

1           \*~~-1059/2.8~~\* **SECTION 1211.** 48.685 (6) (am) 1. of the statutes is amended to  
2 read:

3           48.685 (6) (am) 1. A person who is an employe, prospective employe, contractor  
4 or prospective contractor of the entity, who will be under the entity's control and who  
5 ~~has, or is expected to have, access to its clients, other than a person specified in sub.~~  
6 ~~(2) (b) 2 provides to clients of the entity, or is expected to provide to them, direct care~~  
7 ~~that is more intensive than negligible care in quantity or quality or in amount of time~~  
8 ~~required to provide the care.~~

9           \*~~-0492/6.20~~\* **SECTION 1212.** 48.685 (6) (b) of the statutes is renumbered 48.685  
10 (6) (b) 1. and amended to read:

11           48.685 (6) (b) 1. For persons specified ~~under~~ in par. (a) who are licensed by the  
12 department, for persons specified in par. (am) 1. who are under 18 years of age, but  
13 not under 12 years of age, and who are employes, prospective employes, contractors  
14 or prospective contractors of a day care center that is licensed under s. 48.65 or  
15 established or contracted for under s. 120.13 (4) or of a day care provider that is  
16 certified under s. 48.651, for persons specified in par. (am) 2. who are nonclient  
17 residents or prospective nonclient residents of an entity that is licensed by the  
18 department, and for other persons specified by the department by rule, the entity  
19 shall send the background information form to the department. For all other persons  
20 specified in par. (am) 1., the entity shall maintain the background information form  
21 on file for inspection by the department, county department, child welfare agency,  
22 certifying agency or school board, whichever is applicable.

23           2. For persons specified ~~under~~ in par. (a) who are licensed ~~or certified~~ by a  
24 county department, for persons specified in par. (am) 2. who are nonclient residents  
25 or prospective nonclient residents of an entity that is licensed ~~or certified~~ by a county

1 department and for other persons specified by the department by rule, the entity  
2 shall send the background information form to the county department.

3 3. For persons specified ~~under~~ in par. (a) who are licensed by a child welfare  
4 agency, for persons specified in par. (am) 2. who are nonclient residents or prospective  
5 nonclient residents of an entity that is licensed by a child welfare agency and for  
6 other persons specified by the department by rule, the entity shall send the  
7 background information form to the child welfare agency.

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

16 ~~\*-0492/6.21\*~~ SECTION 1213. 48.685 (6) (b) 4. of the statutes is created to read:

17 48.685 (6) (b) 4. For persons specified in par. (a) who are certified by a certifying  
18 agency, for persons specified in par. (am) 2. who are nonclient residents or prospective  
19 nonclient residents of an entity that is certified by a certifying agency and for other  
20 persons specified by the department by rule, the entity shall send the background  
21 information form to the certifying agency.

22 ~~\*-0333/1.2\*~~ SECTION 1214. 48.685 (8) of the statutes is amended to read:

23 48.685 (8) The department, a county department, a child welfare agency or a  
24 school board may charge a fee for obtaining the information required under sub. (2)  
25 (am) or (3) (a). The fee or for providing information to an entity to enable the entity

1 to comply with sub. (2)(b) 1. or (3)(b). The department, a county department, a child  
2 welfare agency or a school board may also charge a fee to a person who requests to  
3 demonstrate under sub. (5)(a) that the person has been rehabilitated. Fees charged  
4 under this subsection may not exceed the reasonable cost of obtaining the  
5 information. No fee may be charged to a nurse's assistant, as defined in s. 146.40 (1)  
6 (d), for obtaining or maintaining information if to do so would be inconsistent with  
7 federal law.

8 \*~~0492/6.22~~\* SECTION 1215. 48.685 (8) of the statutes is amended to read:

9 48.685 (8) The department, a county department, a child welfare agency, a  
10 certifying agency or a school board may charge a fee for obtaining the information  
11 required under sub. (2) (am) or (3) (a). The fee may not exceed the reasonable cost  
12 of obtaining the information. No fee may be charged to a nurse's assistant, as defined  
13 in s. 146.40 (1) (d), for obtaining or maintaining information if to do so would be  
14 inconsistent with federal law.

15 \*~~0086/3.1~~\* SECTION 1216. 48.78 (3) of the statutes is created to read:

16 48.78 (3) (a) Except as provided under pars. (b) to (d) or by order of the court,  
17 no agency may make available for inspection or disclose the contents of any record  
18 kept or information received relating to a foster parent, treatment foster parent or  
19 family-operated group home, as defined in s. 48.627 (1), parent or a family member  
20 of a foster parent, treatment foster parent or family-operated group home parent  
21 without first receiving the written permission of the foster parent, treatment foster  
22 parent or family-operated group home parent.

23 (b) Paragraph (a) does not apply to the confidential exchange of information  
24 between an agency and another social welfare agency. A social welfare agency that

1 obtains information under this paragraph shall keep the information confidential as  
2 required under this section and s. 938.78.

3 (c) Paragraph (a) does not prohibit an agency from making available for  
4 inspection or disclosing the contents of a record under s. 48.981 (7).

5 (d) Paragraph (a) does not prohibit an agency from disclosing the name and  
6 address of a foster parent, treatment foster parent or family-operated group home  
7 parent under s. 48.20 (8), 48.227 (2), 48.33 (5), 48.355 (2) (b) 2., 48.357 (1) or (2m) or  
8 48.38 (4) (c).

9 **\*-0273/1.7\* SECTION 1217.** 48.825 (3) (b) of the statutes is amended to read:

10 48.825 (3) (b) An individual or agency providing adoption information  
11 ~~exchange services~~ under s. 48.55.

12 **\*-0273/1.8\* SECTION 1218.** 48.825 (3) (c) of the statutes is repealed.

13 **\*-0087/3.1\* SECTION 1219.** 48.981 (3) (c) 4. of the statutes is amended to read:

14 48.981 (3) (c) 4. The county department or, in a county having a population of  
15 500,000 or more, the department or a licensed child welfare agency under contract  
16 with the department shall determine, within 60 days after receipt of a report,  
17 whether abuse or neglect has occurred or is likely to occur. The determination shall  
18 be based on a preponderance of the evidence produced by the investigation. A  
19 determination that abuse or neglect has occurred may not be based solely on the fact  
20 that the child's parent, guardian or legal custodian in good faith selects and relies on  
21 prayer or other religious means for treatment of disease or for remedial care of the  
22 child. In making a determination that emotional damage has occurred, the county  
23 department or, in a county having a population of 500,000 or more, the department  
24 or a licensed child welfare agency under contract with the department shall give due  
25 regard to the culture of the subjects. If a determination contains a finding that a

1 specific person has abused or neglected a child, the county department, department  
2 or licensed child welfare agency making the determination shall notify that person  
3 in writing, at the time that the person is notified of the determination, of the person's  
4 right to appeal under par. (e) and of the method by which the person may appeal. This  
5 subdivision does not prohibit a court from ordering medical services for the child if  
6 the child's health requires it.

7 **\*-0087/3.2\* SECTION 1220.** 48.981 (3) (e) of the statutes is created to read:

8 48.981 (3) (e) *Appeal of determination.* If a determination under par. (c) 4.  
9 contains a finding that a specific person has abused or neglected a child, that person  
10 may appeal that finding in accordance with procedures established by the  
11 department.

