

1 *-1416/6.29* SECTION 3902. 973.30 (3) of the statutes is repealed.

2 *-1403/2.53* SECTION 3903. 974.07 (4) (b) of the statutes is amended to read:

3 974.07 (4) (b) Notwithstanding the limitation on the disclosure of mailing
4 addresses from completed information cards submitted by victims under ss. 51.37
5 (10) (dx), 301.046 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f),
6 304.063 (4), 938.51 (2), 971.17 (6m) (d), and 980.11 (4), the department of corrections,
7 the parole earned release review commission, and the department of health and
8 family services shall, upon request, assist clerks of court in obtaining information
9 regarding the mailing address of victims for the purpose of sending copies of motions
10 and notices of hearings under par. (a).

11 *-1403/2.54* SECTION 3904. 976.03 (23) (c) of the statutes is amended to read:

12 976.03 (23) (c) The application shall be verified by affidavit, shall be executed
13 in duplicate and shall be accompanied by 2 certified copies of the indictment
14 returned, or information and affidavit filed, or of the complaint made to a judge,
15 stating the offense with which the accused is charged, or of the judgment of
16 conviction or of the sentence. The prosecuting officer, parole earned release review
17 commission, warden or sheriff may also attach such further affidavits and other
18 documents in duplicate as he, she or it deems proper to be submitted with the
19 application. One copy of the application, with the action of the governor indicated
20 by endorsement thereon, and one of the certified copies of the indictment, complaint,
21 information and affidavits, or of the judgment of conviction or of the sentence shall
22 be filed in the office of the governor to remain of record in that office. The other copies
23 of all papers shall be forwarded with the governor's requisition.

24 *-0459/2.29* SECTION 3905. 977.02 (2m) of the statutes is amended to read:

1 977.02 (2m) Promulgate rules regarding eligibility for legal services under this
2 chapter, including legal services for children persons who are entitled to be
3 represented by counsel without a determination of indigency, as provided in s. 48.23
4 (4), 51.60, 55.105, or 938.23 (4).

5 ***-0459/2.30* SECTION 3906.** 977.02 (3) of the statutes is amended to read:

6 977.02 (3) Promulgate rules regarding the determination of indigency of
7 persons entitled to be represented by counsel, other than children persons who are
8 entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23,
9 including the time period in which the determination must be made and the criteria
10 to be used to determine indigency and partial indigency.

11 ***-0459/2.31* SECTION 3907.** 977.05 (4) (gm) of the statutes is amended to read:

12 977.05 (4) (gm) In accordance with the standards under pars. (h) and (i), accept
13 referrals from judges and courts for the provision of legal services without a
14 determination of indigency of children persons who are entitled to be represented by
15 counsel under s. 48.23, 51.60, 55.105, or 938.23, appoint counsel in accordance with
16 contracts and policies of the board, and inform the referring judge or court of the
17 name and address of the specific attorney who has been assigned to the case.

18 ***-0459/2.32* SECTION 3908.** 977.05 (4) (h) of the statutes is amended to read:

19 977.05 (4) (h) Accept requests for legal services from children persons who are
20 entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23 and
21 from indigent persons who are entitled to be represented by counsel under s. 967.06
22 or who are otherwise so entitled under the constitution or laws of the United States
23 or this state and provide such persons with legal services when, in the discretion of
24 the state public defender, such provision of legal services is appropriate.

25 ***-0459/2.33* SECTION 3909.** 977.05 (4) (i) 8. of the statutes is amended to read:

1 977.05 (4) (i) 8. Cases involving individuals who are subject to petitions for
2 protective placement or involuntary administration of psychotropic medication
3 under ch. 55.

4 ***-0459/2.34*** SECTION 3910. 977.06 (2) (a) of the statutes is amended to read:
5 977.06 (2) (a) A person seeking to have counsel assigned for him or her under
6 s. 977.08, other than a child person who is entitled to be represented by counsel under
7 s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that he or she has
8 not disposed of any assets for the purpose of qualifying for that assignment of
9 counsel. If the representative or authority making the indigency determination
10 finds that any asset was disposed of for less than its fair market value for the purpose
11 of obtaining that assignment of counsel, the asset shall be counted under s. 977.07
12 (2) at its fair market value at the time it was disposed of, minus the amount of
13 compensation received for the asset.

14 ***-0459/2.35*** SECTION 3911. 977.06 (2) (am) of the statutes is amended to read:
15 977.06 (2) (am) A person seeking to have counsel assigned for him or her under
16 s. 977.08, other than a child person who is entitled to be represented by counsel under
17 s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that the
18 information that he or she has given to determine eligibility for assignment of
19 counsel he or she believes to be true and that he or she is informed that he or she is
20 subject to the penalty under par. (b).

21 ***-1261/5.998*** ***-1267/P1.415*** SECTION 3912. 977.06 (4) (bm) of the statutes
22 is amended to read:

23 977.06 (4) (bm) In response to a request for information under s. 49.22 (2m)
24 made by the department of ~~workforce development~~ children and families or a county
25 child support agency under s. 59.53 (5), the state public defender shall provide the

1 name and address of an individual, the name and address of the individual's
2 employer and financial information related to the individual, if the name, address
3 or financial information is included in any statement, affidavit or other information
4 provided by the individual regarding financial eligibility under s. 977.07 and if, at
5 the time the request for information is made, the individual is represented by the
6 state public defender or by counsel assigned under s. 977.08.

7 ***-0459/2.36* SECTION 3913.** 977.07 (1) (a) of the statutes is amended to read:

8 977.07 (1) (a) Determination of indigency for persons entitled to counsel shall
9 be made as soon as possible and shall be in accordance with the rules promulgated
10 by the board under s. 977.02 (3) and the system established under s. 977.06. No
11 determination of indigency is required for a child person who is entitled to be
12 represented by counsel under s. 48.23, 51.60, 55.105, or 938.23.

13 ***-0459/2.37* SECTION 3914.** 977.07 (1) (c) of the statutes is amended to read:

14 977.07 (1) (c) For all referrals made under ss. 809.107, 809.30, 974.06 (3) (b)
15 and 974.07 (11), except a referral of a child person who is entitled to be represented
16 by counsel under s. 48.23, 51.60, 55.105, or 938.23, a representative of the state
17 public defender shall determine indigency. For referrals made under ss. 809.107,
18 809.30 and 974.06 (3) (b), except a referral of a child person who is entitled to be
19 represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, the representative
20 of the state public defender may, unless a request for redetermination has been filed
21 under s. 809.30 (2) (d) or the person's request for representation states that his or her
22 financial circumstances have materially improved, rely upon a determination of
23 indigency made for purposes of trial representation under this section.

24 ***-0459/2.38* SECTION 3915.** 977.075 (1g) of the statutes is created to read:

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

4 *-0459/2.39* SECTION 3916. 977.075 (3) of the statutes is amended to read:

5 977.075 (3) The board shall establish by rule a fee schedule that sets the
6 amount that a person, ~~other than a parent subject to s. 48.275 (2) (b) or 938.275 (2)~~
7 ~~(b), who is~~ client responsible for payment for legal representation shall pay for the
8 cost of the legal representation if the person client does not pay the applicable
9 discount fee under sub. (3m). The schedule shall establish a fee for a given type of
10 case, and the fee for a given type of case shall be based on the average cost, as
11 determined by the board, for representation for that type of case.

12 *-0459/2.40* SECTION 3917. 977.075 (3m) of the statutes is amended to read:

13 977.075 (3m) The board shall establish by rule a fee schedule that sets the
14 discount amount that a person, ~~other than a parent subject to s. 48.275 (2) (b) or~~
15 ~~938.275 (2) (b), who is~~ client responsible for payment for legal representation, may
16 pay during a time period established by rule instead of paying the applicable fee
17 under sub. (3). The fee schedule shall establish a discount fee for each type of case
18 included in the schedule under sub. (3). If a person client responsible for payment
19 pays the applicable discount fee within the time period established under this
20 section, the person client may not be held liable for any additional payment for
21 counsel.

22 *-0459/2.41* SECTION 3918. 977.075 (4) of the statutes is created to read:

23 977.075 (4) The board shall establish by rule a fee schedule that sets the
24 maximum amount that a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b) shall pay
25 as reimbursement for legal services and sets the maximum amount that a person

1 subject to s. 51.605 or 55.107 shall pay as reimbursement for legal services. The
2 maximum amounts under this subsection shall be based on the average cost, as
3 determined by the board, for each applicable type of case.

4 ***-0459/2.42* SECTION 3919.** 977.08 (1) of the statutes is amended to read:

5 977.08 (1) If the representative or the authority for indigency determinations
6 specified under s. 977.07 (1) refers a case to or within the office of the state public
7 defender or if a case is referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4), the
8 state public defender shall assign counsel according to subs. (3) and (4). If a
9 defendant makes a request for change of attorney assignment, the change of attorney
10 must be approved by the circuit court.

11 ***-0459/2.43* SECTION 3920.** 977.08 (2) (intro.) of the statutes is amended to
12 read:

13 977.08 (2) (intro.) All attorneys in a county shall be notified in writing by the
14 state public defender that a set of lists is being prepared of attorneys willing to
15 represent children persons referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4)
16 and indigent clients in the following:

17 ***-0459/2.44* SECTION 3921.** 977.08 (2) (d) of the statutes is repealed.

18 ***-0459/2.45* SECTION 3922.** 977.085 (3) of the statutes is amended to read:

19 977.085 (3) The board shall provide quarterly reports to the joint committee
20 on finance on the status of reimbursement for or recoupment of payments under ss.
21 48.275, 51.605, 55.107, 757.66, 938.275, 977.06, 977.07 (2), 977.075 and 977.076,
22 including the amount of revenue generated by reimbursement and recoupment. The
23 quarterly reports shall include any alternative means suggested by the board to
24 improve reimbursement and recoupment procedures and to increase the amount of
25 revenue generated. The department of justice, district attorneys, circuit courts and

1 applicable county agencies shall cooperate by providing any necessary information
2 to the state public defender.

3 ***-1261/5.999* *-1267/P1.416* SECTION 3923.** 978.05 (4m) of the statutes is
4 amended to read:

5 978.05 (4m) WELFARE FRAUD INVESTIGATIONS. Cooperate with the departments
6 of ~~workforce development~~ children and families and health and family services
7 regarding the fraud investigation programs under ss. 49.197 (1m) and 49.845 (1).

