SECTION 3606. 560.605 (2) (a) of the statutes is renumbered 560.605 (1) (j).

SECTION 3607. 560.605 (2) (b) of the statutes is renumbered 560.605 (1) (k).

SECTION 3608. 560.605 (2) (c) of the statutes is renumbered 560.605 (1) (L).

SECTION 3609. 560.605 (2) (d) of the statutes is renumbered 560.605 (1) (m) and amended to read:

560.605 **(1)** (m) The financial soundness of the ~~business~~ eligible recipient.

SECTION 3610. 560.605 (2) (e) of the statutes is renumbered 560.605 (1) (n).

SECTION 3611. 560.605 (2) (f) of the statutes is renumbered 560.605 (1) (o).

SECTION 3612. 560.605 (2m) (intro.) of the statutes is amended to read:

560.605 **(2m)** (intro.) When considering whether a project ~~under s. 560.62, 560.63 or 560.66~~ will be located in a targeted area, the board ~~shall~~ may consider ~~all~~ any of the following:

SECTION 3613. 560.605 (2m) (c) of the statutes is repealed.

SECTION 3614. 560.605 (2m) (d) of the statutes is repealed.

SECTION 3615. 560.605 (2m) (e) of the statutes is repealed.

SECTION 3616. 560.605 (4) of the statutes is repealed.

SECTION 3617. 560.605 (5) of the statutes is repealed.

SECTION 3618. 560.605 (5m) of the statutes is repealed.

SECTION 3619. 560.605 (6) of the statutes is repealed.

SECTION 3621. 560.607 (1) of the statutes is amended to read:

560.607 **(1)** Evaluations of proposed technical research projects ~~under s. 560.62~~.

SECTION 3622. 560.61 (intro.) and (1) of the statutes are consolidated, renumbered 560.61 and amended to read:

560.61 Wisconsin development fund. At the request of the board, the department ~~shall do all of the following: (1) Make~~ may make a grant or loan to an eligible recipient ~~for a project that meets the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.63, 560.65 or 560.66, whichever is appropriate,~~ from the appropriations under s. 20.143 (1) (c) and (ie).

SECTION 3623. 560.61 (3) of the statutes is repealed.

SECTION 3624. 560.62 of the statutes is repealed.

SECTION 3625. 560.63 of the statutes is repealed.

SECTION 3626. 560.65 of the statutes is repealed.

SECTION 3627. 560.66 of the statutes is repealed.

SECTION 3628. 560.68 (1m) of the statutes is created to read:

560.68 **(1m)** The department shall establish criteria for the award of grants and loans under s. 560.61, including the types of projects that are eligible for funding and the types of eligible projects that will receive priority.

SECTION 3629. 560.68 (2m) of the statutes is created to read:

560.68 **(2m)** The department shall determine conditions applicable to a grant or loan under s. 560.61.

SECTION 3630. 560.68 (3) of the statutes is amended to read:

560.68 **(3)** The department may charge a grant or loan recipient an origination fee of ~~up to~~ not more than 2% of the grant or loan amount if the grant or loan equals or exceeds $200,000 ~~and is awarded under s. 560.63 or 560.66~~. The department shall deposit all origination fees collected under this subsection in the appropriation account under s. 20.143 (1) (gm).

SECTION 3631. 560.68 (5) of the statutes is renumbered 560.68 (5) (intro.) and amended to read:

560.68 **(5)** (intro.) The department, with the approval of the board, shall develop procedures ~~to evaluate~~ related to grants and loans under s. 560.61 for all of the following:

(b) Evaluating applications~~, monitor~~,

(c) Monitoring project performance ~~and audit~~,

(d) Auditing the grants and loans ~~awarded under this subchapter~~.

SECTION 3632. 560.68 (5) (a) of the statutes is created to read:

560.68 **(5)** (a) Submitting applications for grants and loans.

SECTION 3633. 560.68 (6) of the statutes is amended to read:

560.68 **(6)** ~~If appropriate, the~~ The board ~~may~~ shall require ~~that more~~, as a condition of a grant or loan, that a recipient contribute to a project an amount that is not less than 25% of the ~~cost of any project or category of projects be paid from funds not provided by this state~~ amount of the grant or loan.

SECTION 3634. 560.68 (7) (a) of the statutes is amended to read:

560.68 **(7)** (a) Publish and disseminate information about ~~the~~ projects ~~under ss. 560.62 to 560.66~~ that may be funded by a grant or loan under s. 560.61 and ~~the~~ about procedures for applying for grants and loans under s. 560.61.

SECTION 3635. 560.795 (2) (a) of the statutes is amended to read:

560.795 **(2)** (a) Except as provided in par. (d), the designation of each area under sub. (1) (a), (b), and (c) as a development opportunity zone shall be effective for 36 months, with the designation of the areas under sub. (1) (a) and (b) beginning on April 23, 1994, and the designation of the area under sub. (1) (c) beginning on April 28, 1995. Except as provided in par. (d), the designation of each area under sub. (1) (d)~~,~~ and (e)~~, and (f)~~ as a development opportunity zone shall be effective for 84 months, with the designation of the area under sub. (1) (d) beginning on January 1, 2000, and the ~~designations~~ designation of the ~~areas~~ area under sub. (1) (e) ~~and (f)~~ begin-

ning on September 1, 2001. Except as provided in par. (d), the designation of the area under sub. (1) (f) as a development opportunity zone shall be effective for 108 months, with the designation of the area under sub. (1) (f) beginning on September 1, 2001.

SECTION 3636. 560.795 (2) (b) 6. of the statutes is amended to read:

560.795 **(2)** (b) 6. The limit for tax benefits for the development opportunity zone under sub. (1) (f) is ~~$4,700,000~~ $6,700,000.

SECTION 3637. 560.799 (6) (e) of the statutes is created to read:

560.799 **(6)** (e) The department shall determine the maximum amount of the tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business may claim and shall notify the department of revenue of this amount.

SECTION 3638. 560.799 (6) (f) of the statutes is created to read:

560.799 **(6)** (f) The department shall annually verify the information submitted to the department under ss. 71.07 (3w), 71.28 (3w), or 71.47 (3w).

SECTION 3639. 560.9806 (1) (a) 3. of the statutes is amended to read:

560.9806 **(1)** (a) 3. A community action agency under s. ~~46.30~~ 49.265.

SECTION 3640. 562.05 (1e) of the statutes is amended to read:

562.05 **(1e)** If an applicant for a license under this section is an individual who does not have a social security number, the applicant shall submit to the department with his or her application a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. The form of the statement shall be prescribed by the department of ~~workforce development~~ children and families. A license issued in reliance upon a false statement submitted under this subsection is invalid.

SECTION 3641. 562.05 (5) (a) 9. of the statutes is amended to read:

562.05 **(5)** (a) 9. The person is delinquent in making court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3642. 562.05 (8) (d) of the statutes is amended to read:

562.05 **(8)** (d) If required in a memorandum of understanding entered into under s. 49.857, the department shall suspend or restrict or not renew the license of any person who is delinquent in making court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or who has failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings.

SECTION 3643. 562.05 (8m) (a) of the statutes is amended to read:

562.05 **(8m)** (a) If the applicant for any license is an individual, the department shall disclose his or her social security number to the department of ~~workforce development~~ children and families for the purpose of administering s. 49.22 and to the department of revenue for the purpose of requesting certifications under s. 73.0301.

SECTION 3644. 562.06 (3) of the statutes is amended to read:

562.06 **(3)** DAY CARE. Nothing in this section prohibits a licensee from operating a day care area at a track if the day care area is licensed by the department of ~~health and family services~~ children and families under s. 48.65.

SECTION 3645. 563.28 (1) of the statutes is amended to read:

563.28 **(1)** If required in a memorandum of understanding entered into under s. 49.857, the department shall suspend or restrict the supplier's license of any person who is delinquent in making court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or who has failed to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and relating to paternity or child support proceedings.

SECTION 3646. 563.28 (2) of the statutes is amended to read:

563.28 **(2)** The department shall disclose the social security number of any applicant for a supplier's license to the department of ~~workforce development~~ children and families for the purpose of administering s. 49.22.

SECTION 3649. 565.30 (5) of the statutes is amended to read:

565.30 **(5)** WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS OWED THE STATE. The administrator shall report the name, address and social security number or federal income tax number of each winner of a lottery prize equal to or greater than $1,000 and the name, address and social security number or federal income tax number of each person to whom a lottery prize equal to or greater than $1,000 has been assigned to the department of revenue to determine whether the payee or assignee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or,

if applicable, in the court–ordered payment of child support or has a debt owing to the state. Upon receipt of a report under this subsection, the department of revenue shall first ascertain based on certifications by the department of workforce development or its designee under s. 49.855 (1) whether any person named in the report is currently delinquent in court–ordered payment of child support and shall next certify to the administrator whether any person named in the report is delinquent in court–ordered payment of child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of revenue or upon court order the administrator shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate agency or person. ~~At the time of remittance, the~~ The department of revenue shall charge ~~its~~ the winner or assignee of the lottery prize for the department of revenue's administrative expenses associated with withholding and remitting ~~to the~~ debt owed to a state agency ~~that has received the remittance~~ and may withhold the amount of the administrative expenses from the prize payment. The administrative expenses received or withheld by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee or assignee of the prize is delinquent both in payments for state taxes and in court–ordered payments of child support, or is delinquent in one or both of these payments and has a debt owing to the state, the amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee or assignee.

SECTION 3650. 565.30 (5) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

565.30 **(5)** WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS OWED THE STATE. The administrator shall report the name, address and social security number or federal income tax number of each winner of a lottery prize equal to or greater than $1,000 and the name, address and social security number or federal income tax number of each person to whom a lottery prize equal to or greater than $1,000 has been assigned to the department of revenue to determine whether the payee or assignee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or, if applicable, in the court–ordered payment of child support or has a debt owing to the state. Upon receipt of a report under this subsection, the department of revenue shall first ascertain based on certifications by the department of ~~workforce development~~ children and families or its designee under s. 49.855 (1) whether any person named in the report is currently delinquent in court–ordered payment of child support and shall next certify to the administrator whether any person named in the report is delinquent in court–ordered payment of child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of revenue or upon court order the administrator shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate agency or person. The department of revenue shall charge the winner or assignee of the lottery prize for the department of revenue's administrative expenses associated with withholding and remitting debt owed to a state agency and may withhold the amount of the administrative expenses from the prize payment. The administrative expenses received or withheld by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee or assignee of the prize is delinquent both in payments for state taxes and in court–ordered payments of child support, or is delinquent in one or both of these payments and has a debt owing to the state, the amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee or assignee.

SECTION 3651. 565.30 (5m) (a) of the statutes is amended to read:

565.30 **(5m)** (a) The administrator shall report to the department of ~~workforce development~~ children and families the name, address and social security number of each winner of a lottery prize that is payable in installments and the name, address and social security number or federal income tax number of the person who has been assigned a lottery prize that is payable in installments. Upon receipt of the report, the department of ~~workforce development~~ children and families shall certify to the administrator whether any payee or assignee named in the report is obligated to provide child support, spousal support, maintenance or family support under s. 767.001 (1) (f) or (g), 767.225, 767.34, 767.511, 767.531, 767.56, 767.805 (4), 767.85, 767.863 (3), 767.89 (3), 767.893 (2m) or 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize under s. 767.75. Subject to par. (b), the administrator shall withhold the certified amount from each payment made to the winner or assignee and remit the certified amount to the department of ~~workforce development~~ children and families.

SECTION 3652. 601.32 (1) of the statutes is amended to read:

601.32 **(1)** If the moneys credited to s. 20.145 (1) (g) 1. under other sections of the statutes prove inadequate for the office's supervision of insurance industry program, the commissioner may increase any or all of the fees imposed by s. 601.31, or may in any year levy a special assessment on all domestic insurers, or both, for the general operation of that program.

SECTION 3652m. 601.415 (8) of the statutes is created to read:

601.415 **(8)** LONG–TERM CARE PARTNERSHIP PROGRAM. The commissioner shall provide the certifications required under s. 49.45 (31) (b) 5. and shall cooperate with the department of health and family services in

approving the training program under s. 49.45 (31) (c) for agents who sell long–term care insurance policies.

SECTION 3653. 601.45 (3) of the statutes is amended to read:

601.45 **(3)** DEPOSIT. The commissioner may require any examinee, before or from time to time during an examination, to deposit with the secretary of administration such deposits as the commissioner deems necessary to pay the costs of the examination. Any deposit and any payment made under subs. (1) and (2) shall be credited to the appropriation account under s. 20.145 (1) (g) 1. in the percentage specified in that ~~paragraph~~ subdivision.

SECTION 3654. 601.45 (4) of the statutes is amended to read:

601.45 **(4)** EXEMPTIONS. On the examinee's request or on the commissioner's own motion, the commissioner may pay all or part of the costs of an examination from the appropriation under s. 20.145 (1) (g) 1., whenever the commissioner finds that because of the frequency of examinations or other factors, imposition of the costs would place an unreasonable burden on the examinee. The commissioner shall include in his or her annual report information about any instance in which the commissioner applied this subsection.

SECTION 3655. 601.47 (1) of the statutes is amended to read:

601.47 **(1)** GENERAL. The commissioner may prepare books, pamphlets, and other publications relating to insurance and sell them in the manner and at the prices the commissioner determines. The cost of publication and distribution may be paid from the appropriation under s. 20.145 (1) (g) 1.

SECTION 3656. 601.47 (3) of the statutes is amended to read:

601.47 **(3)** FREE DISTRIBUTION. The commissioner may furnish free copies of the publications prepared under subs. (1) and (2) to public officers and libraries in this state and elsewhere. The cost of free distribution shall be charged to the appropriation under s. 20.145 (1) (g) 1.

SECTION 3657. 601.48 (1) of the statutes is amended to read:

601.48 **(1)** NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. The commissioner and the office of the commissioner shall maintain close relations with the commissioners of other states and shall participate in the activities and affairs of the National Association of Insurance Commissioners and other organizations so far as it will, in the judgment of the commissioner, enhance the purposes of chs. 600 to 655. The actual and necessary expenses incurred thereby shall be reimbursed out of the appropriation under s. 20.145 (1) (g) 1.

SECTION 3658. 601.62 (4) of the statutes is amended to read:

601.62 **(4)** FEES IN INVESTIGATIONS AND HEARINGS. The fees for stenographic services in investigations, examinations, and hearings may not exceed the sum provided for like services in the circuit court. The fees of officers, witnesses, interpreters, and stenographers on behalf of the commissioner or the state shall be paid by the secretary of administration, authorized by the certificate of the commissioner, and shall be charged to the appropriation under s. 20.145 (1) (g) 1.

SECTION 3659. 604.04 (3) of the statutes is amended to read:

604.04 **(3)** EXPENSES. No full–time state officer or employee may receive additional compensation for services under chs. 604 to 607. Appropriate portions of the salaries of such persons who do work for the funds or supervise them, and other expenses including reasonable charges for state–owned or state–rented office space and the use of state–owned or state–rented office equipment shall be charged against each fund. Each fund shall pay to the commissioner amounts charged for organizational support services, which shall be credited to the appropriation account under s. 20.145 (1) (g) 2. Each fund shall also be charged a sum equivalent to the state premium tax that would be paid by a domestic mutual insurer organized or operating under ch. 611 and doing the same kind of insurance business, except that no such charge shall be made for the insurance of governmental units.

SECTION 3660g. 616.10 of the statutes is amended to read:

616.10 Exemption from taxation. Every mutual designated a school benefit insurer under s. 616.03, every plan authorized under s. 616.06, and every corporation organized under s. 616.08 is declared to be a charitable and benevolent corporation, and its property, real, personal and mixed, and its income and property transferred to it, are exempt from taxation as provided in ss. 70.11, 71.26 (1) (a) and 71.45 (1) (a).

SECTION 3661. 628.095 (4) (a) of the statutes is amended to read:

628.095 **(4)** (a) The commissioner shall disclose a social security number obtained under sub. (1) or (3) to the department of ~~workforce development~~ children and families in the administration of s. 49.22, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3662. 628.095 (5) of the statutes is amended to read:

628.095 **(5)** IF APPLICANT OR INTERMEDIARY HAS NO SOCIAL SECURITY NUMBER. If an applicant who is a natural person does not have a social security number, the applicant shall provide to the commissioner, along with the application for a license and on a form prescribed by the department of ~~workforce development~~ children and families, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number. If an intermediary who is a natural person does not have a social security number, the intermediary shall provide to the commissioner, each time that the

annual fee is paid under s. 601.31 (1) (m) and on a form prescribed by the department of ~~workforce development~~ children and families, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

SECTION 3663. 628.097 (1m) of the statutes is amended to read:

628.097 **(1m)** FOR FAILURE TO PAY SUPPORT OR TO COMPLY WITH SUBPOENA OR WARRANT. The commissioner shall refuse to issue to a natural person a license, including a temporary license, under this subchapter if the natural person is delinquent in court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the natural person fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3664. 628.10 (2) (c) of the statutes is amended to read:

628.10 **(2)** (c) *For failure to pay support or to comply with subpoena or warrant.* The commissioner shall suspend or limit the license of an intermediary who is a natural person, or a temporary license of a natural person under s. 628.09, if the natural person is delinquent in court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the natural person fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3664c. 628.348 of the statutes is created to read:

628.348 Sale of long–term care insurance. (1) TRAINING REQUIREMENT. No person may solicit, negotiate, or sell long–term care insurance unless the person is a licensed intermediary and he or she completes the initial training portion of the training program under s. 49.45 (31) (c) by January 1, 2009, and completes the ongoing training under s. 49.45 (31) (c) every 24 months after completing the initial training.

(2) INSURER VERIFICATION. Insurers providing long–term care insurance shall do all of the following:

(a) Obtain from intermediaries selling long–term care insurance on behalf of the insurer verification that the intermediary is in compliance with the training requirements under sub. (1).

(b) Maintain records related to the verifications obtained under par. (a).

(c) Make the records under par. (b) available to the commissioner upon request.

SECTION 3666. 632.48 (3) of the statutes is created to read:

632.48 **(3)** NOTICE OF CHANGES. An insurer that receives a request from the department of health and family services under s. 49.47 (4) (cr) 2. for notification shall comply with the request and notify the department of any changes to or payments made under the annuity contract to which the request for notification relates.

SECTION 3667. 632.68 (2) (b) 3m. of the statutes is amended to read:

632.68 **(2)** (b) 3m. If a natural person who does not have a social security number, provides on a form prescribed by the department of ~~workforce development~~ children and families a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

SECTION 3668. 632.68 (2) (bc) 1. of the statutes is amended to read:

632.68 **(2)** (bc) 1. The commissioner shall disclose a social security number obtained under par. (b) to the department of ~~workforce development~~ children and families in the administration of s. 49.22, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3669. 632.68 (2) (bm) 1. of the statutes is amended to read:

632.68 **(2)** (bm) 1. Notwithstanding par. (b), the commissioner may not issue a license under this subsection to a natural person who is delinquent in court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3670. 632.68 (2) (e) of the statutes is amended to read:

632.68 **(2)** (e) Except as provided in sub. (3), a license issued under this subsection shall be renewed annually on July 1 upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing the licensee's social security number, unless the licensee does not have a social security number, or federal employer identification number, as applicable, if not previously provided on the application for the license or at a previous renewal of the license. If the licensee is a natural person who does not have a social security number, the license shall be renewed annually on July 1 upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing to the commissioner a statement made or subscribed under oath or affirmation, on a form prescribed by the department of

~~workforce development~~ children and families, that the licensee does not have a social security number.

SECTION 3671. 632.68 (3) (b) 1. of the statutes is amended to read:

632.68 **(3)** (b) 1. The commissioner shall suspend, limit or refuse to renew a viatical settlement provider license issued to a natural person if the natural person is delinquent in court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the natural person fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3672. 632.68 (4) (b) of the statutes is amended to read:

632.68 **(4)** (b) A person may apply to the commissioner for a viatical settlement broker license on a form prescribed by the commissioner for that purpose. The application form shall require the applicant to provide the applicant's social security number, if the applicant is a natural person unless the applicant does not have a social security number, or the applicant's federal employer identification number, if the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall accompany the application. The commissioner may not issue a license under this subsection unless the applicant provides his or her social security number, unless the applicant does not have a social security number, or its federal employer identification number, whichever is applicable. If the applicant is a natural person who does not have a social security number, the commissioner may not issue a license under this subsection unless the applicant provides, on a form prescribed by the department of ~~workforce development~~ children and families, a statement made or subscribed under oath or affirmation that the applicant does not have a social security number.

SECTION 3673. 632.68 (4) (bc) 1. of the statutes is amended to read:

632.68 **(4)** (bc) 1. The commissioner shall disclose a social security number obtained under par. (b) to the department of ~~workforce development~~ children and families in the administration of s. 49.22, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3674. 632.68 (4) (bm) 1. of the statutes is amended to read:

632.68 **(4)** (bm) 1. The commissioner may not issue a license under this subsection to a natural person who is delinquent in court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3675. 632.68 (4) (c) of the statutes is amended to read:

632.68 **(4)** (c) Except as provided in sub. (5), a license issued under this subsection shall be renewed annually on July 1 upon payment of the fee specified in s. 601.31 (1) (ms) and upon providing the licensee's social security number, unless the licensee does not have a social security number, or federal employer identification number, as applicable, if not previously provided on the application for the license or at a previous renewal of the license. If the licensee is a natural person who does not have a social security number, the license shall be renewed annually, except as provided in sub. (5), on July 1 upon payment of the fee specified in s. 601.31 (1) (ms) and upon providing to the commissioner a statement made or subscribed under oath or affirmation, on a form prescribed by the department of ~~workforce development~~ children and families, that the licensee does not have a social security number.

SECTION 3676. 632.68 (5) (b) 1. of the statutes is amended to read:

632.68 **(5)** (b) 1. The commissioner shall suspend, limit or refuse to renew a viatical settlement broker license issued to a natural person if the natural person is delinquent in court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the natural person fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3677c. 632.726 of the statutes is created to read:

632.726 Current procedural terminology code changes. **(1)** In this section, "current procedural terminology code" means a number established by the American Medical Association that a health care provider puts on a health insurance claim form to describe the services that he or she performed.

(2) If an insurer changes a current procedural terminology code that was submitted by a health care provider on a health insurance claim form, the insurer shall include on the explanation of benefits form the reason for the change to the current procedural terminology code and shall cite on the explanation of benefits form the source for the change.

SECTION 3678. 632.745 (6) (a) 2m. of the statutes is amended to read:

632.745 **(6)** (a) 2m. A ~~family~~ long–term care district under s. 46.2895.

SECTION 3679. 632.746 (7m) (b) 1. of the statutes is amended to read:

632.746 **(7m)** (b) 1. The employee or dependent is eligible for benefits under the Medical Assistance program under s. 49.471 or 49.472 or for coverage under the Badger Care health care program under s. 49.665.

SECTION 3685f. 632.857 of the statutes is created to read:

632.857 Explanation required for restriction or termination of coverage. If an insurer restricts or terminates an insured's coverage for the treatment of a condition or complaint and, as a result, the insured becomes liable for payment for all of his or her treatment for the condition or complaint, the insurer shall provide on the explanation of benefits form a detailed explanation of the clinical rationale and of the basis in the policy, plan, or contract or in applicable law for the insurer's restriction or termination of coverage.

SECTION 3686w. 632.875 (2) (g) of the statutes is amended to read:

632.875 **(2)** (g) A ~~reasonable~~ detailed explanation of the ~~factual basis~~ clinical rationale and of the basis in the policy, plan, or contract or in applicable law for the insurer's restriction or termination of coverage.

SECTION 3689. 632.897 (10) (am) 2. of the statutes is amended to read:

632.897 **(10)** (am) 2. Provide family coverage under the group policy or individual policy for the individual's child, if eligible for coverage, upon application by the individual, the child's other parent, the department of ~~workforce development~~ children and families or the county child support agency under s. 59.53 (5).

