

1 **SECTION 895s.** 36.56 of the statutes is created to read:

2 **36.56 Grants for forestry cooperatives. (1)** From the appropriation under
3 s. 20.285 (1) (qm), the center for cooperatives under s. 36.11 (40) may award grants
4 to persons to form forestry cooperatives under ch. 185 that consist primarily of
5 private, nonindustrial owners of woodland. A grant recipient shall provide matching
6 funds equal to 50% of the grant amount awarded. The match may be in the form of
7 money or in-kind services or both, but may not include money received from the
8 state.

9 **(2)** In each fiscal year, the center for cooperatives may not encumber funds from
10 the appropriation under s. 20.285 (1) (qm) for administrative expenses if the
11 amounts encumbered in that fiscal year for administrative expenses exceed 5% of the
12 total expenditures from the appropriation for the fiscal year.

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

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

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

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

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

1 indirect operating costs of services provided at the center, pursuant to a contract
2 under s. 38.14 (3) (a) , and will fund, either in cash or in kind, at least 30% of the
3 capital costs of the center.

4 d. The district board consulted with representatives of business and labor on
5 the development of the center.

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

10 SECTION 896. 38.04 (18) of the statutes is created to read:

11 38.04 (18) STATEWIDE GUIDE. Annually, the board shall produce, and distribute
12 to students, parents, high school personnel and others, a guide containing
13 information on all of the technical colleges and their programs.

14 SECTION 896m. 38.04 (27) of the statutes is created to read:

15 38.04 (27) SCHOOL SAFETY. The board shall work with schools of education and
16 other departments of the University of Wisconsin System under s. 36.11 (36m),
17 school districts, private schools and the department of public instruction to present
18 to school districts and private schools the results of research on models for and
19 approaches to improving school safety and reducing discipline problems in schools
20 and at school activities.

21 SECTION 897e. 38.15 (3) of the statutes is renumbered 38.15 (3) (intro.) and
22 amended to read:
23

24 38.15 (3) (intro.) This section ~~applies to building~~ does not apply to any of the
25 following:

1 (a) Building program actions approved by the board after ~~January 31, 1980.~~

2 ~~This section does not apply to building before February 1, 1980.~~

3 (b) Building remodeling or improvement projects.

4 **SECTION 897em.** 38.15 (3) (c) of the statutes is created to read:

5 38.15 (3) (c) A capital expenditure to purchase or construct a facility to be used
6 as an applied technology center if all of the following apply:

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

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

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

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

13 **SECTION 897m.** 38.15 (5) of the statutes is renumbered 38.15 (3) (d) and
14 amended to read:

15 38.15 (3) (d) ~~This section does not apply to the~~ The acquisition of a building as
16 a result of a lease under s. 38.14 (2) (d) 2. if the district makes no cash expenditure
17 to acquire the building.

18 **SECTION 897s.** 38.18 of the statutes is amended to read:

19 **38.18 Contracts and bidding.** All contracts made by a district board for
20 public construction in a district, ~~the estimated cost of which exceeds \$10,000,~~ shall
21 be let by the district board to the lowest responsible bidder in accordance with s.
22 62.15 (1) to (11) and (14). For purposes of this section, the district board shall possess
23 the powers conferred by s. 62.15 on the board of public works and the common
24 council. All contracts made under this section shall be made in the name of the

1 district and shall be executed by the district board chairperson and district board
2 secretary.

3 **SECTION 898.** 38.28 (1m) (a) 1. of the statutes is amended to read:

4 38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a
5 technical college district, including debt service charges for district bonds and
6 promissory notes for building programs or capital equipment, but excluding all
7 expenditures relating to auxiliary enterprises and community service programs, all
8 expenditures funded by or reimbursed with federal revenues, all receipts under ~~sub-~~
9 ~~sub.~~ (6) ~~and (7)~~ and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and
10 146.55 (5), all receipts from grants awarded under ss. 16.004 (14), 38.04 (8) and (20),
11 38.14 (11), 38.26, 38.27, 38.30, 38.31, 38.33 and 38.38, all fees collected under s. 38.24
12 and driver education and chauffeur training aids.

13 **SECTION 899.** 38.28 (2) (b) 5. of the statutes is created to read:

14 38.28 (2) (b) 5. The board shall reduce each district's aid payment under subd.
15 2. by the district's share of the amount necessary to produce and distribute the
16 statewide guide under s. 38.04 (18), as determined by the board.

17 **SECTION 900.** 38.28 (3) of the statutes is amended to read:

18 38.28 (3) ~~If the appropriation for state aid under s. 20.292 (1) (d) in any one year~~
19 ~~is insufficient to pay the full amount under sub. (2), state aid payments shall be~~
20 ~~prorated among the districts entitled thereto.~~ If the appropriation for state aid under
21 s. 20.292 (1) (fc) in any one year is insufficient to pay the full amount under subs. (2)
22 (c) and (g), funds in the appropriation shall be used first for the purposes of sub. (2)
23 (c) and any remaining funds shall be prorated among the districts entitled to support
24 under sub. (2) (g). If the appropriation for state aid under s. 20.292 (1) (fc) in any one

1 year is insufficient to pay the full amount under sub. (2) (c), funds in the
2 appropriation shall be prorated among the districts entitled to the funds.

3 **SECTION 901.** 38.28 (7) of the statutes is repealed.

4 **SECTION 901g.** 38.30 of the statutes is created to read:

5 **38.30 Grants to students.** (1) Beginning in the 2000–01 school year, the
6 board shall award a grant of \$500 to each first–year student who satisfies all of the
7 following criteria:

8 (a) The student enrolled in a district college within 3 years of graduating from
9 a high school in this state.

10 (b) The student is enrolled full time, as determined by the board, in an associate
11 degree program or a vocational diploma program.

12 (c) The student maintains a grade point average of at least 2.0.

13 (2) A student who received a grant under sub. (1) is eligible for an equivalent
14 grant in the following school year if he or she satisfies the criteria under sub. (1) (b)
15 and (c).

16 (3) Grants under this section shall be awarded from the appropriation under
17 s. 20.292 (1) (ep).

18 (4) The board shall promulgate rules to implement and administer this section,
19 including rules on refunding a grant if a student becomes ineligible for the grant.

20 **SECTION 901r.** 38.31 of the statutes is created to read:

21 **38.31 Grants for additional courses.** From the appropriation under s.
22 20.292 (1) (er), the board shall award grants to district boards for the purpose of
23 adding sections in courses in which student demand exceeds capacity. The board
24 shall promulgate rules establishing criteria for judging grant applications.

25 **SECTION 902.** 38.42 (4) of the statutes is amended to read:

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

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

8 **SECTION 903.** 38.42 (4) (b) of the statutes is created to read:

9 38.42 (4) (b) If the telecommunications retraining board determines that
10 additional contributions from telecommunications companies are necessary to fund
11 grants awarded under this section in the 1999–2000 fiscal year, the consortium shall
12 contribute additional amounts determined by the telecommunications retraining
13 board.

14 **SECTION 904.** 38.42 (6) of the statutes is amended to read:

15 38.42 (6) SUNSET. This section does not apply after June 30, 1999 2000.

16 **SECTION 907.** 39.285 (3) of the statutes is amended to read:

17 39.285 (3) By April 10, 1998, and annually thereafter, each tribally controlled
18 college in this state is requested to develop and submit to the board for its review
19 under sub. (1) a proposed formula for the awarding of grants under s. ~~39.30~~ 39.435,
20 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year
21 to students enrolled at that tribally controlled college.

22 **SECTION 908.** 39.30 (2) (intro.) of the statutes is amended to read:

23 39.30 (2) ELIGIBILITY. (intro.) A resident student enrolled at least half-time and
24 registered as a freshman, sophomore, junior or senior in an accredited, nonprofit,
25 ~~post high~~ post-high school, educational institution in this state ~~or in a tribally~~

1 ~~controlled college in this state~~ shall be eligible for grants under this section for each
2 semester of attendance, but:

3 **SECTION 909.** 39.30 (2) (e) of the statutes is amended to read:

4 39.30 (2) (e) The board may not make a grant to a student if ~~the board receives~~
5 ~~a certification under s. 49.855 (7) that the student is delinquent in child support or~~
6 ~~maintenance payments or owes past support, medical expenses or birth expenses~~
7 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
8 unless the student provides to the board a payment agreement that has been
9 approved by the county child support agency under s. 59.53 (5) and that is consistent
10 with rules promulgated under s. 49.858 (2) (a).

11 **SECTION 910.** 39.30 (2) (f) of the statutes is amended to read:

12 39.30 (2) (f) No grants may be awarded under this section unless the applicable
13 formula submitted under s. 39.285 (2) ~~or (3)~~ is approved or modified by the board
14 under s. 39.285 (1).

15 **SECTION 911.** 39.30 (3) (g) of the statutes is repealed.

16 **SECTION 912.** 39.38 (2) of the statutes is amended to read:

17 39.38 (2) Grants under this section shall be based on financial need, as
18 determined by the board. The maximum grant shall not exceed \$2,200 per year, of
19 which not more than \$1,100 may be from the appropriation under s. 20.235 (1) ~~(fb)~~
20 (k). State aid from this appropriation may be matched by a contribution from a
21 federally recognized American Indian tribe or band that is deposited in the general
22 fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall
23 be awarded to students for full-time or part-time attendance at any accredited
24 institution of higher education in this state. The board may not make a grant under
25 this section to a student if the board receives a certification under s. 49.855 (7) that

1 the student is delinquent in child support or maintenance payments or owes past
2 support, medical expenses or birth expenses. Grants shall be renewable for up to 5
3 years if a recipient remains in good academic standing at the institution that he or
4 she is attending.

5 **SECTION 912c.** 39.38 (2) of the statutes, as affected by 1999 Wisconsin Act
6 (this act), is amended to read:

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

23 **SECTION 912h.** 39.41 (1) (bm) of the statutes is amended to read:

24 39.41 (1) (bm) "Senior" means a pupil enrolled in the 12th grade in a public or
25 private high school, the Wisconsin school School for the deaf and Deaf or the

1 ~~Wisconsin school for the visually handicapped school operated by the Wisconsin~~
2 ~~Center for the Blind and Visually Impaired.~~

3 **SECTION 912g.** 39.41 (1m) (c) 1. of the statutes is amended to read:

4 39.41 (1m) (c) 1. For the ~~Wisconsin school for the visually handicapped school~~
5 ~~operated by the Wisconsin Center for the Blind and Visually Impaired,~~ designate the
6 senior with the highest grade point average in all subjects as a scholar.

7 **SECTION 913m.** 39.41 (1m) (d) of the statutes is amended to read:

8 39.41 (1m) (d) ~~By Except as provided in par. (dm), by~~ February 15 of each school
9 year, if 2 or more seniors from the same high school of at least 80 pupils have the same
10 grade point average and, except for the limitation on the number of designated
11 scholars, are otherwise eligible for designation under par. (a), the faculty of the high
12 school shall select the applicable number of seniors for designation under par. (a) as
13 scholars and shall certify, in order of priority, any remaining seniors as alternates for
14 a scholar with the same grade point average. If a senior from that high school
15 designated as a scholar under par. (a) does not qualify for a higher education
16 scholarship under sub. (2) (a) or (3) (a), an alternate for the scholar with the same
17 grade point average as any senior from that high school designated as a scholar
18 under par. (a) shall be eligible for a higher education scholarship as a scholar under
19 sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

20 **SECTION 913mr.** 39.41 (1m) (dm) of the statutes is created to read:

21 39.41 (1m) (dm) If the high school weights different courses differently to
22 determine a pupil's grade point average, the faculty of the high school shall select for
23 each scholar designated under par. (d) a senior with the same grade point average
24 as an alternate for the scholar, or, if there is not another pupil with the same grade

1 point average, a senior with the next highest grade point average as an alternate for
2 the scholar.