8 ***-1326/1.2* SECTION 3924.** 980.036 (10) of the statutes is amended to read:

9 980.036 (10) PAYMENT OF PHOTOCOPY COPYING COSTS IN CASES INVOLVING INDIGENT
10 RESPONDENTS. When the state public defender or a private attorney appointed under
11 s. 977.08 requests ~~photocopies~~ copies, in any format, of any item that is discoverable
12 under this section, the state public defender shall pay any fee charged for the
13 ~~photocopies~~ copies from the appropriation under s. 20.550 (1) (a). If the person
14 providing ~~photocopies~~ copies under this section charges the state public defender a
15 fee for the ~~photocopies~~ copies, the fee may not exceed the actual, necessary, and,
16 direct cost of ~~photocopying~~ providing the copies.

17 ***-1184/P7.35* SECTION 3925.** 980.08 (9) of the statutes, as created by 2005
18 Wisconsin Act 431, is renumbered 980.08 (9) (a).

19 ***-1184/P7.36* SECTION 3926.** 980.08 (9) (b) of the statutes is created to read:
20 980.08 (9) (b) The department of corrections may contract for the escort
21 services under par. (a).

22 ***-1524/P3.95* SECTION 3927.** 985.01 (1g) of the statutes is amended to read:

23 985.01 (1g) "Governing body" has the meaning given in s. 345.05 (1) (b) and
24 includes a family long-term care district board under s. 46.2895.

25 ***-1524/P3.96* SECTION 3928.** 985.01 (3) of the statutes is amended to read:

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

3 *-0719/2.79* SECTION 3929. 995.12 (5) (a) of the statutes is amended to read:
4 995.12 (5) (a) *License revocation and civil penalty.* Upon a determination that
5 a distributor has violated sub. (2) (c), the department may revoke or suspend the
6 license of the distributor in the manner provided under s. 139.44 (4) and (7). Each
7 stamp affixed and each sale of cigarettes or offer or possession to sell cigarettes in
8 violation of sub. (2) (c) shall constitute a separate violation. For each violation the
9 department may also impose a forfeiture in an amount not to exceed the greater of
10 500% of the retail value of the cigarettes or \$5,000.

11 *-1261/5.1000* *-1261/P3.629* SECTION 3930. 995.67 (1) (a) of the statutes
12 is amended to read:

13 995.67 (1) (a) "Domestic abuse" has the meaning given in s. 46.95 ~~49.165~~ (1)
14 (a).

15 *-0486/1.29* SECTION 3931. 2003 Wisconsin Act 33, section 9159 (4f) is
16 repealed.

17 *-1278/3.15* SECTION 3932. 2005 Wisconsin Act 25, section 9101 (4) (b) and
18 (c) is amended to read:

19 [2005 Wisconsin Act 25] Section 9101 (4) (b) ~~the secretary~~ The department of
20 administration shall submit a report to the secretary of the building commission
21 containing an inventory of his or her recommendations to offer specified state
22 properties may offer any parcel of state-owned real property for sale under in
23 accordance with section 16.848 of the statutes, as created by this act, if the property
24 is eligible for sale under that section and this subsection. If the department of
25 administration receives an offer to purchase the property, the secretary of

1 administration may submit a report to the secretary of the building commission
2 recommending acceptance of the offer. The report shall contain a description of the
3 property and the reasons therefor. A property may be included in the inventory for
4 the recommendation. The secretary of administration may recommend the sale of
5 a property with or without approval of the state agency having jurisdiction of the
6 property. If, during the period on or before June 30, 2007, or the period beginning
7 on the effective date of this paragraph and ending on June 30, 2009, the building
8 commission votes to approve the sale of any offer to purchase the property included
9 in the inventory, the department of administration may offer sell the property for sale
10 under section 16.848 of the statutes, as created by this act.

11 (c) This subsection does not apply during the period beginning after June 30,
12 2007 and ending the day before the effective date of this paragraph, nor during the
13 period after June 30, 2009.

14 *-1278/3.16* SECTION 3933. 2005 Wisconsin Act 25, section 9152 (5) is
15 amended to read:

16 [2005 Wisconsin Act 25] Section 9152 (5) SALE OF REAL PROPERTY. If the Board
17 of Regents of the University of Wisconsin System sells any real property under its
18 jurisdiction during the period prior to July 1, 2007, and the period beginning on the
19 effective date of this subsection and ending on June 30, 2009, the board shall credit
20 the net proceeds of the sale to the appropriation account under section 20.285 (1) (iz)
21 of the statutes, as affected by this act, except that if there is any outstanding public
22 debt used to finance the acquisition, construction, or improvement of any property
23 that is sold, the board shall deposit a sufficient amount of the net proceeds from the
24 sale of the property in the bond security and redemption fund under section 18.09
25 of the statutes to repay the principal and pay the interest on the debt, and any

1 premium due upon refunding any of the debt. If the property was acquired,
2 constructed, or improved with federal financial assistance, the board shall pay to the
3 federal government any of the net proceeds required by federal law. If the property
4 was acquired by gift or grant or acquired with gift or grant funds, the board shall
5 adhere to any restriction governing use of the proceeds.

6 ***-0904/2.9101*** SECTION 9101. Nonstatutory provisions;
7 **Administration.**

8 (1) HEALTH CARE QUALITY AND PATIENT SAFETY COUNCIL MEMBERSHIP.
9 Notwithstanding the length of terms specified in section 15.197 (6) (intro.) of the
10 statutes, as created by this act, the initial terms of the members specified in section
11 15.197 (6) (d) to (f) of the statutes, as created by this act, shall expire on July 1, 2009,
12 and the initial terms of the members specified in section 15.197 (6) (g) to (i) of the
13 statutes, as created by this act, shall expire on July 1, 2011.

14 ***-1252/5.9101*** (2) EMPLOYEE TRANSFERS TO PUBLIC SERVICE COMMISSION. On the
15 effective date of this subsection, all incumbent employees holding positions having
16 responsibility for administering energy conservation and efficiency and renewable
17 resource programs under section 16.957 of the statutes, as determined by the
18 secretary of administration, are transferred to the public service commission. The
19 employees transferred under this subsection have all the rights and the same status
20 under subchapter V of chapter 111 and chapter 230 of the statutes in the public
21 service commission that they enjoyed in the department of administration
22 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
23 no employee so transferred who has attained permanent status in class is required
24 to serve a probationary period.

1 ***-1402/P3.9101*** (3) TREATMENT ALTERNATIVES AND DIVERSION GRANT. By August
2 15, 2007, the county that has the highest violent crime rate, as reported by the office
3 of justice assistance, shall submit an application to the office of justice assistance for
4 a grant under section 16.964 (2) (b) of the statutes. Upon approval of the county's
5 grant application, the office of justice assistance shall from the appropriation under
6 section 20.505 (6) (b) of the statutes, as affected by this act, award \$250,000 to the
7 county for the calendar year beginning January 1, 2008, and \$500,000 for the the
8 calendar year beginning January 1, 2009.

9 (4) ASSESS, INFORM, AND MEASURE GRANT.

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

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

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

23 3. Collection and dissemination of information relating to the accuracy of
24 assessments performed, the value and usefulness of information contained in the
25 assessment reports for purposes of making sentencing decisions, the effectiveness of

1 community-based treatment programs in addressing the assessed needs of
2 offenders, and the effect of the treatment programs with respect to recidivism.

3 4. Annual evaluation of the plan.

4 (b) Upon approval of a county plan submitted under paragraph (a), the office
5 of justice assistance shall from the appropriation under section 20.505 (6) (b) of the
6 statutes, as affected by this act, award the county \$250,000 for the calendar year
7 beginning January 1, 2008, and \$500,000 for the calendar year beginning January
8 1, 2009, to perform presentencing assessments of offenders. At least 50 percent of
9 the assessments performed by a county with funding provided under this subsection
10 shall be of persons subject to sentencing in connection with a felony.

11 ***-1595/3.9101*** (5) YOUTH DIVERSION GRANT REDUCTIONS.

12 (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the
13 statutes, as affected by this act, the office of justice assistance in the department of
14 administration shall reduce the amount of money allocated under section 16.964 (8)
15 (a) of the statutes, as affected by this act, by \$6,000 in fiscal year 2007-08.

16 (b) Notwithstanding the amounts specified under section 16.964 (8) (c) of the
17 statutes, as affected by this act, the office of justice assistance in the department of
18 administration shall reduce the amount of money allocated for each of the 4 contracts
19 that are funded with moneys from the appropriation accounts under section 20.505
20 (6) (d) of the statutes, as affected by this act, by \$7,500 in fiscal year 2007-08 and
21 shall reduce the amount of money allocated for the contract that is funded only with
22 moneys from the appropriation account under section 20.505 (6) (kj) of the statutes,
23 as affected by this act, by \$5,000 in fiscal year 2007-08.

****NOTE: This is reconciled Section 9101 (1). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0628 and LRB-1595.

1 ***-1620/2.9101*** (6) DISTRICT ATTORNEY CASE MANAGEMENT PROCESSES. From the
2 appropriation under section 20.505 (6) (a) of the statutes, the office of justice
3 assistance shall provide \$25,000 during the 2007-08 fiscal year to the Milwaukee
4 County District Attorney office to assist in the development of case management
5 processes.

6 ***-0566/1.9102*** SECTION 9102. Nonstatutory provisions; Aging and
7 Long-Term Care Board.

8 ***-0566/1.9103*** SECTION 9103. Nonstatutory provisions; Agriculture,
9 Trade and Consumer Protection.

10 ***-0566/1.9104*** SECTION 9104. Nonstatutory provisions; Arts Board.

11 ***-0566/1.9105*** SECTION 9105. Nonstatutory provisions; Building
12 Commission.

13 ***-0566/1.9106*** SECTION 9106. Nonstatutory provisions; Child Abuse
14 and Neglect Prevention Board.

15 ***-0566/1.9107*** SECTION 9107. Nonstatutory provisions; Circuit Courts.

16 ***-1083/1.9108*** SECTION 9108. Nonstatutory provisions; Commerce.

17 (1) BUDGET INFORMATION; SURPLUS TRANSFER. Notwithstanding section 16.42 (1)
18 (e) of the statutes, in submitting information under section 16.42 of the statutes for
19 the purposes of the 2009-11 biennial budget bill, the department of commerce shall
20 submit a dollar amount for the appropriation under section 20.143 (2) (b) of the
21 statutes as though the amount appropriated to the department of commerce in fiscal
22 year 2008-09 under section 20.143 (2) (b) of the statutes is \$2,000,000.

