

1 **SECTION 1160gm.** 48.685 (1) (e) of the statutes is created to read:

2 48.685 (1) (e) "Tribe" means a federally recognized American Indian tribe or
3 band in this state.

4 **SECTION 1161d.** 48.685 (2) (a) (intro.) of the statutes is renumbered 48.685 (4m)
5 (a) (intro.).

6 **SECTION 1161g.** 48.685 (2) (a) 1. of the statutes is renumbered 48.685 (4m) (a)
7 1.

8 **SECTION 1161h.** 48.685 (2) (a) 2. of the statutes is repealed.

9 **SECTION 1161i.** 48.685 (2) (a) 3. of the statutes is renumbered 48.685 (4m) (a)
10 3.

11 **SECTION 1161j.** 48.685 (2) (a) 4. of the statutes is renumbered 48.685 (4m) (a)
12 4.

13 **SECTION 1161k.** 48.685 (2) (a) 5. of the statutes is renumbered 48.685 (4m) (a)
14 5.

15 **SECTION 1161m.** 48.685 (2) (ad) of the statutes is renumbered 48.685 (4m) (ad)
16 and amended to read:

17 48.685 (4m) (ad) The department, a county department or a child welfare
18 agency may license a foster home or treatment foster home under s. 48.62, a county
19 department may certify a day care provider under s. 48.651 and a school board may
20 contract with a person under s. 120.13 (14), conditioned on the receipt of the
21 information specified in ~~par. sub. (2)~~ (am) indicating that the person is not ineligible
22 to be licensed, certified or contracted with for a reason specified in par. (a) 1. to 5.

23 **SECTION 1163d.** 48.685 (2) (ag) (intro.) of the statutes is renumbered 48.685
24 (4m) (b) (intro.) and amended to read:

1 48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
2 sub. (5), an entity may not hire or contract with a ~~person who will be under the~~
3 ~~entity's control, as defined by the department by rule, and who is expected to have~~
4 ~~access to its clients, caregiver~~ or permit a nonclient resident to reside at the entity
5 ~~a person who is not a client and who is expected to have access to a client~~, if the entity
6 knows or should have known any of the following:

7 **SECTION 1163g.** 48.685 (2) (ag) 1. of the statutes is renumbered 48.685 (4m) (b)
8 1. and amended to read:

9 48.685 (4m) (b) 1. That the person has been convicted of a serious crime or, if
10 the person is ~~an employe, prospective employe, contractor, prospective contractor,~~
11 ~~nonclient resident or prospective~~ a caregiver or nonclient resident of a day care
12 center that is licensed under s. 48.65 or established or contracted for under s. 120.13
13 (14) or of a day care provider that is certified under s. 48.651, that the person has been
14 convicted of a serious crime or adjudicated delinquent on or after his or her 12th
15 birthday for committing a serious crime.

16 **SECTION 1163h.** 48.685 (2) (ag) 2. of the statutes is repealed.

17 **SECTION 1163i.** 48.685 (2) (ag) 3. of the statutes is renumbered 48.685 (4m) (b)
18 3.

19 **SECTION 1163j.** 48.685 (2) (ag) 4. of the statutes is renumbered 48.685 (4m) (b)
20 4.

21 **SECTION 1163k.** 48.685 (2) (ag) 5. of the statutes is renumbered 48.685 (4m) (b)
22 5.

23 **SECTION 1165d.** 48.685 (2) (am) (intro.) of the statutes is amended to read:

24 48.685 (2) (am) (intro.) ~~Subject to subd. 5. and par. (bd), the~~ The department,
25 a county department, a child welfare agency or a school board shall obtain all of the

1 following with respect to a ~~person specified under par. (a) (intro.) and a person~~
2 ~~specified under par. (ag) (intro.) who is a nonclient resident or prospective caregiver~~
3 ~~specified in sub. (1) (ag) 1. b., a nonclient resident of an entity and shall obtain the~~
4 ~~information specified in subds. 1. to 5. with respect to a person specified in par. (ag)~~
5 ~~(intro.) who is under 18 years of age, but not under 12 years of age, and who is an~~
6 ~~employe, prospective employe, contractor, prospective contractor, nonclient resident~~
7 ~~or prospective nonclient resident~~ a caregiver of a day care center that is licensed
8 under s. 48.65 or established or contracted for under s. 120.13 (14) or of a day care
9 provider that is certified under s. 48.651:

10 **SECTION 1165g.** 48.685 (2) (am) 5. of the statutes is amended to read:

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

22 **SECTION 1167d.** 48.685 (2) (b) 1. (intro.) of the statutes is amended to read:

23 48.685 (2) (b) 1. (intro.) ~~Subject to subds. 1. e. and 2., and 4. par. (bd), every~~
24 Every entity shall obtain all of the following with respect to a ~~person specified under~~

1 ~~par. (ag) (intro.) who is an employe, prospective employe, contractor or prospective~~
2 ~~contractor caregiver~~ of the entity:

3 **SECTION 1167g.** 48.685 (2) (b) 1. e. of the statutes is amended to read:

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

14 **SECTION 1168d.** 48.685 (2) (b) 2. of the statutes is repealed.

15 **SECTION 1168g.** 48.685 (2) (b) 4. of the statutes is amended to read:

16 48.685 (2) (b) 4. Subdivision 1. does not apply with respect to a person under
17 18 years of age, but not under 12 years of age, who is ~~an employe, prospective~~
18 ~~employe, contractor, prospective contractor, nonclient resident or prospective a~~
19 ~~caregiver~~ or nonclient resident of a day care center that is licensed under s. 48.65 or
20 established or contracted for under s. 120.13 (14) or of a day care provider that is
21 certified under s. 48.651 and with respect to whom the department, a county
22 department or a school board is required under par. (am) (intro.) to obtain the
23 information specified in par. (am) 1. to 5.

24 **SECTION 1169p.** 48.685 (2) (bb) of the statutes is created to read:

1 48.685 (2) (bb) If information obtained under par. (am) or (b) 1. indicates a
2 charge of a serious crime, but does not completely and clearly indicate the final
3 disposition of the charge, the department, county department, child welfare agency,
4 school board or entity shall make every reasonable effort to contact the clerk of courts
5 to determine the final disposition of the charge. If a background information form
6 under sub. (6) (a) or (am) indicates a charge or a conviction of a serious crime, but
7 information obtained under par. (am) or (b) 1. does not indicate such a charge or
8 conviction, the department, county department, child welfare agency, school board
9 or entity shall make every reasonable effort to contact the clerk of courts to obtain
10 a copy of the criminal complaint and the final disposition of the complaint. If
11 information obtained under par. (am) or (b) 1., a background information form under
12 sub. (6) (a) or (am) or any other information indicates a conviction of a violation of
13 s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 or 947.013 obtained not more
14 than 5 years before the date on which that information was obtained, the
15 department, county department, child welfare agency, school board or entity shall
16 make every reasonable effort to contact the clerk of courts to obtain a copy of the
17 criminal complaint and judgment of conviction relating to that violation.

18 **SECTION 1170d.** 48.685 (2) (bd) of the statutes is amended to read:

19 48.685 (2) (bd) Notwithstanding pars. (am) and (b) 1., the department, a county
20 department, a child welfare agency or a school board is not required to obtain the
21 information specified in par. (am) 1. to 5., and an entity is not required to obtain the
22 information specified in par. (b) 1. a. to e., with respect to a person under 18 years
23 of age whose background information form under sub. (6) (am) indicates that the
24 person is not ineligible to be employed, contracted with or permitted to reside at an
25 entity for a reason specified in ~~par. (ag)~~ sub. (4m) (b) 1. to 5. and with respect to whom

1 the department, county department, child welfare agency, school board or entity
2 otherwise has no reason to believe that the person is ineligible to be employed,
3 contracted with or permitted to reside at an entity for any of those reasons. This
4 paragraph does not preclude the department, a county department, a child welfare
5 agency or a school board from obtaining, at its discretion, the information specified
6 in par. (am) 1. to 5. with respect to a person described in this paragraph who is a
7 nonclient resident or a prospective nonclient resident of an entity.

8 **SECTION 1170m.** 48.685 (2) (bg) of the statutes is amended to read:

9 48.685 (2) (bg) If an entity ~~takes an action specified in par. (ag) (intro.) with~~
10 ~~respect to an employe, prospective employe, contractor or prospective contractor~~
11 hires or contracts with a caregiver for whom, within the last 4 years, the information
12 required under par. (b) 1. a. to c. and e. has already been obtained, ~~either by another~~
13 ~~entity or by a temporary employment agency,~~ the entity may obtain ~~the~~ that
14 ~~information required under par. (b) 1. a. to c. and e. from that other entity or~~
15 ~~temporary employment agency,~~ which shall provide the information, if possible, to
16 the requesting entity. If an entity cannot obtain the information required under par.
17 (b) 1. a. to c. and e. from another entity ~~or from a temporary employment agency~~ or
18 if an entity has reasonable grounds to believe that any information obtained from
19 another entity ~~or from a temporary employment agency~~ is no longer accurate, the
20 entity shall obtain that information from the sources specified in par. (b) 1. a. to c.
21 and e.