3 **SECTION 913ms.** 39.41 (1m) (e) of the statutes is amended to read:

4 39.41 (1m) (e) If Except as provided under par. (em), if 2 or more seniors from
5 the same high school of less than 80 pupils have the same grade point average and,
6 except for the limitation of one nominated senior, are otherwise eligible for
7 nomination under par. (b), the faculty of the high school shall select the senior who
8 may be nominated by the school board of the school district operating the public high
9 school or the governing body of the private high school for designation under par. (b)
10 as a scholar by the executive secretary. If that senior is designated as a scholar by
11 the executive secretary and does not qualify for a higher education scholarship under
12 sub. (2) (a) or (3) (a), faculty of the high school shall select one or more of the
13 remaining seniors with the same grade point average for certification as a scholar
14 and the school board of the school district operating the high school or the governing
15 body of the private high school shall certify to the board one or more of these seniors
16 as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a)
17 until the scholarship may be awarded by the board.

18 **SECTION 913mt.** 39.41 (1m) (em) of the statutes is created to read:

19 39.41 (1m) (em) If the high school weights different courses differently to
20 determine a pupil's grade point average, and the senior designated as a scholar by
21 the executive secretary under par. (e) does not qualify for a higher education
22 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one
23 senior with the same grade point average for certification as a scholar, or, if there is
24 no senior with the same grade point average, one senior with the next highest grade
25 point average for certification as a scholar, and the school board of the school district

1 operating the high school or the governing body of the private high school shall
2 certify to the board the selected senior as eligible for a higher education scholarship
3 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
4 board.

5 **SECTION 913mv.** 39.41 (1m) (f) of the statutes is amended to read:

6 39.41 (1m) (f) If 2 or more seniors from the ~~Wisconsin school for the visually~~
7 ~~handicapped school operated by the Wisconsin Center for the Blind and Visually~~
8 Impaired have the same grade point average and, except for the limitation of one
9 designated senior, are otherwise eligible for designation under par. (c) 1., the
10 executive secretary shall make the designation under par. (c) 1. of the senior who may
11 be eligible for a higher education scholarship as a scholar and, if that senior does not
12 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate
13 one or more of the remaining seniors with the same grade point average as eligible
14 for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the
15 scholarship may be awarded by the board.

16 **SECTION 915.** 39.435 (1) of the statutes is amended to read:

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

23 **SECTION 916.** 39.435 (4) (a) of the statutes is amended to read:

24 39.435 (4) (a) The board shall ~~promulgate rules establishing policies and~~
25 ~~procedures for determining dependent and independent status and for the~~

1 ~~calculation of award grants under this section based on a formula that accounts for~~
2 ~~expected parental and student contributions. The rules shall be~~ and is consistent
3 with generally accepted definitions and nationally approved needs analysis
4 methodology.

5 **SECTION 917.** 39.435 (4) (b) and (c) of the statutes are repealed.

6 **SECTION 918.** 39.435 (6) of the statutes is amended to read:

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

14 **SECTION 918g.** 39.435 (7) of the statutes is created to read:

15 39.435 (7) (a) In this subsection:

16 1. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
17 fiscal year 2000–01, “base amount” means the amount shown in the schedule under
18 s. 20.005 for that appropriation for fiscal year 1999–2000.

19 2. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
20 each fiscal year after fiscal year 2000–01, “base amount” means the maximum
21 appropriation amount determined under par. (b) for the previous fiscal year.

22 (b) Annually, by February 1, the board shall determine the appropriation under
23 s. 20.235 (1) (fe) for the next fiscal year as follows:

24 1. The board shall determine the percentage by which the resident
25 undergraduate academic fees charged for the current academic year at each

1 institution within the University of Wisconsin System has increased or decreased
2 from the resident undergraduate academic fees charged for the previous academic
3 year.

4 2. The appropriation for the next fiscal year shall be the result obtained by
5 increasing, to the nearest \$100, the base amount by the highest percentage increase
6 determined under subd. 1., except that if the resident undergraduate academic fees
7 for the current academic year decreased or did not change from the resident
8 undergraduate academic fees charged for the previous academic year at each
9 institution specified in subd. 1., the appropriation shall be the base amount.

10 **SECTION 918r.** 39.435 (8) of the statutes is created to read:

11 39.435 (8) (a) In this subsection:

12 1. For purposes of determining the appropriation under s. 20.235 (1) (fd) for
13 fiscal year 2000–01, “base amount” means the amount shown in the schedule under
14 s. 20.005 for that appropriation for fiscal year 1999–2000.

15 2. For purposes of determining the appropriation under s. 20.235 (1) (fd) for
16 each fiscal year after fiscal year 2000–01, “base amount” means the maximum
17 appropriation amount determined under par. (b) for the previous fiscal year.

18 (b) Annually, by February 1, the board shall determine the appropriation under
19 s. 20.235 (1) (fd) for the next fiscal year as follows:

20 1. The board shall determine the percentage by which the resident
21 undergraduate academic fees charged for the current academic year at each
22 institution within the University of Wisconsin System has increased or decreased
23 from the resident undergraduate academic fees charged for the previous academic
24 year.

1 2. The appropriation for the next fiscal year shall be the result obtained by
2 increasing, to the nearest \$100, the base amount by the highest percentage increase
3 determined under subd. 1., except that if the resident undergraduate academic fees
4 for the current academic year decreased or did not change from the resident
5 undergraduate academic fees charged for the previous academic year at each
6 institution specified in subd. 1., the appropriation shall be the base amount.

7 **SECTION 919.** 39.44 (4) of the statutes is amended to read:

8 39.44 (4) The board shall notify an institution or school receiving funds under
9 sub. (2) ~~if the board receives a certification under s. 49.855 (7) that a student is~~
10 ~~delinquent in child support or maintenance payments or owes past support, medical~~
11 ~~expenses or birth expenses~~ a student's name appears on the statewide support lien
12 docket under s. 49.854 (2) (b). An institution or school may not award a grant under
13 this section to a student if it receives a notification under this subsection concerning
14 that student, unless the student provides to the institution or school a payment
15 agreement that has been approved by the county child support agency under s. 59.53
16 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

17 **SECTION 920.** 39.47 (2m) of the statutes is amended to read:

18 39.47 (2m) No resident of this state whose name appears on the statewide
19 support lien docket under s 49.854 (2) (b) may receive a waiver of nonresident tuition
20 under this section ~~if the board receives a certification under s. 49.855 (7) that the~~
21 ~~resident is delinquent in child support or maintenance payments or owes past~~
22 ~~support, medical expenses or birth expenses,~~ unless the resident provides to the
23 board a payment agreement that has been approved by the county child support
24 agency under s. 59.53 (5) and that is consistent with rules promulgated under s.
25 49.858 (2) (a).

1 SECTION 921m. 39.51 (title) and (1) (a) to (d) of the statutes are renumbered
2 45.54 (title) and (1) (a) to (d).

3 SECTION 923. 39.51 (1)(e) of the statutes is renumbered 45.54 (1)(e) (intro.) and
4 amended to read:

5 45.54 (1) (e) (intro.) "School" ~~means any person, located within or outside this~~
6 ~~state, maintaining, advertising or conducting any course or course of instruction for~~
7 ~~profit or a tuition charge; but in subs. (7), (8) and (10) "school" means any private~~
8 ~~trade, correspondence, business or technical school not excepted under sub. (9), but~~
9 does not include any of the following:

10 SECTION 923m. 39.51 (1) (f) and (g) of the statutes are renumbered 45.54 (1)
11 (f) and (g).

12 SECTION 925m. 39.51 (2) to (8) of the statutes are renumbered 45.54 (2) to (8),
13 and 45.54 (5), as renumbered, is amended to read:

14 45.54 (5) EMPLOYES, QUARTERS. The board shall employ a person to perform the
15 duties of an executive secretary and such other persons under the classified service
16 as may be necessary to carry out its purpose. The person performing the duties of
17 the executive secretary shall be in charge of the administrative functions of the
18 board. The board shall, to the maximum extent practicable, keep its office with the
19 ~~higher educational aids board~~ department of veterans affairs.

20 SECTION 927. 39.51 (9) (title) and (intro.) of the statutes are repealed.

21 SECTION 928. 39.51 (9) (a) to (h) of the statutes are renumbered 45.54 (1)(e) 1.
22 to 8.

23 SECTION 929m. 39.51 (10) of the statutes is renumbered 45.54 (10).

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SECTION 930t. 40.02 (17) (g) of the statutes is repealed.

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SECTION 930v. 40.02 (17) (gm) of the statutes is created to read:

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

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SECTION 930vc. 40.02 (25) (b) 1. of the statutes is amended to read:

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40.02 (25) (b) 1. Any teacher who is employed by the university for an expected duration of not less than 6 months on at least a one-third full-time employment basis and who is not described in subd. 1m.;

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SECTION 930vq. 40.02 (25) (b) 1m. of the statutes is created to read:

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40.02 (25) (b) 1m. Any teacher who is a participating employe and who is employed by the university for an expected duration of not less than 6 months on at least a one-third full-time employment basis;

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SECTION 930wb. 40.02 (26) (intro.) of the statutes is amended to read:

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40.02 (26) (intro.) "Employe" means any person who receives earnings as payment for personal services rendered for the benefit of any employer including officers of the employer, except as provided in subch. X. An employe is deemed to have separated from the service of an employer at the end of the day on which the employe last performed services for the employer, or, if later, the day on which the employe-employer relationship is terminated because of the expiration or

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1 termination of leave without pay, sick leave, vacation or other leave of absence. A
2 person shall not be considered an employe if a person:

3 **SECTION 930wm.** 40.02 (26) (intro.) of the statutes, as affected by 1999
4 Wisconsin Act (this act), section 930wb, is amended to read:

5 40.02 (26) (intro.) “Employe” means any person who receives earnings as
6 payment for personal services rendered for the benefit of any employer including
7 officers of the employer, ~~except as provided in subch. X.~~ An employe is deemed to
8 have separated from the service of an employer at the end of the day on which the
9 employe last performed services for the employer, or, if later, the day on which the
10 employe–employer relationship is terminated because of the expiration or
11 termination of leave without pay, sick leave, vacation or other leave of absence. A
12 person shall not be considered an employe if a person:

13 **SECTION 931b.** 40.02 (28) of the statutes is amended to read:

14 40.02 (28) “Employer” means the state, including each state agency, any
15 county, city, village, town, school district, other governmental unit or
16 instrumentality of 2 or more units of government now existing or hereafter created
17 within the state and any federated public library system established under s. 43.19
18 whose territory lies within a single county with a population of 500,000 or more, a
19 local exposition district created under subch. II of ch. 229 and a family care district
20 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3), ~~or a~~
21 ~~local exposition district created under subch. II of ch. 229 and subch. X.~~ Each
22 employer shall be a separate legal jurisdiction for OASDHI purposes.

23 **SECTION 931c.** 40.02 (28) of the statutes, as affected by 1999 Wisconsin Act
24 (this act), section 931b, is amended to read:

1 40.02 (28) “Employer” means the state, including each state agency, any
2 county, city, village, town, school district, other governmental unit or
3 instrumentality of 2 or more units of government now existing or hereafter created
4 within the state and any federated public library system established under s. 43.19
5 whose territory lies within a single county with a population of 500,000 or more, a
6 local exposition district created under subch. II of ch. 229 and a family care district
7 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3) ~~and~~
8 ~~subch. X~~. Each employer shall be a separate legal jurisdiction for OASDHI purposes.

9 **SECTION 932.** 40.02 (36) of the statutes is amended to read:

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

19 **SECTION 935.** 40.02 (48) (am) of the statutes is amended to read:

20 40.02 (48) (am) “Protective occupation participant” includes any participant
21 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
22 is a conservation warden, conservation patrol boat captain, conservation patrol boat
23 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
24 member of the state traffic patrol, state motor vehicle inspector, police officer, fire
25 fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer,

1 county traffic police officer, state forest ranger, fire watcher employed by the
2 Wisconsin veterans home, state correctional–psychiatric officer, excise tax
3 investigator employed by the department of revenue, special criminal investigation
4 agent in the department of justice, assistant or deputy fire marshal, or person
5 employed under s. 61.66 (1).