23 ***-1440/2.9108*** (2) GRANT FOR CELLULOSIC ETHANOL PLANT. Notwithstanding
24 section 560.126 of the statutes, as created by this act, the department of commerce
25 shall award grants totaling not more than \$5,000,000 from the appropriation under

1 section 20.143 (1) (tm) of the statutes, as created by this act, to a person who plans
2 to construct a cellulosic ethanol plant in this state, if all of the following apply:

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

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

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

11 ***-0628/1.9109* SECTION 9109. Nonstatutory provisions; Corrections.**

12 (1) **YOUTH DIVERSION PROGRAM TRANSFER.**

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

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

23 (c) *Employee status.* Employees transferred under paragraph (b) have all the
24 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
25 statutes in the department of administration that they enjoyed in the department

1 of corrections immediately before the transfer. Notwithstanding section 230.28 (4)
2 of the statutes, no employee so transferred who has attained permanent status in
3 class is required to serve a probationary period.

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

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

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

23 (g) *Rules and orders.* All rules promulgated by the department of corrections
24 in effect on the effective date of this paragraph that are primarily related to the youth
25 diversion from gang activities program under section 301.265, 2005 stats., remain

1 in effect until their specified expiration dates or until amended or repealed by the
2 department of administration. All orders issued by the department of corrections in
3 effect on the effective date of this paragraph that are primarily related to the youth
4 diversion from gang activities program under section 301.265, 2005 stats., remain
5 in effect until their specified expiration dates or until modified or rescinded by the
6 department of administration.

7 ***-1546/1.9109*** (1) FUNDING FOR CERTAIN COMMUNITY REINTEGRATION SERVICES.
8 From the appropriation under section 20.410 (1) (d) of the statutes, the department
9 of corrections shall provide \$500,000 during the 2007-08 fiscal year and \$500,000
10 during the 2008-09 fiscal year to New Hope Project, Inc., for transitional
11 employment services.

12 ***-0566/1.9110*** **SECTION 9110. Nonstatutory provisions; Court of**
13 **Appeals.**

14 ***-0567/2.9111*** **SECTION 9111. Nonstatutory provisions; District**
15 **Attorneys.**

16 (1) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From the appropriation
17 account under section 20.505 (6) (p) of the statutes the department of administration
18 shall expend a dollar amount determined by the department of administration and
19 and from the appropriation account under section 20.455 (2) (kp) of the statutes the
20 department of justice shall expend a dollar amount determined by the department
21 of administration in each year of the 2007-09 fiscal biennium to provide the
22 multijurisdictional enforcement group serving Milwaukee County funding for 2.0
23 district attorney PR positions to prosecute criminal violations of chapter 961 of the
24 statutes.

1 (2) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From the appropriation account
2 under section 20.505 (6) (p) of the statutes the department of administration shall
3 expend a dollar amount determined by the department of administration and from
4 the appropriation account under section 20.455 (2) (kp) of the statutes the
5 department of justice shall expend a dollar amount determined by the department
6 of administration in each year of the 2007-09 fiscal biennium to provide the
7 multijurisdictional enforcement group serving Dane County funding for 0.75 district
8 attorney PR position to prosecute criminal violations of chapter 961 of the statutes.

9 (3) PROSECUTION OF DRUG CRIMES; ST. CROIX COUNTY. From the appropriation
10 account under section 20.455 (2) (kp) of the statutes the department of justice shall
11 expend a dollar amount determined by the department of administration in each
12 year of the 2007-09 fiscal biennium to provide the multijurisdictional enforcement
13 group serving St. Croix County funding for 1.0 district attorney PR position to
14 prosecute criminal violations of chapter 961 of the statutes.

15 ***-0566/1.9112* SECTION 9112. Nonstatutory provisions; Educational**
16 **Communications Board.**

17 ***-0566/1.9113* SECTION 9113. Nonstatutory provisions; Elections**
18 **Board.**

19 ***-0566/1.9114* SECTION 9114. Nonstatutory provisions; Employee Trust**
20 **Funds.**

21 ***-0566/1.9115* SECTION 9115. Nonstatutory provisions; Employment**
22 **Relations Commission.**

23 ***-0566/1.9116* SECTION 9116. Nonstatutory provisions; Ethics Board.**

24 ***-0566/1.9117* SECTION 9117. Nonstatutory provisions; Financial**
25 **Institutions.**

1 ***-0566/1.9118*** SECTION 9118. Nonstatutory provisions; Fox River
2 **Navigational System Authority.**

3 ***-0566/1.9119*** SECTION 9119. Nonstatutory provisions; Governor.

4 ***-0566/1.9120*** SECTION 9120. Nonstatutory provisions; Health and
5 **Educational Facilities Authority.**

6 ***-0332/4.9121*** SECTION 9121. Nonstatutory provisions; Health and
7 **Family Services.**

8 (1) BED ASSESSMENT FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY
9 RETARDED. Notwithstanding section 50.14 (2m) of the statutes, as created by this act,
10 the department of health and family services is not required to calculate the amount
11 of the bed assessment for intermediate care facilities for the mentally retarded under
12 section 50.14 (2) (bm) of the statutes, as created by this act, for state fiscal year
13 2007-08 until October 1, 2007, or the first day of the 3rd month beginning after the
14 effective date of this subsection, whichever is later.

15 ***-0878/5.9121*** (2) TRANSFER OF COUNCIL ON DEVELOPMENTAL DISABILITIES.

16 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
17 liabilities of the department of health and family services primarily related to the
18 council on developmental disabilities, as determined by the secretary of
19 administration, shall become the assets and liabilities of the department of
20 administration.

21 (b) *Employee transfers.* All incumbent employees holding positions in the
22 department of health and family services performing duties primarily related to the
23 functions of the council on developmental disabilities, as determined by the secretary
24 of administration, are transferred on the effective date of this paragraph to the
25 department of administration.

1 (c) *Employee status.* Employees transferred under paragraph (b) have all the
2 rights and the same status under subchapter V of chapter 111 and under chapter 230
3 of the statutes in the department of administration that they enjoyed in the
4 department of health and family services immediately before the transfer.
5 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
6 has attained permanent status in class is required to serve a probationary period.

7 (d) *Tangible personal property.* On the effective date of this paragraph, all
8 tangible personal property, including records, of the department of health and family
9 services that is primarily related to the functions of the council on developmental
10 disabilities, as determined by the secretary of administration, is transferred to the
11 department of administration.

12 (e) *Contracts.*

13 1. All contracts entered into by the council on developmental disabilities in
14 effect on the effective date of this paragraph remain in effect and are transferred to
15 the council on developmental disabilities in the department of administration. The
16 council on developmental disabilities shall carry out any obligations under such a
17 contract until the contract expires or is modified or rescinded by the council on
18 developmental disabilities to the extent allowed under the contract.

19 2. All contracts entered into by the department of health and family services
20 in effect on the effective date of this paragraph that are primarily related to the
21 functions of the council on developmental disabilities, as determined by the secretary
22 of administration, remain in effect and are transferred to the department of
23 administration. The department of administration shall carry out any obligations
24 under such a contract until the contract is modified or rescinded by the department
25 of administration to the extent allowed under the contract.

1 ***-1085/1.9121*** (3) LICENSED ADULT FAMILY HOME FEES; RULES. The department
2 of health and family services shall submit in proper form the rules required under
3 section 50.033 (2) of the statutes, as affected by this act, to the legislative council staff
4 under section 227.15 (1) of the statutes no later than November 1, 2007.

5 (4) COMMUNITY-BASED RESIDENTIAL FACILITY FEES; RULES. The department of
6 health and family services shall submit in proper form the rules required under
7 section 50.037 (2) (a) of the statutes, as affected by this act, to the legislative council
8 staff under section 227.15 (1) of the statutes no later than November 1, 2007.

9 ***-1221/7.9121*** (1m) INDIAN CHILD HIGH-COST OUT-OF-HOME CARE PLACEMENT
10 FUNDING. Notwithstanding section 16.54 (12) (a) of the statutes, as affected by this
11 act, and section 46.46 (1) and (2) of the statutes, in fiscal year 2007-08 the
12 department of health and family services may expend not more than \$500,000 in
13 moneys received under section 20.435 (8) (mb) and (mm) of the statutes, as affected
14 by this act, in fiscal year 2006-07 or 2007-08 for unexpected or unusually high-cost
15 out-of-home care placements of Indian children by tribal courts. The department
16 of health and family services may expend moneys under this subsection only if that
17 department determines in light of overall child welfare needs and after paying
18 federal disallowances under section 20.435 (8) (mm) of the statutes, as affected by
19 this act, that there are sufficient moneys in the appropriation accounts under section
20 20.435 (8) (mb) and (mm) of the statutes, as affected by this act, to expend for that
21 purpose.

22 ***-1261/5.9121*** (5) TRANSFER TO THE DEPARTMENT OF CHILDREN AND FAMILIES.

23 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
24 liabilities of the department of health and family services that are primarily related
25 to the functions of the division of children and family services in that department,

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1 to the child abuse and neglect prevention program under section 46.515, 2005 stats.,
2 to the food distribution and hunger prevention programs under section 46.75, 2005
3 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state
4 supplemental food program under section 253.06, 2005 stats., as determined by the
5 secretary of administration, shall become the assets and liabilities of the department
6 of children and families.

7 (b) *Employee transfers.*

8 1. The classified positions, and incumbent employees holding positions, in the
9 department of health and family services relating primarily to the functions of the
10 division of children and family services in that department, to the child abuse and
11 neglect prevention program under section 46.515, 2005 stats., to the food
12 distribution and hunger prevention programs under section 46.75, 2005 stats.,
13 section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state
14 supplemental food program under section 253.06, 2005 stats., as determined by the
15 secretary of administration, are transferred to the department of children and
16 families.

17 2. The classified positions, and incumbent employees holding positions, in the
18 department of health and family services relating primarily to general
19 administration and program support that the secretary of administration
20 determines should be transferred to the department of children and families are
21 transferred to that department. Upon determination of these employees, the
22 secretary of health and family services shall, by October 1, 2007, and in conjunction
23 with the secretary of workforce development, submit a plan to the secretary of
24 administration requesting the transfer of moneys between the general purpose
25 revenue appropriations for the departments of health and family services and

1 workforce development and the department of children and families, between the
2 program revenue appropriations for the departments of health and family services
3 and workforce development and the department of children and families, between
4 the program revenue-service appropriations for the departments of health and
5 family services and workforce development and the department of children and
6 families, between the appropriations of given segregated funds for the departments
7 of health and family services and workforce development and the department of
8 children and families, and between the federal revenue appropriations for the
9 departments of health and family services and workforce development and the
10 department of children and families, if necessary to adjust previously allocated costs
11 in accordance with the transfer of personnel.

12 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
13 same rights and status under subchapter V of chapter 111 and chapter 230 of the
14 statutes in the department of children and families that they enjoyed in the
15 department of health and family services immediately before the transfer.
16 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
17 has attained permanent status in class is required to serve a probationary period.