12 **\*-0090/4.1\* SECTION 1221.** 48.981 (7) (a) 18. of the statutes is created to read:

13 48.981 (7) (a) 18. A child abuse and neglect citizen review panel established by  
14 the department or a county department if the panel determines that access to the  
15 records of an agency responsible for child protection is necessary for the panel to  
16 carry out its functions.

17 **\*-0088/3.1\* SECTION 1222.** 48.981 (7) (cm) of the statutes is amended to read:

18 48.981 (7) (cm) ~~An~~ Notwithstanding par. (a), an agency may disclose  
19 information from its records for use in proceedings under s. 48.25 (6), 813.122 or  
20 813.125.

21 **\*-0088/3.2\* SECTION 1223.** 48.981 (7) (d) of the statutes is amended to read:

22 48.981 (7) (d) ~~The~~ Notwithstanding par. (a), the department may have access  
23 to any report or record maintained by an agency under this section.

24 **\*-0088/3.3\* SECTION 1224.** 48.981 (7) (dm) of the statutes is created to read:

1           48.981 (7) (dm) Notwithstanding par. (a), an agency may, subject to standards  
2 established by the department, disclose to the news media and the general public  
3 information from the agency's records concerning a case in which a child died or was  
4 placed in serious or critical condition, as certified by a physician, as a result of abuse  
5 or neglect. An agency may not disclose under this paragraph any information that  
6 would identify a reporter. Any person who receives any information under this  
7 paragraph may disclose that information to anyone.

8           \*~~0686/P1.2~~\* SECTION 1225. 48.982 (2) (d) of the statutes is amended to read:

9           48.982 (2) (d) Solicit and accept contributions, grants, gifts and bequests for the  
10 children's trust fund or for any other purpose for which a contribution, grant, gift or  
11 bequest is made and received. Moneys received under this paragraph may be  
12 deposited in credited to the appropriation accounts under s. 20.433 (1) (i), (q) or (r).  
13 ~~This paragraph does not apply to moneys received under s. 341.14 (6r) (b) 6.~~

14           \*~~0686/P1.3~~\* SECTION 1226. 48.982 (2m) (intro.) of the statutes is amended to  
15 read:

16           48.982 (2m) DONATION USES. (intro.) If money is accepted by the board for the  
17 children's trust fund or for any other purpose under sub. (2) (d), ~~except moneys~~  
18 ~~received under s. 341.14 (6r) (b) 6.~~, the board shall use the money in accordance with  
19 the wishes of the donor to do any of the following:

20           \*~~0275/4.9~~\* SECTION 1227. 48.985 (2) of the statutes is amended to read:

21           48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the  
22 appropriation under s. 20.435 (7) (o), the department shall distribute not more than  
23 ~~\$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~  
24 ~~1998-99~~ \$3,734,000 in each fiscal year of the moneys received under 42 USC 620 to  
25 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or

1 purchase of child welfare projects and services, for services to children and families,  
2 for services to the expectant mothers of unborn children and for family-based child  
3 welfare services.

4 **\*-0183/1.9\* SECTION 1228.** 49.015 (1m) 5. of the statutes is created to read:

5 49.015 (1m) 5. The individual has infectious tuberculosis, as defined in s.  
6 252.07 (1g) (a), or suspect tuberculosis, as defined in s. 252.07 (1g) (d).

7 **\*-0027/4.30\* SECTION 1229.** 49.025 (2) (a) (intro.) of the statutes is amended  
8 to read:

9 49.025 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a  
10 year, the department shall pay to the county, in accordance with s. 49.031, from the  
11 appropriation under s. 20.435 (5) (4) (bt), an amount for that year determined as  
12 follows:

\*\*\*\*NOTE: This provision contains a cross-reference to s. 20.435 (5) (bt), which is  
renumbered in this bill to s. 20.435 (4) (bt) to conform to the changes in LRB-0028. If  
LRB-0028 is not included in the budget bill, this renumbering should be deleted.

13 **\*-1393/2.2\* SECTION 1230.** 49.025 (2) (a) 1. b. of the statutes is amended to  
14 read:

15 49.025 (2) (a) 1. b. For any year, 45% of the total amount expended by the county  
16 in that year as relief for health care services provided to dependent persons,  
17 including the amount transferred to the appropriation account under s. 20.435 (5)  
18 (h) in that year and the amount estimated to be received from the federal government  
19 as a match to the funds expended from the appropriation account under s. 20.435 (5)  
20 (h).

21 **\*-0027/4.31\* SECTION 1231.** 49.027 (2) (a) (intro.) of the statutes is amended  
22 to read:

1           49.027 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a  
2 year, the department shall pay to the county, in accordance with s. 49.031, from the  
3 appropriation under s. 20.435 ~~(5) (bu)~~ (4) (bt), an amount for that year determined  
4 as follows:

\*\*\*\*NOTE: This provision contains a cross-reference to s. 20.435 (5) (bt), which is  
renumbered in this bill to s. 20.435 (4) (bt) to conform to the changes in LRB-0028. If  
LRB-0028 is not included in the budget bill, this renumbering should be deleted.

5           \***-0027/4.32**\* SECTION 1232. 49.027 (2) (a) 1. d. of the statutes is amended to  
6 read:

7           49.027 (2) (a) 1. d. The department shall multiply the amount determined  
8 under subd. 1. c. by the amount appropriated under s. 20.435 ~~(5) (bu)~~ (4) (bt) for relief  
9 block grants for that year.

\*\*\*\*NOTE: This provision contains a cross-reference to s. 20.435 (5) (bt), which is  
renumbered in this bill to s. 20.435 (4) (bt) to conform to the changes in LRB-0028. If  
LRB-0028 is not included in the budget bill, this renumbering should be deleted.

10           \***-0028/6.52**\* SECTION 1233. 49.029 (2) of the statutes is amended to read:

11           49.029 (2) AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the  
12 appropriation under s. 20.435 ~~(5) (4)~~ (bs), the department shall distribute a relief  
13 block grant to each eligible tribal governing body in an amount and in a manner  
14 determined in accordance with rules promulgated by the department. The  
15 department shall promulgate the rules after consulting with all tribal governing  
16 bodies eligible for a relief block grant. In promulgating rules under this section, the  
17 department shall consider each tribe's economic circumstances and need for health  
18 care services.

19           \***-1057/1.3**\* SECTION 1234. 49.029 (2) of the statutes is amended to read:

20           49.029 (2) AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the  
21 appropriation under s. 20.435 (5) ~~(bs)~~ (kb), the department shall distribute a relief

1 block grant to each eligible tribal governing body in an amount and in a manner  
2 determined in accordance with rules promulgated by the department. The  
3 department shall promulgate the rules after consulting with all tribal governing  
4 bodies eligible for a relief block grant. In promulgating rules under this section, the  
5 department shall consider each tribe's economic circumstances and need for health  
6 care services.

