secretary of state administration and record with the register of
2 deeds a legal description of the total boundaries of the municipality as those
3 boundaries existed on December 1, unless there has been no change in the 12 months
4 preceding.

****NOTE: This is reconciled s. 66.0217 (9) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0224/P2 and LRB-1025/2.

5 ***-1025/3.15*SECTION 1964.** 66.0217 (9) (b) of the statutes is amended to read:
6 66.0217 (9) (b) Within 10 days of receipt of the ordinance, certificate and plat,
7 the secretary of state administration shall forward 2 copies of the ordinance,
8 certificate and plat to the department of transportation, one copy to the department
9 of administration, one copy to the department of revenue, one copy to the department
10 of public instruction, one copy to the department, one copy to the department of
11 natural resources, one copy to the department of agriculture, trade and consumer
12 protection and 2 copies to the clerk of the municipality from which the territory was
13 annexed.

14 ***-1025/3.16*SECTION 1965.** 66.0219 (7) of the statutes is amended to read:
15 66.0219 (7) APPEAL. An appeal from the order of the circuit court is limited to
16 contested issues determined by the circuit court. An appeal shall not stay the
17 conduct of the referendum election, if one is ordered, but the statement of the election
18 results and the copies of the certificate and plat may not be filed with the secretary
19 of state administration until the appeal has been determined.

20 ***-0224/P3.11*SECTION 1966.** 66.0221 (1) of the statutes is amended to read:
21 66.0221 (1) Upon its own motion and subject to sub. (3) and ss. 66.0301 (6) (d)
22 and 66.0307 (7), a city or village, by a two-thirds vote of the entire membership of
23 its governing body, may enact an ordinance annexing territory which comprises a

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1 portion of a town or towns and which was completely surrounded by territory of the
2 city or village on December 2, 1973. The ordinance shall include all surrounded town
3 areas except those that are exempt by mutual agreement of all of the governing
4 bodies involved. The annexation ordinance shall contain a legal description of the
5 territory and the name of the town or towns from which the territory is detached.
6 Upon enactment of the ordinance, the city or village clerk immediately shall file 6
7 certified copies of the ordinance ~~in the office of~~ with the secretary of state
8 administration, together with 6 copies of a scale map. The city or village shall also
9 file with the county clerk or board of election commissioners the report required by
10 s. 5.15 (4) (bg). The secretary of state administration shall forward 2 copies of the
11 ordinance and scale map to the department of transportation, one copy to the
12 department of natural resources, one copy to the department of revenue and one copy
13 to the department of administration. This subsection does not apply if the town
14 island was created only by the annexation of a railroad right-of-way or drainage
15 ditch. This subsection does not apply to land owned by a town government which has
16 existing town government buildings located on the land. No town island may be
17 annexed under this subsection if the island consists of over 65 acres or contains over
18 100 residents. Section 66.0217 (11) applies to annexations under this subsection.
19 Except as provided in sub. (2), after December 2, 1973, no city or village may, by
20 annexation, create a town area which is completely surrounded by the city or village.

****NOTE: This is reconciled s. 66.0221 (1). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0224/P2 and LRB-1025/2.

21 ***-0224/P3.12*SECTION 1967.** 66.0223 (1) of the statutes is amended to read:

22 66.0223 (1) In addition to other methods provided by law and subject to sub.

23 (2) and ss. 66.0301 (6) (d) and 66.0307 (7), territory owned by and lying near but not

1 necessarily contiguous to a village or city may be annexed to a village or city by
2 ordinance enacted by the board of trustees of the village or the common council of the
3 city, provided that in the case of noncontiguous territory the use of the territory by
4 the city or village is not contrary to any town or county zoning regulation. The
5 ordinance shall contain the exact description of the territory annexed and the names
6 of the towns from which detached, and attaches the territory to the village or city
7 upon the filing of 7 certified copies of the ordinance ~~in the office of~~ with the secretary
8 of state administration, together with 7 copies of a plat showing the boundaries of
9 the territory attached. The city or village shall also file with the county clerk or board
10 of election commissioners the report required by s. 5.15 (4) (bg). Two copies of the
11 ordinance and plat shall be forwarded by the secretary of state administration to the
12 department of transportation, one copy to the department of administration, one
13 copy to the department of natural resources, one copy to the department of revenue
14 and one copy to the department of public instruction. Within 10 days of filing the
15 certified copies, a copy of the ordinance and plat shall be mailed or delivered to the
16 clerk of the county in which the annexed territory is located. Sections 66.0203 (8) (c)
17 and 66.0217 (11) apply to annexations under this section.

