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1           601.93 (2) Every insurer doing a fire insurance business in this state shall,  
2 before March 1 in each year, file with the commissioner a statement, showing the  
3 amount of premiums upon fire insurance due for the preceding calendar year.  
4 Return premiums may be deducted in determining the premium on which the fire  
5 department dues are computed. Payments of quarterly installments of the total  
6 estimated payment for the then current calendar year under this subsection are due  
7 on or before April 15, June 15, September 15 and December 15. On March 1 the  
8 insurer shall pay any additional amounts due for the preceding calendar year.  
9 Overpayments will be credited on the amount due April 15. The commissioner shall,  
10 prior to May 1 each year, report to the department of ~~commerce~~ safety and  
11 professional services the amount of dues paid under this subsection and to be paid  
12 under s. 101.573 (1).

13           **SECTION 3468.** 607.02 (1) of the statutes is amended to read:

14           607.02 (1) TYPES OF POLICIES PERMITTED. Subject to ~~sub.~~ subs. (2) and (3), the  
15 life fund may issue to any resident of the state any kind of life insurance with any  
16 riders or endorsements thereto that would be filed with the commissioner for  
17 issuance by private insurers authorized to do a life insurance business in this state.  
18 Coverages may be combined and granted in the same policy by the life fund to the  
19 same extent as by a private life insurer.

20           **SECTION 3469.** 607.02 (3) of the statutes is created to read:

21           607.02 (3) CLOSED ENROLLMENT. On and after the effective date of this  
22 subsection .... [LRB inserts date], all of the following apply:

23           (a) The life fund may not accept applications for life insurance coverage under  
24 the life fund.

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1 (b) Life insurance policies for life insurance coverage under the life fund may  
2 be issued only on the basis of applications received before the effective date of this  
3 paragraph .... [LRB inserts date].

4 **SECTION 3470.** 609.805 of the statutes is repealed.

5 **SECTION 3471.** 610.70 (1) (a) of the statutes is amended to read:

6 610.70 (1) (a) "Health care provider" means any person licensed, registered,  
7 permitted or certified by the department of health services or the department of  
8 ~~regulation and licensing~~ safety and professional services to provide health care  
9 services, items or supplies in this state.

10 **SECTION 3472.** 632.10 (1) of the statutes is amended to read:

11 632.10 (1) "Building and safety standards" means the requirements of chs. 101  
12 and 145 and of any rule promulgated by the department of ~~commerce~~ safety and  
13 professional services under ch. 101 or 145, and standards of a 1st class city relating  
14 to the health and safety of occupants of buildings.

15 **SECTION 3473.** 632.895 (17) of the statutes is repealed.

16 **SECTION 3474.** 704.05 (5) (a) 2. of the statutes is amended to read:

17 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail  
18 addressed to the tenant's last-known address, of the landlord's intent to dispose of  
19 the personal property by sale or other appropriate means if the property is not  
20 repossessed by the tenant. If the tenant fails to repossess the property within 30 days  
21 after the date of personal service or the date of the mailing of the notice, the landlord  
22 may dispose of the property by private or public sale or any other appropriate means.  
23 The landlord may deduct from the proceeds of sale any costs of sale and any storage  
24 charges if the landlord has first stored the personalty under subd. 1. If the proceeds  
25 minus the costs of sale and minus any storage charges are not claimed within 60 days

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1 after the date of the sale of the personalty, the landlord is not accountable to the  
2 tenant for any of the proceeds of the sale or the value of the property. The landlord  
3 shall send the proceeds of the sale minus the costs of the sale and minus any storage  
4 charges to the department of administration for deposit in the appropriation under  
5 s. ~~20.143 (2)~~ 20.490 (7) (h).

6 **SECTION 3475.** 709.03 (form) C. 8. of the statutes is amended to read:

7 **709.03** (form)

8 C. 8. I am aware of underground or aboveground fuel .... ..  
9 storage tanks on the property. (If "yes", the  
10 owner, by law, may have to register the tanks  
11 with the department of ~~commerce~~ safety and  
12 professional services at P.O. Box 7970, Madison,  
13 Wisconsin, 53707, whether the tanks are in use  
or not. Regulations of the department of ~~com-~~  
merce safety and professional services may  
require the closure or removal of unused tanks.

14 **SECTION 3476.** 758.19 (4) of the statutes is amended to read:

15 758.19 (4) The director of state courts may develop, promote, coordinate and  
16 implement circuit court automated information systems that are compatible among  
17 counties using the moneys appropriated under s. 20.680 (2) (j) and (kg). If the  
18 director of state courts provides funding to counties as part of the development and  
19 implementation of this system, the director of state courts may provide funding to  
20 counties with 1 or 2 circuit court judges for a minicomputer system only up to the  
21 level of funding that would have been provided had the county implemented a  
22 microcomputer system. In those counties with 1 or 2 circuit court judges, any costs  
23 incurred to implement a minicomputer system not funded under this subsection  
24 shall be paid by the county. Those counties may use that minicomputer system for  
25  
26  
27

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1 county management information needs in addition to the circuit court automated  
2 information system use.

3 **SECTION 3477.** 758.19 (8) (a) (intro.) of the statutes is amended to read:

4 758.19 (8) (a) (intro.) From the ~~appropriation~~ appropriations under s. 20.625  
5 (1) (c) and (k), the director of state courts shall reimburse counties up to 4 times each  
6 year for the actual expenses paid for interpreters required by circuit courts to assist  
7 persons with limited English proficiency under s. 885.38 (8) (a) 1. The amount of the  
8 maximum hourly reimbursement for court interpreters shall be as follows:

9 **SECTION 3478.** 767.215 (5) (a) (intro.) of the statutes is amended to read:

10 767.215 (5) (a) (intro.) ~~When~~ Except as provided in par. (am), when the petition  
11 under this section is filed with the court, the party filing the petition shall submit a  
12 separate form, furnished by the court, containing all of the following:

13 **SECTION 3479.** 767.215 (5) (a) 2. of the statutes is amended to read:

14 767.215 (5) (a) 2. The name, date of birth, and social security number of each  
15 minor child of the parties and of each child who was born to the wife during the  
16 marriage and who is a minor.

17 **SECTION 3480.** 767.215 (5) (am) of the statutes is created to read:

18 767.215 (5) (am) In an action to determine the paternity of a child, the party  
19 who filed the petition shall submit the form under par. (a) within 5 days after  
20 paternity is adjudicated.

21 **SECTION 3481.** 767.215 (5) (b) of the statutes is amended to read:

22 767.215 (5) (b) A form submitted under this subsection shall be maintained  
23 with the confidential information required under s. ~~767.54~~ 767.127 or maintained  
24 separately from the case file. The form may be disclosed only to the parties and their

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1 attorneys, a county child support enforcement agency, and any other person  
2 authorized by law or court order to have access to the information on the form.

3 **SECTION 3482.** 767.511 (6) (intro.) of the statutes is amended to read:

4 767.511 (6) INTEREST ON ARREARAGE. (intro.) A party ordered to pay child  
5 support under this section shall pay simple interest at the rate of 1% per month on  
6 any amount in arrears that is equal to or greater than the amount of child support  
7 due in one month. If the party no longer has a current obligation to pay child support,  
8 interest at the rate of 1% per month shall accrue on the total amount of child support  
9 in arrears, if any. Interest under this subsection is in lieu of interest computed under  
10 s. 807.01 (4), 814.04 (4), or 815.05 (8) and is paid to the department or its designee  
11 under s. 767.57. Except as provided in s. 767.57 (1m) and except as required under  
12 federal statutes or regulations, the department or its designee shall apply all  
13 payments received for child support as follows:

14 **SECTION 3483.** 767.521 (intro.) of the statutes is amended to read:

15 **767.521 Action by state for child support.** (intro.) The state or its delegate  
16 under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001  
17 (1) (f) or for paternity determination and child support under s. 767.80 if the child's  
18 right to support is assigned to the state under s. 49.775 (2) (bm), 2009 stats., or s.  
19 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775  
20 49.395 (2) (bm) and all of the following apply:

21 **SECTION 3484.** 778.25 (1) (a) 5. of the statutes is amended to read:

22 778.25 (1) (a) 5. Under administrative rules promulgated by the ~~board of~~  
23 regents Board of Regents of the University of Wisconsin System under s. 36.11 (1) (c)  
24 or the Board of Trustees of the University of Wisconsin-Madison under s. 37.11 (1m)

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1 (c) brought against an adult in circuit court or against a minor in the court assigned  
2 to exercise jurisdiction under chs. 48 and 938.

3 **SECTION 3485.** 801.50 (5) of the statutes is amended to read:

4 801.50 (5) Venue of an action for certiorari to review a probation, extended  
5 supervision, or parole revocation, a denial by ~~the earned release review commission~~  
6 a program review committee under s. ~~302.1135 (5)~~ 302.113 (9g) of a petition for  
7 modification of a bifurcated sentence, or a refusal of parole shall be the county in  
8 which the relator was last convicted of an offense for which the relator was on  
9 probation, extended supervision, or parole or for which the relator is currently  
10 incarcerated.

11 **SECTION 3486.** 809.30 (1) (c) of the statutes is amended to read:

12 809.30 (1) (c) "Postconviction relief" means an appeal or a motion for  
13 postconviction relief in a criminal case, other than an appeal, motion, or petition  
14 under ss. 302.113 (7m), ~~302.1135~~ or (9g), 973.19, 973.195, ~~973.198~~, 974.06, or 974.07  
15 (2). In a ch. 980 case, the term means an appeal or a motion for postcommitment  
16 relief under s. 980.038 (4).

17 **SECTION 3487.** 812.30 (9) of the statutes is amended to read:

18 812.30 (9) "Need-based public assistance" means aid to families with  
19 dependent children, relief funded by a relief block grant under ch. 49, relief provided  
20 by counties under s. 59.53 (21), medical assistance, supplemental security income,  
21 ~~food stamps~~ supplemental nutrition assistance program benefits, or benefits  
22 received by veterans under s. 45.40 (1m) or under 38 USC 501 to 562.

23 **SECTION 3488.** 812.44 (4) 2. (form) of the statutes is amended to read:

24 812.44 (4) 2. (form) You receive aid to families with dependent children, relief  
25 funded by a relief block grant under ch. 49, relief provided by counties under section

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1 s. 59.53 (21) of the Wisconsin Statutes, medical assistance, supplemental security  
2 income, ~~food stamps~~ supplemental nutrition assistance program benefits, or  
3 veterans benefits based on need under 38 USC 501 to 562 or section 45.351 (1) of the  
4 Wisconsin Statutes, or have received these benefits within the past 6 months.