SECTION 3690. 633.14 (1) (e) of the statutes is amended to read:

633.14 **(1)** (e) If an individual who does not have a social security number, provides on a form prescribed by the department of ~~workforce development~~ children and families a statement made or subscribed under oath or affirmation that he or she does not have a social security number.

SECTION 3691. 633.14 (2c) (a) of the statutes is amended to read:

633.14 **(2c)** (a) The commissioner shall disclose a social security number obtained under sub. (1) (d) to the department of ~~workforce development~~ children and families in the administration of s. 49.22, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3692. 633.14 (2m) (a) of the statutes is amended to read:

633.14 **(2m)** (a) Notwithstanding sub. (1), the commissioner may not issue a license under this section if the individual applying for the license is delinquent in court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the individual fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3693. 633.15 (1m) of the statutes is amended to read:

633.15 **(1m)** SOCIAL SECURITY NUMBER, FEDERAL EMPLOYER IDENTIFICATION NUMBER OR STATEMENT. At an annual renewal, an administrator shall provide his or her social security number, if the administrator is an individual unless he or she does not have a social security number, or its federal employer identification number, if the administrator is a corporation, limited liability company or partnership, if the social security number or federal employer identification number was not previously provided on the application for the license or at a previous renewal of the license. If an administrator who is an individual does not have a social security number, the individual shall provide to the commissioner, at each annual renewal and on a form prescribed by the department of ~~workforce development~~ children and families, a statement made or subscribed under oath or affirmation that the administrator does not have a social security number.

SECTION 3694. 633.15 (2) (c) of the statutes is amended to read:

633.15 **(2)** (c) *Failure to pay support or to comply with subpoena or warrant.* The commissioner shall suspend, limit or refuse to renew a license issued under this section to an individual if the individual is delinquent in court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the individual fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857.

SECTION 3695. 645.09 (2) (a) of the statutes is amended to read:

645.09 **(2)** (a) *Causes of delinquency.* The commissioner may include in his or her annual report, not later than the 2nd annual report following the initiation of any formal proceedings under this chapter, a detailed analysis of the basic causes and the contributing factors making the initiation of formal proceedings necessary, and may make recommendations for remedial legislation. For this purpose the commissioner may appoint a special assis-

tant qualified in insurance, finance, and accounting to conduct the study and prepare the analysis, and may determine the special assistant's compensation, which shall be paid from the appropriation under s. 20.145 (1) (g) 1.

SECTION 3696. 645.09 (2) (b) of the statutes is amended to read:

645.09 **(2)** (b) *Final study.* The commissioner may include in his or her annual report, not later than the 2nd annual report following discharge of the receiver, a detailed study of the delinquency proceeding for each insurer subjected to a formal proceeding, with an analysis of the problems faced and their solutions. The commissioner may also suggest alternative solutions, as well as other material of interest, for the purpose of assisting and guiding liquidators or rehabilitators in the future. For this purpose the commissioner may appoint a special assistant qualified to conduct the study and prepare the analysis, and may determine his or her compensation, which shall be paid from the appropriation under s. 20.145 (1) (g) 1.

SECTION 3697. 645.46 (4) of the statutes is amended to read:

645.46 **(4)** Defray all expenses of taking possession of, conserving, conducting, liquidating, disposing of, or otherwise dealing with the business and property of the insurer. If the property of the insurer does not contain sufficient cash or liquid assets to defray the costs incurred, the liquidator may advance the costs so incurred out of the appropriation under s. 20.145 (1) (g) 1. Any amounts so paid shall be deemed expense of administration and shall be repaid for the credit of the office of the commissioner of insurance out of the first available moneys of the insurer.

SECTION 3698. 647.02 (2) (g) of the statutes is amended to read:

647.02 **(2)** (g) The figure to be used by the provider as the actual or projected length of a resident's stay in the facility in the formula in the contract provision required under s. 647.05 ~~(9)~~ (1m) (i) and supporting information showing how the figure was determined.

SECTION 3699. 647.04 (5) of the statutes is amended to read:

647.04 **(5)** Inform the commissioner of any change in the figure used by the provider as the actual or projected length of a resident's stay in the facility in the formula in the contract provision required under s. 647.05 ~~(9)~~ (1m) (i) within 30 days after the change is made and submit supporting information showing how the change was determined.

SECTION 3700. 647.05 of the statutes is renumbered 647.05 (1m), and 647.05 (1m) (g), as renumbered, is amended to read:

647.05 **(1m)** (g) Provides that if a resident dies or the continuing care contract is terminated after the first 30 days of occupancy, but within the first 90 days of occupancy, the provider will refund at least 90% of the amount computed under ~~sub. (6)~~ par. (f).

SECTION 3701. 647.05 (2m) of the statutes is created to read:

647.05 **(2m)** Subject to s. 49.455, a continuing care contract may require that, before a resident applies for medical assistance, the resident must spend on his or her care the resources declared for purposes of admission to the facility.

SECTION 3701c. 655.26 (2) of the statutes is amended to read:

655.26 **(2)** By the 15th day of each month, the board of governors shall report the information specified in sub. (1) to the medical examining board for each claim paid by the fund or from the appropriation under s. 20.145 (2) (a) during the previous month for damages arising out of the rendering of health care services by a health care provider or an employee of a health care provider.

SECTION 3702. 655.27 (2) of the statutes is amended to read:

655.27 **(2)** FUND ADMINISTRATION AND OPERATION. Management of the fund shall be vested with the board of governors. The commissioner shall either provide staff services necessary for the operation of the fund or, with the approval of the board of governors, contract for all or part of these services. Such a contract is subject to ss. 16.753 and 16.765, but is otherwise exempt from subch. IV of ch. 16. The commissioner shall adopt rules governing the procedures for creating and implementing these contracts before entering into the contracts. At least annually, the contractor shall report to the commissioner and to the board of governors regarding all expenses incurred and subcontracting arrangements. If the board of governors approves, the contractor may hire legal counsel as needed to provide staff services. The cost of contracting for staff services shall be funded from the appropriation under s. 20.145 (2) (u). The fund shall pay to the commissioner amounts charged for organizational support services, which shall be credited to the appropriation account under s. 20.145 (1) (g) 2.

SECTION 3702d. 655.27 (3) (a) 5. of the statutes is created to read:

655.27 **(3)** (a) 5. The supplemental appropriation under s. 20.145 (2) (a) for payment of claims.

SECTION 3702f. 655.27 (3) (am) of the statutes is amended to read:

655.27 **(3)** (am) *Assessments for peer review council.* The fund, a mandatory health care liability risk–sharing plan established under s. 619.04, and a private health care liability insurer shall be assessed, as appropriate, fees sufficient to cover the costs of the injured patients and families compensation fund peer review council, including costs of administration, for reviewing claims paid by the fund~~,~~ or from the appropriation under s. 20.145 (2) (a), by the plan, and by the insurer, respectively, under s. 655.275 (5). The fees shall be set by the commissioner

by rule, after approval by the board of governors, and shall be collected by the commissioner for deposit in the fund. The costs of the injured patients and families compensation fund peer review council shall be funded from the appropriation under s. 20.145 (2) (um).

SECTION 3702h. 655.27 (4) (a) of the statutes is amended to read:

655.27 **(4)** (a) Moneys shall be withdrawn from the fund, or paid from the appropriation under s. 20.145 (2) (a), by the commissioner only upon vouchers approved and authorized by the board of governors.

SECTION 3702j. 655.27 (5) (e) of the statutes is amended to read:

655.27 **(5)** (e) Claims filed against the fund shall be paid in the order received within 90 days after filing unless appealed by the fund. If the amounts in the fund are not sufficient to pay all of the claims, claims received after the funds are exhausted shall be ~~immediately payable the following year in the order in which they were received~~ paid from the appropriation under s. 20.145 (2) (a).

SECTION 3702L. 655.275 (5) (a) (intro.) of the statutes is amended to read:

655.275 **(5)** (a) (intro.) The council shall review, within one year of the date of first payment on the claim, each claim that is paid by the fund~~,~~ or from the appropriation under s. 20.145 (2) (a), by a mandatory health care liability risk–sharing plan established under s. 619.04, by a private health care liability insurer, or by a self–insurer for damages arising out of the rendering of medical care by a health care provider or an employee of the health care provider and shall make recommendations to all of the following:

SECTION 3703. 701.06 (5) (intro.) of the statutes is amended to read:

701.06 **(5)** CLAIMS FOR PUBLIC SUPPORT. (intro.) Notwithstanding any provision in the creating instrument or subs. (1) and (2), if the settlor is legally obligated to pay for the public support of a beneficiary under s. 46.10, 49.345, or 301.12 or the beneficiary is legally obligated to pay for the beneficiary's public support or that furnished the beneficiary's spouse or minor child under s. 46.10, 49.345, or 301.12, upon application by the appropriate state department or county official, the court may:

SECTION 3703g. 703.02 (10) of the statutes is amended to read:

703.02 **(10)** "Limited common ~~elements" mean those~~ element" means a common ~~elements~~ element identified in a declaration or on a condominium plat as reserved for the exclusive use of one or more but less than all of the unit owners.

SECTION 3703r. 703.38 (1) of the statutes is amended to read:

703.38 **(1)** Except as otherwise provided in this section and s. 30.1335, this chapter is applicable to all condominiums, whether established before or after August 1, 1978. However, with respect to condominiums existing on August 1, 1978, the declaration, bylaws or condominium plat need not be amended to comply with the requirements of this chapter.

SECTION 3704. 751.15 (1) of the statutes is amended to read:

751.15 **(1)** The supreme court is requested to enter into a memorandum of understanding with the department of ~~workforce development~~ children and families under s. 49.857.

SECTION 3705. 751.15 (2) of the statutes is amended to read:

751.15 **(2)** The supreme court is requested to promulgate rules that require each person who has a social security number, as a condition of membership in the state bar, to provide the board of bar examiners with his or her social security number, that require each person who does not have a social security number, as a condition of membership in the state bar, to provide the board of bar examiners with a statement made or subscribed under oath or affirmation on a form prescribed by the department of ~~workforce development~~ children and families that the person does not have a social security number, and that prohibit the disclosure of that number to any person except the department of ~~workforce development~~ children and families for the purpose of administering s. 49.22.

SECTION 3706. 751.15 (3) of the statutes is amended to read:

751.15 **(3)** The supreme court is requested to promulgate rules that deny, suspend, restrict or refuse to renew a license to practice law if the applicant or licensee fails to provide the information required under rules promulgated under sub. (2) or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings or if the department of ~~workforce development~~ children and families certifies that the applicant or licensee has failed to pay court–ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse. The supreme court is also requested to promulgate rules that invalidate a license to practice law if issued in reliance upon a statement made or subscribed under oath or affirmation under rules promulgated under sub. (2) that is false.

SECTION 3706g. 753.06 (2) (a) of the statutes is amended to read:

753.06 **(2)** (a) Kenosha County. The circuit has 7 branches. Commencing August 1, 2009, the circuit has 8 branches.

SECTION 3707b. 753.06 (6) (e) of the statutes is amended to read:

753.06 **(6)** (e) Juneau County. The circuit has one branch. Commencing August 1, 2008, the circuit has 2 branches.

SECTION 3707e. 757.83 (4) of the statutes is amended to read:

757.83 **(4)** STAFF. The judicial commission shall hire an executive director, and may hire one staff member, in the unclassified service. The executive director shall be a member of the State Bar of Wisconsin and shall provide staff services to the judicial commission ~~and the judicial council~~.

SECTION 3707p. 758.13 (1) (a) 7. of the statutes is amended to read:

758.13 **(1)** (a) 7. The ~~revisor of statutes or an assistant designated by the revisor~~ chief of the legislative reference bureau or his or her designee.

SECTION 3707r. 758.13 (1) (b) of the statutes is amended to read:

758.13 **(1)** (b) The names of the judicial council members shall be certified to the secretary of state by the ~~executive secretary of the judicial commission~~ judicial council attorney. Members shall hold office until their successors have been selected. Members shall receive no compensation, but shall be reimbursed from the appropriation made by s. ~~20.665 (1)~~ 20.670 (1) for expenses necessarily incurred by members in attending council meetings.

SECTION 3707s. 758.13 (3) (g) of the statutes is created to read:

758.13 **(3)** (g) 1. In this paragraph:

a. "Candidate" has the meaning given in s. 11.01 (1).

b. "Contribution" has the meaning given in s. 11.01 (6).

c. "Local office" has the meaning given in s. 5.02 (9).

d. "State office" has the meaning give in s. 5.02 (23).

2. The judicial council may appoint outside of the classified service an attorney, who is a member in good standing of the State Bar of Wisconsin, who shall be strictly nonpartisan, and who shall not make a contribution to a candidate for state office or local office while employed by the judicial council, to provide staff services to the council.

SECTION 3708. 758.19 (4m) of the statutes is created to read:

758.19 **(4m)** The director of state courts may establish and charge fees for electronic filing of court documents under the circuit court automated information systems created under this section. The secretary of administration shall credit all moneys collected under this subsection to the appropriation account under s. 20.680 (2) (j).

SECTION 3709g. 758.19 (5) (a) (intro.) of the statutes is amended to read:

758.19 **(5)** (a) (intro.) In this subsection, "circuit court costs" means one or more of the following costs:

SECTION 3710n. 758.19 (5) (a) 3. of the statutes is amended to read:

758.19 **(5)** (a) 3. Witness fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by the circuit court on its own motion or called by, or subpoenaed at the request of, a district attorney, the state public defender or a private attorney appointed under s. 977.08. Nothing in this subdivision affects the determination of who is obligated to pay for fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by, or subpoenaed at the request of the state public defender or a private attorney appointed under s. 977.08.

SECTION 3711n. 758.19 (5) (a) 4m. of the statutes is amended to read:

758.19 **(5)** (a) 4m. Fees for expert witnesses appointed under s. 907.06 by the circuit court on its own motion or by the circuit court at the request of the district attorney, the state public defender or a private attorney appointed under s. 977.08 or by the circuit court upon agreement of the district attorney, the state public defender or a private attorney appointed under s. 977.08. Nothing in this subdivision affects the determination of who is obligated to pay fees for an expert witness appointed under s. 907.06.

SECTION 3712n. 758.19 (5) (a) 5. of the statutes is amended to read:

758.19 **(5)** (a) 5. Fees for witnesses or expert witnesses subpoenaed by the circuit court at the request of the district attorney, coroner or medical examiner under s. 979.06 (1) and (2).

SECTION 3713n. 758.19 (5) (a) 8. of the statutes is amended to read:

758.19 **(5)** (a) 8. Any other circuit court costs, except costs related to courtroom security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation and construction of circuit court facilities.

SECTION 3714. 758.19 (5) (am) of the statutes is created to read:

758.19 **(5)** (am) The director of state courts may create a uniform chart of accounts that each county shall be required to use for the recording of all financial transactions relating to the operation of circuit courts and may audit the information submitted under par. (e). If the director of state courts decides to create a uniform chart of accounts, he or she shall consult with the department of revenue regarding the creation of that chart.

SECTION 3717. 758.19 (5) (e) of the statutes is amended to read:

758.19 **(5)** (e) No later than ~~July 1, 1994, and no later than July 1~~ May 15, 2009, and no later than May 15 of each year thereafter, each county shall submit to the director of state courts, in a format that is established by the director of state courts, and in a manner that comports with the uniform chart of accounts under par. (am), infor-

mation regarding the amount of actual circuit court costs that the county incurred in the previous calendar year ~~for each of the court costs listed in par. (a) 1. to 8~~ and revenues collected or received by the circuit court in the previous calendar year.

SECTION 3718. 758.19 (5) (f) of the statutes is amended to read:

758.19 **(5)** (f) A county that fails to meet the requirements under par. (e) is not eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3), after the ~~July 1~~ May 15 that the information was not provided, or until the information is provided, whichever is earlier. Except as provided in this paragraph and par. (g), the information regarding the amount of actual costs reported under par. (e) does not affect the amount paid to a county under par. (b).

SECTION 3719. 758.19 (5) (g) of the statutes is amended to read:

758.19 **(5)** (g) Beginning with the submittal of information under par. (e) on July 1, 1995, if the director of state courts determines, based on the information submitted under par. (e), that the payment made to a county under par. (b) for any calendar year exceeds the circuit court costs incurred by the county for that calendar year, the director of state courts shall deduct the difference from the next payment under par. (b) made to that county after the director's determination. The difference shall be apportioned as provided in par. (c) among the other counties for payment under par. (b) to the other counties on that payment date. For purposes of this paragraph, the director of state courts shall treat the period beginning on August 13, 1993, and ending on December 31, 1994, as a calendar year and determine from the information submitted under par. (e) on July 1, 1994, and July 1, 1995, whether the payment to a county under par. (b) on January 1, 1994, exceeds the circuit court costs incurred by the county for the period beginning on August 13, 1993, and ending on December 31, 1994.

SECTION 3720. 767.001 (1d) of the statutes is amended to read:

767.001 **(1d)** "Department" means the department of ~~workforce development~~ children and families.

SECTION 3721. 767.001 (2) (b) of the statutes is amended to read:

767.001 **(2)** (b) With respect to the department ~~of health and family services~~ or a county agency specified in s. 48.56 (1) or a licensed child welfare agency granted legal custody of a child, the rights and responsibilities specified under s. 48.02 (12).

SECTION 3722. 767.205 (2) (a) 3. of the statutes is amended to read:

767.205 **(2)** (a) 3. Whenever aid under s. ~~46.261,~~ 48.57 (3m) or (3n), 48.645, 49.19, or 49.45 is provided on behalf of a dependent child or benefits are provided to the child's custodial parent under ss. 49.141 to 49.161.

SECTION 3723. 767.205 (2) (a) 4. of the statutes is amended to read:

767.205 **(2)** (a) 4. Whenever aid under s. ~~46.261,~~ 48.57 (3m) or (3n), 48.645, 49.19, or 49.45 has, in the past, been provided on behalf of a dependent child, or benefits have, in the past, been provided to the child's custodial parent under ss. 49.141 to 49.161, and the child's family is eligible for continuing child support services under 45 CFR 302.33.

SECTION 3724. 767.217 (1) of the statutes is amended to read:

767.217 **(1)** NOTICE OF PLEADING OR MOTION. In an action affecting the family in which either party is a recipient of benefits under ss. 49.141 to 49.161 or aid under s. ~~46.261,~~ 48.645, 49.19, or 49.45, each party shall, either within 20 days after serving the opposite party with a motion or pleading requesting the court to order or to modify a previous order relating to child support, maintenance, or family support, or before filing the motion or pleading in court, serve a copy of the motion or pleading on the county child support agency under s. 59.53 (5) of the county in which the action is begun.

SECTION 3725. 767.407 (1) (c) 1. of the statutes is amended to read:

767.407 **(1)** (c) 1. Aid is provided under s. ~~46.261,~~ 48.57 (3m) or (3n), 48.645, 49.19, or 49.45 on behalf of the child, or benefits are provided to the child's custodial parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7) are barred by a statute of limitations from commencing an action under s. 767.80 on behalf of the child.

SECTION 3726. 767.41 (3) (a) of the statutes is amended to read:

767.41 **(3)** (a) If the interest of any child demands it, and if the court finds that neither parent is able to care for the child adequately or that neither parent is fit and proper to have the care and custody of the child, the court may declare the child to be in need of protection or services and transfer legal custody of the child to a relative of the child, as defined in s. 48.02 (15), to a county department, as defined under s. 48.02 (2g), ~~or~~ to a licensed child welfare agency, or, in a county having a population of 500,000 or more, the department of health and family services. If the court transfers legal custody of a child under this subsection, in its order the court shall notify the parents of any applicable grounds for termination of parental rights under s. 48.415. If the court transfers legal custody under this section to an agency, the court shall also refer the matter to the court intake worker, as defined in s. 48.02 (3), who shall conduct an inquiry under s. 48.24 to determine whether a petition should be filed under s. 48.13.

SECTION 3727. 767.41 (3) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

767.41 **(3)** (a) If the interest of any child demands it, and if the court finds that neither parent is able to care for the child adequately or that neither parent is fit and proper to have the care and custody of the child, the court may declare the child to be in need of protection or services and transfer legal custody of the child to a relative of the child, as defined in s. 48.02 (15), to a county department, as defined under s. 48.02 (2g), to a licensed child welfare agency, or, in a county having a population of 500,000 or more, the department of ~~health and family services~~ children and families. If the court transfers legal custody of a child under this subsection, in its order the court shall notify the parents of any applicable grounds for termination of parental rights under s. 48.415. If the court transfers legal custody under this section to an agency, the court shall also refer the matter to the court intake worker, as defined in s. 48.02 (3), who shall conduct an inquiry under s. 48.24 to determine whether a petition should be filed under s. 48.13.

SECTION 3728. 767.41 (3) (am) of the statutes is created to read:

767.41 **(3)** (am) If the court transfers legal custody of a child under this subsection, the order transferring custody shall include a finding that placement of the child in his or her home would be contrary to the welfare of the child and a finding that reasonable efforts have been made to prevent the removal of the child from the home, while assuring that the health and safety of the child are the paramount concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies. If the legal custodian appointed under par. (a) is a county department, the court shall order the child into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the child. The court shall make the findings specified in this paragraph on a case–by–case basis based on circumstances specific to the child and shall document or reference the specific information on which those findings are based in the court order. A court order that merely references this paragraph without documenting or referencing that specific information in the court order or an amended court order that retroactively corrects an earlier court order that does not comply with this paragraph is not sufficient to comply with this paragraph.

SECTION 3729. 767.451 (7) of the statutes is amended to read:

767.451 **(7)** TRANSFER TO DEPARTMENT. The court may order custody transferred to the department of health and family services only if that department agrees to accept custody. If the court orders custody transferred to the department of health and family services, the order transferring custody shall include the findings and order specified in s. 767.41 (3) (am).

SECTION 3730. 767.451 (7) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

767.451 **(7)** TRANSFER TO DEPARTMENT. The court may order custody transferred to the department ~~of health and family services~~ only if ~~that~~ the department agrees to accept custody. If the court orders custody transferred to the department ~~of health and family services~~, the order transferring custody shall include the findings and order specified in s. 767.41 (3) (am).

SECTION 3731. 767.521 (intro.) of the statutes is amended to read:

767.521 Action by state for child support. (intro.) The state or its delegate under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001 (1) (f) or for paternity determination and child support under s. 767.80 if the child's right to support is assigned to the state under s. ~~46.261,~~ 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the following apply:

SECTION 3732. 767.55 (3) (a) 2. of the statutes is amended to read:

767.55 **(3)** (a) 2. The child's right to support is assigned to the state under s. ~~46.261 (3),~~ 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b.

SECTION 3733. 767.57 (1e) (title) of the statutes is amended to read:

767.57 **(1e)** (title) RECEIVING AND DISBURSING ~~FEE~~ FEES.

SECTION 3734. 767.57 (1e) (a) of the statutes is amended to read:

767.57 **(1e)** (a) For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under ~~par. (c)~~ sub. (1) (c), the department or its designee shall collect an annual fee of ~~$35~~ $65 from a party ordered to make payments. The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

SECTION 3735. 767.57 (1e) (a) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

767.57 **(1e)** (a) For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under sub. (1) (c), the department or its designee

shall collect an annual fee of $65 from a party ordered to make payments. The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

SECTION 3736. 767.57 (1e) (b) 1m. of the statutes is amended to read:

767.57 **(1e)** (b) 1m. The department or its designee may collect any unpaid fees under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated payment and collection system on December 31, 1998, and shall deposit all fees collected under this subdivision in the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (ja). The department or its designee may collect unpaid fees under this subdivision through income withholding under s. 767.75 (2m). If the department or its designee determines that income withholding is inapplicable, ineffective, or insufficient for the collection of any unpaid fees under this subdivision, the department or its designee may move the court for a remedial sanction under ch. 785. The department or its designee may contract with or employ a collection agency or other person for the collection of any unpaid fees under this subdivision and, notwithstanding s. 20.930, may contract with or employ an attorney to appear in any action in state or federal court to enforce the payment obligation. The department or its designee may not deduct the amount of unpaid fees from any maintenance, child or family support, or arrearage payment.