7 \***-0183/1.10\*** SECTION 1235. 49.08 of the statutes is amended to read:

8 **49.08 Recovery of relief and other assistance.** If any person is the owner  
9 of property at the time of receiving general relief under ch. 49, 1993 stats., relief  
10 funded by a relief block grant or other assistance as an inmate of any county or  
11 municipal institution in which the state is not chargeable with all or a part of the  
12 inmate's maintenance or as a tuberculosis patient provided for in ss. 58.06 and  
13 252.07 to 252.10, or at any time thereafter, or if the person becomes self-supporting,  
14 the authorities charged with the care of the dependent, or the board in charge of the  
15 institution, may sue for the value of the relief or other assistance from the person or  
16 the person's estate. Except as otherwise provided in this section, the 10-year statute  
17 of limitations may be pleaded in defense in an action to recover relief or other  
18 assistance. Where the recipient of relief or other assistance is deceased, a claim may  
19 be filed against the decedent's estate and the statute of limitations specified in s.  
20 859.02 shall be exclusively applicable. The court may refuse to render judgment or  
21 allow the claim in any case where a parent, spouse, surviving spouse or child is  
22 dependent on the property for support. The court in rendering judgment shall take  
23 into account the current family budget requirement as fixed by the U.S. department  
24 of labor for the community or as fixed by the authorities of the community in charge  
25 of public assistance. The records kept by the municipality, county or institution are

1     prima facie evidence of the value of the relief or other assistance furnished. This  
2     ~~section shall not apply to any person who receives care for pulmonary tuberculosis~~  
3     ~~as provided in s. 252.08 (4).~~

4           \*~~0535/1.1~~\* SECTION 1236. 49.124 (1g) (a) of the statutes is amended to read:

5           49.124 (1g) (a) The individual is a custodial parent of a child who is under the  
6     age of 18 and who has an absent parent, or the individual lives with and exercises  
7     parental control over a child who is under the age of 18 and who has an absent parent,  
8     and the individual does not fully cooperate in good faith with efforts directed at  
9     establishing the paternity of the child, if necessary, ~~and obtaining support payments~~  
10    ~~establishing or enforcing a support order, if any appropriate, or obtaining~~ other  
11    payments or property, if any, to which that individual or the child may have rights.  
12    This paragraph does not apply if the individual has good cause for refusing to  
13    cooperate, as determined by the department in accordance with federal law and  
14    regulations.

15          \*~~0687/4.2~~\* SECTION 1237. 49.136 (2) (a) of the statutes is amended to read:

16          49.136 (2) (a) From the allocation under s. 49.155 (1g) (b), the department shall  
17    award grants and low-interest loans for the start-up or expansion of child care  
18    services.

19          \*~~0687/4.3~~\* SECTION 1238. 49.136 (2) (b) of the statutes is amended to read:

20          49.136 (2) (b) The department shall attempt to award grants and low-interest  
21    loans under this section to head start agencies designated under 42 USC 9836,  
22    employers that provide or wish to provide child care services for their employes,  
23    family day care centers, group day care centers ~~and~~, day care programs for the  
24    children of student parents, organizations that provide child care for sick children

1 and child care providers that employ participants or former participants in a  
2 Wisconsin works employment position under s. 49.147 (3) to (5).

3 \***-0687/4.4\* SECTION 1239.** 49.136 (7) of the statutes is amended to read:

4 49.136 (7) **GRANT AND LOW-INTEREST LOAN ADMINISTRATION.** (a) The department  
5 shall establish guidelines for eligibility for a grant or a low-interest loan under this  
6 section. The department need not promulgate those guidelines as rules under ch.  
7 227.

8 (b) The department may administer the grant and low-interest loan  
9 application process processes under this section or contract for the administration  
10 of ~~that process~~ those processes.

11 \***-0702/5.4\* SECTION 1240.** 49.1375 of the statutes is created to read:

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

21 (b) The department shall establish a grant program under which a child care  
22 provider that receives training at a center that is awarded a grant under par. (a) may  
23 apply for a grant to establish an early childhood program that serves children  
24 specified under par. (a). The program developed under a grant received under this  
25 paragraph shall emphasize stimulation of the children's language skills and senses

1 of vision and touch. A person who is awarded a grant under this paragraph shall  
2 contribute matching funds from local or private sources equal to 25% of the amount  
3 awarded under this paragraph.

4 **\*-1186/3.12\* SECTION 1241.** 49.141 (2) of the statutes is repealed.

5 **\*-1186/3.13\* SECTION 1242.** 49.141 (2g) (a) of the statutes is renumbered  
6 49.141 (2g).

7 **\*-1186/3.14\* SECTION 1243.** 49.141 (2g) (b) of the statutes is repealed.

8 **\*-1186/3.15\* SECTION 1244.** 49.143 (1) (a) of the statutes is amended to read:

9 49.143 (1) (a) Except as provided in par. (am), the department may award a  
10 contract, on the basis of a competitive process approved by the secretary of  
11 administration, to any person to administer Wisconsin works in a geographical area  
12 determined by the department under sub. (6). ~~The department shall award contracts~~  
13 ~~under this paragraph before the date that is specified in s. 49.141 (2) (d).~~

14 **\*-1186/3.16\* SECTION 1245.** 49.143 (1) (am) 1. of the statutes is repealed and  
15 recreated to read:

16 49.143 (1) (am) 1. The department shall contract with a Wisconsin works  
17 agency to administer Wisconsin works if that agency has met the performance  
18 standards established by the department during the immediately preceding contract  
19 period. The contract shall be for a term of at least 2 years. A Wisconsin works agency  
20 may elect not to enter into a contract under this subdivision if the Wisconsin works  
21 agency informs the department by the date established by the department that the  
22 Wisconsin works agency has made that election.

23 **\*-1186/3.17\* SECTION 1246.** 49.143 (1) (am) 2. of the statutes is amended to  
24 read:

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

5           \*~~1186/3.18~~\* SECTION 1247. 49.143 (1) (at) of the statutes is repealed.

6           \*~~0700/2.1~~\* SECTION 1248. 49.143 (2) (cr) of the statutes is amended to read:

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

24           \*~~0493/2.7~~\* SECTION 1249. 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 as provided in ss. 46.215 (1g) and 46.22 (1g).

4           \*~~0492/6.23~~\* **SECTION 1250.** 49.143 (2) (em) of the statutes is renumbered  
5 49.143 (2) (em) 1. and amended to read:

6           49.143 (2) (em) 1. ~~Determine~~ Except as provided in subd. 2., determine  
7 eligibility for child care assistance under s. 49.155 and refer eligible families to  
8 county departments under s. 46.215, 46.22 or 46.23 for child care services.

9           \*~~0492/6.24~~\* **SECTION 1251.** 49.143 (2) (em) 2. of the statutes is created to read:  
10 49.143 (2) (em) 2. If required under s. 49.155 (3) (a) or (am), certify child care  
11 providers under s. 48.651 and administer child care assistance under s. 49.155.

12           \*~~1186/3.19~~\* **SECTION 1252.** 49.145 (2) (n) 1. a. of the statutes is amended to  
13 read:

14           49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.  
15 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job  
16 opportunities and basic skills program ~~begins to count~~ counts toward the 60-month  
17 limit ~~beginning on October 1, 1996.~~

18           \*~~1989/3.1~~\* **SECTION 1253.** 49.145 (3) (a) of the statutes is amended to read:

19           49.145 (3) (a) *Resource limitations.* The individual is a member of a Wisconsin  
20 works group whose assets do not exceed \$2,500 in combined equity value. In  
21 determining the combined equity value of assets, the Wisconsin works agency shall  
22 exclude the equity value of vehicles up to a total equity value of \$10,000, the value  
23 of an individual development account established under s. 49.187 and one home that  
24 serves as the homestead for the Wisconsin works group.

