

1 ***-0197/5.5*** SECTION 866. 30.74 (1) (b) of the statutes, as affected by 1997
2 Wisconsin Act 198, is amended to read:

3 30.74 (1) (b) The department shall prescribe the course content, and the form
4 of the certificate and may collect a fee from each person who enrolls in the course.
5 The department may authorize instructors. An instructor conducting such courses
6 meeting standards established by it to retain a course under this subsection shall
7 collect the instruction fee from each person who receives instruction. The
8 department may determine the portion of the this fee, which may not exceed 50%,
9 that the instructor may retain to defray expenses incurred locally to operate the
10 program by the instructor in conducting the course. The instructor shall remit the
11 remainder of the fee shall be retained by or, if nothing is retained, the entire fee to
12 the department for the purpose of defraying a part of its expenses incurred to operate
13 the program. The department by rule shall set the fee for the course and the amount
14 of the fee that may be retained by instructors.

15 ***b0217/2.1*** SECTION 867j. 30.77 (3) (dm) 1. of the statutes is renumbered
16 30.77 (3) (dm) 1. (intro.) and amended to read:

17 30.77 (3) (dm) 1. (intro.) In this paragraph, ~~“local~~:

18 b. “Local entity” means a city, village, town, county, qualified lake association,
19 as defined in s. 281.68 (1) (b), nonprofit conservation organization, as defined in s.
20 23.0955 (1), town sanitary district, public inland lake protection and rehabilitation
21 district or another local governmental unit, as defined in s. 66.299 (1) (a), that is
22 established for the purpose of lake management.

23 ***b0217/2.1*** SECTION 867m. 30.77 (3) (dm) 1. a. of the statutes is created to
24 read:

1 30.77 (3) (dm) 1. a. “Boating organization” means a nonstock corporation
2 organized under ch. 181 whose primary purpose is to promote boating activities.

3 ***b0217/2.1* SECTION 867p.** 30.77 (3) (dm) 2. (intro.) of the statutes is
4 renumbered 30.77 (2) (dm) 2. and amended to read:

5 30.77 (2) (dm) 2. If the department or a local entity objects to an ordinance
6 enacted under par. (a), (ac) 2. or (am) 1. b., on the grounds that all or a portion of the
7 ordinance is contrary to or inconsistent with this chapter, ~~all of the following apply:~~
8 the procedure under subd. 2r. shall apply.

9 ***b0217/2.1* SECTION 867s.** 30.77 (3) (dm) 2. a. of the statutes is renumbered
10 30.77 (3) (dm) 2r. a. and amended to read:

11 30.77 (3) (dm) 2r. a. Upon receipt of an objection under ~~this subdivision~~ subd.
12 2. or 2g., the department shall order a hearing on the objection under ch. 227. The
13 hearing shall be a contested case hearing, and the administrator of the division of
14 hearings and appeals in the department of administration shall assign a hearing
15 examiner to the hearing as provided in s. 227.43. Persons who are not parties to the
16 contested case may present testimony and evidence at the hearing.

17 ***b0217/2.1* SECTION 867v.** 30.77 (3) (dm) 2. b. of the statutes is renumbered
18 30.77 (3) (dm) 2r. b. and amended to read:

19 30.77 (3) (dm) 2r. b. The hearing examiner shall issue an order on the objection
20 within 90 days after the date on which the hearing is ordered under subd. 2. 2r. a.
21 If

22 c. For an objection under subd. 2., if the hearing examiner determines that the
23 ordinance or the portion of the ordinance is contrary to or inconsistent with this
24 chapter, the hearing examiner shall issue an order declaring the ordinance or that
25 portion of the ordinance void. The For an objection under subd. 2g., if the hearing

1 examiner determines that the ordinance or the portion of the ordinance is not
2 necessary for public health, safety, welfare or the public's interest in preserving the
3 state's natural resources, the hearing examiner shall issue an order declaring the
4 ordinance or that portion of the ordinance void. An order issued under this subd. 2r.
5 c. shall prohibit the enforcement of all or any portion of the ordinance declared to be
6 void.

7 *b0217/2.1* SECTION 867x. 30.77 (3) (dm) 2g. of the statutes is created to read:

8 30.77 (3) (dm) 2g. If a local entity or an boating organization objects to an
9 ordinance enacted under par. (a) that applies to a river or stream, or to an ordinance
10 enacted under par. (b), on the grounds that all or a portion of the ordinance is not
11 necessary for public health, safety, welfare or the public's interest in preserving the
12 state's natural resources, the procedure under subd 2r. shall apply.

13 *b0305/1.2* SECTION 867xm. 30.92 (4m) of the statutes is repealed.

14 *b0306/2.2* SECTION 867y. 31.309 (title) of the statutes is amended to read:

15 **31.309 (title) Portage levee system and canal.**

16 *b0306/2.2* SECTION 867z. 31.309 (1) (am) of the statutes is created to read:

17 31.309 (1) (am) The city of Portage may use any amounts from the grant
18 awarded under par. (a) for the renovation and repair of the Portage canal.

19 *-0207/1.3* SECTION 868. 31.385 (title) of the statutes is amended to read:

20 **31.385 (title) ~~Dam maintenance, repair, modification, abandonment~~**
21 **~~and removal safety; aid program.~~**

22 *b0303/2.1* SECTION 869b. 31.385 (1) of the statutes is renumbered 31.385

23 (1m) (intro.) and amended to read:

24 31.385 (1m) (intro.) The department shall promulgate the rules necessary to
25 administer a financial assistance program for ~~municipalities and public inland lake~~

1 ~~protection and rehabilitation districts for dam maintenance, repair, modification,~~
2 ~~abandonment and removal. dam safety projects under which financial assistance~~
3 ~~shall be provided as follows:~~

4 *b0303/2.1* SECTION 870b. 31.385 (1b) of the statutes is created to read:

5 31.385 (1b) In this section:

6 (a) "Dam safety project" means the maintenance, repair, modification,
7 abandonment or removal of a dam to increase its safety or any other activity that will
8 increase the safety of a dam.

9 (b) "Small dam" means a dam that is less than 15 feet high and that creates an
10 impoundment of 100 surface acres of water or less.

11 *b0303/2.1* SECTION 870m. 31.385 (1m) (a) of the statutes is created to read:

12 31.385 (1m) (a) To municipalities and public inland lake protection and
13 rehabilitation districts for any type of dam safety projects.

14 *b0303/2.1* SECTION 870p. 31.385 (1m) (b) of the statutes is created to read:

15 31.385 (1m) (b) To private owners for the removal of small dams.

16 *b0303/2.1* SECTION 870r. 31.385 (1m) (c) of the statutes is created to read:

17 31.385 (1m) (c) To any persons for the removal of abandoned dams.

18 *-0207/1.6* SECTION 871. 31.385 (2) (intro.) of the statutes is amended to read:

19 31.385 (2) (intro.) The following standards shall apply to financial assistance
20 under this section for ~~dam maintenance, repair, modification, abandonment and~~
21 ~~removal~~ safety projects:

22 *b0303/2.2* SECTION 872b. 31.385 (2) (a) of the statutes is renumbered 31.385

23 (2) (a) 1. and amended to read:

24 31.385 (2) (a) 1. State Except as provided in subd. 2., financial assistance for
25 a dam safety project is limited to no more than 50% of the cost of ~~a particular project~~

1 involving dam maintenance, repair, modification, abandonment or removal and no
2 more than \$200,000 of state financial assistance for a particular the project.

3 *b0303/2.2* SECTION 872e. 31.385 (2) (a) 2. of the statutes is created to read:
4 31.385 (2) (a) 2. A project to remove an abandoned dam shall not be subject to
5 the 50% cost limit under subd. 1.

6 *b0303/2.2* SECTION 872g. 31.385 (2) (a) 3. of the statutes is created to read:
7 31.385 (2) (a) 3. Financial assistance is limited to no more than \$200,000 for
8 each dam safety project.

9 *b0303/2.2* SECTION 873b. 31.385 (2) (ag) of the statutes is amended to read:
10 31.385 (2) (ag) Of the amounts appropriated under s. 20.866 (2) (tL), at least
11 \$250,000 shall be used for projects to remove small dams ~~that are less than 15 feet~~
12 ~~wide and that create impoundments of 50 acre-feet of water or less.~~ A project under
13 ~~this paragraph to remove a small dam~~ may include restoring the stream or river that
14 was dammed.

15 *-0207/1.8* SECTION 874. 31.385 (2) (bm) of the statutes is created to read:
16 31.385 (2) (bm) The department may provide financial assistance for an
17 activity other than the maintenance, repair, modification, abandonment or removal
18 of the dam only if the cost of that activity will be less than the cost of the maintenance,
19 repair, modification or removal of the dam.

20 *-0207/1.9* SECTION 875. 31.385 (2) (c) (intro.) of the statutes is amended to
21 read:

22 31.385 (2) (c) (intro.) No financial assistance may be provided under this
23 section for ~~the maintenance, repair, modification, abandonment or removal of a dam~~
24 safety project unless at least one of the following applies:

25 *-0207/1.10* SECTION 876. 31.385 (2) (c) 1. of the statutes is amended to read:

1 31.385 (2) (c) 1. The department conducts an investigation or inspection of the
2 dam under this chapter and the owner of the dam requests financial assistance under
3 this section within 6 months after having received department directives, based on
4 the department's investigation or inspection of the dam, for the repair, modification
5 or abandonment and removal of the dam or for another activity to increase the safety
6 of the dam.

7 ***b0303/2.3* SECTION 876g.** 31.385 (2) (c) 2. of the statutes is amended to read:

8 31.385 (2) (c) 2. The municipality ~~or~~, public inland lake protection and
9 rehabilitation district or other person applying for state financial assistance under
10 this section has received directives from the department or is under order by the
11 department to maintain, repair, modify, abandon or remove a dam on August 9, 1989.

12 ***b0303/2.3* SECTION 877b.** 31.385 (3) of the statutes is amended to read:

13 31.385 (3) The department shall provide municipalities ~~and~~, public inland lake
14 protection and rehabilitation districts and other persons receiving state financial
15 assistance under this section with technical assistance ~~in conducting dam~~
16 ~~maintenance, repair, modification, abandonment and removal~~ for dam safety
17 projects under this section. The department shall coordinate the financial assistance
18 program under this section with other related state and federal programs.

19 ***-0589/2.2* SECTION 886.** 36.11 (6) (b) of the statutes is amended to read:

20 36.11 (6) (b) The board may not make a grant under par. (a) to a person if it
21 ~~receives a certification under s. 49.855 (7) that the person is delinquent in child~~
22 ~~support or maintenance payments or owes past support, medical expenses or birth~~
23 ~~expenses~~ whose name appears on the statewide support lien docket under s. 49.854
24 (2) (b), unless the person provides to the board a payment agreement that has been

1 approved by the county child support agency under s. 59.53 (5) and that is consistent
2 with rules promulgated under s. 49.858 (2) (a).

3 ***-1542/2.5*** SECTION 887. 36.11 (36) of the statutes is created to read:

4 36.11 (36) AQUACULTURE DEMONSTRATION FACILITY. The board shall operate the
5 aquaculture demonstration facility authorized under 1999 Wisconsin Act (this
6 act), section 9107 (1) (i) 3.

7 ***b0519/4.11*** SECTION 887m. 36.11 (37) of the statutes is created to read:

8 36.11 (37) EXTENSION LOCAL PLANNING PROGRAM. The board shall offer a local
9 planning program through the extension to educate local policymakers about local
10 planning and the grant program under s. 16.965.

11 ***b0423/2.1*** SECTION 887r. 36.11 (38) of the statutes is created to read:

12 36.11 (38) STUDY OF PROGRAMS IN MARATHON COUNTY. The board shall study the
13 feasibility of expanding the offering of 4-year and graduate degree programs in
14 Marathon County when sufficient private funds or funds from a municipality, as
15 defined in s. 67.01 (5), have been raised to pay for the study. The board shall submit
16 a copy of the report under this subsection to the governor, and to the legislature under
17 s. 13.172 (2).

18 ***b0682/3.25*** SECTION 888e. 36.25 (5) (a) of the statutes is amended to read:

19 36.25 (5) (a) The board of regents, as licensee, shall, except as provided in an
20 agreement entered into under par. (c) 2., manage, operate and maintain
21 broadcasting station WHA and WHA-TV and shall enter into an affiliation
22 agreement with the educational communications board pursuant to s. 39.14. Except
23 as provided under par. (b), the an affiliation agreement under this paragraph shall
24 provide that the board of regents shall grant the educational communications board
25 the part-time use of equipment and space necessary for the operations of the state

1 educational radio and television networks. The board of regents shall maintain a
2 separate account for each revenue source for broadcasting station WHA and for
3 WHA-TV which permits identification of the functions or activities for which
4 expenditures are made. The board of regents shall maintain annual records of its
5 expenditures for programming purposes by type of programming and by source of
6 revenue.

7 *b0682/3.25* SECTION 888m. 36.25 (5) (c) of the statutes is created to read:

8 36.25 (5) (c) 1. In this paragraph:

9 a. "Broadcasting corporation" has the meaning given in s. 39.81 (2).

10 b. "Broadcasting station" means any broadcast station for which the board of
11 regents holds a license.

12 2. No later than the first day of the 12th month beginning after the effective
13 date of this subdivision [revisor inserts date], the board of regents may enter into
14 an agreement with the broadcasting corporation that requires the board of regents
15 to do each of the following:

16 a. Allow the broadcasting corporation to operate any broadcasting station that
17 is specified in the agreement.

18 b. Grant the broadcasting corporation operational control over any facility or
19 asset of the board of regents that is necessary for the operation of a broadcasting
20 station specified in subd. 2. a., except that the agreement may provide for joint use
21 by the board of regents and the broadcasting corporation of any production facility
22 and the agreement shall provide for the joint use by the board of regents and the
23 broadcasting corporation of one and only one television broadcasting network
24 facility.

- 1 c. Maintain the facilities and assets that are necessary for the operation of each
2 broadcasting station, including a broadcasting station specified in subd. 2. a.
- 3 d. Retain the license for each broadcasting station.
- 4 e. Provide administrative services to the broadcasting corporation that are
5 necessary for the broadcasting corporation to operate the broadcasting stations
6 specified in subd. 2. a.
- 7 f. Provide assistance in developing and delivering elementary and secondary
8 school educational programming. Any assistance provided under this subd. 2. f.
9 shall be provided at no cost to private and public elementary and secondary schools.
- 10 3. An agreement under subd. 2. shall satisfy each of the following:
- 11 a. The agreement shall remain in effect until the maturity date of any public
12 debt issued under s. 13.48 (31) (c).
- 13 b. The agreement shall ensure that the board of regents has access to
14 broadcasting facilities and air time that is equal to or greater than the access of the
15 board of regents prior to the effective date of this subdivision 3. b. [revisor inserts
16 date].
- 17 4. An agreement under subd. 2. may specify the terms, if any, for the
18 broadcasting corporation to compensate the board of regents or for the board of
19 regents to compensate the broadcasting corporation for taking an action specified in
20 subd. 2. a. to e.
- 21 5. An agreement under subd. 2. may not take effect without the approval of the
22 secretary of administration.
- 23 6. This paragraph does not apply unless the secretary of administration
24 determines under s. 39.88 (1) that the federal communications commission has

1 approved the transfer of all broadcasting licenses held by the educational
2 communications board to the broadcasting corporation.

3 ***b0682/3.25* SECTION 888s.** 36.25 (5) (d) of the statutes is created to read:

4 36.25 (5) (d) At the request of the transitional board, as defined in s. 39.81 (7),
5 the board of regents shall, at no charge to the transitional board, provide staff and
6 legal, administrative and technical assistance for the transitional board to carry out
7 the duties under s. 39.82.