6 **SECTION 936.** 40.02 (48) (b) 4. of the statutes is created to read:

7 40.02 (48) (b) 4. A “member of the state traffic patrol” includes one division
8 administrator in the department of transportation who is counted under s. 230.08
9 (2) (e) 12. and whose duties include supervising the state traffic patrol, if the division
10 administrator is certified by the law enforcement standards board under s. 165.85
11 (4) (b) 1. as being qualified to be a law enforcement officer.

12 **SECTION 936t.** 40.03 (2) (g) of the statutes is amended to read:

13 40.03 (2) (g) Shall submit once each year to each participant currently making
14 contributions, and to any other participant upon request or as in the secretary’s
15 judgment is desirable, a statement of the participant’s account together with
16 appropriate explanatory material. The secretary shall ensure that the participant’s
17 social security number does not appear on the statement.

18 **SECTION 939t.** 40.05 (2) (bz) of the statutes is created to read:

19 40.05 (2) (bz) The employer contribution rate determined under par. (b) for the
20 department of administration shall be adjusted to reflect the cost of granting
21 creditable service under s. 40.02 (17) (gm) and that rate shall be sufficient to amortize
22 the unfunded prior service liability of the department of administration over the
23 remainder of the 40–year amortization period under par. (b).

24 **SECTION 940c.** 40.05 (4) (a) 2. of the statutes is amended to read:

1 40.05 (4) (a) 2. For an insured employe who is an eligible employe under s. 40.02
2 (25) (a) 2. or (b) 1m. or 2m., the employer shall pay required employer contributions
3 toward the health insurance premium of the insured employe beginning on the date
4 on which the employe becomes insured. For an insured employe who is currently
5 employed but who is not an eligible employe under s. 40.02 (25) (a) 2. or (b) 1m. or
6 2m., the employer shall pay required employer contributions toward the health
7 insurance premium of the insured employe beginning on the first day of the 7th
8 month beginning after the date on which the employe begins employment with the
9 state, not including any leave of absence.

10 **SECTION 940d.** 40.05 (4) (ag) 2. of the statutes is amended to read:

11 40.05 (4) (ag) 2. For eligible employes not specified in subd. 1., 90% of the gross
12 premium for the standard health insurance plan offered to state employes by the
13 group insurance board or 105% of the gross premium, excluding any premium cost
14 related to the point-of-service option plan required to be offered under s. 609.10, of
15 the alternative qualifying plan offered under s. 40.03 (6) that is the least costly
16 qualifying plan within the county in which the alternate plan is located, whichever
17 is lower, but not more than the total amount of the premium. Employer contributions
18 for employes who select the standard plan shall be based on their county of residence.
19 Qualifying health insurance plans shall be determined in accordance with standards
20 established by the group insurance board.

21

22 **SECTION 939tc.** 40.41 (6) (b) of the statutes is amended to read:

23 40.41 (6) (b) Services performed by ~~a student or~~ a member of a board or
24 commission, except members of governing bodies, in a position or office which does
25 not normally require actual performance of duty for at least 600 hours in each

1 calendar year. For purposes of this paragraph, a “board” or “commission” is a body
2 referred to in the statutes as a board or commission.

3 **SECTION 939tr.** 40.41 (6) (c) of the statutes is created to read:

4 40.41 (6) (c) Service performed in the employ of a school, college or university,
5 if the service is performed by a student who is enrolled and regularly attending
6 classes at the school, college or university.

7 **SECTION 944g.** 40.55 (2) of the statutes is amended to read:

8 ~~40.55 (2) For any long-term care policy offered through the group insurance
9 board under sub. (1), the insurer may impose underwriting considerations in
10 determining the initial eligibility of persons to cover and what premiums to charge.~~

11 **SECTION 944i.** 40.55 (4) of the statutes is amended to read:

12 ~~40.55 (4) The group insurance board may charge a fee to each insurer whose
13 policy is offered under this section sub. (1), but the fee may not exceed the direct costs~~

14 **SECTION 944m.** 40.63 (1) (c) of the statutes is amended to read:

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

23 **SECTION 944w.** 40.82 (3) of the statutes is created to read:

1 pregnant or for whom there is reason to believe that she may be pregnant and with
2 intent other than to increase the probability of a live birth, to preserve the life or
3 health of the infant after live birth or to remove a dead fetus.

4 (ar) “Board” means the private employer health care coverage board.

5 (b) “Dependent” means a spouse, an unmarried child under the age of 19 years,
6 an unmarried child who is a full-time student under the age of 21 years and who is
7 financially dependent upon the parent, or an unmarried child of any age who is
8 medically certified as disabled and who is dependent upon the parent.

9 (c) “Employe” means any person who receives earnings as payment for personal
10 services rendered for the benefit of any employer including officers of the employer.
11 An employe is considered to have separated from the service of an employer at the
12 end of the day on which the employe last performed services for the employer, or, if
13 later, the day on which the employe–employer relationship is terminated because of
14 the expiration or termination of leave without pay, sick leave, vacation or other leave
15 of absence. A person shall not be considered an employe if any of the following
16 applies:

17 1. The person is employed under a contract involving the furnishing of more
18 than personal services.

19 2. The person is customarily engaged in an independently established trade,
20 business or profession providing the same type of services to more than one employer
21 and the person’s services to an employer are not compensated for on a payroll of that
22 employer.

23 3. The person is a patient or inmate of a hospital, home or institution and
24 performs services in the hospital, home or institution.

1 (d) "Employer" means any person doing business or operating an organization
2 in this state and employing at least 2 employes, except that for a person operating
3 a farm business the person must employ at least one employe. "Employer" does not
4 include an employer as defined in s. 40.02 (28).

5 (e) "Health care coverage program" means the health care coverage program
6 established under sub. (2) (a).

7 (f) "Insurer" has the meaning given in s. 600.03 (27).

8 (g) "Nontherapeutic abortion" means an abortion that is not directly and
9 medically necessary to prevent the death of the woman.

10 (2) (a) 1. The department shall design an actuarially sound health care
11 coverage program for employers that includes more than one group health care
12 coverage plan and that provides coverage beginning not later than January 1, 2001.
13 The health care coverage program shall be known as the "Private Employer Health
14 Care Purchasing Alliance". In designing the health care coverage program, the
15 department shall consult with the office of the commissioner of insurance and may
16 consult with the departments of commerce and health and family services. The
17 health care coverage program may not be implemented until it is approved by the
18 board.

19 2. The department shall solicit and accept bids and make every reasonable
20 effort to enter into a contract for the administration of the health care coverage plans
21 under the program, based on criteria established by the board. If the department has
22 not entered into a contract for the administration of the health care coverage plans
23 under the program for coverage to begin before January 1, 2001, the department
24 shall submit a report to the cochairpersons of the joint committee on finance
25 specifying the department's reasons for not entering into a contract. After

1 submitting the report to the cochairpersons of the joint committee on finance, the
2 department shall provide all administrative services necessary for the provision of
3 the health care coverage plans under the program. During the period that the
4 department is providing the administrative services, the department shall continue
5 to make every reasonable effort to contract for the administration of the health care
6 coverage plans under the program.

7 3. The administrator selected under subd. 2., or the department if no
8 administrator has been selected under subd. 2., shall enter into contracts with
9 insurers who are to provide health care coverage under the health care coverage
10 program.

11 4. The department shall solicit and accept bids and shall enter into a contract
12 for marketing the health care coverage program.

13 5. The department shall maintain a toll-free telephone number to provide
14 information on the health care coverage program.

15 (b) Every health care coverage plan under the health care coverage program
16 is subject to the provisions of chs. 600 to 646 that apply to group health benefit plans,
17 as defined in s. 632.745 (9), to the same extent as any other group health benefit plan,
18 as defined in s. 632.745 (9).

19 (bm) No health care coverage plan under the health care coverage program may
20 provide coverage of a nontherapeutic abortion except by an optional rider or
21 supplemental coverage provision that is offered and provided on an individual basis
22 and for which an additional, separate premium or charge is paid by the individual
23 to be covered under the rider or supplemental coverage provision. Only funds
24 attributable to premiums or charges paid for coverage under the rider or
25 supplemental coverage provision may be used for the payment of any claim, and

1 related administrative expenses, that relates to a nontherapeutic abortion. Such
2 funds may not be used for the payment of any claim or administrative expenses that
3 relate to any other type of coverage provided by the insurer under the health care
4 coverage plan. Nothing in this paragraph requires an insurer or an employer to offer
5 or provide coverage of an abortion under a health care coverage plan under the health
6 care coverage program.

7 (c) The health care coverage program established under par. (a), or any health
8 care coverage plan included in the program, may not be combined with any health
9 care coverage plan under subch. IV.

10 (d) All insurance rates for health care coverage under the program shall be
11 published annually in a single publication that is made available to employers and
12 employes. The rates may be listed by county or by any other regional factor that the
13 board considers appropriate.

14 (e) All plans under the health care coverage program shall have an enrollment
15 period that is established by the board.

16 (f) 1. If the department has selected an administrator under par. (a) 2., the
17 administrator shall charge employers who participate in the health care coverage
18 program a fee to cover the cost of administrative services for the health care coverage
19 program. The administrator shall reimburse the department for the expenses
20 incurred by the department in designing, marketing and contracting for
21 administrative services for the program. All moneys received by the department
22 under this subdivision shall be credited to the appropriation account under s. 20.515

23 (2) (g).

24 2. If the department has not selected an administrator under par. (a) 2., the
25 department shall charge employers who participate in the health care coverage

1 program a fee to cover the costs incurred by the department in designing, marketing
2 and providing administrative services for the health care coverage program. All
3 moneys received by the department under this subdivision shall be credited to the
4 appropriation account under s. 20.515 (2) (g).

5 (g) The department may not sell any health care coverage under the health care
6 coverage program to an employer or enroll any employe in the health care coverage
7 program, but the department shall make information about the program available
8 to employers on a statewide basis.

9 (3) Any employer who participates in the health care coverage program shall
10 do all of the following:

11 (a) Offer health care coverage under one or more plans to all of its permanent
12 employes who have a normal work week of 30 or more hours and may offer health
13 care coverage under one or more plans to any of its other employes.

14 (b) Provide health care coverage under one or more plans to at least 50% of its
15 permanent employes who have a normal work week of 30 or more hours and who do
16 not otherwise receive health care coverage as a dependent under any other plan that
17 is not offered by the employer or a percentage of such employes specified by the board,
18 whichever percentage is greater.

19 (c) Pay for each employe at least 50% but not more than 100% of the lowest
20 premium rate that would be available to the employer for that employe's coverage
21 under the health care coverage program.

22 (d) Make premium payments for the health care coverage of its employes in the
23 manner specified by the board.

24 (4) Any employer that provides health care coverage for its employes under the
25 program and that voluntarily terminates coverage under the program is not eligible

1 to participate in the program for at least 3 years from the date that coverage is
2 terminated.

3 (5) Any insurer that offers a health care coverage plan under the health care
4 coverage program shall provide coverage under the plan to any employer that applies
5 for coverage, and to all of the employer's employees who elect coverage under the
6 health care coverage plan, without regard to the health condition or claims
7 experience of any individual who would be covered under the health care coverage
8 plan if all of the following apply:

9 (a) The employer agrees to pay the premium required for coverage under the
10 health care coverage plan.

11 (b) The employer agrees to comply with all provisions of the health care
12 coverage plan that apply generally to a policyholder or an insured without regard to
13 health condition or claims experience.

14 (6) (a) Health care coverage under the health care coverage program may only
15 be sold by insurance agents licensed under ch. 628.

16 (b) An insurance agent may not sell any health care coverage under the health
17 care coverage program on behalf of an insurer unless he or she is employed by the
18 insurer or has a contract with the insurer to sell the health care coverage on behalf
19 of the insurer.