25           \*~~0699/3.1~~\* **SECTION 1254.** 49.145 (3) (b) 2. of the statutes is repealed.

1           \*~~-1662/1.1~~\* SECTION 1255. 49.145 (4) of the statutes is amended to read:

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

7           \*~~-0787/P1.1~~\* SECTION 1256. 49.147 (1m) of the statutes is created to read:

8           49.147 (1m) EDUCATIONAL NEEDS ASSESSMENT. Upon determining that the  
9 appropriate placement for an individual is in unsubsidized employment or a trial job,  
10 the Wisconsin works agency shall conduct an educational needs assessment of the  
11 individual. If the Wisconsin works agency determines that the individual needs  
12 basic education, including a course of study meeting the standards established under  
13 s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation,  
14 and if the individual wishes to pursue basic education, the Wisconsin works agency  
15 shall include basic education in an employability plan developed for the individual.  
16 The Wisconsin works agency shall pay for the basic education services identified in  
17 the employability plan.

18           \*~~-1611/4.4~~\* SECTION 1257. 49.147 (4) (c) 1g. of the statutes, as affected by 1997  
19 Wisconsin Act 27, is repealed and recreated to read:

20           49.147 (4) (c) 1g. 'Limited participation.' Not more than 2,500 participants  
21 statewide may participate under this paragraph at any given time. The department  
22 shall allocate the 2,500 slots among the Wisconsin works agencies based on a formula  
23 developed by the department.

24           \*~~-1611/4.5~~\* SECTION 1258. 49.147 (4) (c) 2. of the statutes, as affected by 1997  
25 Wisconsin Act 27, is amended to read:

1           49.147 (4) (c) 2. 'Eligibility.' A Wisconsin works agency may not place an  
2 individual under this paragraph unless the Wisconsin works agency determines that  
3 the individual is working at least 15 hours per week in an qualified for unsubsidized  
4 job employment but has been unable to secure full-time unsubsidized employment  
5 despite reasonable efforts on the part of the individual.

6           \***-1611/4.6\*** SECTION 1259. 49.147 (4) (c) 3. (intro.) of the statutes, as affected  
7 by 1997 Wisconsin Act 27, is renumbered 49.147 (4) (c) 3. and amended to read:

8           49.147 (4) (c) 3. 'Work supplementation.' The Wisconsin works agency may  
9 require a participant under this paragraph to work in a community service job for  
10 not more than the lesser of the following in a community service job under this  
11 paragraph: 30 hours per week and to participate in job search activities for not more  
12 than 10 hours per week.

13           \***-1611/4.7\*** SECTION 1260. 49.147 (4) (c) 3. a. and b. of the statutes, as affected  
14 by 1997 Wisconsin Act 27, are repealed.

15           \***-1611/4.8\*** SECTION 1261. 49.147 (4) (c) 6. of the statutes, as affected by 1997  
16 Wisconsin Act 27, is repealed.

17           \***-0785/1.1\*** SECTION 1262. 49.1475 of the statutes is created to read:

18           **49.1475 Follow-up services.** Following any follow-up period required by the  
19 contract entered into under s. 49.143, a Wisconsin works agency may provide case  
20 management services for an individual who moves from a Wisconsin works  
21 employment position to unsubsidized employment to help the individual retain the  
22 unsubsidized employment. Case management services may include the provision of  
23 employment skills training; English as a 2nd language classes, if the Wisconsin  
24 works agency determines that the course will facilitate the individual's efforts to  
25 retain employment; a course of study meeting the standards established under s.

1 115.29 (4) for the granting of a declaration of equivalency of high school graduation;  
2 or other remedial education courses. The Wisconsin works agency may provide case  
3 management services regardless of the individual's income and asset levels.

4 \*~~0608/2.1~~\* SECTION 1263. 49.148 (1) (b) 1. of the statutes, as affected by 1997  
5 Wisconsin Act 27, is amended to read:

6 49.148 (1) (b) 1. For a participant in a community service job under s. 49.147  
7 (4) (b), a monthly grant of \$673 paid by the Wisconsin works agency ~~or by the~~  
8 ~~department under sub. (2).~~ If a participant in a community service job under s.  
9 49.147 (4) (b) is required to work fewer than 30 hours per week because the  
10 participant has unsubsidized employment, as defined in s. 49.147 (1) (c), the  
11 Wisconsin works agency may reduce the monthly grant in accordance with a  
12 schedule developed by the department by rule. For every hour that the participant  
13 misses work or education or training activities without good cause, the grant amount  
14 shall be reduced by \$5.15. Good cause shall be determined by the financial and  
15 employment planner in accordance with rules promulgated by the department. Good  
16 cause shall include required court appearances for a victim of domestic abuse. ~~If a~~  
17 ~~participant in a community service job under s. 49.147 (4) (b) is required to work~~  
18 ~~fewer than 30 hours per week because the participant has unsubsidized~~  
19 ~~employment, as defined in s. 49.147 (1) (c), the grant amount under this paragraph~~  
20 ~~may be reduced by an amount equal to the product of \$5.15 and the difference~~  
21 ~~between 30 and the number of hours the participant is required to work.~~

22 \*~~1611/4.9~~\* SECTION 1264. 49.148 (1) (b) 2. of the statutes, as affected by 1997  
23 Wisconsin Act 27, is amended to read:

24 49.148 (1) (b) 2. For a participant in a community service job under s. 49.147  
25 (4) (c), minimum wage for every hour actually worked in the community service job,

1 not to exceed 15 ~~30~~ hours per week, paid by the employer, as defined in s. 49.147 (4)  
2 (c) 1.

3 **\*-1611/4.10\* SECTION 1265.** 49.151 (1) (f) of the statutes is created to read:  
4 49.151 (1) (f) If the individual is a participant under s. 49.147 (4) (c), the  
5 individual fails, without good cause, to participate in job search activities required  
6 under s. 49.147 (4) (c) 3.

7 **\*-0492/6.25\* SECTION 1266.** 49.155 (1) (ad) of the statutes is created to read:  
8 49.155 (1) (ad) "Administering agency" means the county department, a tribal  
9 governing body or the Wisconsin works agency that is required by the department  
10 under sub. (3) (a) or (am) to administer child care assistance under this section.

11 **\*-0492/6.26\* SECTION 1267.** 49.155 (1) (aj) of the statutes is created to read:  
12 49.155 (1) (aj) "County department" means a county department under s.  
13 46.215, 46.22 or 46.23.

14 **\*-0701/3.1\* SECTION 1268.** 49.155 (1) (aL) of the statutes is created to read:  
15 49.155 (1) (aL) "Disabled" means physically or mentally incapable of caring for  
16 oneself.

17 **\*-0492/6.27\* SECTION 1269.** 49.155 (1) (am) of the statutes is amended to read:  
18 49.155 (1) (am) "Level I certified family day care provider" means a day care  
19 provider certified under s. 48.651 (~~1~~) (1m) (a).

20 **\*-0492/6.28\* SECTION 1270.** 49.155 (1) (b) of the statutes is amended to read:  
21 49.155 (1) (b) "Level II certified family day care provider" means a day care  
22 provider certified under s. 48.651 (~~1~~) (1m) (b).