22 **SECTION 1170n.** 48.685 (2) (bg) of the statutes, as affected by 1999 Wisconsin
23 Act (this act), is amended to read:

24 48.685 (2) (bg) If an entity hires employs or contracts with a caregiver for
25 whom, within the last 4 years, the information required under par. (b) 1. a. to c. and

1 e. has already been obtained by another entity, the entity may obtain that
2 information from that other entity, which shall provide the information, if possible,
3 to the requesting entity. If an entity cannot obtain the information required under
4 par. (b) 1. a. to c. and e. from another entity or if an entity has reasonable grounds
5 to believe that any information obtained from another entity is no longer accurate,
6 the entity shall obtain that information from the sources specified in par. (b) 1. a. to
7 c. and e.

8 **SECTION 1171d.** 48.685 (2) (bm) of the statutes is amended to read:

9 48.685 (2) (bm) If the person who is the subject of the search under par. (am)
10 or (b) 1. is not a resident of this state, or if at any time within the 3 years preceding
11 the date of the search that person has not been a resident of this state, or if the
12 department, county department, child welfare agency, school board or entity
13 determines that the person's employment, licensing or state court records provide a
14 reasonable basis for further investigation, the department, county department, child
15 welfare agency, school board or entity shall make a good faith effort to obtain from
16 any state or other United States jurisdiction in which the person is a resident or was
17 a resident within the 3 years preceding the date of the search information that is
18 equivalent to the information specified in par. (am) 1. or (b) 1. a. The department,
19 county department, child welfare agency, school board or entity may require the
20 person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the
21 person's fingerprints. The department of justice may provide for the submission of
22 the fingerprint cards to the federal bureau of investigation for the purposes of
23 verifying the identity of the person fingerprinted and obtaining records of his or her
24 criminal arrests and convictions.

1 **SECTION 1171g.** 48.685 (2) (c) of the statutes is renumbered 48.685 (4m) (c) and
2 amended to read:

3 48.685 (4m) (c) If the background information form completed by a person
4 under sub. (6) (am) indicates that the person is not ineligible to be employed or
5 contracted with for a reason specified in par. ~~(ag)~~ (b) 1. to 5., an entity may employ
6 or contract with the person for not more than 60 days pending the receipt of the
7 information sought under ~~par. sub. (2)~~ (am) 1. to 5. or (b) 1. If the background
8 information form completed by a person under sub. (6) (am) indicates that the person
9 is not ineligible to be permitted to reside at an entity for a reason specified in par. ~~(ag)~~
10 (b) 1. to 5. and if an entity otherwise has no reason to believe that the person is
11 ineligible to be permitted to reside at an entity for any of those reasons, the entity
12 may permit the person to reside at the entity for not more than 60 days pending
13 receipt of the information sought under ~~par. sub. (2)~~ (am). An entity shall provide
14 supervision for a person who is employed, contracted with or permitted to reside as
15 permitted under this paragraph.

16

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17 **SECTION 1171j.** 48.685 (2) (d) of the statutes is created to read:

18 48.685 (2) (d) Every entity shall maintain, or shall contract with another
19 person to maintain, the most recent background information obtained on a caregiver
20 under par. (b). The information shall be made available for inspection by authorized
21 persons, as defined by the department by rule.

22 **SECTION 1172d.** 48.685 (3) (a) of the statutes is amended to read:

23 48.685 (3) (a) Every 4 years or at any time within that period that the
24 department, a county department, a child welfare agency or a school board considers
25 appropriate, the department, county department, child welfare agency or school

1 board shall request the information specified in sub. (2) (am) 1. to 5. for all persons
2 who are licensed, certified or contracted to operate an entity ~~and, for all persons~~
3 ~~specified in par. (ag) (intro.)~~ who are nonclient residents of an entity and ~~shall~~
4 ~~request the information specified in sub. (2) (am) 1. to 5.~~ for all persons under 18
5 years of age, but not under 12 years of age, who are ~~employees, contractors or~~
6 ~~nonclient residents~~ caregivers of a day care center that is licensed under s. 48.65 or
7 established or contracted for under s. 120.13 (4) or of a day care provider that is
8 certified under s. 48.651.

9 **SECTION 1172g.** 48.685 (3) (b) of the statutes is amended to read:

10 48.685 (3) (b) Every 4 years or at any time within that period that an entity
11 considers appropriate, the entity shall request the information specified in sub. (2)
12 (b) 1. a. to e. for all persons ~~specified in sub. (2) (ag) (intro.) employees or contractors~~
13 who are caregivers of the entity other than persons ~~who are~~ under 18 years of age,
14 but not under 12 years of age ~~and, who are employees, contractors or nonclient~~
15 ~~residents~~ caregivers of a day care center that is licensed under s. 48.65 or established
16 or contracted for under s. 120.13 (14) or of a day care provider that is certified under
17 s. 48.651.

18 **SECTION 1173d.** 48.685 (3m) of the statutes is amended to read:

19 48.685 (3m) Notwithstanding subs. (2) (b) 1. and (3) (b), if the department, a
20 county department, a child welfare agency or a school board has obtained the
21 information required under sub. (2) (am) or (3) (a) with respect to a person ~~specified~~
22 ~~in sub. (2) (a) (intro.)~~ who is a caregiver specified in sub. (1) (ag) 1. b. and that person
23 is also an employe, contractor or nonclient resident of an entity, the entity is not
24 required to obtain the information specified in sub. (2) (b) 1. or (3) (b) with respect
25 to that person.

1 SECTION 1173g. 48.685 (4) of the statutes is amended to read:

2 48.685 (4) An entity that violates sub. (2) ~~or~~ (3) or (4m) (b) may be required to
3 forfeit not more than \$1,000 and may be subject to other sanctions specified by the
4 department by rule.

5 SECTION 1173j. 48.685 (4m) (b) (intro.) of the statutes, as affected by 1999
6 Wisconsin Act (this act), is amended to read:

7 48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
8 sub. (5), an entity may not ~~hire~~ employ or contract with a caregiver or permit a
9 nonclient resident to reside at the entity, if the entity knows or should have known
10 any of the following:

11

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12 SECTION 1174d. 48.685 (5) (a) of the statutes is amended to read:

13 48.685 (5) (a) The department may license to operate an entity, a county
14 department may certify under s. 48.651, a county department or a child welfare
15 agency may license under s. 48.62 and a school board may contract with under s.
16 120.13 (14) a person who otherwise may not be licensed, certified or contracted with
17 for a reason specified in sub. ~~(2)~~ (4m) (a) 1. to 5., and an entity may employ, contract
18 with or permit to reside at the entity a person who otherwise may not be employed,
19 contracted with or permitted to reside at the entity for a reason specified in sub. ~~(2)~~
20 ~~(ag)~~ (4m) (b) 1. to 5., if the person demonstrates to the department, the county
21 department, the child welfare agency or the school board or, in the case of an entity
22 that is located within the boundaries of a reservation, to the person or body
23 designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and
24 in accordance with procedures established by the department by rule or by the tribe
25 that he or she has been rehabilitated.

1 **SECTION 1174g.** 48.685 (5) (b) of the statutes is repealed.

2 **SECTION 1175m.** 48.685 (5d) of the statutes is created to read:

3 48.685 (5d) (a) Any tribe that chooses to conduct rehabilitation reviews under
4 sub. (5) shall submit to the department a rehabilitation review plan that includes all
5 of the following:

6 1. The criteria to be used to determine if a person has been rehabilitated.

7 2. The title of the person or body designated by the tribe to whom a request for
8 review must be made.

9 3. The title of the person or body designated by the tribe to determine whether
10 a person has been rehabilitated.

11 3m. The title of the person or body, designated by the tribe, to whom a person
12 may appeal an adverse decision made by the person specified under subd. 3. and
13 whether the tribe provides any further rights to appeal.

14 4. The manner in which the tribe will submit information relating to a
15 rehabilitation review to the department so that the department may include that
16 information in its report to the legislature required under sub. (5g).

17 5. A copy of the form to be used to request a review and a copy of the form on
18 which a written decision is to be made regarding whether a person has demonstrated
19 rehabilitation.

20 (b) If, within 90 days after receiving the plan, the department does not
21 disapprove the plan, the plan shall be considered approved. If, within 90 days after
22 receiving the plan, the department disapproves the plan, the department shall
23 provide notice of that disapproval to the tribe in writing, together with the reasons
24 for the disapproval. The department may not disapprove a plan unless the
25 department finds that the plan is not rationally related to the protection of clients.

1 If the department disapproves the plan, the tribe may, within 30 days after receiving
2 notice of the disapproval, request that the secretary review the department's
3 decision. A final decision under this paragraph is not subject to further review under
4 ch. 227.