18 (d) *Tangible personal property.* On the effective date of this paragraph, all
19 tangible personal property, including records, of the department of health and family
20 services that is primarily related to the functions of the division of children and
21 family services in that department, to the child abuse and neglect prevention
22 program under section 46.515, 2005 stats., to the food distribution and hunger
23 prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and
24 section 46.77, 2005 stats., and to the state supplemental food program under section

1 253.06, 2005 stats., as determined by the secretary of administration, shall be
2 transferred to the department of children and families.

3 (e) *Contracts.* All contracts entered into by the department of health and family
4 services in effect on the effective date of this paragraph that are primarily related
5 to the functions of the division of children and family services in that department,
6 to the child abuse and neglect prevention program under section 46.515, 2005 stats.,
7 to the food distribution and hunger prevention programs under section 46.75, 2005
8 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state
9 supplemental food program under section 253.06, 2005 stats., as determined by the
10 secretary of administration, remain in effect and are transferred to the department
11 of children and families. The department of children and families shall carry out any
12 such contractual obligations unless modified or rescinded by the department of
13 children and families to the extent allowed under the contract.

14 (f) *Rules and orders.* All rules promulgated by the department of health and
15 family services that are primarily related to the functions of the division of children
16 and family services in that department, to the child abuse and neglect prevention
17 program under section 46.515, 2005 stats., to the food distribution and hunger
18 prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and
19 section 46.77, 2005 stats., and to the state supplemental food program under section
20 253.06, 2005 stats., as determined by the secretary of administration, and that are
21 in effect on the effective date of this paragraph remain in effect until their specified
22 expiration dates or until amended or repealed by the department of children and
23 families. All orders issued by the department of health and family services that are
24 primarily related to the functions of the division of children and family services in
25 that department, to the child abuse and neglect prevention program under section

1 46.515, 2005 stats., to the food distribution and hunger prevention programs under
2 section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats.,
3 and to the state supplemental food program under section 253.06, 2005 stats., as
4 determined by the secretary of administration, and that are in effect on the effective
5 date of this paragraph remain in effect until their specified expiration dates or until
6 modified or rescinded by the department of children and families.

7 (6) AGENCY NAME CHANGE.

8 (a) Wherever the term "health and family services" appears in the statutes, as
9 affected by the acts of 2007, the term "health services" is substituted.

10 (b) Beginning on July 1, 2008, the department of health services has the powers
11 and duties granted or assigned the department of health and family services by
12 SECTIONS 9101 to 9155 of this act that do not terminate before paragraph (a) takes
13 effect. Beginning on July 1, 2008, the secretary of health services has the powers and
14 duties granted or assigned the secretary of health and family services by SECTIONS
15 9101 to 9155 of this act that do not terminate before paragraph (a) takes effect.

16 ***-0201/4.9122* SECTION 9122. Nonstatutory provisions; Higher**
17 **Educational Aids Board.**

18 (1) WISCONSIN COVENANT SCHOLARS PROGRAM.

19 (a) *Rules.* The higher educational aids board shall submit in proposed form the
20 rules required under section 39.437 (5) of the statutes, as created by this act, to the
21 legislative council staff under section 227.15 (1) of the statutes no later than the first
22 day of the 18th month beginning after the effective date of this paragraph.

23 (b) *Emergency rules.* Using the procedure under section 227.24 of the statutes,
24 the higher educational aids board may promulgate the rules required under section
25 39.437 (5) of the statutes, as created by this act, for the period before the effective date

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1 of the permanent rules submitted under paragraph (a), but not to exceed the period
2 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
3 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the higher educational aids board
4 is not required to provide evidence that promulgating a rule under this paragraph
5 as an emergency rule is necessary for the preservation of the public peace, health,
6 safety, or welfare and is not required to provide a finding of emergency for a rule
7 promulgated under this paragraph.

8 ***-0566/1.9123* SECTION 9123. Nonstatutory provisions; Historical**
9 **Society.**

10 ***-0566/1.9124* SECTION 9124. Nonstatutory provisions; Housing and**
11 **Economic Development Authority.**

12 ***-0566/1.9125* SECTION 9125. Nonstatutory provisions; Insurance.**

13 ***-0566/1.9126* SECTION 9126. Nonstatutory provisions; Investment**
14 **Board.**

15 ***-0566/1.9127* SECTION 9127. Nonstatutory provisions; Joint**
16 **Committee on Finance.**

17 ***-0566/1.9128* SECTION 9128. Nonstatutory provisions; Judicial**
18 **Commission.**

19 ***-0566/1.9129* SECTION 9129. Nonstatutory provisions; Justice.**

20 ***-1714/1.9130* SECTION 9130. Nonstatutory provisions; Legislature.**

21 (1) AUDIT OF CRIME LABORATORIES IN DEPARTMENT OF JUSTICE. The legislative audit
22 bureau shall conduct an audit of the state crime laboratories in the department of
23 justice regarding the management of the deoxyribonucleic acid analysis and data
24 bank, which audit shall include the management of cases, the type of screening done
25 on cases, and how priority is determined for the analysis of samples. The bureau

1 shall file its report as described in section 13.94 (1) (b) of the statutes by June 30,
2 2008.

3 ***-0566/1.9131* SECTION 9131. Nonstatutory provisions; Lieutenant**
4 **Governor.**

5 ***-0566/1.9132* SECTION 9132. Nonstatutory provisions; Lower**
6 **Wisconsin State Riverway Board.**

7 ***-0566/1.9133* SECTION 9133. Nonstatutory provisions; Medical**
8 **College of Wisconsin.**

9 ***-0566/1.9134* SECTION 9134. Nonstatutory provisions; Military**
10 **Affairs.**

11 ***-0393/3.9135* SECTION 9135. Nonstatutory provisions; Natural**
12 **Resources.**

13 (1) MANAGED FOREST LAND BOARD. Notwithstanding section 15.345 (6) of the
14 statutes, as created by this act, 2 of the initial members of the managed forest land
15 board appointed under section 15.345 (6) (a) to (d) of the statutes, as created by this
16 act, shall serve for terms expiring on May 1, 2009, and 2 of those initial members
17 shall serve for terms expiring on May 1, 2011.

18 ***-0566/1.9136* SECTION 9136. Nonstatutory provisions; Public**
19 **Defender Board.**

20 ***-1193/2.9137* SECTION 9137. Nonstatutory provisions; Public**
21 **Instruction.**

22 (1) MILWAUKEE PARENTAL CHOICE PROGRAM FEES; RULES. By the first day of the
23 3rd month beginning after the effective date of this subsection, the department of
24 public instruction shall, using the procedure under section 227.24 of the statutes,
25 promulgate the rule required under section 119.23 (2) (a) 8. of the statutes, as created

1 by this act, for the period before the effective date of the permanent rule promulgated
2 under section 119.23 (2) (a) 8. of the statutes, as created by this act, but not to exceed
3 the period authorized under section 227.24 (1) (c) and (2) of the statutes.
4 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department
5 of public instruction is not required to provide evidence that promulgating a rule
6 under this subsection as an emergency rule is necessary for the preservation of the
7 public peace, health, safety, or welfare and is not required to provide a finding of
8 emergency for a rule promulgated under this subsection.

9 (2) MILWAUKEE PARENTAL CHOICE PROGRAM FEES; FEES FOR THE 2007-08 SCHOOL
10 YEAR. Notwithstanding section 119.23 (2) (a) 8. of the statutes, as created by this act,
11 each private school participating in the program under section 119.23 of the statutes,
12 as affected by this act, in the 2007-08 school year shall pay the fee required under
13 section 119.23 (2) (a) 8. of the statutes, as created by this act, no later than 30 days
14 after the effective date of the rule promulgated under subsection (1).

15 ***-0566/1.9138* SECTION 9138. Nonstatutory provisions; Public Lands,**
16 **Board of Commissioners of.**

17 ***-0566/1.9139* SECTION 9139. Nonstatutory provisions; Public Service**
18 **Commission.**

19 ***-0566/1.9140* SECTION 9140. Nonstatutory provisions; Regulation and**
20 **Licensing.**

21 ***-1195/3.9141* SECTION 9141. Nonstatutory provisions; Revenue.**

22 (1) INTERNAL REVENUE CODE. Changes to the Internal Revenue Code made by
23 Public Law 109-135, excluding sections 101, 105, 201 (a) as it relates to section
24 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of Public Law 109-135, and Public Law
25 109-280, excluding sections 811 and 844 of Public Law 109-280, apply to the

1 definitions of "Internal Revenue Code" in chapter 71 of the statutes at the time that
2 those changes apply for federal income tax purposes.

3 ***-1530/7.9141* (2) EMERGENCY RULES CONCERNING OIL COMPANY ASSESSMENT.**

4 The department of revenue may promulgate emergency rules under section 227.24
5 of the statutes implementing subchapter XIV of chapter 77 of the statutes, as created
6 by this act. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the
7 department of revenue is not required to provide evidence that promulgating a rule
8 under this subsection as an emergency rule is necessary for the preservation of the
9 public peace, health, safety, or welfare and is not required to provide a finding of
10 emergency for a rule promulgated under this subsection.

11 ***-0566/1.9142* SECTION 9142. Nonstatutory provisions; Secretary of**
12 **State.**

13 ***-0566/1.9143* SECTION 9143. Nonstatutory provisions; State**
14 **Employment Relations, Office of.**

15 ***-0566/1.9144* SECTION 9144. Nonstatutory provisions; State Fair Park**
16 **Board.**

17 ***-0566/1.9145* SECTION 9145. Nonstatutory provisions; Supreme**
18 **Court.**

19 ***-0566/1.9146* SECTION 9146. Nonstatutory provisions; Technical**
20 **College System.**

21 ***-0566/1.9147* SECTION 9147. Nonstatutory provisions; Tourism.**

22 ***-0011/3.9148* SECTION 9148. Nonstatutory provisions;**
23 **Transportation.**

24 (1) DRIVER LICENSE AGREEMENT.

1 (a) The department of transportation shall submit in proposed form the rules
2 required under section 343.02 (3) (b) of the statutes, as created by this act, to the
3 legislative council staff under section 227.15 (1) of the statutes no later than the first
4 day of the 6th month beginning after the effective date of this paragraph.