SECTION 3737. 767.57 (1e) (c) of the statutes is created to read:

767.57 **(1e)** (c) The department or its designee shall collect an annual fee of $25 from every individual receiving child support or family support payments. In applicable cases, the fee shall comply with all requirements under 42 USC 654 (6) (B). The department or its designee may deduct the fee from maintenance, child or family support, or arrearage payments. Fees collected under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja).

SECTION 3737d. 767.57 (1e) (c) of the statutes, as created by 2007 Wisconsin Act .... (this act), is amended to read:

767.57 **(1e)** (c) The department or its designee shall collect an annual fee of $25 from every individual receiving child support or family support payments. In applicable cases, the fee shall comply with all requirements under 42 USC 654 (6) (B). The department or its designee may deduct the fee from maintenance, child or family support, or arrearage payments. Fees collected under this paragraph shall be deposited in the appropriation account under s. ~~20.445 (3)~~ 20.437 (2) (ja).

SECTION 3738. 767.57 (1m) (c) of the statutes is amended to read:

767.57 **(1m)** (c) The party entitled to the support or maintenance money or a minor child of the party has applied for or is receiving aid under s. ~~46.261~~ 48.645 or public assistance under ch. 49 and there is an assignment to the state under s. ~~46.261~~ 48.645 (3) or 49.19 (4) (h) 1. b. of the party's right to the support or maintenance money.

SECTION 3739. 767.57 (2) of the statutes is amended to read:

767.57 **(2)** PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to maintenance or support, or both, is receiving public assistance under ch. 49, the party may assign the party's right to support or maintenance to the county department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment shall be approved by order of the court granting the maintenance or support. The assignment may not be terminated if there is a delinquency in the amount to be paid to the assignee of maintenance and support previously ordered without the written consent of the assignee or upon notice to the assignee and a hearing. When an assignment of maintenance or support, or both, has been approved by the order, the assignee shall be deemed a real party in interest within s. 803.01 solely for the purpose of securing payment of unpaid maintenance or support ordered to be paid, by participating in proceedings to secure the payment of unpaid amounts. Notwithstanding assignment under this subsection, and without further order of the court, the department or its designee, upon receiving notice that a party or a minor child of the parties is receiving aid under s. ~~46.261~~ 48.645 or public assistance under ch. 49 or that a kinship care relative or long–term kinship care relative of the minor child is receiving kinship care payments or long–term kinship care payments for the minor child, shall forward all support assigned under s. ~~46.261 (3),~~ 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. ~~46.261 (3),~~ 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

SECTION 3740. 767.57 (4) of the statutes is amended to read:

767.57 **(4)** PROCEDURE FOR CERTAIN CHILD RECIPIENTS. If an order or judgment providing for the support of one or more children not receiving aid under s. ~~46.261,~~

48.57 (3m) or (3n), 48.645, or 49.19 includes support for a minor who is the beneficiary of aid under s. ~~46.261,~~ 48.57 (3m) or (3n), 48.645, or 49.19, any support payment made under the order or judgment is assigned to the state under s. ~~46.261 (3),~~ 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b. in the amount that is the proportionate share of the minor receiving aid under s. ~~46.261,~~ 48.57 (3m) or (3n), 48.645, or 49.19, except as otherwise ordered by the court on the motion of a party.

SECTION 3741. 767.59 (1c) (a) (intro.) of the statutes is amended to read:

767.59 **(1c)** (a) (intro.) On the petition, motion, or order to show cause of either of the parties, the department, a county department under s. 46.215, 46.22, or 46.23, or a county child support agency under s. 59.53 (5) if an assignment has been made under s. ~~46.261,~~ 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h), or 49.45 (19) or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) or 48.645 or ch. 49, a court may, except as provided in par. (b), do any of the following:

SECTION 3742. 767.59 (1f) (b) 4. of the statutes is amended to read:

767.59 **(1f)** (b) 4. A difference between the amount of child support ordered by the court to be paid by the payer and the amount that the payer would have been required to pay based on the percentage standard established by the department under s. 49.22 (9) if the court did not use the percentage standard in determining the child support payments and did not provide the information required under s. 46.10 (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n), whichever is appropriate.

SECTION 3743. 767.59 (2) (c) of the statutes is amended to read:

767.59 **(2)** (c) If the court revises a judgment or order providing for child support that was entered under s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a) or 938.363 (2), the court shall determine child support in the manner provided in s. ~~46.10~~ 49.345 (14) or 301.12 (14), whichever is applicable.

SECTION 3744. 767.59 (2s) of the statutes is amended to read:

767.59 **(2s)** STIPULATION FOR REVISION OF SUPPORT. In an action under sub. (1c), the court may not approve a stipulation for the revision of a judgment or order with respect to an amount of child support or family support unless the stipulation provides for payment of an amount of child support or family support that is determined in the manner required under s. 46.10 (14), 49.345 (14), 301.12 (14), 767.511, 767.805 (4), or 767.89, whichever is appropriate.

SECTION 3745. 767.87 (2m) of the statutes is amended to read:

767.87 **(2m)** ADMISSIBILITY OF CERTAIN MEDICAL AND GENETIC INFORMATION. Medical and genetic information filed with the department ~~of health and family services~~ or the court under s. 48.425 (1) (am) or (2) is not admissible to prove the paternity of the child.

SECTION 3746. 767.87 (6) (a) of the statutes is amended to read:

767.87 **(6)** (a) Whenever the state brings the action to determine paternity pursuant to an assignment under s. ~~46.261,~~ 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157, or 49.159, the natural mother of the child may not be compelled to testify about the paternity of the child if it has been determined that the mother has good cause for refusing to cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B) and the federal regulations promulgated pursuant to this statute, as of July 1, 1981, and pursuant to any rules promulgated by the department which define good cause in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B) in effect on July 1, 1981.

SECTION 3746h. 767.89 (2) of the statutes is renumbered 767.89 (2) (a).

SECTION 3746i. 767.89 (2) (b) of the statutes is created to read:

767.89 **(2)** (b) If the clerk of court or county child support agency is unable to collect any of the following fees under par. (a), the department shall pay the fee and may not require the county or county child support agency to reimburse the department for the cost:

1. A fee for omitting the father's name on a birth certificate under s. 69.15 (3) (a) 1.

2. A fee for changing the father's name on a birth certificate under s. 69.15 (3) (a) 2.

3. A fee for inserting the father's name on a birth certificate under s. 69.15 (3) (a) 3.

SECTION 3747. 769.201 (7) of the statutes is amended to read:

769.201 **(7)** The individual asserted parentage in a declaration of paternal interest filed with the department of ~~health and family services~~ children and families under s. 48.025 or in a statement acknowledging paternity filed with the state registrar under s. 69.15 (3) (b) 1. or 3.

SECTION 3748. 769.31 (1) of the statutes is amended to read:

769.31 **(1)** The department of ~~workforce development~~ children and families is the state information agency under this chapter.

SECTION 3751. 801.02 (1) of the statutes is amended to read:

801.02 **(1)** ~~A~~ Except as provided in s. 20.931 (5) (b), a civil action in which a personal judgment is sought is commenced as to any defendant when a summons and a complaint naming the person as defendant are filed with the court, provided service of an authenticated copy of the summons and of the complaint is made upon the defendant under this chapter within 90 days after filing.

SECTION 3752. 803.03 (2) (c) of the statutes is amended to read:

803.03 **(2)** (c) *Scheduling and pretrial conferences.* At the scheduling conference and pretrial conference, the judge to whom the case has been assigned shall inquire concerning the existence of and joinder of persons with subrogated, derivative or assigned rights and shall make such orders as are necessary to effectuate the purposes of this section. If the case is an action to recover damages based on alleged criminally injurious conduct, the court shall inquire to see if an award has been made under subch. I of ch. 949 and if the department of justice is subrogated to the cause of action under s. 949.15.

SECTION 3753. 803.09 (1) and (2) of the statutes are amended to read:

803.09 **(1)** ~~Upon~~ Except as provided in s. 20.931, upon timely motion anyone shall be permitted to intervene in an action when the movant claims an interest relating to the property or transaction which is the subject of the action and the movant is so situated that the disposition of the action may as a practical matter impair or impede the movant's ability to protect that interest, unless the movant's interest is adequately represented by existing parties.

(2) ~~Upon~~ Except as provided in s. 20.931, upon timely motion anyone may be permitted to intervene in an action when a movant's claim or defense and the main action have a question of law or fact in common. When a party to an action relies for ground of claim or defense upon any statute or executive order or rule administered by a federal or state governmental officer or agency or upon any regulation, order, rule, requirement or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely motion may be permitted to intervene in the action. In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.

SECTION 3754. 804.01 (2) (intro.) of the statutes is amended to read:

804.01 **(2)** SCOPE OF DISCOVERY. (intro.) ~~Unless~~ Except as provided in s. 20.931 (9), and unless otherwise limited by order of the court in accordance with the provisions of this chapter, the scope of discovery is as follows:

SECTION 3755. 805.04 (1) of the statutes is amended to read:

805.04 **(1)** BY PLAINTIFF; BY STIPULATION. ~~An~~ Except as provided in sub. (2m), an action may be dismissed by the plaintiff without order of court by serving and filing a notice of dismissal at any time before service by an adverse party of responsive pleading or motion or by the filing of a stipulation of dismissal signed by all parties who have appeared in the action. Unless otherwise stated in the notice of dismissal or stipulation, the dismissal is not on the merits, except that a notice of dismissal operates as an adjudication on the merits when filed by a plaintiff who has once dismissed in any court an action based on or including the same claim.

SECTION 3756. 805.04 (2m) of the statutes is created to read:

805.04 **(2m)** FALSE CLAIMS. An action filed under s. 20.931 may be dismissed only by order of the court. In determining whether to dismiss the action filed under s. 20.931, the court shall take into account the best interests of the parties and the purposes of s. 20.931.

SECTION 3757. 806.025 (2) (am) of the statutes is amended to read:

806.025 **(2)** (am) If money remains after the payment of all unpaid orders and judgments under par. (a), order reimbursement to the department of justice for an award made under subch. I of ch. 949 for which the department is subrogated under s. 949.15.

SECTION 3758. 809.105 (13) of the statutes is amended to read:

809.105 **(13)** CERTAIN PERSONS BARRED FROM PROCEEDINGS. No parent, or guardian or legal custodian, if one has been appointed, or foster parent or treatment foster parent, if the minor has been placed in a foster home or treatment foster home, and the minor's parent has signed a waiver granting the department of ~~health and family services~~ children and families, a county department under s. 46.215, 46.22, or 46.23, the foster parent or the treatment foster parent the authority to consent to medical services or treatment on behalf of the minor, or adult family member, as defined in s. 48.375 (2) (b), of any minor who has initiated an appeal under this section may attend or intervene in any proceeding under this section.

SECTION 3759. 809.30 (2) (d) of the statutes is amended to read:

809.30 **(2)** (d) *Indigency redetermination.* Except as provided in this paragraph, whenever a person whose trial counsel is appointed by the state public defender files a notice under par. (b) requesting public defender representation for purposes of postconviction or postdisposition relief, the prosecutor may, within 5 days after the notice is served and filed, file in the circuit court and serve upon the state public defender a request that the person's indigency be redetermined before counsel is appointed or transcripts are requested. This paragraph does not apply to a ~~child or juvenile~~ person who is entitled to be represented by counsel under s. 48.23, 51.60 (1), 55.105, or 938.23.

SECTION 3760. 813.12 (5) (b) of the statutes is amended to read:

813.12 **(5)** (b) The clerk of circuit court shall provide the simplified forms provided under s. ~~46.95~~ 49.165 (3) (c) to help a person file a petition.

SECTION 3761. 813.122 (6) (b) of the statutes is amended to read:

813.122 **(6)** (b) Upon request, the clerk of circuit court shall provide, without cost, the simplified forms obtained under s. ~~46.03~~ 48.47 (7) (d) to a petitioner.

SECTION 3763. 814.61 (13) of the statutes is amended to read:

814.61 **(13)** SUPPORT OR MAINTENANCE PETITION. For the cost of court services, whenever a person not receiving benefits under s. 49.148 or 49.155 or aid under s. 49.19, 49.46, 49.465, 49.468 ~~or~~, 49.47, or 49.471 files a petition requesting child support, maintenance or family support payments, $10 in addition to any other fee required under this section. This subsection does not apply to a petition filed by the state or its delegate.

SECTION 3764. 814.69 (1) (a) of the statutes is amended to read:

814.69 **(1)** (a) For a transcript under SCR 71.04, a fee at the rate of $1.50 per 25–line page for the original and 50 cents per 25–line page for the duplicate. Except as provided in s. 967.06 (3), the fee shall be paid by the county treasurer upon the certificate of the clerk of court.

SECTION 3765. 814.75 (22m) of the statutes is amended to read:

814.75 **(22m)** The supplemental food enforcement surcharge under s. ~~253.06~~ 49.17 (4) (c).

SECTION 3766. 814.76 (15m) of the statutes is amended to read:

814.76 **(15m)** The supplemental food enforcement surcharge under s. ~~253.06~~ 49.17 (4) (c).

SECTION 3767. 814.80 (11) of the statutes is amended to read:

814.80 **(11)** The supplemental food enforcement surcharge under s. ~~253.06~~ 49.17 (4) (c).

SECTION 3768. 859.07 (2) (a) (intro.) of the statutes is amended to read:

859.07 **(2)** (a) (intro.) The personal representative shall provide notice of the date set under s. 859.01 to the department of health and family services, the department of children and families, or the department of corrections, as applicable, and to the county clerk of the decedent's county of residence, as defined in s. 49.001 (6) if, at any time prior to or at the time of the decedent's death, any of the following applied:

SECTION 3769. 859.07 (2) (a) 2. of the statutes is amended to read:

859.07 **(2)** (a) 2. The decedent was responsible for any obligation owing to the state or a county under s. 46.03 (18), 46.10, 48.36, 49.32 (1), 49.345, 301.03 (18), 301.12, or 938.36.

SECTION 3770. 859.15 of the statutes is amended to read:

859.15 Effect of statute of limitations. Except as provided in ss. 46.10 (11), 49.08 ~~and~~, 49.195 (1), 49.345 (11), and 301.12 (11), a claim shall not be allowed ~~which~~ that was barred by any statute of limitations at the time of the decedent's death. A claim shall not be barred by statutes of limitation ~~which~~ that was not barred at the time of the decedent's death if the claim is filed against the decedent's estate in the court on or before the deadline for filing a claim under s. 859.01.

SECTION 3771. 885.01 (5) of the statutes is amended to read:

885.01 **(5)** By the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22, 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011 to 2029.

SECTION 3772. 885.01 (5) of the statutes, as affected by 2007 Wisconsin Act .... (this act), is amended to read:

885.01 **(5)** By the department of children and families or a county child support agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22, 49.46 ~~and~~, 49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029.

SECTION 3773. 885.38 (3) (a) (intro.) of the statutes is amended to read:

885.38 **(3)** (a) (intro.) ~~In criminal proceedings and in proceedings under ch. 48, 51, 55, or 938, if~~ If the court determines that the person has limited English proficiency and that an interpreter is necessary, the court shall advise the person that he or she has the right to a qualified interpreter ~~and that, if the person cannot afford one, an interpreter will be provided~~ at the public's expense if the person is one of the following:

SECTION 3774. 885.38 (8) (a) (intro.) of the statutes is amended to read:

885.38 **(8)** (a) (intro.) Except as provided in par. (b), the necessary expenses of providing qualified interpreters to ~~indigent~~ persons with limited English proficiency under this section shall be paid as follows:

SECTION 3775. 893.981 of the statutes is created to read:

893.981 False claims. An action or claim under s. 20.931 shall be commenced within 10 years after the cause of the action or claim accrues or be barred.

SECTION 3776. 895.45 (1) (a) of the statutes is amended to read:

895.45 **(1)** (a) "Abusive conduct" means domestic abuse, as defined under s. ~~46.95~~ 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss. 948.02 to 948.11.

SECTION 3777. 895.4803 of the statutes is amended to read:

895.4803 Civil liability exemption; information concerning paternity. Any member of the staff of a hospital who is designated by the hospital and trained by the department of ~~workforce development~~ children and families under s. 69.14 (1) (cm) and who in good faith provides to a child's available parents written information that is provided by the department of ~~workforce develop-~~

~~ment~~ children and families and oral information or an audio or video presentation about the form that is prescribed by the state registrar under s. 69.15 (3) (b) 3. and about the significance and benefits of, and alternatives to, establishing paternity, under the requirements of s. 69.14 (1) (cm), is immune from civil liability for his or her acts or omissions in providing that oral information or audio or video presentation and written information.

SECTION 3778. 895.485 (4) (a) of the statutes is amended to read:

895.485 **(4)** (a) The agency has failed to provide the foster, treatment foster, or family–operated group home parent with any information relating to a medical, physical, mental, or emotional condition of the child that it is required to disclose under this paragraph. The department of ~~health and family services~~ children and families shall promulgate rules specifying the kind of information that an agency shall disclose to a foster, treatment foster, or family–operated group home parent which relates to a medical, physical, mental, or emotional condition of the child.

SECTION 3778m. 895.507 (7m) of the statutes is amended to read:

895.507 **(7m)** EFFECT OF FEDERAL LEGISLATION. If the joint committee on administrative rules determines that the federal government has enacted legislation that imposes notice requirements substantially similar to the requirements of this section and determines that the legislation does not preempt this section, the joint committee on administrative rules shall submit to the ~~revisor of statutes~~ legislative reference bureau for publication in the Wisconsin administrative register a notice of its determination. This section does not apply after publication of a notice under this subsection.

SECTION 3779. 905.15 (1) of the statutes is amended to read:

905.15 **(1)** An employee of the department of health and family services, the department of ~~workforce development~~ children and families or a county department under s. 46.215, 46.22 or 46.23 or a member of a governing body of a federally recognized American Indian tribe who is authorized by federal law to have access to or awareness of the federal tax return information of another in the performance of duties under s. 49.19 or 49.45 or 7 USC 2011 to 2049 may claim privilege to refuse to disclose the information and the source or method by which he or she received or otherwise became aware of the information.

SECTION 3780. 938.02 (6) of the statutes is amended to read:

938.02 **(6)** "Foster home" means any facility that is operated by a person required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for no more than 4 juveniles or, if necessary to enable a sibling group to remain together, for no more than 6 juveniles or, if the department of ~~health and family services~~ children and families promulgates rules permitting a different number of juveniles, for the number of juveniles permitted under those rules.

SECTION 3781. 938.02 (7) of the statutes is amended to read:

938.02 **(7)** "Group home" means any facility operated by a person required to be licensed by the department of ~~health and family services~~ children and families under s. 48.625 for the care and maintenance of 5 to 8 juveniles.

SECTION 3782. 938.02 (17) of the statutes is amended to read:

938.02 **(17)** "Shelter care facility" means a nonsecure place of temporary care and physical custody for juveniles, including a holdover room, licensed by the department of ~~health and family services~~ children and families under s. 48.66 (1) (a).

SECTION 3783. 938.06 (1) (b) of the statutes is amended to read:

938.06 **(1)** (b) Notwithstanding par. (a), the county board of supervisors may make changes in the administration of services to the children's court center in order to qualify for the maximum amount of federal and state aid as provided in sub. (4) and ~~s.~~ ss. 46.495 and 48.569.

SECTION 3784. 938.06 (4) of the statutes is amended to read:

938.06 **(4)** STATE AID. State aid to any county for juvenile delinquency–related court services under this section shall be at the same net effective rate that each county is reimbursed for county administration under s. ~~46.495~~ 48.569, except as provided in s. 301.26. Counties having a population of less than 500,000 may use funds received under ss. ~~46.495~~ 48.569 (1) (d) and 301.26, including county or federal revenue sharing funds allocated to match funds received under s. ~~46.495~~ 48.569 (1) (d), for the cost of providing court attached intake services in amounts not to exceed 50% of the cost of providing court attached intake services or $30,000 per county per calendar year, whichever is less.

SECTION 3786. 938.21 (5) (b) 1. of the statutes is renumbered 938.21 (5) (b) 1. a. and amended to read:

938.21 **(5)** (b) 1. a. A finding that continued placement of the juvenile in his or her home would be contrary to the welfare of the juvenile. ~~Unless the court finds that any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies, the order shall in addition include a~~

b. A finding as to whether the person who took the juvenile into custody and the intake worker have made reasonable efforts to prevent the removal of the juvenile from the home, while assuring that the juvenile's health and safety are the paramount concerns, ~~and a~~ unless the court finds that any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies.

c. A finding as to whether the person who took the juvenile into custody and the intake worker have made reasonable efforts to make it possible for the juvenile to return safely home.

1m. If for good cause shown sufficient information is not available for the court to make a finding as to whether ~~those~~ reasonable efforts were made to prevent the removal of the juvenile from the home, ~~the order shall include~~ while assuring that the juvenile's health and safety are the paramount concerns, a finding as to whether ~~those~~ reasonable efforts were made to make it possible for the juvenile to return safely home and an order for the county department or agency primarily responsible for providing services to the juvenile under the custody order to file with the court sufficient information for the court to make a finding as to whether those reasonable efforts were made to prevent the removal of the juvenile from the home by no later than 5 days, excluding Saturdays, Sundays, and legal holidays, after the date ~~of~~ on which the order is granted.

SECTION 3787. 938.21 (5) (b) 1. d. of the statutes is created to read:

938.21 **(5)** (b) 1. d. If the juvenile is under the supervision of the county department, an order ordering the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and assigning the county department primary responsibility for providing services to the juvenile.

SECTION 3788. 938.21 (5) (c) of the statutes is amended to read:

938.21 **(5)** (c) The court shall make the findings specified in par. (b) 1., 1m., and 3. on a case–by–case basis based on circumstances specific to the juvenile and shall document or reference the specific information on which those findings are based in the custody order. A custody order that merely references par. (b) 1., 1m., or 3. without documenting or referencing that specific information in the custody order or an amended custody order that retroactively corrects an earlier custody order that does not comply with this paragraph is not sufficient to comply with this paragraph.

SECTION 3789. 938.22 (1) (a) of the statutes is amended to read:

938.22 **(1)** (a) Subject to s. 48.66 (1) (b), the county board of supervisors of a county may establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 or the county boards of supervisors for 2 or more counties may jointly establish a juvenile detention facility in accordance with ss. 46.20, 301.36, and 301.37. The county board of supervisors of a county may establish a shelter care facility in accordance with ss. ~~46.16 and 46.17~~ 48.576 and 48.578 or the county boards of supervisors for 2 or more counties may jointly establish a shelter care facility in accordance with ss. ~~46.16, 46.17, and~~ 46.20, 48.576, and 48.578. A private entity may establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 and contract with one or more county boards of supervisors under s. 938.222 to hold juveniles in the private juvenile detention facility.

SECTION 3790. 938.22 (2) (a) of the statutes is amended to read:

938.22 **(2)** (a) Counties shall submit plans for a juvenile detention facility or juvenile portion of the county jail to the department of corrections and submit plans for a shelter care facility to the department of ~~health and family services~~ children and families. A private entity that proposes to establish a juvenile detention facility shall submit plans for the facility to the department of corrections. The applicable department shall review the submitted plans. A county or a private entity may not implement a plan unless the applicable department has approved the plan. The department of corrections shall promulgate rules establishing minimum requirements for the approval and operation of juvenile detention facilities and the juvenile portion of county jails. The plans and rules shall be designed to protect the health, safety, and welfare of the juveniles placed in those facilities.