20 (c) The board shall set, and may adjust as often as semiannually, the
21 commission rate for the sale of a policy under the health care coverage program. The
22 rate shall be based on the average commission rate that insurance agents are paid
23 in the state for the sale of comparable health insurance policies at the time that the
24 rate is set or adjusted.

1 (d) An insurer shall specify on the first page of any policy sold under the health
2 care coverage program the amount of the commission paid to the insurance agent.

3 (7) (a) Annually, on or before December 31, the board shall submit a report to
4 the appropriate standing committees under s. 13.172 (3) and to the governor on the
5 operation of the health care coverage program. The report shall specify the number
6 of employers and employes participating in the health care coverage program,
7 calculate the costs of the health care coverage program to employers and their
8 employes and include recommendations for improving the health care coverage
9 program.

10 (b) No later than January 1, 2008, the board shall submit a report to the
11 appropriate standing committees under s. 13.172 (3) and to the governor that offers
12 recommendations as to whether the department should continue to be involved in
13 the design, marketing and contracting for administrative services for the health care
14 coverage program. If the board recommends that the department not be involved in
15 the performance of these functions, the board shall submit proposed legislation
16 eliminating the department's involvement in the performance of these functions to
17 the appropriate standing committees under s. 13.172 (3) at the time that the board
18 submits its report.

19

Delete extra line.

20

SECTION 944yr. Subchapter X of chapter 40 [precedes 40.98] of the statutes, as
21 created by 1999 Wisconsin Act (this act), section 944ym, is repealed.

22

SECTION 945am. 41.17 (2) of the statutes is amended to read:

23

41.17 (2) **ELIGIBILITY.** Any public or private organization not organized or
24 incorporated for profit, including a tribal organization of a federally recognized
25 American Indian tribe or band in this state, and any elected governing body of a

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

10 **SECTION 945ar.** 41.17 (3) (intro.) of the statutes is amended to read:

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

15 **SECTION 945b.** 41.17 (4) (a) of the statutes is amended to read:

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

19 **SECTION 945c.** 41.17 (5) of the statutes is created to read:

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

25 **SECTION 945d.** 41.41 (7) (cm) of the statutes is created to read:

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

4 **SECTION 945dm.** 42.035 of the statutes is created to read:

5 **42.035 Treatment of certain state fair park board employes.**

6 Notwithstanding s. 230.08 (2) (pm), those employes holding positions in the
7 classified service at the state fair park board on the effective date of this section ...
8 [revisor inserts date], who have achieved permanent status in class before that date,
9 shall retain, while serving in the unclassified service at the state fair park board,
10 those protections afforded employes in the classified service under ss. 230.34 (1) (a)
11 and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff or reduction in
12 base pay. Those employes of the state fair park board on the effective date of this
13 section [revisor inserts date], who have not achieved permanent status in class
14 in any position at the state fair park board on that date are eligible to receive the
15 protections, privileges and rights preserved under this section if they successfully
16 complete service equivalent to the probationary period required in the classified
17 service for the position that they hold on that date.

18 **SECTION 945de.** 43.24 (1) (intro.) of the statutes is amended to read:

19 43.24 (1) (intro.) Each public library system shall be paid state aid for the
20 operation and maintenance of the system. The Except as provided in pars. (b) and
21 (c), the amount paid to each system shall be determined as follows:

22 **SECTION 945dh.** 43.24 (1) (a) of the statutes is repealed and recreated to read:

23 43.24 (1) (a) 1. Determine the percentage change in the total amount
24 appropriated under s. 20.255 (3) (e) between the previous fiscal year and the current
25 fiscal year.

1 2. Multiply the amount of state aid received by the system in the previous fiscal
2 year by the sum of 1.0 and the result under subd. 1. expressed as a decimal.

3 **SECTION 945dp.** 43.24 (1) (b) of the statutes is repealed and recreated to read:

4 43.24 (1) (b) If the territory of a public library system is altered, the department
5 shall adjust the aid paid to that system under par. (a). The department shall
6 promulgate rules establishing the method the department will use to make the
7 adjustment.

8 **SECTION 945dt.** 43.24 (1) (c) of the statutes is repealed and recreated to read:

9 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
10 appropriated for public library systems under s. 20.255 (3) (e), as determined by the
11 department, equals at least 11.25% of the total operating expenditures for public
12 library services from local and county sources in the calendar year ending in that
13 fiscal year, the amount paid to each system shall be determined by adding the result
14 of each of the following calculations:

15 1. Multiply the system's percentage of the state's population by the product of
16 the amount appropriated under s. 20.255 (3) (e) and 0.85.

17 2. Multiply the system's percentage of the state's geographical area by the
18 product of the amount appropriated under s. 20.255 (3) (e) and 0.075.

19 3. Divide the sum of the payments to the municipalities and counties in the
20 system under subch. I of ch. 79 for the current fiscal year, as reflected in the
21 statement of estimated payments under s. 79.015, by the total of all payments under
22 subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated
23 payments under s. 79.015, and multiply the result by the product of the amount
24 appropriated under s. 20.255 (3) (e) and 0.075.

25 **SECTION 945ds.** 43.17 (9) (a) of the statutes is amended to read:

1 43.17 (9) (a) All contracts for public construction, ~~the estimated cost of which~~
2 exceeds \$5,000, made by a federated public library system whose territory lies within
3 2 or more counties or by a federated public library system whose territory lies within
4 a single county with a population of at least 500,000 shall be let by the public library
5 system board to the lowest responsible bidder in accordance with s. 62.15 (1) to (11)
6 and (14). For purposes of this section, the system board possesses the powers
7 conferred by s. 62.15 on the board of public works and the common council. All
8 contracts made under this section shall be made in the name of the federated public
9 library system and shall be executed by the system board president and such other
10 board officer as the system board designates.

11 **SECTION 945e.** 44.015 (6) of the statutes is renumbered 44.015 (10).

12 **SECTION 945f.** 44.015 (7) of the statutes is created to read:

13 44.015 (7) Contract with the Wisconsin History Foundation, Inc., for the
14 purpose of administering the historical society's membership program.

15 **SECTION 945g.** 44.02 (28) of the statutes is created to read:

16 44.02 (28) In the 1999–2001 fiscal biennium, pay the amount appropriated
17 under s. 20.245 (3) (c) to the city of Neenah to restore the Neenah city clock tower if
18 the city of Neenah contributes matching funds of at least \$25,000.

19 **SECTION 945m.** 44.08 of the statutes is repealed.

20 **SECTION 945s.** 44.16 of the statutes is amended to read:

21 **44.16 Historic sites foundation Circus World Museum Foundation.** (1)

22 The historical society may enter into a lease agreement with the ~~historic sites~~
23 ~~foundation, inc.~~ Circus World Museum Foundation, Inc., for the purpose of operating
24 Circus World Museum, located in Baraboo, Wisconsin. The lease agreement shall not

1 include any provision for the payment of a percentage of gross admissions income at
2 Circus World Museum to the historical society.

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

7 **SECTION 946.** 44.20 (1) of the statutes is amended to read:

8 44.20 (1) The historical society shall operate and maintain the historic sites
9 known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline
10 Island, Old World Wisconsin, H.H. Bennett Studios and, if the First Capitol state
11 park has been transferred to the historical society under 1993 Wisconsin Act 16,
12 section 9142 (1e), First Capitol.

13 **SECTION 946g.** 44.34 (13) of the statutes is created to read:

14 44.34 (13) Produce a CD-ROM about the restoration of the state capitol.

15 **SECTION 946m.** 44.49 of the statutes is created to read:

16 **44.49 Heritage trust program.** (1) **PURPOSE.** The legislature determines
17 that the provision of assistance by the state under this section and the awarding of
18 grants to the Wisconsin Trust for Historic Preservation under this section serve a
19 statewide public purpose by assisting in the protection, restoration and
20 rehabilitation of property located in this state that is significant in the history,
21 prehistory, architecture, archaeology or culture of this state, its rural and urban
22 communities or the nation.

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

24 (a) “Local governmental unit” has the meaning given in s. 16.97 (7).

25 (b) “Trust” means the Wisconsin Trust for Historic Preservation.

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

7 (b) The state historical society shall ensure that all grant recipients under par.
8 (a) comply with the standards for rehabilitation in 36 CFR 67.7.

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

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

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

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

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

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

7 1. To award grants to state agencies, local governmental units and nonprofit
8 organizations for historic preservation, including historic preservation to
9 commemorate the 200th anniversary of Wisconsin statehood. A grant recipient shall
10 provide matching funds equal to 25% of the amount of the grant, except that the trust
11 may require a recipient to provide matching funds equal to a higher percentage.

12 2. To temporarily acquire historic property for the purpose of historic
13 preservation.

14 (d) The trust shall comply, and shall ensure that all grant recipients under par.
15 (c) 1. comply, with the standards for rehabilitation in 36 CFR 67.7.

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

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

22 **SECTION 947.** 44.53 (1) (fm) of the statutes is created to read:

23 44.53 (1) (fm) Conduct a program identical to that described in par. (f), but only
24 for American Indian individuals and groups. The program shall be funded from the
25 appropriation under s. 20.215 (1) (km).

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

2 44.53 (1) (j) Annually pay to the Milwaukee Foundation, Inc., for deposit in the
3 High Point fund, the amount appropriated under s. 20.215 (1) (e).

4 **SECTION 948.** 44.53 (2) (am) of the statutes is created to read:

5 44.53 (2) (am) Enter into contracts with American Indian individuals,
6 organizations and institutions and American Indian tribal governments for services
7 furthering the development of the arts and humanities.

8 **SECTION 949.** 44.70 (2g) of the statutes is created to read:

9 44.70 (2g) “Educational agency” means a school district, private school,
10 cooperative educational service agency, technical college district, private college,
11 public library system, public library board, the Wisconsin Center for the Blind and
12 Visually Impaired[^] or the Wisconsin School for the Deaf._√

13 **SECTION 951.** 44.70 (3m) of the statutes is created to read:

14 44.70 (3m) “Public library system” has the meaning given in s. 43.01 (5).

15 **SECTION 952.** 44.70 (5) of the statutes is created to read:

16 44.70 (5) “Universal service fund” means the trust fund established under s.
17 25.95.

18 **SECTION 953.** 44.71 (2) of the statutes is renumbered 44.71 (2) (a), and 44.71
19 (2) (a) 5. and 8., as renumbered, are amended to read:

20 44.71 (2) (a) 5. Subject to s. ~~196.218 (4r) (f)~~ 44.73 (5), in cooperation with the
21 department ~~and the public service commission~~, provide telecommunications access
22 to ~~school districts, private schools, cooperative educational service agencies,~~
23 ~~technical college districts, private colleges and public library boards~~ educational
24 agencies under the program established under s. ~~196.218 (4r)~~ 44.73.

1 8. Purchase educational technology equipment for use by school districts,
2 cooperative educational service agencies and public educational institutions in this
3 state and permit the districts, agencies and institutions to purchase or lease the
4 equipment, with an option to purchase the equipment at a later date. This ~~paragraph~~
5 subdivision does not require the purchase or lease of any educational technology
6 equipment from the board.

7 **SECTION 953g.** 44.71 (2) (a) 6m. of the statutes is created to read:

8 44.71 (2) (a) 6m. No later than October 1 of each year, submit a report
9 containing the discount rates provided to the board for telecommunications service
10 under 47 USC 254 to the department of administration, the joint committee on
11 finance and the public service commission.

12 **SECTION 954.** 44.71 (2) (bm) of the statutes is created to read:

13 44.71 (2) (bm) The board may contract with the Wisconsin advanced
14 telecommunications foundation to provide administrative services to the foundation.

15 **SECTION 955.** 44.72 (1) (a) of the statutes is amended to read:

16 44.72 (1) (a) Award grants to applicants on a competitive basis through one
17 funding cycle annually, except that the board shall ensure that at least one grant is
18 awarded annually to an applicant located in the territory of each cooperative
19 educational service agency.