5 (b) Using the emergency rules procedure under section 227.24 of the statutes,
6 the department of transportation shall promulgate the rules required under section
7 343.02 (3) (b) of the statutes, as created by this act, for purposes of implementing the
8 provisions of this act related to joining the Driver License Agreement, for the period
9 before the effective date of the rules submitted under paragraph (a). The department
10 shall promulgate these emergency rules no later than the first day of the 6th month
11 beginning after the effective date of this paragraph. Notwithstanding section 227.24
12 (1) (c) and (2) of the statutes, these emergency rules may remain in effect until July
13 1, 2009, or the date on which permanent rules take effect, whichever is sooner.
14 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not
15 required to provide evidence that promulgating a rule under this paragraph as an
16 emergency rule is necessary for the preservation of the public peace, health, safety,
17 or welfare and is not required to provide a finding of emergency for a rule
18 promulgated under this paragraph.

19 ***-1470/1.9148*** (2) TRANSFER OF SUPPLEMENTAL TITLE FEES.

20 (a) No transfer of moneys may be made from the general fund under section
21 20.855 (4) (f), 2005 stats., on or after the effective date of this paragraph.

22 (b) If the effective date of this paragraph is after October 1, 2007,
23 notwithstanding section 25.40 (3) (a) of the statutes, the secretary of administration
24 shall transfer, in fiscal year 2007-08, from the transportation fund to the general
25 fund an amount equal to the amount transferred under section 20.855 (4) (f), 2005

1 stats., from the general fund to the environmental fund between July 1, 2007, and
2 the effective date of this paragraph.

3 ***-1687/1.9148*** (3) IMPROVEMENT PROJECT TO VETERANS CEMETERY ACCESS ROAD
4 IN WASHBURN COUNTY. Notwithstanding limitations on the amount and use of aids
5 provided under section 86.31 of the statutes, as affected by this act, or on eligibility
6 requirements for receiving aids under section 86.31 of the statutes, as affected by this
7 act, the department of transportation shall award a grant of \$60,000 in the 2007-09
8 fiscal biennium to the first applicant that is eligible for aid under section 86.31 of the
9 statutes and that applies for a grant for the improvement of a road accessing a state
10 veterans cemetery in Washburn County. Payment of the grant under this subsection
11 shall be made from the appropriation under section 20.395 (2) (ft) of the statutes, as
12 affected by this act, before making any other allocation of funds under section 86.31
13 (3g), (3m), or (3r) of the statutes, as affected by this act, and is in addition to the
14 entitlement, as defined in section 86.31 (1) (ar) of the statutes, or eligibility under
15 section 86.31 (3g), (3m), or (3r) of the statutes, as affected by this act, of the recipient
16 under this subsection to any other aids under section 86.31 of the statutes, as affected
17 by this act.

18 ***-0566/1.9149*** SECTION 9149. Nonstatutory provisions; Treasurer.

19 ***-0566/1.9150*** SECTION 9150. Nonstatutory provisions; University of
20 Wisconsin Hospitals and Clinics Authority.

21 ***-0566/1.9151*** SECTION 9151. Nonstatutory provisions; University of
22 Wisconsin Hospitals and Clinics Board.

23 ***-1820/1.9152*** SECTION 9152. Nonstatutory provisions; University of
24 Wisconsin System.

1 (1) UW-MILWAUKEE SCHOOL OF PUBLIC HEALTH. Of the moneys appropriated to
2 the Board of Regents of the University of Wisconsin System under section 20.285 (1)
3 (a) of the statutes for the 2008-09 fiscal year, the board shall allocate \$200,000 for
4 establishing the University of Wisconsin-Milwaukee School of Public Health, but
5 only if the board approves the school.

6 ***-0369/1.9153* SECTION 9153. Nonstatutory provisions; Veterans**
7 **Affairs.**

8 (1) PAYMENTS FOR OUTREACH FOR HOMELESS VETERANS. From the appropriation
9 under section 20.485 (2) (am) of the statutes, as created by this act, the department
10 of veterans affairs may annually make a payment not to exceed \$25,000 to the Center
11 for Veteran Issues for the purpose of providing outreach services for homeless
12 veterans.

13 ***-1261/5.9154* *-1267/P1.9154* SECTION 9154. Nonstatutory provisions;**
14 **Workforce Development.**

15 (1) TRANSFER TO THE DEPARTMENT OF CHILDREN AND FAMILIES.

16 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
17 liabilities of the department of workforce development that are primarily related to
18 the functions of the bureau of Wisconsin Works and child support and the child care
19 section of the bureau of workforce programs, as determined by the secretary of
20 administration, shall become the assets and liabilities of the department of children
21 and families.

22 (b) *Employee transfers.*

23 1. The classified positions, and incumbent employees holding positions, in the
24 department of workforce development relating primarily to the functions of the
25 bureau of Wisconsin Works and child support and the child care section of the bureau

1 of workforce programs, as determined by the secretary of administration, are
2 transferred to the department of children and families.

3 2. The classified positions, and incumbent employees holding positions, in the
4 department of workforce development relating primarily to general administration
5 and program support that the secretary of administration determines should be
6 transferred are transferred to the department of children and families. Upon
7 determination of these employees, the secretary of workforce development shall, in
8 conjunction with the secretary of health and family services, by October 1, 2007, and
9 submit a plan to the secretary of administration requesting the transfer of moneys
10 between the general purpose revenue appropriations for the departments of
11 workforce development and health and family services and the department of
12 children and families, between the program revenue appropriations for the
13 departments of workforce development and health and family services and the
14 department of children and families, between the program revenue-service
15 appropriations for the departments of workforce development and health and family
16 services and the department of children and families, between the appropriations of
17 given segregated funds for the departments of workforce development and health
18 and family services and the department of children and families, and between the
19 federal revenue appropriations for the departments of workforce development and
20 health and family services and the department of children and families, if necessary
21 to adjust previously allocated costs in accordance with the transfer of personnel.

22 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
23 same rights and status under subchapter V of chapter 111 and chapter 230 of the
24 statutes in the department of children and families that they enjoyed in the
25 department of workforce development immediately before the transfer.

1 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
2 has attained permanent status in class is required to serve a probationary period.

3 (d) *Tangible personal property.* On the effective date of this paragraph, all
4 tangible personal property, including records, of the department of workforce
5 development that is primarily related to the functions of the bureau of Wisconsin
6 Works and child support and the child care section of the bureau of workforce
7 programs, as determined by the secretary of administration, shall be transferred to
8 the department of children and families.

9 (e) *Contracts.* All contracts entered into by the department of workforce
10 development in effect on the effective date of this paragraph that are primarily
11 related to the functions of the bureau of Wisconsin Works and child support and the
12 child care section of the bureau of workforce programs, as determined by the
13 secretary of administration, remain in effect and are transferred to the department
14 of children and families. The department of children and families shall carry out any
15 such contractual obligations unless modified or rescinded by the department of
16 children and families to the extent allowed under the contract.

17 (f) *Rules and orders.* All rules promulgated by the department of workforce
18 development that are primarily related to the functions of the bureau of Wisconsin
19 Works and child support and the child care section of the bureau of workforce
20 programs, as determined by the secretary of administration, and that are in effect
21 on the effective date of this paragraph remain in effect until their specified expiration
22 dates or until amended or repealed by the department of children and families. All
23 orders issued by the department of workforce development that are primarily related
24 to the functions of the bureau of Wisconsin Works and child support and the child
25 care section of the bureau of workforce programs, as determined by the secretary of

1 administration, and that are in effect on the effective date of this paragraph remain
2 in effect until their specified expiration dates or until modified or rescinded by the
3 department of children and families.

4 (g) *Pending matters.* Any matter pending with the department of workforce
5 development on the effective date of this paragraph that is primarily related to the
6 functions of the bureau of Wisconsin Works and child support and the child care
7 section of the bureau of workforce programs, as determined by the secretary of
8 administration, is transferred to the department of children and families and all
9 materials submitted to or actions taken by the department of workforce development
10 with respect to the pending matter are considered as having been submitted to or
11 taken by the department of children and families.

12 *-1314/2.9154* (2) STUDY ON CHILD SUPPORT COLLECTION. The department of
13 workforce development shall study the efficiency of the current method used in
14 Wisconsin for collecting court-ordered child support. The study shall examine the
15 feasibility of using, and the efficiency of, other methods of collection. By December
16 1, 2008, the department conducting the study shall submit its findings and
17 recommendations to the secretary of administration.

18 ***-1182/P3.9155* SECTION 9155. Nonstatutory provisions; other.**

19 (1) TRANSFER OF ATTORNEY AND LEGAL STAFF POSITIONS.

20 (a) *Definitions.* In this subsection:

21 1. "Legal staff" means the individuals as determined by the secretary of
22 administration who provide support services for attorneys.

23 2. "State agency" means an office, commission, department, independent
24 agency, or board in the executive branch of state government, except the following:

25 a. The public service commission.

- 1 b. The public defender board.
- 2 c. The Board of Regents of the University of Wisconsin System.
- 3 d. The University of Wisconsin Hospitals and Clinics Board.
- 4 e. The state of Wisconsin investment board.
- 5 f. The office of the governor.
- 6 g. The Government Accountability Board.
- 7 h. The department of justice.
- 8 i. The employment relations commission.

9 (b) *State agency attorneys and legal staff.* Except as provided in paragraph (c)
10 and subject to paragraph (d), on the effective date of this paragraph all attorney
11 positions in state agencies and all legal staff positions in state agencies are
12 transferred to the division of legal services in the department of administration.

13 (c) *Hearing officers, hearing examiners, and administrative law judges.*

14 1. Except as provided in subdivision 2. and subject to paragraph (d), on the
15 effective date of this subdivision all positions identified by the secretary of
16 administration as hearing officers, hearing examiners, or administrative law judges
17 are transferred to the division of hearings and appeals in the department of
18 administration.

19 2. Subdivision 1. does not apply to hearing officers, hearing examiners, or
20 administrative law judges in the department of workforce development.

21 (d) *Exceptions.* Paragraphs (b) and (c) do not apply to any of the following:

22 1. State employees working in an office of a district attorney under section
23 978.12 (1) (b) or (c) of the statutes.

1 2. One lead attorney in the office of state employment relations whose duties
2 include the negotiation and interpretation of collective bargaining agreements
3 entered into under subchapter V of chapter 111 of the statutes.

4 3. One attorney position in each of the following state agencies, identified by
5 the secretary of administration as the general counsel or lead attorney position:

6 a. Department of administration.

7 b. Department of agriculture, trade and consumer protection.

8 c. Department of children and families.

9 d. Department of commerce.

10 e. Department of corrections.

11 f. Department of employee trust funds.

12 g. Department of financial institutions.

13 h. Department of health and family services.

14 i. Department of military affairs.

15 j. Department of natural resources.

16 k. Department of public instruction.

17 l. Department of regulation and licensing.

18 m. Department of revenue.

19 n. Department of transportation.

20 o. Department of veterans affairs.