5 **SECTION 1176d.** 48.685 (5m) of the statutes is amended to read:

6 48.685 (5m) Notwithstanding s. 111.335, the department may refuse to license
7 a person to operate an entity, a county department or a child welfare agency may
8 refuse to license a foster home or treatment foster home under s. 48.62, and an entity
9 may refuse to employ, hire or contract with a caregiver or permit a nonclient resident
10 to reside at the entity ~~a person specified in sub. (2) (ag) (intro.)~~ if the person has been
11 convicted of an offense that ~~the department has not defined as a "serious crime" by~~
12 ~~rule promulgated under sub. (7) (a), or specified in the list established by rule under~~
13 ~~sub. (7) (b) is not a serious crime,~~ but that is, in the estimation of the department,
14 county department, child welfare agency, or entity, substantially related to the care
15 of a client. Notwithstanding s. 111.335, the department may refuse to license a
16 person to operate a day care center, a county department may refuse to certify a day
17 care provider under s. 48.651, a school board may refuse to contract with a person
18 under s. 120.13 (14), a day care center that is licensed under s. 48.65 or established
19 or contracted for under s. 120.13 (14) and a day care provider that is certified under
20 s. 48.651 may refuse to employ, hire or contract with a caregiver or permit a nonclient
21 resident to reside at the day care center or day care provider ~~a person specified in sub.~~
22 ~~(2) (ag) (intro.)~~ if the person has been convicted of or adjudicated delinquent on or
23 after his or her 12th birthday for an offense that ~~the department has not defined as~~
24 ~~a "serious crime" by rule promulgated under sub. (7) (a), or specified in the list~~
25 ~~established by rule under sub. (7) (b) is not a serious crime,~~ but that is, in the

1 estimation of the department, county department, school board, day care center or
2 day care provider, substantially related to the care of a client.

3 **SECTION 1176g.** 48.685 (5m) of the statutes, as affected by 1999 Wisconsin Act
4 ... (this act), is amended to read:

5 48.685 (5m) Notwithstanding s. 111.335, the department may refuse to license
6 a person to operate an entity, a county department or a child welfare agency may
7 refuse to license a foster home or treatment foster home under s. 48.62, and an entity
8 may refuse to ~~hire~~ employ or contract with a caregiver or permit a nonclient resident
9 to reside at the entity if the person has been convicted of an offense that is not a
10 serious crime, but that is, in the estimation of the department, county department,
11 child welfare agency or entity, substantially related to the care of a client.
12 Notwithstanding s. 111.335, the department may refuse to license a person to
13 operate a day care center, a county department may refuse to certify a day care
14 provider under s. 48.651, a school board may refuse to contract with a person under
15 s. 120.13 (14), a day care center that is licensed under s. 48.65 or established or
16 contracted for under s. 120.13 (14) and a day care provider that is certified under s.
17 48.651 may refuse to ~~hire~~ employ or contract with a caregiver or permit a nonclient
18 resident to reside at the day care center or day care provider if the person has been
19 convicted of or adjudicated delinquent on or after his or her 12th birthday for an
20 offense that is not a serious crime, but that is, in the estimation of the department,
21 county department, school board, day care center or day care provider, substantially
22 related to the care of a client.

23 **SECTION 1177r.** 48.685 (6) (am) (intro.) of the statutes is renumbered 48.685
24 (6) (am) and amended to read:

1 48.685 (6) (am) Every 4 years an entity shall require all of the following persons
2 its caregivers and nonclient residents to complete a background information form
3 that is provided to the entity by the department.

4 **SECTION 1178d.** 48.685 (6) (am) 1. of the statutes is repealed.

5 **SECTION 1178g.** 48.685 (6) (am) 2. of the statutes is repealed.

6 **SECTION 1179d.** 48.685 (6) (b) of the statutes is renumbered 48.685 (6) (b) 1.
7 and amended to read:

8 48.685 (6) (b) 1. For ~~persons specified under par. (a) caregivers~~ who are licensed
9 by the department, for persons ~~specified in par. (am) 1. who are under 18 years of age,~~
10 but not under 12 years of age, and who are ~~employees, prospective employees,~~
11 ~~contractors or prospective contractors~~ caregivers of a day care center that is licensed
12 under s. 48.65 or established or contracted for under s. 120.13 (4) or of a day care
13 provider that is certified under s. 48.651, for persons ~~specified in par. (am) 2. who are~~
14 ~~nonclient residents or prospective nonclient residents~~ of an entity that is licensed by
15 the department, and for other persons specified by the department by rule, the entity
16 shall send the background information form to the department.

17 2. For ~~persons specified under par. (a) caregivers~~ who are licensed or certified
18 by a county department, for persons ~~specified in par. (am) 2. who are nonclient~~
19 ~~residents or prospective nonclient residents~~ of an entity that is licensed or certified
20 by a county department and for other persons specified by the department by rule,
21 the entity shall send the background information form to the county department.

22 3. For ~~persons specified under par. (a) caregivers~~ who are licensed by a child
23 welfare agency, for persons ~~specified in par. (am) 2. who are nonclient residents or~~
24 ~~prospective nonclient residents~~ of an entity that is licensed by a child welfare agency

1 and for other persons specified by the department by rule, the entity shall send the
2 background information form to the child welfare agency

3 ~~4. For persons specified under par. (a) caregivers~~ who are contracted with by
4 a school board, for persons ~~specified in par. (am) 2.~~ who are ~~nonclient residents or~~
5 ~~prospective nonclient residents~~ of an entity that is contracted with by a school board
6 and for other persons specified by the department by rule, the entity shall send the
7 background information form to the school board. ~~For all other persons specified~~
8 ~~under par. (am) 1., the entity shall maintain the background information form on file~~
9 ~~for inspection by the department, county department, child welfare agency or school~~
10 ~~board, whichever is applicable.~~

11 **SECTION 1180g.** 48.685 (7) (a) of the statutes is repealed.

12 **SECTION 1180h.** 48.685 (7) (b) of the statutes is repealed.

13 **SECTION 1181.** 48.685 (8) of the statutes is amended to read:

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

21 **SECTION 1182d.** 48.69 of the statutes is amended to read:

22 **48.69 Probationary licenses.** Except as provided under s. 48.715 (6) and (7),
23 if any child welfare agency, shelter care facility, group home or day care center that
24 has not been previously issued a license under s. 48.66 (1) (a) applies for a license,
25 meets the minimum requirements for a license established under s. 48.67 and pays

1 the applicable fee referred to in s. 48.68 (1), the department shall issue a
2 probationary license to that child welfare agency, shelter care facility, group home
3 or day care center. A probationary license is valid for up to 6 months after the date
4 of issuance unless renewed under this section or suspended or revoked under s.
5 48.715. Before a probationary license expires, the department shall inspect the child
6 welfare agency, shelter care facility, group home or day care center holding the
7 probationary license and, except as provided under s. 48.715 (6) and (7), if the child
8 welfare agency, shelter care facility, group home or day care center meets the
9 minimum requirements for a license established under s. 48.67, the department
10 shall issue a license under s. 48.66 (1) (a). A probationary license issued under this
11 section may be renewed for one 6-month period.

12 **SECTION 1183d.** 48.715 (1) of the statutes is amended to read:

13 48.715 (1) In this section, "licensee" means a person who holds a license under
14 s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare
15 agency, shelter care facility, group home or day care center.

16 **SECTION 1184d.** 48.715 (2) (a) of the statutes is amended to read:

17 48.715 (2) (a) That a person stop operating a child welfare agency, shelter care
18 facility, group home or day care center if the child welfare agency, shelter care facility,
19 group home or day care center is without a license in violation of s. 48.66 (1) (a) or
20 a probationary license in violation of s. 48.69.

21 **SECTION 1185d.** 48.715 (2) (b) of the statutes is amended to read:

22 48.715 (2) (b) That a person who employs a person who has had a license under
23 s. 48.66 (1) (a) or a probationary license under s. 48.69 revoked within the previous
24 5 years terminate the employment of that person within 30 days after the date of the

1 order. This paragraph includes employment of a person in any capacity, whether as
2 an officer, director, agent or employe.

3 **SECTION 1186d.** 48.715 (4) (intro.) of the statutes is amended to read:

4 48.715 (4) (intro.) If the department provides written notice of revocation and
5 the grounds for revocation as provided in sub. (4m) and an explanation of the process
6 for appealing a revocation under this subsection, the department may revoke a
7 license issued under s. 48.66 (1) (a) or a probationary license issued under s. 48.69
8 for any of the following reasons:

9 **SECTION 1187d.** 48.715 (5) of the statutes is amended to read:

10 48.715 (5) The department may deny a license under s. 48.66 (1) (a) or a
11 probationary license under s. 48.69 to any person who has had a license under s.
12 48.66 (1) (a) or a probationary license under s. 48.69 revoked within the previous 5
13 years.