SECTION 3791. 938.22 (7) (a) of the statutes is amended to read:

938.22 **(7)** (a) No person may establish a shelter care facility without first obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to operate a shelter care facility, a person must meet the minimum requirements for a license established by the department of ~~health and family services~~ children and families under s. 48.67, meet the requirements specified in s. 48.685, and pay the license fee under par. (b). A license issued under s. 48.66 (1) (a) to operate a shelter care facility is valid until revoked or suspended, but shall be reviewed every 2 years as provided in s. 48.66 (5).

SECTION 3792. 938.22 (7) (b) of the statutes is amended to read:

938.22 **(7)** (b) Before the department of ~~health and family services~~ children and families may issue a license under s. 48.66 (1) (a) to operate a shelter care facility, the shelter care facility shall pay to that department a biennial fee of $60.50, plus a biennial fee of $18.15 per juvenile, based on the number of juveniles that the shelter care facility is licensed to serve. A shelter care facility that wishes to continue a license issued under s. 48.66 (1) (a) shall pay the fee by the continuation date of the license. A new shelter care facility shall pay the fee by no later than 30 days before the opening of the shelter care facility.

SECTION 3793. 938.235 (4) (b) of the statutes is amended to read:

938.235 **(4)** (b) The court shall order the agency identified under s. ~~938.355 (2) (b) 1.~~ 938.33 (1) (c) as primarily responsible for the provision of services to notify the guardian ad litem, if any, regarding actions to be taken under par. (a).

SECTION 3795. 938.30 (6) (b) of the statutes is amended to read:

938.30 **(6)** (b) If it appears to the court that disposition of the case may include placement of the juvenile outside the juvenile's home, the court shall order the juvenile's parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent to the court or the designated agency under s. 938.33 (1) at least 5 days before the scheduled date of the dispositional hearing or as otherwise ordered by the court. The clerk of court shall provide, without charge, to any parent ordered to provide that statement a document setting forth the percentage standard established by the department of ~~workforce development~~ children and families under s. 49.22 (9) and listing the factors that a court may consider under s. 301.12 (14) (c).

SECTION 3796. 938.31 (7) (b) of the statutes is amended to read:

938.31 **(7)** (b) If it appears to the court that disposition of the case may include placement of the juvenile outside the juvenile's home, the court shall order the juvenile's parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent, to the court or the designated agency under s. 938.33 (1) at least 5 days before the scheduled date of the dispositional hearing or as otherwise ordered by the court. The clerk of court shall provide, without charge, to any parent ordered to provide the statement a document setting forth the percentage standard established by the department of ~~workforce development~~ children and families under s. 49.22 (9) and listing the factors that a court may consider under s. 301.12 (14) (c).

SECTION 3797. 938.315 (2m) (a) of the statutes is amended to read:

938.315 **(2m)** (a) The court making an initial finding under s. 938.21 (5) (b) 1. or 1m., 938.355 (2) (b) 6., or 938.357 (2v) (a) 1. that reasonable efforts have been made to prevent the removal of the juvenile from the home, while assuring that the juvenile's health and safety are the paramount concerns, or an initial finding under s. 938.21 (5) (b) 3., 938.355 (2) (b) 6r., or 938.357 (2v) (a) 3. that those efforts were not required to be made because a circumstance specified in s. 938.355 (2d) (b) 1. to 4. applies, more than 60 days after the date on which the juvenile was removed from the home.

SECTION 3798. 938.32 (1) (c) 1. d. of the statutes is created to read:

938.32 **(1)** (c) 1. d. If the juvenile's placement or other living arrangement is under the supervision of the county department, an order ordering the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and assigning the county department primary responsibility for providing services to the juvenile.

SECTION 3806. 938.346 (1) (h) 3. of the statutes is amended to read:

938.346 **(1)** (h) 3. The right to compensation, as provided under subch. I of ch. 949.

SECTION 3807. 938.355 (2) (b) 1. of the statutes is amended to read:

938.355 **(2)** (b) 1. The specific services ~~or continuum of services~~ to be provided to the juvenile and the juvenile's family~~, the identity of the agencies that are primarily responsible for the provision of the services, the identity of the person or agency that will provide case management or coordination of services, if any~~, and, if custody is to be transferred to effect the treatment plan, the identity of the legal custodian.

SECTION 3808. 938.355 (2) (b) 6g. of the statutes is created to read:

938.355 **(2)** (b) 6g. If the juvenile is placed outside the home under the supervision of the county department, an order ordering the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and assigning the county department primary responsibility for providing services to the juvenile.

SECTION 3809. 938.355 (2b) of the statutes is amended to read:

938.355 **(2b)** CONCURRENT REASONABLE EFFORTS PERMITTED. A county department or the agency primarily responsible for providing services to a juvenile under a court order may, at the same time as the county department or agency is making the reasonable efforts required under sub. (2) (b) 6. to prevent the removal of the juvenile from the home or to make it possible for the juvenile to return safely to his or her home, work with the department of ~~health and family services~~ children and families, a county department under s. 48.57 (1) (e) or (hm), or a child welfare agency licensed under s. 48.61 (5) in making reasonable efforts to place the juvenile for adoption, with a guardian, with a fit and willing relative, or in some other alternative permanent placement.

SECTION 3810. 938.355 (6) (d) 1. of the statutes is amended to read:

938.355 **(6)** (d) 1. Placement of the juvenile in a secure detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

SECTION 3812. 938.355 (6m) (a) 1g. of the statutes is amended to read:

938.355 **(6m)** (a) 1g. Placement of the juvenile in a secure detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. The use of placement in a secure detention facility or in a juvenile portion of a county jail as a sanction under this subdivision is subject to the adoption of a resolution by the county board of supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

SECTION 3814. 938.357 (1) (am) 3. of the statutes is amended to read:

938.357 **(1)** (am) 3. If the court changes the juvenile's placement from a placement outside the home to another placement outside the home, the change in placement order shall contain ~~one of the statements~~ the applicable order under sub. (2v) (a) 1m. and the applicable statement under sub. (2v) (a) 2.

SECTION 3815. 938.357 (1) (c) 3. of the statutes is amended to read:

938.357 **(1)** (c) 3. If the court changes the juvenile's placement from a placement in the juvenile's home to a placement outside the juvenile's home, the change in placement order shall contain the findings under sub. (2v) (a) 1., ~~one of the statements~~ the applicable order under sub. (2v) (a) 1m., the applicable statement under sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances under s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the determination under sub. (2v) (a) 3.

SECTION 3816. 938.357 (2m) (c) of the statutes is amended to read:

938.357 **(2m)** (c) ~~*In-home to out-of-home placement; findings*~~ *Findings required.* If the court changes the juvenile's placement from a placement in the juvenile's home to a placement outside the juvenile's home, the change in placement order shall contain the findings under sub. (2v) (a) 1., ~~one of the statements~~ the applicable order under sub. (2v) (a) 1m., the applicable statement under sub. (2v) (a) 2., and, if in addition the court finds that any of the circumstances under s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the determination under sub. (2v) (a) 3. If the court changes the juvenile's placement from a placement outside the home to another placement outside the home, the change in placement order shall contain the applicable order under sub. (2v) (a) 1m. and the applicable statement under sub. (2v) (a) 2.

SECTION 3817. 938.357 (2v) (a) 1m. of the statutes is created to read:

938.357 **(2v)** (a) 1m. If the change in placement order changes the placement of a juvenile who is under the supervision of the county department to a placement outside the juvenile's home, whether from a placement in the home or from another placement outside the home, an order ordering the juvenile into, or to be continued in, the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and assigning the county department primary responsibility, or continued primary responsibility, for providing services to the juvenile.

SECTION 3818. 938.357 (4) (a) of the statutes is amended to read:

938.357 **(4)** (a) When the juvenile is placed with the department, the department may, after an examination under s. 938.50, place the juvenile in a juvenile correctional facility or a secured residential care center for children and youth or on aftercare supervision, either immediately or after a period of placement in a juvenile correctional facility or a secured residential care center for children and youth. The department shall send written notice of the change in placement to the parent, guardian, legal custodian, county department designated under s. 938.34 (4n), if any, and committing court. If the department places a juvenile in a Type 2 juvenile correctional facility operated by a child welfare agency, the department shall reimburse the child welfare agency at the rate established under s. ~~46.037~~ 49.343 that is applicable to the type of placement that the child welfare agency is providing for the juvenile. A juvenile who is placed in a Type 2 juvenile correctional facility or a secured residential care center for children and youth remains under the supervision of the department, remains subject to the rules and discipline of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a).

SECTION 3819. 938.357 (4) (b) 2. of the statutes is amended to read:

938.357 **(4)** (b) 2. If a juvenile whom the court has placed in a Type 2 residential care center for children and youth under s. 938.34 (4d) violates a condition of his or her placement in the Type 2 residential care center for children and youth, the child welfare agency operating the Type 2 residential care center for children and youth shall notify the county department that has supervision over the juvenile and, if the county department agrees to a change in placement under this subdivision, the child welfare agency shall notify the department, and the

department, after consulting with the child welfare agency, may place the juvenile in a Type 1 juvenile correctional facility under the supervision of the department, without a hearing under sub. (1) (am) 2., for not more than 10 days. If a juvenile is placed in a Type 1 juvenile correctional facility under this subdivision, the county department that has supervision over the juvenile shall reimburse the child welfare agency operating the Type 2 residential care center for children and youth in which the juvenile was placed at the rate established under s. ~~46.037~~ 49.343, and that child welfare agency shall reimburse the department at the rate specified in s. 301.26 (4) (d) 2. or 3., whichever is applicable, for the cost of the juvenile's care while placed in a Type 1 juvenile correctional facility.

SECTION 3820. 938.357 (4) (c) 1. of the statutes is amended to read:

938.357 **(4)** (c) 1. If a juvenile is placed in a Type 2 juvenile correctional facility operated by a child welfare agency under par. (a) and it appears that a less restrictive placement would be appropriate for the juvenile, the department, after consulting with the child welfare agency that is operating the Type 2 juvenile correctional facility, may place the juvenile in a less restrictive placement, and may return the juvenile to the Type 2 juvenile correctional facility without a hearing under sub. (1) (am) 2. The child welfare agency shall establish a rate for each type of placement in the manner provided in s. ~~46.037~~ 49.343.

SECTION 3821. 938.357 (4) (c) 2. of the statutes is amended to read:

938.357 **(4)** (c) 2. If a juvenile is placed in a Type 2 residential care center for children and youth under s. 938.34 (4d) and it appears that a less restrictive placement would be appropriate for the juvenile, the child welfare agency operating the Type 2 residential care center for children and youth shall notify the county department that has supervision over the juvenile and, if the county department agrees to a change in placement under this subdivision, the child welfare agency may place the juvenile in a less restrictive placement. A child welfare agency may also, with the agreement of the county department that has supervision over a juvenile who is placed in a less restrictive placement under this subdivision, return the juvenile to the Type 2 residential care center for children and youth without a hearing under sub. (1) (am) 2. The child welfare agency shall establish a rate for each type of placement in the manner provided in s. ~~46.037~~ 49.343.

SECTION 3822. 938.357 (5m) (a) of the statutes is amended to read:

938.357 **(5m)** (a) If a proposed change in placement would change a juvenile's placement from a placement in the juvenile's home to a placement outside the juvenile's home, the court shall order the juvenile's parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent to the court or the person or agency primarily responsible for implementing the dispositional order by a date specified by the court. The clerk of court shall provide, without charge, to any parent ordered to provide that statement a document setting forth the percentage standard established by the department of ~~workforce development~~ children and families under s. 49.22 (9) and listing the factors under s. 301.12 (14) (c). If the juvenile is placed outside the juvenile's home, the court shall determine the liability of the parent in the manner provided in s. 301.12 (14).

SECTION 3823. 938.36 (1) (b) of the statutes is amended to read:

938.36 **(1)** (b) In determining the amount of support under par. (a), the court may consider all relevant financial information or other information relevant to the parent's earning capacity, including information reported under s. 49.22 (2m) to the department of ~~workforce development~~ children and families, or the county child support agency, under s. 59.53 (5). If the court has insufficient information with which to determine the amount of support, the court shall order the juvenile's parent to furnish a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent, if the parent has not already done so, to the court within 10 days after the court's order transferring custody or designating an alternative placement is entered or at such other time as ordered by the court.

SECTION 3824. 938.363 (1) (c) of the statutes is amended to read:

938.363 **(1)** (c) If the proposed revision is for a change in the amount of child support to be paid by a parent, the court shall order the juvenile's parent to provide a statement of the income, assets, debts, and living expenses of the juvenile and the juvenile's parent to the court and the person or agency primarily responsible for implementing the dispositional order by a date specified by the court. The clerk of court shall provide, without charge, to any parent ordered to provide that statement a document setting forth the percentage standard established by the department of ~~workforce development~~ children and families under s. 49.22 (9) and listing the factors that a court may consider under s. 301.12 (14) (c).

SECTION 3825. 938.38 (2) (intro.) of the statutes is amended to read:

938.38 **(2)** PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3), for each juvenile living in a foster home, treatment foster home, group home, residential care center for children and youth, juvenile detention facility, or shelter care facility, the agency that placed the juvenile or arranged the placement or the agency assigned primary responsibility for providing services to the juvenile under s. 938.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following conditions exists, and, for each juvenile living in the home of

a relative other than a parent, that agency shall prepare a written permanency plan, if any of the conditions under pars. (a) to (e) exists:

SECTION 3826. 938.396 (2g) (b) of the statutes is amended to read:

938.396 **(2g)** (b) *Federal program monitoring.* Upon request of the department ~~of health and family services~~, the department of ~~corrections~~ children and families, or a federal agency to review court records for the purpose of monitoring and conducting periodic evaluations of activities as required by and implemented under 45 CFR 1355, 1356, and 1357, the court shall open those records for inspection by authorized representatives of that department or federal agency.

SECTION 3827. 938.396 (4) of the statutes is amended to read:

938.396 **(4)** OPERATING PRIVILEGE RECORDS. When a court assigned to exercise jurisdiction under this chapter and ch. 48 or a municipal court exercising jurisdiction under s. 938.17 (2) revokes, suspends, or restricts a juvenile's operating privilege under this chapter, the department of transportation may not disclose information concerning or relating to the revocation, suspension, or restriction to any person other than a court assigned to exercise jurisdiction under this chapter and ch. 48, a municipal court exercising jurisdiction under s. 938.17 (2), a district attorney, county corporation counsel, or city, village, or town attorney, a law enforcement agency, a driver licensing agency of another jurisdiction, the juvenile whose operating privilege is revoked, suspended, or restricted, or the juvenile's parent or guardian. Persons entitled to receive this information may not disclose the information to other persons or agencies.

SECTION 3828. 938.538 (6) of the statutes is amended to read:

938.538 **(6)** PURCHASE OF SERVICES. The department ~~of corrections~~ may contract with the department of health and family services, the department of children and families, a county department, or any public or private agency for the purchase of goods, care, and services for participants in the program under this section. The department ~~of corrections~~ shall reimburse a person from whom it purchases goods, care, or services under this subsection from the appropriation under s. 20.410 (3) (cg).

SECTION 3829. 938.547 (2) of the statutes is amended to read:

938.547 **(2)** DEPARTMENT RESPONSIBILITIES. Within the availability of funding under s. ~~20.435 (7)~~ 20.437 (1) (mb) that is available for the pilot program, the department of ~~health and family services~~ children and families shall select counties to participate in the pilot program. Unless a county department of human services has been established under s. 46.23 in the county that is seeking to implement a pilot program, the application submitted to the department of ~~health and family services~~ children and families shall be a joint application by the county department that provides social services and the county department established under s. 51.42 or 51.437. The department of ~~health and family services~~ children and families shall select counties in accordance with the request–for–proposal procedures established by that department. The department of ~~health and family services~~ children and families shall give a preference to county applications that include a plan for case management.

SECTION 3830. 938.548 of the statutes is amended to read:

938.548 Multidisciplinary screen and assessment criteria. The department of ~~health and family services~~ children and families shall make the multidisciplinary screen developed under s. 938.547 (3) and the assessment criteria developed under s. 938.547 (4) available to all counties.

SECTION 3831. 938.57 (3) (a) (intro.) of the statutes is amended to read:

938.57 **(3)** (a) (intro.) From the reimbursement received under s. ~~46.495~~ 48.569 (1) (d), counties may provide funding for the maintenance of any juvenile who meets all of the following qualifications:

SECTION 3832. 938.57 (3) (a) 3. of the statutes is amended to read:

938.57 **(3)** (a) 3. Received funding under s. ~~46.495~~ 48.569 (1) (d) immediately prior to his or her 17th birthday.

SECTION 3833. 938.57 (3) (b) of the statutes is amended to read:

938.57 **(3)** (b) The funding provided for the maintenance of a juvenile under par. (a) shall be in an amount equal to that to which the juvenile would receive under s. ~~46.495~~ 48.569 (1) (d) if the juvenile were 16 years of age.

SECTION 3834. 938.78 (2) (h) of the statutes is amended to read:

938.78 **(2)** (h) Paragraph (a) does not prohibit the department of ~~health and family services~~ children and families, a county department, or a licensed child welfare agency from entering the content of any record kept or information received by that department, county department, or licensed child welfare agency into the statewide automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

SECTION 3835. 948.22 (4) (b) of the statutes is amended to read:

948.22 **(4)** (b) For a person not subject to a court order requiring child, grandchild or spousal support payments, when the person knows or reasonably should have known that he or she has a dependent, failure to provide support equal to at least the amount established by rule by the department of ~~workforce development~~ children and families under s. 49.22 (9) or causing a spouse, grandchild or child to become a dependent person, or continue to be a dependent person, as defined in s. 49.01 (2).

SECTION 3836. 948.31 (1) (a) 2. of the statutes is amended to read:

948.31 **(1)** (a) 2. The department of ~~health and family services~~ children and families or the department of corrections or any person, county department under s. 46.215, 46.22, or 46.23, or licensed child welfare agency, if custody or supervision of the child has been transferred under ch. 48 or 938 to that department, person, or agency.

SECTION 3837. Subchapter I (title) of chapter 949 [precedes 949.001] of the statutes is created to read:

CHAPTER 949

SUBCHAPTER I

CRIME VICTIM COMPENSATION

SECTION 3838. 949.01 (intro.) of the statutes is amended to read:

949.01 Definitions. (intro.) In this ~~chapter~~ subchapter:

SECTION 3839. 949.02 of the statutes is amended to read:

949.02 Administration. The department shall administer this ~~chapter~~ subchapter. The department shall appoint a program director to assist in administering this ~~chapter~~ subchapter. The department shall promulgate rules for the implementation and operation of this ~~chapter~~ subchapter. The rules shall include procedures to ensure that any limitation of an award is calculated in a fair and equitable manner.

SECTION 3840. 949.035 (1) of the statutes is amended to read:

949.035 **(1)** If a Wisconsin resident suffers injury or death in a situation described in s. 949.03 except that the act occurred outside this state, the resident has the same rights under this ~~chapter~~ subchapter as if the act had occurred in this state upon a showing that the state, territory, country or political subdivision of a country in which the act occurred does not have a compensation of victims of crimes law which covers the injury or death suffered by the person.

SECTION 3841. 949.04 (1) (intro.) of the statutes is amended to read:

949.04 **(1)** ELIGIBILITY. (intro.) Any person may apply for an award under this ~~chapter~~ subchapter.

SECTION 3842. 949.04 (2) of the statutes is amended to read:

949.04 **(2)** FORMS. The department shall prescribe application forms for awards under this ~~chapter~~ subchapter and shall furnish law enforcement agencies with the forms. The law enforcement agency investigating a crime shall provide forms to each person who may be eligible to file a claim under this subchapter.

SECTION 3843. 949.06 (1) (intro.) of the statutes is amended to read:

949.06 **(1)** (intro.) In accordance with this ~~chapter~~ subchapter, the department shall make awards, as appropriate, for any of the following economic losses incurred as a direct result of an injury:

SECTION 3844. 949.06 (1m) (b) of the statutes is amended to read:

949.06 **(1m)** (b) In accordance with this ~~chapter~~ subchapter, the department shall make awards, as appropriate, to persons who, immediately prior to the crime, lived in the same household with and to family members of a victim of s. 940.01, 940.02, 940.05, 940.06, 940.07, 940.08 or 940.09 for any of the economic losses specified in sub. (1) as a result of the person's or family member's reaction to the death. A dependent may recover both under sub. (1) and this subsection, subject to the limitation under sub. (2).

SECTION 3845. 949.06 (3) (f) of the statutes is created to read:

949.06 **(3)** (f) From an award under s. 949.26.

SECTION 3846. 949.06 (4) (b) of the statutes is amended to read:

949.06 **(4)** (b) The department may suspend proceedings under this ~~chapter~~ subchapter for a period it deems appropriate on the grounds that a prosecution for an offense arising out of the act or omission has been commenced or is imminent.

SECTION 3847. 949.09 of the statutes is amended to read:

949.09 Effect of conviction. If any person has been convicted of any offense with respect to an act or omission on which a claim under this ~~chapter~~ subchapter is based, proof of that conviction shall be taken as conclusive evidence that the offense has been committed, unless an appeal or any proceeding with regard thereto is pending.

SECTION 3848. 949.11 (1) of the statutes is amended to read:

949.11 **(1)** The procedure of ch. 227 for contested cases applies to hearings under this ~~chapter~~ subchapter except as otherwise provided in this section and ss. 949.12 and 949.14.

SECTION 3849. 949.11 (2) of the statutes is amended to read:

949.11 **(2)** The division of hearings and appeals in the department of administration shall appoint hearing examiners to make findings and orders under s. 227.46 and this ~~chapter~~ subchapter.

SECTION 3850. 949.115 of the statutes is amended to read:

949.115 Subpoenas. The department or any of its authorized agents may issue subpoenas for persons or records for any investigation or hearing conducted under this ~~chapter~~ subchapter and may enforce compliance with such subpoenas as provided in s. 885.12.

SECTION 3851. 949.12 of the statutes is amended to read:

949.12 Condition of claimant. There is no privilege, except privileges arising from the attorney–client relationship, as to communications or records relevant to an issue of the physical, mental or emotional condition of

the claimant or victim in a proceeding under this ~~chapter~~ subchapter in which that condition is an element.

SECTION 3852. 949.13 of the statutes is amended to read:

949.13 Agency cooperation. Upon request by the department, any state or local agency, including a district attorney or law enforcement agency, shall make available all reports, files and other appropriate information which the department requests in order to make a determination that a person is eligible for an award under this ~~chapter~~ subchapter.

SECTION 3853. 949.15 (1) of the statutes is amended to read:

949.15 **(1)** Whenever the department orders the payment of an award under this ~~chapter~~ subchapter as a result of the occurrence of an event that creates a cause of action on the part of a claimant against any person, the department is subrogated to the rights of the claimant and may bring an action against the person for the amount of the damages sustained by the claimant. If an amount greater than that paid under the award order is recovered and collected in any such action, the department shall pay the balance to the claimant. If the person responsible for the injury or death has previously made restitution payments to the general fund under s. 973.20, any judgment obtained by the department under this section shall be reduced by the amount of the restitution payments to the general fund.

SECTION 3854. 949.16 of the statutes is amended to read:

949.16 Confidentiality of records. The record of a proceeding before an examiner or the department under this ~~chapter~~ subchapter is a public record. Any record or report obtained by an examiner or the department, the confidentiality of which is protected by any other law or rule, shall remain confidential.

SECTION 3855. 949.165 (12) of the statutes is amended to read:

949.165 **(12)** PAYMENT IS NOT AN AWARD. Any payment from an escrow account under this section shall not be considered as an award by the department under this ~~chapter~~ subchapter.