20 **SECTION 955m.** 44.72 (1) (d) of the statutes is created to read:

21 44.72 (1) (d) Promulgate rules establishing administrative procedures,
22 eligibility criteria and application requirements for awarding grants under this
23 section.

24 **SECTION 955p.** 44.72 (1) (e) of the statutes is created to read:

1 44.72 (1) (e) Consult with the department of public instruction before awarding
2 grants under this subsection.

3 **SECTION 955t.** 44.72 (2) (a) of the statutes is repealed.

4 **SECTION 956.** 44.72 (2) (b) 3. of the statutes is repealed.

5 **SECTION 956g.** 44.72 (2) (c) of the statutes is amended to read:

6 44.72 (2) (c) A school district is eligible for a grant under par. (a) ~~or~~ (b) 2. only
7 if the annual meeting in a common school district, or the school board in a unified
8 school district or in a school district operating under ch. 119, adopts a resolution
9 requesting the grant. A grant under this subsection may not be used to replace
10 funding available from other sources.

11 **SECTION 956r.** 44.72 (2) (d) of the statutes is amended to read:

12 44.72 (2) (d) A school district receiving a grant under par. (a) ~~or~~ (b) shall deposit
13 the moneys in a separate fund. The moneys may be used for any purpose related to
14 educational technology, except that a school district may not use the moneys to pay
15 the salary or benefits of any school district employe.

16 **SECTION 957.** 44.72 (2) (e) of the statutes is amended to read:

17 44.72 (2) (e) The board shall distribute the grants under par. (b) 2. ~~and 3.~~
18 annually on the first Monday in February.

19 **SECTION 958.** 44.72 (4) (title) of the statutes is amended to read:

20 44.72 (4) (title) ~~SUBSIDIZED EDUCATIONAL~~ EDUCATIONAL TECHNOLOGY
21 INFRASTRUCTURE LOANS FINANCIAL ASSISTANCE.

22 **SECTION 959.** 44.72 (4) (a) of the statutes is amended to read:

23 44.72 (4) (a) *Subsidized loans* Financial assistance authorized. The board may
24 ~~make subsidized loans~~ provide financial assistance under this subsection to school
25 districts from the proceeds of public debt contracted under s. 20.866 (2) (zc) and to

1 public library boards from the proceeds of public debt contracted under s. 20.866 (2)
2 (zcm). ~~Subsidized loans~~ Financial assistance under this subsection may be used only
3 for the purpose of upgrading the electrical wiring of school and library buildings in
4 existence on October 14, 1997, and installing and upgrading computer network
5 wiring.

6 **SECTION 960.** 44.72 (4) (b) of the statutes is amended to read:

7 44.72 (4) (b) ~~Subsidized loan~~ Financial assistance applications, terms and
8 conditions. The board shall establish application procedures for, and the terms and
9 conditions of, ~~subsidized loans~~ financial assistance under this subsection. The board
10 shall make a loan to a school district or public library board in an amount equal to
11 50% of the total amount of financial assistance for which the board determines the
12 school district or public library board is eligible and provide a grant to the school
13 district or public library board for the remainder of the total. The terms of any
14 financial assistance under this subsection may include provision of professional
15 building construction services under s. 16.85 (15). The board shall determine the
16 interest rate on these loans under this subsection. The interest rate shall be as low
17 as possible but shall be sufficient to fully pay all interest expenses incurred by the
18 state in making the loans and to provide reserves that are reasonably expected to be
19 required in the judgment of the board to ensure against losses arising from
20 delinquency and default in the repayment of ~~subsidized~~ the loans. The term of a
21 ~~subsidized~~ loan under this subsection may not exceed 10 years.

22 **SECTION 961.** 44.72 (4) (c) of the statutes is amended to read:

23 44.72 (4) (c) ~~Repayment of subsidized loans.~~ A school district's or public library
24 board's total payments on a loan made under this subsection shall be equal to 50%
25 of the total debt service on the loan, as determined by the board. ~~A school district or~~

1 ~~public library board is not obligated to pay the remaining 50% of the debt service on~~
2 ~~the loan.~~ The board shall credit all moneys received from school districts ~~under this~~
3 ~~paragraph for repayment of loans under this subsection~~ to the appropriation account
4 under s. 20.275 (1) (h). The board shall credit all moneys received from public library
5 boards ~~under this paragraph for repayment of loans under this subsection~~ to the
6 appropriation account under s. 20.275 (1) (hb).

7 **SECTION 962.** 44.72 (4) (d) of the statutes is amended to read:

8 44.72 (4) (d) *Funding for subsidized loans financial assistance.* The board, with
9 the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm),
10 may request that the building commission contract public debt in accordance with
11 ch. 18 to fund loans financial assistance under this subsection.

12 **SECTION 967.** 45.25 (1) of the statutes is amended to read:

13 45.25 (1) ADMINISTRATION. The department of veterans affairs shall administer
14 a tuition and fee reimbursement program for eligible veterans enrolling as
15 undergraduates in any institution ~~within the university of Wisconsin system,~~
16 ~~enrolling in any technical college under ch. 38 of higher education, as defined in s.~~
17 45.396 (1) (a), in this state or receiving a waiver of nonresident tuition under s. 39.47.

18 **SECTION 968.** 45.25 (2) (d) of the statutes is amended to read:

19 45.25 (2) (d) The individual is a resident at the time of application for the
20 tuition and fee reimbursement program and was a Wisconsin resident at the time of
21 entry or reentry into service or was a resident for any consecutive 5-year period after
22 completing entry or reentry into service on active duty and before the time date of
23 his or her application. If a person applying for a benefit under this section meets that
24 5-consecutive-year residency requirement, the department may not require the
25 person to reestablish that he or she meets the 5-consecutive-year residency

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

3 **SECTION 969.** 45.25 (2) (e) of the statutes is created to read:

4 45.25 (2) (e) The individual is enrolled for at least 12 credits during the
5 semester for which reimbursement is sought.

6 **SECTION 970.** 45.25 (3) (a) of the statutes is amended to read:

7 45.25 (3) (a) Except as provided in par. (am), an individual who meets the
8 requirements under sub. (2), upon satisfactory completion of ~~an~~ a full-time
9 undergraduate semester in any institution ~~within the university of Wisconsin~~
10 ~~system or a semester at any technical college district school under ch. 38 of higher~~
11 education, as defined in s. 45.396 (1) (a), in this state or any institution from which
12 the individual receives a waiver of nonresident tuition under s. 39.47, may be
13 reimbursed for up to ~~50%~~ 65% of the individual's tuition and fees, ~~but that.~~ The
14 reimbursement under this paragraph is limited to a maximum of ~~50%~~ 65% of the
15 standard cost for a state resident for an equivalent undergraduate course at the
16 University of Wisconsin-Madison per course or the difference between the
17 individual's tuition and fees and the grants or scholarships, including those made
18 under s. 21.49, that the individual receives specifically for the payment of the tuition
19 or fees, whichever is less. Reimbursement is available only for tuition and fees that
20 are part of a curriculum that is relevant to a degree in a particular course of study
21 at the institution ~~or school.~~

22 **SECTION 971.** 45.25 (3) (am) of the statutes is amended to read:

23 45.25 (3) (am) A disabled individual who meets the requirements under sub.
24 (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon
25 satisfactory completion of an undergraduate semester in any institution ~~within the~~

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

13 **SECTION 972.** 45.25 (4) (a) of the statutes is amended to read:

14 45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for
15 more than 120 credits of ~~part-time study~~ or 8 full semesters of full-time study at any
16 institution ~~within the university of Wisconsin system of higher education, as defined~~
17 ~~in s. 45.396 (1) (a), in this state, 60 credits of part-time study~~ or 4 full semesters of
18 full-time study at a ~~technical college under ch. 38~~ any institution of higher
19 education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon
20 completion of 60 credits, or an equivalent amount of credits at an institution where
21 he or she is receiving a waiver of nonresident tuition under s. 39.47.

22 **SECTION 973.** 45.25 (4) (b) (intro.) of the statutes is amended to read:

23 45.25 (4) (b) (intro.) The department may provide reimbursement under sub.
24 (2) to an individual who is delinquent in child support or maintenance payments or
25 who owes past support, medical expenses or birth expenses, as established by the

1 ~~receipt by the department of a certification under s. 49.855~~ appearance of the
2 individual's name on the statewide support lien docket under s. 49.854 (2) (b), only
3 if the individual provides the department with one of the following:

4 **SECTION 974.** 45.25 (4) (b) 2. of the statutes is amended to read:

5 45.25 (4) (b) 2. A statement that the individual is not delinquent in child
6 support or maintenance payments and does not owe past support, medical expenses
7 or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce
8 development or its designee within 7 working days before the date of the application.

9 **SECTION 975.** 45.35 (5) (a) 2. c. of the statutes is amended to read:

10 45.35 (5) (a) 2. c. Has been a resident of this state for any consecutive 5-year
11 period after ~~completing~~ entry or reentry into service on active duty and before the
12 date of his or her application or death. If a person applying for a benefit under this
13 subchapter meets that 5-consecutive-year residency requirement, the department
14 may not require the person to reestablish that he or she meets the
15 5-consecutive-year residency requirement when he or she later applies for any other
16 benefit under this chapter that requires a 5-consecutive-year residency.

17 **SECTION 976.** 45.35 (14) (h) of the statutes is created to read:

18 45.35 (14) (h) To provide grants to the governing bodies of federally recognized
19 American Indian tribes and bands from the appropriation under s. 20.485 (2) (km)
20 if that governing body enters into an agreement with the department regarding the
21 creation, goals and objectives of a tribal veterans' service officer, appoints a veteran
22 to act as a tribal veterans' service officer and gives that veteran duties similar to the
23 duties described in s. 45.43 (5), except that the veteran shall report to the governing
24 body of the tribe or band. The department may make annual grants of up to \$2,500
25 under this paragraph and shall promulgate rules to implement this paragraph.

1 **SECTION 977.** 45.35 (15) of the statutes is amended to read:

2 45.35 (15) LIBERAL CONSTRUCTION INTENDED. This section, ss. 45.25, 45.351,
3 45.356 and 45.37 and subch. II shall be construed as liberally as the language
4 permits in favor of applicants.

5 **SECTION 979.** 45.356 (6) (intro.) of the statutes is amended to read:

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

12 **SECTION 980.** 45.356 (6) (b) of the statutes is amended to read:

13 45.356 (6) (b) Provides to the department a statement that the applicant is not
14 delinquent in child support or maintenance payments and does not owe past support,
15 medical expenses or birth expenses, signed by the ~~clerk of circuit court~~ department
16 of workforce development or its designee within 7 working days before the date of the
17 application.

18 **SECTION 981.** 45.356 (9) (a) of the statutes is amended to read:

19 45.356 (9) (a) The department may borrow from the veterans mortgage loan
20 repayment fund under s. 45.79 (7) (a) ~~and shall pledge to obtain money to make loans~~
21 ~~made under this section as collateral for the borrowing.~~

22 **SECTION 982.** 45.356 (9) (b) of the statutes is amended to read:

23 45.356 (9) (b) The department may enter into transactions with the state
24 investment board to obtain money to make loans under this section. Transactions
25 authorized under this paragraph may include the sale of loans.

1 **SECTION 982m.** 45.358 (2) of the statutes is amended to read:

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

15 **SECTION 983.** 45.37 (3) (b) (title) of the statutes is repealed.

16 **SECTION 984.** 45.37 (3) (b) of the statutes is renumbered 45.37 (3) and amended
17 to read:

18 45.37 (3) *Nonresident.* A veteran who was not a resident of this state at the
19 time of enlistment or induction into service but who is otherwise qualified for
20 membership may be admitted if the veteran has been a resident of this state for any
21 consecutive 5-year period after ~~completing~~ enlistment or induction into service on
22 ~~active duty~~ and before the date of his or her application. If a person applying for a
23 benefit under this subchapter meets that 5-consecutive-year residency
24 requirement, the department may not require the person to reestablish that he or she
25 meets the 5-consecutive-year residency requirement when he or she later applies

1 for any other benefit under this chapter that requires a 5-consecutive-year
2 residency.