5 **SECTION 3489.** 812.44 (5) 2. (form) of the statutes is amended to read:

6 812.44 (5) 2. (form) I receive, am eligible for, or have within 6 months received,  
7 aid to families with dependent children, relief funded by a relief block grant under  
8 ch. 49, relief provided by counties under section 59.53 (21) of the Wisconsin Statutes,  
9 medical assistance, supplemental security income, ~~food stamps~~ supplemental  
10 nutrition assistance program benefits, or veterans benefits based on need under 38  
11 USC 501 to 562 or section 45.351 (1) of the Wisconsin Statutes.

12 **SECTION 3490.** 814.29 (1) (d) 1. of the statutes is amended to read:

13 814.29 (1) (d) 1. That the person is a recipient of means-tested public  
14 assistance, including aid to families with dependent children, relief funded by a relief  
15 block grant under ch. 49, relief provided by counties under s. 59.53 (21), medical  
16 assistance, supplemental security income, ~~food stamps~~ supplemental nutrition  
17 assistance program benefits, or benefits received by veterans under s. 45.40 (1m) or  
18 under 38 USC 501 to 562.

19 **SECTION 3491.** 815.18 (3) (o) of the statutes is amended to read:

20 815.18 (3) (o) *Tuition units.* Tuition units purchased under s. ~~14.63~~ 16.64.

21 **SECTION 3492.** 815.18 (3) (p) of the statutes is amended to read:

22 815.18 (3) (p) *College savings accounts.* An interest in a college savings account  
23 under s. ~~14.64~~ 16.641.

24 **SECTION 3493.** 885.237 (2) of the statutes is amended to read:

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1           885.237 (2) Notwithstanding s. 341.04, the fact that an automobile or motor  
2 truck having a registered weight of 8,000 pounds or less is located on a highway, as  
3 defined in s. 340.01 (22), and is not displaying valid registration plates, a temporary  
4 operation plate, or other evidence of registration as provided under s. 341.18 (1) is  
5 prima facie evidence, for purposes of ch. 341, that the vehicle is an unregistered or  
6 improperly registered vehicle. This subsection does not apply to violations of  
7 ordinances enacted under s. 341.65, but this subsection does apply to violations of  
8 ordinances enacted under s. 341.65, 2003 stats.

9           **SECTION 3494.** 887.23 (1) of the statutes is amended to read:

10           887.23 (1) WHO MAY REQUIRE. The department of health services, the  
11 department of corrections, the state superintendent of public instruction, the Board  
12 of Trustees of the University of Wisconsin-Madison, or the ~~board of regents~~ Board  
13 of Regents of the University of Wisconsin System may order the deposition of any  
14 witness to be taken concerning any institution under his, her or its government or  
15 superintendence, or concerning the conduct of any officer or agent thereof, or  
16 concerning any matter relating to the interests thereof. Upon presentation of a  
17 certified copy of such order to any municipal judge, notary public or court  
18 commissioner, the officer shall take the desired deposition in the manner provided  
19 for taking depositions to be used in actions. When any officer or agent of any  
20 institution is concerned and will be affected by the testimony, 2 days' written notice  
21 of the time and place of taking the deposition shall be given him or her. Any party  
22 interested may appear in person or by counsel and examine the witness touching the  
23 matters mentioned in the order. The deposition, duly certified, shall be delivered to  
24 the authority which ordered it.

25           **SECTION 3495.** 891.45 (1) (b) of the statutes is amended to read:

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1           891.45 (1) (b) "Municipal fire fighter" includes any person designated as  
2 primarily a fire fighter under s. 60.553 (2), 61.66 (2), or 62.13 (2e) (b) and any person  
3 under s. 60.553, 61.66, or 62.13 (2e) whose duties as a fire fighter during the 5-year  
4 qualifying period took up at least two-thirds of his or her working hours.

5           **SECTION 3496.** 891.453 (1) (c) of the statutes is amended to read:

6           891.453 (1) (c) "Fire fighter" means a state, county, or municipal fire fighter  
7 who is covered under s. 891.45 and any person under s. 60.553, 61.66, or 62.13 (2e)  
8 whose duties as a fire fighter took up at least two-thirds of his or her working hours.

9           **SECTION 3497.** 891.453 (1) (d) of the statutes is amended to read:

10          891.453 (1) (d) "Law enforcement officer" means any person employed by the  
11 state or by a county or a municipality for the purpose of detecting and preventing  
12 crime and enforcing laws or ordinances, who is authorized to make arrests for  
13 violations of the laws or ordinances which he or she is employed to enforce. "Law  
14 enforcement officer" includes a person under s. 60.553, 61.66, or 62.13 (2e) whose  
15 duties as a police officer took up at least two-thirds of his or her working hours.

16          **SECTION 3498.** 891.455 (1) of the statutes is amended to read:

17          891.455 (1) In this section, "state, county, or municipal fire fighter" means a  
18 fire fighter who is covered under s. 891.45 and any person under s. 60.553, 61.66, or  
19 62.13 (2e) whose duties as a fire fighter during the 10-year qualifying period  
20 specified in sub. (2) took up at least two-thirds of his or her working hours.

21          **SECTION 3499.** 893.82 (2) (d) 4. of the statutes is created to read:

22          893.82 (2) (d) 4. An officer, director, employee, or agent of the Board of Trustees  
23 of the University of Wisconsin-Madison.

24          **SECTION 3500.** 893.82 (9) of the statutes is created to read:

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1           893.82 (9) For purposes of this section, any employee of the state of Minnesota  
2 performing services for this state pursuant to a valid agreement between this state  
3 and the state of Minnesota providing for interchange of employees or services is  
4 considered to have the same status as an employee of this state performing the same  
5 services for this state, and any employee of this state who performs services for the  
6 state of Minnesota pursuant to such an agreement is considered to have the same  
7 status as when performing the same services for this state in any action brought  
8 under the laws of this state.

9           **SECTION 3501.** 893.925 (2) (a) of the statutes is amended to read:

10           893.925 (2) (a) An action to recover damages for mining-related injuries under  
11 s. 107.32 shall be brought within 3 years of the date on which the death or injury  
12 occurs unless the department of ~~commerce~~ safety and professional services gives  
13 written notice within the time specified in this subsection that a claim has been filed  
14 with it under sub. (1), in which case an action based on the claim may be brought  
15 against the person to whom the notice is given within one year after the final  
16 resolution, including any appeal, of the claim or within the time specified in this  
17 subsection, whichever is longer.

18           **SECTION 3502.** 895.07 (13) of the statutes is amended to read:

19           895.07 (13) BROCHURE. The department of ~~commerce~~ safety and professional  
20 services shall prepare a brochure explaining the process under this section and shall  
21 provide that brochure to contractors.

22           **SECTION 3503.** 895.441 (5) of the statutes is amended to read:

23           895.441 (5) SILENCE AGREEMENTS. Any provision in a contract or agreement  
24 relating to the settlement of any claim by a patient against a therapist that limits  
25 or eliminates the right of the patient to disclose sexual contact by the therapist to a

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1 subsequent therapist, the department of ~~regulation and licensing~~ safety and  
2 professional services, the department of health services, the injured patients and  
3 families compensation fund peer review council, or a district attorney is void.

4 **SECTION 3504.** 895.46 (10) of the statutes is created to read:

5 895.46 (10) Any employee of the state of Minnesota who is named as a  
6 defendant and who is found liable as a result of performing services for this state  
7 under a valid agreement between this state and the state of Minnesota providing for  
8 interchange of employees or services shall be indemnified by this state to the same  
9 extent as an employee of this state performing the same services for this state  
10 pursuant to this section.

11 **SECTION 3505.** 895.46 (11) of the statutes is created to read:

12 895.46 (11) An officer, director, employee, or agent of the Board of Trustees of  
13 the University of Wisconsin–Madison is a state officer, employee, or agent for the  
14 purposes of this section.

15 **SECTION 3506.** 895.515 (1) (b) of the statutes is amended to read:

16 895.515 (1) (b) “Institution of higher education” means an institution within  
17 the University of Wisconsin System, the University of Wisconsin–Madison, a  
18 technical college, or a private, nonprofit institution of higher education located in  
19 this state.

20 **SECTION 3507.** 895.517 (1) (d) of the statutes is repealed.

21 **SECTION 3508.** 895.517 (2) of the statutes is amended to read:

22 895.517 (2) Any person who donates or sells, at a price not exceeding overhead  
23 and transportation costs, solid waste, or a material that is separated from mixed soil  
24 waste, to a materials reuse program that is operated by a charitable organization,  
25 or municipality or responsible unit is immune from civil liability for the death of or

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1 injury to an individual or the damage to property caused by the solid waste or  
2 material donated or sold by the person.

3 **SECTION 3509.** 908.03 (6m) (c) 3. of the statutes is amended to read:

4 908.03 (6m) (c) 3. If upon a properly authorized request of an attorney, the  
5 health care provider refuses, fails, or neglects to supply within 2 business days a  
6 legible certified duplicate of its records for the fees established under s. 146.83 (1f)  
7 ~~(e) or (d) or (1h) (b) or (e), whichever are applicable~~ par. (e).

8 **SECTION 3510.** 908.03 (6m) (e) of the statutes is created to read:

9 908.03 (6m) (e) *Fees.* The department of health services shall, by rule,  
10 prescribe uniform fees that are based on an approximation of actual costs. The fees,  
11 plus applicable tax, are the maximum amount that a health care provider may  
12 charge for certified duplicate patient health care records. The rule shall also allow  
13 the health care provider to charge for actual postage or other actual delivery costs.  
14 For duplicate patient health care records and duplicate X-ray reports or the referral  
15 of X-rays to another health care provider that are requested before commencement  
16 of an action, s. 146.83 (1c) (b) and (c) and (3f) applies.