23 **\*-0605/2.4\* SECTION 1271.** 49.155 (1g) (intro.) of the statutes is amended to  
24 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           \***-0687/4.5\*** SECTION 1272. 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~~ \$15,178,900 in fiscal year ~~1997-98~~ 1999-2000 and ~~\$4,315,000~~  
7 \$12,878,900 in fiscal year ~~1998-99~~ 2000-01 for the purposes of providing technical  
8 assistance for child care providers and of administering the child care program under  
9 this section and for grants under s. 49.136 (2) for the start-up and expansion of child  
10 day care services, and for child day care start-up and expansion planning, for grants  
11 and low-interest loans under s. 49.134 (2) for child day care resource and referral  
12 services, for grants under s. 49.137 (3) to assist child care providers in meeting the  
13 quality of care standards established under sub. (1d), and for a system of rates or a  
14 program of grants, as provided under sub. (1d), to reimburse child care providers that  
15 meet those quality of care standards and for grants under s. 49.137 (2) and contracts  
16 under s. 49.137 (4) to improve the quality of child day care services in this state.

17           \***-0320/2.5\*** SECTION 1273. 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) for  
21 the purpose of day care center licensing under s. 48.65.

22           \***-0687/4.6\*** SECTION 1274. 49.155 (1g) (c) of the statutes is amended to read:

23           49.155 (1g) (c) From the appropriation under s. 20.445 (3) (mc), transf  
24 ~~\$1,687,400~~ \$3,596,900 in fiscal year ~~1997-98~~ 1999-2000 and ~~\$1,687,400~~ \$3,745.2  
25 in fiscal year ~~1998-99~~ 2000-01 to the appropriation under s. 20.435 (6) (kx).  
f

1 transfer \$20,700 in fiscal year 1999-2000 and \$27,700 in fiscal year 2000-01 to the  
2 appropriation under s. 20.435 (8) (kx), for the purpose of day care center licensing  
3 under s. 48.65.

4 **\*-0687/4.7\* SECTION 1275.** 49.155 (1g) (d) of the statutes is created to read:

5 49.155 (1g) (d) From the appropriation under s. 20.445 (3) (mc), transfer  
6 \$182,200 in each fiscal year to the appropriation under s. 20.435 (3) (kx) for the  
7 administration of day care programs for foster parents in a county having a  
8 population of 500,000 or more.

9 **\*-0701/3.2\* SECTION 1276.** 49.155 (1m) (intro.) of the statutes is amended to  
10 read:

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

16 **\*-0701/3.3\* SECTION 1277.** 49.155 (1m) (a) (intro.) of the statutes is amended  
17 to read:

18 49.155 (1m) (a) (intro.) The individual is a parent of a child who is under the  
19 age of 13, or, if the child is disabled, is under the age of 19; or is a person who, under  
20 s. 48.57 (3m) or (3n), is providing care and maintenance for a child who is under the  
21 age of 13, or, if the child is disabled, is under the age of 19; and child care services  
22 for that child are needed in order for the individual to do any of the following:

23 **\*-0487/3.1\* SECTION 1278.** 49.155 (1m) (a) 4. (intro.) of the statutes is amended  
24 to read:

1           49.155 (1m) (a) 4. (intro.) ~~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 unless  
14 the individual meets at least one of the following conditions:

15           \*~~-0487/3.2~~\* SECTION 1279. 49.155 (1m) (a) 4. a. of the statutes is amended to  
16 read:

17           49.155 (1m) (a) 4. a. The individual ~~has been~~ is employed in unsubsidized  
18 employment for ~~9 consecutive months and continues to be so~~ employed.

19           \*~~-0487/3.3~~\* SECTION 1280. 49.155 (1m) (a) 5. of the statutes is created to read:

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

1 may not receive aid under this subdivision unless the individual meets at least one  
2 of the following conditions:

3 a. The individual has been employed in unsubsidized employment for 3  
4 consecutive months and continues to be so employed.

5 b. The individual is a participant in a Wisconsin works employment position.

6 **\*-0701/3.4\* SECTION 1281.** 49.155 (1m) (b) 3. of the statutes is repealed.

7 **\*-0699/3.2\* SECTION 1282.** 49.155 (1m) (c) 1. of the statutes is renumbered  
8 49.155 (1m) (c) 1. (intro.) and amended to read:

9 49.155 (1m) (c) 1. (intro.) The gross income of the individual's family is at or  
10 below 165% of the poverty line for a family the size of the individual's family or, for  
11 an individual who is already receiving a child care subsidy under this section, the  
12 gross income of the individual's family is at or below 200% of the poverty line for a  
13 family the size of the individual's family. In calculating the gross income of the  
14 family, the Wisconsin works agency shall include income described under s. 49.145  
15 (3) (b) 1. ~~to and 3., except that, in calculating farm and self-employment income, the~~  
16 Wisconsin works agency shall include the sum of the following:

17 **\*-0701/3.5\* SECTION 1283.** 49.155 (1m) (c) 1. of the statutes is amended to read:

18 49.155 (1m) (c) 1. The gross income of the individual's family is at or below  
19 ~~165%~~ 185% of the poverty line for a family the size of the individual's family or, for  
20 an individual who is already receiving a child care subsidy under this section, the  
21 gross income of the individual's family is at or below 200% of the poverty line for a  
22 family the size of the individual's family. In calculating the gross income of the  
23 family, the Wisconsin works agency shall include income described under s. 49.145  
24 (3) (b) 1. to 3.

1           \***-0699/3.3\*** SECTION 1284. 49.155 (1m) (c) 1. a. of the statutes is created to  
2 read:

3           49.155 (1m) (c) 1. a. Net earnings reported to the Internal Revenue Service.

4           \***-0699/3.4\*** SECTION 1285. 49.155 (1m) (c) 1. b. of the statutes is created to  
5 read:

6           49.155 (1m) (c) 1. b. Depreciation expenses, personal business and  
7 entertainment expenses, personal transportation costs, purchases of capital  
8 equipment and payments on the principal of loans.

9           \***-0699/3.5\*** SECTION 1286. 49.155 (1m) (c) 1g. of the statutes is amended to  
10 read:

11           49.155 (1m) (c) 1g. The individual is a foster parent of the child and the child's  
12 biological or adoptive family meets the asset limit under s. 49.145 (3) (a) and has a  
13 gross income that is at or below 200% of the poverty line. In calculating the gross  
14 income of the child's biological or adoptive family, the Wisconsin works agency shall  
15 include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3.

16           \***-0701/3.6\*** SECTION 1287. 49.155 (1m) (c) 1g. of the statutes is amended to  
17 read:

18           49.155 (1m) (c) 1g. The individual is a foster parent of the child and the child's  
19 biological or adoptive family ~~meets the asset limit under s. 49.145 (3) (a) and~~ has a  
20 gross income that is at or below 200% of the poverty line. In calculating the gross  
21 income of the child's biological or adoptive family, the Wisconsin works agency shall  
22 include income described under s. 49.145 (3) (b) 1. to 3.

23           \***-0699/3.6\*** SECTION 1288. 49.155 (1m) (c) 1h. of the statutes is amended to  
24 read:

1           49.155 (1m) (c) 1h. The individual is a relative of the child, is providing care  
2 for the child under a court order and is receiving payments under s. 48.57 (3m) on  
3 behalf of the child and the child's biological or adoptive family meets the asset limit  
4 under s. 49.145 (3) (a) and has a gross income that is at or below 200% of the poverty  
5 line. In calculating the gross income of the child's biological or adoptive family, the  
6 Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~  
7 and 3.