8 ***-0589/2.3* SECTION 889.** 36.25 (14) of the statutes is amended to read:

9 36.25 (14) GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant
10 program for minority and disadvantaged graduate students enrolled in the system.
11 The grants shall be awarded from the appropriation under s. 20.285 (4) (b). The
12 board shall give preference in awarding grants under this subsection to residents of
13 this state. The board may not make a grant under this subsection to a person ~~if it~~
14 ~~receives a certification under s. 49.855 (7) that the person is delinquent in child~~
15 ~~support or maintenance payments or owes past support, medical expenses or birth~~
16 ~~expenses~~ whose name appears on the statewide support lien docket under s. 49.854
17 (2) (b), unless the person provides to the board a payment agreement that has been
18 approved by the county child support agency under s. 59.53 (5) and that is consistent
19 with rules promulgated under s. 49.858 (2) (a).

20 ***b0689/2.2* SECTION 890m.** 36.25 (29g) of the statutes is created to read:

21 36.25 (29g) The board shall establish in the college of natural resources at the
22 University of Wisconsin–Stevens Point a center to conduct studies and research
23 relating to watershed management.

24 ***-0240/1.1* SECTION 891.** 36.25 (30) of the statutes is amended to read:

1 36.25 (30) ~~HAZARDOUS POLLUTION~~ POLLUTION PREVENTION PROGRAM. The board
2 shall establish maintain in the extension a ~~hazardous pollution prevention program~~
3 solid and hazardous waste education center to promote ~~hazardous~~ pollution
4 prevention, as defined in s. 299.13 (1) (e) (dm). In cooperation with the department
5 of natural resources and the department of commerce, the ~~program center~~ shall
6 conduct an education and technical assistance program to promote ~~hazardous~~
7 pollution prevention in this state.

8 *~~-1077/1.1~~* SECTION 893. 36.27 (4) (a) of the statutes is amended to read:

9 36.27 (4) (a) In the 1993–94 to ~~1998–99~~ 2000–01 academic years, the board may
10 annually exempt from nonresident tuition, but not from incidental or other fees, up
11 to 200 students enrolled at the University of Wisconsin–Parkside as juniors or
12 seniors in programs identified by that institution as having surplus capacity and up
13 to 150 students enrolled at the University of Wisconsin–Superior in programs
14 identified by that institution as having surplus capacity.

15 *~~-0589/2.4~~* SECTION 894. 36.34 (1) (b) of the statutes is amended to read:

16 36.34 (1) (b) The board shall establish a grant program for minority
17 undergraduates enrolled in the system. The board shall designate all grants under
18 this subsection as Lawton grants. Grants shall be awarded from the appropriation
19 under s. 20.285 (4) (dd). The board may not make a grant under this subsection to
20 a person if it receives a ~~certification under s. 49.855 (7) that the person is delinquent~~
21 ~~in child support or maintenance payments or owes past support, medical expenses~~
22 ~~or birth expenses~~ whose name appears on the statewide support lien docket under
23 s. 49.854 (2) (b), unless the person provides to the board a payment agreement that
24 has been approved by the county child support agency under s. 59.53 (5) and that is
25 consistent with rules promulgated under s. 49.858 (2) (a).

1 ***-2156/1* SECTION 895.** 36.34 (2) of the statutes is repealed.

2 ***b0430/2.2* SECTION 895m.** 36.36 of the statutes is created to read:

3 **36.36 Grants for study abroad.** From the appropriation under s. 20.285 (1)
4 (er), the board shall award a grant of \$2,000 to a resident undergraduate student to
5 assist in paying the costs associated with the student's study abroad if the student
6 satisfies all of the following criteria:

7 (1) The student demonstrates financial need for the grant, as determined by
8 the board.

9 (2) The student is enrolled full-time in the system in the semester preceding
10 the student's study abroad.

11 (3) The student is enrolled in a program leading to an associate or bachelor's
12 degree.

13 ***b0182/4.1* SECTION 895t.** 38.04 (10) (d) of the statutes is created to read:

14 38.04 (10) (d) 1. In consultation with representatives of business and labor, the
15 board shall develop a separate approval process for district board proposals to
16 purchase or construct facilities to be used as applied technology centers under s.
17 38.15 (3) (c). The board may not approve a proposal unless the board determines that
18 all of the following apply:

19 a. The applied technology center is likely to maintain or increase the number
20 of jobs in the region served by the center that require a high level of skill and provide
21 high wages.

22 b. The productivity of employees who would be served by the center is likely to
23 increase.

24 c. One or more businesses in the region served by the center will pay for all of
25 the direct costs of operating the center and at least 20% of the indirect costs of

1 operating the center, and will fund, either in cash or in kind, at least 30% of the
2 capital costs of the center.

3 2. By December 1 of the year in which a center approved under subd. 1. begins
4 operating, and annually thereafter by December 1, the district board shall report to
5 the board the change, since the center began operating, in the wages, productivity
6 and level of skill of the employes who have been directly served by the center.

7 ***-1111/1.2*** SECTION 896. 38.04 (18) of the statutes is created to read:

8 38.04 (18) STATEWIDE GUIDE. Annually, the board shall produce, and distribute
9 to students, parents, high school personnel and others, a guide containing
10 information on all of the technical colleges and their programs.

11 ***b0682/3.26*** SECTION 897b. 38.125 of the statutes is renumbered 38.125 (3)
12 and amended to read:

13 38.125 (3) If the district board governing the Milwaukee area technical college
14 determines to relinquish its public broadcasting licenses, it shall, subject to the
15 approval of the federal communications commission, offer to assign the licenses to
16 the educational communications board, ~~subject to approval of the federal~~
17 ~~communications commission or, if the secretary of administration determines under~~
18 s. 39.88 (1) that all the broadcasting licenses held by the educational
19 communications board have been transferred to the broadcasting corporation, to the
20 broadcasting corporation.

21 ***b0682/3.26*** SECTION 897c. 38.125 (1) of the statutes is created to read:

22 38.125 (1) In this section:

23 (a) "District board" means the district board governing the Milwaukee Area
24 Technical College.

25 (b) "Broadcasting corporation" has the meaning given in s. 39.81 (2).

1 (c) "Broadcasting station" means any broadcast station for which the district
2 board holds a license.

3 *b0682/3.26* SECTION 897d. 38.125 (2) of the statutes is created to read:

4 38.125 (2) (a) No later than the first day of the 12th month beginning after the
5 effective date of this paragraph [revisor inserts date], the district board may enter
6 into an agreement with the broadcasting corporation that requires the district board
7 to do each of the following:

8 1. Allow the broadcasting corporation to operate any broadcasting station that
9 is specified in the agreement.

10 2. Grant the broadcasting corporation operational control over any facility or
11 asset of the district board that is necessary for the operation of a broadcasting station
12 specified in subd. 1., except that the agreement may provide for joint use by the
13 district board and the broadcasting corporation of any production facility and the
14 agreement shall provide for the joint use by the district board and the broadcasting
15 corporation of one and only one television broadcasting network facility located in a
16 1st class city.

17 3. Maintain the facilities and assets that are necessary for the operation of each
18 broadcasting station, including a broadcasting station specified in subd. 1.

19 4. Retain the license for each broadcasting station.

20 (b) An agreement under par. (a) shall satisfy each of the following:

21 1. The agreement shall remain in effect until the maturity date of any public
22 debt issued under s. 13.48 (31) (d).

23 2. The agreement shall ensure that the district board has access to
24 broadcasting facilities and air time that is equal to or greater than the access of the
25 district board prior to the effective date of this subdivision [revisor inserts date].

1 (c) An agreement under par. (a) may specify the terms, if any, for the
2 broadcasting corporation to compensate the district board or for the district board to
3 compensate the broadcasting corporation for taking an action specified in par. (a).

4 (d) An agreement under par. (a) may not take effect without the approval of the
5 secretary of administration.

6 (e) This subsection does not apply unless the secretary of administration
7 determines under s. 39.88 (1) that the federal communications commission has
8 approved the transfer of all broadcasting licenses held by the educational
9 communications board to the broadcasting corporation.

10 ***b0182/4.2* SECTION 897e.** 38.15 (3) of the statutes is renumbered 38.15 (3)
11 (intro.) and amended to read:

12 38.15 (3) (intro.) This section ~~applies to building~~ does not apply to any of the
13 following:

14 (a) Building program actions approved by the board ~~after January 31, 1980.~~
15 ~~This section does not apply to building~~ before February 1, 1980.

16 (b) Building remodeling or improvement projects.

17 ***b0182/4.2* SECTION 897em.** 38.15 (3) (c) of the statutes is created to read:

18 38.15 (3) (c) A capital expenditure to purchase or construct a facility to be used
19 as an applied technology center if all of the following apply:

20 1. The district board adopts a resolution stating its intention to make a capital
21 expenditure under this paragraph.

22 2. The board approves the proposal under s. 38.04 (10) (d) 1.

23 3. The capital expenditure is made before January 1, 2002.

24 4. The total amount of capital expenditures made by the district board under
25 this paragraph does not exceed \$5,000,000.

1 ***b0182/4.2* SECTION 897m.** 38.15 (5) of the statutes is renumbered 38.15 (3)
2 (d) and amended to read:

3 38.15 (3) (d) ~~This section does not apply to the~~ The acquisition of a building as
4 a result of a lease under s. 38.14 (2) (d) 2. if the district makes no cash expenditure
5 to acquire the building.

6 ***-2156/1* SECTION 898.** 38.28 (1m) (a) 1. of the statutes is amended to read:

7 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
8 technical college district, including debt service charges for district bonds and
9 promissory notes for building programs or capital equipment, but excluding all
10 expenditures relating to auxiliary enterprises and community service programs, all
11 expenditures funded by or reimbursed with federal revenues, all receipts under ~~subs.~~
12 sub. (6) and (7) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and
13 146.55 (5), all receipts from grants awarded under ss. 38.04 (8) and (20), 38.14 (11),
14 38.26, 38.27, 38.33 and 38.38, all fees collected under s. 38.24 and driver education
15 and chauffeur training aids.

16 ***-1111/1.3* SECTION 899.** 38.28 (2) (b) 5. of the statutes is created to read:

17 38.28 (2) (b) 5. The board shall reduce each district’s aid payment under subd.
18 2. by the district’s share of the amount necessary to produce and distribute the
19 statewide guide under s. 38.04 (18), as determined by the board.

20 ***-1111/1.4* SECTION 900.** 38.28 (3) of the statutes is amended to read:

21 38.28 (3) ~~If the appropriation for state aid under s. 20.292 (1) (d) in any one year~~
22 ~~is insufficient to pay the full amount under sub. (2), state aid payments shall be~~
23 ~~prorated among the districts entitled thereto.~~ If the appropriation for state aid under
24 s. 20.292 (1) (fc) in any one year is insufficient to pay the full amount under subs. (2)
25 (c) and (g), funds in the appropriation shall be used first for the purposes of sub. (2)

1 (c) and any remaining funds shall be prorated among the districts entitled to support
2 under sub. (2) (g). If the appropriation for state aid under s. 20.292 (1) (fe) in any one
3 year is insufficient to pay the full amount under sub. (2) (c), funds in the
4 appropriation shall be prorated among the districts entitled to the funds.

5 ***-2156/1* SECTION 901.** 38.28 (7) of the statutes is repealed.

6 ***-2007/1.2* SECTION 902.** 38.42 (4) of the statutes is amended to read:

7 38.42 (4) RETRAINING FUND. (a) A consortium of telecommunications companies
8 shall agree to contribute \$3,000,000 to the telecommunications retraining fund over
9 a 3-year period beginning on July 20, 1994. If the retraining fund is depleted within
10 3 years and if requested by the telecommunications retraining board, the consortium
11 shall contribute up to an additional \$1,000,000.

12 (c) Moneys contributed under this subsection shall be credited to the
13 appropriation under s. 20.292 (1) (gt).

14 ***-2007/1.3* SECTION 903.** 38.42 (4) (b) of the statutes is created to read:

15 38.42 (4) (b) If the telecommunications retraining board determines that
16 additional contributions from telecommunications companies are necessary to fund
17 grants awarded under this section in the 1999–2000 fiscal year, the consortium shall
18 contribute additional amounts determined by the telecommunications retraining
19 board.

20 ***-2007/1.4* SECTION 904.** 38.42 (6) of the statutes is amended to read:

21 38.42 (6) SUNSET. This section does not apply after June 30, ~~1999~~ 2000.

22 ***b0682/3.27* SECTION 905c.** 39.10 of the statutes is created to read:

23 **39.10 Definitions.** In this subchapter:

24 (1) "Broadcasting corporation" has the meaning given in s. 39.81 (2).

1 (2) "Fund-raising corporation" means the corporation organized under s. 39.12

2 (1).

3 (3) "Transitional board" has the meaning given in s. 39.81 (7).

4 *b0682/3.27* SECTION 905g. 39.11 (intro.) of the statutes is amended to read:

5 **39.11 Educational communications board; duties.** (intro.) The Except as
6 provided in a contract entered into under s. 39.115 (4), the educational
7 communications board shall do each of the following:

8 *b0682/3.27* SECTION 905L. 39.11 (22) of the statutes is created to read:

9 39.11 (22) At the request of the transitional board and at no charge to the
10 transitional board, provide staff and legal, administrative and technical assistance
11 for the transitional board to carry out the duties under s. 39.82.

12 *b0682/3.27* SECTION 905p. 39.115 (4) of the statutes is created to read:

13 39.115 (4) Contract with the broadcasting corporation to manage, operate and
14 maintain any public broadcasting station for which the educational communications
15 board holds a license.

16 *b0682/3.27* SECTION 905t. 39.12 of the statutes is amended to read:

17 **39.12 Nonstock Fund-raising corporation.** (1) The educational
18 communications board may organize and maintain a nonstock nonprofit corporation
19 under ch. 181 for the exclusive purpose of raising funds for the educational
20 communications board to support the activities of the educational communications
21 board. Any funds raised by the fund-raising corporation shall be expended to carry
22 out the purposes for which received.

23 (2) The educational communications board shall enter into a contract with the
24 fund-raising corporation ~~under sub. (1)~~. The contract shall provide that the
25 educational communications board may make use of the services of the fund-raising

1 corporation and that the educational communications board may provide
2 administrative services to the fund-raising corporation. The type and scope of any
3 administrative services provided by the educational communications board to the
4 fund-raising corporation and the educational communications board employes
5 assigned to perform the services shall be determined by the educational
6 communications board. The fund-raising corporation may neither employ staff nor
7 engage in political activities.

8 (2m) The fund-raising corporation ~~under sub. (1)~~ shall donate any real
9 property to the state within 5 years after acquiring the property unless holding the
10 property for more than 5 years is consistent with sound business and financial
11 practices and is approved by the joint committee on finance.

12 (3) The educational communications board, the department of administration,
13 the legislative fiscal bureau, the legislative audit bureau and the appropriate
14 committee of each house of the legislature, as determined by the presiding officer,
15 may examine all records of the fund-raising corporation.

16 (4) The board of directors of ~~any the~~ fund-raising corporation established
17 ~~under this section~~ shall consist of 5 members, including the executive director of the
18 educational communications board and 4 members of the educational
19 communications board, elected by the educational communications board, of which
20 one shall be a legislator. No 2 members of the board of directors may be from the same
21 category of educational communications board members under s. 15.57 (1) ~~(a)~~ to ~~(7)~~
22 ~~(h)~~.