14 **SECTION 1188d.** 48.715 (6) of the statutes is amended to read:

15 48.715 (6) The department of health and family services shall deny, suspend,
16 restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) (a) or a
17 probationary license under s. 48.69 to operate a child welfare agency, group home,
18 shelter care facility or day care center, and the department of corrections shall deny,
19 suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1)
20 (b) to operate a secured child caring institution, for failure of the applicant or licensee
21 to pay court-ordered payments of child or family support, maintenance, birth
22 expenses, medical expenses or other expenses related to the support of a child or
23 former spouse or for failure of the applicant or licensee to comply, after appropriate
24 notice, with a subpoena or warrant issued by the department of workforce
25 development or a county child support agency under s. 59.53 (5) and related to

1 paternity or child support proceedings, as provided in a memorandum of
2 understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action
3 taken under this subsection is subject to review only as provided in the memorandum
4 of understanding entered into under s. 49.857 and not as provided in s. 48.72.

5 **SECTION 1189d.** 48.715 (7) of the statutes is amended to read:

6 48.715 (7) The department shall deny an application for the issuance or
7 continuation of a license under s. 48.66 (1) (a) or a probationary license under s. 48.69
8 to operate a child welfare agency, group home, shelter care facility or day care center,
9 or revoke such a license already issued, if the department of revenue certifies under
10 s. 73.0301 that the applicant or licensee is liable for delinquent taxes. An action
11 taken under this subsection is subject to review only as provided under s. 73.0301 (5)
12 and not as provided in s. 48.72.

13 **SECTION 1189p.** 48.75 (1g) (a) 4. of the statutes is amended to read:

14 48.75 (1g) (a) 4. The county of the public licensing agency issuing the license
15 has a population of 500,000 or more and the placement is for adoption under s. 48.833
16 (1), 48.835 or 48.837.

17 **SECTION 1189r.** 48.75 (1m) of the statutes is amended to read:

18 48.75 (1m) Each child welfare agency and public licensing agency shall provide
19 the subunit of the department that administers s. 48.685 with information about
20 each person who is denied a license for a reason specified in s. 48.685 ~~(2)~~ (4m) (a) 1.
21 to 5.

22 **SECTION 1191.** 48.825 (3) (b) of the statutes is amended to read:

23 48.825 (3) (b) An individual or agency providing adoption information
24 ~~exchange services~~ under s. 48.55.

25 **SECTION 1192.** 48.825 (3) (c) of the statutes is repealed.

1 **SECTION 1192g.** 48.833 of the statutes is renumbered 48.833 (1) and amended
2 to read:

3 48.833 (1) ADOPTIVE PLACEMENT. The department, a county department under
4 s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 may place a
5 child for adoption in a licensed foster home or a licensed treatment foster home
6 without a court order if the department, county department ~~under s. 48.57 (1) (e) or~~
7 ~~(hm)~~ or the child welfare agency is the guardian of the child or makes the placement
8 at the request of another agency ~~which~~ that is the guardian of the child.

9 (2) CONSIDERATION OF PLACEMENT WITH RELATIVE. Before placing a child for
10 adoption under ~~this subsection~~ sub. (1), the department, county department or child
11 welfare agency making the placement shall consider the availability of a placement
12 for adoption with a relative of the child who is identified in the child's permanency
13 plan under s. 48.38 or 938.38 or who is otherwise known by the department, county
14 department or child welfare agency.

15 (4) WRITTEN AGREEMENT. When a child is placed under ~~this section~~ sub. (1) in
16 a licensed foster home or a licensed treatment foster home for adoption, the
17 department, county department or child welfare agency making the placement shall
18 enter into a written agreement with the adoptive parent, which shall state the date
19 on which the child is placed in the licensed foster home or licensed treatment foster
20 home for adoption by the adoptive parent.

21 **SECTION 1192j.** 48.833 (3) of the statutes is created to read:

22 48.833 (3) CHILD WITH SPECIAL NEEDS. In placing a child with special needs, as
23 defined by rule promulgated under s. 48.975 (5) (b), for adoption under sub. (1), the
24 department, county department or child welfare agency making the placement may
25 not consider the location of a proposed adoptive parent's residence as a factor in

1 making that placement unless the department, county department or child welfare
2 agency determines that consideration of that factor is necessary to ensure the best
3 interests of the child in light of the child's need for care or treatment to meet those
4 special needs. If the department, county department or child welfare agency
5 considers the location of a prospective adoptive parent's residence as a factor in
6 placing a child with special needs, the department, county department or child
7 welfare agency shall document the reasons why that consideration is necessary in
8 the child's permanency plan as provided in s. 48.38 (4) (dm). If the department,
9 county department or child welfare agency does not consider the location of a
10 prospective adoptive parent's residence as a factor in placing a child with special
11 needs and the child is placed more than 60 miles from the child's home, the
12 department, county department or child welfare agency shall document the reasons
13 why that consideration is not necessary in the child's permanency plan as provided
14 in s. 48.38 (4) (d) 1m.

15 **SECTION 1192m.** 48.913 (2) (c) 3. of the statutes is amended to read:

16 48.913 (2) (c) 3. With a petition under s. 48.90, if the parental rights of both
17 parents of the child are terminated in another state and the child is placed for
18 adoption under s. 48.833 (1).

19 ✓ **SECTION 1195m.** 48.981 (7) (b) of the statutes is amended to read:

20 48.981 (7) (b) Notwithstanding par. (a), either parent of a child may authorize
21 the disclosure of a record for use in a child custody proceeding under s. 767.24 or
22 767.325 or in an adoption proceeding under s. 48.833 (1), 48.835, 48.837 or 48.839
23 when the child has been the subject of a report. Any information that would identify
24 a reporter shall be deleted before disclosure of a record under this paragraph.

25 **SECTION 1192p.** 48.925 (1) (intro.) of the statutes is amended to read:

1 48.925 (1) (intro.) Upon petition by a relative who has maintained a
2 relationship similar to a parent-child relationship with a child who has been adopted
3 by a stepparent or relative, the court, subject to subs. (1m) and (2), may grant
4 reasonable visitation rights to that person if the petitioner has maintained such a
5 relationship within 2 years prior to the filing of the petition, if the adoptive parent
6 or parents, or, if a birth parent is the spouse of an adoptive parent, the adoptive
7 parent and birth parent, have notice of the hearing and if the court determines all
8 of the following:

9 **SECTION 1192r.** 48.925 (1m) of the statutes is created to read:

10 48.925 (1m) (a) Except as provided in par. (b), the court may not grant
11 visitation rights under sub. (1) to a relative who has maintained a relationship
12 similar to a parent-child relationship with a child if the relative has been convicted
13 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
14 2nd-degree intentional homicide, of a parent of the child, and the conviction has not
15 been reversed, set aside or vacated.

16 (am) Except as provided in par. (b), if a relative who is granted visitation rights
17 with a child under sub. (1) is convicted under s. 940.01 of the first-degree intentional
18 homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of
19 the child, and the conviction has not been reversed, set aside or vacated, the court
20 shall issue an order prohibiting the relative from having visitation with the child on
21 petition of the child or the parent, guardian or legal custodian of the child, or on the
22 court's own motion, and on notice to the relative.

23 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and
24 convincing evidence that the visitation would be in the best interests of the child.
25 The court shall consider the wishes of the child in making that determination.”

1 **SECTION 1199d.** 48.982 (2) (d) of the statutes is amended to read:

2 48.982 (2) (d) Solicit and accept contributions, grants, gifts and bequests for the
3 children's trust fund or for any other purpose for which a contribution, grant, gift or
4 bequest is made and received. Moneys received under this paragraph, other than
5 moneys received under s. 341.14 (6r) (b) 6., may be deposited in credited to the
6 appropriation accounts under s. 20.433 (1) (i), (q) or (r). This paragraph does not
7 apply to moneys Interest earned on moneys received under s. 341.14 (6r) (b) 6. may
8 be credited to the appropriation accounts under s. 20.433 (1) (q) or (r).

9 **SECTION 1200d.** 48.982 (2m) (intro.) of the statutes is amended to read:

10 48.982 (2m) DONATION USES. (intro.) If money is accepted by the board for the
11 children's trust fund or for any other purpose under sub. (2) (d), ~~except moneys~~
12 ~~received under s. 341.14 (6r) (b) 6. and appropriated under s. 20.433 (1) (q) or (r),~~ the
13 board shall use the money in accordance with the wishes of the donor to do any of the
14 following:

15 **SECTION 1201.** 48.985 (2) of the statutes is amended to read:

16 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
17 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
18 ~~\$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~
19 ~~1998-99~~ \$3,964,400 in each fiscal year of the moneys received under 42 USC 620 to
20 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or
21 purchase of child welfare projects and services, for services to children and families,
22 for services to the expectant mothers of unborn children and for family-based child
23 welfare services.

24 **SECTION 1201t.** 49.015 (1m) (b) 5. of the statutes is created to read:

1 49.015 (1m) (b) 5. The individual has infectious tuberculosis, as defined in s.
2 252.07 (1g) (a), or suspect tuberculosis, as defined in s. 252.07 (1g) (d).