****NOTE: This is reconciled s. 66.0223 (1). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0224/P2 and LRB-1025/2.

18 ***-1025/3.17*SECTION 1968.** 66.0227 (5) of the statutes is amended to read:
19 66.0227 (5) The ordinance, certificate and plat shall be filed and recorded in
20 the same manner as annexations under s. 66.0217 (9) (a). The requirements for the
21 secretary of state administration are the same as in s. 66.0217 (9) (b).

22 ***-0224/P3.13*SECTION 1969.** 66.0231 of the statutes is amended to read:

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1 **66.0231 Notice of certain litigation affecting municipal status or**
2 **boundaries.** If a proceeding under ss. 61.187, 61.189, 61.74, 62.075, 66.0201 to
3 66.0213, 66.0215, 66.0216, 66.0217, 66.0221, 66.0223, 66.0227, 66.0301 (6), or
4 66.0307 or other sections relating to an incorporation, annexation, consolidation,
5 dissolution or detachment of territory of a city or village is contested by instigation
6 of legal proceedings, the clerk of the city or village involved in the proceedings shall
7 file with the secretary of state administration 4 copies of a notice of the
8 commencement of the action. The clerk shall file with the secretary of state
9 administration 4 copies of any judgments rendered or appeals taken in such cases.
10 The notices or copies of judgments that are required under this section may also be
11 filed by an officer or attorney of any party of interest. If any judgment has the effect
12 of changing the municipal boundaries, the city or village clerk shall also file with the
13 county clerk or board of election commissioners the report required by s. 5.15 (4) (bg).
14 The secretary of state administration shall forward to the department of
15 transportation 2 copies and to the department of revenue and the department of
16 administration one copy each of any notice of action or judgment filed with the
17 secretary of state administration under this section.

****NOTE: This is reconciled s. 66.0231. This SECTION has been affected by drafts
with the following LRB numbers: LRB-0224/P2 and LRB-1025/2.

18 *~~1502/1.5~~*SECTION 1970. 66.0301 (1) (a) of the statutes is amended to read:
19 66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section
20 “municipality” means the state or any department or agency thereof, or any city,
21 village, town, county, school district, public library system, public inland lake
22 protection and rehabilitation district, sanitary district, farm drainage district,
23 metropolitan sewerage district, sewer utility district, solid waste management

1 system created under s. 59.70 (2), local exposition district created under subch. II of
2 ch. 229, local professional baseball park district created under subch. III of ch. 229,
3 local professional football stadium district created under subch. IV of ch. 229, local
4 cultural arts district created under subch. V of ch. 229, local sports and
5 entertainment district created under subch. VI of ch. 229, long-term care district
6 under s. 46.2895, water utility district, mosquito control district, municipal electric
7 company, county or city transit commission, commission created by contract under
8 this section, taxation district, regional planning commission, housing authority
9 created under s. 66.1201, redevelopment authority created under s. 66.1333,
10 community development authority created under s. 66.1335, or city-county health
11 department.

12 *~~1461/P2.217~~*SECTION 1971. 66.0301 (1) (a) of the statutes, as affected by
13 2015 Wisconsin Act (this act), is amended to read:

14 66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section
15 “municipality” means the state or any department or agency thereof, or any city,
16 village, town, county, school district, public library system, public inland lake
17 protection and rehabilitation district, sanitary district, farm drainage district,
18 metropolitan sewerage district, sewer utility district, solid waste management
19 system created under s. 59.70 (2), local exposition district created under subch. II of
20 ch. 229, local professional baseball park district created under subch. III of ch. 229,
21 local professional football stadium district created under subch. IV of ch. 229, local
22 cultural arts district created under subch. V of ch. 229, local sports and
23 entertainment district created under subch. VI of ch. 229, ~~long-term care district~~
24 ~~under s. 46.2895~~, water utility district, mosquito control district, municipal electric
25 company, county or city transit commission, commission created by contract under

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1 this section, taxation district, regional planning commission, housing authority
2 created under s. 66.1201, redevelopment authority created under s. 66.1333,
3 community development authority created under s. 66.1335, or city–county health
4 department.

****NOTE: This is reconciled s. 66.0301 (1) (a). This SECTION has been affected by
drafts with the following LRB numbers: –1461/P1 and –1502/2.

5 ***-1025/3.18*SECTION 1972.** 66.0301 (6) (e) of the statutes is amended to read:

6 66.0301 (6) (e) A boundary change included in an agreement under this
7 subsection shall be accomplished by the enactment of an ordinance by the governing
8 body designated to do so in the agreement. The filing and recording requirements
9 under s. 66.0217 (9) (a), as they apply to cities and villages under s. 66.0217 (9) (a),
10 apply to municipalities under this subsection. The requirements for the secretary
11 of state administration under s. 66.0217 (9) (b), as they apply under that section,
12 apply to the secretary of state administration when he or she receives an ordinance
13 that is filed under this subsection.