23 (5) ~~Any The~~ fund-raising corporation established ~~under this section~~ shall be
24 organized so that contributions to it will be deductible from adjusted gross income
25 under section 170 of the internal revenue code and so that the fund-raising

1 corporation will be exempt from taxation under section 501 of the internal revenue
2 code and ss. 71.26 (1) (a) and 71.45 (1).

3 ***b0682/3.27* SECTION 905x.** 39.15 of the statutes is created to read:

4 **39.15 Applicability.** If the secretary of administration determines that the
5 federal communications commission has approved the transfer of all broadcasting
6 licenses held by the educational communications board to the broadcasting
7 corporation, this subchapter does not apply on and after the effective date of the last
8 license transferred as determined by the secretary under s. 39.88 (2).

9 ***-1517/4.3* SECTION 907.** 39.285 (3) of the statutes is amended to read:

10 39.285 (3) By April 10, 1998, and annually thereafter, each tribally controlled
11 college in this state is requested to develop and submit to the board for its review
12 under sub. (1) a proposed formula for the awarding of grants under s. ~~39.30~~ 39.435,
13 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year
14 to students enrolled at that tribally controlled college.

15 ***-1517/4.4* SECTION 908.** 39.30 (2) (intro.) of the statutes is amended to read:

16 39.30 (2) ELIGIBILITY. (intro.) A resident student enrolled at least half-time and
17 registered as a freshman, sophomore, junior or senior in an accredited, nonprofit,
18 ~~post-high post-high~~ school, educational institution in this state ~~or in a tribally~~
19 ~~controlled college in this state~~ shall be eligible for grants under this section for each
20 semester of attendance, but:

21 ***-0589/2.5* SECTION 909.** 39.30 (2) (e) of the statutes is amended to read:

22 39.30 (2) (e) The board may not make a grant to a student ~~if the board receives~~
23 ~~a certification under s. 49.855 (7) that the student is delinquent in child support or~~
24 ~~maintenance payments or owes past support, medical expenses or birth expenses~~
25 whose name appears on the statewide support lien docket under s. 49.854 (2) (b).

1 unless the student provides to the board a payment agreement that has been
2 approved by the county child support agency under s. 59.53 (5) and that is consistent
3 with rules promulgated under s. 49.858 (2) (a).

4 ***-1517/4.5*** SECTION 910. 39.30 (2) (f) of the statutes is amended to read:

5 39.30 (2) (f) No grants may be awarded under this section unless the applicable
6 formula submitted under s. 39.285 (2) ~~or (3)~~ is approved or modified by the board
7 under s. 39.285 (1).

8 ***-1517/4.6*** SECTION 911. 39.30 (3) (g) of the statutes is repealed.

9 ***-0589/2.6*** SECTION 912. 39.38 (2) of the statutes is amended to read:

10 39.38 (2) Grants under this section shall be based on financial need, as
11 determined by the board. The maximum grant shall not exceed \$2,200 per year, of
12 which not more than \$1,100 may be from the appropriation under s. 20.235 (1) ~~(f)~~
13 (k). State aid from this appropriation may be matched by a contribution from a
14 federally recognized American Indian tribe or band that is deposited in the general
15 fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall
16 be awarded to students for full-time or part-time attendance at any accredited
17 institution of higher education in this state. The board may not make a grant under
18 this section to a student if the board receives a certification under s. 49.855 (7) that
19 the student is delinquent in child support or maintenance payments or owes past
20 support, medical expenses or birth expenses. Grants shall be renewable for up to 5
21 years if a recipient remains in good academic standing at the institution that he or
22 she is attending.

23 ***b0193/2.1*** SECTION 912c. 39.38 (2) of the statutes, as affected by 1999
24 Wisconsin Act (this act), is amended to read:

1 39.38 (2) Grants under this section shall be based on financial need, as
2 determined by the board. The maximum grant shall not exceed \$2,200 per year, of
3 which not more than \$1,100 may be from the appropriation under s. 20.235 (1) (k).
4 State aid from this appropriation may be matched by a contribution from a federally
5 recognized American Indian tribe or band that is deposited in the general fund and
6 credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be
7 awarded to students for full-time or part-time attendance at any accredited
8 institution of higher education in this state. The board may not make a grant under
9 this section to a student ~~if the board receives a certification under s. 49.855 (7) that~~
10 ~~the student is delinquent in child support or maintenance payments or owes past~~
11 ~~support, medical expenses or birth expenses whose name appears on the statewide~~
12 ~~support lien docket under s. 49.854 (2) (b), unless the student provides to the board~~
13 ~~a payment agreement that has been approved by the county child support agency~~
14 ~~under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2)~~
15 (a). Grants shall be renewable for up to 5 years if a recipient remains in good
16 academic standing at the institution that he or she is attending.

17 ***b0161/2.1* SECTION 913m.** 39.41 (1m) (d) of the statutes is amended to read:

18 39.41 (1m) (d) ~~By~~ Except as provided in par. (dm), by February 15 of each school
19 year, if 2 or more seniors from the same high school of at least 80 pupils have the same
20 grade point average and, except for the limitation on the number of designated
21 scholars, are otherwise eligible for designation under par. (a), the faculty of the high
22 school shall select the applicable number of seniors for designation under par. (a) as
23 scholars and shall certify, in order of priority, any remaining seniors as alternates for
24 a scholar with the same grade point average. If a senior from that high school
25 designated as a scholar under par. (a) does not qualify for a higher education

1 scholarship under sub. (2) (a) or (3) (a), an alternate for the scholar with the same
2 grade point average as any senior from that high school designated as a scholar
3 under par. (a) shall be eligible for a higher education scholarship as a scholar under
4 sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

5 ***b0161/2.1* SECTION 913mr.** 39.41 (1m) (dm) of the statutes is created to read:

6 39.41 (1m) (dm) If the high school weights different courses differently to
7 determine a pupil's grade point average, the faculty of the high school shall select for
8 each scholar designated under par. (d) a senior with the same grade point average
9 as an alternate for the scholar, or, if there is not another pupil with the same grade
10 point average, a senior with the next highest grade point average as an alternate for
11 the scholar.

12 ***b0161/2.1* SECTION 913ms.** 39.41 (1m) (e) of the statutes is amended to read:

13 39.41 (1m) (e) If Except as provided under par. (em), if 2 or more seniors from
14 the same high school of less than 80 pupils have the same grade point average and,
15 except for the limitation of one nominated senior, are otherwise eligible for
16 nomination under par. (b), the faculty of the high school shall select the senior who
17 may be nominated by the school board of the school district operating the public high
18 school or the governing body of the private high school for designation under par. (b)
19 as a scholar by the executive secretary. If that senior is designated as a scholar by
20 the executive secretary and does not qualify for a higher education scholarship under
21 sub. (2) (a) or (3) (a), faculty of the high school shall select one or more of the
22 remaining seniors with the same grade point average for certification as a scholar
23 and the school board of the school district operating the high school or the governing
24 body of the private high school shall certify to the board one or more of these seniors

1 as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a)
2 until the scholarship may be awarded by the board.

3 ***b0161/2.1* SECTION 913mt.** 39.41 (1m) (em) of the statutes is created to read:

4 39.41 (1m) (em) If the high school weights different courses differently to
5 determine a pupil's grade point average, and the senior designated as a scholar by
6 the executive secretary under par. (e) does not qualify for a higher education
7 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one
8 senior with the same grade point average for certification as a scholar, or, if there is
9 no senior with the same grade point average, one senior with the next highest grade
10 point average for certification as a scholar, and the school board of the school district
11 operating the high school or the governing body of the private high school shall
12 certify to the board the selected senior as eligible for a higher education scholarship
13 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
14 board.

15 ***-1517/4.7* SECTION 915.** 39.435 (1) of the statutes is amended to read:

16 39.435 (1) There is established, to be administered by the board, a higher
17 education grant program for postsecondary resident students enrolled at least
18 half-time and registered as freshmen, sophomores, juniors or seniors in accredited
19 institutions of higher education or in tribally controlled colleges in this state. Except
20 as authorized under sub. (5), such grants shall be made only to students enrolled in
21 nonprofit public institutions or tribally controlled colleges in this state.

22 ***-1947/1.1* SECTION 916.** 39.435 (4) (a) of the statutes is amended to read:

23 39.435 (4) (a) The board shall ~~promulgate rules establishing policies and~~
24 ~~procedures for determining dependent and independent status and for the~~
25 ~~calculation of award grants under this section based on a formula that accounts for~~

1 expected parental and student contributions. ~~The rules shall be~~ and is consistent
2 with generally accepted definitions and nationally approved needs analysis
3 methodology.

4 ***-1947/1.2* SECTION 917.** 39.435 (4) (b) and (c) of the statutes are repealed.

5 ***-0589/2.7* SECTION 918.** 39.435 (6) of the statutes is amended to read:

6 39.435 (6) The board may not make a grant under this section to a person if the
7 board receives a certification under s. ~~49.855 (7) that the person is delinquent in child~~
8 ~~support or maintenance payments or owes past support, medical expenses or birth~~
9 ~~expenses whose name appears on the statewide support lien docket under s. 49.854~~
10 ~~(2) (b), unless the person provides to the board a payment agreement that has been~~
11 ~~approved by the county child support agency under s. 59.53 (5) and that is consistent~~
12 ~~with rules promulgated under s. 49.858 (2) (a).~~

13 ***-0589/2.8* SECTION 919.** 39.44 (4) of the statutes is amended to read:

14 39.44 (4) The board shall notify an institution or school receiving funds under
15 sub. (2) if the board receives a certification under s. ~~49.855 (7) that a student is~~
16 ~~delinquent in child support or maintenance payments or owes past support, medical~~
17 ~~expenses or birth expenses a student's name appears on the statewide support lien~~
18 ~~docket under s. 49.854 (2) (b).~~ An institution or school may not award a grant under
19 this section to a student if it receives a notification under this subsection concerning
20 that student, unless the student provides to the institution or school a payment
21 agreement that has been approved by the county child support agency under s. 59.53
22 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

23 ***-0589/2.9* SECTION 920.** 39.47 (2m) of the statutes is amended to read:

24 39.47 (2m) No resident of this state whose name appears on the statewide
25 support lien docket under s 49.854 (2) (b) may receive a waiver of nonresident tuition

1 under this section if the board receives a certification under s. 49.855 (7) that the
2 resident is delinquent in child support or maintenance payments or owes past
3 support, medical expenses or birth expenses, unless the resident provides to the
4 board a payment agreement that has been approved by the county child support
5 agency under s. 59.53 (5) and that is consistent with rules promulgated under s.
6 49.858 (2) (a).

7 *b0174/3.7* SECTION 921m. 39.51 (title) and (1) (a) to (d) of the statutes are
8 renumbered 45.54 (title) and (1) (a) to (d).

9 *-1516/4.9* SECTION 923. 39.51 (1) (e) of the statutes is renumbered 45.54 (1)
10 (e) (intro.) and amended to read:

11 45.54 (1) (e) (intro.) "School" means any person, located within or outside this
12 state, maintaining, advertising or conducting any course or course of instruction for
13 profit or a tuition charge; but in subs. (7), (8) and (10) "school" means any private
14 trade, correspondence, business or technical school not excepted under sub. (9), but
15 does not include any of the following:

16 *b0174/3.10* SECTION 923m. 39.51 (1) (f) and (g) of the statutes are
17 renumbered 45.54 (1) (f) and (g).

18 *b0174/3.11* SECTION 925m. 39.51 (2) to (8) of the statutes are renumbered
19 45.54 (2) to (8), and 45.54 (5), as renumbered, is amended to read:

20 45.54 (5) EMPLOYEES, QUARTERS. The board shall employ a person to perform the
21 duties of an executive secretary and such other persons under the classified service
22 as may be necessary to carry out its purpose. The person performing the duties of
23 the executive secretary shall be in charge of the administrative functions of the
24 board. The board shall, to the maximum extent practicable, keep its office with the
25 higher educational aids board department of veterans affairs.

1 (1) Draft and file articles of incorporation for a nonstock corporation under ch.
2 181 and take all actions necessary to exempt the corporation from federal taxation
3 under section 501 (c) (3) of the Internal Revenue Code.

4 (2) Draft bylaws for adoption by the corporate board under s. 181.0206 (2). The
5 bylaws shall specify the method for designating or appointing the directors of the
6 corporate board. No later than March 15, 2000, the transitional board shall submit
7 a report to the governor and to the chief clerk of each house of the legislature for
8 distribution to the legislature under s. 13.172 (2) that includes and describes the
9 bylaws drafted under this subsection.

10 (3) Prepare an application for submission by the corporate board to the federal
11 communications commission to transfer all broadcasting licenses held by the
12 educational communications board to the broadcasting corporation.

13 (4) Negotiate an agreement with the association for the transfer to the
14 broadcasting corporation of funds raised by the association.

15 (5) Negotiate an agreement with each friends group in this state for the
16 transfer to the broadcasting corporation of funds raised by the friends group.

17 **39.83 Transitional plan.** (1) The secretary of administration shall, after
18 consulting with the corporate board, prepare a plan for submission to the joint
19 committee on finance that specifies each of the following:

20 (a) The transfer of the unencumbered balances of the appropriations to the
21 educational communications board to the broadcasting corporation.

22 (b) The transfer of positions and related funding from the educational
23 communications board to the department of administration.

24 (c) The transfer of assets under s. 39.87 (2) to the broadcasting corporation.

1 (2) If the cochairpersons of the joint committee on finance do not notify the
2 secretary of administration within 14 working days after the date of submittal of the
3 plan under sub. (1) that the committee has scheduled a meeting for the purpose of
4 reviewing the plan, the plan may be implemented as proposed. If, within 14 working
5 days after the date of submittal of the plan under sub. (1), the cochairpersons of the
6 committee notify the secretary of administration that the committee has scheduled
7 a meeting for the purpose of reviewing the proposed plan, the plan may be
8 implemented only upon approval of the committee.

9 (3) If the joint committee on finance approves a transfer of unencumbered
10 balances specified in sub. (1) (a) and (b), the joint committee on finance shall transfer
11 the unencumbered balances to the appropriation accounts under ss. 20.218 (1) (a)
12 and 20.505 (1) (c) and (kv).

13 **39.84 Duties of broadcasting corporation.** The broadcasting corporation
14 shall do each of the following as a condition for receiving state aid under s. 20.218
15 (1) (a):

16 (1) Maintain a state system of radio broadcasting for the presentation of
17 educational, informational and public service programs, formulate policies
18 regulating the operation of such a state system and coordinate the public radio
19 activities of the various educational and informational agencies, civic groups, and
20 citizens having contributions to make to the public interest and welfare.

21 (2) Protect the public interest in educational television by maintaining
22 educational television channels reserved for this state and take such action as is
23 necessary to preserve such channels in this state for educational use.

24 (3) Maintain a comprehensive state plan for the orderly operation of a
25 statewide television system for the presentation of noncommercial instructional

1 programs that will serve the best interests of the people of the state now and in the
2 future.

3 (4) Work with the educational agencies and institutions of the state as
4 reviewer, adviser and coordinator of their joint efforts to meet the educational needs
5 of the state through radio and television.

6 (5) Furnish leadership in securing adequate funding for statewide joint use of
7 radio and television for educational and cultural purposes, including funding for
8 media programming for broadcast over the state networks.

9 (6) Lease, purchase or construct radio and television facilities for joint use with
10 state and local agencies, including facilities such as broadcast network and
11 production facilities, network interconnection or relay equipment, mobile units, and
12 other equipment available for statewide use.

13 (7) Maintain radio and television transmission equipment in order to provide
14 broadcast service to all areas of this state.

15 (8) Establish and maintain a continuing evaluation of the effectiveness of the
16 joint efforts of all participating educational institutions in terms of jointly
17 established goals in the area of educational radio and television.