3 **SECTION 1203.** 49.025 (2) (a) (intro.) of the statutes is amended to read:

4 49.025 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a
5 year, the department shall pay to the county, in accordance with s. 49.031, from the
6 appropriation under s. 20.435 ~~(5)~~ (4) (bt), an amount for that year determined as
7 follows:

8 **SECTION 1204.** 49.025 (2) (a) 1. b. of the statutes is amended to read:

9 49.025 (2) (a) 1. b. For any year, 45% of the total amount expended by the county
10 in that year as relief for health care services provided to dependent persons,
11 including the amount transferred to the appropriation account under s. 20.435 (4)
12 (h) in that year and the amount estimated to be received from the federal government
13 as a match to the funds expended from the appropriation account under s. 20.435 (4)
14 (h).

15 **SECTION 1205.** 49.027 (2) (a) (intro.) of the statutes is amended to read:

16 49.027 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a
17 year, the department shall pay to the county, in accordance with s. 49.031, from the
18 appropriation under s. 20.435 ~~(5)~~ ~~(bu)~~ (4) (bt), an amount for that year determined
19 as follows:

20 **SECTION 1206.** 49.027 (2) (a) 1. d. of the statutes is amended to read:

21 49.027 (2) (a) 1. d. The department shall multiply the amount determined
22 under subd. 1. c. by the amount appropriated under s. 20.435 ~~(5)~~ ~~(bu)~~ (4) (bt) for relief
23 block grants for that year.

24 **SECTION 1207.** 49.029 (2) of the statutes, as affected by 1999 Wisconsin Act
25 (this act), is amended to read:

1 49.029 (2) AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the
2 appropriation under s. 20.435 (4) ~~(bs)~~ (kb), the department shall distribute a relief
3 block grant to each eligible tribal governing body in an amount and in a manner
4 determined in accordance with rules promulgated by the department. The
5 department shall promulgate the rules after consulting with all tribal governing
6 bodies eligible for a relief block grant. In promulgating rules under this section, the
7 department shall consider each tribe's economic circumstances and need for health
8 care services.

9 **SECTION 1207m.** 49.08 of the statutes is amended to read:

10 **49.08 Recovery of relief and other assistance.** If any person is the owner
11 of property at the time of receiving general relief under ch. 49, 1993 stats., relief
12 funded by a relief block grant or other assistance as an inmate of any county or
13 municipal institution in which the state is not chargeable with all or a part of the
14 inmate's maintenance or as a tuberculosis patient provided for in ss. ~~58.06 and~~
15 252.07 to 252.10, or at any time thereafter, or if the person becomes self-supporting,
16 the authorities charged with the care of the dependent, or the board in charge of the
17 institution, may sue for the value of the relief or other assistance from the person or
18 the person's estate. Except as otherwise provided in this section, the 10-year statute
19 of limitations may be pleaded in defense in an action to recover relief or other
20 assistance. Where the recipient of relief or other assistance is deceased, a claim may
21 be filed against the decedent's estate and the statute of limitations specified in s.
22 859.02 shall be exclusively applicable. The court may refuse to render judgment or
23 allow the claim in any case where a parent, spouse, surviving spouse or child is
24 dependent on the property for support. The court in rendering judgment shall take
25 into account the current family budget requirement as fixed by the U.S. department

1 of labor for the community or as fixed by the authorities of the community in charge
2 of public assistance. The records kept by the municipality, county or institution are
3 prima facie evidence of the value of the relief or other assistance furnished. ~~This~~
4 ~~section shall not apply to any person who receives care for pulmonary tuberculosis~~
5 ~~as provided in s. 252.08 (4).~~

6 **SECTION 1209.** 49.124 (1g) (a) of the statutes is amended to read:

7 49.124 (1g) (a) The individual is a custodial parent of a child who is under the
8 age of 18 and who has an absent parent, or the individual lives with and exercises
9 parental control over a child who is under the age of 18 and who has an absent parent,
10 and the individual does not fully cooperate in good faith with efforts directed at
11 establishing the paternity of the child, if necessary, ~~and obtaining support payments~~
12 establishing or enforcing a support order, if any appropriate, or obtaining other
13 payments or property, if any, to which that individual or the child may have rights.
14 This paragraph does not apply if the individual has good cause for refusing to
15 cooperate, as determined by the department in accordance with federal law and
16 regulations.

17 **SECTION 1209q.** 49.124 (1m) (cm) of the statutes, as affected by 1997 Wisconsin
18 Act 27, is amended to read:

19 49.124 (1m) (cm) The amount of food stamp benefits paid to a recipient who is
20 a participant in a Wisconsin works employment position under s. 49.147 (4) (b) or (5)
21 shall be calculated based on the pre-sanction benefit amount received s. 49.148.

22 **SECTION 1211d.** 49.136 (2) (b) of the statutes is amended to read:

23 49.136 (2) (b) The department shall attempt to award grants under this section
24 to head start agencies designated under 42 USC 9836, employers that provide or
25 wish to provide child care services for their employes, family day care centers, group

1 day care centers and day care programs for the children of student parents,
2 organizations that provide child care for sick children and child care providers that
3 employ participants or former participants in a Wisconsin works employment
4 position under s. 49.147 (3) to (5).

5 **SECTION 1213.** 49.1375 of the statutes is created to read:

6 **49.1375 Early childhood excellence initiative. (1)** The department shall
7 establish a grant program to develop at least 5 early childhood centers for children
8 under the age of 5 who are eligible to receive temporary assistance to needy families
9 under 42 USC 601 et seq. Centers awarded a grant under this subsection shall
10 provide outreach and training for parents of the children served by the center and
11 training for child care providers. The centers shall emphasize stimulation of the
12 child's language skills and senses of vision and touch. A person who is awarded a
13 grant under this subsection shall contribute matching funds from local or private
14 sources equal to 25% of the amount awarded under this subsection.

15 **(2)** The department shall establish a grant program under which a child care
16 provider that receives training at a center that is awarded a grant under sub. (1) may
17 apply for a grant to establish an early childhood program that serves children
18 specified under sub. (1). The program developed under a grant received under this
19 subsection shall emphasize stimulation of the children's language skills and senses
20 of vision and touch. A person who is awarded a grant under this subsection shall
21 contribute matching funds from local or private sources equal to 25% of the amount
22 awarded under this subsection.

23 **SECTION 1213g.** 49.138 (1m) (intro.) of the statutes is amended to read:

24 **49.138 (1m) (intro.)** The department shall implement a program of emergency
25 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or

1 impending homelessness or energy crisis. The department shall establish the
2 maximum amount of aid to be granted, except for cases of energy crisis, per family
3 member based on the funding available under s. 20.445 (3) (dc) and (md). The
4 department need not establish the maximum amount by rule under ch. 227. The
5 department shall publish the maximum amount and annual changes to it in the
6 Wisconsin administrative register. Emergency assistance provided to needy persons
7 under this section in cases of fire, flood, natural disaster or energy crisis may only
8 be provided to a needy person once in a 12-month period. Emergency assistance
9 provided to needy persons under this section in cases of homelessness or impending
10 homelessness may be used only to obtain or retain a permanent living
11 accommodation and, except as provided in sub. (2), may only be provided to a needy
12 person once in a 36-month period. For the purposes of this section, a family is
13 considered to be homeless, or to be facing impending homelessness, if any of the
14 following applies:

15 **SECTION 1213h.** 49.138 (1m) (am) of the statutes is created to read:

16 49.138 (1m) (am) The family is experiencing a financial crisis that makes it
17 very difficult for the family to make a rent payment, mortgage payment or property
18 tax payment and the family has been notified that it will be required to leave its
19 current housing if it does not make that payment immediately.

20 **SECTION 1214.** 49.141 (2) of the statutes is repealed.

21 **SECTION 1215.** 49.141 (2g) (a) of the statutes is renumbered 49.141 (2g).

22 **SECTION 1216.** 49.141 (2g) (b) of the statutes is repealed.

23 **SECTION 1216m.** 49.141 (4) of the statutes is amended to read:

24 49.141 (4) NONENTITLEMENT. Notwithstanding Except as provided in s. 49.145
25 (3m), notwithstanding fulfillment of the eligibility requirements for any component

1 of Wisconsin works, an individual is not entitled to services or benefits under
2 Wisconsin works.

3 **SECTION 1217.** 49.143 (1) (a) of the statutes is amended to read:

4 49.143 (1) (a) Except as provided in par. (am), the department may award a
5 contract, on the basis of a competitive process approved by the secretary of
6 administration, to any person to administer Wisconsin works in a geographical area
7 determined by the department under sub. (6). ~~The department shall award contracts~~
8 ~~under this paragraph before the date that is specified in s. 49.141 (2) (d).~~

9 **SECTION 1218.** 49.143 (1) (am) 1. of the statutes is repealed and recreated to
10 read:

11 49.143 (1) (am) 1. The department shall contract with a Wisconsin works
12 agency to administer Wisconsin works if that agency has met the performance
13 standards established by the department in accordance with sub. (3), during the
14 immediately preceding contract period. The contract shall be for a term of at least
15 2 years. A Wisconsin works agency may elect not to enter into a contract under this
16 subdivision if the Wisconsin works agency informs the department by the date
17 established by the department that the Wisconsin works agency has made that
18 election.