21 p. Department of workforce development.

22 q. Office of the commissioner of insurance.

23 (e) *Incumbents.* All incumbent employees holding positions that are
24 transferred under paragraphs (b), and (c) are transferred on the effective date of this
25 paragraph to the department of administration. Employees transferred under these

1 paragraphs have all the rights and the same status under subchapter V of chapter
2 111 and chapter 230 of the statutes in the department of administration that they
3 enjoyed in their respective state agencies immediately before the transfer.
4 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
5 has attained permanent status in class is required to serve a probationary period.

6 (f) *Materials.* On the effective date of this paragraph, all equipment, supplies,
7 and furniture required for the provision of legal services by employees transferred
8 under paragraphs (b) and (c) are transferred to the department of administration.
9 The secretary of administration shall identify the equipment, supplies, and
10 furniture to be transferred.

11 ***-1220/5.9155*** (2) CHILD CARE QUALITY RATING SYSTEM. By June 30, 2009, the
12 department of children and families shall rate the quality of the child care provided
13 by all child care providers that, on that date, hold a license under section 48.65 of the
14 statutes and are providing child care that is reimbursed under section 49.155 of the
15 statutes, as affected by this act, as required under section 48.658 of the statutes, as
16 created by this act.

****NOTE: This is reconciled SECTION 9155 (1). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1220 and LRB-1261.

17 ***-1261/5.9155*** (1m) INDIAN CHILD HIGH-COST OUT-OF-HOME CARE PLACEMENT
18 FUNDING. Notwithstanding section 16.54 (12) (b) of the statutes, as affected by
19 SECTION 95 of this act, and section 48.567 (1) and (2) of the statutes, as created by this
20 act, in fiscal year 2008-09 the department of children and families may expend not
21 more than \$500,000 in moneys received in fiscal year 2006-07 or 2007-08 and
22 credited to the appropriation accounts under section 20.437 (3) (mm) or (mp) of the
23 statutes, as created by this act, less any moneys expended under section 9121 (1m)

1 of this act for unexpected or unusually high-cost out-of-home care placements of
2 Indian children by tribal courts. The department of children and families may
3 expend moneys under this subsection only if that department determines in light of
4 overall child welfare needs and after paying federal disallowances under section
5 20.437 (3) (mm) of the statutes, as created by this act, that there are sufficient
6 moneys in the appropriation accounts under section 20.437 (3) (mm) and (mp) of the
7 statutes, as created by this act, to expend for that purpose.

****NOTE: This is reconciled SECTION 9155 (1m). This SECTION has been affected by
drafts with the following LRB numbers: -1221 and -1261.

8 ***-1272/5.9155*** (3) INITIAL TERMS OF BOARD MEMBERS. Notwithstanding the
9 lengths of terms of the members of the board of directors of the Healthy Wisconsin
10 Authority specified in section 238.05 (1) (intro.) of the statutes, as created by this act,
11 the initial members shall be appointed for the following terms:

12 (a) The 4 members specified under section 238.05 (1) (a) to (d) of the statutes,
13 as created by this act, for terms that expire on July 1, 2009.

14 (b) Four members specified under section 238.05 (1) (e) of the statutes, as
15 created by this act, for terms that expire on July 1, 2010.

16 (c) Five members specified under section 238.05 (1) (e) of the statutes, as
17 created by this act, for terms that expire on July 1, 2011.

18 (4) PROVISIONAL APPOINTMENTS OF BOARD MEMBERS. Notwithstanding the
19 requirement for senate confirmation of the appointment of the members of the board
20 of directors of the Healthy Wisconsin Authority under section 238.05 (1) (e) of the
21 statutes, as created by this act, the initial members may be provisionally appointed
22 by the governor, subject to confirmation by the senate. Any such appointment shall
23 be in full force until acted upon by the senate, and when confirmed by the senate shall

1 continue for the remainder of the term, or until a successor is chosen and qualifies.

2 A provisional appointee may exercise all of the powers and duties of the office to

3 which such person is appointed during the time in which the appointee qualifies.

4 Any appointment made under this subsection that is withdrawn or rejected by the

5 senate shall lapse. When a provisional appointment lapses, a vacancy occurs.

6 Whenever a new legislature is organized, any appointments then pending before the

7 senate shall be referred by the president to the appropriate standing committee of

8 the newly organized senate.

9 ***-1305/6.9201* SECTION 9201. Fiscal changes; Administration.**

10 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS
11 AND FUNDS.

12 (a) Notwithstanding sections 20.001 (3) (a) to (c) and 25.40 (3) of the statutes,
13 but subject to paragraph (b), the secretary of administration shall lapse to the
14 general fund or transfer to the general fund from the unencumbered balances of state
15 operations appropriations, other than sum sufficient appropriations and
16 appropriations of federal revenues, an amount equal to \$40,000,000 during each
17 fiscal year of the 2007-09 and 2009-11 fiscal biennia.

18 (b) The secretary of administration may not lapse or transfer moneys under
19 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal
20 government on the expenditure of the moneys or if the lapse or transfer would violate
21 the federal or state constitution.

22 ***-0566/1.9202* SECTION 9202. Fiscal changes; Aging and Long-Term
23 Care Board.**

24 ***-1713/1.9203* SECTION 9203. Fiscal changes; Agriculture, Trade and
25 Consumer Protection.**

1 (1) TRANSFER FROM AGRICULTURAL CHEMICAL CLEANUP FUND FOR FOOD REGULATION.
2 There is transferred from the agricultural chemical cleanup fund to the
3 appropriation account under section 20.115 (1) (gb) of the statutes \$250,000 in fiscal
4 year 2007-08 and \$100,000 in fiscal year 2008-09.

5 (2) TRANSFER FROM AGRICULTURAL CHEMICAL CLEANUP FUND FOR ANIMAL HEALTH
6 REGULATION. There is transferred from the agricultural chemical cleanup fund to the
7 appropriation account under section 20.115 (2) (ha) of the statutes \$125,000 in fiscal
8 year 2007-08 and \$125,000 in fiscal year 2008-09.

9 ***-0566/1.9204* SECTION 9204. Fiscal changes; Arts Board.**

10 ***-0566/1.9205* SECTION 9205. Fiscal changes; Building Commission.**

11 ***-0566/1.9206* SECTION 9206. Fiscal changes; Child Abuse and Neglect
12 Prevention Board.**

13 ***-0566/1.9207* SECTION 9207. Fiscal changes; Circuit Courts.**

14 ***-1528/1.9208* SECTION 9208. Fiscal changes; Commerce.**

15 (1) PETROLEUM INSPECTION FUND TRANSFER. There is transferred from the
16 petroleum inspection fund to the general fund \$4,000,000 in fiscal year 2007-08.

17 ***-0566/1.9209* SECTION 9209. Fiscal changes; Corrections.**

18 ***-0566/1.9210* SECTION 9210. Fiscal changes; Court of Appeals.**

19 ***-0566/1.9211* SECTION 9211. Fiscal changes; District Attorneys.**

20 ***-0566/1.9212* SECTION 9212. Fiscal changes; Educational
21 Communications Board.**

22 ***-0566/1.9213* SECTION 9213. Fiscal changes; Elections Board.**

23 ***-0566/1.9214* SECTION 9214. Fiscal changes; Employee Trust Funds.**

24 ***-0566/1.9215* SECTION 9215. Fiscal changes; Employment Relations
25 Commission.**

1 ***-0566/1.9216*** SECTION 9216. Fiscal changes; Ethics Board.

2 ***-0566/1.9217*** SECTION 9217. Fiscal changes; Financial Institutions.

3 ***-0566/1.9218*** SECTION 9218. Fiscal changes; Fox River Navigational
4 System Authority.

5 ***-0566/1.9219*** SECTION 9219. Fiscal changes; Governor.

6 ***-0566/1.9220*** SECTION 9220. Fiscal changes; Health and Educational
7 Facilities Authority.

8 ***-0566/1.9221*** SECTION 9221. Fiscal changes; Health and Family
9 Services.

10 ***-0566/1.9222*** SECTION 9222. Fiscal changes; Higher Educational Aids
11 Board.

12 ***-0566/1.9223*** SECTION 9223. Fiscal changes; Historical Society.

13 ***-0566/1.9224*** SECTION 9224. Fiscal changes; Housing and Economic
14 Development Authority.

15 ***-0388/3.9225*** SECTION 9225. Fiscal changes; Insurance.

16 (1) REPEAL OF SUPPORT SERVICES APPROPRIATION. The unencumbered balance in
17 the appropriation account under section 20.145 (1) (k), 2005 stats., is transferred to
18 the appropriation account under section 20.145 (1) (g) of the statutes, as affected by
19 this act.

20 ***-0892/11.9225*** (2) HEALTH CARE QUALITY FUND. Notwithstanding section
21 655.27 (6) of the statutes, there is transferred from the injured patients and families
22 compensation fund to the health care quality fund \$175,000,000 in fiscal year
23 2007-08.

24 ***-0566/1.9226*** SECTION 9226. Fiscal changes; Investment Board.

1 ***-0566/1.9227* SECTION 9227. Fiscal changes; Joint Committee on**
2 **Finance.**

3 ***-0566/1.9228* SECTION 9228. Fiscal changes; Judicial Commission.**

4 ***-0566/1.9229* SECTION 9229. Fiscal changes; Justice.**

5 ***-0566/1.9230* SECTION 9230. Fiscal changes; Legislature.**

6 ***-0566/1.9231* SECTION 9231. Fiscal changes; Lieutenant Governor.**

7 ***-0566/1.9232* SECTION 9232. Fiscal changes; Lower Wisconsin State**
8 **Riverway Board.**

9 ***-0566/1.9233* SECTION 9233. Fiscal changes; Medical College of**
10 **Wisconsin.**

11 ***-1309/2.9234* SECTION 9234. Fiscal changes; Military Affairs.**

12 (1) MAJOR DISASTER ASSISTANCE. In addition to the amounts in the schedule, in
13 the schedule under section 20.005 (3) of the statutes for the appropriation to the
14 department of military affairs under section 20.465 (3) (s) of the statutes, as affected
15 by the acts of 2007, the dollar amount is increased by an amount equal to the
16 unencumbered balance in the appropriation under section 20.465 (3) (s), 2005 stats.,
17 immediately before the lapse of any money remaining in that appropriation on June
18 30, 2007.

19 ***-0348/1.9235* SECTION 9235. Fiscal changes; Natural Resources.**

20 (1) RECREATIONAL BOATING AIDS LAPSE. Notwithstanding section 20.001 (3) (c) of
21 the statutes, on the effective date of this subsection, there is lapsed to the
22 conservation fund \$1,400,000 from the appropriation account to the department of
23 natural resources under section 20.370 (5) (cq) of the statutes.