18 (9) Act as a central clearinghouse and source of information concerning
19 educational radio and television activities in this state, including the furnishing of
20 such information to legislators, offices of government, educational institutions and
21 the general public.

22 (10) Provide educational programming for elementary and secondary schools
23 in this state and transmit public radio and television to remote and underserved
24 areas of the state.

1 **39.85 State aid. (1)** The broadcasting corporation may receive state aid under
2 s. 20.218 (1) (a) if each of the following is satisfied:

3 (a) The articles of incorporation state that the purpose of the broadcasting
4 corporation is to provide public broadcasting to this state and that, if the
5 broadcasting corporation dissolves or discontinues public broadcasting in this state,
6 the broadcasting corporation shall in good faith take all reasonable measures to
7 transfer or assign the broadcasting corporation's assets, licenses and rights to an
8 entity whose purpose is to advance public broadcasting in this state.

9 (b) The broadcasting corporation initially adopts the bylaws drafted by the
10 transitional board under s. 39.82 (2).

11 (c) The broadcasting corporation permits public inspection and copying of any
12 record of the corporation, as defined in s. 19.32 (1), to the same extent as required
13 of, and subject to the same terms and enforcement provisions that apply to, an
14 authority under subch. II of ch. 19.

15 (d) The broadcasting corporation provides public access to its meetings to the
16 same extent as is required of, and subject to the same terms and enforcement
17 provisions that apply to, a governmental body under subch. V of ch. 19.

18 (e) The broadcasting corporation provides the secretary of administration or
19 his or her designee and the employees of the legislative audit bureau and the
20 legislative fiscal bureau with access to all of the broadcasting corporation's records,
21 as defined in s. 19.32 (2), except records identifying the names of private donors.

22 (f) The broadcasting corporation carries out any obligation of the educational
23 communications board under any contract entered into by the educational
24 communications board that relates to the provision of public broadcasting in this

1 state until the contract is modified or rescinded by the broadcasting corporation to
2 the extent allowed under the contract.

3 (2) The secretary of administration shall pay aid under s. 20.218 (1) (a) to the
4 broadcasting corporation in instalments, as determined by the secretary.

5 **39.86 Broadcasting corporation reports.** (1) No later than September 15
6 of each even-numbered year, in the form and content prescribed by the department
7 of administration, the broadcasting corporation shall, as a condition of receiving
8 state aid under s. 20.218 (1) (a), prepare and forward to the department of
9 administration and to the legislative fiscal bureau all of the following information
10 regarding each program administered by the broadcasting corporation for which the
11 broadcasting corporation is requesting state aid:

12 (a) A clear statement of the purpose or goal for each program.

13 (b) Clear statements of specific objectives to be accomplished and, as
14 appropriate, the performance measures used by the broadcasting corporation to
15 assess progress toward achievement of these objectives.

16 (c) Proposed plans to implement the objectives specified in par. (a) and the
17 estimated resources needed to carry out the proposed plans.

18 (d) A statement of legislation required to implement proposed programmatic
19 and financial plans.

20 (e) Any other fiscal or other information that the secretary of administration
21 or the governor requires on forms prescribed by the secretary of administration.

22 (2) No later than December 1 of each year, the broadcasting corporation shall,
23 as a condition of receiving state aid under s. 20.218 (1) (a), submit a report to the
24 governor and to the chief clerk of each house of the legislature for distribution to the
25 legislature under s. 13.172 (2) that describes each of the following:

1 (a) Any use of state aid received by the broadcasting corporation for serving
2 educational communities, diverse populations and rural and remote areas of the
3 state, including a detailed itemization of the use of state aid.

4 (b) Any progress in advancing the transition to digital television and radio,
5 distance education and other technological innovations.

6 (c) The status of federal funding, private donations, other private fund raising
7 and any financially beneficial partnerships.

8 (d) The status of the broadcasting corporation's efforts to satisfy the duties
9 specified in this subchapter.

10 (3) This section does not apply unless the secretary of administration
11 determines that the federal communications commission has approved the transfer
12 of all broadcasting licenses held by the educational communications board to the
13 broadcasting corporation.

14 **39.87 Transfer provisions. (1) DEFINITIONS.** In this section, "state office
15 building" means the state office building located at 3319 West Beltline Highway in
16 Dane County.

17 (2) ASSETS. (a) If the secretary of administration determines that the federal
18 communications commission has approved the transfer of all broadcasting licenses
19 held by the educational communications board to the broadcasting corporation, each
20 of the following applies:

21 1. Any asset of the state, other than the state office building and the assets
22 specified in subd. 3., that is used by the educational communications board and that,
23 as determined by the secretary of administration, is not a shared asset, as defined
24 in s. 16.26 (1) (b), is transferred, subject to the approval of the joint committee on
25 finance under s. 39.83 (2), to the broadcasting corporation. A transfer under this

1 subdivision shall take effect on on the effective date of the last license transferred as
2 determined by the secretary of administration under s. 39.88 (2).

3 2. Subject to the approval of the joint committee on finance under s. 39.83 (2),
4 the secretary of administration shall transfer title to the state office building from
5 the state to the broadcasting corporation if the broadcasting corporation pays
6 \$476,228 to the foundation or the foundation waives such payment.

7 3. The assets of the state that, as determined by the secretary of
8 administration, are used by educational communications board for the operation of
9 an emergency weather warning system are transferred to the department of
10 administration.

11 (b) Any asset transferred under par. (a) 1. or 2. shall revert to the state if the
12 asset is not used for the purpose of providing public broadcasting.

13 **(3) EDUCATIONAL COMMUNICATIONS BOARD FUNDS.** Subject to the approval of the
14 joint committee on finance under s. 39.83, if the secretary of administration
15 determines that the federal communications commission has approved the transfer
16 of all broadcasting licenses held by the educational communications board to the
17 broadcasting corporation, each of the following applies on the effective date of the
18 last license transferred as determined by the secretary of administration under s.
19 39.88 (2):

20 (a) To the appropriation account under s. 20.218 (1) (a), there is transferred the
21 unencumbered balance of the appropriation accounts under s. 20.225 (1) (a), (b), (d),
22 (eg), (er) and (f), except for the unencumbered balance of the appropriation accounts
23 that are otherwise transferred under sub. (4).

24 (b) To the appropriation account under s. 20.505 (5) (i), there is transferred the
25 unencumbered balance of the appropriation account under s. 20.225 (1) (kb) and the

1 amounts in the schedule for the appropriation account under s. 20.505 (5) (i) are
2 increased by the amount transferred from the appropriation account under s. 20.225
3 (1) (kb).

4 (c) To the appropriation account under s. 20.505 (1) (kv), there is transferred
5 the unencumbered balance of the appropriation accounts under s. 20.225 (1) (g), (h),
6 (k) and (m), and, to the extent allowed under federal law, the secretary of
7 administration shall pay the broadcasting corporation a grant equal to the amount
8 of the unencumbered balance of the appropriation account under s. 20.505 (1) (kv).

9 (4) POSITIONS. If the secretary of administration determines that the federal
10 communications commission has approved the transfer of all broadcasting licenses
11 held by the educational communications board to the broadcasting corporation, all
12 positions authorized for the educational communications board and the incumbent
13 employes holding the positions are transferred to the department of administration.
14 Employes transferred under this subsection have all rights and the same status
15 under subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed
16 in the educational communications board. Notwithstanding s. 230.28 (4), no
17 employe so transferred who has attained permanent status in class may be required
18 to serve a probationary period.

19 (5) DUTIES OF FORMER EDUCATIONAL COMMUNICATIONS BOARD EMPLOYES. All
20 employes transferred to the department of administration under sub. (4) shall
21 provide broadcasting services to the broadcasting corporation under a contract
22 between the department of administration and the broadcasting corporation for such
23 services. The contract shall provide that the services are to be provided to the
24 broadcasting corporation at no charge to the broadcasting corporation.

1 **39.88 License transfer determination.** The secretary shall determine each
2 of the following:

3 (1) Whether the federal communications commission has approved the
4 transfer of all broadcasting licenses held by the educational communications board
5 to the broadcasting corporation.

6 (2) If the secretary determines that the federal communications commission
7 has approved the transfer of all the broadcasting licences specified in sub. (1), the
8 effective date of the transfer of the last license transferred to the broadcasting
9 corporation.

10 ***b0478/2.3* SECTION 930t.** 40.02 (17) (g) of the statutes is repealed.

11 ***b0478/2.3* SECTION 930v.** 40.02 (17) (gm) of the statutes is created to read:

12 40.02 (17) (gm) Any assistant district attorney in a county having a population
13 of 500,000 or more who did not have vested benefit rights under the retirement
14 system established under chapter 201, laws of 1937, who became a participating
15 employe on January 1, 1990, and who is a participating employe on the effective date
16 of this paragraph [revisor inserts date], shall receive creditable service for the
17 total period of his or her service under the retirement system established under
18 chapter 201, laws of 1937.

19 ***-0030/2.26* SECTION 931.** 40.02 (28) of the statutes is amended to read:

20 40.02 (28) "Employer" means the state, including each state agency, any
21 county, city, village, town, school district, other governmental unit or
22 instrumentality of 2 or more units of government now existing or hereafter created
23 within the state and any federated public library system established under s. 43.19
24 whose territory lies within a single county with a population of 500,000 or more,
25 except as provided under ss. 40.51 (7) and 40.61 (3), or a local exposition district

1 created under subch. II of ch. 229 or a family care district created under s. 46.2895.

2 Each employer shall be a separate legal jurisdiction for OASDHI purposes.

3 ***-0030/2.27* SECTION 932.** 40.02 (36) of the statutes is amended to read:

4 40.02 (36) "Governing body" means the legislature or the head of each state
5 agency with respect to employes of that agency for the state, the common council in
6 cities, the village board in villages, the town board in towns, the county board in
7 counties, the school board in school districts, or the board, commission or other
8 governing body having the final authority for any other unit of government, for any
9 agency or instrumentality of 2 or more units of government, for any federated public
10 library system established under s. 43.19 whose territory lies within a single county
11 with a population of 500,000 or more ~~or~~, for a local exposition district created under
12 subch. II of ch. 229 or for a family care district created under s. 46.2895.

13 ***-0797/2.1* SECTION 935.** 40.02 (48) (am) of the statutes is amended to read:

14 40.02 (48) (am) "Protective occupation participant" includes any participant
15 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
16 is a conservation warden, conservation patrol boat captain, conservation patrol boat
17 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
18 member of the state traffic patrol, state motor vehicle inspector, police officer, fire
19 fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer,
20 county traffic police officer, state forest ranger, fire watcher employed by the
21 Wisconsin veterans home, state correctional-psychiatric officer, excise tax
22 investigator employed by the department of revenue, special criminal investigation
23 agent in the department of justice, assistant or deputy fire marshal, or person
24 employed under s. 61.66 (1).

25 ***-0797/2.2* SECTION 936.** 40.02 (48) (b) 4. of the statutes is created to read:

1 40.02 (48) (b) 4. A “member of the state traffic patrol” includes one division
2 administrator in the department of transportation who is counted under s. 230.08
3 (2) (e) 12. and whose duties include supervising the state traffic patrol, if the division
4 administrator is certified by the law enforcement standards board under s. 165.85
5 (4) (b) 1. as being qualified to be a law enforcement officer.

6 ***b0240/2.1* SECTION 938d.** 40.03 (6) (a) 2. of the statutes is amended to read:

7 40.03 (6) (a) 2. May, wholly or partially in lieu of subd. 1., on behalf of the state,
8 provide any group insurance plan on a self-insured basis in which case the group
9 insurance board shall approve a written description setting forth the terms and
10 conditions of the plan, and may contract directly with providers of hospital, medical
11 or ancillary services or long-term care to provide insured employes with the benefits
12 provided under this chapter.

13 ***b0240/2.1* SECTION 938h.** 40.03 (6) (h) (intro.) of the statutes is renumbered
14 40.03 (6) (h) and amended to read:

15 40.03 (6) (h) Shall, on behalf of the state, offer as provided in s. 40.55 long-term
16 care insurance policies, ~~subject to the following conditions:~~

17 ***b0240/2.1* SECTION 938i.** 40.03 (6) (h) 1. of the statutes is repealed.

18 ***b0240/2.1* SECTION 938j.** 40.03 (6) (h) 2. of the statutes is repealed.

19 ***b0240/2.2* SECTION 939m.** 40.04 (9) of the statutes is amended to read:

20 40.04 (9) Separate group health, long-term care, income continuation and life
21 insurance accounts, and additional accounts for any other type of insurance provided
22 under this chapter shall be maintained within the fund, to which shall be credited
23 moneys received from operations of the respective group insurance plans for
24 insurance premiums, as dividend or premium credits arising from the operation of
25 the respective insurance plans and from investment income on any reserves

1 established in the fund for the respective insurance plans. Premium payments to
2 insurers, any insurance benefit to be paid directly by the fund and reimbursements
3 of 3rd parties for benefits paid on behalf of an insurance plan shall be charged to the
4 corresponding account established for that benefit plan. This subsection shall not
5 be construed to prohibit the direct payment of premiums to insurers when
6 appropriate administrative procedures have been established for direct payments.

7 ***b0478/2.4* SECTION 939t.** 40.05 (2) (bz) of the statutes is created to read:

8 40.05 (2) (bz) The employer contribution rate determined under par. (b) for the
9 department of administration shall be adjusted to reflect the cost of granting
10 creditable service under s. 40.02 (17) (gm) and that rate shall be sufficient to amortize
11 the unfunded prior service liability of the department of administration over the
12 remainder of the 40-year amortization period under par. (b).

13 ***b0240/2.3* SECTION 944e.** 40.55 (1m) of the statutes is created to read:

14 40.55 (1m) (a) Except as provided in sub. (5), the state may offer, through the
15 group insurance board, to eligible employes under s. 40.02 (25) (bm) and to state
16 annuitants long-term care coverage on a self-insured basis.

17 (b) If the state offers long-term care coverage on a self-insured basis under par.
18 (a), the state shall allow any eligible employe under s. 40.02 (25) (bm) and any state
19 annuitant to purchase the long-term care coverage for his or her spouse, parent or
20 spouse's parent.

21 (c) If the state offers long-term care coverage on a self-insured basis under par.
22 (a), the group insurance board, biennially, shall submit to the chief clerk of each
23 house of the legislature, for distribution to the legislature under s. 13.172 (2), a report
24 on the rates of participation in the self-insured program by eligible employes under

1 s. 40.02 (25) (bm) and state annuitants. The group insurance board shall submit the
2 report no later than July 1 of each odd-numbered year.

3 ***b0240/2.3* SECTION 944g.** 40.55 (2) of the statutes is amended to read:

4 40.55 (2) For any long-term care policy offered through the group insurance
5 board under sub. (1), the insurer may impose underwriting considerations in
6 determining the initial eligibility of persons to cover and what premiums to charge.

7 ***b0240/2.3* SECTION 944i.** 40.55 (4) of the statutes is amended to read:

8 40.55 (4) The group insurance board may charge a fee to each insurer whose
9 policy is offered under ~~this section~~ sub. (1), but the fee may not exceed the direct costs
10 incurred by the group insurance board in offering the policy.

11 ***b0572/2.2* SECTION 944m.** 40.63 (1) (c) of the statutes is amended to read:

12 40.63 (1) (c) The employe is not entitled to any earnings from the employer and
13 the employer has certified that it has paid to the employe all earnings to which the
14 employe is entitled, that the employe is on a leave of absence and is not expected to
15 resume active service, or that the employe's participating employment has been
16 terminated, because of a disability as described in par. (b) and as a consequence the
17 employe is not entitled to any earnings from the employer. In this paragraph,
18 "earnings" does not include bonus compensation to which the employe is was entitled
19 under s. 25.156 (7) (a), 1997 stats.