19 **SECTION 1219.** 49.143 (1) (am) 2. of the statutes is amended to read:

20 49.143 (1) (am) 2. ~~A county or tribal governing body~~ Wisconsin works agency
21 ~~that has not met the aid to families with dependent children caseload performance~~
22 ~~standards established by the department may apply for a contract under the~~
23 ~~competitive process established under par. (a).~~

24 **SECTION 1220.** 49.143 (1) (at) of the statutes is repealed.

25 **SECTION 1220m.** 49.143 (2) (a) 7. of the statutes is amended to read:

1 *Remove striking* 49.143 (2) (a) 7. Coordinate with the ~~governor's council on workforce excellence~~
 2 ~~under s. 106.115 council on workforce investment established under 29 USC 2821 to~~
 3 ensure compatibility of purpose and no duplication of effort.

4 **SECTION 1221.** 49.143 (2) (cr) of the statutes is amended to read:

5 **(5)** 49.143 (2) (cr) Provide, or contract with another person to provide, *Remove striking* ~~credit~~
 6 ~~establishment and credit repair~~ *close space* assistance to participants. ~~Prior to providing, or~~
 7 ~~contracting with another to provide, the assistance specified under this paragraph,~~
 8 ~~the Wisconsin works agency shall submit a proposed plan for the provision of that~~
 9 ~~assistance to the department. The secretary shall submit each proposed plan to the~~
 10 ~~cochairpersons of the joint committee on finance. If, within 14 days after receiving~~
 11 ~~the proposed plans, the cochairpersons do not notify the secretary that the joint~~
 12 ~~committee on finance has scheduled a meeting for the purpose of reviewing the~~
 13 ~~proposed plans, the department shall direct each Wisconsin works agency that~~
 14 ~~submitted proposed plans to implement the plans. If, within 14 days, the co-chairs~~
 15 ~~notify the secretary that they have scheduled a meeting for the purpose of reviewing~~
 16 ~~the proposed plans, no Wisconsin works agency may implement its plan until the~~
 17 ~~joint committee on finance approves the plan. Every January 31, the department~~
 18 ~~shall submit to the joint committee on finance a report specifying the total amount~~
 19 ~~expended in the previous year for the provision of credit establishment and credit~~
 20 ~~repair assistance under this paragraph.~~

21 **SECTION 1221h.** 49.143 (2) (ct) of the statutes is created to read:

22 49.143 (2) (ct) Return to the department an amount equal to the total amount
 23 of benefits withheld under s. 49.148 for missed work or education and training
 24 activities.

25 **SECTION 1222.** 49.143 (2) (e) of the statutes is amended to read:

1 49.143 (2) (e) To the extent permitted under federal law or waiver, certify
2 eligibility for and issue food coupons to eligible Wisconsin works participants in
3 conformity with 7 USC 2011 to 2029. If the department receives the federal waiver
4 necessary to enforce the contract provision under this paragraph, the department
5 shall submit to the joint committee on finance the terms of the waiver and an
6 implementation plan prior to enforcing the contract provision under this paragraph.

7 **SECTION 1222g.** 49.143 (2) (es) of the statutes is created to read:

8 49.143 (2) (es) Provide to every individual who requests assistance from the
9 Wisconsin works agency a single-page description of all of the benefits and services
10 that may be provided to any individual by the Wisconsin works agency. The
11 department shall develop the description and distribute it to all Wisconsin works
12 agencies. The department shall update the description as frequently as necessary
13 to reflect all benefits and services that may be offered by Wisconsin works agencies.

14 **SECTION 1224c.** 49.143 (3) of the statutes is amended to read:

15 49.143 (3) PERFORMANCE STANDARDS. The In consultation with the statewide
16 advisory group and special work groups established under sub. (3m), the department
17 shall establish performance standards for the administration of Wisconsin works.
18 If a Wisconsin works agency does not meet the standards established under this
19 subsection, the department may withhold or recover any or all payment from the
20 Wisconsin works agency.

21 **SECTION 1224d.** 49.143 (3g) of the statutes is created to read:

22 49.143 (3g) PERFORMANCE BONUSES. (a) The department shall base any
23 performance bonus calculation that it makes for Wisconsin works agencies on all of
24 the following performance criteria:

1 1. The placement of applicants for and participants in Wisconsin works
2 employment positions into unsubsidized employment, as defined in s. 49.147 (1) (c).

3 2. Whether the placement under subd. 1. is full time or part time.

4 3. The job retention rate, as defined by the department, of former applicants
5 for, and former participants in, Wisconsin works employment positions.

6 4. Wages and benefits earned by former applicants for, and former participants
7 in, Wisconsin works employment positions.

8 5. Appropriate implementation of Wisconsin works.

9 6. Customer satisfaction.

10 (b) The department may not base any performance bonus payments on
11 caseload decreases, or reduced spending by the Wisconsin works agency, that are not
12 directly attributable to placement of participants in unsubsidized employment.

13 (c) The department shall develop a system by which the department may track
14 former participants and former applicants for Wisconsin works to facilitate an
15 assessment of how successfully each Wisconsin works agency has met the
16 performance criteria specified in par. (a).

17 **SECTION 1224p.** 49.143 (3m) of the statutes is created to read:

18 49.143 (3m) STATEWIDE ADVISORY GROUP. The department shall establish a
19 statewide advisory group to provide a forum for any person to raise concerns and to
20 receive or provide information about programs and policies regarding Wisconsin
21 works, including the Wisconsin works agency contract process. The department
22 shall develop regional forums and special work groups to address issues of concern
23 raised at the meetings of the statewide advisory group and shall allow any person
24 to participate in the work groups.

25 **SECTION 1224r.** 49.145 (2) (d) of the statutes is repealed and recreated to read:

1 49.145 (2) (d) The individual has residence in this state.

2 **SECTION 1225.** 49.145 (2) (n) 1. a. of the statutes is amended to read:

3 49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.
4 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job
5 opportunities and basic skills program ~~begins to count~~ counts toward the 60-month
6 limit ~~beginning on October 1, 1996.~~

7 **SECTION 1226v.** 49.145 (3) (b) 1. of the statutes is amended to read:

8 49.145 (3) (b) 1. All earned and unearned income of the individual, except any
9 amount received under section 32 of the internal revenue code, as defined in s. 71.01
10 (6), any amount received under s. 71.07 (9e), any payment made by an employer
11 under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any
12 assistance received under s. 49.148. In determining the earned and unearned
13 income of the individual, the Wisconsin works agency may not include income earned
14 by a dependent child of the individual.

15 **SECTION 1227.** 49.145 (3) (b) 2. of the statutes is repealed.

16 **SECTION 1227m.** 49.145 (3m) of the statutes is created to read:

17 49.145 (3m) PLACEMENT. (a) Within 30 days after an individual applies for a
18 Wisconsin works employment position, the Wisconsin works agency shall place the
19 individual in a Wisconsin works employment position if the individual meets all of
20 the eligibility requirements under this section and if the individual is unable to find
21 unsubsidized employment, as defined in s. 49.147 (1) (c), despite the individual's
22 reasonable effort to search for unsubsidized employment.

23 (b) In the case of an individual who is incapable of performing a job search, the
24 Wisconsin works agency shall place the individual in a Wisconsin works employment

1 position immediately after making a determination that an individual otherwise
2 meets the eligibility requirements under this section.

3 **SECTION 1228.** 49.145 (4) of the statutes is amended to read:

4 49.145 (4) REVIEW OF ELIGIBILITY. A Wisconsin works agency shall periodically
5 review an individual's eligibility. The individual remains eligible under sub. (3) until
6 the Wisconsin works group's assets ~~exceed the asset limits for at least 2 months or~~
7 ~~until the~~ or income of the ~~Wisconsin works group~~ is expected to exceed the asset or
8 income ~~limits~~ limit under sub. (3) for at least 2 consecutive months.

9 **SECTION 1229.** 49.147 (1m) of the statutes is created to read:

10 49.147 (1m) EDUCATIONAL NEEDS ASSESSMENT. Upon determining that the
11 appropriate placement for an individual is in unsubsidized employment or a trial job,
12 the Wisconsin works agency shall conduct an educational needs assessment of the
13 individual. If the Wisconsin works agency determines that the individual needs
14 basic education, including a course of study meeting the standards established under
15 s. 115.29(4) for the granting of a declaration of equivalency of high school graduation,
16 and if the individual wishes to pursue basic education, the Wisconsin works agency
17 shall include basic education in an employability plan developed for the individual.
18 The Wisconsin works agency shall pay for the basic education services identified in
19 the employability plan.