17 **SECTION 3511.** 911.01 (4) (c) of the statutes is amended to read:

18 911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or  
19 rendition; sentencing, granting, or revoking probation, modification of a bifurcated  
20 sentence under s. ~~302.1135~~ 302.113 (9g), adjustment of a bifurcated sentence under  
21 s. 973.195 (1r), ~~release to extended supervision under s. 302.113 (2) (b) or 304.06 (1)~~  
22 ~~or discharge under s. 973.01 (4m) or 973.198~~; issuance of subpoenas or warrants  
23 under s. 968.375, arrest warrants, criminal summonses, and search warrants;  
24 hearings under s. 980.09 (2); proceedings under s. 971.14 (1r) (c); or proceedings with  
25 respect to pretrial release under ch. 969 except where habeas corpus is utilized with

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1 respect to release on bail or as otherwise provided in ch. 969; and proceedings under  
2 s. 165.76 (6) to compel provision of a biological specimen for deoxyribonucleic acid  
3 analysis.

4 **SECTION 3512.** 938.02 (14m) of the statutes is repealed.

5 **SECTION 3513.** 938.13 (6m) of the statutes is amended to read:

6 938.13 **(6m)** SCHOOL DROPOUT. The juvenile is a school dropout, as defined in  
7 s. ~~118.153 (1) (b)~~ 115.001 (2m).

8 **SECTION 3514.** 938.20 (2) (f) 2. of the statutes is amended to read:

9 938.20 **(2)** (f) 2. Make a determination of whether the juvenile is a child at risk,  
10 as defined in s. ~~118.153 (1) (a)~~ 115.001 (1m), unless that determination has been  
11 made within the current school semester. ~~If a juvenile is determined to be a child at~~  
12 ~~risk under this subdivision, the school administrator shall provide a program for the~~  
13 ~~juvenile according to the plan developed under s. 118.153 (2) (a).~~

14 **SECTION 3515.** 938.245 (2) (a) 4. of the statutes is amended to read:

15 938.245 **(2)** (a) 4. 'Alcohol and other drug abuse treatment and education.' That  
16 the juvenile participate in an alcohol and other drug abuse outpatient treatment  
17 program, ~~a court-approved pupil assistance program provided by the juvenile's~~  
18 ~~school board,~~ or a court-approved alcohol or other drug abuse education program, if  
19 an alcohol and other drug abuse assessment under subd. 3. recommends outpatient  
20 treatment, intervention, or education. ~~The juvenile's participation in a~~  
21 ~~court-approved pupil assistance program is subject to the approval of the juvenile's~~  
22 ~~school board.~~

23 **SECTION 3516.** 938.295 (1g) of the statutes is amended to read:

24 938.295 **(1g)** REPORT OF RESULTS AND RECOMMENDATIONS. If the court orders an  
25 alcohol or other drug abuse assessment under sub. (1), the approved treatment

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1 facility shall, within 14 days after the order, report the results of the assessment to  
2 the court, except that, if requested by the facility and if the juvenile is not held in  
3 secure or nonsecure custody, the court may extend the period for assessment for not  
4 more than 20 additional working days. The report shall include a recommendation  
5 as to whether the juvenile is in need of treatment, intervention, or education relating  
6 to the use or abuse of alcohol beverages, controlled substances, or controlled  
7 substance analogs and, if so, shall recommend a service plan and appropriate  
8 treatment from an approved treatment facility, ~~intervention from a court-approved~~  
9 ~~pupil assistance program~~, or education from a court-approved alcohol or other drug  
10 abuse education program.

11 **SECTION 3517.** 938.32 (1g) (b) of the statutes is amended to read:

12 938.32 (1g) (b) That the juvenile participate in a ~~court-approved pupil~~  
13 ~~assistance program provided by the juvenile's school board or a court-approved~~  
14 alcohol or other drug abuse education program. ~~The juvenile's participation in a~~  
15 ~~court-approved pupil assistance program is subject to the approval of the juvenile's~~  
16 ~~school board.~~

17 **SECTION 3518.** 938.34 (7d) (a) 1. of the statutes is amended to read:

18 938.34 (7d) (a) 1. A nonresidential educational program, ~~including a program~~  
19 ~~for children at risk under s. 118.153~~, provided by the school district in which the  
20 juvenile resides.

21 **SECTION 3519.** 938.34 (14s) (b) 3. of the statutes is amended to read:

22 938.34 (14s) (b) 3. Participate in ~~a court-approved pupil assistance program~~  
23 ~~provided by the juvenile's school board or an alcohol or other drug abuse education~~  
24 program. ~~The juvenile's participation in a court-approved pupil assistance program~~  
25 ~~under this subdivision is subject to the approval of the juvenile's school board.~~

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1           **SECTION 3520.** 938.34 (14s) (d) of the statutes is amended to read:

2           938.34 (14s) (d) If the juvenile completes the alcohol or other drug abuse  
3 treatment program, ~~court-approved pupil assistance program~~ or court-approved  
4 alcohol or other drug abuse education program, the approved treatment facility,  
5 ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug  
6 abuse education program shall, with the written informed consent of the juvenile or,  
7 if the juvenile has not attained the age of 12, the written informed consent of the  
8 juvenile's parent, notify the agency primarily responsible for providing services to  
9 the juvenile that the juvenile has complied with the order and the court shall notify  
10 the juvenile of whether or not the original dispositional order will be reinstated.

11           **SECTION 3521.** 938.34 (14s) (e) of the statutes is amended to read:

12           938.34 (14s) (e) If an approved treatment facility, ~~court-approved pupil~~  
13 ~~assistance program~~ or court-approved alcohol or other drug abuse education  
14 program, with the written informed consent of the juvenile or, if the juvenile has not  
15 attained the age of 12, the written informed consent of the juvenile's parent, notifies  
16 the agency primarily responsible for providing services to the juvenile that a juvenile  
17 is not participating in, or has not satisfactorily completed, a recommended alcohol  
18 or other drug abuse treatment program, ~~a court-approved pupil assistance program~~  
19 or a court-approved alcohol or other drug abuse education program, the court shall  
20 impose the original disposition under par. (a) or (am).

21           **SECTION 3522.** 938.343 (10) (c) of the statutes is amended to read:

22           938.343 (10) (c) Participate in ~~a court-approved pupil assistance program~~  
23 ~~provided by the juvenile's school board or in a court-approved alcohol or other drug~~  
24 abuse education program. ~~The juvenile's participation in a court-approved pupil~~

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1 ~~assistance program under this paragraph is subject to the approval of the juvenile's~~  
2 ~~school board.~~

3 **SECTION 3523.** 938.344 (2g) (a) 3. of the statutes is amended to read:

4 938.344 (2g) (a) 3. Participate in ~~a court-approved pupil assistance program~~  
5 ~~provided by the juvenile's school board or in a court-approved alcohol or other drug~~  
6 ~~abuse education program. The juvenile's participation in a court-approved pupil~~  
7 ~~assistance program under this subdivision is subject to the approval of the juvenile's~~  
8 ~~school board.~~

9 **SECTION 3524.** 938.344 (2g) (c) of the statutes is amended to read:

10 938.344 (2g) (c) If the juvenile completes the alcohol or other drug abuse  
11 treatment program, ~~court-approved pupil assistance program~~ or court-approved  
12 alcohol or other drug abuse education program, the approved treatment facility,  
13 ~~court-approved pupil assistance program~~ or court-approved alcohol or other drug  
14 abuse education program shall, with the written informed consent of the juvenile or,  
15 if the juvenile has not attained the age of 12, the written informed consent of the  
16 juvenile's parent, notify the agency primarily responsible for providing services to  
17 the juvenile that the juvenile has complied with the order and the court shall notify  
18 the juvenile of whether or not the penalty will be reinstated.

19 **SECTION 3525.** 938.344 (2g) (d) of the statutes is amended to read:

20 938.344 (2g) (d) If an approved treatment facility, ~~court-approved pupil~~  
21 ~~assistance program~~, or court-approved alcohol or other drug abuse education  
22 program, with the written informed consent of the juvenile or, if the juvenile has not  
23 attained the age of 12, the written informed consent of the juvenile's parent, notifies  
24 the agency primarily responsible for providing services to the juvenile that a juvenile  
25 is not participating, or has not satisfactorily completed, a recommended alcohol or

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1 other drug abuse treatment program, ~~a court-approved pupil assistance program,~~  
2 or a court-approved alcohol or other drug abuse education program, the court shall  
3 hold a hearing to determine whether to impose the penalties under sub. (2), (2b), (2d),  
4 or (2e).

5 **SECTION 3526.** 938.345 (2) of the statutes is amended to read:

6 938.345 (2) SCHOOL DROPOUTS AND HABITUAL TRUANTS. If the court finds that a  
7 juvenile is in need of protection or services based on the fact that the juvenile is a  
8 school dropout, as defined in s. ~~118.153 (1) (b)~~ 115.001 (2m), or based on habitual  
9 truancy, and the court also finds that the juvenile has dropped out of school or is a  
10 habitual truant as a result of the juvenile's intentional refusal to attend school rather  
11 than the failure of any other person to comply with s. 118.15 (1) (a) and (am), the  
12 court, instead of or in addition to any other disposition imposed under sub. (1), may  
13 enter an order permitted under s. 938.342.

14 **SECTION 3527.** 938.78 (2) (g) of the statutes is amended to read:

15 938.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing  
16 information about an individual in its care or legal custody on the written request  
17 of the department of ~~regulation and licensing~~ safety and professional services or of  
18 any interested examining board or affiliated credentialing board in that department  
19 for use in any investigation or proceeding relating to any alleged misconduct by any  
20 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.  
21 Unless authorized by an order of the court, the department of ~~regulation and~~  
22 licensing safety and professional services and any examining board or affiliated  
23 credentialing board in that department shall keep confidential any information  
24 obtained under this paragraph and may not disclose the name of or any other  
25 identifying information about the individual who is the subject of the information

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1 disclosed, except to the extent that redisclosure of that information is necessary for  
2 the conduct of the investigation or proceeding for which that information was  
3 obtained.

4 **SECTION 3528.** 940.20 (7) (a) 3. of the statutes is amended to read:

5 940.20 (7) (a) 3. "Health care provider" means any person who is licensed,  
6 registered, permitted or certified by the department of health services or the  
7 department of ~~regulation and licensing~~ safety and professional services to provide  
8 health care services in this state.