20 ***b0391/2.6* SECTION 945am.** 41.17 (2) of the statutes is amended to read:

21 41.17 (2) ELIGIBILITY. Any public or private organization not organized or
22 incorporated for profit, including a tribal organization of a federally recognized
23 American Indian tribe or band in this state, and any elected governing body of a
24 federally recognized American Indian tribe or band in this state may apply to the
25 department for joint effort marketing funds under this section. Prior to applying for

1 such funds, each prospective applicant shall have submitted, at the time and in the
2 manner provided by departmental rule, a plan and budget specifying the media to
3 be used, the market to be approached, the facilities and attractions to be promoted
4 and the applicant's estimated expenditures and receipts for the various projects
5 within the plan. If such plan is coordinated with the statewide marketing strategy,
6 the department shall approve it and the submitting organization or governing body
7 shall be eligible to apply for joint effort marketing funds under this section.

8 *b0391/2.6* **SECTION 945ar.** 41.17 (3) (intro.) of the statutes is amended to
9 read:

10 41.17 (3) **WRITTEN AGREEMENTS.** (intro.) Each joint effort marketing project
11 shall be implemented by a written agreement between the department and the
12 applicant organization, ~~which~~ or governing body. The agreement shall specify at a
13 minimum:

14 *b0391/2.6* **SECTION 945b.** 41.17 (4) (a) of the statutes is amended to read:

15 41.17 (4) (a) No state funds may be released for a project ~~which~~ that is not
16 included within an advertising plan and budget submitted by an eligible
17 organization or governing body and approved by the department.

18 *b0391/2.6* **SECTION 945c.** 41.17 (5) of the statutes is created to read:

19 41.17 (5) **FUNDING SOURCE.** Subject to the 50% limitation under s. 20.380 (1) (b)
20 and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg), the
21 department shall expend, from the appropriations under s. 20.380 (1) (b) and (kg),
22 at least \$1,130,000 in the aggregate in each fiscal year in joint effort marketing funds
23 under this section.

24 *b0671/2.18* **SECTION 945d.** 41.41 (7) (cm) of the statutes is created to read:

1 41.41 (7) (cm) Acquire development rights in land any portion of which is
2 approved by the department for inclusion in the Kickapoo valley reserve. Purchases
3 under this paragraph are subject to the approval of the governor under s. 20.914 (1).

4 ***b0160/1.1* SECTION 945e.** 44.015 (6) of the statutes is renumbered 44.015
5 (10).

6 ***b0160/1.1* SECTION 945f.** 44.015 (7) of the statutes is created to read:
7 44.015 (7) Contract with the Wisconsin History Foundation, Inc., for the
8 purpose of administering the historical society's membership program.

9 ***b0611/1.2* SECTION 945g.** 44.02 (28) of the statutes is created to read:
10 44.02 (28) In the 1999–2001 fiscal biennium, pay the amount appropriated
11 under s. 20.245 (3) (c) to the city of Neenah to restore the Neenah city clock tower if
12 the city of Neenah contributes matching funds of at least \$25,000.

13 ***b0601/1.4* SECTION 945m.** 44.08 of the statutes is repealed.

14 ***b0160/1.1* SECTION 945s.** 44.16 of the statutes is amended to read:
15 **44.16 ~~Historic sites foundation~~ Circus World Museum Foundation. (1)**
16 The historical society may enter into a lease agreement with the ~~historic sites~~
17 ~~foundation, inc.~~ Circus World Museum Foundation, Inc., for the purpose of operating
18 Circus World Museum, located in Baraboo, Wisconsin. The lease agreement shall not
19 include any provision for the payment of a percentage of gross admissions income at
20 Circus World Museum to the historical society.

21 (2) Upon request of the board of directors of the ~~historic sites foundation, inc.~~
22 Circus World Museum Foundation, Inc., the governor may nominate, and with the
23 advice and consent of the senate appoint, one member of the board of directors to
24 serve at the pleasure of the governor.

25 ***-1290/4.6* SECTION 946.** 44.20 (1) of the statutes is amended to read:

1 44.20 (1) The historical society shall operate and maintain the historic sites
2 known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline
3 Island, Old World Wisconsin, H.H. Bennett Studios and, if the First Capitol state
4 park has been transferred to the historical society under 1993 Wisconsin Act 16,
5 section 9142 (1e), First Capitol.

6 ***b0601/1.5* SECTION 946m.** 44.49 of the statutes is created to read:

7 **44.49 Heritage trust program. (1) PURPOSE.** The legislature determines
8 that the provision of assistance by the state under this section and the awarding of
9 grants to the Wisconsin Trust for Historic Preservation under this section serve a
10 statewide public purpose by assisting in the protection, restoration and
11 rehabilitation of property located in this state that is significant in the history,
12 prehistory, architecture, archaeology or culture of this state, its rural and urban
13 communities or the nation.

14 **(2) DEFINITIONS.** In this section:

15 (a) "Local governmental unit" has the meaning given in s. 16.97 (7).

16 (b) "Trust" means the Wisconsin Trust for Historic Preservation.

17 **(3) GRANTS TO GOVERNMENTAL UNITS AND NONPROFIT ORGANIZATIONS.** (a) From the
18 appropriation under s. 20.866 (2) (zfm), the state historical society shall award
19 grants to state agencies, local governmental units and nonprofit organizations for
20 historic preservation. A grant recipient shall provide matching funds equal to 25%
21 of the amount of the grant, except that the state historical society may require a
22 recipient to provide matching funds equal to a higher percentage.

23 (b) The state historical society shall ensure that all grant recipients under par.

24 (a) comply with the standards for rehabilitation in 36 CFR 67.7.

1 (c) The state historical society may award up to \$1,000,000 in grants under par.
2 (a) in the 2000–01 fiscal year and up to \$1,500,000 in grants under par. (a) in each
3 of the 9 succeeding fiscal years, except that if the state historical society awards less
4 than the maximum amount allowed in any fiscal year the maximum amount allowed
5 in the succeeding fiscal year is increased by an amount equal to the difference
6 between the amount awarded in the current fiscal year and the maximum amount
7 allowed in the current fiscal year.

8 (4) GRANTS TO THE TRUST. (a) Subject to par. (b), the state historical society
9 annually shall award a grant to the trust from the appropriation under s. 20.866 (2)
10 (zfm). In the 2000–01 fiscal year, the amount of the grant shall be \$1,000,000. In
11 each of the 9 succeeding fiscal years, the amount of the grant shall be \$500,000.

12 (b) The state historical society may award a grant under par. (a) only if the
13 following conditions are satisfied:

14 1. The bylaws of the trust state that the purpose of the trust is to develop and
15 support statewide initiatives promoting historic preservation and that, if the trust
16 dissolves, the trust shall in good faith take all reasonable measures to ensure that
17 all moneys paid to the trust under this subsection revert to the state.

18 2. The trust provides public access to any meeting held for the purpose of
19 deliberations regarding the awarding of grants under par. (c) 1. to the same extent
20 as is required of, and subject to the same terms and enforcement provisions that
21 apply to, a governmental body under subch. V of ch. 19.

22 (c) The moneys received under par. (a) shall constitute an endowment fund.
23 The trust shall use the earnings of the endowment fund for the following purposes:

24 1. To award grants to state agencies, local governmental units and nonprofit
25 organizations for historic preservation, including historic preservation to

1 commemorate the 200th anniversary of Wisconsin statehood. A grant recipient shall
2 provide matching funds equal to 25% of the amount of the grant, except that the trust
3 may require a recipient to provide matching funds equal to a higher percentage.

4 2. To temporarily acquire historic property for the purpose of historic
5 preservation.

6 (d) The trust shall comply, and shall ensure that all grant recipients under par.

7 (c) 1. comply, with the standards for rehabilitation in 36 CFR 67.7.

8 (e) The trust shall contract with an independent certified public accountant to
9 biennially audit the endowment fund. Within 30 days after the completion of each
10 audit, the trust shall submit a detailed report of the audit to the governor and the
11 joint committee on finance.

12 (5) SUNSET. The state historical society may not award a grant under this
13 section after June 30, 2010.

14 ***-1290/4.7* SECTION 947.** 44.53 (1) (fm) of the statutes is created to read:

15 44.53 (1) (fm) Conduct a program identical to that described in par. (f), but only
16 for American Indian individuals and groups. The program shall be funded from the
17 appropriation under s. 20.215 (1) (km).

18 ***b0604/1.2* SECTION 947m.** 44.53 (1) (j) of the statutes is created to read:

19 44.53 (1) (j) Annually pay to the Milwaukee Foundation, Inc., for deposit in the
20 High Point fund, the amount appropriated under s. 20.215 (1) (e).

21 ***-1290/4.8* SECTION 948.** 44.53 (2) (am) of the statutes is created to read:

22 44.53 (2) (am) Enter into contracts with American Indian individuals,
23 organizations and institutions and American Indian tribal governments for services
24 furthering the development of the arts and humanities.

25 ***-0250/4.6* SECTION 949.** 44.70 (2g) of the statutes is created to read:

1 44.70 (2g) “Educational agency” means a school district, private school,
2 cooperative educational service agency, technical college district, private college,
3 public library system, public library board, the Wisconsin School for the Visually
4 Handicapped or the Wisconsin School for the Deaf.

5 *~~0250/4.8~~* SECTION 951. 44.70 (3m) of the statutes is created to read:

6 44.70 (3m) “Public library system” has the meaning given in s. 43.01 (5).

7 *~~0250/4.9~~* SECTION 952. 44.70 (5) of the statutes is created to read:

8 44.70 (5) “Universal service fund” means the trust fund established under s.
9 25.95.

10 *~~0251/2.3~~* SECTION 953. 44.71 (2) of the statutes is renumbered 44.71 (2) (a),
11 and 44.71 (2) (a) 5. and 8., as renumbered, are amended to read:

12 44.71 (2) (a) 5. Subject to s. ~~196.218 (4r) (f)~~ 44.73 (5), in cooperation with the
13 department ~~and the public service commission~~, provide telecommunications access
14 to ~~school districts, private schools, cooperative educational service agencies,~~
15 ~~technical college districts, private colleges and public library boards~~ educational
16 agencies under the program established under s. ~~196.218 (4r)~~ 44.73.

17 8. Purchase educational technology equipment for use by school districts,
18 cooperative educational service agencies and public educational institutions in this
19 state and permit the districts, agencies and institutions to purchase or lease the
20 equipment, with an option to purchase the equipment at a later date. This ~~paragraph~~
21 subdivision does not require the purchase or lease of any educational technology
22 equipment from the board.

23 *~~b0328/6.3~~* SECTION 953g. 44.71 (2) (a) 6m. of the statutes is created to read:

24 44.71 (2) (a) 6m. No later than October 1 of each year, submit a report
25 containing the discount rates provided to the board for telecommunications service

1 under 47 USC 254 to the department of administration, the joint committee on
2 finance and the public service commission.

3 ***-0251/2.4* SECTION 954.** 44.71 (2) (bm) of the statutes is created to read:

4 44.71 (2) (bm) The board may contract with the Wisconsin advanced
5 telecommunications foundation to provide administrative services to the foundation.

6 ***-1561/1.1* SECTION 955.** 44.72 (1) (a) of the statutes is amended to read:

7 44.72 (1) (a) Award grants to applicants on a competitive basis through one
8 funding cycle annually, except that the board shall ensure that at least one grant is
9 awarded annually to an applicant located in the territory of each cooperative
10 educational service agency.

11 ***b0331/2.1* SECTION 955m.** 44.72 (1) (d) of the statutes is created to read:

12 44.72 (1) (d) Promulgate rules establishing administrative procedures,
13 eligibility criteria and application requirements for awarding grants under this
14 section.

15 ***b0330/1.3* SECTION 955t.** 44.72 (2) (a) of the statutes is repealed.

16 ***-0248/2.2* SECTION 956.** 44.72 (2) (b) 3. of the statutes is repealed.

17 ***b0330/1.4* SECTION 956g.** 44.72 (2) (c) of the statutes is amended to read:

18 44.72 (2) (c) A school district is eligible for a grant under par. ~~(a)~~ or (b) 2. only
19 if the annual meeting in a common school district, or the school board in a unified
20 school district or in a school district operating under ch. 119, adopts a resolution
21 requesting the grant. A grant under this subsection may not be used to replace
22 funding available from other sources.

23 ***b0330/1.4* SECTION 956r.** 44.72 (2) (d) of the statutes is amended to read:

24 44.72 (2) (d) A school district receiving a grant under par. ~~(a)~~ or (b) shall deposit
25 the moneys in a separate fund. The moneys may be used for any purpose related to

1 educational technology, except that a school district may not use the moneys to pay
2 the salary or benefits of any school district employe.

3 ***-0248/2.3* SECTION 957.** 44.72 (2) (e) of the statutes is amended to read:

4 44.72 (2) (e) The board shall distribute the grants under par. (b) 2. ~~and 3.~~
5 annually on the first Monday in February.

6 ***-0249/1.7* SECTION 958.** 44.72 (4) (title) of the statutes is amended to read:

7 44.72 (4) (title) ~~SUBSIDIZED—EDUCATIONAL~~ EDUCATIONAL TECHNOLOGY
8 INFRASTRUCTURE LOANS FINANCIAL ASSISTANCE.

9 ***-0249/1.8* SECTION 959.** 44.72 (4) (a) of the statutes is amended to read:

10 44.72 (4) (a) ~~Subsidized loans~~ Financial assistance authorized. The board may
11 ~~make subsidized loans provide financial assistance under this subsection to school~~
12 ~~districts from the proceeds of public debt contracted under s. 20.866 (2) (zc) and to~~
13 ~~public library boards from the proceeds of public debt contracted under s. 20.866 (2)~~
14 ~~(zcm). Subsidized loans~~ Financial assistance under this subsection may be used only
15 for the purpose of upgrading the electrical wiring of school and library buildings in
16 existence on October 14, 1997, and installing and upgrading computer network
17 wiring.

18 ***-0249/1.9* SECTION 960.** 44.72 (4) (b) of the statutes is amended to read:

19 44.72 (4) (b) ~~Subsidized loan~~ Financial assistance applications, terms and
20 conditions. The board shall establish application procedures for, and the terms and
21 conditions of, ~~subsidized loans~~ financial assistance under this subsection. The board
22 shall make a loan to a school district or public library board in an amount equal to
23 50% of the total amount of financial assistance for which the board determines the
24 school district or public library board is eligible and provide a grant to the school
25 district or public library board for the remainder of the total. The terms of any

1 financial assistance under this subsection may include provision of professional
2 building construction services under s. 16.85 (15). The board shall determine the
3 interest rate on these loans under this subsection. The interest rate shall be as low
4 as possible but shall be sufficient to fully pay all interest expenses incurred by the
5 state in making the loans and to provide reserves that are reasonably expected to be
6 required in the judgment of the board to ensure against losses arising from
7 delinquency and default in the repayment of subsidized the loans. The term of a
8 subsidized loan under this subsection may not exceed 10 years.

9 ***-0249/1.10*** SECTION 961. 44.72 (4) (c) of the statutes is amended to read:

10 44.72 (4) (c) *Repayment of subsidized loans. A school district's or public library*
11 *board's total payments on a loan made under this subsection shall be equal to 50%*
12 *of the total debt service on the loan, as determined by the board. A school district or*
13 *public library board is not obligated to pay the remaining 50% of the debt service on*
14 *the loan. The board shall credit all moneys received from school districts under this*
15 *paragraph for repayment of loans under this subsection* to the appropriation account
16 under s. 20.275 (1) (h). The board shall credit all moneys received from public library
17 boards under this paragraph for repayment of loans under this subsection to the
18 appropriation account under s. 20.275 (1) (hb).