20 **SECTION 1229q.** 49.147 (4) of the statutes, as affected by 1997 Wisconsin Act
21 27, is repealed and recreated to read:

22 49.147 (4) COMMUNITY SERVICE JOB. (a) *Administration.* A Wisconsin works
23 agency shall administer a community service job program as part of its
24 administration of Wisconsin works to improve the employability of an individual who
25 is not otherwise able to obtain employment, as determined by the Wisconsin works

1 agency, by providing work experience and training, if necessary, to assist the
2 individual to move promptly into unsubsidized public or private employment or a
3 trial job. In determining an appropriate placement for a participant, a Wisconsin
4 works agency shall give placement under this subsection priority over placements
5 under sub. (5). Community service jobs shall be limited to projects that the
6 department determines would serve a useful public purpose or projects the cost of
7 which is partially or wholly offset by revenue generated from such projects. After
8 each 6 months of an individual's participation under this subsection and at the
9 conclusion of each assignment under this subsection, a Wisconsin works agency shall
10 reassess the individual's employability.

11 (am) *Education or training activities.* A participant under this subsection may
12 be required to participate in education and training activities assigned as part of an
13 employability plan developed by the Wisconsin works agency. The department shall
14 establish by rule permissible education and training under this paragraph, which
15 shall include a course of study meeting the standards established under s. 115.29 (4)
16 for the granting of a declaration of equivalency of high school graduation, technical
17 college courses and educational courses that provide an employment skill.
18 Permissible education under this paragraph shall also include English as a 2nd
19 language courses that the Wisconsin works agency determines would facilitate an
20 individual's efforts to obtain employment and adult basic education courses that the
21 Wisconsin works agency determines would facilitate an individual's efforts to obtain
22 employment.

23 (as) *Required hours.* Except as provided in pars. (at) and (av) and sub. (5m),
24 a Wisconsin works agency shall require a participant placed in a community service
25 job program to work in a community service job for the number of hours determined

1 by the Wisconsin works agency to be appropriate for the participant at the time of
2 application or review, but not to exceed 30 hours per week. Except as provided in
3 pars. (at) and (av), a Wisconsin works agency may require a participant placed in the
4 community service job program to participate in education or training activities for
5 not more than 10 hours per week.

6 (at) *Motivational training.* A Wisconsin works agency may require a
7 participant, during the first 2 weeks of participation under this subsection, to
8 participate in an assessment and motivational training program identified by the
9 community steering committee under s. 49.143 (2) (a) 10. The Wisconsin works
10 agency may require not more than 40 hours of participation per week under this
11 paragraph in lieu of the participation requirement under par. (as).

12 (av) *Education for 18-year-old and 19-year-old students.* A Wisconsin works
13 agency shall permit a participant under this subsection who has not attained the age
14 of 20 and who has not obtained a high school diploma or a declaration of equivalency
15 of high school graduation to attend high school or, at the option of the participant,
16 to enroll in a course of study meeting the standards established under s. 115.29 (4)
17 for the granting of a declaration of equivalency of high school graduation to satisfy,
18 in whole or in part, the required hours of participation under par. (as).

19 (b) *Time-limited participation.* An individual may participate in a community
20 service job for a maximum of 6 months, with an opportunity for a 3-month extension
21 under circumstances approved by the department. An individual may participate
22 in more than one community service job, but may not exceed a total of 24 months of
23 participation under this subsection. The months need not be consecutive. The
24 department or, with the approval of the department, the Wisconsin works agency
25 may grant an extension to the 24-month limit on a case-by-case basis if the

1 Wisconsin works agency determines that the individual has made all appropriate
2 efforts to find unsubsidized employment and has been unable to find unsubsidized
3 employment because local labor market conditions preclude a reasonable
4 employment opportunity in unsubsidized employment for that participant, as
5 determined by a Wisconsin works agency and approved by the department, and if the
6 Wisconsin works agency determines, and the department agrees, that no trial job
7 opportunities are available in the specified local labor market.

8 (c) *Worker's compensation.* A participant under this subsection is an employe
9 of the Wisconsin works agency for purposes of worker's compensation coverage,
10 except to the extent that the person for whom the participant is performing work
11 provides worker's compensation coverage.

12 **SECTION 1229qc.** 49.147 (6) (a) 2. of the statutes is amended to read:

13 49.147 (6) (a) 2. The individual needs the loan to obtain or continue
14 employment. Fulfillment of this requirement includes a loan that is needed to repair
15 or purchase a vehicle that is needed to obtain or continue employment.

16 **SECTION 1233g.** 49.147 (5) (bs) of the statutes is amended to read:

17 49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),
18 a Wisconsin works agency may require a participant placed in a transitional
19 placement to engage in activities under par. (b) 1. for up to 28 hours per week. ~~A-~~
20 Except as provided in sub. (5m), a Wisconsin works agency may require a participant
21 placed in a transitional placement to participate in education or training activities
22 under par. (bm) for not more than 12 hours per week.

23 **SECTION 1233m.** 49.147 (5m) of the statutes is created to read:

24 49.147 (5m) POSTSECONDARY EDUCATION. (a) To the extent permitted under 42
25 USC 607, and except as provided in par. (bL), a participant under sub. (4) (b) or (5)

1 may elect to participate in a self-initiated technical college education program as
2 part of a community service job placement or transitional placement if all of the
3 following requirements are met:

4 1. The Wisconsin works agency, in consultation with the community steering
5 committee established under s. 49.143 (2) (a) and the technical college district board,
6 determines that the technical college education program is likely to lead to
7 employment.

8 2. The participant maintains full-time status in the technical college education
9 program, as determined by the technical college that the participant attends, and
10 regularly attends all classes.

11 3. The participant maintains a grade point average of at least 2.0, or the
12 equivalent as determined by the technical college.

13 4. The participant is employed or engages in work under a community service
14 job or transitional placement.

15 (b) No Wisconsin works agency may require a participant under this subsection
16 to be employed or to engage in work or other activities under sub. (4) or (5) for more
17 than 25 hours per week in addition to participation under this subsection.

18 (bL) A participant may participate under this subsection for the duration of the
19 technical college education program, except that the participant may not participate
20 under this subsection for more than 2 years.

21 (c) The Wisconsin works agency shall work with the community steering
22 committee established under s. 49.143 (2) (a) and the technical college district board
23 to monitor the participant's progress in the technical college education program and
24 the effectiveness of the program in leading to employment.

25 **SECTION 1235.** 49.1475 of the statutes is created to read:

1 **49.1475 Follow-up services.** Following any follow-up period required by the
2 contract entered into under s. 49.143, a Wisconsin works agency may provide case
3 management services for an individual who moves from a Wisconsin works
4 employment position to unsubsidized employment to help the individual retain the
5 unsubsidized employment. Case management services may include the provision of
6 employment skills training; English as a 2nd language classes, if the Wisconsin
7 works agency determines that the course will facilitate the individual's efforts to
8 retain employment; a course of study meeting the standards established under s.
9 115.29 (4) for the granting of a declaration of equivalency of high school graduation;
10 or other remedial education courses. The Wisconsin works agency may provide case
11 management services regardless of the individual's income and asset levels.

12 **SECTION 1236.** 49.148 (1) (b) 1. of the statutes, as affected by 1997 Wisconsin
13 Act 27, is amended to read:

14 49.148 (1) (b) 1. ~~For~~ Except as provided in subd. 1m., for a participant in a
15 community service job under s. 49.147 (4) (b), a monthly grant of \$673, paid by the
16 Wisconsin works agency ^{strike (don't delete)} ~~or by the department under sub. (2).~~ For every hour that
17 the participant misses work or education or training activities without good cause,
18 the grant amount shall be reduced by \$5.15. Good cause shall be determined by the
19 financial and employment planner in accordance with rules promulgated by the
20 department. Good cause shall include required court appearances for a victim of
21 domestic abuse. If a participant in a community service job under s. 49.147 (4) (b) is
22 required to work fewer than 30 hours per week because the participant has
23 unsubsidized employment, as defined in s. 49.147 (1) (c), the grant amount under this
24 paragraph ~~may be reduced by an amount equal to the product of \$5.15 and the~~
25 ~~difference between 30 and the number of hours the participant is required to work~~

1 shall equal the amount specified under subd. 1m. minus \$5.15 for each hour that the
2 participant misses work or education or training activities without good cause.

3 **SECTION 1236c.** 49.148 (1) (b) 1m. of the statutes is created to read:

4 49.148 (1) (b) 1m. Except as provided in subd. 1., the Wisconsin works agency
5 shall pay a participant in a community service job the following:

6 a. For a participant placed in a community service job for not more than 10
7 hours per week, one-third of the amount specified in subd. 1m. d.

8 b. For a participant placed in a community service job for more than 10 hours
9 but not more than 15 hours per week, one-half of the amount specified under subd.
10 1m. d.

11 c. For a participant placed in a community service job for more than 15 hours
12 but not more than 20 hours per week, two-thirds of the amount specified under subd.
13 1m. d.