SECTION 3856. 949.18 (intro.) of the statutes is amended to read:

949.18 Report by the department. (intro.) The department's biennial report under s. 15.04 (1) (d) shall include a report of its activities under this ~~chapter~~ subchapter including:

SECTION 3857. 949.18 (1) of the statutes is amended to read:

949.18 **(1)** An explanation of the procedures for filing and processing claims under this ~~chapter~~ subchapter.

SECTION 3858. 949.18 (4) of the statutes is amended to read:

949.18 **(4)** A copy of the forms utilized under this ~~chapter~~ subchapter.

SECTION 3859. 949.18 (5) (intro.) of the statutes is amended to read:

949.18 **(5)** (intro.) A complete statistical analysis of the cases handled under this ~~chapter~~ subchapter, including:

SECTION 3860. 949.18 (5) (e) of the statutes is amended to read:

949.18 **(5)** (e) A summary of cases handled under this ~~chapter~~ subchapter.

SECTION 3861. Subchapter II of chapter 949 [precedes 949.20] of the statutes is created to read:

CHAPTER 949

SUBCHAPTER II

SEXUAL ASSAULT FORENSIC EXAMINATION COMPENSATION

949.20 Definitions. In this subchapter:

(1) "Cooperate with a law enforcement agency" means to report a sex offense to a law enforcement agency or to aid a law enforcement agency in the investigation of a sex offense.

(2) "Department" means the department of justice.

(3) "Examination costs" means the costs of an examination that is done to gather evidence regarding a sex offense, any procedure during that examination process that tests for or prevents a sexually transmitted disease, and any medication provided or prescribed, during that examination process, that prevents or treats a sexually transmitted disease that the person performing the examination or procedure believes could be a consequence of the sex offense. "Examination costs" does not include any processing or administrative costs, attorney fees, or other expenses.

(4) "Guardian of the victim" means one of the following:

1. If the victim is under 18 years of age, the parent, guardian, or legal custodian of the victim.

2. If the victim has been determined to be incompetent under ch. 54, the guardian of the victim.

(5) "Health care provider" means any person providing health care services.

(6) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

(7) "Sex offense" means an act committed in the state that, if committed by a competent adult, would be a violation, or an attempted violation, of s. 940.225, 948.02, 948.025, 948.05, 948.06, 948.08, or 948.09.

(8) "Sexually transmitted disease" has the meaning given in s. 252.11 (1).

(9) "Victim" means a person against whom a sex offense has been committed.

949.22 Administration. The department shall administer this subchapter. The department shall appoint a program director to assist in administering this subchapter. The department shall promulgate rules for the implementation and operation of this subchapter. The rules shall include procedures to ensure that any limita-

tion of an award is calculated in a fair and equitable manner.

949.24 Application for award. (1) ELIGIBILITY. Any health care provider who conducts an examination to gather evidence regarding a sex offense may apply for an award under this subchapter.

(2) FORMS. The department shall prescribe application forms for awards under this subchapter and shall furnish health care providers with the forms.

(3) MEDICAL RECORDS. An applicant shall submit to the department reports from any physician, physician's assistant, or nurse who treated or examined the victim to gather evidence regarding a sex offense, performed any procedure during that treatment or examination that tests for or prevents a sexually transmitted disease, or provided or prescribed any medication to prevent or treat a sexually transmitted disease. The applicant may not submit to the department any other records than those pertaining to the examination, treatment, procedure, or medication for which the applicant is seeking an award.

949.26 Computation of awards. (1) Except as provided in sub. (1m), the department shall make an award under this section to a health care provider who conducts an examination to gather evidence regarding a sex offense to reimburse the health care provider only for the examination costs, as follows:

(a) If, under sub. (2) (b), the health care provider is not authorized to seek payment from insurance or another available source of payment, the award shall be the examination costs, regardless of whether the victim, or any guardian of the victim, cooperates with a law enforcement agency regarding the sex offense.

(b) If, under sub. (2) (b), the health care provider is authorized to seek payment from insurance or another available source of payment and the victim, or any guardian of the victim, does not cooperate with a law enforcement agency regarding the sex offense, the award shall be the examination costs, reduced by any payment to be received as a result of the authorization under sub. (2) (b).

(1m) The department may not make an award under this section if, under sub. (2) (b), the health care provider is authorized to seek payment and the victim, or any guardian of the victim, cooperates with a law enforcement agency.

(2) (a) A health care provider seeking an award under this section may not seek payment for any examination costs from the victim or any guardian of the victim.

(b) A health care provider seeking an award under this section may not seek payment for any examination costs from insurance or another available source of payment unless the victim or any guardian of the victim authorizes the health care provider to seek payment.

(3) The department may not refuse to make an award under this section because the victim or the guardian of the victim does not cooperate with a law enforcement agency regarding the sex offense, or due to lack of an investigation or prosecution of the sex offense.

949.28 Limitations on awards. (1) No order for the payment of an award under this subchapter may be made unless the application was made within one year after the date of the examination. The department may waive the one–year requirement under this subsection in the interest of justice.

(2) The department may not make an award under this subchapter that exceeds the examination costs of the victim.

(3) The department may not make an award under this subchapter for any part of the examination costs of the victim for which the health care provider seeking the award has received compensation from any other source.

949.31 Hearings. (1) The procedure of ch. 227 for contested cases applies to hearings under this subchapter except as otherwise provided in this section and s. 949.32.

(2) The division of hearings and appeals in the department of administration shall appoint hearing examiners to make findings and orders under s. 227.46 and this subchapter.

(3) All hearings shall be open to the public unless in a particular case the examiner determines that the hearing, or a portion of the hearing, shall be held in private having regard to the fact that the offender has not been convicted or to the interest of the victim.

949.315 Subpoenas. The department or any of its authorized agents may issue subpoenas for persons or records for any investigation or hearing conducted under this subchapter and may enforce compliance with such subpoenas as provided in s. 885.12.

949.32 Condition of victim. There is no privilege, except privileges arising from the attorney–client relationship, as to communications or records relevant to an issue of the physical condition of the victim in a proceeding under this subchapter in which that condition is an element.

949.33 Agency cooperation. Upon request by the department, any state or local agency, including a district attorney or law enforcement agency, shall make available all reports, files, and other appropriate information which the department requests in order to make a determination that a health care provider is eligible for an award under this subchapter.

949.36 Confidentiality. If a health care provider seeks an award under this subchapter, any personally identifiable information, as defined in s. 19.62 (5), of the victim who received the examination shall remain confidential unless written consent for the release of any personally identifiable information is provided by one of the following:

(1) Except as provided under sub. (2), the victim.

(2) If there is a guardian of the victim, the guardian of the victim.

949.37 Offenses. (1) PROHIBITION. In connection with an award under this subchapter, no person may do any of the following:

(a) Submit a fraudulent application or claim for an award.

(b) Intentionally make or cause to be made any false statement or representation of a material fact.

(c) Intentionally conceal or fail to disclose information affecting the amount of or the initial or continued right to any such award when reasonably requested to provide such information by the department.

(2) PENALTIES. Any person who violates this section shall be fined not more than $500 or imprisoned not more than 6 months or both. The person shall forfeit any benefit received and shall reimburse the state for payments received.

(3) DAMAGES. The state has a civil cause of action for relief against any person who violates this section for the amount of damages that the state sustained by reason of the violation and, in addition, for punitive damages not more than double the amount of damages that the state may have sustained, together with interest, and the cost of the suit.

(4) ACTION. The attorney general may bring any action and has such powers as may be necessary to enforce this section.

949.38 Report by the department. The department's biennial report under s. 15.04 (1) (d) shall include a report of its activities under this subchapter including all of the following:

(1) An explanation of the procedures for filing and processing claims under this subchapter.

(2) A description of the programs and policies instituted to promote awareness about the awards under this subchapter.

(3) An analysis of future needs and suggested program improvements.

(4) A copy of the forms used under this subchapter.

(5) A complete statistical analysis of the cases handled under this subchapter, including all of the following:

(a) The number of claims filed.

(b) The number of claims approved and the amount of each award.

(c) The number of claims denied and the reasons for rejection.

(d) A breakdown of claims by geographic area and month.

SECTION 3863. 950.04 (1v) (rm) of the statutes is amended to read:

950.04 **(1v)** (rm) To compensation, as provided under subch. I of ch. 949.

SECTION 3864. 950.08 (2g) (b) of the statutes is amended to read:

950.08 **(2g)** (b) The availability of compensation under subch. I of ch. 949 and the address and telephone number at which to contact the department for information concerning compensation under subch. I of ch. 949.

SECTION 3865. 950.08 (2r) (d) of the statutes is amended to read:

950.08 **(2r)** (d) The availability of compensation under subch. I of ch. 949, including information concerning eligibility for compensation and the procedure for applying for compensation.

SECTION 3866. 961.41 (5) (c) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

961.41 **(5)** (c) 1. ~~Two–thirds~~ The first $850,000 plus two–thirds of all moneys in excess of $1,275,000 collected in each fiscal year from drug surcharges under this subsection shall be credited to the appropriation account under s. 20.435 (6) (gb).

2. ~~One–third of all~~ All moneys in excess of $850,000 and up to $1,275,000 plus one–third of moneys in excess of $1,275,000 collected in each fiscal year from drug surcharges under this subsection shall be credited to the appropriation account under s. 20.505 (6) (ku).

SECTION 3869. 967.06 of the statutes is renumbered 967.06 (1) and amended to read:

967.06 **(1)** As soon as practicable after a person has been detained or arrested in connection with any offense ~~which~~ that is punishable by incarceration, or in connection with any civil commitment proceeding, or in any other situation in which a person is entitled to counsel regardless of ability to pay under the constitution or laws of the United States or this state, the person shall be informed of his or her right to counsel. ~~Persons~~

(2) (a) Except as provided in par. (b), a person entitled to counsel under sub. (1) who ~~indicate~~ indicates at any time that ~~they wish~~ he or she wants to be represented by a lawyer, and who ~~claim that they are~~ claims that he or she is not able to pay in full for a lawyer's services, shall immediately be permitted to contact the authority for indigency determinations specified under s. 977.07 (1). The authority for indigency determination in each county shall have daily telephone access to the county jail in order to identify all persons who are being held in the jail. The jail personnel shall provide by phone information requested by the authority.

(3) In any case in which the state public defender provides representation to an indigent person, the public defender may request that the applicable court reporter or clerk of circuit court prepare and transmit any transcript or court record. The request shall be complied with. The state public defender shall, from the appropriation under s. 20.550 (1) (f), compensate the court reporter or clerk of circuit court for the cost of preparing, handling, duplicating, and mailing the documents.

SECTION 3870. 967.06 (2) (b) of the statutes is created to read:

967.06 **(2)** (b) If the person indicating that he or she wants to be represented by a lawyer is detained under ch. 48, 51, 55, or 938, the person shall be referred for appointment of counsel as provided under s. 48.23 (4), 51.60, 55.105, or 938.23 (4), whichever is applicable.

SECTION 3871. 971.14 (3) (d) of the statutes is amended to read:

971.14 **(3)** (d) If the examiner reports that the defendant lacks competency, the examiner's opinion regarding the likelihood that the defendant, if provided treatment, may be restored to competency within the time period permitted under sub. (5) (a). The examiner shall provide an opinion as to whether the individual's treatment should occur in an inpatient facility designated by the department of health and family services, or should be conducted in a jail or a locked unit of a facility that has entered into a voluntary agreement with the state to serve as a location for treatment, or as a condition of bail or bond.

SECTION 3872. 971.14 (5) (a) of the statutes is amended to read:

971.14 **(5)** (a) If the court determines that the defendant is not competent but is likely to become competent within the period specified in this paragraph if provided with appropriate treatment, the court shall suspend the proceedings and commit the defendant to the custody of the department of health and family services ~~for placement in an appropriate institution~~ for the department to determine whether treatment shall occur in an appropriate institution designated by the department, or in a community–based treatment conducted in a jail or a locked unit of a facility that has entered into a voluntary agreement with the state to serve as a location for treatment, or as a condition of bail or bond, for a period of time not to exceed 12 months, or the maximum sentence specified for the most serious offense with which the defendant is charged, whichever is less. Under this subsection, the department of health and family services may commence services to a person in jail but shall, as soon as possible, transfer that person to an institution or provide services to the person in a nonjail setting consistent with this subsection. Days spent in commitment under this paragraph are considered days spent in custody under s. 973.155.

SECTION 3873. 971.14 (5) (b) of the statutes is amended to read:

971.14 **(5)** (b) The defendant shall be periodically reexamined by the ~~treatment facility~~ department of health and family services examiners. Written reports of examination shall be furnished to the court 3 months after commitment, 6 months after commitment, 9 months after commitment and within 30 days prior to the expiration of commitment. Each report shall indicate either that the defendant has become competent, that the defendant remains incompetent but that attainment of competency is likely within the remaining commitment period, or that the defendant has not made such progress that attainment of competency is likely within the remaining commitment period. Any report indicating such a lack of sufficient progress shall include the examiner's opinion regarding whether the defendant is mentally ill, alcoholic, drug dependent, developmentally disabled or infirm because of aging or other like incapacities.

SECTION 3874. 971.14 (5) (c) of the statutes is amended to read:

971.14 **(5)** (c) Upon receiving a report under par. (b)~~,~~ indicating the defendant has regained competency or is not competent and unlikely to become competent in the remaining commitment period, the court shall hold a hearing within 14 days of receipt of the report and the court shall proceed under sub. (4). If the court determines that the defendant has become competent, the defendant shall be discharged from commitment and the criminal proceeding shall be resumed. If the court determines that the defendant is making sufficient progress toward becoming competent, the commitment shall continue.

SECTION 3875. 971.17 (3) (e) of the statutes is amended to read:

971.17 **(3)** (e) An order for conditional release places the person in the custody and control of the department of health and family services. A conditionally released person is subject to the conditions set by the court and to the rules of the department of health and family services. Before a person is conditionally released by the court under this subsection, the court shall so notify the municipal police department and county sheriff for the area where the person will be residing. The notification requirement under this paragraph does not apply if a municipal department or county sheriff submits to the court a written statement waiving the right to be notified. If the department of health and family services alleges that a released person has violated any condition or rule, or that the safety of the person or others requires that conditional release be revoked, he or she may be taken into custody under the rules of the department. The department of health and family services shall submit a statement showing probable cause of the detention and a petition to revoke the order for conditional release to the committing court and the regional office of the state public defender responsible for handling cases in the county where the committing court is located within ~~48~~ 72 hours after the detention, excluding Saturdays, Sundays, and legal holidays. The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the department of health and family services may detain the person in a jail or in a hospital, center or facility specified by s. 51.15 (2). The state has the burden of proving by clear and convincing evidence that any rule or condition of release has been violated, or that the safety of the person or others requires that conditional release be revoked. If the court determines after hearing that any rule or condition of release has been violated, or that the safety of the

person or others requires that conditional release be revoked, it may revoke the order for conditional release and order that the released person be placed in an appropriate institution under s. 51.37 (3) until the expiration of the commitment or until again conditionally released under this section.

SECTION 3876. 971.23 (10) of the statutes is amended to read:

971.23 **(10)** PAYMENT OF ~~PHOTOCOPY~~ COPYING COSTS IN CASES INVOLVING INDIGENT DEFENDANTS. When the state public defender or a private attorney appointed under s. 977.08 requests ~~photocopies~~ copies, in any format, of any item that is discoverable under this section, the state public defender shall pay any fee charged for the ~~photocopies~~ copies from the appropriation under s. 20.550 (1) (f). If the person providing ~~photocopies~~ copies under this section charges the state public defender a fee for the ~~photocopies~~ copies, the fee may not exceed the actual, necessary, and direct cost of ~~photocopying~~ providing the copies.

SECTION 3879d. 973.017 (2) (a) of the statutes is amended to read:

973.017 **(2)** (a) If the offense is a felony, the sentencing guidelines adopted by the sentencing commission ~~under s. 973.30~~ created under 2001 Wisconsin Act 109, or, if the sentencing commission has not adopted a guideline for the offense, any applicable temporary sentencing guideline adopted by the criminal penalties study committee created under 1997 Wisconsin Act 283.

SECTION 3880. 973.045 (1) (intro.) of the statutes is amended to read:

973.045 **(1)** (intro.) ~~Except as provided in sub. (1m), if~~ If a court imposes a sentence or places a person on probation, the court shall impose a crime victim and witness assistance surcharge calculated as follows:

SECTION 3881. 973.045 (1m) of the statutes is repealed and recreated to read:

973.045 **(1m)** (a) In this subsection, "civil offense" means an offense punishable by a forfeiture.

(b) If all of the following apply, the court shall impose a crime victim and witness assistance surcharge in addition to any forfeiture that it imposes:

1. The person is charged with one or more crimes in a complaint.

2. As a result of the complaint being amended, the person is charged with a civil offense in lieu of one of those crimes.

3. The court finds that the person committed that civil offense on or after the effective date of this subdivision .... [revisor inserts date].

(c) The amount of the surcharge imposed under par. (b) shall be the amount specified in sub. (1) (a) or (b), depending on whether the crime that was the subject of the amendment under par. (b) 2. was a misdemeanor or a felony.

SECTION 3882. 973.045 (1r) (b) of the statutes is created to read:

973.045 **(1r)** (b) The entire amount of any surcharge imposed under sub. (1m) shall be allocated to part A.

SECTION 3883. 973.045 (2m) of the statutes is created to read:

973.045 **(2m)** The secretary of administration shall credit part A of the crime victim and witness surcharge to the appropriation account under s. 20.455 (5) (g) and part B to the appropriation account under s. 20.455 (5) (gc).

SECTION 3884. 973.045 (3) (a) of the statutes is renumbered 973.045 (1r) (a), and 973.045 (1r) (a) (intro.), as renumbered, is amended to read:

973.045 **(1r)** (a) (intro.) The clerk shall record ~~the~~ any crime victim and witness surcharge imposed under sub. (1) in 2 parts~~. Part A is the portion that the secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) and part B is the portion that the secretary of administration shall credit to the appropriation account under s. 20.455 (5) (gc),~~ as follows:

SECTION 3885. 973.05 (2m) (r) of the statutes is amended to read:

973.05 **(2m)** (r) To payment of the enforcement surcharge under s. ~~253.06~~ 49.17 (4) (c) until paid in full.

SECTION 3885m. 973.055 (1) (intro.) of the statutes is amended to read:

973.055 **(1)** (intro.) If a court imposes a sentence on an adult person or places an adult person on probation, regardless of whether any fine is imposed, the court shall impose a domestic abuse surcharge under ch. 814 of ~~$75~~ $100 for each offense if:

SECTION 3886. 973.055 (3) of the statutes is amended to read:

973.055 **(3)** All moneys collected from domestic abuse surcharges shall be deposited by the secretary of administration in s. ~~20.435 (3)~~ 20.437 (1) (hh) and utilized in accordance with s. ~~46.95~~ 49.165.

SECTION 3887. 973.09 (1) (b) of the statutes is amended to read:

973.09 **(1)** (b) If the court places the person on probation, the court shall order the person to pay restitution under s. 973.20, unless the court finds there is substantial reason not to order restitution as a condition of probation. If the court does not require restitution to be paid to a victim, the court shall state its reason on the record. If the court does require restitution, it shall notify the department of justice of its decision if the victim may be eligible for compensation under subch. I of ch. 949.

SECTION 3891. 973.20 (9) (a) of the statutes is amended to read:

973.20 **(9)** (a) If a crime victim is paid an award under subch. I of ch. 949 for any loss arising out of a criminal act, the state is subrogated to the rights of the victim to

any restitution required by the court. The rights of the state are subordinate to the claims of victims who have suffered a loss arising out of the offenses or any transaction which is part of the same continuous scheme of criminal activity.

SECTION 3892. 973.20 (9) (b) of the statutes is amended to read:

973.20 **(9)** (b) When restitution is ordered, the court shall inquire to see if an award has been made under subch. I of ch. 949 and if the department of justice is subrogated to the cause of action under s. 949.15. If the restitution ordered is less than or equal to the award under subch. I of ch. 949, the restitution shall be ~~paid only to the general fund~~ credited to the appropriation account under s. 20.455 (5) (hh). If the restitution ordered is greater than the award under subch. I of ch. 949, ~~the general fund shall receive~~ an amount equal to the award under subch. I of ch. 949 shall be credited to the appropriation account under s. 20.455 (5) (hh) and the balance shall be paid to the victim.

SECTION 3893. 973.30 of the statutes is repealed.

SECTION 3909. 977.02 (2m) of the statutes is amended to read:

977.02 **(2m)** Promulgate rules regarding eligibility for legal services under this chapter, including legal services for ~~children~~ persons who are entitled to be represented by counsel without a determination of indigency, as provided in s. 48.23 (4), 51.60, 55.105, or 938.23 (4).

SECTION 3910. 977.02 (3) of the statutes is amended to read:

977.02 **(3)** Promulgate rules regarding the determination of indigency of persons entitled to be represented by counsel, other than ~~children~~ persons who are entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, including the time period in which the determination must be made and the criteria to be used to determine indigency and partial indigency.

SECTION 3911. 977.05 (4) (gm) of the statutes is amended to read:

977.05 **(4)** (gm) In accordance with the standards under pars. (h) and (i), accept referrals from judges and courts for the provision of legal services without a determination of indigency of ~~children~~ persons who are entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, appoint counsel in accordance with contracts and policies of the board, and inform the referring judge or court of the name and address of the specific attorney who has been assigned to the case.

SECTION 3912. 977.05 (4) (h) of the statutes is amended to read:

977.05 **(4)** (h) Accept requests for legal services from ~~children~~ persons who are entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23 and from indigent persons who are entitled to be represented by counsel under s. 967.06 or who are otherwise so entitled under the constitution or laws of the United States or this state and provide such persons with legal services when, in the discretion of the state public defender, such provision of legal services is appropriate.

SECTION 3913. 977.05 (4) (i) 8. of the statutes is amended to read:

977.05 **(4)** (i) 8. Cases involving individuals who are subject to petitions for protective placement or involuntary administration of psychotropic medication under ch. 55.

SECTION 3914. 977.06 (2) (a) of the statutes is amended to read:

977.06 **(2)** (a) A person seeking to have counsel assigned for him or her under s. 977.08, other than a ~~child~~ person who is entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that he or she has not disposed of any assets for the purpose of qualifying for that assignment of counsel. If the representative or authority making the indigency determination finds that any asset was disposed of for less than its fair market value for the purpose of obtaining that assignment of counsel, the asset shall be counted under s. 977.07 (2) at its fair market value at the time it was disposed of, minus the amount of compensation received for the asset.

SECTION 3915. 977.06 (2) (am) of the statutes is amended to read:

977.06 **(2)** (am) A person seeking to have counsel assigned for him or her under s. 977.08, other than a ~~child~~ person who is entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that the information that he or she has given to determine eligibility for assignment of counsel he or she believes to be true and that he or she is informed that he or she is subject to the penalty under par. (b).

SECTION 3916. 977.06 (4) (bm) of the statutes is amended to read:

977.06 **(4)** (bm) In response to a request for information under s. 49.22 (2m) made by the department of ~~workforce development~~ children and families or a county child support agency under s. 59.53 (5), the state public defender shall provide the name and address of an individual, the name and address of the individual's employer and financial information related to the individual, if the name, address or financial information is included in any statement, affidavit or other information provided by the individual regarding financial eligibility under s. 977.07 and if, at the time the request for information is made, the individual is represented by the state public defender or by counsel assigned under s. 977.08.

SECTION 3917. 977.07 (1) (a) of the statutes is amended to read:

977.07 **(1)** (a) Determination of indigency for persons entitled to counsel shall be made as soon as possible and shall be in accordance with the rules promulgated by the board under s. 977.02 (3) and the system established under s. 977.06. No determination of indigency is

required for a ~~child~~ person who is entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23.

