

1 *-1261/5.463* *-1261/P3.408* SECTION 1312. 48.57 (3p) (g) 3. of the statutes
2 is amended to read:

3 48.57 (3p) (g) 3. The person has been convicted of a violation of ch. 940, 944m
4 or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45, 948.63m or 948.70,
5 or of a violation of the law of any other state or federal law that would be a violation
6 of ch. 940, 944m or 948, other than a violation of s. 940.291, 940.34, 944.36, 948.45,
7 948.63m or 948.70, if committed in this state, except that a county department or,
8 in a county having a population of 500,000 or more, the department of ~~health and~~
9 ~~family services~~ may make payments to a person applying for payments under sub.
10 (3m) and a person receiving payments under sub. (3m) may employ in a position in
11 which the person would have regular contact with the child for whom those payments
12 are being made or permit to be an adult resident a person who has been convicted
13 of a violation of s. 944.30, 944.31, or 944.33 or of a violation of the law of any other
14 state or federal law that would be a violation of s. 944.30, 944.31, or 944.33 if
15 committed in this state, if that violation occurred 20 years or more before the date
16 of the investigation.

17 *-1261/5.464* *-1261/P3.409* SECTION 1313. 48.57 (3p) (h) 2. of the statutes
18 is amended to read:

19 48.57 (3p) (h) 2. The request for review shall be filed with the director of the
20 county department or, in a county having a population of 500,000 or more, with the
21 person designated by the secretary of ~~health and family services~~ to receive requests
22 for review filed under this subdivision. If the governing body of a federally
23 recognized American Indian tribe or band has entered into an agreement under sub.
24 (3t) to administer the program under this subsection and sub. (3m), the request for

1 review shall be filed with the person designated by that governing body to receive
2 requests for review filed under this subdivision.

3 ***-1261/5.465* *-1261/P3.410* SECTION 1314.** 48.57 (3p) (h) 3. (intro.) of the
4 statutes is amended to read:

5 48.57 (3p) (h) 3. (intro.) The director of the county department, the person
6 designated by the governing body of a federally recognized American Indian tribe or
7 band or, in a county having a population of 500,000 or more, the person designated
8 by the secretary of health and family services shall review the denial of payments or
9 the prohibition on employment or being an adult resident to determine if the
10 conviction record on which the denial or prohibition is based includes any arrests,
11 convictions, or penalties that are likely to adversely affect the child or the ability of
12 the kinship care relative to care for the child. In reviewing the denial or prohibition,
13 the director of the county department, the person designated by the governing body
14 of the federally recognized American Indian tribe or band or the person designated
15 by the secretary of health and family services shall consider, but not be limited to,
16 all of the following factors:

17 ***-1261/5.466* *-1261/P3.411* SECTION 1315.** 48.57 (3p) (h) 4. of the statutes
18 is amended to read:

19 48.57 (3p) (h) 4. If the director of the county department, the person designated
20 by the governing body of the federally recognized American Indian tribe or band or,
21 in a county having a population of 500,000 or more, the person designated by the
22 secretary of health and family services determines that the conviction record on
23 which the denial of payments or the prohibition on employment or being an adult
24 resident is based does not include any arrests, convictions, or penalties that are likely
25 to adversely affect the child or the ability of the kinship care relative to care for the

1 child, the director of the county department, the person designated by the governing
2 body of the federally recognized American Indian tribe or band, or the person
3 designated by the secretary of health and family services may approve the making
4 of payments under sub. (3m) or may permit a person receiving payments under sub.
5 (3m) to employ a person in a position in which that person would have regular contact
6 with the child for whom payments are being made or permit a person to be an adult
7 resident.

8 ***-1261/5.467*** ***-1261/P3.412*** SECTION 1316. 48.57 (3p) (i) of the statutes is
9 amended to read:

10 48.57 (3p) (i) A county department and, in a county having a population of
11 500,000 or more, the department of health and family services shall keep
12 confidential all information received under this subsection from the department of
13 justice or the federal bureau of investigation. Such information is not subject to
14 inspection or copying under s. 19.35.

15 ***-1261/5.468*** ***-1261/P3.413*** SECTION 1317. 48.57 (3p) (j) of the statutes is
16 amended to read:

17 48.57 (3p) (j) A county department or, in a county having a population of
18 500,000 or more, the department of health and family services may charge a fee for
19 conducting a background investigation under this subsection. The fee may not
20 exceed the reasonable cost of conducting the investigation.

21 ***-1261/5.469*** ***-1261/P3.414*** SECTION 1318. 48.576 of the statutes is created
22 to read:

23 **48.576 Shelter care facilities; general supervision and inspection by**
24 **department.** (1) GENERALLY. The department shall investigate and supervise all

1 shelter care facilities and familiarize itself with all the circumstances affecting their
2 management and usefulness.

3 (2) INSPECTIONS. The department shall inquire into the methods of treatment,
4 instruction, government, and management of children placed in shelter care
5 facilities; the conduct of the trustees, managers, directors, superintendents, and
6 other officers and employees of those facilities; the condition of the buildings,
7 grounds, and all other property pertaining to those facilities; and all other matters
8 pertaining to the usefulness and management of those facilities; and recommend to
9 the officers in charge such changes and additional provisions as the department
10 considers proper.

11 (3) FREQUENCY OF INSPECTIONS. The department shall inspect and investigate
12 each shelter care facility at least annually and, when directed by the governor, the
13 department shall conduct a special investigation into a shelter care facility's
14 management, or anything connected with its management, and report to the
15 governor the testimony taken, the facts found, and conclusions drawn.

16 (4) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon request
17 of the department, the attorney general or the district attorney of the proper county
18 shall aid in any investigation, inspection, hearing, or trial had under the provisions
19 of this chapter relating to powers of the department, and shall institute and
20 prosecute all necessary actions or proceedings for the enforcement of those
21 provisions and for the punishment of violations of those provisions. The attorney
22 general or district attorney so requested shall report or confer with the department
23 regarding the request, within 30 days after the receipt of the request.

24 (5) OPPORTUNITY TO INSPECT. All trustees, managers, directors,
25 superintendents, and other officers or employees of a shelter care facility shall at all

1 times afford to every member of the department and its agents unrestrained facility
2 for inspection of and free access to all parts of the buildings and grounds and to all
3 books and papers of the shelter care facility, and shall give, either verbally or in
4 writing, such information as the department requires. Any person who violates this
5 subsection shall forfeit not less than \$10 nor more than \$100.

6 (6) TESTIMONIAL POWER; EXPENSES. The department or any person delegated by
7 the department may administer oaths, take testimony, and cause depositions to be
8 taken. All expenses of the investigations, including fees of officers and witnesses,
9 shall be charged to the appropriation for the department.

10 (7) STATISTICS TO BE FURNISHED. Whenever the department is required to collect
11 statistics, the person or agency shall furnish the required statistics on request.

12 *-1261/5.470* *-1261/P3.415* SECTION 1319. 48.578 of the statutes is created
13 to read:

14 **48.578 Shelter care facilities; establishment, approval, inspection. (1)**
15 The department shall fix reasonable standards and regulations for the design,
16 construction, repair, and maintenance of shelter care facilities, with respect to their
17 adequacy and fitness for the needs that they are to serve.

18 (2) The selection and purchase of the site, and the plans, specifications, and
19 erection of buildings for shelter care facilities shall be subject to the review and
20 approval of the department. Department review shall include review of the proposed
21 program to be carried out by the shelter care facility.

22 (3) Before any shelter care facility is occupied, and at least annually thereafter,
23 the department shall inspect the shelter care facility, with respect to safety,
24 sanitation, adequacy, and fitness, and report to the authorities managing the shelter
25 care facility any deficiency found, and order the necessary work to correct that

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1 deficiency. If within 6 months after the inspection the work is not commenced, or not
2 completed within a reasonable period after commencement of the work, to the
3 satisfaction of the department, the department shall suspend the allowance of state
4 aid for, and prohibit the use of the shelter care facility, until the order is complied
5 with.

6 ***-1261/5.471* *-1261/P3.416* SECTION 1320.** 48.60 (3) of the statutes is
7 amended to read:

8 48.60 (3) Before issuing or continuing any license to a child welfare agency
9 under this section, the department of health and family services shall review the
10 need for the additional placement resources that would be made available by
11 licensing or continuing the license of any child welfare agency after August 5, 1973,
12 providing care authorized under s. 48.61 (3). Neither the department of health and
13 family services nor the department of corrections may make any placements to any
14 child welfare agency where the departmental review required under this subsection
15 has failed to indicate the need for the additional placement resources.

16 ***-0259/1.1* SECTION 1321.** 48.62 (4) of the statutes is amended to read:

17 48.62 (4) Monthly payments in foster care shall be provided according to the
18 age-related rates specified in this subsection. Beginning on January 1, 2006, the
19 age-related rates are \$317 for a child under 5 years of age; \$346 for a child 5 to 11
20 years of age; \$394 for a child 12 to 14 years of age; and \$411 2008, the age-related
21 rates are \$333 for a child under 5 years of age; \$363 for a child 5 to 11 years of age;
22 \$414 for a child 12 to 14 years of age; and \$432 for a child 15 years of age or over.
23 Beginning on January 1, 2009, the age-related rates are \$349 for a child under 5
24 years of age; \$381 for a child 5 to 11 years of age; \$433 for a child 12 to 14 years of
25 age; and \$452 for a child 15 years of age or over. In addition to these grants for basic

1 maintenance, the department shall make supplemental payments for special needs,
2 exceptional circumstances, care in a treatment foster home, and initial clothing
3 allowances according to rules promulgated by the department.

4 ***-1261/5.472* *-1261/P3.417* SECTION 1322.** 48.62 (5) (d) of the statutes is
5 amended to read:

6 48.62 (5) (d) The department shall request from the secretary of the federal
7 department of health and human services a waiver of the requirements under 42
8 USC 670 to 679a that would authorize the state to receive federal foster care and
9 adoption assistance reimbursement under 42 USC 670 to 679a for the costs of
10 providing care for a child who is in the care of a guardian who was licensed as the
11 child's foster parent or treatment foster parent before the guardianship appointment
12 and who has entered into a subsidized guardianship agreement with the county
13 department or department. If the waiver is approved for a county having a
14 population of 500,000 or more, the department shall provide the monthly payments
15 under par. (a) from the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cx), (gx), (kw),
16 and (mx). If the waiver is approved for any other county, the department shall
17 determine which counties are authorized to provide monthly payments under par.
18 (a) or (b), and the county departments of those counties shall provide those payments
19 from moneys received under s. ~~46.495~~ 48.569 (1) (d).