14 ***-1025/3.19*SECTION 1973.** 66.0307 (10) of the statutes is amended to read:

15 66.0307 (10) BOUNDARY CHANGE ORDINANCE; FILING AND RECORDING
16 REQUIREMENTS. A boundary change under a cooperative plan shall be accomplished
17 by the enactment of an ordinance by the governing body designated to do so in the
18 plan. The filing and recording requirements under s. 66.0217 (9) (a), as they apply
19 to cities and villages under s. 66.0217 (9) (a), apply to municipalities under this
20 subsection. The requirements for the secretary of state administration are the same
21 as those required in s. 66.0217 (9) (b).

22 ***-0971/P5.527*SECTION 1974.** 66.0316 (6) (intro.) of the statutes is amended
23 to read:

1 66.0316 (6) TRAINING AND ASSISTANCE. (intro.) The board of regents of the
2 University of Wisconsin System Authority shall direct the extension to assist
3 councils created under this section in performing their duties under subs. (4) and (5).
4 The board of regents shall ensure that council members are trained in how to do all
5 of the following:

6 *~~0971/P5.528~~*SECTION 1975. 66.0410 (2) (a) of the statutes is amended to
7 read:

8 66.0410 (2) (a) A political subdivision may not enact an ordinance or adopt a
9 resolution that prohibits, and the Board of Regents of the University of Wisconsin
10 System Authority may not ~~promulgate a rule or adopt a resolution prohibiting~~
11 prohibit, the resale of any ticket for an amount that is equal to or less than the ticket's
12 face value.

13 *~~0971/P5.529~~*SECTION 1976. 66.0410 (2) (b) of the statutes is amended to
14 read:

15 66.0410 (2) (b) If a political subdivision or the Board of Regents of the
16 University of Wisconsin System has in effect on April 22, 2004 an ordinance, ~~rule,~~
17 ~~or resolution, or prohibition~~ that is inconsistent with par. (a), the ordinance, ~~rule, or~~
18 ~~resolution, or prohibition~~ does not apply and may not be enforced.

19 *~~0602/P4.6~~*SECTION 1977. 66.0417 (1) of the statutes is amended to read:

20 66.0417 (1) An employee or agent of a local health department designated by
21 ~~the department of health services under s. 254.69 (2) or the department of~~
22 ~~agriculture, trade and consumer protection under s. 97.41 or 97.615 (2)~~ may enter,
23 at reasonable hours, any premises for which the local health department issues a
24 permit license under s. 97.41 or ~~254.69 (2)~~ 97.615 (2) to inspect the premises, secure
25 samples or specimens, examine and copy relevant documents and records, or obtain

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1 photographic or other evidence needed to enforce ~~subch. VII of ch. 254, ch. 97 or s.~~
2 ~~254.47~~, relating to those premises. If samples of food are taken, the local health
3 department shall pay or offer to pay the market value of those samples. The local
4 health department, ~~department of health services~~ or department of agriculture,
5 trade and consumer protection shall examine the samples and specimens secured
6 and shall conduct other inspections and examinations needed to determine whether
7 there is a violation of ~~subch. VII of ch. 254, ch. 97 or s. 254.47~~, rules adopted by the
8 ~~departments~~ department under those statutes, ordinances adopted by the village,
9 city or county or regulations adopted by the local board of health under s. 97.41 (7)
10 or ~~254.69~~ 97.615.

11 *~~0602/P4.7~~**SECTION 1978.** 66.0417 (2) of the statutes is amended to read:

12 66.0417 (2) (a) Whenever, as a result of an examination, a village, city or county
13 has reasonable cause to believe that any examined food constitutes, or that any
14 construction, sanitary condition, operation or method of operation of the premises or
15 equipment used on the premises creates an immediate danger to health, the
16 administrator of the village, city or county agency responsible for the village's, city's
17 or county's agent functions under s. 97.41 or ~~254.69 (2)~~ 97.615 (2) may issue a
18 temporary order and cause it to be delivered to the ~~permittee~~ licensee, or to the owner
19 or custodian of the food, or to both. The order may prohibit the sale or movement of
20 the food for any purpose, prohibit the continued operation or method of operation of
21 specific equipment, require the premises to cease any other operation or method of
22 operation which creates the immediate danger to health, or set forth any
23 combination of these requirements. The administrator may order the cessation of
24 all operations authorized by the ~~permit~~ license only if a more limited order does not
25 remove the immediate danger to health. Except as provided in par. (c), no temporary