24 (2) LAKE MANAGEMENT AND INVASIVE SPECIES CONTROL GRANTS LAPSE.
25 Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this

1 subsection, there is lapsed to the conservation fund \$150,000 from the appropriation
2 account to the department of natural resources under section 20.370 (6) (ar) of the
3 statutes.

4 (3) BOATING ACCESS LAPSE. Notwithstanding section 20.001 (3) (c) of the
5 statutes, on the effective date of this subsection, there is lapsed to the conservation
6 fund \$311,700 from the appropriation account to the department of natural
7 resources under section 20.370 (7) (ft) of the statutes.

8 (4) MISSISSIPPI AND ST. CROIX RIVERS MANAGEMENT LAPSE. Notwithstanding
9 section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is
10 lapsed to the conservation fund \$224,200 from the appropriation account to the
11 department of natural resources under section 20.370 (7) (fw) of the statutes.

12 ***-1452/1.9235*** (5) RECYCLING FUND TRANSFER. There is transferred from the
13 recycling fund to the general fund \$13,000,000 in fiscal year 2007-08 and
14 \$20,000,000 in fiscal year 2008-09.

15 ***-0566/1.9236* SECTION 9236. Fiscal changes; Public Defender Board.**

16 ***-0566/1.9237* SECTION 9237. Fiscal changes; Public Instruction.**

17 ***-0566/1.9238* SECTION 9238. Fiscal changes; Public Lands, Board of**
18 **Commissioners of.**

19 ***-0566/1.9239* SECTION 9239. Fiscal changes; Public Service**
20 **Commission.**

21 ***-0566/1.9240* SECTION 9240. Fiscal changes; Regulation and**
22 **Licensing.**

23 ***-1183/5.9241* SECTION 9241. Fiscal changes; Revenue.**

24 (1) PROPERTY ASSESSMENT MANUAL COSTS. Notwithstanding section 20.001 (3) (a)
25 to (c) of the statutes, the secretary of administration shall, during the 2008-09 fiscal

1 year, lapse to the general fund from the general program revenue appropriations
2 under section 20.566 of the statutes an amount equal to the amount by which the
3 amount credited to the appropriation account under section 20.566 (2) (hi) of the
4 statutes during the 2007-08 fiscal year exceeded the amount appropriated to the
5 department of revenue under section 20.566 (2) (hi) of the statutes in the 2007-08
6 fiscal year.

7 ***-0566/1.9242* SECTION 9242. Fiscal changes; Secretary of State.**

8 ***-0566/1.9243* SECTION 9243. Fiscal changes; State Employment**
9 **Relations, Office of.**

10 ***-0566/1.9244* SECTION 9244. Fiscal changes; State Fair Park Board.**

11 ***-0566/1.9245* SECTION 9245. Fiscal changes; Supreme Court.**

12 ***-0566/1.9246* SECTION 9246. Fiscal changes; Technical College**
13 **System.**

14 ***-0566/1.9247* SECTION 9247. Fiscal changes; Tourism.**

15 ***-0566/1.9248* SECTION 9248. Fiscal changes; Transportation.**

16 ***-0566/1.9249* SECTION 9249. Fiscal changes; Treasurer.**

17 ***-0566/1.9250* SECTION 9250. Fiscal changes; University of Wisconsin**
18 **Hospitals and Clinics Authority.**

19 ***-0566/1.9251* SECTION 9251. Fiscal changes; University of Wisconsin**
20 **Hospitals and Clinics Board.**

21 ***-0566/1.9252* SECTION 9252. Fiscal changes; University of Wisconsin**
22 **System.**

23 ***-0566/1.9253* SECTION 9253. Fiscal changes; Veterans Affairs.**

24 ***-0550/1.9254* SECTION 9254. Fiscal changes; Workforce Development.**

1 (1) UNEMPLOYMENT INSURANCE APPROPRIATION BALANCE TRANSFERS. The
2 unencumbered balances in the appropriation accounts under section 20.445 (1) (ge),
3 (gf), (gg), and (gi) of the statutes are transferred to the appropriation account under
4 section 20.445 (1) (gd) of the statutes, as affected by this act.

5 ***-0566/1.9255* SECTION 9255. Fiscal changes; other.**

6 ***-0566/1.9301* SECTION 9301. Initial applicability; Administration.**

7 ***-0566/1.9302* SECTION 9302. Initial applicability; Aging and**
8 **Long-Term Care Board.**

9 ***-0323/1.9303* SECTION 9303. Initial applicability; Agriculture, Trade**
10 **and Consumer Protection.**

11 (1) PLANT INDUSTRY PENALTIES. The renumbering and amendment of section
12 94.77 of the statutes and the creation of section 94.77 (2) and (3) of the statutes first
13 apply to violations committed on the effective date of this subsection.

14 ***-1465/2.9303* (2) FARMLAND PRESERVATION CONVERSION FEES.** The treatment
15 of sections 91.17 (1), (2), and (3), 91.19 (2) (intro.), (3), (5), (6t), (7), (7m), and (8) to
16 (13), 91.23, 91.75 (6), 91.77 (2), and 91.79 of the statutes first applies to land that is
17 released or relinquished from a farmland preservation agreement or rezoned from
18 exclusive agricultural zoning on the effective date of this subsection.

19 ***-0566/1.9304* SECTION 9304. Initial applicability; Arts Board.**

20 ***-0566/1.9305* SECTION 9305. Initial applicability; Building**
21 **Commission.**

22 ***-0566/1.9306* SECTION 9306. Initial applicability; Child Abuse and**
23 **Neglect Prevention Board.**

24 ***-0111/3.9307* SECTION 9307. Initial applicability; Circuit Courts.**

1 (1) COURT INTERPRETERS. The treatment of section 885.38 (3) (a) (intro.) and (8)
2 (a) (intro.) of the statutes first applies to actions commenced on the effective date of
3 this subsection.

4 ***-0304/3.9308* SECTION 9308. Initial applicability; Commerce.**

5 (1) WISCONSIN DEVELOPMENT FUND RESTRUCTURING. The treatment of sections
6 20.143 (1) (c) and (ie), 84.185 (1) (ce) and (cm), 243.01 (4n) (a) 3m. e., 292.11 (7) (d)
7 1m. b., 292.255, 560.045 (1), 560.135 (5) (a) and (b), 560.14 (1) (ar), 560.145, 560.147,
8 560.15 (2) (d), 560.16, 560.17 (1) (am) and (bm), 560.175, 560.26, 560.60 (1m), (1v),
9 (3), (3m), (4), (8), (10), (11), (13), (15), (17), and (18m), 560.605 (1) (intro.), (a), (b), (c),
10 (d), (e), (f), (g), (h), (i), and (p), (2) (intro.), (a), (b), (c), (d), (e), and (f), (2m) (intro.), (c),
11 (d), and (e), (4), (5), (5m), and (6), 560.607 (1), 560.61 (intro.), (1), and (3), 560.62,
12 560.63, 560.65, 560.66, and 560.68 (1m), (2m), (3), (6), and (7) (a) of the statutes, the
13 renumbering and amendment of section 560.68 (5) of the statutes, and the creation
14 of section 560.68 (5) (a) of the statutes first apply to applications for grants and loans
15 received on the effective date of this subsection.

16 ***-0293/2.9309* SECTION 9309. Initial applicability; Corrections.**

17 (1) REVOCATION OF CONDITIONAL RELEASE. The treatment of section 971.17 (3) (e)
18 of the statutes first applies to persons who are detained on the effective date of this
19 subsection.

20 ***-0566/1.9310* SECTION 9310. Initial applicability; Court of Appeals.**

21 ***-0566/1.9311* SECTION 9311. Initial applicability; District Attorneys.**

22 ***-0566/1.9312* SECTION 9312. Initial applicability; Educational**
23 **Communications Board.**

24 ***-0566/1.9313* SECTION 9313. Initial applicability; Elections Board.**

1 ***-1474/2.9314*** SECTION 9314. Initial applicability; Employee Trust
2 **Funds.**

3 (1) DOMESTIC PARTNER BENEFITS FOR STATE EMPLOYEES AND ANNUITANTS. The
4 treatment of section 40.02 (21c) and (21d) of the statutes, the renumbering and
5 amendment of section 40.02 (20) of the statutes, and the creation of section 40.02 (20)
6 (b) of the statutes first apply to coverage under group insurance plans offered by the
7 group insurance board on January 1, 2009.

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8 ***-0438/3.9315*** SECTION 9315. Initial applicability; Employment
9 **Relations Commission.**

10 (1) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (b), (dm),
11 (fm), and (nc) and (4) (cm) 5., 5s., 6. a. and am., 7., 7g., and 7r. (intro.), 8m. a., b., and
12 c., 8p., and 8s., (cn), and (d) 2. a. of the statutes first applies to petitions for arbitration
13 that relate to collective bargaining agreements that cover periods beginning on or
14 after July 1, 2007, and that are filed under section 111.70 (4) (cm) 6. of the statutes,
15 as affected by this act, on the effective date of this subsection.

16 ***-0566/1.9316*** SECTION 9316. Initial applicability; Ethics Board.

17 ***-0566/1.9317*** SECTION 9317. Initial applicability; Financial
18 **Institutions.**

19 ***-0566/1.9318*** SECTION 9318. Initial applicability; Fox River
20 **Navigational System Authority.**

21 ***-0566/1.9319*** SECTION 9319. Initial applicability; Governor.

22 ***-0566/1.9320*** SECTION 9320. Initial applicability; Health and
23 **Educational Facilities Authority.**

24 ***-0243/2.9321*** SECTION 9321. Initial applicability; Health and Family
25 **Services.**

1 (1) SERVICE PROVIDER AUDIT REQUIREMENT. The treatment of sections 46.036 (4)
2 (c) (by SECTION 821) and 301.08 (2)(d) 3. (by SECTION 3098) of the statutes first applies
3 to contracts entered into or renewed on the effective date of this subsection.

****NOTE: This is reconciled SECTION 9321 (1). This subsection has been affected
by drafts with the following LRB numbers: -0243/1 and -1261/2.

4 *-0244/1.9321* (2) NURSING HOME CONTESTED ACTION OR FORFEITURE TIME LIMITS.
5 The treatment of section 50.04 (4) (e) 1. and (5) (e) of the statutes first applies to a
6 violation of subchapter I of chapter 50 of the statutes or of a rule promulgated under
7 subchapter I of chapter 50 of the statutes that is committed on the effective date of
8 this subsection.

9 *-0261/6.9321* (3) OUT-OF-HOME PLACEMENTS OF CHILDREN.