8           \*~~0701/3.7~~\* SECTION 1289. 49.155 (1m) (c) 1h. of the statutes is amended to  
9 read:

10           49.155 (1m) (c) 1h. The individual is a relative of the child, is providing care  
11 for the child under a court order and is receiving payments under s. 48.57 (3m) on  
12 behalf of the child and the child's biological or adoptive family ~~meets the asset limit~~  
13 ~~under s. 49.145 (3) (a) and~~ has a gross income that is at or below 200% of the poverty  
14 line. In calculating the gross income of the child's biological or adoptive family, the  
15 Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. to  
16 3.

17           \*~~1186/3.20~~\* SECTION 1290. 49.155 (1m) (c) 3. of the statutes is amended to  
18 read:

19           49.155 (1m) (c) 3. The individual was eligible for a child care subsidy under s.  
20 49.191 (2), 1997 stats., on or after May 10, 1996, and received a child care subsidy  
21 on or after May 10, 1996, but lost the subsidy solely because of increased income, and  
22 the gross income of the individual's family is at or below 200% of the poverty line for  
23 a family the size of the individual's family. This subdivision does not apply to an  
24 individual whose family's gross income increased to more than 200% of the poverty  
25 line for a family the size of the individual's family.

1           \*~~0492/6.29~~\* **SECTION 1291.** 49.155 (3) (title) of the statutes is amended to  
2 read:

3           49.155 (3) (title) ~~COUNTY CHILD CARE~~ ADMINISTRATION.

4           \*~~0492/6.30~~\* **SECTION 1292.** 49.155 (3) (a) of the statutes is repealed and  
5 recreated to read:

6           49.155 (3) (a) Except as provided in par. (am), the department may require a  
7 Wisconsin works agency, a tribal governing body or a county department to  
8 administer child care assistance under this section. If the department requires a  
9 county department to administer child care assistance under this section, the  
10 Wisconsin works agency shall refer an individual who has been determined eligible  
11 under sub. (1m) to the county department for child care assistance.

12           \*~~0492/6.31~~\* **SECTION 1293.** 49.155 (3) (am) of the statutes is created to read:

13           49.155 (3) (am) In a county with a population of 500,000 or more, the  
14 department shall require a Wisconsin works agency in that county to administer  
15 child care assistance under this section.

16           \*~~0492/6.32~~\* **SECTION 1294.** 49.155 (3) (b) (intro.) of the statutes is amended  
17 to read:

18           49.155 (3) (b) (intro.) ~~The county department under s. 46.215, 46.22 or 46.23~~  
19 ~~shall administer child care assistance under this section. In administering child care~~  
20 ~~assistance under this section, the county department under s. 46.215, 46.22 or 46.23~~  
21 administering agency shall do all of the following:

22           \*~~0492/6.33~~\* **SECTION 1295.** 49.155 (3m) (a) of the statutes is amended to read:

23           49.155 (3m) (a) The department shall reimburse child care providers or shall  
24 distribute funds to ~~county departments under s. 46.215, 46.22 or 46.23~~

1 administering agencies for child care services provided under this section and to  
2 private nonprofit agencies that provide child care for children of migrant workers.

3 \*~~0495/2.1~~\* **SECTION 1296.** 49.155 (3m) (b) of the statutes is renumbered  
4 49.155 (3m) (b) (intro.) and amended to read:

5 49.155 (3m) (b) ~~Not more than 5%, or \$20,000, whichever is greater, of~~ Of the  
6 funds distributed under par. (a) not more than the greatest of the following may be  
7 used for the costs of administering the program under this section.:

8 \*~~0495/2.2~~\* **SECTION 1297.** 49.155 (3m) (b) 1. of the statutes is created to read:  
9 49.155 (3m) (b) 1. Five percent of the funds distributed under par. (a) in the  
10 current year.

11 \*~~0495/2.3~~\* **SECTION 1298.** 49.155 (3m) (b) 2. of the statutes is created to read:  
12 49.155 (3m) (b) 2. Five percent of the funds distributed under par. (a) in the  
13 immediately preceding year.

14 \*~~0495/2.4~~\* **SECTION 1299.** 49.155 (3m) (b) 3. of the statutes is created to read:  
15 49.155 (3m) (b) 3. Twenty thousand dollars.

16 \*~~0492/6.34~~\* **SECTION 1300.** 49.155 (3m) (c) of the statutes is amended to read:  
17 49.155 (3m) (c) From the funds distributed under par. (a), ~~a county~~ an  
18 administering agency may provide child care services itself, purchase child care  
19 services from a child care provider, provide vouchers to an eligible parent for the  
20 payment of child care services provided by a child care provider, reimburse an eligible  
21 parent for payments made by the parent to a child care provider for child care  
22 services, adopt, with the approval of the department, any other arrangement that the  
23 county considers appropriate or use any combination of these methods to provide  
24 child care.

25 \*~~0492/6.35~~\* **SECTION 1301.** 49.155 (3m) (d) of the statutes is amended to read:

1           49.155 (3m) (d) No funds distributed under par. (a) may be used to provide care  
2 for a child by a person who resides with the child, unless the county administering  
3 agency determines that the care is necessary because of a special health condition  
4 of the child.

5           \*~~0492/6.36~~\* SECTION 1302. 49.155 (6) (a) of the statutes is amended to read:

6           49.155 (6) (a) Subject to review and approval by the department, each county  
7 administering agency or local agency, as defined in s. 49.134 (1) (b), whichever the  
8 department selects, shall establish the maximum reimbursement rate for licensed  
9 child care services provided under this section. ~~A county~~ An administering agency  
10 or local agency shall set the rate so that at least 75% of the number of places for  
11 children within the licensed capacity of all child care providers in that county can be  
12 purchased at or below that maximum rate.

13           \*~~0492/6.37~~\* SECTION 1303. 49.155 (6) (b) of the statutes is amended to read:

14           49.155 (6) (b) Subject to review and approval by the department, each county  
15 administering agency shall set a maximum reimbursement rate for Level I certified  
16 family day care providers for services provided to eligible individuals under this  
17 section. The maximum rate set under this paragraph may not exceed 75% of the rate  
18 established under par. (a).

19           \*~~0492/6.38~~\* SECTION 1304. 49.155 (6) (c) of the statutes is amended to read:

20           49.155 (6) (c) Subject to review and approval by the department, each county  
21 administering agency shall set a maximum reimbursement rate for Level II certified  
22 family day care providers for services provided to eligible individuals under this  
23 section. The maximum rate set under this paragraph may not exceed 50% of the rate  
24 established under par. (a).

1           \*~~0492/6.39~~\* SECTION 1305. 49.155 (7) (a) of the statutes is renumbered 49.155  
2 (7), and 49.155 (7) (intro.), (a) and (b), as renumbered, are amended to read:

3           49.155 (7) REFUSAL TO PAY CHILD CARE PROVIDERS. (intro.) The department or  
4 ~~the county department under s. 46.215, 46.22 or 46.23~~ administering agency may  
5 refuse to pay a child care provider for child care provided under this section if any  
6 of the following applies to the child care provider, employe or person living on the  
7 premises where child care is provided:

8           (a) The person has been convicted of a felony or misdemeanor that the  
9 department or ~~county department~~ administering agency determines substantially  
10 relates to the care of children.