9 **SECTION 3529.** 940.207 (title) of the statutes is amended to read:

10 **940.207 (title) Battery or threat to department of ~~commerce~~ safety and**  
11 **professional services or department of workforce development employee.**

12 **SECTION 3530.** 940.207 (2) (intro.) of the statutes is amended to read:

13 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to  
14 cause bodily harm to the person or family member of any department of ~~commerce~~  
15 safety and professional services or department of workforce development official,  
16 employee or agent under all of the following circumstances is guilty of a Class H  
17 felony:

18 **SECTION 3531.** 940.207 (2) (a) of the statutes is amended to read:

19 940.207 (2) (a) At the time of the act or threat, the actor knows or should have  
20 known that the victim is a department of ~~commerce~~ safety and professional services  
21 or department of workforce development official, employee or agent or a member of  
22 his or her family.

23 **SECTION 3532.** 940.22 (1) (a) of the statutes is amended to read:

24 940.22 (1) (a) "Department" means the department of ~~regulation and licensing~~  
25 safety and professional services.

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1           **SECTION 3533.** 946.13 (12) (b) (intro.) of the statutes is amended to read:

2           946.13 (12) (b) (intro.) Subsection (1) does not apply to a contract between a  
3           research company and the University of Wisconsin System or any institution or  
4           college campus within the system for purchase of goods or services, including  
5           research, if all of the following apply:

6           **SECTION 3534.** 946.13 (13) of the statutes is created to read:

7           946.13 (13) (a) In this subsection, “research company” means an entity engaged  
8           in commercial activity that is related to research conducted by an employee or officer  
9           of the University of Wisconsin–Madison or to a product of such research.

10          (b) Subsection (1) does not apply to a contract between a research company and  
11          the University of Wisconsin–Madison for purchase of goods or services, including  
12          research, if all of the following apply:

13           1. The contract is approved by a University of Wisconsin–Madison employee  
14           or officer responsible for evaluating and managing potential conflicts of interest.

15           2. Either of the following apply:

16           a. The contract together with all other contracts between the same parties  
17           require less than \$250,000 in payments over a 24-month period.

18           b. The University of Wisconsin–Madison submits the contract to the Board of  
19           Trustees of the University of Wisconsin–Madison and, within 45 days, the Board of  
20           Trustees determines that the contract benefits the state and any conflicts of interest  
21           are appropriately managed by the University of Wisconsin–Madison.

22           (c) Paragraphs (a) and (b) apply regardless of the date on which a contract was  
23           entered into.

24          **SECTION 3535.** 950.04 (1v) (f) of the statutes is amended to read:

**BILL****SECTION 3535**

1           950.04 (1v) (f) To have the ~~earned release review~~ parole commission make a  
2 reasonable attempt to notify the victim of applications for parole ~~or release to~~  
3 ~~extended supervision~~, as provided under s. 304.06 (1).

4           **SECTION 3536.** 950.04 (1v) (g) of the statutes is amended to read:

5           950.04 (1v) (g) To have reasonable attempts made to notify the victim of  
6 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),  
7 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

8           **SECTION 3537.** 950.04 (1v) (gm) of the statutes is amended to read:

9           950.04 (1v) (gm) To have reasonable attempts made to notify the victim of an  
10 ~~offender who submits a petition~~ petitions for sentence adjustment as provided under  
11 s. 973.195 (1r) (d), ~~an offender who applies for release to extended supervision under~~  
12 ~~s. 302.113 (2) (b), 302.1135, or 304.06 (1), or an offender who applies for a reduction~~  
13 ~~under s. 973.01 (4m) or 973.198.~~

14           **SECTION 3538.** 950.04 (1v) (nt) of the statutes is amended to read:

15           950.04 (1v) (nt) To attend a hearing on a petition for modification of a  
16 bifurcated sentence and provide a statement concerning modification of the  
17 bifurcated sentence, as provided under s. ~~302.1135 (4)~~ 302.113 (9g) (d).

18           **SECTION 3539.** 951.01 (3f) of the statutes is amended to read:

19           951.01 (3f) "Fire department" includes a volunteer fire department and a  
20 department under s. 60.553, 61.66, or 62.13 (2e).

21           **SECTION 3540.** 961.01 (20g) of the statutes is amended to read:

22           961.01 (20g) "Public housing project" means any housing project or  
23 development administered by a housing authority, as defined in s. ~~560.9801~~ 234.5601  
24 (2).

25           **SECTION 3541.** 961.36 (1m) of the statutes is amended to read:

**BILL****SECTION 3541**

1           961.36 (1m) At the request of the department of ~~regulation and licensing safety~~  
2           and professional services or a board, examining board or affiliated credentialing  
3           board in the department of ~~regulation and licensing safety and professional services~~,  
4           the controlled substances board shall provide advice and assistance in matters  
5           related to the controlled substances law to the department or to the board, examining  
6           board or affiliated credentialing board in the department making the request for  
7           advice or assistance.

8           **SECTION 3542.** 973.01 (3d) of the statutes is repealed.

9           **SECTION 3543.** 973.01 (4) of the statutes is amended to read:

10          973.01 (4) ~~EXTENSION~~ NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF  
11          IMPRISONMENT. A person sentenced to a bifurcated sentence under sub. (1) shall serve  
12          the term of confinement in prison portion of the sentence without reduction for good  
13          behavior. The term of confinement in prison portion is subject to extension under s.  
14          302.113 (3) and, if applicable, to reduction under s. 302.045 (3m), 302.05 (3) (c) 2. a.,  
15          302.113 (9g), or 973.195 (1r), or adjustment under s. 302.113 (2) (b), 302.1135 (6) (a),  
16          ~~or 304.06 (1) or 973.198.~~

17          **SECTION 3544.** 973.01 (4m) of the statutes is repealed.

18          **SECTION 3545.** 973.01 (7) of the statutes is amended to read:

19          973.01 (7) ~~DISCHARGE~~ NO DISCHARGE. The department of corrections shall may  
20          not discharge a person who is serving a bifurcated sentence from custody, control and  
21          supervision ~~when~~ until the person has served the entire bifurcated sentence, ~~as~~  
22          ~~modified under sub. (4m) or s. 302.113 (2) (b) or (9h), 302.1135, or 304.06 (1), if~~  
23          applicable.

24          **SECTION 3546.** 973.031 of the statutes is repealed.

25          **SECTION 3547.** 973.045 (1r) (a) (intro.) of the statutes is amended to read:

**BILL****SECTION 3547**

1           973.045 (1r) (a) (intro.) The clerk shall record any crime victim and witness  
2 surcharge imposed under sub. (1) in 2 parts as follows:

3           **SECTION 3548.** 973.045 (1r) (a) 2. of the statutes is amended to read:

4           973.045 (1r) (a) 2. Part B equals ~~\$27~~ \$20 for each misdemeanor offense or count  
5 and ~~\$27~~ \$20 for each felony offense or count.

6           **SECTION 3549.** 973.045 (1r) (a) 3. of the statutes is created to read:

7           973.045 (1r) (a) 3. Part C equals \$7 for each misdemeanor offense or count and  
8 \$7 for each felony offense or count.

9           **SECTION 3550.** 973.045 (2m) of the statutes, as affected by 2009 Wisconsin Act  
10 28, section 3391c, is amended to read:

11           973.045 (2m) (a) The secretary of administration shall credit to the  
12 appropriation account under s. 20.455 (5) (gc) ~~the first \$20 of part B of the crime~~  
13 ~~victim and witness surcharge.~~

14           (b) The secretary of administration shall credit to the appropriation account  
15 under s. 20.455 (5) (g) part A ~~of the crime victim and witness surcharge and any part~~  
16 ~~of part B C of the crime victim and witness surcharge that remains after the secretary~~  
17 ~~of administration complies with par. (a).~~

18           **SECTION 3551.** 973.045 (3) (c) of the statutes is created to read:

19           973.045 (3) (c) The person paying the crime victim and witness surcharge shall  
20 pay all of the moneys due under part A and part B before he or she pays any of the  
21 moneys due under part C.

22           **SECTION 3552.** 973.05 (2m) (dg) of the statutes is created to read:

23           973.05 (2m) (dg) To payment of part C of the crime victim and witness  
24 assistance surcharge until paid in full.

25           **SECTION 3553.** 973.09 (3) (d) of the statutes is repealed.

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1           **SECTION 3554.** 973.195 (1r) (a) of the statutes is amended to read:

2           973.195 (1r) (a) ~~An Except as provided in s. 973.198, an inmate who is serving~~  
3 a sentence imposed under s. 973.01 ~~before October 1, 2009~~, for a crime other than a  
4 Class B felony may petition the sentencing court to adjust the sentence if the inmate  
5 has served at least the applicable percentage of the term of confinement in prison  
6 portion of the sentence. If an inmate is subject to more than one sentence imposed  
7 under this section, the sentences shall be treated individually for purposes of  
8 sentence adjustment under this subsection.

9           **SECTION 3555.** 973.195 (1r) (j) of the statutes is repealed.

10          **SECTION 3556.** 973.198 of the statutes is created to read:

11          **973.198 Sentence adjustment; positive adjustment time.** (1) Subject to  
12 sub. (2), an inmate who is serving a sentence imposed under s. 973.01 on or after  
13 October 1, 2009, but before the effective date of this subsection .... [LRB inserts date],  
14 and who has earned positive adjustment time under s. 302.113, 2009 stats., or under  
15 s. 304.06, 2009 stats., may petition the sentencing court to adjust the sentence under  
16 this section.

17          (2) When the department of corrections determines that an inmate has served  
18 the confinement portion of his or her sentence less positive adjustment time earned  
19 between October 1, 2009, and the effective date of this subsection .... [LRB inserts  
20 date], the inmate may petition the sentencing court to adjust his or her sentence  
21 based on the number of days of positive adjustment time the inmate claims that he  
22 or she has earned.

23          (3) Within 60 days of receipt of a petition filed under sub. (2), the sentencing  
24 court shall either deny the petition or hold a hearing and issue an order relating to  
25 the inmate's sentence adjustment and release to extended supervision.

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1           (4) At the hearing under sub. (3), the court may consider the inmate's conduct  
2 in prison, his or her level of risk of reoffending, based on a verified, objective  
3 instrument, and the nature of the offense committed by the inmate.

4           (5) If the court determines that the inmate has earned positive adjustment  
5 time, the court may reduce the term of confinement in prison by the amount of time  
6 remaining in the term of confinement in prison portion of the sentence, less up to 30  
7 days, and shall lengthen the term of extended supervision so that the total length of  
8 the bifurcated sentence originally imposed does not change.

9           (6) An inmate who submits a petition under this section may not apply for  
10 adjustment of the same sentence under s. 973.195.