20 ***-1261/5.473* *-1261/P3.418* SECTION 1323.** 48.627 (2) (c) of the statutes is
21 amended to read:

22 48.627 (2) (c) The department shall conduct a study to determine the
23 cost-effectiveness of purchasing insurance to provide standard homeowner's or
24 renter's liability insurance coverage for applicants who are granted a waiver under
25 par. (b). If the department determines that it would be cost-effective to purchase

1 such insurance, it may purchase the insurance from the appropriations under s.
2 ~~20.435 (3)~~ 20.437 (1) (cf) and (pd).

3 ***-1261/5.474* *-1261/P3.419* SECTION 1324.** 48.627 (2c) of the statutes is
4 amended to read:

5 48.627 (2c) The department shall determine the cost-effectiveness of
6 purchasing private insurance that would provide coverage to foster, treatment foster,
7 and family-operated group home parents for acts or omissions by or affecting a child
8 who is placed in a foster home, a treatment foster home, or a family-operated group
9 home. If this private insurance is cost-effective and available, the department shall
10 purchase the insurance from the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cf)
11 and (pd). If the insurance is unavailable, payment of claims for acts or omissions by
12 or affecting a child who is placed in a foster home, a treatment foster home, or a
13 family-operated group home shall be in accordance with subs. (2m) to (3).

14 ***-1261/5.475* *-1261/P3.420* SECTION 1325.** 48.627 (2m) of the statutes is
15 amended to read:

16 48.627 (2m) Within the limits of the appropriations under s. ~~20.435 (3)~~ 20.437
17 (1) (cf) and (pd), the department shall pay claims to the extent not covered by any
18 other insurance and subject to the limitations specified in sub. (3), for bodily injury
19 or property damage sustained by a licensed foster, treatment foster, or
20 family-operated group home parent or a member of the foster, treatment foster, or
21 family-operated group home parent's family as a result of the act of a child in the
22 foster, treatment foster, or family-operated group home parent's care.

23 ***-1261/5.476* *-1261/P3.421* SECTION 1326.** 48.627 (2s) (intro.) of the
24 statutes is amended to read:

1 48.627 (2s) (intro.) Within the limits of the appropriations under s. ~~20.435 (3)~~
2 20.437 (1) (cf) and (pd), the department may pay claims to the extent not covered by
3 any other insurance and subject to the limitations specified in sub. (3), for all of the
4 following:

5 ***-1261/5.477* *-1261/P3.422* SECTION 1327.** 48.627 (3) (f) of the statutes is
6 amended to read:

7 48.627 (3) (f) If the total amount of the claims approved during any calendar
8 quarter exceeds 25% of the total funds available during the fiscal year for purposes
9 of this subsection plus any unencumbered funds remaining from the previous
10 quarter, the department shall prorate the available funds among the claimants with
11 approved claims. The department shall also prorate any unencumbered funds
12 remaining in the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (cf) at the end of each
13 fiscal year among the claimants whose claims were prorated during the fiscal year.
14 Payment of a prorated amount from unencumbered funds remaining at the end of
15 the fiscal year constitutes a complete payment of the claim for purposes of this
16 program, but does not prohibit a foster parent or treatment foster parent from
17 submitting a claim under s. 16.007 for the unpaid portion.

18 ***-1261/5.478* *-1261/P3.423* SECTION 1328.** 48.627 (4) of the statutes is
19 amended to read:

20 48.627 (4) Except as provided in s. 895.485, the department is not liable for any
21 act or omission by or affecting a child who is placed in a foster home, treatment foster
22 home, or family-operated group home, but shall, as provided in this section, pay
23 claims described under sub. (2m) and may pay claims described under sub. (2s) or
24 may purchase insurance to cover such claims as provided for under sub. (2c), within
25 the limits of the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (cf) and (pd).

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1 *-0261/6.21* SECTION 1329. 48.63 (1) of the statutes is amended to read:

2 48.63 (1) Acting under court order or voluntary agreement, the child's parent
3 or guardian or the department of health and family services, the department of
4 corrections, a county department, or a child welfare agency licensed to place children
5 in foster homes, treatment foster homes, or group homes may place a child or
6 negotiate or act as intermediary for the placement of a child in a foster home,
7 treatment foster home, or group home. Voluntary agreements under this subsection
8 may not be used for placements in facilities other than foster, treatment foster, or
9 group homes and may not be extended. A foster home or treatment foster home
10 placement under a voluntary agreement may not exceed 180 days from the date on
11 which the child was removed from the home under the voluntary agreement. A group
12 home placement under a voluntary agreement may not exceed 15 days from the date
13 on which the child was removed from the home under the voluntary agreement,
14 except as provided in sub. (5). These time limitations do not apply to placements
15 made under s. 48.345, 938.183, 938.34, or 938.345. Voluntary agreements may be
16 made only under this subsection and sub. (5) (b) and shall be in writing and shall
17 specifically state that the agreement may be terminated at any time by the parent
18 or guardian or by the child if the child's consent to the agreement is required. The
19 child's consent to the agreement is required whenever the child is 12 years of age or
20 older. If a county department, the department, or the department of corrections
21 places a child or negotiates or acts as intermediary for the placement of a child under
22 this subsection, the voluntary agreement shall also specifically state that the county
23 department, department, or department of corrections has placement and care
24 responsibility for the child as required under 42 USC 672 (a) (2) and has primary
25 responsibility for providing services to the child.

1 ***-1261/5.479* *-1261/P3.425* SECTION 1330.** 48.64 (1) of the statutes is
2 amended to read:

3 48.64 (1) DEFINITION. In this section, "agency" means the department of health
4 and family services, the department of corrections, a county department, or a
5 licensed child welfare agency authorized to place children in foster homes, treatment
6 foster homes, or group homes.

7 ***-1261/5.480* *-1267/P1.91* SECTION 1331.** 48.651 (1) (intro.) of the statutes
8 is amended to read:

9 48.651 (1) (intro.) Each county department shall certify, according to the
10 standards adopted by the department of workforce development under s. 49.155 (1d),
11 each day care provider reimbursed for child care services provided to families
12 determined eligible under s. 49.155, unless the provider is a day care center licensed
13 under s. 48.65 or is established or contracted for under s. 120.13 (14). Each county
14 may charge a fee to cover the costs of certification. To be certified under this section,
15 a person must meet the minimum requirements for certification established by the
16 department of workforce development under s. 49.155 (1d), meet the requirements
17 specified in s. 48.685 and pay the fee specified in this section. The county shall certify
18 the following categories of day care providers:

19 ***-1261/5.481* *-1267/P1.92* SECTION 1332.** 48.651 (1) (a) of the statutes is
20 amended to read:

21 48.651 (1) (a) Level I certified family day care providers, as established by the
22 department of workforce development under s. 49.155 (1d). No county may certify
23 a provider under this paragraph if the provider is a relative of all of the children for
24 whom he or she provides care.

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1 *-1261/5.482* *-1267/P1.93* SECTION 1333. 48.651 (1) (b) of the statutes is
2 amended to read:

3 48.651 (1) (b) Level II certified family day care providers, as established by the
4 department of workforce development, under s. 49.155 (1d).

5 *-1261/5.483* SECTION 1334. 48.651 (2m) of the statutes is amended to read:

6 48.651 (2m) Each county department shall provide the department of health
7 and family services with information about each person who is denied certification
8 for a reason specified in s. 48.685 (4m) (a) 1. to 5.

9 *-1220/5.1* SECTION 1335. 48.658 of the statutes is created to read:

10 **48.658 Child care quality rating system.** The department of workforce
11 development shall provide a child care quality rating system that rates the quality
12 of the child care provided by a child care provider licensed under s. 48.65 that receives
13 reimbursement under s. 49.155 for the child care provided or that volunteers for
14 rating under this section. The department of workforce development shall make the
15 rating information provided under that system available to the parents, guardians,
16 and legal custodians of children who are recipients, or prospective recipients, of care
17 and supervision from a child care provider that is rated under this section, including
18 making that information available on the department of workforce development's
19 Internet site.

20 *-1261/5.484* SECTION 1336. 48.658 of the statutes, as created by 2007
21 Wisconsin Act (this act), is amended to read:

22 **48.658 Child care quality rating system.** The department of workforce
23 development shall provide a child care quality rating system that rates the quality
24 of the child care provided by a child care provider licensed under s. 48.65 that receives
25 reimbursement under s. 49.155 for the child care provided or that volunteers for

1 rating under this section. The department of workforce development shall make the
2 rating information provided under that system available to the parents, guardians,
3 and legal custodians of children who are recipients, or prospective recipients, of care
4 and supervision from a child care provider that is rated under this section, including
5 making that information available on the department of workforce development's
6 department's Internet site.

****NOTE: This is reconciled s. 48.658. This SECTION has been affected by drafts
with the following LRB numbers: -1220 and -1261.

7 ***-1261/5.485* *-1261/P3.426* SECTION 1337.** 48.66 (1) (a) of the statutes is
8 amended to read:

9 48.66 (1) (a) Except as provided in s. 48.715 (6) and (7), the department shall
10 license and supervise child welfare agencies, as required by s. 48.60, group homes,
11 as required by s. 48.625, shelter care facilities, as required by s. 938.22, and day care
12 centers, as required by s. 48.65. The department may license foster homes or
13 treatment foster homes, as provided by s. 48.62, and may license and supervise
14 county departments in accordance with the procedures specified in this section and
15 in ss. 48.67 to 48.74. In the discharge of this duty the department may inspect the
16 records and visit the premises of all child welfare agencies, group homes, shelter care
17 facilities, and day care centers and visit the premises of all foster homes and
18 treatment foster homes in which children are placed.

19 ***-1261/5.486* *-1261/P3.427* SECTION 1338.** 48.66 (2m) (a) 1. of the statutes
20 is amended to read:

21 48.66 (2m) (a) 1. Except as provided in subd. 2., the department of health and
22 family services shall require each applicant for a license under sub. (1) (a) to operate
23 a child welfare agency, group home, shelter care facility, or day care center who is an

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1 individual to provide that department with the applicant's social security number,
2 and shall require each applicant for a license under sub. (1) (a) to operate a child
3 welfare agency, group home, shelter care facility, or day care center who is not an
4 individual to provide that department with the applicant's federal employer
5 identification number, when initially applying for or applying to continue the license.

6 *~~1261/5.487~~* *~~1261/P3.428~~* SECTION 1339. 48.66 (2m) (a) 2. of the statutes
7 is amended to read:

8 48.66 (2m) (a) 2. If an applicant who is an individual does not have a social
9 security number, the applicant shall submit a statement made or subscribed under
10 oath or affirmation to the department of health and family services that the
11 applicant does not have a social security number. The form of the statement shall
12 be prescribed by the department of workforce development. A license issued in
13 reliance upon a false statement submitted under this subdivision is invalid.