14 d. For a participant placed in a community service job for more than 20 hours
15 per week, \$673.

16 **SECTION 1237b.** 49.148 (1) (b) 2. of the statutes is repealed.

17 **SECTION 1237f.** 49.148 (1) (b) 3. of the statutes is created to read:

18 49.148 (1) (b) 3. For a participant in a community service job who participates
19 in self-initiated technical college education under s. 49.147 (5m), a monthly grant
20 of \$673, paid by the Wisconsin works agency. For every hour that the participant
21 misses work or other required activities without good cause, the grant amount shall
22 be reduced by \$5.15. Good cause shall be determined by the financial and
23 employment planner in accordance with rules promulgated by the department. Good
24 cause shall include required court appearances for a victim of domestic abuse.

25 **SECTION 1237h.** 49.148 (1) (c) of the statutes is amended to read:

1 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
2 placement under s. 49.147 (5) or in a transitional placement and in self-initiated
3 technical college education under s. 49.147 (5m), a grant of \$628, paid monthly by
4 the Wisconsin works agency ~~or by the department under sub. (2)~~. For every hour that
5 the participant fails to participate in any required activity without good cause,
6 including any activity under s. 49.147 (5) (b) 1. a. to e., the grant amount shall be
7 reduced by \$5.15. Good cause shall be determined by the financial and employment
8 planner in accordance with rules promulgated by the department. Good cause shall
9 include required court appearances for a victim of domestic abuse.

10 **SECTION 1237m.** 49.148 (1m) (a) of the statutes, as affected by 1997 Wisconsin
11 Act 27, is amended to read:

12 49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and
13 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a
14 monthly grant of \$673 unless another adult member of the custodial parent's
15 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin
16 works employment position or is employed in unsubsidized employment, as defined
17 in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under
18 this subsection to participate in any employment positions. Receipt of a grant under
19 this subsection does not constitute participation in a Wisconsin works employment
20 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b)
21 ~~2. or (e) 4.~~ or (5) (b) 2. if the child is born to the participant not more than 10 months
22 after the date that the participant was first determined to be eligible for assistance
23 under s. 49.19 or for a Wisconsin works employment position.

24 **SECTION 1237n.** 49.148 (1m) (b) of the statutes, as affected by 1997 Wisconsin
25 Act 27, is amended to read:

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

11 **SECTION 1237t.** 49.148 (2m) of the statutes is created to read:

12 49.148 (2m) PAY PERIOD. (a) Except as provided in par. (b), benefits under this
13 section shall be paid on the first day of each month. A payment made under this
14 paragraph shall be for any participation from the 26th day of the month immediately
15 preceding the month that immediately precedes the month in which the payment is
16 made through the 25th day of the month that immediately precedes the month in
17 which the payment is made.

18 (b) The Wisconsin works agency shall make the first grant payment under this
19 section 14 days after the participant begins participating under s. 49.147 (4).
20 Payments made under this paragraph shall include payment for all participation
21 through the date of the payment.

22 **SECTION 1241.** 49.155 (1) (aL) of the statutes is created to read:

23 49.155 (1) (aL) "Disabled" means physically or mentally incapable of caring for
24 oneself.

25 **SECTION 1244.** 49.155 (1g) (intro.) of the statutes is amended to read:

1 49.155 (1g) DISTRIBUTION OF FUNDS. (intro.) Subject to sub. (1j) ~~and s. 16.54(2)~~,
2 the department shall, within the limits of the availability of the federal child care and
3 development block grant funds received under 42 USC 9858, do all of the following:

4 **SECTION 1245d.** 49.155 (1g) (b) of the statutes is amended to read:

5 49.155 (1g) (b) From the appropriation under s. 20.445 (3) (mc), distribute
6 ~~\$4,315,000~~ \$8,012,500 in fiscal year ~~1997-98~~ 1999-2000 and ~~\$4,315,000~~ \$7,412,500
7 in fiscal year ~~1998-99~~ 2000-01 for the purposes of providing technical assistance for
8 child care providers and of administering the child care program under this section
9 and for grants under s. 49.136 (2) for the start-up and expansion of child day care
10 services, and for child day care start-up and expansion planning, for grants under
11 s. 49.134 (2) for child day care resource and referral services, for grants under s.
12 49.137 (3) to assist child care providers in meeting the quality of care standards
13 established under sub. (1d), and for a system of rates or a program of grants, as
14 provided under sub. (1d), to reimburse child care providers that meet those quality
15 of care standards and for grants under s. 49.137 (2) and contracts under s. 49.137 (4)
16 to improve the quality of child day care services in this state.

17 **SECTION 1246.** 49.155 (1g) (c) of the statutes is amended to read:

18 49.155 (1g) (c) From the appropriation under s. 20.445 (3) (mc), transfer
19 ~~\$1,687,400~~ \$3,596,900 in fiscal year ~~1997-98~~ 1999-2000 and ~~\$1,687,400~~ \$3,745,200
20 in fiscal year ~~1998-99~~ 2000-01 to the appropriation under s. 20.435 ~~(6)~~ (3) (kx), and
21 transfer \$20,700 in fiscal year 1999-2000 and \$27,700 in fiscal year 2000-01 to the
22 appropriation under s. 20.435 (8) (kx), for the purpose of day care center licensing
23 under s. 48.65.

24 **SECTION 1247.** 49.155 (1g) (d) of the statutes is created to read:

1 49.155 (1g) (d) From the appropriation under s. 20.445 (3) (mc), transfer
2 \$182,200 in each fiscal year to the appropriation under s. 20.435 (3) (kx) for the
3 administration of day care programs for foster parents in a county having a
4 population of 500,000 or more.

5 **SECTION 1248.** 49.155 (1m) (intro.) of the statutes is amended to read:

6 49.155 (1m) ELIGIBILITY. (intro.) A Wisconsin works agency shall determine
7 eligibility for a child care subsidy under this section. Under this section, an
8 individual may receive a subsidy for child care for a child who has not attained the
9 age of 13 or, if the child is disabled, who has not attained the age of 19, if the
10 individual meets all of the following conditions:

11 **SECTION 1249.** 49.155 (1m) (a) (intro.) of the statutes is amended to read:

12 49.155 (1m) (a) (intro.) The individual is a parent of a child who is under the
13 age of 13, or, if the child is disabled, is under the age of 19; or is a person who, under
14 s. 48.57 (3m) or (3n), is providing care and maintenance for a child who is under the
15 age of 13, or, if the child is disabled, is under the age of 19; and child care services
16 for that child are needed in order for the individual to do any of the following:

17 **SECTION 1249q.** 49.155 (1m) (a) 3. of the statutes, as affected by 1997 Wisconsin
18 Act 27, is amended to read:

19 49.155 (1m) (a) 3. Work in a Wisconsin works employment position, including
20 participation in job search, orientation and training activities under s. 49.147 (2) (a)
21 and in education or training activities under s. 49.147 (3) (am), (4) ~~(b) 1. a. (am)~~ or
22 (5) (bm).

23 **SECTION 1250b.** 49.155 (1m) (a) 4. (intro.) of the statutes is renumbered 49.155
24 (1m) (a) 4. and amended to read:

1 49.155 (1m) (a) 4. ~~Participate in other employment skills training~~ If the
2 Wisconsin works agency determines that basic education would facilitate the
3 individual's efforts to obtain or maintain employment, participate in basic education,
4 including an English as a 2nd language course, ~~if the Wisconsin works agency~~
5 ~~determines that the course would facilitate the individual's efforts to obtain~~
6 ~~employment; literacy tutoring; or a course of study meeting the standards~~
7 established by the state superintendent of public instruction under s. 115.29 (4) for
8 the granting of a declaration of equivalency of high school graduation; ~~a course of~~
9 ~~study at a technical college, if the Wisconsin works agency determines that the~~
10 ~~course would facilitate the individual's efforts to obtain or maintain employment; or~~
11 ~~participation in educational courses that provide an employment skill, as~~
12 ~~determined by the department.~~ An individual may receive aid under this subdivision
13 ← for up to two 2 years. ~~An individual may not receive aid under this subdivision~~
14 unless the individual meets at least one of the following conditions:

15 *delete extra space line*

16 **SECTION 1251b.** 49.155 (1m) (a) 4. a. of the statutes is repealed.

17 **SECTION 1251c.** 49.155 (1m) (a) 4. b. of the statutes is repealed.

18 **SECTION 1252.** 49.155 (1m) (a) 5. of the statutes is created to read:

19 49.155 (1m) (a) 5. Participate in a course of study at a technical college, or
20 participate in educational courses that provide an employment skill, as determined
21 by the department, if the Wisconsin works agency determines that the course or
22 courses would facilitate the individual's efforts to obtain or maintain employment.
23 An individual may receive aid under this subdivision for up to 2 years.

24 **SECTION 1253.** 49.155 (1m) (b) 3. of the statutes is repealed.