11           **SECTION 3557.** 974.07 (4) (b) of the statutes is amended to read:

12           974.07 (4) (b) Notwithstanding the limitation on the disclosure of mailing  
13 addresses from completed information cards submitted by victims under ss. 51.37  
14 (10) (dx), 301.046 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f),  
15 304.063 (4), 938.51 (2), 971.17 (6m) (d), and 980.11 (4), the department of corrections,  
16 the ~~earned release review parole~~ commission, and the department of health services  
17 shall, upon request, assist clerks of court in obtaining information regarding the  
18 mailing address of victims for the purpose of sending copies of motions and notices  
19 of hearings under par. (a).

20           **SECTION 3558.** 976.03 (23) (c) of the statutes is amended to read:

21           976.03 (23) (c) The application shall be verified by affidavit, shall be executed  
22 in duplicate and shall be accompanied by 2 certified copies of the indictment  
23 returned, or information and affidavit filed, or of the complaint made to a judge,  
24 stating the offense with which the accused is charged, or of the judgment of  
25 conviction or of the sentence. The prosecuting officer, ~~earned release review parole~~

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1 commission, warden or sheriff may also attach such further affidavits and other  
2 documents in duplicate as he, she or it deems proper to be submitted with the  
3 application. One copy of the application, with the action of the governor indicated  
4 by endorsement thereon, and one of the certified copies of the indictment, complaint,  
5 information and affidavits, or of the judgment of conviction or of the sentence shall  
6 be filed in the office of the governor to remain of record in that office. The other copies  
7 of all papers shall be forwarded with the governor's requisition.

8 **SECTION 3559.** 977.01 (2) of the statutes is amended to read:

9 977.01 (2) "Public assistance" means relief provided by counties under s. 59.53  
10 (21), Wisconsin ~~works~~ Works under ss. 49.141 to 49.161, medical assistance under  
11 subch. IV of ch. 49, low-income energy assistance under s. 16.27, weatherization  
12 assistance under s. 16.26, and the ~~food stamp~~ supplemental nutrition assistance  
13 program under 7 USC 2011 to 2029 2036.

14 **SECTION 3560.** 977.05 (4) (jm) of the statutes is amended to read:

15 977.05 (4) (jm) At the request of an inmate determined by the state public  
16 defender to be indigent or upon referral of ~~the department of corrections~~ a court  
17 under s. ~~302.1135 (10)~~ 302.113 (9g) (j), represent the inmate in proceedings for  
18 modification of a bifurcated sentence under s. ~~302.1135~~ before the earned release  
19 ~~review commission~~ 302.113 (9g) before a program review committee and the  
20 sentencing court, if the state public defender determines the case should be pursued.

21 **SECTION 3561.** 978.05 (6) (b) of the statutes is amended to read:

22 978.05 (6) (b) Enforce the provisions of all general orders of the department of  
23 ~~commerce~~ safety and professional services relating to the sale, transportation and  
24 storage of explosives.

25 **SECTION 3562.** 990.01 (7g) of the statutes is amended to read:

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1           990.01 (7g) FIRE CHIEF. "Fire chief" or "chief of a fire department" includes the  
2 chief of a department under s. 60.553, 61.66, or 62.13 (2e).

3           **SECTION 3563.** 990.01 (7m) of the statutes is amended to read:

4           990.01 (7m) FIRE DEPARTMENT. "Fire department" includes a department under  
5 s. 60.553, 61.66, or 62.13 (2e).

6           **SECTION 3564.** 990.01 (7r) of the statutes is amended to read:

7           990.01 (7r) FIRE FIGHTER. "Fire fighter" includes a person serving under s.  
8 60.553, 61.66, or 62.13 (2e).

9           **SECTION 3565.** 990.01 (28g) of the statutes is amended to read:

10           990.01 (28g) POLICE CHIEF. "Police chief" or "chief of a police department"  
11 includes the chief of a department under s. 60.553, 61.66, or 62.13 (2e).

12           **SECTION 3566.** 990.01 (28m) of the statutes is amended to read:

13           990.01 (28m) POLICE DEPARTMENT. "Police department" includes a department  
14 under s. 60.553, 61.66, or 62.13 (2e).

15           **SECTION 3567.** 990.01 (28r) of the statutes is amended to read:

16           990.01 (28r) POLICE OFFICER. "Police officer" includes a person serving under  
17 s. 60.553, 61.66, or 62.13 (2e).

18           **SECTION 3568.** 2009 Wisconsin Act 333, section 20 (2) is amended to read:

19           [2009 Wisconsin Act 333] Section 20 (2) PUBLISH NOTICE IN THE WISCONSIN  
20 ADMINISTRATIVE REGISTER THAT FUNDING IS NOT AVAILABLE. If, after making the  
21 determination under subsection (1m), the department of children and families  
22 determines that federal moneys from the Temporary Assistance for Needy Families  
23 Emergency Fund under the American Recovery and Reinvestment Act of 2009 are  
24 no longer available to support an expansion of trial jobs under section 49.147 (3) of  
25 the statutes, as affected by this act, ~~and the project under section 49.162 of the~~

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1 ~~statutes, as affected by this act,~~ the department shall publish a notice in the  
2 Wisconsin Administrative Register that states the date on which the federal moneys  
3 may no longer be obtained.

4 **SECTION 3569.** 2009 Wisconsin Act 333, section 20 (5) is amended to read:

5 [2009 Wisconsin Act 333] Section 20 (5) ADDITIONAL FUNDING FOR PROGRAMS. If  
6 any other federal funding becomes available for the ~~programs~~ program under  
7 ~~sections~~ section 49.147 (3) and ~~49.162~~ of the statutes, as affected by this act, the  
8 department of children and families shall take any actions that may be necessary to  
9 obtain the funding and use it for ~~these programs~~ that program.

10 **SECTION 3570.** 2009 Wisconsin Act 333, section 22 (2) is amended to read:

11 [2009 Wisconsin Act 333] Section 22 (2) The repeal of ~~sections~~ section 49.147 (3)  
12 (cm) and (dm) and ~~49.162 (3) (am) and (d)~~ of the statutes and the amendment of  
13 ~~sections~~ section 49.147 (3) (a) (by SECTION 4) and ~~49.162 (3) (a) (by SECTION 10)~~ of the  
14 statutes take effect on the date stated in the notice published by the department of  
15 children and families under SECTION 20 (2) of this act.

16 **SECTION 9101. Nonstatutory provisions; Administration.**

17 (1) YOUTH DIVERSION GRANT REDUCTIONS.

18 (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the  
19 statutes, the office of justice assistance in the department of administration shall  
20 reduce the amount of money allocated under section 16.964 (8) (a) of the statutes by  
21 \$85,900 in each of fiscal years 2011-12 and 2012-13.

22 (b) Notwithstanding the amount specified under section 16.964 (8) (b) of the  
23 statutes, the office of justice assistance in the department of administration shall  
24 reduce the amount of money distributed under section 16.964 (8) (b) of the statutes  
25 by \$18,400 in each of fiscal years 2011-12 and 2012-13.

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1 (c) Notwithstanding the amounts specified under section 16.964 (8) (c) of the  
2 statutes, the office of justice assistance in the department of administration shall  
3 reduce the amount of money allocated for each of the 4 contracts that are funded with  
4 moneys from the appropriation accounts under section 20.505 (6) (d) and (kj) of the  
5 statutes by \$25,650 in each of fiscal years 2011-12 and 2012-13 and shall reduce the  
6 amount of money allocated for the contract that is funded only with moneys from the  
7 appropriation account under section 20.505 (6) (kj) of the statutes by \$18,100 in each  
8 of fiscal years 2011-12 and 2012-13.

9 (2) LITERACY INITIATIVE; GOVERNOR'S TASK FORCE. A task force created by the  
10 governor by executive order and charged with developing detailed recommendations  
11 for a program to assess and improve literacy in elementary school children may  
12 request the department of administration to release funding from the department's  
13 appropriation account under section 20.505 (4) (c) of the statutes, as created by this  
14 act, for use by the department to implement the recommendations of the task force  
15 after the governor has approved the detailed recommendations proposed by the task  
16 force.

17 (3) ELIMINATION OF OFFICE OF THE WISCONSIN COVENANT SCHOLARS PROGRAM.

18 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
19 liabilities of the office of the Wisconsin Covenant Scholars Program shall become the  
20 assets and liabilities of the higher educational aids board.

21 (b) *Tangible personal property.* On the effective date of this paragraph, all  
22 tangible personal property, including records, of the office of the Wisconsin Covenant  
23 Scholars Program is transferred to the higher educational aids board.

24 (c) *Contracts.* All contracts entered into by the office of the Wisconsin Covenant  
25 Scholars Program in effect on the effective date of this paragraph remain in effect

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1 and are transferred to the higher educational aids board. The higher educational  
2 aids board shall carry out any obligations under such a contract until the contract  
3 is modified or rescinded by the higher educational aids board to the extent allowed  
4 under the contract.

5 (d) *Rules and orders.* All rules promulgated by the office of the Wisconsin  
6 Covenant Scholars Program that are in effect on the effective date of this paragraph  
7 remain in effect until their specified expiration dates or until amended or repealed  
8 by the higher educational aids board. All orders issued by the office of the Wisconsin  
9 Covenant Scholars Program that are in effect on the effective date of this paragraph  
10 remain in effect until their specified expiration dates or until modified or rescinded  
11 by the higher educational aids board.

12 (e) *Pending matters.* Any matter pending with the office of the Wisconsin  
13 Covenant Scholars Program on the effective date of this paragraph is transferred to  
14 the higher educational aids board and all materials submitted to or actions taken by  
15 the office of the Wisconsin Covenant Scholars Program with respect to the pending  
16 matter are considered as having been submitted to or taken by the higher  
17 educational aids board.

18 (4) ELIMINATION OF CERTAIN VACANT POSITIONS IN THE EXECUTIVE BRANCH OF STATE  
19 GOVERNMENT.

20 (a) In this subsection, "state agency" means any office, department, or  
21 independent agency in the executive branch of state government.

22 (b) Notwithstanding section 16.505 (1), during the 2011-13 fiscal biennium,  
23 the secretary of administration may abolish any full-time equivalent position at any  
24 state agency if the position is vacant and if the secretary of administration

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1 determines that filling the position is not required for the state agency to carry out  
2 its duties and exercise its powers.