14 *~~1261/5.488~~* *~~1261/P3.429~~* SECTION 1340. 48.66 (2m) (am) 2. of the
15 statutes is amended to read:

16 48.66 (2m) (am) 2. If an applicant who is an individual does not have a social
17 security number, the applicant shall submit a statement made or subscribed under
18 oath or affirmation to the department of corrections that the applicant does not have
19 a social security number. The form of the statement shall be prescribed by the
20 department of workforce development. A license issued in reliance upon a false
21 statement submitted under this subdivision is invalid.

22 *~~1261/5.489~~* *~~1261/P3.430~~* SECTION 1341. 48.66 (2m) (b) of the statutes is
23 amended to read:

24 48.66 (2m) (b) If an applicant who is an individual fails to provide the
25 applicant's social security number to the department of health and family services

1 or if an applicant who is not an individual fails to provide the applicant's federal
2 employer identification number to ~~that~~ the department, that department may not
3 issue or continue a license under sub. (1) (a) to operate a child welfare agency, group
4 home, shelter care facility, or day care center to or for the applicant unless the
5 applicant is an individual who does not have a social security number and the
6 applicant submits a statement made or subscribed under oath or affirmation as
7 required under par. (a) 2.

8 *~~1261/5.490~~* *~~1261/P3.431~~* SECTION 1342. 48.66 (2m) (c) of the statutes is
9 amended to read:

10 48.66 (2m) (c) The subunit of the department of health and family services that
11 obtains a social security number or a federal employer identification number under
12 par. (a) 1. may not disclose any ~~that~~ information obtained under par. (a) 1. to any
13 person except to the department of revenue for the sole purpose of requesting
14 certifications under s. 73.0301 or on the request of the subunit of the department of
15 workforce development that administers the child and spousal support program
16 under s. 49.22 (2m).

17 *~~1261/5.491~~* *~~1267/P1.97~~* SECTION 1343. 48.66 (2m) (cm) of the statutes
18 is amended to read:

19 48.66 (2m) (cm) The department of corrections may not disclose any
20 information obtained under par. (am) 1. to any person except on the request of the
21 department of ~~workforce development~~ under s. 49.22 (2m).

22 *~~1261/5.492~~* *~~1261/P3.432~~* SECTION 1344. 48.675 (3) (intro.) of the
23 statutes is amended to read:

24 48.675 (3) SUPPORT SERVICES. (intro.) The department shall provide funds from
25 the appropriation under s. ~~20.435 (6)~~ 20.437 (1) (a) to enable foster parents and

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1 treatment foster parents to attend education programs approved under sub. (2) and
2 shall promulgate rules concerning disbursement of the funds. Moneys disbursed
3 under this subsection may be used for the following purposes:

4 ***-0841/5.1* SECTION 1345.** 48.685 (1) (bg) of the statutes is repealed.

5 ***-0841/5.2* SECTION 1346.** 48.685 (1) (d) of the statutes is repealed.

6 ***-1261/5.493* SECTION 1347.** 48.685 (2) (am) 5. of the statutes is amended to
7 read:

8 48.685 (2) (am) 5. Information maintained by the department of health and
9 family services under this section and under ss. 48.651 (2m), 48.75 (1m), and 120.13
10 (14) regarding any denial to the person of a license, continuation or renewal of a
11 license, certification, or a contract to operate an entity for a reason specified in sub.
12 (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract
13 with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to
14 5. If the information obtained under this subdivision indicates that the person has
15 been denied a license, continuation or renewal of a license, certification, a contract,
16 employment, or permission to reside as described in this subdivision, the
17 department, a county department, a child welfare agency or a school board need not
18 obtain the information specified in subds. 1. to 4.

19 ***-0841/5.3* SECTION 1348.** 48.685 (2) (b) 1. (intro.) of the statutes is amended
20 to read:

21 48.685 (2) (b) 1. (intro.) Every entity shall obtain all of the following with
22 respect to a caregiver specified in sub. (1) (ag) 1. a. of the entity:

23 ***-1261/5.494* SECTION 1349.** 48.685 (2) (b) 1. e. of the statutes is amended to
24 read:

1 48.685 (2) (b) 1. e. Information maintained by the department of health and
2 family services under this section and under ss. 48.651 (2m), 48.75 (1m), and 120.13
3 (14) regarding any denial to the person of a license, continuation or renewal of a
4 license, certification, or a contract to operate an entity for a reason specified in sub.
5 (4m) (a) 1. to 5. and regarding any denial to the person of employment at, a contract
6 with, or permission to reside at an entity for a reason specified in sub. (4m) (b) 1. to
7 5. If the information obtained under this subd. 1. e. indicates that the person has
8 been denied a license, continuation or renewal of a license, certification, a contract,
9 employment, or permission to reside as described in this subd. 1. e., the entity need
10 not obtain the information specified in subd. 1. a. to d.

11 ***-0841/5.4* SECTION 1350.** 48.685 (2) (c) of the statutes is created to read:

12 48.685 (2) (c) 1. If the person who is the subject of the search under par. (am)
13 is seeking an initial license to operate a foster home or treatment foster home or is
14 seeking relicensure after a break in licensure, the department, county department,
15 or child welfare agency shall request under 42 USC 16962 (b) a fingerprint-based
16 check of the national crime information databases, as defined in 28 USC 534 (f) (3)
17 (A). The department, county department, or child welfare agency may release any
18 information obtained under this subdivision only as permitted under 42 USC 16962
19 (e).

20 2. If the person who is the subject of the search under par. (am) is seeking a
21 license to operate a foster home or treatment foster home or is an adult nonclient
22 resident of the foster home or treatment foster home and if the person is not, or at
23 any time within the 5 years preceding the date of the search has not been, a resident
24 of this state, the department, county department, or child welfare agency shall check
25 any child abuse or neglect registry maintained by any state or other U.S. jurisdiction

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1 in which the person is a resident or was a resident within those 5 years for
2 information that is equivalent to the information specified in par. (am) 4. The
3 department, county department, or child welfare agency may not use any
4 information obtained under this subdivision for any purpose other than a search of
5 the person's background under par. (am).

6 ***-0841/5.5* SECTION 1351.** 48.685 (3) (a) of the statutes is amended to read:

7 48.685 (3) (a) Every 4 years or at any time within that period that the
8 department, a county department, a child welfare agency, or a school board considers
9 appropriate, the department, county department, child welfare agency, or school
10 board shall request the information specified in sub. (2) (am) 1. to 5. for all persons
11 caregivers specified in sub. (1) (ag) 1. b. who are licensed, certified, or contracted to
12 operate an entity, for all persons who are nonclient residents of an entity such a
13 caregiver, and for all persons under 18 years of age, but not under 12 years of age,
14 who are caregivers of a day care center that is licensed under s. 48.65 or established
15 or contracted for under s. 120.13 (4) or of a day care provider that is certified under
16 s. 48.651.

17 ***-0841/5.6* SECTION 1352.** 48.685 (3) (b) of the statutes is amended to read:

18 48.685 (3) (b) Every 4 years or at any time within that period that an entity
19 considers appropriate, the entity shall request the information specified in sub. (2)
20 (b) 1. a. to e. for all persons who are caregivers specified in sub. (1) (ag) 1. a. of the
21 entity other than persons under 18 years of age, but not under 12 years of age, who
22 are caregivers of a day care center that is licensed under s. 48.65 or established or
23 contracted for under s. 120.13 (14) or of a day care provider that is certified under s.
24 48.651.

1 ***-0841/5.7*** SECTION 1353. 48.685 (4m) (b) (intro.) of the statutes is amended
2 to read:

3 48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
4 sub. (5), an entity may not employ or contract with a caregiver specified in sub. (1)
5 (ag) 1. a. or permit a nonclient resident to reside at the entity if the entity knows or
6 should have known any of the following:

7 ***-0841/5.8*** SECTION 1354. 48.685 (5) (a) of the statutes is amended to read:
8 48.685 (5) (a) The Subject to par. (bm), the department may license to operate
9 an entity, a county department may certify under s. 48.651, a county department or
10 a child welfare agency may license under s. 48.62 and a school board may contract
11 with under s. 120.13 (14) a person who otherwise may not be licensed, certified or
12 contracted with for a reason specified in sub. (4m) (a) 1. to 5., and an entity may
13 employ, contract with, or permit to reside at the entity a person who otherwise may
14 not be employed, contracted with, or permitted to reside at the entity for a reason
15 specified in sub. (4m) (b) 1. to 5., if the person demonstrates to the department, the
16 county department, the child welfare agency, or the school board or, in the case of an
17 entity that is located within the boundaries of a reservation, to the person or body
18 designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and
19 in accordance with procedures established by the department by rule or by the tribe
20 that he or she has been rehabilitated.

21 ***-0841/5.9*** SECTION 1355. 48.685 (5) (bm) (intro.) of the statutes is amended
22 to read:

23 48.685 (5) (bm) (intro.) For purposes of licensing a foster home or treatment
24 foster home for the placement of a child on whose behalf foster care maintenance
25 payments under s. 48.62 (4) will be provided, no person who has been convicted of

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1 any of the following offenses may be permitted to demonstrate that he or she has been
2 rehabilitated:

3 ***-1261/5.495* *-1261/P3.433* SECTION 1356.** 48.685 (5c) (a) of the statutes
4 is amended to read:

5 48.685 (5c) (a) Any person who is permitted but fails under sub. (5) (a) to
6 demonstrate to the department or a child welfare agency that he or she has been
7 rehabilitated may appeal to the secretary of health and family services or his or her
8 designee. Any person who is adversely affected by a decision of the secretary or his
9 or her designee under this paragraph has a right to a contested case hearing under
10 ch. 227.

11 ***-1261/5.496* SECTION 1357.** 48.685 (8) of the statutes is amended to read:

12 48.685 (8) The department, the department of health and family services, a
13 county department, a child welfare agency, or a school board may charge a fee for
14 obtaining the information required under sub. (2) (am) or (3) (a) or for providing
15 information to an entity to enable the entity to comply with sub. (2) (b) 1. or (3) (b).
16 The fee may not exceed the reasonable cost of obtaining the information. No fee may
17 be charged to a nurse's assistant, as defined in s. 146.40 (1) (d), for obtaining or
18 maintaining information if to do so would be inconsistent with federal law.

19 ***-1261/5.497* *-1261/P3.434* SECTION 1358.** 48.715 (6) of the statutes is
20 amended to read:

21 48.715 (6) The department of health and family services shall deny, suspend,
22 restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1) (a) or a
23 probationary license under s. 48.69 to operate a child welfare agency, group home,
24 shelter care facility, or day care center, and the department of corrections shall deny,
25 suspend, restrict, refuse to renew, or otherwise withhold a license under s. 48.66 (1)

1 (b) to operate a secured residential care center for children and youth, for failure of
2 the applicant or licensee to pay court-ordered payments of child or family support,
3 maintenance, birth expenses, medical expenses, or other expenses related to the
4 support of a child or former spouse or for failure of the applicant or licensee to comply,
5 after appropriate notice, with a subpoena or warrant issued by the department of
6 ~~workforce development~~ or a county child support agency under s. 59.53 (5) and
7 related to paternity or child support proceedings, as provided in a memorandum of
8 understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action
9 taken under this subsection is subject to review only as provided in the memorandum
10 of understanding entered into under s. 49.857 and not as provided in s. 48.72.