19 ***-0249/1.11*** SECTION 962. 44.72 (4) (d) of the statutes is amended to read:

20 44.72 (4) (d) *Funding for subsidized loans financial assistance.* The board, with
21 the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm),
22 may request that the building commission contract public debt in accordance with
23 ch. 18 to fund loans financial assistance under this subsection.

24 ***-1769/2.2*** SECTION 963. 44.72 (5) of the statutes is created to read:

1 44.72 (5) FOREIGN LANGUAGE INSTRUCTION GRANTS. (a) Beginning in the 2000–01
2 fiscal year, the board shall award at least one grant in each fiscal year, on a
3 competitive basis, to an educational organization or consortium of educational
4 organizations for the development and implementation of a foreign language
5 instruction program in a public school in grades kindergarten to 6.

6 (b) The board shall award grants under par. (a) from the appropriation under
7 s. 20.275 (1) (b). The board may not award a grant to an organization or consortium
8 of organizations unless the foreign language instruction is provided to pupils using
9 data lines or video links for which access is provided under s. 44.73 (1) or for which
10 a grant is awarded under s. 44.73 (6).

11 (c) The board shall promulgate rules defining “educational organization” for
12 the purposes of this subsection.

13 *–0722/4.1* SECTION 967. 45.25 (1) of the statutes is amended to read:

14 45.25 (1) ADMINISTRATION. The department of veterans affairs shall administer
15 a tuition and fee reimbursement program for eligible veterans enrolling as
16 undergraduates in any institution ~~within the university of Wisconsin system,~~
17 ~~enrolling in any technical college under ch. 38 of higher education, as defined in s.~~
18 45.396 (1) (a), in this state or receiving a waiver of nonresident tuition under s. 39.47.

19 *–1263/2.1* SECTION 968. 45.25 (2) (d) of the statutes is amended to read:

20 45.25 (2) (d) The individual is a resident at the time of application for the
21 tuition and fee reimbursement program and was a Wisconsin resident at the time of
22 entry or reentry into service or was a resident for any consecutive 5–year period after
23 ~~completing entry or reentry into service on active duty~~ and before the time date of
24 his or her application. If a person applying for a benefit under this section meets that
25 5–consecutive–year residency requirement, the department may not require the

1 person to reestablish that he or she meets the 5-consecutive-year residency
2 requirement when he or she later applies for any other benefit under this chapter
3 that requires a 5-consecutive-year residency.

4 ***-0722/4.2* SECTION 969.** 45.25 (2) (e) of the statutes is created to read:

5 45.25 (2) (e) The individual is enrolled for at least 12 credits during the
6 semester for which reimbursement is sought.

7 ***-0722/4.3* SECTION 970.** 45.25 (3) (a) of the statutes is amended to read:

8 45.25 (3) (a) Except as provided in par. (am), an individual who meets the
9 requirements under sub. (2), upon satisfactory completion of ~~an~~ a full-time
10 undergraduate semester in any institution ~~within the university of Wisconsin~~
11 ~~system or a semester at any technical college district school under ch. 38 of higher~~
12 education, as defined in s. 45.396 (1) (a), in this state or any institution from which
13 the individual receives a waiver of nonresident tuition under s. 39.47, may be
14 reimbursed for up to 50% ~~65%~~ of the individual's tuition and fees, but that. The
15 reimbursement under this paragraph is limited to a maximum of 50% ~~65%~~ of the
16 standard cost for a state resident for an equivalent undergraduate course at the
17 University of Wisconsin-Madison per course or the difference between the
18 individual's tuition and fees and the grants or scholarships, including those made
19 under s. 21.49, that the individual receives specifically for the payment of the tuition
20 or fees, whichever is less. Reimbursement is available only for tuition and fees that
21 are part of a curriculum that is relevant to a degree in a particular course of study
22 at the institution ~~or school.~~

23 ***-0722/4.4* SECTION 971.** 45.25 (3) (am) of the statutes is amended to read:

24 45.25 (3) (am) A disabled individual who meets the requirements under sub.
25 (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon

1 satisfactory completion of an undergraduate semester in any institution ~~within the~~
2 ~~university of Wisconsin system or a semester at any technical college district school~~
3 ~~under ch. 38 of higher education, as defined in s. 45.396 (1) (a), in this state or any~~
4 ~~institution from which the individual receives a waiver of nonresident tuition under~~
5 ~~s. 39.47, may be reimbursed for up to 100% of the individual's tuition and fees, but~~
6 ~~that. The reimbursement under this paragraph is limited to 100% of the standard~~
7 ~~cost for a state resident for an equivalent undergraduate course at the University of~~
8 ~~Wisconsin-Madison per course, or the difference between the individual's tuition~~
9 ~~and fees and the grants or scholarships, including those made under s. 21.49, that~~
10 ~~the individual receives specifically for the payment of the tuition or fees, whichever~~
11 ~~is less. Reimbursement is available only for tuition and fees that are part of a~~
12 ~~curriculum that is relevant to a degree in a particular course of study at the~~
13 ~~institution or school.~~

14 *~~0722/4.5~~* SECTION 972. 45.25 (4) (a) of the statutes is amended to read:

15 45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for
16 more than 120 credits of ~~part-time study~~ or 8 full semesters of full-time study at any
17 institution ~~within the university of Wisconsin system~~ of higher education, as defined
18 in s. 45.396 (1) (a), in this state, 60 credits of ~~part-time study~~ or 4 full semesters of
19 full-time study at a ~~technical college under ch. 38~~ any institution of higher
20 education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon
21 completion of 60 credits, or an equivalent amount of credits at an institution where
22 he or she is receiving a waiver of nonresident tuition under s. 39.47.

23 *~~0589/2.10~~* SECTION 973. 45.25 (4) (b) (intro.) of the statutes is amended to
24 read:

1 45.25 (4) (b) (intro.) The department may provide reimbursement under sub.
2 (2) to an individual who is delinquent in child support or maintenance payments or
3 who owes past support, medical expenses or birth expenses, as established by the
4 ~~receipt by the department of a certification under s. 49.855~~ appearance of the
5 individual's name on the statewide support lien docket under s. 49.854 (2) (b), only
6 if the individual provides the department with one of the following:

7 ***-0589/2.11*** SECTION 974. 45.25 (4) (b) 2. of the statutes is amended to read:

8 45.25 (4) (b) 2. A statement that the individual is not delinquent in child
9 support or maintenance payments and does not owe past support, medical expenses
10 or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce
11 development or its designee within 7 working days before the date of the application.

12 ***-1263/2.2*** SECTION 975. 45.35 (5) (a) 2. c. of the statutes is amended to read:

13 45.35 (5) (a) 2. c. Has been a resident of this state for any consecutive 5-year
14 period after completing entry or reentry into service on active duty and before the
15 date of his or her application or death. If a person applying for a benefit under this
16 subchapter meets that 5-consecutive-year residency requirement, the department
17 may not require the person to reestablish that he or she meets the
18 5-consecutive-year residency requirement when he or she later applies for any other
19 benefit under this chapter that requires a 5-consecutive-year residency.

20 ***-1629/3.5*** SECTION 976. 45.35 (14) (h) of the statutes is created to read:

21 45.35 (14) (h) To provide grants to the governing bodies of federally recognized
22 American Indian tribes and bands from the appropriation under s. 20.485 (2) (km)
23 if that governing body enters into an agreement with the department regarding the
24 creation, goals and objectives of a tribal veterans' service officer, appoints a veteran
25 to act as a tribal veterans' service officer and gives that veteran duties similar to the

1 duties described in s. 45.43 (5), except that the veteran shall report to the governing
2 body of the tribe or band. The department may make annual grants of up to \$2,500
3 under this paragraph and shall promulgate rules to implement this paragraph.

4 ***-0722/4.6* SECTION 977.** 45.35 (15) of the statutes is amended to read:

5 45.35 (15) LIBERAL CONSTRUCTION INTENDED. This section, ss. 45.25, 45.351,
6 45.356 and 45.37 and subch. II shall be construed as liberally as the language
7 permits in favor of applicants.

8 ***-0589/2.12* SECTION 979.** 45.356 (6) (intro.) of the statutes is amended to
9 read:

10 45.356 (6) (intro.) The department may provide a loan under this section ~~after~~
11 ~~the department receives a certification under s. 49.855 (7) that the applicant is~~
12 ~~delinquent in child support or maintenance payments or owes past support, medical~~
13 ~~expenses or birth expenses to an applicant whose name appears on the statewide~~
14 ~~support lien docket under s. 49.854 (2) (b) only if the applicant does one of the~~
15 following:

16 ***-0589/2.13* SECTION 980.** 45.356 (6) (b) of the statutes is amended to read:

17 45.356 (6) (b) Provides to the department a statement that the applicant is not
18 delinquent in child support or maintenance payments and does not owe past support,
19 medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department
20 of workforce development or its designee within 7 working days before the date of the
21 application.

22 ***-0725/4.1* SECTION 981.** 45.356 (9) (a) of the statutes is amended to read:

23 45.356 (9) (a) The department may borrow from the veterans mortgage loan
24 repayment fund under s. 45.79 (7) (a) ~~and shall pledge to obtain money to make loans~~
25 ~~made under this section as collateral for the borrowing.~~

1 ***-0725/4.2*** SECTION 982. 45.356 (9) (b) of the statutes is amended to read:

2 45.356 (9) (b) The department may enter into transactions with the state
3 investment board to obtain money to make loans under this section. Transactions
4 authorized under this paragraph may include the sale of loans.

5 ***-2538/2.1*** SECTION 982m. 45.358 (2) of the statutes is amended to read:

6 45.358 (2) CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to
7 authorization under ss. 13.48 (10) and 20.924 (1), the department of veterans affairs
8 may construct and operate veterans cemeteries in northwestern and southeastern
9 Wisconsin and may employ such personnel as are necessary for the proper
10 management of the cemeteries. The cemetery in southeastern Wisconsin is the
11 Southern Wisconsin Veterans Memorial Cemetery. The cemetery in northwestern
12 Wisconsin is the Northern Wisconsin Veterans Memorial Cemetery. The department
13 may acquire, by gift, purchase or condemnation, lands necessary for the purposes of
14 the cemeteries. Title to the properties shall be taken in the name of this state. Every
15 deed of conveyance shall be immediately recorded in the office of the proper register
16 of deeds and thereafter filed with the secretary of state. All cemeteries operated by
17 the department are exempt from the requirements of ss. 157.061 to 157.70 and
18 440.90 to 440.95.***-2538/2.2***

19 ***-1263/2.3*** SECTION 983. 45.37 (3) (b) (title) of the statutes is repealed.

20 ***-1263/2.4*** SECTION 984. 45.37 (3) (b) of the statutes is renumbered 45.37 (3)
21 and amended to read:

22 45.37 (3) *Nonresident.* A veteran who was not a resident of this state at the
23 time of enlistment or induction into service but who is otherwise qualified for
24 membership may be admitted if the veteran has been a resident of this state for any
25 consecutive 5-year period after completing enlistment or induction into service on

1 active-duty and before the date of his or her application. If a person applying for a
2 benefit under this subchapter meets that 5-consecutive-year residency
3 requirement, the department may not require the person to reestablish that he or she
4 meets the 5-consecutive-year residency requirement when he or she later applies
5 for any other benefit under this chapter that requires a 5-consecutive-year
6 residency.

7 ***-2538/2.2* SECTION 984m.** 45.385 of the statutes is amended to read:

8 **45.385 Veterans residential, treatment and nursing care facilities.**

9 Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department of
10 veterans affairs may construct or renovate and operate residential, treatment and
11 nursing care facilities in southeastern Wisconsin ~~and may, to be known as the~~
12 Southern Wisconsin Veterans Retirement Center. ~~The department may employ such~~
13 ~~personnel as are necessary for the proper management of the facilities~~ Southern
14 Wisconsin Veterans Retirement Center. The department may acquire by gift,
15 purchase or condemnation lands necessary for the purposes of the facilities Southern
16 Wisconsin Veterans Retirement Center. Title to any properties acquired under this
17 section shall be taken in the name of this state. Every deed of conveyance shall be
18 immediately recorded in the office of the proper register of deeds and filed with the
19 secretary of state.

20 ***-0722/4.7* SECTION 985.** 45.396 (1) (a) of the statutes is amended to read:

21 45.396 (1) (a) "Institution of higher education" ~~means an educational~~
22 ~~institution meeting the requirements of P.L. 89-329 for institutions covered therein~~
23 ~~and of P.L. 89-287 for business, trade, technical or vocational schools and full-time~~
24 ~~post-high school technical colleges~~ has the meaning given in 20 USC 1088 (a).

25 ***-0726/2.1* SECTION 986.** 45.396 (5) of the statutes is amended to read:

1 45.396 (5) Except as provided in sub. (9), the reimbursement may not exceed
2 ~~50%~~ 65% of the cost of tuition and fees and shall also be limited to a maximum of ~~50%~~
3 65% of the standard cost for a state resident for tuition and fees for an equivalent
4 undergraduate course at the University of Wisconsin–Madison per course and may
5 not be provided to an individual more than 4 times during any consecutive 12–month
6 period.

7 *~~0589/2.14~~* SECTION 987. 45.396 (6) (intro.) of the statutes is amended to
8 read:

9 45.396 (6) (intro.) The department may make a grant ~~to an applicant~~ under this
10 section ~~after the department receives a certification under s. 49.855 (7) that the~~
11 ~~applicant is delinquent in child support or maintenance payments or owes past~~
12 ~~support, medical expenses or birth expenses~~ to an applicant whose name appears on
13 the statewide support lien docket under s. 49.854 (2) (b) only if the applicant provides
14 the department with one of the following:

15 *~~0589/2.15~~* SECTION 988. 45.396 (6) (b) of the statutes is amended to read:

16 45.396 (6) (b) A statement that the applicant is not delinquent in child support
17 or maintenance payments and does not owe past support, medical expenses or birth
18 expenses, signed by the ~~clerk of circuit court~~ department of workforce development
19 or its designee within 7 working days before the date of the application.

20 *~~b0521/1.1~~* SECTION 989g. 45.397 (4) of the statutes is repealed.

21 *~~1263/2.5~~* SECTION 990. 45.71 (16) (a) 2m. a. of the statutes is amended to
22 read:

23 45.71 (16) (a) 2m. a. Has been a resident of this state for any consecutive 5–year
24 period ~~after completing enlistment or induction into service on active duty~~ and before
25 the date of his or her application or death. If a person applying for a benefit under

1 this subchapter meets that 5-consecutive-year residency requirement, the
2 department may not require the person to reestablish that he or she meets the
3 5-consecutive-year residency requirement when he or she applies for any other
4 benefit under this chapter that requires a 5-consecutive-year residency.

5 ~~*-0589/2.16*~~ SECTION 991. 45.74 (6) (intro.) of the statutes is amended to read:

6 45.74 (6) DELINQUENT SUPPORT PAYMENTS. (intro.) The person is delinquent in
7 child support or maintenance payments or owes past support, medical expenses or
8 birth expenses, as evidenced by ~~a certification under s. 49.855 (7)~~ the appearance of
9 the person's name on the statewide support lien docket under s. 49.854 (2) (b), unless
10 the person provides the department or authorized lender with one of the following:

11 ~~*-0589/2.17*~~ SECTION 992. 45.74 (6) (b) of the statutes is amended to read:

12 45.74 (6) (b) A statement that the person is not delinquent in child support or
13 maintenance payments and does not owe past support, medical expenses or birth
14 expenses, signed by the ~~clerk of circuit court~~ department of workforce development
15 or its designee within 7 working days before the date of the application.