3 **SECTION 9102. Nonstatutory provisions; Aging and Long-Term Care**  
4 **Board.**

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

7 **SECTION 9104. Nonstatutory provisions; Arts Board.**

8 (1) **ELIMINATION OF PERCENT FOR ART PROGRAM.** Notwithstanding the repeal of  
9 section 44.57 (4) and (5) (a) and (b) of the statutes by this act, any contract entered  
10 into by the arts board under section 44.57 (4), 2009 stats., for the procurement of a  
11 work of art that is in effect on the day before the effective date of this subsection  
12 remains in effect. The arts board shall carry out any obligation under the contract,  
13 unless the contract is modified or rescinded as permitted under the contract, and  
14 shall ensure that the work of art procured under the contract is properly executed  
15 and installed as required under section 44.57 (5) (a) and (b), 2009 stats.

16 (2) **PLACEMENT OF ARTS BOARD IN DEPARTMENT OF TOURISM.**

17 (a) *Employee transfers.* All incumbent employees holding positions in the arts  
18 board are transferred on the effective of this paragraph to the department of tourism.

19 (b) *Employee status.* Employees transferred under paragraph (a) have all the  
20 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
21 statutes in the department of tourism that they enjoyed in the arts board  
22 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
23 no employee so transferred who has attained permanent status in class is required  
24 to serve a probationary period.

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1           **SECTION 9105. Nonstatutory provisions; Board for People with**  
2           **Developmental Disabilities.**

3           **SECTION 9106. Nonstatutory provisions; Building Commission.**

4           **SECTION 9107. Nonstatutory provisions; Child Abuse and Neglect**  
5           **Prevention Board.**

6           **SECTION 9108. Nonstatutory provisions; Children and Families.**

7           (1) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT.

8           (a) *Positions and employees.* On the effective date of this paragraph, 3 positions  
9           and the incumbent employee or employees, if any, holding those positions in the  
10           department of children and families performing duties that are primarily related to  
11           automation security for the Client Assistance for Reemployment and Economic  
12           Support system, as determined by the secretary of administration, are transferred  
13           to the department of health services.

14           (b) *Employee status.* Any employee transferred under paragraph (a) has all the  
15           rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
16           statutes in the department of health services that he or she enjoyed in the  
17           department of children and families immediately before the transfer.  
18           Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who  
19           has attained permanent status in class is required to serve a probationary period.

20           **SECTION 9109. Nonstatutory provisions; Circuit Courts.**

21           **SECTION 9110. Nonstatutory provisions; Commerce.**

22           (1) HOUSING ASSISTANCE TRANSFER.

23           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
24           liabilities of the department of commerce primarily related to the functions of the  
25           department under subchapter X of chapter 560, 2009 stats., as determined by the

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1 secretary of administration, shall become the assets and liabilities of the Wisconsin  
2 Housing and Economic Development Authority.

3 (b) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the department of commerce that  
5 is primarily related to the functions of the department under subchapter X of chapter  
6 560, 2009 stats., as determined by the secretary of administration, is transferred to  
7 the Wisconsin Housing and Economic Development Authority.

8 (c) *Contracts.* All contracts entered into by the department of commerce in  
9 effect on the effective date of this paragraph that are primarily related to the  
10 functions of the department under subchapter X of chapter 560, 2009 stats., as  
11 determined by the secretary of administration, remain in effect and are transferred  
12 to the Wisconsin Housing and Economic Development Authority. The Wisconsin  
13 Housing and Economic Development Authority shall carry out any obligations under  
14 such a contract until the contract is modified or rescinded by the Wisconsin Housing  
15 and Economic Development Authority to the extent allowed under the contract.

16 (2) TRANSFER OF BUSINESS ASSISTANCE PROGRAMS.

17 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
18 liabilities of the department of commerce primarily related to disabled  
19 veteran-owned business certifications, woman-owned business certifications,  
20 minority business certifications, women's business initiative corporation grants,  
21 small business innovation research assistance grants, or diesel truck idling  
22 reduction grants, as determined by the secretary of administration, shall become the  
23 assets and liabilities of the department of safety and professional services.

24 (b) *Employee transfers.* All positions and all incumbent employees holding  
25 those positions in the department of commerce performing duties primarily related

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1 to disabled veteran-owned business certifications, woman-owned business  
2 certifications, minority business certifications, women's business initiative  
3 corporation grants, small business innovation research assistance grants, or diesel  
4 truck idling reduction grants, as determined by the secretary of administration, are  
5 transferred on the effective date of this paragraph to the department of safety and  
6 professional services.

7 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
8 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
9 statutes in the department of safety and professional services that they enjoyed in  
10 the department of commerce immediately before the transfer. Notwithstanding  
11 section 230.28 (4) of the statutes, no employee so transferred who has attained  
12 permanent status in class is required to serve a probationary period.

13 (d) *Tangible personal property.* On the effective date of this paragraph, all  
14 tangible personal property, including records, of the department of commerce that  
15 is primarily related to disabled veteran-owned business certifications,  
16 woman-owned business certifications, minority business certifications, women's  
17 business initiative corporation grants, small business innovation research  
18 assistance grants, or diesel truck idling reduction grants, as determined by the  
19 secretary of administration, is transferred to the department of safety and  
20 professional services.

21 (e) *Contracts.* All contracts entered into by the department of commerce in  
22 effect on the effective date of this paragraph that are primarily related to disabled  
23 veteran-owned business certifications, woman-owned business certifications,  
24 minority business certifications, women's business initiative corporation grants,  
25 small business innovation research assistance grants, or diesel truck idling

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1 reduction grants, as determined by the secretary of administration, remain in effect  
2 and are transferred to the department of safety and professional services. The  
3 department of safety and professional services shall carry out any obligations under  
4 such a contract until the contract is modified or rescinded by the department of safety  
5 and professional services to the extent allowed under the contract.

6 (f) *Rules and orders.* All rules promulgated by the department of commerce  
7 that relate to disabled veteran-owned business certifications, woman-owned  
8 business certifications, minority business certifications, women's business initiative  
9 corporation grants, small business innovation research assistance grants, or diesel  
10 truck idling reduction grants, that are in effect on the effective date of this  
11 subsection, remain in effect until their specified expiration dates or until amended  
12 or repealed by the department of safety and professional services. All orders issued  
13 by the department of commerce relating to such business certifications or grants that  
14 are in effect on the effective date of this subsection remain in effect until their  
15 specified expiration dates or until modified or rescinded by the department of safety  
16 and professional services.

17 (g) *Pending matters.* Any matter pending with the department of commerce  
18 on the effective date of this paragraph that is primarily related to disabled  
19 veteran-owned business certifications, woman-owned business certifications,  
20 minority business certifications, women's business initiative corporation grants,  
21 small business innovation research assistance grants, or diesel truck idling  
22 reduction grants, as determined by the secretary of administration, is transferred to  
23 the department of safety and professional services and all materials submitted to or  
24 actions taken by the department of commerce with respect to the pending matters

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1 are considered as having been submitted to or taken by the department of safety and  
2 professional services.

3 (3) TRANSFER OF THE DIVISIONS OF SAFETY AND BUILDINGS AND ENVIRONMENTAL AND  
4 REGULATORY SERVICES.

5 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
6 liabilities of the department of commerce primarily related to the functions of the  
7 division of safety and buildings and the division of environmental and regulatory  
8 services, as determined by the secretary of administration, shall become the assets  
9 and liabilities of the department of safety and professional services.

10 (b) *Employee transfers.* All positions and all incumbent employees holding  
11 those positions in the department of commerce performing duties primarily related  
12 to the functions of the division of safety and buildings and the division of  
13 environmental and regulatory services, as determined by the secretary of  
14 administration, are transferred on the effective date of this paragraph to the  
15 department of safety and professional services.

16 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
17 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
18 statutes in the department of safety and professional services that they enjoyed in  
19 the department of commerce immediately before the transfer. Notwithstanding  
20 section 230.28 (4) of the statutes, no employee so transferred who has attained  
21 permanent status in class is required to serve a probationary period.

22 (d) *Tangible personal property.* On the effective date of this paragraph, all  
23 tangible personal property, including records, of the department of commerce that  
24 is primarily related to the functions of the division of safety and buildings and the

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1 division of environmental and regulatory services, as determined by the secretary of  
2 administration, is transferred to the department of safety and professional services.

3 (e) *Contracts.* All contracts entered into by the department of commerce in  
4 effect on the effective date of this paragraph that are primarily related to the  
5 functions of the division of safety and buildings and the division of environmental  
6 and regulatory services, as determined by the secretary of administration, remain  
7 in effect and are transferred to the department of safety and professional services.  
8 The department of safety and professional services shall carry out any obligations  
9 under such a contract until the contract is modified or rescinded by the department  
10 of safety and professional services to the extent allowed under the contract.

11 (f) *Rules and orders.* All rules promulgated by the department of commerce  
12 that are in effect on the effective date of this paragraph and that are primarily related  
13 to the functions of the division of safety and buildings and the division of  
14 environmental and regulatory services, as determined by the secretary of  
15 administration, remain in effect until their specified expiration dates or until  
16 amended or repealed by the department of safety and professional services. All  
17 orders issued by the department of commerce that are in effect on the effective date  
18 of this paragraph and that are primarily related to the functions of the division of  
19 safety and buildings and the division of environmental and regulatory services, as  
20 determined by the secretary of administration, remain in effect until their specified  
21 expiration dates or until modified or rescinded by the department of safety and  
22 professional services.

23 (g) *Pending matters.* Any matter pending with the department of commerce  
24 on the effective date of this paragraph that is primarily related to the functions of the  
25 division of safety and buildings and the division of environmental and regulatory

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1 services, as determined by the secretary of administration, is transferred to the  
2 department of safety and professional services and all materials submitted to or  
3 actions taken by the department of commerce with respect to the pending matters  
4 are considered as having been submitted to or taken by the department of safety and  
5 professional services.

6 (4) TRANSFER OF CERTAIN ADMINISTRATIVE POSITIONS FROM THE DEPARTMENT OF  
7 COMMERCE.

8 (a) The positions, and the incumbent employees holding those positions, in the  
9 division of administrative services in the department of commerce that the secretary  
10 of administration determines shall be transferred to the department of safety and  
11 professional services, are transferred on the effective date of this paragraph.

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

18 (5) REALLOCATION OF FUNDING WITHIN THE DEPARTMENT OF SAFETY AND  
19 PROFESSIONAL SERVICES.