3 **SECTION 984m.** 45.385 of the statutes is amended to read:

4 **45.385 Veterans residential, treatment and nursing care facilities.**

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

16 **SECTION 985.** 45.396 (1) (a) of the statutes is amended to read:

17 45.396 (1) (a) "Institution of higher education" ~~means an educational~~
18 ~~institution meeting the requirements of P.L. 89-329 for institutions covered therein~~
19 ~~and of P.L. 89-287 for business, trade, technical or vocational schools and full-time~~
20 ~~post-high school technical colleges~~ has the meaning given in 20 USC 1088 (a).

21 **SECTION 986.** 45.396 (5) of the statutes is amended to read:

22 45.396 (5) Except as provided in sub. (9), the reimbursement may not exceed
23 ~~50%~~ 65% of the cost of tuition and fees and shall also be limited to a maximum of ~~50%~~
24 65% of the standard cost for a state resident for tuition and fees for an equivalent
25 undergraduate course at the University of Wisconsin-Madison per course and may

1 not be provided to an individual more than 4 times during any consecutive 12-month
2 period.

3 **SECTION 987.** 45.396 (6) (intro.) of the statutes is amended to read:

4 45.396 (6) (intro.) The department may make a grant to an applicant under this
5 section ~~after the department receives a certification under s. 49.855 (7) that the~~
6 ~~applicant is delinquent in child support or maintenance payments or owes past~~
7 ~~support, medical expenses or birth expenses~~ to an applicant whose name appears on
8 the statewide support lien docket under s. 49.854 (2) (b) only if the applicant provides
9 the department with one of the following:

10 **SECTION 988.** 45.396 (6) (b) of the statutes is amended to read:

11 45.396 (6) (b) A statement that the applicant is not delinquent in child support
12 or maintenance payments and does not owe past support, medical expenses or birth
13 expenses, signed by the ~~clerk of circuit court~~ department of workforce development
14 or its designee within 7 working days before the date of the application.

15 **SECTION 989g.** 45.397 (4) of the statutes is repealed.

16 **SECTION 990.** 45.71 (16) (a) 2m. a. of the statutes is amended to read:

17 45.71 (16) (a) 2m. a. Has been a resident of this state for any consecutive 5-year
18 period ~~after completing enlistment or induction into service on active duty~~ and before
19 the date of his or her application or death. If a person applying for a benefit under
20 this subchapter meets that 5-consecutive-year residency requirement, the
21 department may not require the person to reestablish that he or she meets the
22 5-consecutive-year residency requirement when he or she applies for any other
23 benefit under this chapter that requires a 5-consecutive-year residency.

24 **SECTION 991.** 45.74 (6) (intro.) of the statutes is amended to read:

1 45.74 (6) DELINQUENT SUPPORT PAYMENTS. (intro.) The person is delinquent in
2 child support or maintenance payments or owes past support, medical expenses or
3 birth expenses, as evidenced by ~~a certification under s. 49.855 (7)~~ the appearance of
4 the person's name on the statewide support lien docket under s. 49.854 (2) (b), unless
5 the person provides the department or authorized lender with one of the following:

6 **SECTION 992.** 45.74 (6) (b) of the statutes is amended to read:

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

11 **SECTION 993.** 45.76 (1) (c) of the statutes is amended to read:

12 45.76 (1) (c) *Home improvements.* A loan of not more than ~~\$15,000~~ \$25,000 to
13 improve a home, including construction of a garage.

14 **SECTION 994.** 45.79 (9) (a) of the statutes is amended to read:

15 45.79 (9) (a) All moneys received from any source for repayment of loans,
16 mortgages or mortgage loan notes funded with proceeds of revenue obligations
17 issued under sub. (6) (c) shall be deposited into one or more separate nonlapsible
18 trust funds in the state treasury or with a trustee ~~as provided in s. 18.56 (9) (j)~~
19 appointed for that purpose by the authorizing resolution for the revenue obligations.

20 The board may pledge revenues received by the funds to secure revenue obligations
21 issued under sub. (6) (c) and shall have all other powers necessary and convenient
22 to distribute the proceeds of the revenue obligations and loan repayments in
23 accordance with subch. II of ch. 18. Unrestricted balances in the funds may be used
24 to fund additional loans issued under sub. (6) (c) and pay the balances owing on loans

1 after the assumptions of the loans or the closings of the sales of residences under sub.
2 (10) (c).

3 **SECTION 995.** 46.03 (1) of the statutes is amended to read:

4 46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the
5 Winnebago mental health institutes; the secure mental health facility established
6 under s. 46.055; and the centers for the developmentally disabled.

7 **SECTION 996.** 46.03 (7) (g) of the statutes is created to read:

8 46.03 (7) (g) Before July 1, 2005, establish a statewide automated child welfare
9 information system.

10 **SECTION 997.** 46.03 (22) (a) of the statutes is amended to read:

11 46.03 (22) (a) "Community living arrangement" means any of the following
12 facilities licensed or operated, or permitted under the authority of the department:
13 child welfare agencies under s. 48.60, group homes for children under s. 48.02 (7) and
14 community-based residential facilities under s. 50.01; but does not include adult
15 family homes, as defined in s. 50.01, day care centers, nursing homes, general
16 hospitals, special hospitals, prisons and jails. ~~"Community living arrangement" also~~
17 ~~includes a youth village program as described in s. 118.42.~~

18 **SECTION 999d.** 46.036 (4) (a) of the statutes is amended to read:

19 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double
20 entry accounting system and a management information system which are
21 compatible with cost accounting and control systems prescribed by the department.
22 The department shall establish a simplified double entry bookkeeping system for use
23 by family-operated group homes. Each purchaser shall determine whether a
24 family-operated group home from which it purchases services shall use the double
25 entry accounting system or the simplified system and shall include this

1 determination in the purchase of service contract. In this paragraph,
2 “family-operated group home” means a group home licensed under s. 48.66 (1) (a) for
3 which the licensee is one or more individuals who operate not more than one group
4 home.

5 **SECTION 997m.** 46.03 (44) of the statutes is created to read:

6 46.03 (44) STRAY VOLTAGE RESEARCH. Conduct research and investigate
7 allegations that the 3rd harmonic of 60-hertz current harms people and dairy
8 animals. The department shall allocate moneys transferred to the appropriation
9 account under s. 20.435 (1) (kx) from the appropriation under s. 20.155 (1) (jm) for
10 this purpose.

11 **SECTION 999m.** 46.036 (8) of the statutes is created to read:

12 46.036 (8) If the department proposes to consolidate contracts into one single
13 contract to cover care or services under more than one program administered by the
14 subunit of the department that is primarily responsible for administering public
15 health, the department shall submit the proposed contract to the cochairpersons of
16 the joint committee on finance. The proposed contract shall detail the programs for
17 which care or services are being contracted, the allocation of funds for each program
18 and outcome performance incentives and disincentives offered under the contract.
19 If the cochairpersons of the committee do not notify the secretary within 14 working
20 days after receiving the proposed contract that the cochairpersons have scheduled
21 a meeting for the purpose of reviewing the contract, the department may enter into
22 the contract as proposed. If, within 14 working days after receiving the proposed
23 contract, the cochairpersons notify the secretary that the cochairpersons have
24 scheduled a meeting for the purpose of reviewing the proposed contract, the
25 department may not enter into the contract except as approved by the committee.

1 **SECTION 999p.** 46.041 (1) (a) of the statutes is amended to read:

2 46.041 (1) (a) Provide for the temporary residence and evaluation of children
3 referred from courts assigned to exercise jurisdiction under chs. 48 and 938, the
4 institutions and services under the jurisdiction of the department, University of
5 Wisconsin Hospitals and Clinics Authority, county departments under s. 46.215,
6 46.22 or 46.23, private child welfare agencies, ~~seheels the Wisconsin School~~ for the
7 ~~deaf and visually handicapped, Deaf, the Wisconsin Center for the Blind and~~
8 Visually Impaired and mental health facilities within the state at the discretion of
9 the superintendent director of the institution providing services under this section.

10 **SECTION 1000.** 46.043 of the statutes is created to read:

11 **46.043 Additional services of mental health institutes.** (1) In addition
12 to inpatient and outpatient services provided at mental health institutes under ss.
13 51.05 and 51.07, the department may authorize mental health institutes to offer
14 services other than inpatient mental health services when the department
15 determines that community services need to be supplemented. Services that may be
16 offered under this section include mental health outpatient treatment and services,
17 day programming, consultation and services in residential facilities, including group
18 homes, child caring institutions and community-based residential facilities.

19 (2) Services under this section may be provided only under contract between
20 the department and a county department under s. 46. 215, 46.22 or 46.23, a school
21 district or another public or private entity within the state to persons referred from
22 those entities, at the discretion of the department. The department shall charge the
23 referring entity all costs associated with providing the services. Unless a referral is
24 made, the department may not offer services under this section to the person who is
25 to receive the services or his or her family. The department may not impose a charge

1 for services under this section upon the person receiving the services or his or her
2 family. The department shall credit any revenues received under this section to the
3 appropriation account under s. 20.435 (2) (gk).

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

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

7 2. Subchapter XVI of ch. 48 and ss. 50.03, 50.032, 50.033, 50.034 (1) to (3),
8 50.035, 50.04, 50.09, 51.04, 51.42 (7) (b) and 51.61. In applying these statutes, the
9 services shall be considered to be provided by a private entity.

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

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

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

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

20 (4) Services in a residential facility operated by a mental health institute that
21 are authorized by the department under this section shall be provided only in a
22 facility that is situated on the grounds of a mental health institute. The facility may
23 not be considered to be a hospital, as defined in s. 50.33 (2), an inpatient facility, as
24 defined in s. 51.01 (10), a state treatment facility, as defined in s. 51.01 (15), or a
25 treatment facility, as defined in s. 51.01 (19).

1 **SECTION 1001.** 46.055 of the statutes is created to read:

2 **46.055 Secure mental health facility for sexually violent persons.** The
3 department shall establish and operate a secure mental health facility for the
4 detention, evaluation and institutional care of persons under ch. 980.

5 **SECTION 1002d.** 46.057 (2) of the statutes is amended to read:

6 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
7 department of corrections shall transfer to the appropriation account under s. 20.435
8 (2) (kx) \$1,273,900 in fiscal year 1999–2000 and \$1,379,300 in fiscal year 2000–01
9 and, from the appropriation account under s. 20.410 (3) (hm), the department of
10 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)
11 \$3,125,100 \$2,489,300 in fiscal year 1997–98 1999–2000 and \$3,236,200 \$2,489,900
12 in fiscal year 1998–99 2000–01 for services for juveniles placed at the Mendota
13 juvenile treatment center. The department of health and family services may charge
14 the department of corrections not more than the actual cost of providing those
15 services.

16 **SECTION 1002j.** 46.058 (2m) of the statutes is created to read:

17 46.058 (2m) The superintendents of the secure mental health facility
18 established under s. 46.055, the Wisconsin resource center established under s.
19 46.056 and any secure mental health unit or facility provided by the department of
20 corrections under s. 980.065 (2) shall adopt proper means to prevent escapes of
21 persons detained or committed to the facility, center or unit under ch. 980 and may
22 adopt proper means to pursue and capture persons detained or committed to the
23 facility, center or unit under ch. 980 who have escaped. In adopting means under this
24 subsection to prevent escape and pursue and capture persons who have escaped, a
25 superintendent may delegate to designated staff members of the facility, center or

1 unit the power to use necessary and appropriate force, as defined by the department
2 by rule, to prevent escapes and capture escaped persons.