11           (b) The person is the subject of a pending criminal charge that the department  
12 or ~~county department~~ administering agency determines substantially relates to the  
13 care of children.

14           \*~~0485/4.1~~\* SECTION 1306. 49.161 (1) of the statutes, as affected by 1997  
15 Wisconsin Act 27, is amended to read:

16           49.161 (1) TRIAL JOBS AND WAGE-PAYING COMMUNITY SERVICE JOBS OVERPAYMENTS.  
17 Notwithstanding s. 49.96, the department shall recover an overpayment of benefits  
18 paid under s. 49.148 (1) (a) ~~and or~~ (b) 2. or 49.19 from an individual who receives ~~or~~  
19 ~~has received~~ benefits paid under s. 49.148 (1) (a) or (b) 2. The value of the benefit  
20 liable for recovery under this subsection may not exceed the amount that the  
21 department paid in wage subsidies with respect to that participant while the  
22 participant was ineligible to participate. The department shall promulgate rules  
23 establishing policies and procedures for administrating this subsection.

24           \*~~0485/4.2~~\* SECTION 1307. 49.161 (2) of the statutes, as affected by 1999  
25 Wisconsin Act 27, is amended to read:

1           49.161 (2) GRANT-PAYING COMMUNITY SERVICE JOBS AND TRANSITIONAL PLACEMENTS  
2 OVERPAYMENTS. Except as provided in sub. (3), the department shall recover an  
3 overpayment of benefits paid under s. 49.148 (1) (b) 1. ~~and or~~ (c) or 49.19 from an  
4 individual who continues to receive benefits under s. 49.148 (1) (b) 1. and (c) by  
5 reducing the amount of the individual's benefit payment by no more than 10%.

6           \*-0702/5.5\* SECTION 1308. 49.167 of the statutes is created to read:

7           **49.167 Alcohol and other drug abuse treatment grant program.** (1) The  
8 department shall award grants to counties, tribal governing bodies and private  
9 entities to provide community-based alcohol and other drug abuse treatment  
10 programs that are targeted at individuals who are eligible for temporary assistance  
11 for needy families under 42 USC 601 et seq. and that do all of the following:

12           (a) Meet the special needs of low-income persons with problems resulting from  
13 alcohol or other drug abuse.

14           (b) Emphasize parent education, vocational and housing assistance and  
15 coordination with other community programs and with treatment under intensive  
16 care.

17           (2) The department shall do all of the following with respect to the grants under  
18 par. (a):

19           (a) Award the grants in accordance with the department's  
20 request-for-proposal procedures.

21           (b) Ensure that the grants are distributed in both urban and rural  
22 communities.

23           (c) Evaluate the programs under the grants by use of client-outcome  
24 measurements that the department develops.

1           (3) The department shall coordinate the grant program under this section with  
2 any similar grant program administered by the department of health and family  
3 services.

4           \***-1186/3.21\* SECTION 1309.** 49.175 (1) (intro.) of the statutes, as affected by  
5 1997 Wisconsin Act 27, section 1857pm, is amended to read:

6           49.175 (1) FUNDS DISTRIBUTION. (intro.) Except as provided in sub. (2), within  
7 the limits of the appropriations under s. 20.445 (3) (a), (br), (cm), (dc), (dz), (e), (em),  
8 (jg), (jL), (k), (L), (Lm), (mc), (md), (nL), (pm) and (ps), the department shall allocate  
9 the following amounts for the following purposes:

10           \***-0702/5.6\* SECTION 1310.** 49.175 (1) (a) of the statutes is repealed.

11           \***-0702/5.7\* SECTION 1311.** 49.175 (1) (b) of the statutes, as affected by 1997  
12 Wisconsin Acts 27 and 252, is repealed.

13           \***-1611/4.11\* SECTION 1312.** 49.175 (1) (b) 1. of the statutes, as affected by 1997  
14 Wisconsin Act 27, section 1857q, and 1997 Wisconsin Act 252, is renumbered 49.175  
15 (1) (b) and amended to read:

16           49.175 (1) (b) ~~Except as provided in subd. 2. for~~ For payments to Wisconsin  
17 works agencies for subsidized employment costs, \$155,375,100 in fiscal year  
18 1997–98 and \$158,678,000 in fiscal year 1998–99.

19           \***-1611/4.12\* SECTION 1313.** 49.175 (1) (b) 2. of the statutes, as affected by 1997  
20 Wisconsin Act 27, is repealed.

21           \***-0702/5.8\* SECTION 1314.** 49.175 (1) (bc) of the statutes is created to read:

22           49.175 (1) (bc) *Wisconsin works benefits.* For Wisconsin works benefits  
23 provided under contracts entered into after December 31, 1999, \$42,792, 500 in fiscal  
24 year 1999–2000 and \$85,584,900 in fiscal year 2000–01.

25           \***-0702/5.9\* SECTION 1315.** 49.175 (1) (bd) of the statutes is created to read:

1           49.175 (1) (bd) *Wisconsin works administration, services and agency bonuses.*  
2 For administration of Wisconsin works, program services under Wisconsin works  
3 and performance bonuses to Wisconsin works agencies that have entered into  
4 contracts after December 31, 1999, \$71,707,500 in fiscal year 1999–2000 and  
5 \$143,415,100 in fiscal year 2000–01.

6           \*~~0702/5.10~~\* **SECTION 1316.** 49.175 (1) (bg) of the statutes is repealed.

7           \*~~0702/5.11~~\* **SECTION 1317.** 49.175 (1) (bm) of the statutes is repealed.

8           \*~~0702/5.12~~\* **SECTION 1318.** 49.175 (1) (c) of the statutes is amended to read:

9           49.175 (1) (c) *Wisconsin works agency contingency fund.* For contingency  
10 payments to Wisconsin works agencies for ~~subsidized employment and office~~  
11 program costs to be distributed under criteria established by the department,  
12 ~~\$25,000,000~~ \$90,000,000 in the ~~1997–99~~ 1999–2001 fiscal biennium.

13           \*~~0700/2.2~~\* **SECTION 1319.** 49.175 (1) (cr) of the statutes is repealed.

14           \*~~0702/5.13~~\* **SECTION 1320.** 49.175 (1) (cr) of the statutes is repealed.

15           \*~~0702/5.14~~\* **SECTION 1321.** 49.175 (1) (d) of the statutes is repealed.

16           \*~~1186/3.22~~\* **SECTION 1322.** 49.175 (1) (d) of the statutes is repealed.

17           \*~~0702/5.15~~\* **SECTION 1323.** 49.175 (1) (e) of the statutes is repealed.

18           \*~~0702/5.16~~\* **SECTION 1324.** 49.175 (1) (f) of the statutes is amended to read:

19           49.175 (1) (f) *State administration of public assistance programs.* For state  
20 administration of public assistance programs, ~~\$37,449,500~~ \$31,905,800 in fiscal year  
21 ~~1997–98~~ 1999–2000 and ~~\$34,338,100~~ \$31,880,800 in fiscal year ~~1998–99~~ 2000–01.

22           \*~~0702/5.17~~\* **SECTION 1325.** 49.175 (1) (fs) of the statutes is amended to read:

23           49.175 (1) (fs) *Food stamps for legal immigrants.* For food stamp benefits  
24 provided under s. ~~49.124 (8)~~ to qualified aliens, ~~as defined in 8 USC1641 (b),~~  
25 ~~\$4,600,000~~ under s. 49.124 (8), \$420,000 in each fiscal year ~~1998–99~~.