11 *-1261/5.498* *-1261/P3.435* SECTION 1359. 48.743 of the statutes is created
12 to read:

13 **48.743 Community living arrangements for children.** (1) In this section,
14 "community living arrangement for children" means a residential care center for
15 children and youth or a group home.

16 (2) Community living arrangements for children shall be subject to the same
17 building and housing ordinances, codes, and regulations of the municipality or
18 county as similar residences located in the area in which the facility is located.

19 (3) The department shall designate a subunit to keep records and supply
20 information on community living arrangements for children under ss. 59.69 (15) (f),
21 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving all
22 complaints regarding community living arrangements for children and for
23 coordinating all necessary investigatory and disciplinary actions under the laws of
24 this state and under the rules of the department relating to the licensing of
25 community living arrangements for children.

1 (4) A community living arrangement for children with a capacity for 8 or fewer
2 persons shall be a permissible use for purposes of any deed covenant which limits use
3 of property to single-family or 2-family residences. A community living
4 arrangement for children with a capacity for 15 or fewer persons shall be a
5 permissible use for purposes of any deed covenant which limits use of property to
6 more than 2-family residences. Covenants in deeds which expressly prohibit use of
7 property for community living arrangements for children are void as against public
8 policy.

9 (5) If a community living arrangement for children is required to obtain special
10 zoning permission, as defined in s. 59.69 (15) (g), the department shall, at the request
11 of the unit of government responsible for granting the special zoning permission,
12 inspect the proposed facility and review the program proposed for the facility. After
13 such inspection and review, the department shall transmit to the unit of government
14 responsible for granting the special zoning permission a statement that the proposed
15 facility and its proposed program have been examined and are either approved or
16 disapproved by the department.

17 *-1261/5.499* *-1261/P3.436* SECTION 1360. 48.745 (5) of the statutes is
18 amended to read:

19 48.745 (5) If the county department designates the department to receive
20 formal complaints, the subunit under s. 46.03 (22) (e) 48.743 (3) shall receive the
21 complaints and the department shall have all the powers and duties granted to the
22 county department in this section.

23 *-0261/6.22* SECTION 1361. 48.75 (1g) (c) 1. of the statutes is amended to read:

24 48.75 (1g) (c) 1. A statement that the public licensing agency issuing the license
25 is responsible has placement and care responsibility for the child as required under

1 42 USC 672 (a) (2) and has primary responsibility for providing services to the child
2 who is placed in the foster home, as specified in the agreement.

3 ***-1261/5.500*** SECTION 1362. 48.75 (1m) of the statutes is amended to read:
4 48.75 (1m) Each child welfare agency and public licensing agency shall provide
5 the subunit of the department that administers s. 48.685 of health and family
6 services with information about each person who is denied a license for a reason
7 specified in s. 48.685 (4m) (a) 1. to 5.

8 ***-1261/5.501*** ***-1261/P3.437*** SECTION 1363. 48.78 (2) (h) of the statutes is
9 amended to read:

10 48.78 (2) (h) Paragraph (a) does not prohibit the department, a county
11 department, or a licensed child welfare agency from entering the content of any
12 record kept or information received by the department, county department, or
13 licensed child welfare agency into the statewide automated child welfare
14 information system established under s. 46.03 48.47 (7g).

15 ***-1261/5.502*** ***-1261/P3.438*** SECTION 1364. 48.839 (1) (d) of the statutes is
16 amended to read:

17 48.839 (1) (d) If custody of the child is transferred under sub. (4) (b) to a county
18 department or child welfare agency before the child is adopted, the department shall
19 periodically bill the guardian and the surety under s. 46.03 ~~(18) (b)~~ or 46.10 49.32 (1)
20 (b) or 49.345 for the cost of care and maintenance of the child until the child is adopted
21 or becomes age 18, whichever is earlier. The guardian and surety shall also be liable
22 under the bond for costs incurred by the department in enforcing the bond against
23 the guardian and surety.

24 ***-1261/5.503*** ***-1261/P3.439*** SECTION 1365. 48.839 (1) (e) of the statutes is
25 amended to read:

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1 48.839 (1) (e) This section does not preclude the department or any other
2 agency given custody of a child under sub. (4) (b) from collecting under s. 46.03 (18)
3 (b) or 46.10 49.32 (1) (b) or 49.345 from the former guardian for costs in excess of the
4 amount recovered under the bond incurred in enforcing the bond and providing care
5 and maintenance for the child until he or she reaches age 18 or is adopted.

6 *-0841/5.10* SECTION 1366. 48.88 (2) (am) of the statutes is created to read:

7 48.88 (2) (am) 1. If the petitioner was required to obtain an initial license to
8 operate a foster home or treatment foster home before placement of the child for
9 adoption or relicensure after a break in licensure, the agency making the
10 investigation shall obtain a criminal history search from the records maintained by
11 the department of justice and request under 42 USC 16962 (b) a fingerprint-based
12 check of the national crime information databases, as defined in 28 USC 534 (f) (3)
13 (A), with respect to the petitioner. The agency may release any information obtained
14 under this subdivision only as permitted under 42 USC 16962 (e). In the case of a
15 child on whose behalf adoption assistance payments will be provided under s. 48.975,
16 if the petitioner has been convicted of any of the offenses specified in s. 48.685 (5) (bm)
17 1. to 4., the agency may not report that the petitioner's home is suitable for the child.

18 2. If the petitioner was required to obtain a license to operate a foster home or
19 treatment foster home before placement of the child for adoption, the agency making
20 the investigation shall obtain information maintained by the department regarding
21 any substantiated reports of child abuse or neglect against the petitioner and any
22 other adult residing in the petitioner's home. If the petitioner or other adult residing
23 in the petitioner's home is not, or at any time within the 5 years preceding the date
24 of the search has not been, a resident of this state, the agency shall check any child
25 abuse or neglect registry maintained by any state or other U.S. jurisdiction in which

1 the petitioner or other adult is a resident or was a resident within those 5 years for
2 information that is equivalent to the information maintained by the department
3 regarding substantiated reports of child abuse or neglect. The agency may not use
4 any information obtained under this subdivision for any purpose other than a
5 background search under this subdivision.

6 *~~1261/5.504~~* *~~1261/P3.440~~* SECTION 1367. 48.93 (1d) of the statutes is
7 amended to read:

8 48.93 (1d) All records and papers pertaining to an adoption proceeding shall
9 be kept in a separate locked file and may not be disclosed except under sub. (1g) or
10 (1r), s. ~~46.03 (29)~~, 48.432, 48.433, 48.434, 48.48 (17) (a) 9. or 48.57 (1) (j), or by order
11 of the court for good cause shown.

12 *~~1261/5.505~~* *~~1261/P3.441~~* SECTION 1368. 48.98 (2) (d) of the statutes is
13 amended to read:

14 48.98 (2) (d) The department shall periodically bill the person who filed the
15 bond and the surety under s. ~~46.03 (18) (b) or 46.10 49.32 (1) (b) or 49.345~~ for the cost
16 of care and maintenance of the child until the child is adopted or becomes age 18,
17 whichever is earlier. The guardian and surety shall also be liable under the bond for
18 costs incurred by the department in enforcing the bond.

19 *~~0841/5.11~~* SECTION 1369. 48.981 (3) (c) 8. of the statutes is amended to read:

20 48.981 (3) (c) 8. Using the format prescribed by the department, each county
21 department shall provide the department with information about each report that
22 the county department receives or that is received by a licensed child welfare agency
23 that is under contract with the county department and about each investigation that
24 the county department or a licensed child welfare agency under contract with the
25 county department conducts. Using the format prescribed by the department, a

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1 licensed child welfare agency under contract with the department shall provide the
2 department with information about each report that the child welfare agency
3 receives and about each investigation that the child welfare agency conducts. This
4 ~~information shall be used by the~~ The department shall use the information to
5 monitor services provided by county departments or licensed child welfare agencies
6 under contract with county departments or the department. The department shall
7 use nonidentifying information to maintain statewide statistics on child abuse and
8 neglect and on unborn child abuse, and for planning and policy development
9 purposes.

10 ***-1261/5.506* *-1261/P3.442* SECTION 1370.** 48.981 (7) (dm) of the statutes
11 is amended to read:

12 48.981 (7) (dm) Notwithstanding par. (a), an agency may enter the content of
13 any report or record maintained by the agency into the statewide automated child
14 welfare information system established under s. 46.03 48.47 (7g).

15 ***-1261/5.507* *-1261/P3.443* SECTION 1371.** 48.981 (8) (a) of the statutes is
16 amended to read:

17 48.981 (8) (a) The department, the county departments, and a licensed child
18 welfare agency under contract with the department in a county having a population
19 of 500,000 or more to the extent feasible shall conduct continuing education and
20 training programs for staff of the department, the county departments, licensed
21 child welfare agencies under contract with the department or a county department,
22 law enforcement agencies, and the tribal social services departments, persons and
23 officials required to report, the general public, and others as appropriate. The
24 programs shall be designed to encourage reporting of child abuse and neglect and of
25 unborn child abuse, to encourage self-reporting and voluntary acceptance of services

1 and to improve communication, cooperation, and coordination in the identification,
2 prevention, and treatment of child abuse and neglect and of unborn child abuse.
3 Programs provided for staff of the department, county departments, and licensed
4 child welfare agencies under contract with county departments or the department
5 whose responsibilities include the investigation or treatment of child abuse or
6 neglect shall also be designed to provide information on means of recognizing and
7 appropriately responding to domestic abuse, as defined in s. 46.95 49.165 (1) (a). The
8 department, the county departments, and a licensed child welfare agency under
9 contract with the department in a county having a population of 500,000 or more
10 shall develop public information programs about child abuse and neglect and about
11 unborn child abuse.

12 ***-1261/5.508* *-1261/P3.444* SECTION 1372.** 48.981 (8) (d) 1. of the statutes
13 is amended to read:

14 48.981 (8) (d) 1. Each agency staff member and supervisor whose
15 responsibilities include investigation or treatment of child abuse and neglect or of
16 unborn child abuse shall successfully complete training in child abuse and neglect
17 protective services and in unborn child abuse protective services approved by the
18 department. The training shall include information on means of recognizing and
19 appropriately responding to domestic abuse, as defined in s. 46.95 49.165 (1) (a). The
20 department shall monitor compliance with this subdivision according to rules
21 promulgated by the department.