3 **SECTION 1003.** 46.10 (2) of the statutes is amended to read:

4 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,
5 including but not limited to a person admitted, committed or placed under s. 975.01,
6 1977 stats., s. 975.02, 1977 stats., and s. 975.17, 1977 stats., and ss. 51.10, 51.13,
7 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.06, 971.14
8 (2) and (5), 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services and
9 supplies provided by any institution in this state including University of Wisconsin
10 Hospitals and Clinics, in which the state is chargeable with all or part of the person's
11 care, maintenance, services and supplies, any person receiving care and services
12 from a county department established under s. 51.42 or 51.437 or from a facility
13 established under s. 49.73, and any person receiving treatment and services from a
14 public or private agency under s. 980.06 (2) (c), 1997 stats., or s. 971.17 (3) (d) or (4)
15 (e), 980.06 (2) (e) or 980.08 (5) and the person's property and estate, including the
16 homestead, and the spouse of the person, and the spouse's property and estate,
17 including the homestead, and, in the case of a minor child, the parents of the person,
18 and their property and estates, including their homestead, and, in the case of a
19 foreign child described in s. 48.839 (1) who became dependent on public funds for his
20 or her primary support before an order granting his or her adoption, the resident of
21 this state appointed guardian of the child by a foreign court who brought the child
22 into this state for the purpose of adoption, and his or her property and estate,
23 including his or her homestead, shall be liable for the cost of the care, maintenance,
24 services and supplies in accordance with the fee schedule established by the
25 department under s. 46.03 (18). If a spouse, widow or minor, or an incapacitated

1 person may be lawfully dependent upon the property for their support, the court
2 shall release all or such part of the property and estate from the charges that may
3 be necessary to provide for those persons. The department shall make every
4 reasonable effort to notify the liable persons as soon as possible after the beginning
5 of the maintenance, but the notice or the receipt thereof is not a condition of liability.

6 **SECTION 1003c.** 46.10 (2m) of the statutes is amended to read:

7 46.10 (2m) The liability specified in sub. (2) shall not apply to tuberculosis
8 patients receiving care, maintenance, services and supplies under ss. 58.06 and
9 252.07 to 252.10, to persons 18 and older receiving care, maintenance, services and
10 supplies provided by prisons named in s. 302.01 or to parents of a minor who receives
11 care for alcohol or drug abuse under s. 51.47 (1) without consent of the minor's parent
12 or guardian.

13 **SECTION 1003t.** 46.18 (1) of the statutes is amended to read:

14 46.18 (1) TRUSTEES. Every county home, infirmary, hospital, tuberculosis
15 hospital or sanatorium, or similar institution, shall, subject to regulations approved
16 by the county board, be managed by a board of trustees, electors of the county, chosen
17 by ballot by the county board. At its annual meeting, the county board shall appoint
18 an uneven number of trustees, from 3 to 9 at the option of the board, for staggered
19 3-year terms ending the first Monday in January. Any vacancy shall be filled for the
20 unexpired term by the county board; but the chairperson of the county board may
21 appoint a trustee to fill the vacancy until the county board acts.

22 **SECTION 1003u.** 46.20 (1) of the statutes is amended to read:

23 46.20 (1) Any 2 or more counties may jointly, by majority vote of all the
24 members of each county board, provide for a county home, infirmary, hospital,
25 tuberculosis hospital or sanatorium, or similar institution, or juvenile detention

1 home, which shall be established, maintained and operated pursuant to all the
2 statutes relating to the establishment, maintenance and operation of similar
3 institutions, respectively, by any single county whose population is less than
4 250,000, except as otherwise provided in this section; and in all respects, except as
5 herein specified, each such institution shall be the county institution of each of the
6 counties so joining.

7 **SECTION 1003v.** 46.20 (3) of the statutes is amended to read:

8 46.20 (3) Upon approval of the site, plans and specifications, as provided in s.
9 ~~252.073 as to tuberculosis sanatoriums~~ and ss. 46.17 and 301.37, as to other
10 institutions, the joint committee shall report to the several county boards the
11 estimated cost of the site and buildings, and the amount thereof chargeable to each
12 county on the basis set forth in sub. (6) (a), appending to each report a copy of the
13 plans and specifications and all matter relating to the site and buildings. If the
14 report is approved by each county board, the joint committee shall purchase the site
15 and cause the buildings to be erected in accordance with the plans and specifications.

16 **SECTION 1003w.** 46.20 (8) of the statutes is repealed.

17 **SECTION 1003x.** 46.20 (10) of the statutes is repealed.

18 **SECTION 1010.** 46.21 (2m) (c) of the statutes is amended to read:

19 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. ~~46.2895(9)~~, 48.78
20 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and
21 253.07 (3) (c), any subunit of the county department of human services acting under
22 this subsection may exchange confidential information about a client, without the
23 informed consent of the client, with any other subunit of the same county department
24 of human services, with a resource center, care management organization or family
25 care district, or with any person providing services to the client under a purchase of

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

5 **SECTION 1011.** 46.215 (1) (j) of the statutes is amended to read:

6 46.215 (1) (j) To make payments in such manner as the department of
7 workforce development may determine for training of recipients, former recipients
8 and potential recipients of aid in programs established under ~~ss. s.~~ s. 49.193, 1997
9 stats., and s. 49.26 (1).

10 **SECTION 1012.** 46.215 (1) (r) of the statutes is created to read:

11 46.215 (1) (r) If authorized under s. 46.283 (1) (a) 1., to apply to the department
12 of health and family services to operate a resource center under s. 46.283 and, if the
13 department contracts with the county under s. 46.283 (2), to operate the resource
14 center.

15 **SECTION 1013.** 46.215 (1) (s) of the statutes is created to read:

16 46.215 (1) (s) If authorized under s. 46.284 (1) (a) 1., to apply to the department
17 of health and family services to operate a care management organization under s.
18 46.284 and, if the department contracts with the county under s. 46.284 (2), to
19 operate the care management organization and, if appropriate, place funds in a risk
20 reserve.

21 **SECTION 1014p.** 46.215 (1g) of the statutes is amended to read:

22 46.215 (1g) ~~ADMINISTRATION OF FOOD STAMPS FOR PARTICIPANTS IN BY A WISCONSIN~~
23 ~~WORKS AGENCY.~~ The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the
24 extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for

1 and ~~distribute, if determined eligible, issue~~ food coupons under s. 49.143 (2) (e) to
2 eligible participants in the Wisconsin works program under subch. III of ch. 49.

3 **SECTION 1017.** 46.215 (1m) of the statutes is amended to read:

4 **46.215 (1m) EXCHANGE OF INFORMATION.** Notwithstanding ss. 46.2895 (9), 48.78
5 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
6 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services
7 acting under this section may exchange confidential information about a client,
8 without the informed consent of the client, with any other subunit of the same county
9 department of social services, with a resource center, care management organization
10 or family care district, or with any person providing services to the client under a
11 purchase of services contract with the county department of social services or with
12 a resource center, care management organization or family care district, if necessary
13 to enable an employe or service provider to perform his or her duties, or to enable the
14 county department of social services to coordinate the delivery of services to the
15 client.

16 **SECTION 1018.** 46.215 (2) (c) 1. of the statutes is amended to read:

17 **46.215 (2) (c) 1.** A county department of social services shall develop, under the
18 requirements of s. 46.036, plans and contracts for care and services to be purchased,
19 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
20 of health and family services may review the contracts and approve them if they are
21 consistent with s. 46.036 and if state or federal funds are available for such purposes.
22 The joint committee on finance may require the department of health and family
23 services to submit the contracts to the committee for review and approval. The
24 department of health and family services may not make any payments to a county
25 for programs included in a contract under review by the committee. The department

1 of health and family services shall reimburse each county for the contracts from the
2 appropriations under s. 20.435 (3)(o) and (7)(b), (kw) and (o), as appropriate, under
3 s. 46.495.

4 **SECTION 1019.** 46.22 (1) (b) 1. j. of the statutes is created to read:

5 46.22 (1) (b) 1. j. If authorized under s. 46.283 (1) (a) 1., to apply to the
6 department of health and family services to operate a resource center under s. 46.283
7 and, if the department contracts with the county under s. 46.283 (2), to operate the
8 resource center.

9 **SECTION 1020.** 46.22 (1) (b) 1. k. of the statutes is created to read:

10 46.22 (1) (b) 1. k. If authorized under s. 46.284 (1) (a) 1., to apply to the
11 department of health and family services to operate a care management organization
12 under s. 46.284 and, if the department contracts with the county under s. 46.284 (2),
13 to operate the care management organization and, if appropriate, place funds in a
14 risk reserve.

15 **SECTION 1021.** 46.22 (1) (b) 2. a. of the statutes is repealed.

16 **SECTION 1022.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

17 46.22 (1) (b) 2. e. To make payments in such manner as the department of
18 workforce development may determine for training of recipients, former recipients
19 and potential recipients of aid in programs established under ss. 49.193, 1997 stats.
20 and 49.26 (1).

21 **SECTION 1022m.** 46.22 (1) (c) 2. of the statutes is amended to read:

22 46.22 (1) (c) 2. Subdivision 1. does not authorize the county department of
23 social services to make investigations regarding admission to or release from the
24 ~~Waupun correctional institution, the Columbia correctional institution, the Racine~~
25 ~~correctional institution, the Racine Youthful Offender Correctional Facility, the~~

1 ~~correctional institution authorized under 1997 Wisconsin Act 4, section 4(1)(a), the~~
2 ~~correctional institution authorized under s. 301.046(1), the correctional institution~~
3 ~~authorized under s. 301.048(4)(b), the correctional institution authorized under s.~~
4 ~~301.16(1n), the Oshkosh correctional institution, the Green Bay correctional~~
5 ~~institution, the Dodge correctional institution, the Taycheedah correctional~~
6 ~~institution state prisons under s. 302.01, county houses of correction, jails, detention~~
7 ~~homes or reforestation camps.~~

8 **SECTION 1023.** 46.22 (1) (c) 8. f. of the statutes is created to read:

9 46.22 (1) (c) 8. f. Before July 1, 2005, the county department of social services
10 shall implement the statewide automated child welfare information system
11 established by the department under s. 46.03 (7) (g).

12 **SECTION 1024.** 46.22 (1) (dm) of the statutes is amended to read:

13 46.22 (1) (dm) *Exchange of information.* Notwithstanding ss. ~~46.2895(9)~~, 48.78
14 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
15 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services
16 acting under this subsection may exchange confidential information about a client,
17 without the informed consent of the client, with any other subunit of the same county
18 department of social services, with a resource center, care management organization
19 or family care district, or with any person providing services to the client under a
20 purchase of services contract with the county department of social services or with
21 a resource center, care management organization or family care district, if necessary
22 to enable an employe or service provider to perform his or her duties, or to enable the
23 county department of social services to coordinate the delivery of services to the
24 client.

25 **SECTION 1025.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

1 46.22 (1) (e) 3. a. A county department of social services shall develop, under
2 the requirements of s. 46.036, plans and contracts for care and services, except under
3 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
4 family services may review the contracts and approve them if they are consistent
5 with s. 46.036 and to the extent that state or federal funds are available for such
6 purposes. The joint committee on finance may require the department of health and
7 family services to submit the contracts to the committee for review and approval.
8 The department of health and family services may not make any payments to a
9 county for programs included in the contract that is under review by the committee.
10 The department of health and family services shall reimburse each county for the
11 contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o)
12 according to s. 46.495.

13 **SECTION 1026p.** 46.22 (1g) of the statutes is amended to read:

14 46.22 (1g) ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN~~ BY A WISCONSIN
15 WORKS AGENCY. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the
16 extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for
17 and distribute, if determined eligible, issue food coupons under s. 49.143 (2) (e) to
18 eligible participants in the Wisconsin works program under subch. III of ch. 49.

19 **SECTION 1029.** 46.23 (3) (e) of the statutes is amended to read:

20 46.23 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
21 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
22 (3) (c) and 938.78 (2) (a), any subunit of a county department of human services
23 acting under this section may exchange confidential information about a client,
24 without the informed consent of the client, with any other subunit of the same county
25 department of human services, with a resource center, care management

1 organization or family care district, or with any person providing services to the
2 client under a purchase of services contract with the county department of human
3 services or with a resource center, care management organization or family care
4 district, if necessary to enable an employe or service provider to perform his or her
5 duties, or to enable the county department of human services to coordinate the
6 delivery of services to the client.