16 ~~*-0729/2.1*~~ SECTION 993. 45.76 (1) (c) of the statutes is amended to read:

17 45.76 (1) (c) *Home improvements*. A loan of not more than ~~\$15,000~~ \$25,000 to
18 improve a home, including construction of a garage.

19 ~~*-1432/7.46*~~ SECTION 994. 45.79 (9) (a) of the statutes is amended to read:

20 45.79 (9) (a) All moneys received from any source for repayment of loans,
21 mortgages or mortgage loan notes funded with proceeds of revenue obligations
22 issued under sub. (6) (c) shall be deposited into one or more separate nonlapsible
23 trust funds in the state treasury or with a trustee ~~as provided in s. 18.56 (9) (j)~~
24 appointed for that purpose by the authorizing resolution for the revenue obligations.

25 The board may pledge revenues received by the funds to secure revenue obligations

1 issued under sub. (6) (c) and shall have all other powers necessary and convenient
2 to distribute the proceeds of the revenue obligations and loan repayments in
3 accordance with subch. II of ch. 18. Unrestricted balances in the funds may be used
4 to fund additional loans issued under sub. (6) (c) and pay the balances owing on loans
5 after the assumptions of the loans or the closings of the sales of residences under sub.
6 (10) (c).

7 ***-0284/3.3* SECTION 995.** 46.03 (1) of the statutes is amended to read:

8 46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the
9 Winnebago mental health institutes; the secure mental health facility established
10 under s. 46.055; and the centers for the developmentally disabled.

11 ***-0274/2.1* SECTION 996.** 46.03 (7) (g) of the statutes is created to read:

12 46.03 (7) (g) Before July 1, 2005, establish a statewide automated child welfare
13 information system.

14 ***-1732/1.2* SECTION 997.** 46.03 (22) (a) of the statutes is amended to read:

15 46.03 (22) (a) “Community living arrangement” means any of the following
16 facilities licensed or operated, or permitted under the authority of the department:
17 child welfare agencies under s. 48.60, group homes for children under s. 48.02 (7) and
18 community-based residential facilities under s. 50.01; but does not include adult
19 family homes, as defined in s. 50.01, day care centers, nursing homes, general
20 hospitals, special hospitals, prisons and jails. ~~“Community living arrangement” also~~
21 ~~includes a youth village program as described in s. 118.42.~~

22 ***b0228/2.1* SECTION 999m.** 46.036 (8) of the statutes is created to read:

23 46.036 (8) If the department proposes to consolidate contracts into one single
24 contract to cover care or services under more than one program administered by the
25 subunit of the department that is primarily responsible for administering public

1 health, the department shall submit the proposed contract to the cochairpersons of
2 the joint committee on finance. The proposed contract shall detail the programs for
3 which care or services are being contracted, the allocation of funds for each program
4 and outcome performance incentives and disincentives offered under the contract.
5 If the cochairpersons of the committee do not notify the secretary within 14 working
6 days after receiving the proposed contract that the cochairpersons have scheduled
7 a meeting for the purpose of reviewing the contract, the department may enter into
8 the contract as proposed. If, within 14 working days after receiving the proposed
9 contract, the cochairpersons notify the secretary that the cochairpersons have
10 scheduled a meeting for the purpose of reviewing the proposed contract, the
11 department may not enter into the contract except as approved by the committee.

12 ***-0023/4.2*** SECTION 1000. 46.043 of the statutes is created to read:

13 **46.043 Additional services of mental health institutes.** (1) In addition
14 to inpatient and outpatient services provided at mental health institutes under ss.
15 51.05 and 51.07, the department may authorize mental health institutes to offer
16 services other than inpatient mental health services when the department
17 determines that community services need to be supplemented. Services that may be
18 offered under this section include mental health outpatient treatment and services,
19 day programming, consultation and services in residential facilities, including group
20 homes, child caring institutions and community-based residential facilities.

21 (2) Services under this section may be provided only under contract between
22 the department and a county department under s. 46. 215, 46.22 or 46.23, a school
23 district or another public or private entity within the state to persons referred from
24 those entities, at the discretion of the department. The department shall charge the
25 referring entity all costs associated with providing the services. Unless a referral is

1 made, the department may not offer services under this section to the person who is
2 to receive the services or his or her family. The department may not impose a charge
3 for services under this section upon the person receiving the services or his or her
4 family. The department shall credit any revenues received under this section to the
5 appropriation account under s. 20.435 (2) (gk).

6 (3) (a) Except as provided in par. (b), services under this section are governed
7 by all of the following:

8 1. The terms of the contract between the department and the referring entity.

9 2. Subchapter XVI of ch. 48 and ss. 50.03, 50.032, 50.033, 50.034 (1) to (3),
10 50.035, 50.04, 50.09, 51.04, 51.42 (7) (b) and 51.61. In applying these statutes, the
11 services shall be considered to be provided by a private entity.

12 3. Rules promulgated under the statutes specified in subd. 2.

13 (b) In the event of a conflict between par. (a) 1. and 2. or 3., the services shall
14 comply with the contractual, statutory or rules provision that is most protective of
15 the service recipient's health, safety, welfare or rights.

16 (c) Sections 46.03 (18), 46.10, 51.15 (2), 51.20 (13) (c) 1. and 51.42 (3) (as), other
17 similar provisions in chs. 46 and 51 and zoning or other ordinances or regulations of
18 the county, city, town or village in which the services are provided or the facility is
19 located do not apply to the services under this section.

20 (d) The department may not be required, by court order or otherwise, to offer
21 services under this section.

22 (4) Services in a residential facility operated by a mental health institute that
23 are authorized by the department under this section shall be provided only in a
24 facility that is situated on the grounds of a mental health institute. The facility may
25 not be considered to be a hospital, as defined in s. 50.33 (2), an inpatient facility, as

1 defined in s. 51.01 (10), a state treatment facility, as defined in s. 51.01 (15), or a
2 treatment facility, as defined in s. 51.01 (19).

3 ***-0284/3.4* SECTION 1001.** 46.055 of the statutes is created to read:

4 **46.055 Secure mental health facility for sexually violent persons.** The
5 department shall establish and operate a secure mental health facility for the
6 detention, evaluation and institutional care of persons under ch. 980.

7 ***b0590/3.2* SECTION 1002d.** 46.057 (2) of the statutes is amended to read:

8 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
9 department of corrections shall transfer to the appropriation account under s. 20.435
10 (2) (kx) \$1,273,900 in fiscal year 1999–2000 and \$1,379,300 in fiscal year 2000–01
11 and, from the appropriation account under s. 20.410 (3) (hm), the department of
12 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)
13 ~~\$3,125,100~~ \$2,489,300 in fiscal year ~~1997–98~~ 1999–2000 and ~~\$3,236,200~~ \$2,489,900
14 in fiscal year ~~1998–99~~ 2000–01 for services for juveniles placed at the Mendota
15 juvenile treatment center. The department of health and family services may charge
16 the department of corrections not more than the actual cost of providing those
17 services.

18 ***b0608/1.1* SECTION 1002j.** 46.058 (2m) of the statutes is created to read:

19 46.058 (2m) The superintendents of the secure mental health facility
20 established under s. 46.055, the Wisconsin resource center established under s.
21 46.056 and any secure mental health unit or facility provided by the department of
22 corrections under s. 980.065 (2) shall adopt proper means to prevent escapes of
23 persons detained or committed to the facility, center or unit under ch. 980 and may
24 adopt proper means to pursue and capture persons detained or committed to the
25 facility, center or unit under ch. 980 who have escaped. In adopting means under this

1 subsection to prevent escape and pursue and capture persons who have escaped, a
2 superintendent may delegate to designated staff members of the facility, center or
3 unit the power to use necessary and appropriate force, as defined by the department
4 by rule, to prevent escapes and capture escaped persons.

5 ***-0284/3.5* SECTION 1003.** 46.10 (2) of the statutes is amended to read:

6 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,
7 including but not limited to a person admitted, committed or placed under s. 975.01,
8 1977 stats., s. 975.02, 1977 stats., and s. 975.17, 1977 stats., and ss. 51.10, 51.13,
9 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.06, 971.14
10 (2) and (5), 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services and
11 supplies provided by any institution in this state including University of Wisconsin
12 Hospitals and Clinics, in which the state is chargeable with all or part of the person's
13 care, maintenance, services and supplies, any person receiving care and services
14 from a county department established under s. 51.42 or 51.437 or from a facility
15 established under s. 49.73, and any person receiving treatment and services from a
16 public or private agency under s. 980.06 (2) (c), 1997 stats., or s. 971.17 (3) (d) or (4)
17 (e), 980.06 (2) (e) or 980.08 (5) and the person's property and estate, including the
18 homestead, and the spouse of the person, and the spouse's property and estate,
19 including the homestead, and, in the case of a minor child, the parents of the person,
20 and their property and estates, including their homestead, and, in the case of a
21 foreign child described in s. 48.839 (1) who became dependent on public funds for his
22 or her primary support before an order granting his or her adoption, the resident of
23 this state appointed guardian of the child by a foreign court who brought the child
24 into this state for the purpose of adoption, and his or her property and estate,
25 including his or her homestead, shall be liable for the cost of the care, maintenance,

1 services and supplies in accordance with the fee schedule established by the
2 department under s. 46.03 (18). If a spouse, widow or minor, or an incapacitated
3 person may be lawfully dependent upon the property for their support, the court
4 shall release all or such part of the property and estate from the charges that may
5 be necessary to provide for those persons. The department shall make every
6 reasonable effort to notify the liable persons as soon as possible after the beginning
7 of the maintenance, but the notice or the receipt thereof is not a condition of liability.

8 ***-0030/2.28* SECTION 1010.** 46.21 (2m) (c) of the statutes is amended to read:

9 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
10 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and
11 253.07 (3) (c), any subunit of the county department of human services acting under
12 this subsection may exchange confidential information about a client, without the
13 informed consent of the client, with any other subunit of the same county department
14 of human services, with a resource center, care management organization or family
15 care district, or with any person providing services to the client under a purchase of
16 services contract with the county department of human services or with a resource
17 center, care management organization or family care district, if necessary to enable
18 an employe or service provider to perform his or her duties, or to enable the county
19 department of human services to coordinate the delivery of services to the client.

20 ***-1186/4.8* SECTION 1011.** 46.215 (1) (j) of the statutes is amended to read:

21 46.215 (1) (j) To make payments in such manner as the department of
22 workforce development may determine for training of recipients, former recipients
23 and potential recipients of aid in programs established under ss. s. 49.193, 1997
24 stats., and s. 49.26 (1).

25 ***-0030/2.29* SECTION 1012.** 46.215 (1) (r) of the statutes is created to read:

1 46.215 (1) (r) If authorized under s. 46.283 (1) (a) 1., to apply to the department
2 of health and family services to operate a resource center under s. 46.283 and, if the
3 department contracts with the county under s. 46.283 (2), to operate the resource
4 center.

5 *~~0030/2.30~~* SECTION 1013. 46.215 (1) (s) of the statutes is created to read:

6 46.215 (1) (s) If authorized under s. 46.284 (1) (a) 1., to apply to the department
7 of health and family services to operate a care management organization under s.
8 46.284 and, if the department contracts with the county under s. 46.284 (2), to
9 operate the care management organization and, if appropriate, place funds in a risk
10 reserve.

11 *~~b0616/3.1~~* SECTION 1014p. 46.215 (1g) of the statutes is amended to read:

12 46.215 (1g) ADMINISTRATION OF FOOD STAMPS FOR PARTICIPANTS IN BY A WISCONSIN
13 WORKS AGENCY. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the
14 extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for
15 and distribute, if determined eligible, issue food coupons under s. 49.143 (2) (e) to
16 eligible participants in the Wisconsin works program under subch. III of ch. 49.

17 *~~0030/2.31~~* SECTION 1017. 46.215 (1m) of the statutes is amended to read:

18 46.215 (1m) EXCHANGE OF INFORMATION. Notwithstanding ss. 46.2895 (9), 48.78
19 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
20 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services
21 acting under this section may exchange confidential information about a client,
22 without the informed consent of the client, with any other subunit of the same county
23 department of social services, with a resource center, care management organization
24 or family care district, or with any person providing services to the client under a
25 purchase of services contract with the county department of social services or with

1 a resource center, care management organization or family care district, if necessary
2 to enable an employe or service provider to perform his or her duties, or to enable the
3 county department of social services to coordinate the delivery of services to the
4 client.

5 ***-0271/4.2* SECTION 1018.** 46.215 (2) (c) 1. of the statutes is amended to read:

6 46.215 (2) (c) 1. A county department of social services shall develop, under the
7 requirements of s. 46.036, plans and contracts for care and services to be purchased,
8 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
9 of health and family services may review the contracts and approve them if they are
10 consistent with s. 46.036 and if state or federal funds are available for such purposes.
11 The joint committee on finance may require the department of health and family
12 services to submit the contracts to the committee for review and approval. The
13 department of health and family services may not make any payments to a county
14 for programs included in a contract under review by the committee. The department
15 of health and family services shall reimburse each county for the contracts from the
16 appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), as appropriate, under
17 s. 46.495.

18 ***-0030/2.32* SECTION 1019.** 46.22 (1) (b) 1. j. of the statutes is created to read:

19 46.22 (1) (b) 1. j. If authorized under s. 46.283 (1) (a) 1., to apply to the
20 department of health and family services to operate a resource center under s. 46.283
21 and, if the department contracts with the county under s. 46.283 (2), to operate the
22 resource center.

23 ***-0030/2.33* SECTION 1020.** 46.22 (1) (b) 1. k. of the statutes is created to read:

24 46.22 (1) (b) 1. k. If authorized under s. 46.284 (1) (a) 1., to apply to the
25 department of health and family services to operate a care management organization

1 under s. 46.284 and, if the department contracts with the county under s. 46.284 (2),
2 to operate the care management organization and, if appropriate, place funds in a
3 risk reserve.

4 ***-1186/4.9* SECTION 1021.** 46.22 (1) (b) 2. a. of the statutes is repealed.

5 ***-1186/4.10* SECTION 1022.** 46.22 (1) (b) 2. e. of the statutes is amended to
6 read:

7 46.22 (1) (b) 2. e. To make payments in such manner as the department of
8 workforce development may determine for training of recipients, former recipients
9 and potential recipients of aid in programs established under ss. 49.193, 1997 stats.,
10 and 49.26 (1).

11 ***-2565/P5.1* SECTION 1022m.** 46.22 (1) (c) 2. of the statutes is amended to
12 read:

13 46.22 (1) (c) 2. Subdivision 1. does not authorize the county department of
14 social services to make investigations regarding admission to or release from the
15 ~~Waupun correctional institution, the Columbia correctional institution, the Racine~~
16 ~~correctional institution, the Racine Youthful Offender Correctional Facility, the~~
17 ~~correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), the~~
18 ~~correctional institution authorized under s. 301.046 (1), the correctional institution~~
19 ~~authorized under s. 301.048 (4) (b), the correctional institution authorized under s.~~
20 ~~301.16 (1n), the Oshkosh correctional institution, the Green Bay correctional~~
21 ~~institution, the Dodge correctional institution, the Taycheedah correctional~~
22 ~~institution~~ state prisons under s. 302.01, county houses of correction, jails, detention
23 homes or reforestation camps.

24 ***-0274/2.2* SECTION 1023.** 46.22 (1) (c) 8. f. of the statutes is created to read:

1 46.22 (1) (c) 8. f. Before July 1, 2005, the county department of social services
2 shall implement the statewide automated child welfare information system
3 established by the department under s. 46.03 (7) (g).