22 ***-1261/5.509* *-1261/P3.445* SECTION 1373.** 48.982 (2) (g) (intro.) of the
23 statutes is amended to read:

24 48.982 (2) (g) (intro.) In coordination with the departments of health and family
25 services and department and the department of public instruction:

1 *-0419/1.1* SECTION 1374. 48.982 (2e) (c) of the statutes is repealed.

2 *-1270/3.2* SECTION 1375. 48.983 (1) (i) of the statutes, as affected by 2007

3 Wisconsin Act (this act), is repealed.

 ****NOTE: This is reconciled s. 48.483 (1) (i). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1261 and LRB-1270.

4 *-1270/3.3* SECTION 1376. 48.983 (1) (j) of the statutes, as affected by 2007

5 Wisconsin Act (this act), is repealed.

 ****NOTE: This is reconciled s. 48.983 (1) (j). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1261 and LRB-1270.

6 *-1270/3.4* SECTION 1377. 48.983 (2) of the statutes, as affected by 2007

7 Wisconsin Act (this act), is amended to read:

8 48.983 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected
9 by the department under sub. (5) to participate in the program under this section,
10 the department shall award, from the appropriation under s. 20.437 (2) (ab), a grant
11 annually to be used only for the purposes specified in sub. (4) (a) and (am). The
12 minimum amount of a grant is \$10,000. The department shall determine the amount
13 of a grant awarded to a county, ~~other than a county with a population of 500,000 or~~
14 ~~more,~~ or Indian tribe in excess of the minimum amount based on the number of births
15 that are funded by medical assistance under subch. IV of ch. 49 in that county or the
16 reservation of that Indian tribe ~~in proportion to the number of births that are funded~~
17 ~~by medical assistance under subch. IV of ch. 49 in all of the counties and the~~
18 ~~reservations of all of the Indian tribes to which grants are awarded under this~~
19 ~~section. The department shall determine the amount of a grant awarded to a county~~
20 ~~with a population of 500,000 or more in excess of the minimum amount based on 60%~~
21 ~~of the number of births that are funded by medical assistance under subch. IV of ch.~~
22 ~~49 in that county in proportion to the number of births that are funded by medical~~

1 assistance under subch. IV of ch. 49 in all of the counties and the reservations of all
2 of the Indian tribes to which grants are awarded under this section.

3 ***-1270/3.5* SECTION 1378.** 48.983 (3) (title) of the statutes, as affected by 2007
4 Wisconsin Act (this act), is repealed.

****NOTE: This is reconciled s. 48.983 (3) (title). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1261 and LRB-1270.

5 ***-1270/3.6* SECTION 1379.** 48.983 (3) (a) of the statutes, as affected by 2007
6 Wisconsin Act (this act), is repealed.

****NOTE: This is reconciled s. 48.983 (3) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1261 and LRB-1270.

7 ***-1270/3.7* SECTION 1380.** 48.983 (3) (b) of the statutes, as affected by 2007
8 Wisconsin Act (this act), is renumbered 48.983 (3) and amended to read:

9 48.983 (3) JOINT APPLICATION PERMITTED. Two or more counties and Indian tribes
10 may submit a joint application to the department. ~~Each county or Indian tribe in a~~
11 ~~joint application shall be counted as a separate county or Indian tribe for the purpose~~
12 ~~of limiting the number of counties and Indian tribes selected in each state fiscal~~
13 ~~biennium.~~

****NOTE: This is reconciled s. 48.983 (3). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1261 and LRB-1270.

14 ***-1270/3.8* SECTION 1381.** 48.984 of the statutes is created to read:

15 **48.984 Universal home visitation services.** (1) DEFINITIONS. In this
16 section:

17 (a) "County department" means a county department of human services or
18 social services under s. 46.215, 46.22, or 46.23.

19 (b) "Indian tribe" means a federally recognized American Indian tribe or band
20 in this state.

21 (c) "Local health department" has the meaning given in s. 250.01 (4).

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1 (d) "Local partnership" means any combination of 2 or more county
2 departments, local health departments, Indian tribes, and private nonprofit
3 agencies that have agreed to implement jointly a program of universal home
4 visitation services under this section.

5 (e) "Organization" means a county department, local health department,
6 Indian tribe, private nonprofit agency, or local partnership.

7 (f) "Private nonprofit agency" means a nonstock corporation organized under
8 ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

9 (2) AWARDING OF GRANTS. From the appropriation account under s. 20.437 (2)
10 (ab), the department shall award grants to applying organizations for the provision
11 of the home visitation services specified in sub. (3) (a). The department shall
12 determine the amount of a grant awarded to an organization based on the number
13 of first-time births in the community served by the organization. The department
14 shall provide competitive application procedures for selecting organizations to
15 receive grants under this subsection and shall establish a method for ranking
16 applicants based on the quality of their applications. The department shall require
17 a grant recipient to provide matching funds or in-kind contributions as determined
18 by the department and shall ensure that a grant recipient does not use any grant
19 moneys awarded to supplant any other moneys used by the grant recipient at the
20 time of the awarding of the grant to provide home visitation services.

21 (3) PURPOSES OF GRANTS. (a) *Universal home visitation services.* An
22 organization that receives a grant under sub. (2) shall use the grant moneys awarded
23 to provide a one-time visit to all first-time parents in the community served by the
24 organization for the purposes of providing those parents with basic information
25 regarding infant health and nutrition, the care, safety, and development of infants,

1 and emergency services for infants and with the information relating to shaken baby
2 syndrome and impacted babies required under s. 253.15 (6); identifying the needs of
3 those parents; and providing those parents with referrals to programs, services, and
4 other resources that may meet those needs. An organization may visit a first-time
5 parent only if the parent or, if the parent is a child, his or her parent, guardian, or
6 legal custodian consents to the visit. No person who is required or permitted to report
7 suspected or threatened abuse or neglect under s. 48.981 (2) may make or threaten
8 to make such a report based on a refusal of a person to receive a home visit under this
9 paragraph.

10 (b) *Start-up costs and capacity building.* In the first year in which a grant
11 under sub. (2) is awarded to an organization, the organization may use a portion of
12 the grant to pay for start-up costs and capacity building related to the provision of
13 home visitation services by the organization. The department shall determine the
14 maximum amount of a grant that an organization may use to pay for those start-up
15 costs and that capacity building.

16 (4) CONFIDENTIALITY. (a) *Nondisclosure of information; exceptions.* No person
17 may use or disclose any information concerning an individual who is offered home
18 visitation services under sub. (3) (a), including an individual who declines to receive
19 those services, or concerning an individual who is provided with a referral under sub.
20 (3) (a), including an individual who declines the referral, unless disclosure of the
21 information is required or permitted under s. 48.981 (2), the use or disclosure of the
22 information is connected to the administration of the program under this section, or
23 the individual has given his or her written informed consent to the use or disclosure
24 of the information.

1 (b) *Explanation of confidentiality requirements.* An organization that receives
2 a grant under sub. (2) shall provide or designate an individual or entity to provide
3 an explanation of the confidentiality requirements under par. (a) to each individual
4 who is offered home visitation services under sub. (3) (a) by the organization.

5 (5) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT. If a
6 person who is providing home visitation services under sub. (3) (a) determines that
7 he or she is required or permitted to make a report under s. 48.981 (2) about a child
8 in a family to which the person is providing those services, the person shall, prior to
9 making the report under s. 48.981 (2), make a reasonable effort to notify the child's
10 parent that a report under s. 48.981 (2) will be made and to encourage the parent to
11 contact a county department under s. 46.22 or 46.23 or, in a county having a
12 population of 500,000 or more, the department to request assistance. The
13 notification requirements under this subsection do not affect the reporting
14 requirements under s. 48.981 (2).

15 (6) INFORMATIONAL MATERIALS. Any informational materials about the home
16 visitation services provided under sub. (3) (a) that are distributed to a person who
17 is offered or who is receiving those services shall state the sources of funding for the
18 services.

19 *-1261/5.510* *-1261/P3.446* SECTION 1382. 48.985 (1) of the statutes is
20 amended to read:

21 48.985 (1) FEDERAL PROGRAM OPERATIONS. From the appropriation under s.
22 ~~20.435 (3)~~ 20.437 (1) (n), the department shall expend not more than \$273,700 in each
23 fiscal year of the moneys received under 42 USC 620 to 626 for the department's
24 expenses in connection with administering the expenditure of funds received under

1 42 USC 620 to 626 and for child abuse and neglect and unborn child abuse
2 independent investigations.

3 ***-1261/5.511* *-1261/P3.447* SECTION 1383.** 48.985 (2) of the statutes is
4 amended to read:

5 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
6 appropriation under s. ~~20.435 (7)~~ 20.437 (1) (o), the department shall distribute not
7 more than ~~\$3,809,600~~ \$3,554,300 in each fiscal year of the moneys received under
8 42 USC 620 to 626 to county departments under ~~ss. 46.215, 46.22, and 46.23~~ for the
9 provision or purchase of child welfare projects and services, for services to children
10 and families, for services to the expectant mothers of unborn children, and for
11 family-based child welfare services.

12 ***-1261/5.512* *-1261/P3.448* SECTION 1384.** 48.985 (4) of the statutes is
13 amended to read:

14 48.985 (4) RUNAWAY SERVICES. From the appropriation under s. ~~20.435 (3)~~
15 20.437 (1) (na) for runaway services, not more than \$458,600 in each fiscal year.

16 ***-1261/5.513* *-1261/P3.449* SECTION 1385.** 48.985 (5) of the statutes is
17 repealed.

18 ***-1261/5.514* *-1261/P3.450* SECTION 1386.** 48.989 (1) (a) of the statutes is
19 amended to read:

20 48.989 (1) (a) "Appropriate authority in the receiving state" means the
21 department of health and family services.

22 ***-1261/5.515* *-1261/P3.451* SECTION 1387.** 48.989 (1) (b) of the statutes is
23 amended to read:

1 48.989 (1) (b) "Appropriate public authorities" means the department of health
2 and family services, which shall receive and act with reference to notices required
3 by s. 48.988 (3).

4 *-1261/5.516* *-1267/P1.99* SECTION 1388. Chapter 49 (title) of the statutes
5 is amended to read:

6 **CHAPTER 49**

7 **PUBLIC ASSISTANCE AND**

8 **CHILDREN AND FAMILY SERVICES**

9 *-1261/5.517* *-1267/P1.100* SECTION 1389. 49.001 (9) of the statutes is
10 amended to read:

11 49.001 (9) "Wisconsin works Works agency" means a person under contract
12 under s. 49.143 to administer Wisconsin works Works under ss. 49.141 to 49.161. If
13 no contract is awarded under s. 49.143, "Wisconsin works Works agency" means the
14 department of workforce development children and families.

15 *-0994/P2.1* SECTION 1390. 49.02 (2) (c) of the statutes is repealed.