7 **SECTION 1030.** 46.266 (1) (d) of the statutes is created to read:

8 46.266 (1) (d) A person in the facility who has been determined under s. 49.45
9 (6c) (b) to require active treatment for mental illness.

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

11 46.266 (3) The total number of beds in skilled nursing facilities or intermediate
12 care facilities that are funded at any one time under subs. (1) and (2) may not exceed
13 the number of beds available for the persons specified in sub. (1) (a), minus the
14 number of beds reduced under sub. (8) (a), plus the number of beds added for persons
15 who are specified under sub. (1) (c) and (d). The department may redistribute funds
16 for a vacant bed from one county to another county that is seeking to effect the
17 placement of a person in an institution for mental diseases.

18 **SECTION 1031.** 46.27 (1) (bm) of the statutes is amended to read:

19 46.27 (1) (bm) "Private nonprofit agency" means a nonprofit corporation, as
20 defined in s. 181.0103 (17), which provides ~~comprehensive health care services to~~
21 ~~elderly persons~~ a program of all-inclusive care for persons aged 65 or older
22 authorized under 42 USC 1395 to 1395ggg and which participates in the On Lok
23 replication initiative.

24 **SECTION 1032.** 46.27 (2) (k) of the statutes is created to read:

1 46.27 (2) (k) Review and approve or disapprove the terms of risk reserve escrow
2 accounts created under sub. (7) (fr) and approve or disapprove disbursements for
3 administrative or staff costs from the risk reserve escrow accounts.

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

5 46.27 (4) (am) If a local long-term care council in a county assumes under s.
6 46.282 (3) (b) the duties of the county long-term support planning committee under
7 this subsection, the county long-term support planning committee for the county is
8 dissolved.

9 **SECTION 1033h.** 46.27 (4) (c) (intro.) of the statutes is amended to read:

10 46.27 (4) (c) (intro.) The planning committee shall develop, or, if a local
11 long-term care council has under s. 46.282 (3) (b) assumed the duties of the planning
12 committee, the local long-term care council shall recommend a community options
13 plan for participation in the program. The plan shall include:

14 **SECTION 1033i.** 46.27 (4) (c) 5. of the statutes is amended to read:

15 46.27 (4) (c) 5. A description of the method to be used by the committee or, if
16 a local long-term care council has under s. 46.282 (3) (b) assumed the duties of the
17 planning committee, the local long-term care council to monitor the implementation
18 of the program.

19 **SECTION 1038.** 46.27 (4) (c) 8. of the statutes is amended to read:

20 46.27 (4) (c) 8. If a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established
21 in the county, a description of how the activities of the pilot project relate to and are
22 coordinated with the county's proposed program.

23 **SECTION 1039.** 46.27 (5) (am) of the statutes is amended to read:

24 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county
25 department or aging unit shall utilize persons for each assessment who can

1 determine the needs of the person being assessed and who know the availability
2 within the county of services alternative to placement in a nursing home. If any
3 hospital patient is referred to a nursing home for admission, these persons shall work
4 with the hospital discharge planner in performing the activities specified in sub. (6).
5 The county department or aging unit shall coordinate the involvement of
6 representatives from the county departments under ss. 46.215, 46.22, 51.42 and
7 51.437, health service providers and the county commission on aging in the
8 assessment activities specified in sub. (6), as well as the person being assessed and
9 members of the person's family or the person's guardian. This paragraph does not
10 apply to a county department or aging unit in a county where a pilot project under
11 s. ~~46.271 (2m)~~ 46.281 (1) (d) is established.

12 **SECTION 1040.** 46.27 (6) (a) 3. of the statutes is amended to read:

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

21 **SECTION 1041.** 46.27 (6g) (intro.) of the statutes is amended to read:

22 46.27 (6g) FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and
23 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an
24 assessment, unless the assessment is performed by an entity under s. ~~46.271 (2m)~~

1 46.281 (1) (d), case plan or services provided to a person under this section is as
2 follows:

3 **SECTION 1041m.** 46.27 (6r) (f) of the statutes is created to read:

4 46.27 (6r) (f) A person who has attained the age of 18 but has not attained the
5 age of 65 unless that person is engaged in gainful employment or participating in a
6 program that is certified by the department to provide health and employment
7 services that are aimed at helping the individual achieve employment goals. The
8 department may waive this paragraph for any individual for whom its application
9 would cause undue hardship.

10 **SECTION 1042.** 46.27 (6u) (c) 2. of the statutes is amended to read:

11 46.27 (6u) (c) 2. For a person who is determined to be financially eligible under
12 subd. 1. calculate, by use of the uniform fee system under s. 46.03 (18), the amount
13 of cost sharing required for receipt of long-term community support services
14 provided under sub. (5) (b). The county department or aging unit shall require
15 payment by the person of 100% of the amount calculated under this subdivision,
16 unless the person is a recipient of medical assistance under s. 49.472. If the person
17 is a recipient of medical assistance under s. 49.472, the county department or aging
18 unit may not require any payment from the person under this subdivision.

19 **SECTION 1043.** 46.27 (7) (am) of the statutes is amended to read:

20 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department
21 shall allocate funds to each county or private nonprofit agency with which the
22 department contracts to pay assessment and case plan costs under sub. (6) not
23 otherwise paid by fee or under s. 49.33 (2) or 49.45. The department shall reimburse
24 counties for the cost of assessing persons eligible for medical assistance under s.
25 49.46, 49.468 or 49.47 as part of the administrative services of medical assistance,

1 payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this
2 paragraph to pay the cost of long-term community support services and for a risk
3 reserve under par. (fr).

4 **SECTION 1044.** 46.27 (7) (b) of the statutes is amended to read:

5 46.27 (7) (b) 1m. From the appropriations under s. 20.435 (7) (bd) and (im), the
6 department shall allocate funds to each county to pay the cost of providing long-term
7 community support services under sub. (5) (b) not otherwise paid under s. 49.45 to
8 persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom
9 the county department or aging unit administering the program finds likely to
10 become medically indigent within 6 months by spending excess income or assets for
11 medical or remedial care. The average per person reimbursement under this
12 paragraph may not exceed the state share of the average per person payment rate
13 the department expects under s. 49.45 (6m). The county department or aging unit
14 administering the program may spend funds received under this paragraph only in
15 accordance with the case plan and service contract created for each person receiving
16 long-term community support services. Counties may use unspent funds allocated
17 under this paragraph from the appropriation under s. 20.435 (7) (bd) for a risk
18 reserve under par. (fr).

19 **SECTION 1045.** 46.27 (7) (cj) 3. a. of the statutes is amended to read:

20 46.27 (7) (cj) 3. a. An assessment under sub. (6) has been completed for the
21 person prior to the person's admission to the community-based residential facility,
22 ~~whether or not the person is a private pay admittee at the time of admission. except~~
23 that a person seeking admission or about to be admitted on a private pay basis may
24 wave the assessment, unless the person is expected to become eligible for medical
25 assistance within 6 months of assessment. The county may waive this condition in

1 accordance with guidelines established by the department. If the county waives this
2 condition, the county must meet with the person or the person's guardian to discuss
3 the cost-effectiveness of various service options.

4 **SECTION 1045g.** 46.27 (7) (cL) of the statutes is created to read:

5 46.27 (7) (cL) No county department or aging unit may deny services to a
6 person under par. (cj) who refused to have an assessment completed as required
7 under par. (cj) 3. a. before the effective date of this paragraph ... [revisor inserts
8 date].

9 **SECTION 1045d.** 46.27 (7) (ck) 1. of the statutes is amended to read:

10 46.27 (7) (ck) 1. Subject to the approval of the department, and except as
11 provided in sub. (7b) (a), a county may establish and implement more restrictive
12 conditions than those imposed under par. (cj) on the use of funds received under par.
13 (b) for the provision of services to a person in a community-based residential facility.
14 A county that establishes more restrictive conditions under this subdivision shall
15 include the conditions in its community options plan under sub. (3) (cm).

16 **SECTION 1045e.** 46.27 (7) (cm) 1. (intro.) of the statutes is amended to read:

17 46.27 (7) (cm) 1. (intro.) Beginning Except as provided sub. (7b), beginning on
18 January 1, 1996, no county, private nonprofit agency or aging unit may use funds
19 received under par. (b) to provide services in any community-based residential
20 facility that has more than 8 beds, unless one of the following applies:

21 **SECTION 1046.** 46.27 (7) (fm) of the statutes is amended to read:

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

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

10 **SECTION 1047.** 46.27 (7) (fr) of the statutes is created to read:

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

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

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

- 1 a. To defray costs of long-term community support services under this section.
- 2 b. To meet requirements under any contract that the county has with the
- 3 department to operate a care management organization under s. 46.284.
- 4 c. If approved by a resolution of the county board of supervisors, to transfer
- 5 funds to a family care district.
- 6 d. If approved by the department, for administrative or staff costs under this
- 7 section.
- 8 4. A county that maintains a risk reserve, as specified in subd. 1., shall
- 9 annually, on a form prescribed by the department, submit to the department a record
- 10 of the status of the risk reserve, including revenues and disbursements.

11 **SECTION 1048.** 46.27 (7) (g) (intro.) of the statutes is amended to read:

12 46.27 (7) (g) (intro.) The department may carry forward to the next state fiscal

13 year ~~up to \$500,000~~ of funds allocated under this subsection and not encumbered by

14 counties by December 31 or carried forward under par. (fm). The department may

15 transfer moneys within s. 20.435 (7) (bd) to accomplish this purpose. An allocation

16 under this paragraph shall not affect a county's base allocation for the program. The

17 department may allocate these transferred moneys during the next fiscal year to

18 counties for planning and implementation of resource centers under s. 46.283 or care

19 management organizations under s. 46.284 and for the improvement or expansion

20 of long-term community support services for clients whose cost of care significantly

21 exceeds the average cost of care provided under this section, including any of the

22 following:

23 **SECTION 1048m.** 46.27 (7b) of the statutes is created to read:

24 46.27 (7b) PILOT PROGRAM IN CHIPPEWA COUNTY. The department shall establish

25 a pilot project in Chippewa County to effect all of the following:

1 (a) Notwithstanding the maximum total amount established by Chippewa
2 County under sub. (3) (f), Chippewa County may not deny services under this section
3 to an eligible individual who resides in a community-based residential facility when
4 the individual becomes eligible, solely because the maximum total amount has been
5 reached.

6 (b) In making a determination under sub. (7) (cj) 3. e. regarding the
7 cost-effectiveness of a placement in a community-based residential facility,
8 Chippewa County shall consider all state and federal funds needed for all options
9 considered.

10 (c) Chippewa County, or a private nonprofit agency or aging unit in Chippewa
11 County, may use funds received under sub. (7) (b) to provide services in any
12 community-based residential facility that has 20 or fewer beds notwithstanding sub.
13 (7) (cm) 1. Subsection (7) (cm) 1. applies in Chippewa County, however, with respect
14 to the use of funds received under sub. (7) (b) to provide services in any
15 community-based residential facility that has more than 20 beds.

16 **SECTION 1049.** 46.27 (7g) (c) 3. (intro.) of the statutes is amended to read:

17 46.27 (7g) (c) 3. (intro.) The court shall reduce the amount of a claim under
18 subd. 1. by up to ~~\$3,000~~ the amount specified in s. 861.33 (2) if necessary to allow the
19 client's heirs or the beneficiaries of the client's will to retain the following personal
20 property:

21 **SECTION 1050.** 46.27 (7g) (c) 3. c. of the statutes is amended to read:

22 46.27 (7g) (c) 3. c. Other tangible personal property not used in trade,
23 agriculture or other business, not to exceed ~~\$1,000~~ in value the amount specified in
24 s. 861.33 (1) (a) 4.