SECTION 3918. 977.07 (1) (c) of the statutes is amended to read:

977.07 **(1)** (c) For all referrals made under ss. 809.107, 809.30, 974.06 (3) (b) and 974.07 (11), except a referral of a ~~child~~ person who is entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, a representative of the state public defender shall determine indigency. For referrals made under ss. 809.107, 809.30 and 974.06 (3) (b), except a referral of a ~~child~~ person who is entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, the representative of the state public defender may, unless a request for redetermination has been filed under s. 809.30 (2) (d) or the person's request for representation states that his or her financial circumstances have materially improved, rely upon a determination of indigency made for purposes of trial representation under this section.

SECTION 3919. 977.075 (1g) of the statutes is created to read:

977.075 **(1g)** In this section, "client responsible for payment" means a client of the state public defender other than a client entitled to legal representation without a determination of indigency.

SECTION 3920. 977.075 (3) of the statutes is amended to read:

977.075 **(3)** The board shall establish by rule a fee schedule that sets the amount that a ~~person, other than a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b), who is~~ client responsible for payment ~~for legal representation~~ shall pay for the cost of the legal representation if the ~~person~~ client does not pay the applicable discount fee under sub. (3m). The schedule shall establish a fee for a given type of case, and the fee for a given type of case shall be based on the average cost, as determined by the board, for representation for that type of case.

SECTION 3921. 977.075 (3m) of the statutes is amended to read:

977.075 **(3m)** The board shall establish by rule a fee schedule that sets the discount amount that a ~~person, other than a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b), who is~~ client responsible for payment ~~for legal representation,~~ may pay during a time period established by rule instead of paying the applicable fee under sub. (3). The fee schedule shall establish a discount fee for each type of case included in the schedule under sub. (3). If a ~~person~~ client responsible for payment pays the applicable discount fee within the time period established under this section, the ~~person~~ client may not be held liable for any additional payment for counsel.

SECTION 3922. 977.075 (4) of the statutes is created to read:

977.075 **(4)** The board shall establish by rule a fee schedule that sets the maximum amount that a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b) shall pay as reimbursement for legal services and sets the maximum amount that a person subject to s. 51.605 or 55.107 shall pay as reimbursement for legal services. The maximum amounts under this subsection shall be based on the average cost, as determined by the board, for each applicable type of case.

SECTION 3923. 977.08 (1) of the statutes is amended to read:

977.08 **(1)** If the representative or the authority for indigency determinations specified under s. 977.07 (1) refers a case to or within the office of the state public defender or if a case is referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4), the state public defender shall assign counsel according to subs. (3) and (4). If a defendant makes a request for change of attorney assignment, the change of attorney must be approved by the circuit court.

SECTION 3924. 977.08 (2) (intro.) of the statutes is amended to read:

977.08 **(2)** (intro.) All attorneys in a county shall be notified in writing by the state public defender that a set of lists is being prepared of attorneys willing to represent ~~children~~ persons referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4) and indigent clients in the following:

SECTION 3925. 977.08 (2) (d) of the statutes is repealed.

SECTION 3926. 977.085 (3) of the statutes is amended to read:

977.085 **(3)** The board shall provide quarterly reports to the joint committee on finance on the status of reimbursement for or recoupment of payments under ss. 48.275, 51.605, 55.107, 757.66, 938.275, 977.06, 977.07 (2), 977.075 and 977.076, including the amount of revenue generated by reimbursement and recoupment. The quarterly reports shall include any alternative means suggested by the board to improve reimbursement and recoupment procedures and to increase the amount of revenue generated. The department of justice, district attorneys, circuit courts and applicable county agencies shall cooperate by providing any necessary information to the state public defender.

SECTION 3926p. 978.01 (2) (b) of the statutes is amended to read:

978.01 **(2)** (b) A district attorney serves on a part–time basis if his or her prosecutorial unit consists of Buffalo, Florence, or Pepin~~, Trempealeau or Vernon~~ county.

SECTION 3927. 978.05 (4m) of the statutes is amended to read:

978.05 **(4m)** WELFARE FRAUD INVESTIGATIONS. Cooperate with the departments of ~~workforce development~~ children and families and health and family services regarding the fraud investigation programs under ss. 49.197 (1m) and 49.845 (1).

SECTION 3928. 980.036 (10) of the statutes is amended to read:

980.036 **(10)** PAYMENT OF ~~PHOTOCOPY~~ COPYING COSTS IN CASES INVOLVING INDIGENT RESPONDENTS. When the state public defender or a private attorney appointed under s. 977.08 requests ~~photocopies~~ copies, in any format, of any item that is discoverable under this section, the state public defender shall pay any fee charged for the ~~photocopies~~ copies from the appropriation under s. 20.550 (1) (a). If the person providing ~~photocopies~~ copies under this section charges the state public defender a fee for the ~~photocopies~~ copies, the fee may not exceed the actual, necessary, and, direct cost of ~~photocopying~~ providing the copies.

SECTION 3929. 980.08 (9) of the statutes, as created by 2005 Wisconsin Act 431, is renumbered 980.08 (9) (a).

SECTION 3930. 980.08 (9) (b) of the statutes is created to read:

980.08 **(9)** (b) The department of corrections may contract for the escort services under par. (a).

SECTION 3931. 985.01 (1g) of the statutes is amended to read:

985.01 **(1g)** "Governing body" has the meaning given in s. 345.05 (1) (b) and includes a ~~family~~ long–term care district board under s. 46.2895.

SECTION 3932. 985.01 (3) of the statutes is amended to read:

985.01 **(3)** "Municipality" has the meaning in s. 345.05 (1) (c) and includes a ~~family~~ long–term care district under s. 46.2895.

SECTION 3934. 995.67 (1) (a) of the statutes is amended to read:

995.67 **(1)** (a) "Domestic abuse" has the meaning given in s. ~~46.95~~ 49.165 (1) (a).

SECTION 3934b. 2001 Wisconsin Act 16, section 9107 (13r) is repealed.

SECTION 3935. 2003 Wisconsin Act 33, section 9159 (4f) is repealed.

SECTION 3936. 2005 Wisconsin Act 25, section 9101 (4) (b) and (c) is amended to read:

[2005 Wisconsin Act 25] Section 9101 (4) (b) ~~the secretary~~ The department of administration ~~shall submit a report to the secretary of the building commission containing an inventory of his or her recommendations to offer specified state properties~~ may offer any parcel of state–owned real property for sale ~~under~~ in accordance with section 16.848 of the statutes, as created by this act, if the property is eligible for sale under that section and this subsection. If the department of administration receives an offer to purchase the property, the secretary of administration may submit a report to the secretary of the building commission recommending acceptance of the offer. The report shall contain a description of the property and the reasons ~~therefor. A property may be included in the inventory~~ for the recommendation. The secretary of administration may recommend the sale of a property with or without approval of the state agency having jurisdiction of the property. If, during the period on or before June 30, 2007, or the period beginning on the effective date of this paragraph and ending on June 30, 2009, the building commission votes to approve the ~~sale of any~~ offer to purchase the property ~~included in the inventory~~, the department of administration may ~~offer~~ sell the property ~~for sale under section 16.848 of the statutes, as created by this act~~.

(c) This subsection does not apply during the period beginning after June 30, 2007 and ending the day before the effective date of this paragraph, nor during the period after June 30, 2009.

SECTION 3936m. 2005 Wisconsin Act 25, section 9105 (9) is amended to read:

[2005 Wisconsin Act 25] Section 9105 (9) COLUMBIA ST. MARY'S—COLUMBIA CAMPUS. Notwithstanding section 18.04 (1) and (2) of the statutes, no public debt authorized for the acquisition and remodeling of the Columbia campus medical facilities, as enumerated in subsection (1) (h) 1. and 3., may be contracted until after June 30, ~~2007~~ 2009. Beginning on July 1, ~~2007~~ 2009, and ending on June 30, ~~2009~~ 2011, not more than 50 percent of the general fund supported borrowing and 50 percent of the program revenue supported borrowing authorized for the acquisition and remodeling of the Columbia campus medical facilities may be incurred. Beginning on July 1, ~~2009~~ 2011, the remainder of the general fund supported borrowing and program revenue supported borrowing authorized for the acquisition and remodeling of the Columbia campus medical facilities may be incurred.

SECTION 3937. 2005 Wisconsin Act 25, section 9152 (5) is amended to read:

[2005 Wisconsin Act 25] Section 9152 (5) SALE OF REAL PROPERTY. If the Board of Regents of the University of Wisconsin System sells any real property under its jurisdiction during the period prior to July 1, 2007, and the period beginning on the effective date of this subsection and ending on June 30, 2009, the board shall credit the net proceeds of the sale to the appropriation account under section 20.285 (1) (iz) of the statutes, as affected by this act, except that if there is any outstanding public debt used to finance the acquisition, construction, or improvement of any property that is sold, the board shall deposit a sufficient amount of the net proceeds from the sale of the property in the bond security and redemption fund under section 18.09 of the statutes to repay the principal and pay the interest on the debt, and any premium due upon refunding any of the debt. If the property was acquired, constructed, or improved with federal financial assistance, the board shall pay to the federal government any of the net proceeds required by federal law. If the property was acquired by gift or grant or acquired with gift or grant funds, the board shall adhere to any restriction governing use of the proceeds.

SECTION 3938b. 2007 Wisconsin Act 1, section 210 (3) is amended to read:

[2007 Wisconsin Act 1] Section 210 (3) The unencumbered balance in the appropriation account under section 20.521 (1) (g) of the statutes is transferred to the appropriation account under section 20.511 (1) ~~(i)~~ (im) of the statutes, as created by ~~this act~~ 2007 Wisconsin Act .... (Senate Bill 40).

SECTION 3938c. 2007 Wisconsin Act 1, section 211 (4) is created to read:

[2007 Wisconsin Act 1] Section 211 (4) The treatment of sections 5.05 (11), 7.08 (7), 7.31 (5), 20.510 (intro.) and (1) (title), (a), (b), (bm), (c), (d), (g), (gm), (h), (i), (j), (q), (t), and (x), 20.511 (1) (h) and (i), and 20.521 (intro.) and (1) (title), (a), (b), (g), (h), and (i) of the statutes and SECTION 210 (1) to (4) of this act take effect on the initiation date specified in SECTION 209 (1) or on the day after publication of the 2007 biennial budget act, whichever is earlier.

SECTION 9101. Nonstatutory provisions; Administration.

(2) EMPLOYEE TRANSFERS TO PUBLIC SERVICE COMMISSION. On the effective date of this subsection, all incumbent employees holding positions having responsibility for administering energy conservation and efficiency and renewable resource programs under section 16.957 of the statutes, as determined by the secretary of administration, are transferred to the public service commission. The employees transferred under this subsection have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the public service commission that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(3) TREATMENT ALTERNATIVES AND DIVERSION GRANT. By December 1, 2007, the county that has the highest violent crime rate, as reported by the office of justice assistance, shall submit an application to the office of justice assistance for a grant under section 16.964 (12) (b) of the statutes. Upon approval of the county's grant application, the office of justice assistance shall from the appropriation under section 20.505 (6) (b) of the statutes, as affected by this act, award $375,000 to the county for the calendar year beginning January 1, 2008.

(4) ASSESS, INFORM, AND MEASURE GRANT.

(a) By December 1, 2007, the county that has the highest violent crime rate, as reported by the office of justice assistance, shall submit a plan to the office of justice assistance for conducting presentencing assessments for the purpose of providing courts information for sentencing decisions. The plan shall include all of the following components:

1. Identification of a target group of offenders from among persons who are convicted of a Class F, G, H, or I felony or a misdemeanor whom the county shall assess.

2. Assessment of persons in the target group to determine the risk that they will commit further crimes, their needs that are directly related to criminal behavior, the likelihood that they will respond positively to community–based treatment for the assessed needs, as well as an assessment of the availability of community–based treatment programs to serve the offenders.

3. Collection and dissemination of information relating to the accuracy of assessments performed, the value and usefulness of information contained in the assessment reports for purposes of making sentencing decisions, the effectiveness of community–based treatment programs in addressing the assessed needs of offenders, and the effect of the treatment programs with respect to recidivism.

4. Annual evaluation of the plan.

(b) Upon approval of a county plan submitted under paragraph (a), the office of justice assistance shall from the appropriation under section 20.505 (6) (b) of the statutes, as affected by this act, award the county $500,000 for the calendar year beginning January 1, 2009, to perform presentencing assessments of offenders. At least 50 percent of the assessments performed by a county with funding provided under this subsection shall be of persons subject to sentencing in connection with a felony.

(5) YOUTH DIVERSION GRANT REDUCTIONS.

(a) Notwithstanding the amount specified under section 16.964 (8) (a) of the statutes, as affected by this act, the office of justice assistance in the department of administration shall reduce the amount of money allocated under section 16.964 (8) (a) of the statutes, as affected by this act, by $10,000 in each of fiscal years 2007–08 and 2008–09.

(b) Notwithstanding the amounts specified under section 16.964 (8) (c) of the statutes, as affected by this act, the office of justice assistance in the department of administration shall reduce the amount of money allocated for each of the 4 contracts that are funded with moneys from the appropriation accounts under section 20.505 (6) (d) of the statutes, as affected by this act, by $3,000 in each of fiscal years 2007–08 and 2008–09 and shall reduce the amount of money allocated for the contract that is funded only with moneys from the appropriation account under section 20.505 (6) (kj) of the statutes, as affected by this act, by $3,100 in each of fiscal years 2007–08 and 2008–09.

(6f) MOBILE DATA COMPUTERS FOR CITY OF FORT ATKINSON. From the appropriation account under section 20.505 (6) (p) of the statutes, the office of justice assistance in the department of administration shall provide to the city of Fort Atkinson a grant of $61,400 in fiscal year

2007–08 to purchase mobile data computers for law enforcement vehicles.

(6L) FEDERAL BYRNE JUSTICE ASSISTANCE GRANT FUNDING FOR MULTIJURISDICTIONAL ENFORCEMENT GROUPS. For the 2007–08 and 2008–09 fiscal years, the department of administration shall allocate to multijurisdictional enforcement groups 44 percent of the federal Byrne Justice Assistance Grant awards appropriated under section 20.505 (6) (p) of the statutes.

(6Lj) FEDERAL BYRNE JUSTICE ASSISTANCE GRANT FUNDING FOR WISCONSIN CASA ASSOCIATION. In each of fiscal years 2007–08 and 2008–09, the office of justice assistance in the department of administration shall distribute $150,000 of the federal Byrne Justice Assistance Grant awards appropriated under section 20.505 (6) (p) of the statutes to the Wisconsin CASA Association for the support, assistance, and development of court–appointed special advocate programs under section 48.07 (5) of the statutes.

(7f) FUNDING FOR AN EMERGENCY GENERATOR FOR THE TOWN OF SUMNER. From the appropriation account under section 20.505 (6) (mb) of the statutes, the office of justice assistance in the department of administration shall provide a grant of $10,000 in fiscal year 2007–08 to purchase an emergency generator for the town of Sumner in Jefferson County.

(7h) GRANT FOR JUVENILE CRIME PREVENTION. Beginning on January 1, 2008, from the appropriation account under section 20.505 (6) (p) of the statutes, the office of justice assistance in the department of administration shall provide a 3–year grant, totaling $112,500 to the Cops–N–Kids Reading Program in the city of Racine.

(7k) INFORMATION TECHNOLOGY DEVELOPMENT ASSISTANCE TO ELECTIONS BOARD AND GOVERNMENT ACCOUNTABILITY BOARD. The department of administration shall:

(a) Assist the elections board, prior to its termination, or the government accountability board, thereafter, in the selection of a vendor to complete the board's database conversion project.

(b) Designate a staff person to provide to the elections board, prior to its termination, or the government accountability board, thereafter, quality assurance for information technology development work completed in connection with conversion of the board's campaign finance database.

(7t) YOUTH COURT COORDINATOR. From the appropriation account under section 20.505 (6) (p) of the statutes, the office of justice assistance in the department of administration shall distribute $58,000 in each of fiscal years 2007–08 and 2008–09 to an entity in Dane County for the employment of a full–time youth court coordinator to expand the number of youth courts in that county.

(8i) WRITTEN POLICIES FOR INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS. No later than January 1, 2008, the department of administration shall submit for review by the joint legislative audit committee and for approval by the joint committee on information policy and technology a preliminary draft of the policies required under section 16.971 (2) (Lg) 1. of the statutes, as created by this act.

(8j) RULES PERTAINING TO LARGE, HIGH–RISK INFORMATION TECHNOLOGY PROJECTS. The department of administration shall submit in proper form the rules required under section 16.973 (10) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than June 30, 2008.

(9q) INFORMATION TECHNOLOGY SERVER CONSOLIDATION STUDY AND SUPPLEMENTAL APPROPRIATION.

(a) The department of administration may not request the joint committee on finance to supplement, from the appropriation under section 20.865 (4) (g) of the statutes, the appropriation under section 20.505 (1) (kL) of the statutes, as affected by this act, for the purpose of continuing the consolidation of certain executive branch agency information technology functions until all of the following occur:

1. The department of administration completes, in consultation with other executive branch agencies, a study of the ongoing information technology server consolidation project which includes all of the following information:

a. A revised timeline for completion of server consolidation.

b. A revised analysis of the costs and benefits of proceeding with the server consolidation project, including a full–cost estimate which identifies the costs associated with leasing the existing space for the server consolidation project, any costs or savings which could be realized by leasing less space for the server consolidation project were the project to be scaled back, the costs of moving the server consolidation project to an alternate location, and the cost of retaining independent servers at executive branch agencies.

2. The department of administration submits the consolidation study required under subdivision 1. for review by the joint committee on finance and the joint committee on information policy and technology or, if the joint committee on information policy and technology is not organized, the joint legislative audit committee.

(b) For the purpose under paragraph (a), the joint committee on finance may not supplement the appropriation under section 20.505 (1) (kL) of the statutes, as affected by this act, in fiscal year 2007–08, and may not supplement the appropriation under section 20.505 (1) (kL) of the statutes, as affected by this act, by more than $2,352,800 in fiscal year 2008–09.

(10q) POSITION AUTHORIZATIONS: BOARD FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES. There is authorized for the board for people with developmental disabilities 7.75 FTE FED positions to be funded from the appropriation under section 20.434 (1) (mc) of the statutes, as created by this act.

SECTION 9103. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.

(1k) PRESCRIPTION DRUG COLLECTION GRANT RULES. Using the procedure under section 227.24 of the statutes, the department of agriculture, trade and consumer protection may promulgate a rule necessary to authorize grants for programs to collect unwanted prescription drugs under section 93.57 of the statutes, as affected by this act, for the period before the effective date of the permanent rule necessary to authorize those grants, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2c) INTERNATIONAL CRANE FOUNDATION FUNDING. The department of agriculture, trade and consumer protection shall provide $71,000 in fiscal year 2007–08 and $71,000 in fiscal year 2008–09 from the appropriation under section 20.115 (7) (t) of the statutes, as created by this act, to the International Crane Foundation for costs associated with a sandhill crane crop depredation project if the International Crane Foundation provides funding for the project from other sources equal to at least 70 percent of the amount to be provided under this subsection.

(3i) EMERGENCY RULES FOR BUY LOCAL, BUY WISCONSIN PROGRAM. The department of agriculture, trade and consumer protection may promulgate emergency rules under section 227.24 of the statutes implementing section 93.48 of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this subsection remain in effect until the first day of the 19th month beginning after the effective date of this subsection or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department of agriculture, trade and consumer protection is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(4u) GRANTS FOR SOYBEAN CRUSHING FACILITIES. During the 2007–09 fiscal biennium, the department of agriculture, trade and consumer protection shall make grants from the appropriation under section 20.115 (4) (qm) of the statutes, as created by this act, for the construction of soybean crushing facilities with the capacity to process more than 20,000,000 bushels of soybeans per year.

SECTION 9104. Nonstatutory provisions; Arts Board.

(1j) ONETIME GRANTS. From the appropriation account under section 20.215 (1) (fm) of the statutes, as created by this act, the arts board shall distribute grants as follows:

(a) *Lake Superior Big Top Chautauqua.* A grant of $25,000 in fiscal year 2007–08 to the Lake Superior Big Top Chautauqua performing arts center in the county of Bayfield.

(b) *Ko–Thi Dance Company.* A grant of $10,000 in fiscal year 2007–08 to the Ko–Thi Dance Company in the city of Milwaukee.

(c) *African American Children's Theater.* A grant of $5,000 in fiscal year 2007–08 to the African American Children's Theater in the city of Milwaukee.

SECTION 9105. Nonstatutory provisions; Building Commission.