16 *-1521/6.3* SECTION 1391. 49.025 (2) (a) 2. of the statutes is amended to read:

17 49.025 (2) (a) 2. The department shall subtract from the amount determined
18 under subd. 1. amounts paid to hospitals in that county under s. 49.45 (6y) and (6z)
19 in that year and amounts paid on behalf of individuals in that county under the
20 demonstration project under s. 49.45 (23) in that year. If the amount determined
21 under this subdivision is less than zero, the amount of the relief block grant is \$0.

22 *-0264/1.1* SECTION 1392. 49.029 (3) of the statutes is amended to read:

23 49.029 (3) USE OF RELIEF BLOCK GRANT FUNDS. A tribal governing body may use
24 moneys received as a relief block grant only for the purpose of providing health care
25 services to dependent persons. Notwithstanding s. 49.01 (2g), health care services

1 may include treatment services for alcohol and other drug abuse and mental health
2 services.

3 ***-1261/5.518* *-1267/P1.101* SECTION 1393.** Subchapter III (title) of chapter
4 49 [precedes 49.11] of the statutes is amended to read:

5 **CHAPTER 49**

6 **SUBCHAPTER III**

7 **ECONOMIC CHILDREN AND FAMILY SUPPORT AND WORK PROGRAMS**
8 **SERVICES**

9 ***-1261/5.519* *-1267/P1.102* SECTION 1394.** 49.11 (1) of the statutes is
10 amended to read:

11 49.11 (1) "Department" means the department of ~~workforce development~~
12 children and families.

13 ***-1261/5.520* *-1267/P1.103* SECTION 1395.** 49.11 (2) of the statutes is
14 amended to read:

15 49.11 (2) "Secretary" means the secretary of ~~workforce development~~ children
16 and families.

17 ***-1313/3.3* SECTION 1396.** 49.13 (title) of the statutes is renumbered 49.79 (9)
18 (title).

19 ***-1313/3.4* SECTION 1397.** 49.13 (1) of the statutes is repealed.

20 ***-1313/3.5* SECTION 1398.** 49.13 (2) (a) of the statutes is renumbered 49.79 (9)
21 (a) 1. and amended to read:

22 49.79 (9) (a) 1. The department shall ~~contract with the department of health~~
23 ~~and family services as provided under s. 49.79 (10) to administer an employment and~~
24 ~~training program for recipients under the food stamp program~~ and may contract
25 under s. 49.78 with county departments under ss. 46.215, 46.22, and 46.23, and with

1 tribal governing bodies to carry out the administrative functions. The department
2 may contract, or a county department or tribal governing body may subcontract, with
3 a Wisconsin works Works agency or another provider to administer the employment
4 and training program under this subsection. Except as provided in pars. (b) and (bm)
5 subds. 2. and 3., the department may require able individuals who are 18 to 60 years
6 of age who are not participants in a Wisconsin works Works employment position to
7 participate in the employment and training program under this subsection.

8 *-1313/3.6* SECTION 1399. 49.13 (2) (b) of the statutes is renumbered 49.79 (9)
9 (a) 2. and amended to read:

10 49.79 (9) (a) 2. The department may not require an individual who is a recipient
11 under the food stamp program and who is the caretaker of a child who is under the
12 age of 12 weeks to participate in any employment and training program under par.
13 (a) this subsection.

14 *-1313/3.7* SECTION 1400. 49.13 (2) (bm) of the statutes is renumbered 49.79
15 (9) (a) 3. and amended to read:

16 49.79 (9) (a) 3. The department may not require an individual who is a recipient
17 under the food stamp program to participate in any employment and training
18 program under par. (a) this subsection if that individual is enrolled at least half time
19 in a school, as defined in s. 49.26 (1) (a) 2., a training program, or an institution of
20 higher education.

21 *-1313/3.8* SECTION 1401. 49.13 (2) (cm) of the statutes is renumbered 49.79
22 (9) (a) 4.

23 *-1313/3.9* SECTION 1402. 49.13 (2) (d) of the statutes is renumbered 49.79 (9)
24 (a) 5. and amended to read:

1 49.79 (9) (a) 5. A participant in an employment and training program under
2 this section subsection administered by the department is an employee of the
3 department for purposes of worker's compensation coverage, except to the extent
4 that the person for whom the participant is performing work provides worker's
5 compensation coverage. A participant in an employment and training program
6 under this section subsection administered by a Wisconsin works Works agency or
7 another provider is an employee of the Wisconsin works Works agency or other
8 provider for purposes of worker's compensation coverage, except to the extent that
9 the person for whom the participant is performing work provides worker's
10 compensation coverage.

11 ***-1313/3.10* SECTION 1403.** 49.13 (3) (intro.) of the statutes is renumbered
12 49.79 (9) (b) (intro.) and amended to read:

13 49.79 (9) (b) (intro.) An individual who fails to comply with the work
14 requirements under sub. (2) par. (a) without good cause is ineligible to participate in
15 the food stamp program under s. 49.79 as follows:

16 ***-1313/3.11* SECTION 1404.** 49.13 (3) (a) of the statutes is renumbered 49.79
17 (9) (b) 1. and amended to read:

18 49.79 (9) (b) 1. For the first occurrence of noncompliance, one month, or until
19 the person complies with the work requirements under sub. (2) par. (a), whichever
20 is later.

21 ***-1313/3.12* SECTION 1405.** 49.13 (3) (b) of the statutes is renumbered 49.79
22 (9) (b) 2. and amended to read:

23 49.79 (9) (b) 2. For the 2nd occurrence of noncompliance, 3 months, or until the
24 person complies with the work requirements under sub. (2) par. (a), whichever is
25 later.

SECTION 1406

1 ***-1313/3.13*** SECTION 1406. 49.13 (3) (c) of the statutes is renumbered 49.79
2 (9) (b) 3. and amended to read:

3 49.79 (9) (b) 3. For the 3rd and subsequent occurrences of noncompliance, 6
4 months, or until the person complies with the work requirements under sub. ~~(2)~~ par.
5 (a), whichever is later.

6 ***-1261/5.521*** ***-1267/P1.104*** SECTION 1407. 49.138 (1m) (intro.) of the
7 statutes is amended to read:

8 49.138 (1m) (intro.) The department shall implement a program of emergency
9 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
10 impending homelessness, or energy crisis. The department shall establish the
11 maximum amount of aid to be granted, except for cases of energy crisis, per family
12 member based on the funding available under s. ~~20.445 (3)~~ 20.437 (2) (dz) and (md).
13 The department need not establish the maximum amount by rule under ch. 227. The
14 department shall publish the maximum amount and annual changes to it in the
15 Wisconsin administrative register. Emergency assistance provided to needy persons
16 under this section may only be provided to a needy person once in a 12-month period.
17 Emergency assistance provided to needy persons under this section in cases of
18 homelessness or impending homelessness may be used only to obtain or retain a
19 permanent living accommodation. For the purposes of this section, a family is
20 considered to be homeless, or to be facing impending homelessness, if any of the
21 following applies:

22 ***-1261/5.522*** ***-1261/P3.453*** SECTION 1408. 49.143 (2) (b) of the statutes is
23 amended to read:

24 49.143 (2) (b) Establish a children's services network. The children's services
25 network shall provide information about community resources available to the

1 dependent children in a Wisconsin works group, including charitable food and
2 clothing centers; subsidized and low-income housing; transportation subsidies; the
3 state supplemental food program for women, infants and children under s. 253.06
4 49.17; and child care programs. In a county having a population of 500,000 or more,
5 a children's services network shall, in addition, provide a forum for those persons
6 who are interested in the delivery of child welfare services and other services to
7 children and families in the geographical area under sub. (6) served by that
8 children's services network to communicate with and make recommendations to the
9 providers of those services in that geographical area with respect to the delivery of
10 those services in that area.

11 ***-0486/1.1* SECTION 1409.** 49.147 (3m) of the statutes is created to read:

12 **49.147 (3m) REAL WORK, REAL PAY PILOT PROJECT.** (a) *Administration and*
13 *evaluation.* Except as provided in par. (d), the department shall conduct and
14 evaluate a real work, real pay pilot project from January 1, 2008, to December 31,
15 2009.

16 (b) *Eligibility and project limits.* 1. Except as specifically provided in this
17 subsection, all general and nonfinancial eligibility requirements under s. 49.145
18 apply to participants under this subsection, and all requirements under sub. (3), as
19 they apply to Wisconsin Works agencies, employers, and participants, apply to
20 Wisconsin Works agencies, employers, and participants under this subsection.

21 2. The project shall be limited to 500 individuals and shall be conducted in at
22 least one of the geographical areas established by the department under s. 49.143 (6)
23 that is in Milwaukee County and in at least 2 of those geographical areas that are
24 not in Milwaukee County.

SECTION 1409

1 (c) *Employer subsidies and reimbursements.* The Wisconsin Works agency
2 shall pay an employer that employs a participant under this subsection a monthly
3 wage subsidy that does not exceed the federal minimum wage for no more than 30
4 hours of work per week. Worksite training activities prescribed by the employer that
5 are consistent with training provided to other employees at the worksite are
6 considered work for purposes of calculating the wage subsidy under this paragraph.
7 In addition to the wage subsidy, the Wisconsin Works agency shall reimburse the
8 employer for up to 100 percent of all of the following costs that are attributable to
9 employment of the participant:

- 10 1. Federal social security taxes.
- 11 2. State and federal unemployment contributions or taxes, if any.
- 12 3. Worker's compensation insurance premiums, if any.

13 (d) *Time-limited participation and payment extension.* An individual may
14 participate in the project under this subsection for a maximum of 6 months, with an
15 opportunity for an extension of up to 3 months. Notwithstanding the ending date for
16 the project, payments under par. (c) for any participant who is accepted into the
17 project before December 31, 2009, shall be made until the participant completes his
18 or her 6-month participation period or any extension to it already commenced before
19 that date.

20 (e) *Mentors and stipends.* The Wisconsin Works agency and employer of a
21 participant under this subsection shall work together to find a mentor for the
22 participant at the participant's work site. The Wisconsin Works agency shall pay
23 each mentor a monthly stipend of \$50.

24 (f) *Employer effort to retain, refer, or evaluate participant.* An employer that
25 employs a participant under this subsection and receives a wage subsidy shall agree

1 to make a good faith effort to retain the participant as a permanent unsubsidized
2 employee after the wage subsidy ends if the participant successfully completes
3 participation in the project under this subsection. An employer shall also agree that,
4 if the employer does not retain a participant as a permanent unsubsidized employee,
5 the employer will serve as an employment reference for the participant or provide
6 to the Wisconsin Works agency a written performance evaluation of the participant,
7 including recommendations for improvements.