10 (a) *Juvenile court reports.* The treatment of section 48.425 (1) (c) of the statutes
11 first applies to reports filed with the court assigned to exercise jurisdiction under
12 chapters 48 and 938 of the statutes on the effective date of this paragraph.

13 (b) *Orders placing child outside home.* The treatment of sections 48.21 (5) (c),
14 48.235 (4) (b) and (4m) (b), 48.355 (2) (b) 1. and 6g., 48.357 (1) (am) 3. and (c) 3., (2m)
15 (c), and (2v) (a) 1m., 48.38 (2) (intro.), 48.417 (2) (c), 48.43 (1) (am) and (cm), 767.41
16 (3) (a) (with respect to transferring legal custody of a child to the department of
17 health and family services) and (am), 767.451 (7) (with respect to transferring legal
18 custody of a child to the department of health and family services), 938.21 (5) (c),
19 938.235 (4) (b), 938.32 (1) (c) 1. d., 938.355 (2) (b) 1. and 6g., (6) (d) 1., and (6m) (a)
20 1g., 938.357 (1) (am) 3. and (c) 3., (2m) (c), and (2v) (a) 1m., and 938.38 (2) (intro.) of
21 the statutes, the renumbering and amendment of sections 48.21 (5) (b) 1., 48.32 (1)
22 (b) 1., and 938.21 (5) (b) 1. of the statutes and the creation of sections 48.21 (5) (b) 1.

1 d., 48.32 (1) (b) 1. d., and 938.21 (5) (b) 1. d. of the statutes first apply to court orders
2 granted on the effective date of this paragraph.

****NOTE: This is reconciled SECTION 9321 (3) (b). This SECTION has been affected
by drafts with the following LRB numbers: LRB-0261 and LRB-1261.

3 (c) *Voluntary agreements placing child outside home.* The treatment of sections
4 48.63 (1) and 48.75 (1g) (c) 1. of the statutes first applies to voluntary agreements
5 placing a child outside the home entered into on the effective date of this paragraph.

6 ***-0266/3.9321*** (4) MEDICAL ASSISTANCE ASSET TRANSFER CHANGES.

7 (a) *Eligibility changes.* The treatment of section 49.47 (4) (a) (intro.), (bm), and
8 (cr) of the statutes first applies to individuals who apply or are recertified for medical
9 assistance on the effective date of this paragraph.

10 (b) *Divestment changes.* The treatment of section 49.453 (1) (f) (intro.), 1., 2.,
11 and 2m. and (fm), (3) (b) (intro.) and (bc), (4) (a), (ac), (am), (b), (c), (cm), (d), (e), and
12 (em), (4c), and (4m) of the statutes, the renumbering and amendment of section
13 49.453 (3) (a) and (8) of the statutes, the creation of section 49.453 (3) (a) 2. and (8)
14 (b) of the statutes first apply to individuals who apply for or are receiving medical
15 assistance for nursing facility services or other long-term care services on the
16 effective date of this paragraph.

17 (c) *Continuing care contracts.* The treatment of section 647.05 (2m) of the
18 statutes first applies to contracts entered into on the effective date of this paragraph.

19 ***-0841/5.9321*** (5) BACKGROUND CHECKS OF FOSTER AND ADOPTIVE HOMES. The
20 treatment of sections 48.685 (1) (bg) and (d), (2) (b) 1. (intro.) and (c), (3) (a) and (b),
21 (4m) (b) (intro.), and (5) (a) and (bm) (intro.), and 48.88 (2) (am) of the statutes first
22 applies to a person who applies for a license to operate a foster home or treatment

1 foster home or for an investigation of a proposed adoptive home on the effective date
2 of this subsection.

3 ***-0904/2.9321*** (6) APPROVAL OF FINANCIAL ASSISTANCE. The treatment of
4 sections 146.75 (3) (d), 146.76, 231.03 (intro.), and 231.035 of the statutes first
5 applies to applications for financial assistance made by a health facility or
6 participating health institution under section 231.03 of the statutes, as affected by
7 this act, on the effective date of this subsection.

8 ***-0994/P2.9321*** (7) DISPROPORTIONATE SHARE HOSPITALS. The treatment of
9 sections 49.02 (2) (c) and 49.45 (6z) (a) (by SECTION 1530) of the statutes first applies
10 to indigent care agreements entered into on the effective date of this subsection.

****NOTE: This is reconciled SECTION 9321 (7). This subsection has been affected
by drafts with the following LRB numbers: -0892/9, -0994/P1, and -1521/5.

11 ***-1311/1.9321*** (8) SOCIAL SECURITY NUMBER EXEMPTION. The renumbering and
12 amendment of section 49.82 (2) of the statutes and the creation of section 49.82 (2)
13 (b) of the statutes first apply to applications received on the effective date of this
14 subsection.

15 ***-1548/3.9321*** (9) INSURANCE CLAIM INTERCEPT. If any insurance policy that is
16 in effect on the effective date of this subsection contains a provision that is
17 inconsistent with the treatment of section 49.895 of the statutes, the treatment of
18 section 49.895 of the statutes first applies to that policy on the date on which it is
19 renewed.

20 ***-0191/1.9322*** SECTION 9322. Initial applicability; Higher Educational
21 Aids Board.

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1 (1) WISCONSIN HIGHER EDUCATION GRANTS. The treatment of section 39.435 (3)
2 of the statutes first applies to Wisconsin higher education grants awarded by the
3 higher educational aids board for the 2007-08 academic year.

4 ***-0192/2.9322*** (2) REMISSION OF FEES FOR VETERANS AND DEPENDENTS. The
5 treatment of sections 20.235 (1) (fz), 36.27 (3n) (c) and (3p) (c), 38.24 (7) (c) and (8)
6 (c), and 39.50 of the statutes first applies to students who enroll for classes in the
7 ~~2008-09~~ academic year.

8 ***-0201/4.9322*** (3) WISCONSIN COVENANT SCHOLARS PROGRAM. The treatment
9 of sections 20.235 (1) (fm) and 39.437 of the statutes first applies to students who
10 enroll in a public or private, nonprofit, accredited, institution of higher education or
11 in a tribally controlled college in this state in the 2011-12 academic year.

12 ***-0566/1.9323*** SECTION 9323. Initial applicability; Historical Society.

13 ***-0566/1.9324*** SECTION 9324. Initial applicability; Housing and
14 Economic Development Authority.

15 ***-1457/3.9325*** SECTION 9325. Initial applicability; Insurance.

16 (1) HEALTH INSURANCE; TREATMENT RESTRICTION OR TERMINATION; CLAIM FORMS.

17 (a) Except as provided in paragraph (b), the treatment of sections 632.726,
18 632.857, and 632.875 (2) (g) of the statutes first applies to claims for insurance
19 coverage that are submitted to an insurer on the effective date of this paragraph.

20 (b) If a health insurance policy or plan that is in effect on the effective date of
21 this paragraph contains a provision that is inconsistent with the treatment of section
22 632.726, 632.857, or 632.875 (2) (g) of the statutes, the treatment of section 632.726,
23 632.857, or 632.875 (2) (g) of the statutes, whichever is applicable, first applies to
24 that health insurance policy or plan on the date on which it is renewed.

1 ***-1553/P2.9325*** (2) COVERAGE OF TREATMENT FOR AUTISM SPECTRUM DISORDERS.

2 The treatment of sections 40.51 (8) and (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2)
3 (g), 185.981 (4t), 185.983 (1) (intro.), 609.87, and 632.895 (15) of the statutes first
4 applies to all of the following:

5 (a) Except as provided in paragraphs (b) and (c), disability insurance policies
6 that are issued or renewed, and self-insured governmental or school district health
7 plans that are established, extended, modified, or renewed, on the effective date of
8 this paragraph.

9 (b) Disability insurance policies covering employees who are affected by a
10 collective bargaining agreement containing provisions inconsistent with this act
11 that are issued or renewed on the earlier of the following:

- 12 1. The day on which the collective bargaining agreement expires.
13 2. The day on which the collective bargaining agreement is extended, modified,
14 or renewed.

15 (c) Self-insured governmental or school district health plans covering
16 employees who are affected by a collective bargaining agreement containing
17 provisions inconsistent with this act that are established, extended, modified, or
18 renewed on the earlier of the following:

- 19 1. The day on which the collective bargaining agreement expires.
20 2. The day on which the collective bargaining agreement is extended, modified,
21 or renewed.

22 ***-1561/1.9325*** (3) LIMITS FOR MENTAL HEALTH AND DRUG ABUSE COVERAGE. The
23 treatment of section 632.89 (1) (am) and (2) (b) 1., (c) 2. b., (d) 2., (dm) 2., and (f) of
24 the statutes first applies to a policy issued, renewed, or modified on the first day of
25 the 13th month beginning after publication.

1 *-0566/1.9326* SECTION 9326. Initial applicability; Investment Board.

2 *-0566/1.9327* SECTION 9327. Initial applicability; Joint Committee on
3 Finance.

4 *-0566/1.9328* SECTION 9328. Initial applicability; Judicial
5 Commission.

6 *-0353/2.9329* SECTION 9329. Initial applicability; Justice.

7 (1) HAZARDOUS WASTE COST RECOVERY. The treatment of section 291.97 (3) of the
8 statutes first applies to actions commenced on the effective date of this subsection.

9 *-0444/P2.9329* (2) FALSE CLAIMS. The treatment of sections 16.771, 16.871,
10 23.41 (5), 25.18 (1) (a), (f), and (m), 66.0902. 84.01 (13), 84.06 (2) (a), (3), and (4),
11 85.015, 102.81 (2), 221.0903 (4) (b), and 655.27 (2) of the statutes first applies with
12 respect to false claims that are presented or caused to be presented on the effective
13 date of this subsection.

14 *-1315/2.9329* (3) FIREARMS RESTRICTIONS RECORD SEARCH. The treatment of
15 section 175.35 (2i) of the statutes first applies to firearms restrictions record searches
16 requested on the effective date of this subsection.

17 *-1537/4.9329* (4) SEXUAL ASSAULT FORENSIC EXAMS. The treatment of section
18 20.455 (5) (d) of the statutes and subchapter II of chapter 949 of the statutes first
19 applies to examinations conducted on the effective date of this subsection.

20 *-1577/2.9329* (5) PENALTY SURCHARGE. The treatment of section 757.05 (1) (a)
21 of the statutes first applies to offenses committed on the effective date of this
22 subsection.

23 *-0566/1.9330* SECTION 9330. Initial applicability; Legislature.

24 *-0566/1.9331* SECTION 9331. Initial applicability; Lieutenant
25 Governor.