(1) 2007–09 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years beginning on July 1, 2007, and ending on June 30, 2009, the Authorized State Building Program is as follows:

(a) DEPARTMENT OF ADMINISTRATION

1. *Projects financed by existing general fund supported borrowing authority:*	
Preservation and storage facility — Dane County	$ 15,000,000
(Total project all funding sources $25,000,000)	
2. *Projects financed by program revenue supported borrowing:*	
General Executive Facility 3 renovation — Madison	5,304,000
Preservation and storage facility — Dane County	10,000,000
(Total project all funding sources $25,000,000)	
State Transportation Building replacement — Madison	50,000,000
3. *Agency totals:*	
Existing general fund supported borrowing authority	15,000,000
Program revenue supported borrowing	65,304,000
Total — All sources of funds	$ 80,304,000

(b) DEPARTMENT OF CORRECTIONS

1. *Projects financed by general fund supported borrowing:*	
Kettle Moraine Correctional Institution health services unit	$ 4,831,700
Racine Correctional Institution food preparation building	5,424,800
2. *Agency totals:*	
General fund supported borrowing	10,256,500
Total — All sources of funds	$ 10,256,500
(c) EDUCATIONAL COMMUNICATIONS BOARD	
1. *Projects financed by general fund supported borrowing:*	
WHHI–FM Tower replacement — Highland	$ 1,023,400
2. *Agency totals:*	
General fund supported borrowing	1,023,400
Total — All sources of funds	$ 1,023,400
(d) DEPARTMENT OF HEALTH AND FAMILY SERVICES	
1. *Projects financed by general fund supported borrowing:*	
Sand Ridge Secure Treatment Center 300–bed addition	$ 34,000,000
Wisconsin Resource Center 45–bed female treatment unit	11,056,000
2. *Agency totals:*	
General fund supported borrowing	45,056,000
Total — All sources of funds	$ 45,056,000
(e) DEPARTMENT OF MILITARY AFFAIRS	
1. *Projects financed by general fund supported borrowing:*	
Armed Forces Reserve Center replacement — Dane County	$ 5,308,600
(Total project all funding sources $38,308,600)	
2. *Projects financed by federal funds:*	
Aircraft maintenance hangar remodeling — West Bend	749,000
Armed Forces Reserve Center replacement — Dane County	33,000,000
(Total project all funding sources $38,308,600)	
Motor vehicle storage buildings — Rice Lake and Wausau	1,500,000
3. *Agency totals:*	
General fund supported borrowing	5,308,600
Federal funds	35,249,000
Total — All sources of funds	$ 40,557,600
(f) DEPARTMENT OF NATURAL RESOURCES	
1. *Projects financed by existing general fund supported borrowing authority — stewardship property development and local assistance funds:*	
Governor Thompson State Park initial development	$ 3,524,900
Hank Aaron State Trail western extension	320,000
(Total project all funding sources $1,600,000)	
Park entrance and visitor stations — Blue Mound, Council Grounds, and Wildcat Mountain state parks	2,345,100
2. *Projects financed by segregated fund supported borrowing:*	
Northern region co–headquarters — Spooner	4,494,600
Ranger station replacements — Plover, Prentice, and Tomah	4,122,700
Wild Rose State Fish Hatchery renovation — Phase 2.5	6,000,000
(Total project all funding sources $9,000,000)	
Wilson Nursery expansion — Phase 2	644,900
3. *Projects financed by federal funds:*	
Hank Aaron State Trail western extension	1,280,000
(Total project all funding sources $1,600,000)	
Wild Rose State Fish Hatchery renovation — Phase 2.5	3,000,000
(Total project all funding sources $9,000,000)	

4. *Agency totals:*

Existing general fund supported borrowing authority — stewardship property development and local assistance funds	6,190,000
Segregated fund supported borrowing	15,262,200
Federal funds	4,280,000
Total — All sources of funds	$ 25,732,200

(h) STATE HISTORICAL SOCIETY

1. *Projects financed by general fund supported borrowing:*

Shelving for storage facility — Dane County	$ 3,250,000

2. *Agency totals:*

General fund supported borrowing	3,250,000
Total — All sources of funds	$ 3,250,000

(i) DEPARTMENT OF TRANSPORTATION

1. *Projects financed by general fund supported borrowing:*

Division of State Patrol/Educational Communications Board gap filler towers — statewide	$ 100,000
(Total project all funding sources $2,398,900)	

2. *Projects financed by segregated fund supported borrowing:*

Division of Motor Vehicles/Department of Natural Resources office renovation — Phase 2 — Wausau	250,000
(Total project all funding sources $642,700)	

3. *Projects financed by segregated fund supported revenue borrowing:*

Division of Motor Vehicles/Department of Natural Resources office renovation — Phase 2 — Wausau	392,700
(Total project all funding sources $642,700)	
Division of Motor Vehicles service center remodeling — Eau Claire	559,700
Division of State Patrol/Educational Communications Board gap filler towers — statewide	1,798,900
(Total project all funding sources $2,398,900)	
Division of State Patrol post remodeling — Fond du Lac	526,200

4. *Projects financed by existing segregated fund supported revenue borrowing authority:*

Division of State Patrol/Educational Communications Board gap filler towers — statewide	500,000
(Total project all funding sources $2,398,900)	

5. *Agency totals:*

General fund supported borrowing	100,000
Segregated fund supported borrowing	250,000
Segregated fund supported revenue borrowing	3,277,500
Existing segregated fund supported revenue borrowing authority	500,000
Total — All sources of funds	$ 4,127,500

(j) UNIVERSITY OF WISCONSIN SYSTEM

1. *Projects financed by general fund supported borrowing:*

Green Bay — Rose and Wood halls remodeling	$ 6,734,000
La Crosse — Academic building	36,950,000
(Total project all funding sources $44,000,000)	
Madison — School of Human Ecology addition	22,500,000
(Total project all funding sources $47,950,000)	
Oshkosh — Academic building	45,946,000
(Total project all funding sources $54,296,000)	
— Elmwood Center remodeling and addition or replacement	8,464,000

Parkside — Communications Arts Center	35,300,000
(Total project all funding sources $37,376,000)	
Stout — Harvey Hall theater renovation	5,139,000
Superior — Academic building	24,143,000
(Total project all funding sources $32,343,000)	
System — Classroom renovation/instructional technology	3,500,000
— Utility Improvements — Madison	19,889,000
(Total project all funding sources $24,704,000)	
2. *Projects funded by existing general fund supported borrowing authority:*	
Stevens Point — Maintenance building remodeling and addition	2,122,000
— Military science building relocation	1,585,000
3. *Projects financed by program revenue supported borrowing:*	
Eau Claire — Davies Center addition and remodeling or replacement	31,406,600
(Total project all funding sources $48,802,000)	
Extension — Lowell Hall guest room remodeling — Madison	3,600,000
La Crosse — Academic building	700,000
(Total project all funding sources $44,000,000)	
Madison — Parking ramps 36 and 46 expansion	4,432,000
(Total project all funding sources $7,132,000)	
— Chadbourne Residence Hall renovation — Phase 3 and Barnard Residence Hall renovation	14,627,000
— School of Human Ecology addition	2,950,000
(Total project all funding sources $47,950,000)	
— Union South replacement	85,700,000
(Total project all funding sources $87,700,000)	
— Memorial Union theater wing renovation	40,500,000
(Total project all funding sources $52,000,000)	
Oshkosh — Academic building	350,000
(Total project all funding sources $54,296,000)	
— Suite style residence hall	34,000,000
Parkside — Suite style residence hall	17,740,000
Platteville — Williams Field House addition and remodeling	3,727,000
River Falls — George Fields South Forks Residence Hall addition	14,714,000
Stevens Point — Residence halls renovation	19,995,000
— Suite style residence hall	36,205,000
Stout — Price Commons 2nd floor renovation	2,429,000
(Total project all funding sources $3,079,000)	
System — Utility Improvements — Madison	4,815,000
(Total project all funding sources $24,704,000)	
Whitewater — Drumlin Dining Hall renovation	1,275,000
— Suite style residence hall	35,728,000
4. *Projects financed by existing program revenue supported borrowing authority:*	
Eau Claire — Davies Center addition and remodeling or replacement	8,510,400
(Total project all funding sources $48,802,200)	
5. *Projects financed by program revenue:*	
Eau Claire — Davies Center addition and remodeling or replacement	8,885,000
(Total project all funding sources $48,802,200)	
La Crosse — Stadium and fields	2,500,000
(Total project all funding sources $14,612,000)	
Madison — Parking ramps 36 and 46 expansion	2,700,000
(Total project all funding sources $7,132,000)	

Stout — Price Commons 2nd floor renovation	650,000
(Total project all funding sources $3,079,000)	
6. *Projects financed by building trust funds:*	
La Crosse — Academic building	350,000
(Total project all funding sources $44,000,000)	
Superior — Academic building	1,200,000
(Total project all funding sources $32,343,000)	
7. *Projects financed by gifts, grants, and other receipts:*	
La Crosse — Academic building	6,000,000
(Total project all funding sources $44,000,000)	
— Stadium and fields	12,112,000
(Total project all funding sources $14,612,000)	
Madison — Music performance building	43,865,000
— School of Human Ecology addition	22,500,000
(Total project all funding sources $47,950,000)	
— Union South replacement	2,000,000
(Total project all funding sources $87,700,000)	
— Memorial Union theater wing renovation	11,500,000
(Total project all funding sources $52,000,000)	
Oshkosh — Academic building	8,000,000
(Total project all funding sources $54,296,000)	
— Softball stadium	500,000
Parkside — Communications Arts Center	2,076,000
(Total project all funding sources $37,376,000)	
Superior — Academic building	7,000,000
(Total project all funding sources $32,343,000)	
Whitewater — Multisport facility — Phase 3	3,474,000
8. *Agency totals:*	
General fund supported borrowing	208,565,000
Existing general fund supported borrowing authority	3,707,000
Program revenue supported borrowing	354,893,600
Existing program revenue supported borrowing authority	8,510,400
Program revenue	14,735,000
Building trust funds	1,550,000
Gifts, grants, and other receipts	119,027,000
Total — All sources of funds	$ 710,988,000
(k) DEPARTMENT OF VETERANS AFFAIRS	
1. *Projects financed by program revenue supported borrowing:*	
Wisconsin Veterans Home at King — 45–bed assisted living facility	2,639,000
(Total project all funding sources $7,540,000)	
2. *Projects financed by federal funds:*	
Wisconsin Veterans Home at King — 45–bed assisted living facility	4,901,000
(Total project all funding sources $7,540,000)	
3. *Agency totals:*	
Program revenue supported borrowing	2,639,000
Federal funds	4,901,000
Total — All sources of funds	$ 7,540,000
(L) HMONG CULTURAL CENTER	
1. *Projects financed by general fund supported borrowing:*	
Hmong cultural center construction or purchase — Dane County	$ 2,000,000
(Total project all funding sources $4,500,000)	

2. *Projects financed by gifts, grants, and other receipts:*

Hmong cultural center construction or purchase — Dane County		2,500,000
(Total project all funding sources $4,500,000)		
3. *Agency totals:*		
General fund supported borrowing		2,000,000
Gifts, grants, and other receipts		2,500,000
Total — All sources of funds	$	4,500,000

(m) MEDICAL COLLEGE OF WISCONSIN, INC.

1. *Projects financed by general fund supported borrowing:*		
Translational research program equipment acquisition — Wauwatosa	$	10,000,000
(Total project all funding sources $12,000,000)		
2. *Projects financed by federal funds:*		
Translational research program equipment acquisition — Wauwatosa		2,000,000
(Total project all funding sources $12,000,000)		
3. *Agency totals:*		
General fund supported borrowing		10,000,000
Federal funds		2,000,000
Total — All sources of funds	$	12,000,000

(mc) BOND HEALTH CENTER

1. *Projects financed by general fund supported borrowing:*		
Bond Health Center expansion — Oconto	$	1,000,000
(Total project all funding sources $3,000,000)		
2. *Projects financed by gifts, grants, and other receipts:*		
Bond Health Center expansion — Oconto		3,000,000
(Total project all funding sources $4,000,000)		
3. *Agency totals:*		
General fund supported borrowing		1,000,000
Gifts, grants, and other receipts		3,000,000
Total — All sources of funds	$	4,000,000

(n) KENOSHA PUBLIC MUSEUMS

1. *Projects financed by general fund supported borrowing:*		
Civil War exhibit	$	500,000
(Total project all funding sources $2,500,000)		
2. *Projects financed by gifts, grants, and other receipts:*		
Civil War exhibit		2,000,000
(Total project all funding sources $2,500,000)		
3. *Agency totals:*		
General fund supported borrowing		500,000
Gifts, grants, and other receipts		2,000,000
Total — All sources of funds	$	2,500,000

(o) ALL AGENCY PROJECT FUNDING

1. *Projects financed by general fund supported borrowing:*		
Capital equipment acquisition	$	5,000,000
(Total program all funding sources $5,965,000)		
Facility maintenance and repair		68,000,000
(Total program all funding sources $109,719,900)		
Health, safety, and environmental protection		9,000,000
(Total program all funding sources $11,697,400)		
Land and property acquisition		3,500,000
(Total program all funding sources $8,500,000)		
Preventive maintenance		2,000,000

(Total program all funding sources $3,000,000)	
Programmatic remodeling and renovation	3,500,000
(Total program all funding sources $12,980,500)	
Utilities repair and renovation	34,000,000
(Total program all funding sources $49,052,000)	
2. *Projects financed by existing general fund supported borrowing authority — stewardship property development and local assistance funds:*	
Facilities maintenance and repair	721,900
(Total program all funding sources $109,719,900)	
3. *Projects financed by program revenue supported borrowing:*	
Energy conservation	30,000,000
Facilities maintenance and repair	17,568,300
(Total program all funding sources $109,719,900)	
Land and property acquisition	5,000,000
(Total program all funding sources $8,500,000)	
Health, safety, and environmental protection	870,400
(Total program all funding sources $11,697,400)	
Programmatic remodeling and renovation	4,922,000
(Total program all funding sources $12,980,500)	
Utilities repair and renovation	2,957,300
(Total program all funding sources $49,052,000)	
4. *Projects financed by segregated fund supported borrowing:*	
Facilities maintenance and repair	5,537,200
(Total program all funding sources $109,719,900)	
5. *Projects financed by segregated fund supported revenue borrowing:*	
Facilities maintenance and repair	2,844,100
(Total program all funding sources $109,719,900)	
6. *Projects financed by program revenue:*	
Capital equipment acquisition	290,000
(Total program all funding sources $5,965,000)	
Facilities maintenance and repair	12,198,700
(Total program all funding sources $109,719,900)	
Health, safety, and environmental protection	827,000
(Total program all funding sources $11,697,400)	
Programmatic remodeling and renovation	1,084,500
(Total program all funding sources $12,980,500)	
Preventive maintenance	1,000,000
(Total program all funding sources $3,000,000)	
Utilities repair and renovation	11,644,700
(Total program all funding sources $49,052,000)	
7. *Projects financed by segregated funds:*	
Facilities maintenance and repair	633,300
(Total program all funding sources $109,719,900)	
8. *Building trust funds:*	
Health, safety, and environmental protection	1,000,000
(Total program all funding sources $11,697,400)	
9. *Projects financed by gifts, grants, and other receipts:*	
Capital equipment acquisition	675,000
(Total program all funding sources $5,965,000)	
Programmatic remodeling and renovation	3,432,000
(Total program all funding sources $12,980,500)	

Utilities repair and renovation	350,000
(Total program all funding sources $49,052,000)	
10. *Projects financed by federal funds:*	
Facilities maintenance and repair	2,216,400
(Total program all funding sources $109,719,900)	
Programmatic remodeling and renovation	42,000
(Total program all funding sources $12,980,500)	
Utilities repair and renovation	100,000
(Total program all funding sources $49,052,000)	
11. *All agency totals:*	
General fund supported borrowing	125,000,000
Existing general fund supported borrowing authority — stewardship property development and local assistance funds	721,900
Program revenue supported borrowing	61,318,000
Segregated fund supported borrowing	5,537,200
Segregated fund supported revenue borrowing	2,844,100
Program revenue	27,044,900
Segregated funds	633,300
Building trust funds	1,000,000
Gifts, grants, and other receipts	4,457,000
Federal funds	2,358,400
Total — All sources of funds	$ 230,914,800
(p) SUMMARY	
Total general fund supported borrowing	$ 412,309,500
Total existing general fund supported borrowing authority	18,707,000
Total existing general fund supported borrowing authority — stewardship property development and local assistance funds	6,911,900
Total program revenue supported borrowing	484,154,600
Total existing program revenue supported borrowing authority	8,510,400
Total segregated fund supported borrowing	21,049,400
Total segregated fund supported revenue borrowing	6,121,600
Total existing segregated fund supported revenue borrowing authority	500,000
Total program revenue	41,779,900
Total segregated funds	633,300
Total building trust funds	2,550,000
Total gifts, grants, and other receipts	130,984,000
Total federal funds	48,788,400
Total — All sources of funds	$ 1,183,000,000

(2) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing authority enumerated under subsection (1), the building and financing authority enumerated under the previous state building program is continued in the 2007–09 fiscal biennium.

(3) LOANS. During the 2007–09 fiscal biennium, the building commission may make loans from general fund supported borrowing or the building trust fund to state agencies, as defined in section 20.001 (1) of the statutes, for projects that are to be utilized for programs not funded by general purpose revenue and that are authorized under subsection (1).

(4) PROJECT CONTINGENCY FUNDING RESERVE.

(a) During the 2007–09 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (yg) of the statutes for contingency expenses in connection with any project in the Authorized State Building Program.

(b) During the 2007–09 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes for capital equipment acquisition in connection with any project in the Authorized State Building Program.

(5i) HMONG CULTURAL CENTERS. Notwithstanding section 13.48 (36) (b) of the statutes, as created by this act, the building commission shall not make any grant to

an organization for purchase or construction of a Hmong cultural center under section 13.48 (36) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the center. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for any such cultural center. Section 16.87 of the statutes does not apply to any such center.

(6i) CIVIL WAR EXHIBIT AT THE KENOSHA PUBLIC MUSEUMS. Notwithstanding section 13.48 (38) (b) of the statutes, as created by this act, the building commission shall not make a grant to the Kenosha Public Museums for construction of a Civil War exhibit project, as enumerated in subsection (1) (n), under section 13.48 (38) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(7) SAND RIDGE SECURE TREATMENT CENTER 300-BED ADDITION. Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt authorized for the Sand Ridge Secure treatment Center 300-bed addition, as enumerated in subsection (1) (d) 1., $12,500,000 in public debt may not be contracted until after June 30, 2009.

(7j) BOND HEALTH CENTER. Notwithstanding section 13.48 (36p) (b) of the statutes, as created by this act, the building commission shall not make a grant to the Bond Health Center for construction costs related to hospital expansion, as enumerated in subsection (1) (mc), under section 13.48 (36p) of the statutes, as created by this act, unless the department of administration has reviewed and approved plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of administration shall not supervise any services or work or let any contract for the project. Section 16.87 of the statutes does not apply to the project.

(8) SCHOOL OF HUMAN ECOLOGY. Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt authorized for the School of Human Ecology at Madison, as enumerated in subsection (1) (j) 1., $22,500,000 in public debt may not be contracted until after June 30, 2011.

(9) UNIVERSITY OF WISCONSIN SYSTEM; MISCELLANEOUS PROJECTS. Notwithstanding section 18.04 (1) and (2) of the statutes, of the public debt authorized for projects at La Crosse, Oshkosh, Parkside, and Superior, as enumerated in subsection (1) (j) 1., $69,139,000 in public debt may not be contracted until after June 30, 2009.

(9p) 2001–03 STATE BUILDING PROGRAM DELETIONS. In 2001 Wisconsin Act 16, section 9107 (1) (p), under projects financed by general fund supported borrowing, the 2001–03 state building program project identified as Discovery Place museum — Racine is deleted and the appropriate totals are decreased accordingly.

(9t) 2005–07 STATE BUILDING PROGRAM DELETIONS. In 2005 Wisconsin Act 25, section 9105 (1) (h) 3., under projects financed by program revenue supported borrowing for the University of Wisconsin–Platteville, the 2005–07 state building program project identified as Purchase and remodeling of buildings at 300 W. Highway 151 and 825 Chestnut Street (housing) is deleted and the appropriate totals are decreased accordingly.

SECTION 9107. Nonstatutory provisions; Circuit Courts.

(1j) CIRCUIT JUDGE ELECTION. The initial election for circuit judge for branch 8 of the circuit court for Kenosha County shall be at the spring election of 2008 for terms commencing August 1, 2009, and ending July 31, 2015.

(1k) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR circuit judge position on August 1, 2009, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional circuit court judge for the circuit court branch created by section 753.06 (2) (a) of the statutes, as affected by this act.

(1L) COURT REPORTER POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR court reporter position on August 1, 2009, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide one court reporter for the circuit court branch created by section 753.06 (2) (a) of the statutes, as affected by this act.

(3g) CIRCUIT COURT BRANCH IN JUNEAU COUNTY. The initial election for circuit judge for branch 2 of the circuit court for Juneau County shall be at the spring election of 2008 for terms commencing August 1, 2008, and ending July 31, 2014.

(3h) CIRCUIT COURT BRANCH IN JUNEAU COUNTY.

(a) The authorized FTE positions for the circuit courts are increased by 1.0 GPR circuit judge position on June 30, 2008, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional circuit court judge for the circuit court branch created by section 753.06 (6) (e) of the statutes, as affected by this act.

(b) The authorized FTE positions for the circuit courts are increased by 1.0 GPR court reporter position on June 30, 2008, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide one court reporter for the circuit court branch created by section 753.06 (6) (e) of the statutes, as affected by this act.

SECTION 9108. Nonstatutory provisions; Commerce.

(1) BUDGET INFORMATION; SURPLUS TRANSFER. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 2009–11 biennial budget bill, the

department of commerce shall submit a dollar amount for the appropriation under section 20.143 (2) (b) of the statutes as though the amount appropriated to the department of commerce in fiscal year 2008–09 under section 20.143 (2) (b) of the statutes is $2,000,000.

(2c) CONSTRUCTION CAREER ACADEMY GRANT PROGRAM RULES. The department of commerce shall submit in proposed form the rules required under section 101.31 (6) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than December 31, 2007.

(3d) CREX MEADOWS YOUTH CONSERVATION CAMP GRANT. The department of commerce shall award a grant of $80,000 in the 2007–09 fiscal biennium from the appropriation under section 20.143 (3) (km) of the statutes, as created by this act, for the Crex Meadows youth conservation camp. The recipient of the grant shall provide $20,000 in matching funds for the grant. The department of commerce shall disburse $40,000 of the grant funds to the recipient when the recipient demonstrates that it has contributed $10,000 in matching funds. The department of commerce shall disburse the remaining $40,000 of the grant funds to the recipient when the recipient demonstrates that it has contributed an additional $10,000 in matching funds.

(4t) RENEWABLE ENERGY GRANTS AND LOANS; POSITION AUTHORIZATION. The authorized FTE positions for the department of commerce are increased by 1.0 SEG position on the effective date of this subsection, to be funded from the appropriation under s. 20.143 (1) (um) of the statutes, as created by this act, for the purpose of administering the renewable energy grant and loan program under s. 560.126 of the statutes, as created by this act.

(4u) GRANT TO NANORITE FACILITY. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make grants totaling $160,000 in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by the acts of 2007, to the NanoRite facility at Chippewa Valley Technical College. The department of commerce shall enter into an agreement with the NanoRite facility that specifies the uses for the grant proceeds and reporting and auditing requirements.

(4v) GRANT FOR PULP AND PAPER MILL. Notwithstanding section 560.126 of the statutes, as created by this act, the department of commerce shall award grants totaling not more than $5,000,000 from the appropriation under section 20.143 (1) (tm) of the statutes, as created by this act, to a paper mill in this state to emerge from bankruptcy, if all of the following apply:

(a) The grant recipient submits a plan to the department of commerce specifying the proposed use of the grant and the secretary of commerce approves the plan.

(b) The department enters into a written agreement with the grant recipient that specifies the conditions for the use of the grant, including reporting and auditing requirements.

(c) The grant recipient agrees in writing to submit to the department, within 6 months after spending the grant proceeds, a report detailing how the grant proceeds were spent.

(5i) GRANT TO CITY OF OSHKOSH. In the 2007–09 fiscal biennium, the department of commerce shall make a grant of $25,000 from the appropriation account under section 20.143 (2) (gm) of the statutes, as created by this act, to the city of Oshkosh, for neighborhood improvement and stabilization. The department of commerce shall enter into an agreement with the city of Oshkosh that specifies the uses for the grant proceeds and reporting and auditing requirements.

(5x) LOANS FOR PULP AND PAPER MILL. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make 2 loans, each in an amount not to exceed $1,000,000, in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (ie) of the statutes, as affected by this act, to a paper mill in this state to emerge from bankruptcy. The department of commerce shall enter into an agreement with the recipient of the loan under this subsection that specifies the uses for the loan proceeds and reporting and auditing requirements.

(6c) GRANT TO CITY OF GREEN BAY. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $2,800,000 in the 2007–09 fiscal biennium to the city of Green Bay from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, for the Fox River Boardwalk. The department of commerce shall enter into an agreement with the city that specifies the uses for the grant proceeds and reporting and auditing requirements.

(7c) GRANT TO CITY OF MONDOVI. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $25,000 in the 2007–09 fiscal biennium to the city of Mondovi from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, for a youth center. The department of commerce shall enter into an agreement with the city that specifies the uses for the grant proceeds and reporting and auditing requirements.

(7f) GRANT FOR UNION TRAINING PROGRAM. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by the acts of 2007, of $125,000 in fiscal 2007–08 and a grant of $125,000 in fiscal 2008–09, to the Painters and Allied Trades District Council 7 for a training program. The department of commerce shall enter into an agreement with the Painters and Allied Trades District Council 7 that specifies the uses for

the grant proceeds and reporting and auditing requirements.

(8c) GRANT TO CITY OF STEVENS POINT. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $15,400 in the 2007–08 fiscal year to the city of Stevens Point from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, for economic development. The department of commerce shall enter into an agreement with the city that specifies the uses for the grant proceeds and reporting and auditing requirements.

(8i) GRANT TO CITY OF EAU CLAIRE. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $50,000 in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, to the city of Eau Claire for the renovation of Hobbs Ice Arena. The department of commerce shall enter into an agreement with the city of Eau Claire that specifies the uses for the grant proceeds and reporting and auditing requirements.

(9i) GRANT TO VILLAGE OF ASHWAUBENON. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall make a grant of $50,000 in the 2007–09 fiscal biennium from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, to the village of Ashwaubenon for the construction and maintenance of Cornerstone Ice Arena. The department of commerce shall enter into an agreement with the village of Ashwaubenon that specifies the uses for the grant proceeds and reporting and auditing requirements.

(10q) GRANTS FOR MANUFACTURING DEVALUATION PROPERTY TAX LOSSES. Notwithstanding section 560.61 of the statutes, as affected by this act, the department of commerce shall award grants in the 2007–08 fiscal year from the appropriation account under section 20.143 (1) (c) of the statutes, as affected by this act, to municipalities that have experienced manufacturing devaluation property tax loss in the counties of Wood, Adams, and Portage. The total amount of all grants awarded under this subsection may not exceed $360,000. The department shall enter into an agreement with each municipality that specifies the uses for the grant proceeds and reporting and auditing requirements.