20 (a) In this subsection:

21 1. "Schedule" means the schedule under section 20.005 of the statutes, as  
22 affected by this act.

23 2. "Secretary" means the secretary of administration.

24 (b) Before July 1, 2013, the secretary may transfer moneys from any  
25 appropriation under section 20.165 of the statutes, as affected by this act, to any

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1 other appropriation under section 20.165 of the statutes, as affected by this act, and  
2 may increase or decrease the amounts shown in the schedule for any appropriation  
3 under section 20.165 of the statutes, as affected by this act, if necessary to reallocate  
4 funding in accordance with the transfer of functions or personnel from the  
5 department of commerce to the department of safety and professional services,  
6 except that the secretary may not adjust the amounts shown in the schedule in a  
7 manner so that the total amounts appropriated under the adjusted appropriations  
8 exceed the total amounts shown in the schedule for those appropriations on the  
9 effective date of this act. The secretary shall submit a report to the joint committee  
10 on finance before July 1, 2013, that identifies the actions taken by the secretary  
11 under this subsection.

12 (6) ECONOMIC DEVELOPMENT TRANSFER.

13 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
14 liabilities of the department of commerce primarily related to the functions of the  
15 department under subchapters I, II, III, IV, V, VI, VIII, and IX of chapter 560, 2009  
16 stats., as determined by the secretary of administration, shall become the assets and  
17 liabilities of the Wisconsin Economic Development Corporation.

18 (b) *Tangible personal property.* On the effective date of this paragraph, all  
19 tangible personal property, including records, of the department of commerce that  
20 is primarily related to the functions of the department under subchapters I, II, III,  
21 IV, V, VI, VIII, and IX of chapter 560, 2009 stats., except the tangible personal  
22 property, including records, transferred to the department of agriculture, trade and  
23 consumer protection under subsection (7) (a) and except the tangible personal  
24 property, including records, transferred to the department of administration under

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1 subsection (8) (b), as determined by the secretary of administration, is transferred  
2 to the Wisconsin Economic Development Corporation.

3 (c) *Contracts*. All contracts entered into by the department of commerce in  
4 effect on the effective date of this paragraph that are primarily related to the  
5 functions of the department under subchapters I, II, III, IV, V, VI, VIII, and IX of  
6 chapter 560, 2009 stats., as determined by the secretary of administration, remain  
7 in effect and are transferred to the Wisconsin Economic Development Corporation.  
8 The Wisconsin Economic Development Corporation shall carry out any obligations  
9 under such a contract until the contract is modified or rescinded by the Wisconsin  
10 Economic Development Corporation to the extent allowed under the contract.

11 (7) DAIRY MANUFACTURING FACILITY INVESTMENT CREDIT; TRANSFER.

12 (a) *Tangible personal property*. On the effective date of this paragraph, all  
13 tangible personal property, including records, of the department of commerce that  
14 is primarily related to the functions of the department of commerce with respect to  
15 section 560.207, 2009 stats., as determined by the secretary of administration, is  
16 transferred to the department of agriculture, trade and consumer protection.

17 (b) *Rules*. All rules promulgated by the department of commerce under section  
18 560.207 (4), 2009 stats., that are in effect on the effective date of this paragraph  
19 remain in effect until their specified expiration date or until amended or repealed by  
20 the department of agriculture, trade and consumer protection.

21 (8) RURAL HOSPITAL LOAN GUARANTEE; TRANSFER.

22 (a) *Tangible personal property*. On the effective date of this paragraph, all  
23 tangible personal property, including records, of the department of commerce that  
24 is primarily related to the functions of the department of commerce with respect to

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1 section 231.35, 2009 stats., as determined by the secretary of administration, is  
2 transferred to the department of administration.

3 (b) *Rules.* All rules promulgated by the department of commerce under section  
4 231.35 (7), 2009 stats., that are in effect on the effective date of this paragraph  
5 remain in effect until their specified expiration date or until amended or repealed by  
6 the department of administration.

7 **SECTION 9111. Nonstatutory provisions; Corrections.**

8 **SECTION 9112. Nonstatutory provisions; Court of Appeals.**

9 **SECTION 9113. Nonstatutory provisions; District Attorneys.**

10 (1) ASSISTANT DISTRICT ATTORNEY SALARIES. The offices of the district attorneys  
11 shall work with the office of state employment relations to allocate the moneys  
12 appropriated under section 20.475 (1) (kg) of the statutes, as created by this act.

13 **SECTION 9114. Nonstatutory provisions; Educational Communications**  
14 **Board.**

15 **SECTION 9115. Nonstatutory provisions; Employee Trust Funds.**

16 **SECTION 9116. Nonstatutory provisions; Employment Relations**  
17 **Commission.**

18 **SECTION 9117. Nonstatutory provisions; Financial Institutions.**

19 **SECTION 9118. Nonstatutory provisions; Government Accountability**  
20 **Board.**

21 **SECTION 9119. Nonstatutory provisions; Governor.**

22 **SECTION 9120. Nonstatutory provisions; Health and Educational**  
23 **Facilities Authority.**

24 **SECTION 9121. Nonstatutory provisions; Health Services.**

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1           (1) FAMILY CARE ENROLLMENT. Notwithstanding section 46.286 (3) (a) of the  
2 statutes, in a county where the family care benefit, as described in section 46.286 of  
3 the statutes, is available on June 20, 2011, or the effective date of this subsection,  
4 whichever is later, the department of health services may not enroll more persons in  
5 care management organizations, as defined in section 46.2805 (1) of the statutes, to  
6 receive the family care benefit than the number of persons receiving the family care  
7 benefit in that county on June 20, 2011, or the effective date of this subsection,  
8 whichever is later. This subsection does not apply after June 30, 2013.

9           (2) FAMILY CARE PARTNERSHIP ENROLLMENT.

10           (a) *Definition.* In this subsection, “family care partnership program” means an  
11 integrated health and long-term care program operated under an amendment to the  
12 state medical assistance plan, as authorized in 42 USC 1396n (i).

13           (b) *Enrollment.* In a county where the family care partnership program is  
14 available on June 20, 2011, or the effective date of this paragraph, whichever is later,  
15 the department of health services may not enroll more persons in the family care  
16 partnership program than the number of persons participating in the family care  
17 partnership program in that county on June 20, 2011, or the effective date of this  
18 paragraph, whichever is later. This paragraph does not apply after June 30, 2013.

19           (3) PROGRAM FOR ALL-INCLUSIVE CARE FOR THE ELDERLY ENROLLMENT. In a county  
20 that administers the program for all-inclusive care for the elderly under 42 USC  
21 1396u-4 on June 20, 2011, or the effective date of this subsection, whichever is later,  
22 the department of health services may not enroll more persons in the program for  
23 all-inclusive care for the elderly than the number of persons enrolled in that county  
24 on June 20, 2011, or the effective date of this subsection, whichever is later. This  
25 subsection does not apply after June 30, 2013.

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1           (4) SELF-DIRECTED SERVICES OPTION TO RECEIVE LONG-TERM CARE SERVICES  
2 ENROLLMENT.

3           (a) *Definition.* In this subsection, the “self-directed services option” means the  
4 program operated under a waiver from the secretary of the federal department of  
5 health and human services under 42 USC 1396n (c) that allows participants to  
6 self-manage publicly funded long-term care services.

7           (b) *Enrollment.* In a county where the self-directed services option is available  
8 on June 20, 2011, or the effective date of this paragraph, whichever is later, the  
9 department of health services may not enroll more persons in the self-directed  
10 services option than the number of persons participating in the self-directed services  
11 option in that county on June 20, 2011, or the effective date of this paragraph,  
12 whichever is later. This paragraph does not apply after June 30, 2013.

13           (5) EXPANSION OF FAMILY CARE. Beginning on July 1, 2011, and ending on June  
14 30, 2013, the department of health services may not propose to contract with entities  
15 to administer the family care benefit, as described in section 46.286 of the statutes,  
16 in a county in which the family care benefit is not available on July 1, 2011, unless  
17 the department of health services determines that administering the family care  
18 benefit in such a county would be more cost-effective than the county’s current  
19 mechanism for delivering long-term care services.

20           (6) TRANSFER OF INCOME MAINTENANCE ADMINISTRATION TO INCOME MAINTENANCE  
21 ADMINISTRATION UNIT.

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

23           1. “County” means a county administering income maintenance programs, as  
24 defined in section 49.78 (1) (b) of the statutes on the effective date of this subdivision.

25           2. “Department” means the department of health services.

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1           3. "Income maintenance programs" has the meaning given in section 49.78 (1)  
2 (b) of the statutes.

3           4. "Unit" has the meaning given in section 49.78 (1) (f) of the statutes, as created  
4 by this act.

5           (b) *Transition Plan.* On the effective date of this paragraph, the department  
6 shall begin to transition the administration of the income maintenance programs  
7 from counties to the unit. The department shall develop a transition plan that  
8 includes a deadline by which each county must transfer to the department all records  
9 in the possession of the county that are related to the administration of income  
10 maintenance programs.

11           (c) *Delegation of administrative functions to counties.* Notwithstanding section  
12 49.78 of the statutes, as affected by this act, before May 1, 2012, the department may  
13 delegate some or all of the administrative functions related to income maintenance  
14 programs to counties, on a county by county basis. If the department delegates  
15 administrative functions related to income maintenance programs to a county, the  
16 county shall continue to perform the delegated administrative functions until the  
17 department notifies the county that the unit is prepared to assume responsibility for  
18 the administrative functions. The department and a county to which the department  
19 delegates administrative functions related to income maintenance programs shall  
20 enter into a contract relating to the county's administrative functions and  
21 reimbursement for the reasonable costs of performing those administrative  
22 functions. Reimbursements to counties that continue to administer income  
23 maintenance programs shall be considered costs incurred by the unit to administer  
24 income maintenance programs.

25           (7) ELIMINATION OF MILWAUKEE COUNTY ENROLLMENT SERVICES UNIT.

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1           (a) *Date of transfer to unit.* The department of health services shall determine  
2 when the income maintenance administration unit established under section 49.78  
3 (1m) of the statutes, as created by this act, is prepared to take over income  
4 maintenance administration responsibilities in Milwaukee County and shall notify  
5 the legislative reference bureau of that date. The legislative reference bureau shall  
6 publish a notice in the Wisconsin Administrative Register that specifies that date.