4 *~~0030/2.34~~* SECTION 1024. 46.22 (1) (dm) of the statutes is amended to read:
5 46.22 (1) (dm) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
6 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
7 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services
8 acting under this subsection may exchange confidential information about a client,
9 without the informed consent of the client, with any other subunit of the same county
10 department of social services, with a resource center, care management organization
11 or family care district, or with any person providing services to the client under a
12 purchase of services contract with the county department of social services or with
13 a resource center, care management organization or family care district, if necessary
14 to enable an employe or service provider to perform his or her duties, or to enable the
15 county department of social services to coordinate the delivery of services to the
16 client.

17 *~~0271/4.3~~* SECTION 1025. 46.22 (1) (e) 3. a. of the statutes is amended to read:
18 46.22 (1) (e) 3. a. A county department of social services shall develop, under
19 the requirements of s. 46.036, plans and contracts for care and services, except under
20 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
21 family services may review the contracts and approve them if they are consistent
22 with s. 46.036 and to the extent that state or federal funds are available for such
23 purposes. The joint committee on finance may require the department of health and
24 family services to submit the contracts to the committee for review and approval.
25 The department of health and family services may not make any payments to a

1 county for programs included in the contract that is under review by the committee.
2 The department of health and family services shall reimburse each county for the
3 contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o)
4 according to s. 46.495.

5 ***b0616/3.5* SECTION 1026p.** 46.22 (1g) of the statutes is amended to read:

6 46.22 (1g) ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN BY A~~ WISCONSIN
7 WORKS AGENCY. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the
8 extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for
9 and distribute, if determined eligible, issue food coupons under s. 49.143 (2) (e) to
10 eligible participants in the Wisconsin works program under subch. III of ch. 49.

11 ***-0030/2.35* SECTION 1029.** 46.23 (3) (e) of the statutes is amended to read:

12 46.23 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
13 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
14 (3) (c) and 938.78 (2) (a), any subunit of a county department of human services
15 acting under this section may exchange confidential information about a client,
16 without the informed consent of the client, with any other subunit of the same county
17 department of human services, with a resource center, care management
18 organization or family care district, or with any person providing services to the
19 client under a purchase of services contract with the county department of human
20 services or with a resource center, care management organization or family care
21 district, if necessary to enable an employe or service provider to perform his or her
22 duties, or to enable the county department of human services to coordinate the
23 delivery of services to the client.

24 ***-1547/2.1* SECTION 1030.** 46.266 (1) (d) of the statutes is created to read:

1 46.266 (1) (d) A person in the facility who has been determined under s. 49.45
2 (6c) (b) to require active treatment for mental illness.

3 ***b0514/1.1* SECTION 1030d.** 46.266 (3) of the statutes is amended to read:

4 46.266 (3) The total number of beds in skilled nursing facilities or intermediate
5 care facilities that are funded at any one time under subs. (1) and (2) may not exceed
6 the number of beds available for the persons specified in sub. (1) (a), minus the
7 number of beds reduced under sub. (8) (a), plus the number of beds added for persons
8 who are specified under sub. (1) (c) and (d). The department may redistribute funds
9 for a vacant bed from one county to another county that is seeking to effect the
10 placement of a person in an institution for mental diseases.

11 ***-0030/2.36* SECTION 1031.** 46.27 (1) (bm) of the statutes is amended to read:

12 46.27 (1) (bm) “Private nonprofit agency” means a nonprofit corporation, as
13 defined in s. 181.0103 (17), which provides ~~comprehensive health care services to~~
14 ~~elderly persons~~ a program of all-inclusive care for persons aged 65 or older
15 authorized under 42 USC 1395 to 1395ggg and which participates in the On Lok
16 replication initiative.

17 ***-0030/2.37* SECTION 1032.** 46.27 (2) (k) of the statutes is created to read:

18 46.27 (2) (k) Review and approve or disapprove the terms of risk reserve escrow
19 accounts created under sub. (7) (fr) and approve or disapprove disbursements for
20 administrative or staff costs from the risk reserve escrow accounts.

21 ***b0591/3.1* SECTION 1033g.** 46.27 (4) (am) of the statutes is created to read:

22 46.27 (4) (am) If a local long-term care council in a county assumes under s.
23 46.282 (3) (b) the duties of the county long-term support planning committee under
24 this subsection, the county long-term support planning committee for the county is
25 dissolved.

1 ***b0591/3.1* SECTION 1033h.** 46.27 (4) (c) (intro.) of the statutes is amended to
2 read:

3 46.27 (4) (c) (intro.) The planning committee shall develop, or, if a local
4 long-term care council has under s. 46.282 (3) (b) assumed the duties of the planning
5 committec, the local long-term care council shall recommend a community options
6 plan for participation in the program. The plan shall include:

7 ***b0591/3.1* SECTION 1033i.** 46.27 (4) (c) 5. of the statutes is amended to read:

8 46.27 (4) (c) 5. A description of the method to be used by the committee or, if
9 a local long-term care council has under s. 46.282 (3) (b) assumed the duties of the
10 planning committee, the local long-term care council to monitor the implementation
11 of the program.

12 ***-0030/2.43* SECTION 1038.** 46.27 (4) (c) 8. of the statutes is amended to read:

13 46.27 (4) (c) 8. If a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established
14 in the county, a description of how the activities of the pilot project relate to and are
15 coordinated with the county's proposed program.

16 ***-0030/2.44* SECTION 1039.** 46.27 (5) (am) of the statutes is amended to read:

17 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county
18 department or aging unit shall utilize persons for each assessment who can
19 determine the needs of the person being assessed and who know the availability
20 within the county of services alternative to placement in a nursing home. If any
21 hospital patient is referred to a nursing home for admission, these persons shall work
22 with the hospital discharge planner in performing the activities specified in sub. (6).
23 The county department or aging unit shall coordinate the involvement of
24 representatives from the county departments under ss. 46.215, 46.22, 51.42 and
25 51.437, health service providers and the county commission on aging in the

1 assessment activities specified in sub. (6), as well as the person being assessed and
2 members of the person's family or the person's guardian. This paragraph does not
3 apply to a county department or aging unit in a county where a pilot project under
4 s. ~~46.271 (2m)~~ 46.281 (1) (d) is established.

5 ***-0030/2.45* SECTION 1040.** 46.27 (6) (a) 3. of the statutes is amended to read:

6 46.27 (6) (a) 3. In each participating county, except in counties where a pilot
7 project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established, assessments shall be
8 conducted for those persons and in accordance with the procedures described in the
9 county's community options plan. The county may elect to establish assessment
10 priorities for persons in target groups identified by the county in its plan regarding
11 gradual implementation. If a person who is already admitted to a nursing home
12 requests an assessment and if funds allocated for assessments under sub. (7) (am)
13 are available, the county shall conduct the assessment.

14 ***-0030/2.46* SECTION 1041.** 46.27 (6g) (intro.) of the statutes is amended to
15 read:

16 46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and
17 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an
18 assessment, unless the assessment is performed by an entity under s. ~~46.271 (2m)~~
19 46.281 (1) (d), case plan or services provided to a person under this section is as
20 follows:

21 ***b0496/3.1* SECTION 1041m.** 46.27 (6r) (f) of the statutes is created to read:

22 46.27 (6r) (f) A person who has attained the age of 18 but has not attained the
23 age of 65 unless that person is engaged in gainful employment or participating in a
24 program that is certified by the department to provide health and employment
25 services that are aimed at helping the individual achieve employment goals. The

1 department may waive this paragraph for any individual for whom its application
2 would cause undue hardship.

3 ***-0266/3.1* SECTION 1042.** 46.27 (6u) (c) 2. of the statutes is amended to read:
4 46.27 (6u) (c) 2. For a person who is determined to be financially eligible under
5 subd. 1. calculate, by use of the uniform fee system under s. 46.03 (18), the amount
6 of cost sharing required for receipt of long-term community support services
7 provided under sub. (5) (b). The county department or aging unit shall require
8 payment by the person of 100% of the amount calculated under this subdivision,
9 unless the person is a recipient of medical assistance under s. 49.472. If the person
10 is a recipient of medical assistance under s. 49.472, the county department or aging
11 unit may not require any payment from the person under this subdivision.

12 ***-0030/2.47* SECTION 1043.** 46.27 (7) (am) of the statutes is amended to read:
13 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department
14 shall allocate funds to each county or private nonprofit agency with which the
15 department contracts to pay assessment and case plan costs under sub. (6) not
16 otherwise paid by fee or under s. 49.33 (2) or 49.45. The department shall reimburse
17 counties for the cost of assessing persons eligible for medical assistance under s.
18 49.46, 49.468 or 49.47 as part of the administrative services of medical assistance,
19 payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this
20 paragraph to pay the cost of long-term community support services and for a risk
21 reserve under par. (fr).

22 ***-0030/2.48* SECTION 1044.** 46.27 (7) (b) of the statutes is amended to read:
23 46.27 (7) (b) 1m. From the appropriations under s. 20.435 (7) (bd) and (im), the
24 department shall allocate funds to each county to pay the cost of providing long-term
25 community support services under sub. (5) (b) not otherwise paid under s. 49.45 to

1 persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom
2 the county department or aging unit administering the program finds likely to
3 become medically indigent within 6 months by spending excess income or assets for
4 medical or remedial care. The average per person reimbursement under this
5 paragraph may not exceed the state share of the average per person payment rate
6 the department expects under s. 49.45 (6m). The county department or aging unit
7 administering the program may spend funds received under this paragraph only in
8 accordance with the case plan and service contract created for each person receiving
9 long-term community support services. Counties may use unspent funds allocated
10 under this paragraph from the appropriation under s. 20.435 (7) (bd) for a risk
11 reserve under par. (fr).

12 *~~0327/1.1~~* SECTION 1045. 46.27 (7) (cj) 3. a. of the statutes is amended to read:

13 46.27 (7) (cj) 3. a. An assessment under sub. (6) has been completed for the
14 person prior to the person's admission to the community-based residential facility,
15 whether or not the person is a private pay admittee at the time of admission. The
16 county may waive this condition in accordance with guidelines established by the
17 department. If the county waives this condition, the county must meet with the
18 person or the person's guardian to discuss the cost-effectiveness of various service
19 options.

20 *~~0030/2.49~~* SECTION 1046. 46.27 (7) (fm) of the statutes is amended to read:

21 46.27 (7) (fm) The department shall, at the request of a county, carry forward
22 up to 10% of the amount allocated under this subsection to the county for a calendar
23 year if up to 10% of the amount so allocated has not been spent or encumbered by the
24 county by December 31 of that year, for use by the county in the following calendar
25 year, except that the amount carried forward shall be reduced by the amount of funds

1 that the county has notified the department that the county wishes to place in a risk
2 reserve under par. (fr). The department may transfer funds within s. 20.435 (7) (bd)
3 to accomplish this purpose. An allocation under this paragraph does not affect a
4 county's base allocation under this subsection and shall lapse to the general fund
5 unless expended within the calendar year to which the funds are carried forward.
6 A county may not expend funds carried forward under this paragraph for
7 administrative or staff costs, except administrative or staff costs that are associated
8 with implementation of the waiver under sub. (11) and approved by the department.

9 ***-0030/2.50* SECTION 1047.** 46.27 (7) (fr) of the statutes is created to read:

10 46.27 (7) (fr) 1. Notwithstanding s. 46.036 (3) and (5m), a county may place in
11 a risk reserve funds that are allocated under par. (am) or (b) or sub. (11) (c) 3. and
12 are not expended or encumbered for services under this subsection or sub. (11). The
13 county shall notify the department of this decision and of the amount to be placed in
14 the risk reserve. The county shall maintain the risk reserve in an interest-bearing
15 escrow account with a financial institution, as defined in s. 69.30 (1) (b), if the
16 department has approved the terms of the escrow. All interest from the principal
17 shall be reinvested in the escrow account.

18 2. The annual amount of a county's expenditure for a risk reserve, as specified
19 in subd. 1., may not exceed 10% of the county's most recent allocation under pars.
20 (am) and (b) and sub. (11) (c) 3. or \$750,000, whichever is less. The total amount of
21 the risk reserve, including interest, may not exceed 15% of the county's most recent
22 allocation under this subsection.

23 3. A county may expend funds maintained in a risk reserve, as specified in subd.
24 1., for any of the following purposes:

25 a. To defray costs of long-term community support services under this section.

1 b. To meet requirements under any contract that the county has with the
2 department to operate a care management organization under s. 46.284.

3 c. If approved by a resolution of the county board of supervisors, to transfer
4 funds to a family care district.

5 d. If approved by the department, for administrative or staff costs under this
6 section.

7 4. A county that maintains a risk reserve, as specified in subd. 1., shall
8 annually, on a form prescribed by the department, submit to the department a record
9 of the status of the risk reserve, including revenues and disbursements.

10 ***-0030/2.51*** SECTION 1048. 46.27 (7) (g) (intro.) of the statutes is amended to
11 read:

12 46.27 (7) (g) (intro.) The department may carry forward to the next state fiscal
13 year up to ~~\$500,000~~ of funds allocated under this subsection and not encumbered by
14 counties by December 31 or carried forward under par. (fm). The department may
15 transfer moneys within s. 20.435 (7) (bd) to accomplish this purpose. An allocation
16 under this paragraph shall not affect a county's base allocation for the program. The
17 department may allocate these transferred moneys during the next fiscal year to
18 counties for planning and implementation of resource centers under s. 46.283 or care
19 management organizations under s. 46.284 and for the improvement or expansion
20 of long-term community support services for clients whose cost of care significantly
21 exceeds the average cost of care provided under this section, including any of the
22 following:

23 ***-1295/2.2*** SECTION 1049. 46.27 (7g) (c) 3. (intro.) of the statutes is amended
24 to read:

1 46.27 (7g) (c) 3. (intro.) The court shall reduce the amount of a claim under
2 subd. 1. by up to ~~\$3,000~~ the amount specified in s. 861.33 (2) if necessary to allow the
3 client's heirs or the beneficiaries of the client's will to retain the following personal
4 property:

5 *~~-1295/2.3~~* SECTION 1050. 46.27 (7g) (c) 3. c. of the statutes is amended to read:

6 46.27 (7g) (c) 3. c. Other tangible personal property not used in trade,
7 agriculture or other business, not to exceed ~~\$1,000~~ in value the amount specified in
8 s. 861.33 (1) (a) 4.

9 *~~-0260/2.1~~* SECTION 1051. 46.27 (7g) (c) 5. of the statutes is renumbered 46.27
10 (7g) (c) 5. a. and amended to read:

11 46.27 (7g) (c) 5. a. If the department's claim is not allowable because of subd.
12 4. and the estate includes an interest in a home, the court exercising probate
13 jurisdiction shall, in the final judgment or summary findings and order, assign the
14 interest in the home subject to a lien in favor of the department for the amount
15 described in subd. 1. The personal representative or petitioner for summary
16 settlement or summary assignment of the estate shall record the final judgment as
17 provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

18 *~~-0260/2.2~~* SECTION 1052. 46.27 (7g) (c) 5. b. of the statutes is created to read:

19 46.27 (7g) (c) 5. b. If the department's claim is not allowable because of subd.
20 4., the estate includes an interest in a home and the personal representative closes
21 the estate by sworn statement under s. 865.16, the personal representative shall
22 stipulate in the statement that the home is assigned subject to a lien in favor of the
23 department for the amount described in subd. 1. The personal representative shall
24 record the statement in the same manner as described in s. 863.29, as if the
25 statement were a final judgment.