SECTION 9109. Nonstatutory provisions; Corrections.

(1) YOUTH DIVERSION PROGRAM TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of corrections that are primarily related to the youth diversion from gang activities program under section 301.265, 2005 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Positions and employees.* On the effective date of this paragraph, all positions and all incumbent employees holding those positions in the department of corrections performing duties that are primarily related to the youth division from gang activities program under section 301.265, 2005 stats., as determined by the secretary of administration, are transferred to the department of administration.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of administration that they enjoyed in the department of corrections immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of corrections that is primarily related to the youth diversion from gang activities program under section 301.265, 2005 stats., as determined by the secretary of administration, is transferred to the department of administration.

(e) *Pending matters.* Any matter pending with the department of corrections on the effective date of this paragraph that is primarily related to the youth diversion from gang activities program under section 301.265, 2005 stats., as determined by the secretary of administration, is transferred to the department of administration. All materials submitted to or actions taken by the department of corrections with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(f) *Contracts.* All contracts entered into by the department of corrections in effect on the effective date of this paragraph that are primarily related to the youth diversion from gang activities program under section 301.265, 2005 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under those contracts unless modified or rescinded by the department of administration to the extent allowed under the contract.

(g) *Rules and orders.* All rules promulgated by the department of corrections in effect on the effective date of this paragraph that are primarily related to the youth diversion from gang activities program under section 301.265, 2005 stats., remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the department of corrections in effect on the effective date of this paragraph that are primarily related to the youth diversion from gang activities program under section 301.265, 2005 stats., remain in effect until their specified

expiration dates or until modified or rescinded by the department of administration.

(1f) EFFECTS OF ADULT CRIMINAL JURISDICTION ON 17-YEAR-OLDS. By March 31, 2008, the department of corrections shall submit to the legislative audit bureau a response to the 2007 legislative audit bureau report regarding the effects of adult criminal jurisdiction on 17-year-olds. The legislative audit bureau shall file a copy of the response under this subsection with the distributees specified in section 13.94 (1) (b) of the statutes.

(2) FUNDING FOR CERTAIN COMMUNITY REINTEGRATION SERVICES. From the appropriation under section 20.410 (1) (d) of the statutes, the department of corrections shall provide $500,000 during the 2007–08 fiscal year and $500,000 during the 2008–09 fiscal year to New Hope Project, Inc., for transitional employment services.

(2k) TREATMENT ALTERNATIVES AND DIVERSION PROGRAM. By May 1, 2008, the department of corrections shall submit a report to the joint committee on finance on the impact of the program administered under s. 16.964 (12) of the statutes on the department of correction's 2009–11 biennial budget. The department of corrections shall evaluate the impact of increased community treatment and diversion programs for nonviolent offenders on the department's institutional and community corrections population, and on the department's costs of operation.

(3j) REPORT ON OVERCROWDING IN THE PRAIRIE DU CHIEN CORRECTIONAL INSTITUTION. The department of corrections shall evaluate the current capacity and usage of the segregation unit at the Prairie du Chien Correctional Institution and shall, by July 1, 2008, submit a report to the joint committee on finance that includes its findings and addresses the issue of overcrowding in the segregation unit.

SECTION 9111. Nonstatutory provisions; District Attorneys.

(1L) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From the appropriation account under section 20.505 (6) (p) of the statutes, the department of administration, and from the appropriation account under section 20.455 (2) (kp) of the statutes, the department of justice, shall expend $143,000 in fiscal year 2007–08 and $157,600 in fiscal year 2008–09 to provide the multijurisdictional enforcement group serving Milwaukee County with funding for 2.0 assistant district attorney positions to prosecute criminal violations of chapter 961 of the statutes. The department of administration shall determine the amounts to be expended from each appropriation account for each fiscal year.

(2L) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From the appropriation account under section 20.505 (6) (p) of the statutes, the department of administration, and from the appropriation account under section 20.455 (2) (kp) of the statutes, the department of justice, shall expend $60,000 in fiscal year 2007–08 and $65,900 in fiscal year 2008–09 to provide the multijurisdictional enforcement group serving Dane County with funding for 0.75 assistant district attorney position to prosecute criminal violations of chapter 961 of the statutes. The department of administration shall determine the amounts to be expended from each appropriation account for each fiscal year.

(3L) PROSECUTION OF DRUG CRIMES; ST. CROIX COUNTY. From the appropriation account under section 20.455 (2) (kp) of the statutes the department of justice shall expend $84,500 in fiscal year 2007–08 and $94,600 in fiscal year 2008–09 to provide the multijurisdictional enforcement group serving St. Croix County with funding for 1.0 assistant district attorney position to prosecute criminal violations of chapter 961 of the statutes.

(4q) DISTRICT ATTORNEY POSITION; ST. CROIX COUNTY. From the appropriation account under section 20.505 (6) (p) of the statutes, the office of justice assistance in the department of administration shall expend $32,400 in fiscal year 2007–08 and $64,800 in fiscal year 2008–09 to fund 1.0 assistant district attorney position in St. Croix County.

(4r) DISTRICT ATTORNEY POSITION; CHIPPEWA COUNTY. From the appropriation account under section 20.505 (6) (p) of the statutes, the office of justice assistance in the department of administration shall expend $16,700 in fiscal year 2007–08 and $16,700 in fiscal year 2008–09 to fund 0.25 assistant district attorney position in Chippewa County.

SECTION 9114. Nonstatutory provisions; Employee Trust Funds.

(1c) REENGINEERING INFORMATION TECHNOLOGY SYSTEMS.

(a) The department of employee trust funds shall provide to the joint committee on finance copies of all materials submitted to the department of administration that relate to the release of moneys from unallotted reserve, during the 2007–09 fiscal biennium, for reengineering information technology systems of the department of employee trust funds.

(b) The joint committee on finance may supplement, from the appropriation under section 20.865 (4) (u) of the statutes, the appropriation under section 20.515 (1) (t) of the statutes for the purpose of implementing a redesigned lump-sum payment system if all of the following occur:

1. The department of employee trust funds submits a report to the joint committee on finance on its plan to implement the redesigned lump-sum payment system. The report shall specify how the plan conforms to information technology projects planning and monitoring standards developed by the department of administration and submitted to the joint legislative audit committee in response to legislative audit bureau report 07–5, entitled "Information Technology Projects."

2. The department of employee trust funds submits a request to the joint committee on finance to supplement

the appropriation under section 20.515 (1) (t) of the statutes for implementation of a redesigned lump–sum payment system.

3. The cochairpersons of the joint committee on finance do not notify the department of employee trust funds that the committee has scheduled a meeting for the purpose of reviewing the request within 14 working days after the date of the receipt of the request. If, within 14 working days after the date of the receipt of the request, however, the cochairpersons of the committee notify the department of employee trust funds that the committee has scheduled a meeting for the purpose of reviewing the proposed supplement, the supplement may occur only upon approval of the committee.

(c) During the 2007–09 fiscal biennium, the department of employee trust funds shall submit a report to the joint committee on finance on its plan for implementing an integrated health insurance enrollment, eligibility, and processing system. The report shall specify all of the following:

1. The costs for each fiscal year in which implementation work is to be performed, including specifically potential costs for the 2009–11 fiscal biennium.

2. How the implementation plan conforms to information technology projects planning and monitoring standards developed by the department of administration and submitted to the joint legislative audit committee in response to legislative audit bureau report 07–5, entitled "Information Technology Projects."

3. How the internal resources of the department of employee trust funds will be used in the implementation work of the integrated health insurance enrollment, eligibility, and processing system and in the implementation work associated with the lump–sum payment system to ensure timely and successful completion of both projects.

(2w) PAYMENT OF HEALTH INSURANCE PREMIUMS FOR EMPLOYEES OF THE HEALTH INSURANCE RISK-SHARING PLAN AUTHORITY. Notwithstanding section 40.05 (4) (a) 2. of the statutes, as affected by this act, for an insured employee, as defined in section 40.02 (39) of the statutes, who is employed by the Health Insurance Risk–Sharing Plan Authority on the effective date of this subsection, the employer shall pay required employer contributions toward the health insurance premium beginning on the date on which the employee becomes insured.

SECTION 9118m. Nonstatutory provisions; Government Accountability Board.

(1k) REPORTS ON PROPOSED PER DIEM PAYMENTS. The government accountability board shall report to the cochairpersons of the joint committee on finance in fiscal year 2007–08 and in fiscal year 2008–09 concerning the need for funding of the board's proposed per diem payments to board members and to the chairperson of the board or the chairperson's designee in that fiscal year.

(1u) USE OF APPROPRIATIONS TO GOVERNMENT ACCOUNTABILITY BOARD; DEPOSIT AND CREDITING OF REVENUES. Notwithstanding section 20.511 of the statutes, as affected by this act, if the elections board and the ethics board remain constituted and vested with authority on the effective date of this subsection, the elections board and the ethics board may, for so long as the boards remain so constituted and vested, encumber or expend moneys from any appropriation made to the government accountability board for the 2007–09 fiscal biennium, consistently with the purposes of that appropriation. The elections board and the ethics board, for so long as the boards remain constituted and vested with authority, shall deposit into the appropriate fund or credit to the appropriate appropriation account for any appropriation made to the government accountability board all revenues received by the respective boards, consistently with the purposes for which those revenues are directed by law to be deposited or credited by the government accountability board. However, neither board may encumber or expend moneys under this subsection in an amount greater than the amount that would be authorized for a state agency under section 20.002 (1) of the statutes, as determined by the department of administration, during a fiscal year for which the biennial budget has not been enacted at the time that an encumbrance or expenditure is made.

SECTION 9121. Nonstatutory provisions; Health and Family Services.

(1) BED ASSESSMENT FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED. Notwithstanding section 50.14 (2m) of the statutes, as created by this act, the department of health and family services is not required to calculate the amount of the bed assessment for intermediate care facilities for the mentally retarded under section 50.14 (2) (bm) of the statutes, as created by this act, for state fiscal year 2007–08 until October 1, 2007, or the first day of the 3rd month beginning after the effective date of this subsection, whichever is later.

(1t) INDIAN CHILD HIGH-COST OUT-OF-HOME CARE PLACEMENT FUNDING. From the appropriation account under section 20.435 (3) (kz) of the statutes, in fiscal year 2007–08 the department of health and family services may expend not more than $500,000 in moneys transferred from the appropriation account under section 20.505 (8) (hm) 21. of the statutes, as created by this act, for unexpected or unusually high–cost out–of–home care placements of Indian children by tribal courts.

(5) TRANSFER TO THE DEPARTMENT OF CHILDREN AND FAMILIES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and

section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of children and families.

(b) *Employee transfers.*

1. The classified positions, and incumbent employees holding positions, in the department of health and family services relating primarily to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, are transferred to the department of children and families.

2. The classified positions, and incumbent employees holding positions, in the department of health and family services relating primarily to general administration and program support that the secretary of administration determines should be transferred to the department of children and families are transferred to that department. Upon determination of these employees, the secretary of health and family services shall, by January 1, 2008, and in conjunction with the secretary of workforce development, submit a plan to the secretary of administration requesting the transfer of moneys between the general purpose revenue appropriations for the departments of health and family services and workforce development and the department of children and families, between the program revenue appropriations for the departments of health and family services and workforce development and the department of children and families, between the program revenue–service appropriations for the departments of health and family services and workforce development and the department of children and families, between the appropriations of given segregated funds for the departments of health and family services and workforce development and the department of children and families, and between the federal revenue appropriations for the departments of health and family services and workforce development and the department of children and families, if necessary to adjust previously allocated costs in accordance with the transfer of personnel.

(c) *Employee status.* Employees transferred under paragraph (b) shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of children and families that they enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, shall be transferred to the department of children and families.

(e) *Contracts.* All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of children and families. The department of children and families shall carry out any such contractual obligations unless modified or rescinded by the department of children and families to the extent allowed under the contract.

(em) *Pending matters.* Any matter pending with the department of health and family services on the effective date of this paragraph that is primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, is transferred to the department of children and families and all materials submitted to or actions taken by the department of health and family services with respect to the pending matter are considered as having been submitted to or taken by the department of children and families.

(f) *Rules and orders.* All rules promulgated by the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration,

and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of children and families. All orders issued by the department of health and family services that are primarily related to the functions of the division of children and family services in that department, to the child abuse and neglect prevention program under section 46.515, 2005 stats., to the food distribution and hunger prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state supplemental food program under section 253.06, 2005 stats., as determined by the secretary of administration, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of children and families.

(6) AGENCY NAME CHANGE.

(a) Wherever the term "health and family services" appears in the statutes, as affected by the acts of 2007, the term "health services" is substituted.

(b) Beginning on July 1, 2008, the department of health services has the powers and duties granted or assigned the department of health and family services by SECTIONS 9101 to 9155 of this act that do not terminate before paragraph (a) takes effect. Beginning on July 1, 2008, the secretary of health services has the powers and duties granted or assigned the secretary of health and family services by SECTIONS 9101 to 9155 of this act that do not terminate before paragraph (a) takes effect.

(6d) REDUCING FETAL AND INFANT MORTALITY AND MORBIDITY.

(a) In this subsection, "infant" means a child from birth to 12 months of age.

(b) In a county with a population of at least 190,000 but less than 230,000, from the appropriation under section 20.435 (5) (eu) of the statues, as created by this act, the department of health and family services shall distribute $250,000 in each of state fiscal years 2007–08 and 2008–09 to the city health department to provide a program of services to reduce fetal and infant mortality and morbidity.

(c) Notwithstanding section 251.08 of the statutes, in implementing the program under paragraph (b), the city health department shall, directly or by contract, do all of the following in or on behalf of areas of the county that are encompassed by the zip codes 53402 to 53406 and that are at risk for high fetal and infant mortality and morbidity, as determined by the department of health and family services:

1. Collaborate with faculty in the health disciplines of an academic institution and with a hospital that serves significant populations at high risk for poor birth outcomes, including low birth weights, prematurity, and gestational diabetes, to identify and implement best practices and evidence–based practices to reduce fetal and infant mortality and morbidity.

2. Identify necessary preconception, prenatal, and postnatal services and assess the availability of these services for women in the areas who lack insurance coverage or who are recipients of the Medical Assistance program or the Badger Care health care program.

3. Develop and implement models of care for all women in the areas who meet risk criteria, as specified by the department of health and family services, and provide comprehensive prenatal and postnatal care coordination and other services, including home visits, by registered nurses who are public health nurses or who meet the qualifications of public health nurses, as specified in section 250.06 (1) of the statutes, or by social workers, as defined in section 252.15 (1) (er) of the statutes.

4. Conduct social marketing, including outreach, assuring health care access, public awareness programs, community health education programs, and other best practices and evidence–based practices, to reduce fetal and infant mortality and morbidity.

5. Evaluate the quality and effectiveness of the services provided under subdivisions 3. and 4.

(d) In 2008 and 2009, the city health department shall prepare a report on fetal and infant mortality and morbidity in areas of the county that are encompassed by the zip codes 53402 to 53406. The report shall be derived, at least in part, from a multidisciplinary review of all fetal and infant deaths in the relevant year and shall specify causation found for the mortality and morbidity. The city health department shall submit the report to all of the following:

1. The city of Racine.

2. The department of health and family services.

3. The legislature, in the manner provided under section 13.172 (3) of the statutes.

4. The governor.

(7j) MEDICAL ASSISTANCE PHARMACY DISPENSING FEE.

(a) In this subsection, "public assistance programs" means medical assistance, as defined in section 49.43 (8) of the statutes, and the programs under sections 49.665 and 49.688 of the statutes, as affected by this act.

(b) The department of health and family services shall determine the amount by which reimbursement to pharmacies for multisource generic drug products under public assistance programs will be reduced as a result of implementation of average manufacturing price reimbursement standards in accordance with the federal Deficit Reduction Act of 2005, and shall determine the amount by which the pharmacy dispensing fee under public assistance programs must be increased to compensate for that reduction in reimbursement.

(c) The department of health and family services shall submit to the U.S. department of health and human services an amendment to the state plan for medical assis-

tance that authorizes the department of health and family services to increase the pharmacy dispensing fee under public assistance programs by the amount determined under paragraph (b), and, if the U.S. department of health and human services approves the amendment, shall increase the dispensing fee upon approval.

(7k) REPORT ON FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM PARTICIPATION. The department of health and family services shall submit to the joint committee on finance, no later than January 1, 2009, a report that compares participation in the food stamp employment and training program after participation becomes voluntary with participation in the program before participation became voluntary.

(7L) SMOKING CESSATION PROGRAM. The department of health and family services shall create, and, by the first day of the 7th month beginning after the effective date of this subsection, implement an incentive–based smoking cessation program for medical assistance recipients. The program shall incorporate elements of existing smoking cessation programs administered by the state. The emphasis of the program shall be to have medical assistance recipients stop smoking as soon as possible. The department of health and family services may enter into an agreement with another person to create or administer the program.

(7p) REPORT ON PURCHASE OF DRUGS FOR HIV/AIDS.

(a) The department of health and family services shall determine the feasibility of modifying the pilot program under section 49.686 (6) of the statutes, as created by this act, in the following manner:

1. The cost of drugs for individuals in the pilot program and for which reimbursement may be provided under section 49.686 (2) of the statutes would continue to be paid for under the program under section 49.686 (1) to (5) of the statutes.

2. The Health Insurance Risk–Sharing Plan would reimburse the program under section 49.686 (1) to (5) of the statutes for the drug costs paid by that program under subdivision 1.

(b) No later than January 1, 2008, the department shall submit a report with its conclusions to the Joint Committee on Finance.

(8k) DENTAL ACCESS FUNDING. From the net savings projected to result from the implementation of the BadgerCare Plus program under section 49.471 of the statutes, as created by this act, the department of health and family services shall provide $200,000 in fiscal year 2007–08 to the Peter Christensen Health Center and $200,000 in fiscal year 2007–08 to the Lake Superior Community Health Center to increase access to dental services under the related initiatives that are to be funded from those projected net savings.

(8x) CLINIC GRANT FOR DENTAL SERVICES. From the appropriation under section 20.435 (5) (dm) of the statutes, as affected by this act, the department of health and family services shall provide $17,500 in fiscal year 2007–08 and $17,500 in fiscal year 2008–09 to the Community Connections Free Clinic in Dodgeville to provide dental services to low–income residents of Iowa County and surrounding areas.

(9f) STATE CENTERS FOR THE DEVELOPMENTALLY DISABLED. The authorized FTE positions for the department of health and family services are increased by 6.64 PR positions on July 1, 2007, to be funded from the appropriation account under section 20.435 (2) (gk) of the statutes, for the purpose of performing services at the state centers for the developmentally disabled.

(9i) TRANSFER AND RENAMING OF COUNCIL ON DEVELOPMENTAL DISABILITIES.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services primarily related to the council on developmental disabilities, as determined by the secretary of administration, shall become the assets and liabilities of the board for people with developmental disabilities.

(b) *Employee transfers.* All incumbent employees holding positions in the department of health and family services performing duties primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, are transferred on the effective date of this paragraph to the board for people with developmental disabilities.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and under chapter 230 of the statutes, as affected by this act, in the board for people with developmental disabilities that they enjoyed in the department of health and family services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, is transferred to the board for people with developmental disabilities.

(e) *Contracts.* All contracts entered into by the department of health and family services in effect on the effective date of this paragraph that are primarily related to the functions of the council on developmental disabilities, as determined by the secretary of administration, remain in effect and are transferred to the board for people with developmental disabilities. The board for people with developmental disabilities shall carry out any obligations under such a contract until the contract is modified or rescinded by the board to the extent allowed under the contract.

(em) *Pending matters.* Any matter pending with the department of health and family services on the effective date of this paragraph that is primarily related to the council on developmental disabilities, as determined by the secretary of administration, is transferred to the board for people with developmental disabilities and all materials submitted to or actions taken by the department of health and family services with respect to the pending matter are considered as having been submitted to or taken by the board.

(9p) GRANT FOR HIV INFECTION SERVICES. From the appropriation account under section 20.435 (5) (ma) of the statutes the department of health and family services shall provide to the Black Health Coalition of Wisconsin, Inc., $100,000 in state fiscal year 2007–08 as a one–time grant to provide HIV infection outreach, education, referral, and other services.

(9u) DANE COUNTY EARLY CHILDHOOD INITIATIVES. From the appropriation account under section 20.435 (3) (bc) of the statutes, as affected by section 341x of this act, the department of health and family services shall distribute $250,000 in fiscal year 2007–08 for comprehensive early childhood initiatives in Dane County that provide home visiting and employment preparation and support for low–income families.

SECTION 9122. Nonstatutory provisions; Higher Educational Aids Board.

(1) WISCONSIN COVENANT SCHOLARS PROGRAM.

(a) *Rules.* The higher educational aids board shall submit in proposed form the rules required under section 39.437 (5) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 18th month beginning after the effective date of this paragraph.

(b) *Emergency rules.* Using the procedure under section 227.24 of the statutes, the higher educational aids board may promulgate the rules required under section 39.437 (5) of the statutes, as created by this act, for the period before the effective date of the permanent rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the higher educational aids board is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

SECTION 9126. Nonstatutory provisions; Investment Board.

(1f) OPERATING EXPENDITURES. Notwithstanding section 25.187 (2) (c) 1. of the statutes, as affected by this act, the total amount that the investment board may assess the funds for which the board has management responsibility during the 2007–08 fiscal year may not exceed the greater of the amount that the board could have assessed the funds during the 2006–07 fiscal year or 0.0285 percent of the average market value of the assets of the funds at the end of each month between November 30 and April 30 of the 2006–07 fiscal year.

(1h) INITIATIVES REPORTS.

(a) During the 2008–09 fiscal year, on or before January 31, 2009, the investment board shall submit a report to the joint legislative audit committee and the joint committee on finance on the implementation and outcomes of initiatives commenced as a result of the changes in expenditure authority under section 25.187 (2) (c) 1. of the statutes, as affected by this act.

(b) During the 2009–10 fiscal year, on or before January 31, 2010, the investment board shall submit a report to the joint legislative audit committee and the joint committee on finance on the implementation and outcomes of initiatives commenced as a result of the changes in expenditure authority under section 25.187 (2) (c) 1. of the statutes, as affected by this act.

SECTION 9130. Nonstatutory provisions; Legislature.

(1d) JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS; ACTUARIAL OPINION OF 2007 SENATE BILL 19 OR 2007 ASSEMBLY BILL 43. The cochairpersons of the joint survey committee on retirement systems, pursuant to the powers granted the cochairpersons under section 13.50 (6) (am) of the statutes, are requested to order, during the 2007–08 fiscal year, an actuarial opinion on the impact of 2007 Senate Bill 19 or 2007 Assembly Bill 43, and any pending amendments, on the costs, actuarial balance, or goals of the Wisconsin Retirement System.

(1f) ELIMINATION OF REVISOR OF STATUTES BUREAU.

(a) On December 31, 2007, all assets and liabilities of the revisor of statutes bureau shall become the assets and liabilities of the legislative reference bureau.

(b) On December 31, 2007, all tangible personal property, including records, of the revisor of statutes bureau is transferred to the legislative reference bureau.

(c) On December 31, 2007, all contracts entered into by the revisor of statutes bureau, which are in effect on December 31, 2007, remain in effect and are transferred to the legislative reference bureau. The legislative reference bureau shall carry out any such contractual obligations until modified or rescinded by the legislative reference bureau to the extent allowed under the contract.

(d) 1. If requested by any person who holds an attorney position at the revisor of statutes bureau, the chief of the legislative reference bureau shall interview the person to fill an attorney position at the legislative reference bureau. The chief of the legislative reference bureau shall offer employment at the legislative reference bureau, beginning on or before December 31, 2007, to one person who holds an attorney position at the revisor of statutes bureau.