7           (b) *Unreimbursed expenditure.* In the calendar year in which the income  
8 maintenance program administration unit takes over income maintenance program  
9 administration responsibilities in Milwaukee County, Milwaukee County's  
10 unreimbursed required minimum expenditure under section 49.825 (2) (d) 2. of the  
11 statutes shall be prorated on the basis of the length of time the Milwaukee County  
12 enrollment services unit administers the programs under section 49.825 (2) (a) 1. of  
13 the statutes.

14           (8) FOOD STAMP PROGRAM TRANSFER TO DEPARTMENT OF CHILDREN AND FAMILIES.

15           (a) *Employee transfers.* The classified positions, and incumbent employees  
16 holding positions, in the department of health services relating primarily to the food  
17 stamp program under section 49.79, 2009 stats., as determined by the secretary of  
18 administration, are transferred to the department of children and families. Upon  
19 determination of these employees, the secretary of administration may transfer  
20 moneys between the general purpose revenue appropriations for the department of  
21 health services and the department of children and families, between the program  
22 revenue appropriations for the department of health services and the department of  
23 children and families, between the program revenue-service appropriations for the  
24 department of health services and the department of children and families, between  
25 the appropriations of given segregated funds for the department of health services

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1 and the department of children and families, and between the federal revenue  
2 appropriations for the department of health services and the department of children  
3 and families, if necessary to adjust previously allocated costs in accordance with the  
4 transfer of personnel and administrative functions.

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

11 (c) *Tangible personal property.* On the effective date of this paragraph, all  
12 tangible personal property, including records, of the department of health services  
13 that is primarily related to the food stamp program under section 49.79, 2009 stats.,  
14 as determined by the secretary of administration, shall be transferred to the  
15 department of children and families.

16 (d) *Contracts.* All contracts entered into by the department of health services  
17 in effect on the effective date of this paragraph that are primarily related to the  
18 related to the food stamp program under section 49.79, 2009 stats., as determined  
19 by the secretary of administration, remain in effect and are transferred to the  
20 department of children and families. The department of children and families shall  
21 carry out any such contractual obligations unless modified or rescinded by the  
22 department of children and families to the extent allowed under the contract.

23 (e) *Pending matters.* Any matter pending with the department of health  
24 services on the effective date of this paragraph that is primarily related to the food  
25 stamp program under section 49.79, 2009 stats., as determined by the secretary of

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1 administration, is transferred to the department of children and families and all  
2 materials submitted to or actions taken by the department of health services with  
3 respect to the pending matter are considered as having been submitted to or taken  
4 by the department of children and families.

5 (f) *Rules and orders.* All rules promulgated by the department of health  
6 services that are primarily related to the food stamp program under section 49.79,  
7 2009 stats., as determined by the secretary of administration, and that are in effect  
8 on the effective date of this paragraph remain in effect until their specified expiration  
9 dates or until amended or repealed by the department of children and families. All  
10 orders issued by the department of health services that are primarily related to the  
11 food stamp program under section 49.79, 2009 stats., as determined by the secretary  
12 of administration, and that are in effect on the effective date of this paragraph  
13 remain in effect until their specified expiration dates or until modified or rescinded  
14 by the department of children and families.

15 (9) CONGENITAL DISORDER TESTING FEES; RULES. Using the procedure under  
16 section 227.24 of the statutes, the department of health services shall promulgate  
17 rules required under section 253.13 (2) of the statutes, as affected by this act, for the  
18 period before the effective date of the permanent rules promulgated under section  
19 253.13 (2) of the statutes, as affected by this act, but not to exceed the period  
20 authorized under section 227.24 (1) (c) of the statutes, subject to extension under  
21 section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and  
22 (3) of the statutes, the department of health services is not required to provide  
23 evidence that promulgating a rule under this subsection as an emergency rule is  
24 necessary for the preservation of public peace, health, safety, or welfare and is not

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1 required to provide a finding of emergency for a rule promulgated under this  
2 subsection.

3 (10) PATIENT HEALTH CARE RECORDS FEES; RULES. Using the procedure under  
4 section 227.24 of the statutes, the department of health services shall promulgate  
5 rules required under sections 146.83 (3f) and 908.03 (6m) (e) of the statutes, as  
6 created by this act, for the period before the effective date of the permanent rules  
7 promulgated under sections 146.83 (3f) and 908.03 (6m) (e) of the statutes, as created  
8 by this act, but not to exceed the period authorized under section 227.24 (1) (c),  
9 subject to extension under section 227.24 (2) of the statutes. Notwithstanding  
10 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of health services  
11 is not required to provide evidence that promulgating a rule under this subsection  
12 as an emergency rule is necessary for the preservation of public peace, health, safety,  
13 or welfare and is not required to provide a finding of emergency for a rule  
14 promulgated under this subsection.

15 (11) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY ELIGIBILITY. Notwithstanding  
16 section 49.688 (2) of the statutes, as affected by this act, a person who is participating  
17 in the program under section 49.688 of the statutes on the effective date of this  
18 subsection is not required to comply with section 49.688 (2) (a) 6. of the statutes, as  
19 created by this act, before January 1, 2012.

20 **SECTION 9122. Nonstatutory provisions; Higher Educational Aids**  
21 **Board.**

22 **SECTION 9123. Nonstatutory provisions; Historical Society.**

23 **SECTION 9124. Nonstatutory provisions; Housing and Economic**  
24 **Development Authority.**

25 **SECTION 9125. Nonstatutory provisions; Insurance.**

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- 1           **SECTION 9126. Nonstatutory provisions; Investment Board.**
- 2           **SECTION 9127. Nonstatutory provisions; Joint Committee on Finance.**
- 3           **SECTION 9128. Nonstatutory provisions; Judicial Commission.**
- 4           **SECTION 9129. Nonstatutory provisions; Justice.**
- 5           **SECTION 9130. Nonstatutory provisions; Legislature.**
- 6           **SECTION 9131. Nonstatutory provisions; Lieutenant Governor.**
- 7           **SECTION 9132. Nonstatutory provisions; Local Government.**
- 8           **SECTION 9133. Nonstatutory provisions; Medical College of Wisconsin.**
- 9           **SECTION 9134. Nonstatutory provisions; Military Affairs.**
- 10          **SECTION 9135. Nonstatutory provisions; Natural Resources.**

11           (1) NONPOINT SOURCE WATER POLLUTION RULES.

12           (a) The department of natural resources shall promulgate rules under section  
13 281.16 (2) of the statutes that repeal and recreate chapter NR 151, Wisconsin  
14 Administrative Code, in effect on the effective date of this subsection. The repealed  
15 and recreated rules shall take effect 90 days after the effective date of this paragraph  
16 and shall be no more stringent than the requirements under the federal Water  
17 Pollution Control Act, 33 USC 1251 to 1387, and regulations adopted under that act.

18           (b) 1. In this paragraph:

19           a. "Covered municipality" means a municipality for which the department of  
20 natural resources granted coverage under a general permit issued under section  
21 283.35 of the statutes.

22           b. "Municipality" has the meaning given in section 281.01 (6) of the statutes.

23           c. "Storm water management program" means a program that requires a  
24 covered municipality to achieve a minimum reduction in total suspended solids for  
25 runoff from existing development that enters the waters of this state.

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1           2. To the extent allowed under federal law, if the rules promulgated under  
2 paragraph (a) establish a deadline by fixing a date by which a covered municipality  
3 must develop and implement a storm water management program, the rules shall  
4 also provide that the deadline for developing and implementing a storm water  
5 management program does not apply to a covered municipality that determines that  
6 compliance with the deadline would have a significant adverse economic impact on  
7 that municipality.

8           (2) COMMERCIAL CONSTRUCTION SITE EROSION CONTROL.

9           (a) In this subsection, "commercial building site" means a building site for  
10 construction of public buildings and buildings that are places of employment.

11           (b) All rules promulgated by the department of natural resources under section  
12 281.33 (3m), 2009 stats., related to erosion control for commercial building sites that  
13 are in effect on the effective date of this paragraph, as determined by the secretary  
14 of administration, remain in effect until their specified expiration dates or until  
15 amended or repealed by the department of safety and professional services. All  
16 orders issued by the department of natural resources that are in effect on the  
17 effective date of this paragraph and that are primarily related to erosion control for  
18 commercial building sites, as determined by the secretary of administration, remain  
19 in effect until their specified expiration dates or until modified or rescinded by the  
20 department of safety and professional services.

21           (c) Any matter pending with the department of natural resources on the  
22 effective date of this paragraph that is primarily related to its commercial building  
23 site erosion control responsibilities under section 281.33 (3m), 2009 stats., as  
24 determined by the secretary of administration, is transferred to the department of  
25 safety and professional services and all materials submitted to or actions taken by

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1 the department of natural resources with respect to the pending matters are  
2 considered as having been submitted to or taken by the department of safety and  
3 professional services.

4 (d) Any delegation of the authority to act under section 281.33 (3m), 2009 stats.,  
5 made by the department of natural resources to a county, city, village, or town that  
6 is in effect on the effective date of this paragraph remains in effect until revoked by  
7 the department of safety and professional services.

8 **SECTION 9136. Nonstatutory provisions; Public Defender Board.**

9 **SECTION 9137. Nonstatutory provisions; Public Instruction.**

10 (1) STUDENT INFORMATION SYSTEM. The state superintendent shall submit its  
11 plan to the governor for the expenditure of moneys appropriated under section  
12 20.255 (1) (e) of the statutes, as created by this act, in the 2011-12 fiscal year by  
13 October 1, 2011.

14 (2) SPECIAL ADJUSTMENT AIDS. Notwithstanding section 121.105 (2) of the  
15 statutes, for state aid distributed in the 2011-12 school year, the department of  
16 public instruction shall calculate the aid adjustment under that section using 90  
17 percent instead of 85 percent in section 121.105 (2) (am) 1. and 2. of the statutes.

18 **SECTION 9138. Nonstatutory provisions; Public Lands, Board of**  
19 **Commissioners of.**

20 **SECTION 9139. Nonstatutory provisions; Public Service Commission.**

21 **SECTION 9140. Nonstatutory provisions; Regulation and Licensing.**

22 (1) RULES AND ORDERS. All rules promulgated by the department of regulation  
23 and licensing that relate to the licensure of real estate brokers and salespersons or  
24 the registration of time-share salespersons that are in effect on the effective date of  
25 this subsection remain in effect until their specified expiration dates or until