8 ***-1261/5.523* *-1267/P1.105* SECTION 1410.** 49.147 (6) (c) of the statutes is
9 amended to read:

10 49.147 (6) (c) *Distribution and administration.* From the appropriation under
11 s. 20.445 (3) 20.437 (2) (jL), the department shall distribute funds for job access loans
12 to a Wisconsin Works agency, which shall administer the loans in accordance with
13 rules promulgated by the department.

14 ***-1261/5.524* *-1267/P1.106* SECTION 1411.** 49.147 (6) (cm) 1. of the statutes
15 is amended to read:

16 49.147 (6) (cm) 1. The department of ~~workforce development~~ may, in the
17 manner provided in s. 49.85, collect job access loan repayments that are delinquent
18 under the terms of a repayment agreement. The department of ~~workforce~~
19 ~~development~~ shall credit all delinquent repayments collected by the department of
20 revenue as a setoff under s. 71.93 to the appropriation account under s. 20.445 (3)
21 20.437 (2) (jL). Use of the process under s. 49.85 does not preclude the department
22 of ~~workforce development~~ from collecting delinquent repayments through other
23 legal means.

24 ***-0484/3.1* SECTION 1412.** 49.148 (1m) (title) of the statutes is amended to
25 read:

SECTION 1412

1 49.148 (1m) (title) ~~CUSTODIAL PARENT OF INFANT; UNMARRIED, PREGNANT WOMAN.~~

2 ~~*-0484/3.3* SECTION 1413.~~ 49.148 (1m) (a) of the statutes is renumbered

3 49.148 (1m) (a) 1. and amended to read:

4 49.148 (1m) (a) 1. ~~A~~ An individual who meets the eligibility requirements
5 under s. 49.145 (2) and (3) and who is a custodial parent of a child who is 12 26 weeks
6 old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may
7 receive a monthly grant of \$673, unless another adult member of the custodial
8 parent's Wisconsin works Works group is participating in, or is eligible to participate
9 in, a Wisconsin works Works employment position or is employed in unsubsidized
10 employment, as defined in s. 49.147 (1) (c).

11 (bm) A Wisconsin works Works agency may not require a participant under this
12 subsection to participate in any employment positions. Receipt of a grant under this
13 subsection does not constitute participation in a Wisconsin works employment
14 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (e), (4) (b)
15 or (5) (b) 2. if the child is born to the participant not more than 10 months after the
16 date that the participant was first determined to be eligible for assistance under s.
17 49.19 or for a Wisconsin works employment position.

****NOTE: This is reconciled s. 49.148 (1m) (a). This SECTION has been affected by
LRB-0484 and LRB-1187.

18 ~~*-0484/3.2* SECTION 1414.~~ 49.148 (1m) (a) (intro.) of the statutes is created to
19 read:

20 49.148 (1m) (a) (intro.) Any of the following may receive a monthly grant of
21 \$673:

22 ~~*-0484/3.4* SECTION 1415.~~ 49.148 (1m) (a) 2. of the statutes is created to read:

1 49.148 (1m) (a) 2. An unmarried woman who would be eligible under s. 49.145
2 except that she is not a custodial parent of a dependent child and who is in the 3rd
3 trimester of a pregnancy that is medically verified and that is shown by medical
4 documentation to be at risk and to render the woman unable to participate in the
5 workforce.

6 ***-0484/3.5*** SECTION 1416. 49.148 (1m) (b) of the statutes is renumbered
7 49.148 (1m) (c) 1. and amended to read:

8 49.148 (1m) (c) 1. Receipt of a grant under this subsection by a participant
9 under par. (a) 1. constitutes participation in a Wisconsin works Works employment
10 position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4)
11 (b), or (5) (b) 2. ~~if the child is born to the participant more than 10 months after the~~
12 ~~date that the participant was first determined to be eligible for assistance under s.~~
13 ~~49.19 or for a Wisconsin works employment position unless the child was conceived~~
14 as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the
15 mother did not indicate a freely given agreement to have sexual intercourse or in
16 violation of s. 948.02 or 948.025 or of incest in violation of s. 944.06 or 948.06 and that
17 incest or sexual assault has been reported to a physician and to law enforcement
18 authorities.

 ****NOTE: This is reconciled s. 49.148 (1m) (b). This SECTION has been affected by
 LRB-0484 and LRB-1187.

19 ***-0484/3.6*** SECTION 1417. 49.148 (1m) (c) (intro.) of the statutes is created to
20 read:

21 49.148 (1m) (c) (intro.) For purposes of the time limits under ss. 49.145 (2) (n)
22 and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

23 ***-0484/3.7*** SECTION 1418. 49.148 (1m) (c) 2. of the statutes is created to read:

SECTION 1418

1 49.148 (1m) (c) 2. Receipt of a grant under this subsection by a participant
2 under par. (a) 2. does not constitute participation in a Wisconsin Works employment
3 position.

 ****NOTE: This is reconciled s. 49.148 (1m) (c) 2. This SECTION has been affected by
LRB-0484 and LRB-1187.

4 ***-1261/5.525*** ***-1267/P1.107*** SECTION 1419. 49.155 (1g) (b) of the statutes
5 is amended to read:

6 49.155 (1g) (b) From the appropriations under s. ~~20.445 (3)~~ 20.437 (2) (cm),
7 (kx), and (mc), distribute \$5,488,500 in each fiscal year for grants under s. 49.134 (2)
8 for child day care resource and referral services, for grants under s. 49.137 (4m), for
9 a child care scholarship and bonus program, for administration of the department's
10 office of child care and for the department's share of the costs for the Child Care
11 Information Center operated by the division for libraries, technology, and
12 community learning in the department of public instruction.

13 ***-0267/5.1*** SECTION 1420. 49.155 (1g) (c) of the statutes is amended to read:

14 49.155 (1g) (c) From the appropriation account under s. 20.445 (3) (mc),
15 transfer ~~\$4,438,200~~ \$5,236,800 in fiscal year ~~2005-06~~ 2007-08 and \$4,440,500
16 \$5,245,500 in fiscal year ~~2006-07~~ 2008-09 to the appropriation account under s.
17 20.435 (3) (kx).

18 ***-1261/5.526*** ***-1261/P3.455*** SECTION 1421. 49.155 (1g) (c) of the statutes,
19 as affected by 2007 Wisconsin Act ... (this act), is amended to read:

20 49.155 (1g) (c) From the appropriation account under s. ~~20.445 (3)~~ 20.437 (2)
21 (mc), transfer \$5,236,800 in fiscal year 2007-08 and \$5,245,500 in fiscal year
22 2008-09 to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1) (kx).

 ****NOTE: This is reconciled s. 49.155 (1g) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0267 and -1261.

1 ***-1261/5.527*** ***-1267/P1.109*** SECTION 1422. 49.155 (1g) (d) of the statutes
2 is amended to read:

3 49.155 (1g) (d) From the appropriation under s. 20.445 (3) (md), 2005 stats.,
4 distribute \$3,378,500 in fiscal year 2005-06 and \$3,378,500 in fiscal year 2006-07
5 for grants under s. 49.134 (2) for child day care resource and referral services, for
6 contracts under s. 49.137 (4) for training and technical assistance, for grants under
7 s. 49.137 (4m), and for a child care scholarship and bonus program.

8 ***-1522/3.1*** SECTION 1423. 49.155 (1m) (intro.) of the statutes is amended to
9 read:

10 49.155 (1m) ELIGIBILITY. (intro.) A Wisconsin works Works agency shall
11 determine eligibility for a child care subsidy under this section. Under this section,
12 subject to any waiting list placement under sub. (2), an individual may receive a
13 subsidy for child care for a child who has not attained the age of 13 or, if the child is
14 disabled, who has not attained the age of 19, if the individual meets all of the
15 following conditions:

16 ***-1313/3.14*** SECTION 1424. 49.155 (1m) (a) 3m. of the statutes is amended to
17 read:

18 49.155 (1m) (a) 3m. Participate in a job search or work experience component
19 of the food stamp employment and training program under s. ~~49.13~~ 49.79 (9).

20 ***-1538/2.1*** SECTION 1425. 49.155 (1m) (c) 1. (intro.) of the statutes is amended
21 to read:

22 49.155 (1m) (c) 1. (intro.) Except as provided in subds. 1g., and 1h., 1m., 2., and
23 3., the gross income of the individual's family is at or below 185% of the poverty line
24 for a family the size of the individual's family or, for an individual who is already
25 receiving a child care subsidy under this section on the effective date of this

SECTION 1425

1 subdivision [revisor inserts date], the gross income of the individual's family is at
2 or below 200% of the poverty line for a family the size of the individual's family. In
3 calculating the gross income of the family, the Wisconsin ~~works~~ Works agency shall
4 include income described under s. 49.145 (3) (b) 1. and 3., except that, in calculating
5 farm and self-employment income, the Wisconsin ~~works~~ Works agency shall include
6 the sum of the following:

7 ***-1538/2.2* SECTION 1426.** 49.155 (1m) (c) 1c. of the statutes is created to read:

8 49.155 (1m) (c) 1c. Except as provided in subds. 1g. and 1h., for an individual
9 who, on or after the effective date of this subdivision [revisor inserts date], applies
10 for a child care subsidy under this section or reapplies for a child care subsidy under
11 this section after losing eligibility, the gross income of the individual's family when
12 the individual applies or reapplies is at or below 175 percent of the poverty line for
13 a family the size of the individual's family and, after the individual is already
14 receiving a child care subsidy under this section, the gross income of the individual's
15 family is at or below 190 percent of the poverty line for a family the size of the
16 individual's family. The Wisconsin Works agency shall calculate the gross income of
17 the family in the same manner as gross income is calculated under subd. 1.

18 ***-1538/2.3* SECTION 1427.** 49.155 (1m) (c) 1m. of the statutes is repealed.

19 ***-1538/2.4* SECTION 1428.** 49.155 (1m) (c) 2. of the statutes is repealed.

20 ***-1538/2.5* SECTION 1429.** 49.155 (1m) (c) 3. of the statutes is repealed.

21 ***-1522/3.2* SECTION 1430.** 49.155 (2) of the statutes is created to read:

22 49.155 (2) WAITING LIST. (a) If the department determines that projected child
23 care subsidies under this section will likely exceed the amount of funding allocated
24 for child care subsidies under s. 49.175 (1) (p), the department may implement a
25 prioritized waiting list system for applicants who are otherwise eligible for a child

1 care subsidy under sub. (1m). Under the system, an applicant on the waiting list
2 would not receive a child care subsidy until funding became sufficient.

3 (b) Notwithstanding par. (a), an applicant for a child care subsidy who is
4 eligible under sub. (1m) and who is participating in a work component of Wisconsin
5 Works under s. 49.147 may not be placed on a waiting list.

6 ***-1522/3.3* SECTION 1431.** 49.155 (3) (a) of the statutes is amended to read:
7 49.155 (3) (a) ~~A~~ Subject to any waiting list placement under sub. (2), a
8 Wisconsin works Works agency shall refer an individual who has been determined
9 eligible under sub. (1m) to a county department under s. 46.215, 46.22, or 46.23 for
10 child care assistance.

11 ***-0484/3.8* SECTION 1432.** 49.159 (4) of the statutes is amended to read:
12 49.159 (4) PREGNANT WOMEN. A pregnant woman whose pregnancy is medically
13 verified, who would be eligible under s. 49.145 except that she is not a custodial
14 parent of a dependent child, and who does not satisfy the requirements under s.
15 49.148 (1m) (a) 2. is eligible for employment training and job search assistance
16 services provided by the Wisconsin works Works agency.

17 ***-1261/5.528* *-1267/P1.110* SECTION 1433.** 49.1635 (1) of the statutes is
18 amended to read:

19 49.1635 (1) To the extent permitted under federal law and subject to sub. (2),
20 from the appropriation under s. ~~20.445 (3)~~ 20.437 (2) (md) the department may
21 distribute funds to the Wisconsin Trust Account Foundation in an amount up to the
22 amount received by the foundation from private donations, but not to exceed
23 \$100,000 in a fiscal year. Except as provided in sub. (4), funds distributed under this
24 subsection may be used only for the provision of legal services to individuals who are

1 eligible for temporary assistance for needy families under 42 USC 601 et seq. and
2 whose incomes are at or below 200% of the poverty line.

3 ***-1261/5.529* *-1267/P1.111* SECTION 1434.** 49.175 (1) (intro.) of the statutes
4 is amended to read:

5 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
6 the limits of the appropriations under s. 20.445 (3) 20.437 (2) (a), (cm), (dz), (k), (kx),
7 (L), (mc), (md), (me), and (s), the department shall allocate the following amounts for
8 the following purposes:

9 ***-0267/5.2* SECTION 1435.** 49.175 (1) (a) of the statutes is amended to read:

10 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,
11 \$59,184,700 \$48,276,900 in fiscal year ~~2005-06~~ 2007-08 and \$51,930,000
12 \$51,003,200 in fiscal year ~~2006-07~~ 2008-09.

13 ***-0267/5.3* SECTION 1436.** 49.175 (1) (b) of the statutes is amended to read:

14 49.175 (1) (b) *Wisconsin Works administration.* For administration of
15 Wisconsin Works performed under contracts under s. 49.143, \$18,999,900
16 \$13,201,100 in fiscal year ~~2005-06~~ 2007-08 and \$16,834,100 \$13,201,100 in fiscal
17 year ~~2006-07~~ 2008-09.

18 ***-0267/5.4* SECTION 1437.** 49.175 (1) (c) of the statutes is repealed.

19 ***-0267/5.5* SECTION 1438.** 49.175 (1) (f) of the statutes is amended to read:

20 49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under
21 Wisconsin Works provided under contracts under s. 49.143, \$49,534,800 \$38,604,400
22 in fiscal year ~~2005-06~~ 2007-08 and \$43,463,000 \$40,066,300 in fiscal year ~~2006-07~~
23 2008-09.

24 ***-0267/5.6* SECTION 1439.** 49.175 (1) (g) of the statutes is amended to read:

1 49.175 (1) (g) *State administration of public assistance programs.* For state
2 administration of public assistance programs, ~~\$16,060,000~~ \$17,577,500 in each
3 fiscal year 2007-08 and \$17,807,000 in fiscal year 2008-09.

4 ***-0267/5.7*** SECTION 1440. 49.175 (1) (i) of the statutes is amended to read:

5 49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138,
6 \$4,500,000 ~~\$8,900,000~~ in each fiscal year 2007-08 and \$9,400,000 in fiscal year
7 2008-09.

8 ***-0267/5.8*** SECTION 1441. 49.175 (1) (p) of the statutes is amended to read:

9 49.175 (1) (p) *Direct child care services.* For direct child care services under s.
10 49.155, ~~\$310,332,100~~ \$314,888,400 in fiscal year 2005-06 2007-08 and
11 \$313,432,100 \$315,821,900 in fiscal year 2006-07 2008-09.

12 ***-0267/5.9*** SECTION 1442. 49.175 (1) (q) of the statutes is amended to read:

13 49.175 (1) (q) *Indirect child care services.* For indirect child care services under
14 s. 49.155 (1g), ~~\$9,926,700~~ \$7,081,900 in fiscal year 2005-06 2007-08 and \$9,929,000
15 \$6,480,200 in fiscal year 2006-07 2008-09.

16 ***-0267/5.10*** SECTION 1443. 49.175 (1) (qm) of the statutes is amended to read:

17 49.175 (1) (qm) *Quality care for quality kids.* For the child care quality
18 improvement activities specified in s. 49.155 (1g) (d), ~~\$3,378,500~~ \$4,578,500 in each
19 fiscal year.

20 ***-0267/5.11*** SECTION 1444. 49.175 (1) (r) of the statutes is repealed.

21 ***-0267/6.12*** SECTION 1445. 49.175 (1) (s) of the statutes is created to read:

22 49.175 (1) (s) *Grants to Educare Center of Milwaukee.* For grants to the
23 Educare Center of Milwaukee, \$750,000 in each fiscal year.

24 ***-0267/5.12*** SECTION 1446. 49.175 (1) (z) of the statutes is amended to read:

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1 49.175 (1) (z) *Grants to the Boys and Girls Clubs of America.* For grants to the
2 Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that
3 improve social, academic, and employment skills of youth who are eligible to receive
4 temporary assistance for needy families under 42 USC 601 et seq., ~~\$300,000~~
5 \$350,000 in each fiscal year.

6 *~~-1261/5.530~~* *~~-1261/P3.456~~* SECTION 1447. 49.175 (1) (ze) (title) of the
7 statutes is amended to read:

8 49.175 (1) (ze) (title) *Programs administered by the department of health and*
9 *family services relating to children and families.*

10 *~~-0267/5.13~~* SECTION 1448. 49.175 (1) (ze) 1. of the statutes is amended to
11 read:

12 49.175 (1) (ze) 1. 'Kinship care and long-term kinship care assistance.' For the
13 kinship care and long-term kinship care programs under s. 48.57 (3m), (3n), and
14 (3p), ~~\$23,034,200 in fiscal year 2005-06 and \$22,686,300~~ \$23,655,000 in each fiscal
15 year 2006-07.

16 *~~-0267/5.14~~* SECTION 1449. 49.175 (1) (ze) 2. of the statutes is amended to
17 read:

18 49.175 (1) (ze) 2. 'Children of recipients of supplemental security income.' For
19 payments made under s. 49.775 for the support of the dependent children of
20 recipients of supplemental security income, ~~\$30,444,000~~ \$30,272,400 in fiscal year
21 ~~2005-06 2007-08~~ and ~~\$30,394,000~~ \$30,272,400 in fiscal year ~~2006-07 2008-09~~.

22 *~~-0267/5.15~~* SECTION 1450. 49.175 (1) (ze) 10m. of the statutes is amended to
23 read:

24 49.175 (1) (ze) 10m. 'Safety and out-of-home placement services.' For services
25 provided in counties having a population of 500,000 or more to ensure the safety of

1 children who the department of health and family services determines may remain
2 at home if appropriate services are provided, ~~\$5,707,200~~ and for ongoing services
3 provided in those counties to families with children placed in out-of-home care,
4 \$5,631,300 in each fiscal year.

5 ***-1261/5.531* *-1261/P3.457* SECTION 1451.** 49.175 (1) (ze) 10m. of the
6 statutes, as affected by 2007 Wisconsin Act ... (this act), is amended to read:

7 49.175 (1) (ze) 10m. 'Safety and out-of-home placement services.' For services
8 provided in counties having a population of 500,000 or more to ensure the safety of
9 children who the department of health and family services determines may remain
10 at home if appropriate services are provided, and for ongoing services provided in
11 those counties to families with children placed in out-of-home care, \$5,631,300 in
12 each fiscal year.

****NOTE: This is reconciled s. 49.175 (1) (ze) 10m. This SECTION has been affected
by drafts with the following LRB numbers: -0267 and -1261.

13 ***-0267/5.16* SECTION 1452.** 49.175 (1) (ze) 12. of the statutes is amended to
14 read:

15 49.175 (1) (ze) 12. 'Milwaukee and statewide child welfare administration.' For
16 the costs associated with the Milwaukee child welfare information system and the
17 Wisconsin statewide automated child welfare information system, ~~\$1,310,800~~
18 \$1,510,500 in fiscal year ~~2005-06~~ 2007-08 and ~~\$1,317,700~~ \$1,532,100 in fiscal year
19 ~~2006-07~~ 2008-09.

20 ***-0267/5.17* SECTION 1453.** 49.175 (1) (zh) of the statutes is amended to read:
21 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
22 moneys from the appropriation account under s. 20.445 (3) (md) to the appropriation

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1 account under s. 20.835 (2) (kf) for the earned income tax credit, \$55,232,000
2 \$30,616,700 in each fiscal year 2007-08 and \$25,004,300 in fiscal year 2008-09.

3 ***-1261/5.532* *-1267/P1.112* SECTION 1454.** 49.175 (1) (zh) of the statutes,
4 as affected by 2007 Wisconsin Act ... (this act), is amended to read:

5 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
6 moneys from the appropriation account under s. 20.445 (3) 20.437 (2) (md) to the
7 appropriation account under s. 20.835 (2) (kf) for the earned income tax credit,
8 \$30,616,700 in fiscal year 2007-08 and \$25,004,300 in fiscal year 2008-09.

****NOTE: This is reconciled s. 49.175 (1) (zh). This SECTION has been affected by
drafts with the following LRB numbers: -0267 and -1261.

9 ***-1261/5.533* *-1267/P1.113* SECTION 1455.** 49.175 (2) (c) of the statutes is
10 amended to read:

11 49.175 (2) (c) If the amounts of federal block grant moneys that are required
12 to be credited to the appropriation accounts under s. 20.445 (3) 20.437 (2) (mc) and
13 (md) are less than the amounts appropriated under s. 20.445 (3) 20.437 (2) (mc) and
14 (md), the department shall submit a plan to the secretary of administration for
15 reducing the amounts of moneys allocated under sub. (1). If the secretary of
16 administration approves the plan, the amounts of moneys required to be allocated
17 under sub. (1) may be reduced as proposed by the department and the department
18 shall allocate the moneys as specified in the plan.

19 ***-1676/2.4* SECTION 1456.** 49.177 of the statutes is created to read:

20 **49.177 Boys and Girls Clubs programs in 1st class cities.** From the
21 appropriation account under s. 20.445 (3) (kb), the department shall provide grants
22 to the Boys and Girls Clubs of Greater Milwaukee to fund programs that improve the
23 social, academic, and employment skills of youths who reside in 1st class cities.