1 Notwithstanding sub. (2), the department may not use any funds allocated under  
2 this paragraph for any other purpose under this subsection. This paragraph does not  
3 apply to the extent that federally funded food stamp benefits for qualified aliens are  
4 restored by the federal government.

5 \*~~1989/3.2~~\* SECTION 1326. 49.175 (1) (hd) of the statutes is created to read:

6 49.175 (1) (hd) For the individual development accounts program under s.  
7 49.187, \$650,000 in each fiscal year.

8 \*~~0702/5.18~~\* SECTION 1327. 49.175 (1) (i) of the statutes is repealed.

9 \*~~0702/5.19~~\* SECTION 1328. 49.175 (1) (j) of the statutes is repealed.

10 \*~~0702/5.20~~\* SECTION 1329. 49.175 (1) (L) of the statutes is repealed.

11 \*~~0702/5.21~~\* SECTION 1330. 49.175 (1) (m) of the statutes is amended to read:

12 49.175 (1) (m) *Job access loans.* For job access loans under s. 49.147 (6),  
13 ~~\$3,645,600~~ \$600,000 in each fiscal year ~~1997-98~~ and ~~\$866,900~~ in fiscal year ~~1998-99~~.

14 \*~~0702/5.22~~\* SECTION 1331. 49.175 (1) (n) of the statutes is amended to read:

15 49.175 (1) (n) *Employment skills advancement grants.* For employment skills  
16 advancement grants under s. 49.185, ~~\$833,300~~ \$100,000 in each fiscal year ~~1997-98~~  
17 and ~~\$1,000,000~~ in fiscal year ~~1998-99~~.

18 \*~~0702/5.23~~\* SECTION 1332. 49.175 (1) (o) of the statutes is amended to read:

19 49.175 (1) (o) *Direct child care services.* For direct child care services under s.  
20 ~~ss. 49.155, \$155,547,200 and 115.3615, \$164,450,900~~ in fiscal year ~~1997-98~~  
21 ~~1999-2000~~ and ~~\$177,427,200~~ \$171,225,000 in fiscal year ~~1998-99~~ ~~2000-01~~.

22 \*~~0702/5.24~~\* SECTION 1333. 49.175 (1) (p) of the statutes is amended to read:

23 49.175 (1) (p) *Indirect child care services.* For indirect child care services under  
24 s. ~~49.131 (2) (b), \$6,002,400~~ 49.155 (1g), \$18,978,700 in each fiscal year.  
25 Notwithstanding sub. (2), the department may not use any funds allocated under

1 ~~this paragraph for any other purpose under this subsection 1999–2000 and~~  
2 ~~\$16,834,000 in fiscal year 2000–01.~~

3 \*–0702/5.25\* SECTION 1334. 49.175 (1) (pm) of the statutes is created to read:  
4 49.175 (1) (pm) *Early childhood excellence initiative*. For grants under s.  
5 49.1375, \$10,000,000 in each fiscal year.

6 \*–0702/5.26\* SECTION 1335. 49.175 (1) (q) of the statutes is repealed.

7 \*–0702/5.27\* SECTION 1336. 49.175 (1) (qm) of the statutes is created to read:  
8 49.175 (1) (qm) *Initial contracts*. For contracts under s. 49.143 entered into or  
9 renewed prior to December 31, 1999, \$32,844,700 in fiscal year 1999–2000.

10 \*–0702/5.28\* SECTION 1337. 49.175 (1) (qt) of the statutes is created to read:  
11 49.175 (1) (qt) *Start-up funding*. For start-up funding for contracts under s.  
12 49.143 entered into after December 31, 1999, \$7,184,400 in fiscal year 1999–2000.

13 \*–0702/5.29\* SECTION 1338. 49.175 (1) (r) of the statutes is amended to read:  
14 49.175 (1) (r) *Wisconsin works contracts in certain counties*. For contracts with  
15 persons for oversight of the administrative structure of Wisconsin works, and of  
16 Wisconsin works agencies, in counties having a population of 500,000 or more,  
17 \$1,500,000 in fiscal year 1999–2000 and \$1,000,000 in each fiscal year fiscal year  
18 2000–01.

19 \*–0702/5.30\* SECTION 1339. 49.175 (1) (s) of the statutes is repealed.

20 \*–0702/5.31\* SECTION 1340. 49.175 (1) (sg) of the statutes is created to read:  
21 49.175 (1) (sg) *Workforce attachment*. For postemployment services that  
22 promote job retention and advancement and improve the basic skills and literacy of  
23 former Wisconsin works participants and of individuals who have not participated  
24 in Wisconsin works but who are eligible for temporary assistance for needy families

1 under 42 USC 601 et seq., \$10,000,000 in fiscal year 1999–2000 and \$20,000,000 in  
2 fiscal year 2000–01.

3 **\*-0702/5.32\* SECTION 1341.** 49.175 (1) (t) of the statutes is amended to read:

4 49.175 (1) (t) *Transportation assistance.* For transportation assistance under  
5 s. 49.157, ~~\$1,000,000~~ \$200,000 in fiscal year ~~1997–98~~ 1999–2000 and \$2,000,000 in  
6 fiscal year ~~1998–99~~. ~~The department may not distribute the funds under this~~  
7 ~~paragraph unless the joint committee on finance supplements the appropriate~~  
8 ~~appropriation from the appropriation under s. 20.865 (4) (m) 2000–01.~~

9 **\*-0702/5.33\* SECTION 1342.** 49.175 (1) (u) of the statutes is amended to read:

10 49.175 (1) (u) *Hospital paternity incentives.* For hospital paternity incentive  
11 payments under s. 69.14 (1) (cm), ~~\$54,000~~ \$91,000 in ~~each~~ fiscal year ~~1997–98~~ and  
12 ~~\$144,000 in fiscal year 1998–99.~~

13 **\*-0702/5.34\* SECTION 1343.** 49.175 (1) (v) of the statutes is amended to read:

14 49.175 (1) (v) *Passports for youth program.* For the passports for youth  
15 program operated by the YMCA of Metropolitan Milwaukee, ~~\$500,000~~ \$300,000 in  
16 ~~each~~ fiscal year 1999–2000. The department may not distribute funds under this  
17 paragraph if the passports for youth program does not comply with P.L. 104–193,  
18 section 103.

19 **\*-0702/5.35\* SECTION 1344.** 49.175 (1) (ve) of the statutes is created to read:

20 49.175 (1) (ve) *Literacy initiative.* For literacy programs targeted at  
21 individuals who are eligible for temporary assistance to needy families under 42 USC  
22 601 et seq., \$2,150,000 in each fiscal year.

23 **\*-0702/5.36\* SECTION 1345.** 49.175 (1) (vL) of the statutes is created to read:

24 49.175 (1) (vL) *Community youth grant.* For a competitive grant program  
25 administered by the department to fund programs that improve social, academic and

1 employment skills of youth who are eligible to receive temporary assistance for needy  
2 families under 42 USC 601 et seq., \$5,000,000 in fiscal year 1999–2000 and  
3 \$15,000,000 in fiscal year 2000–01.

4 **\*-1922/4.13\* SECTION 1346.** 49.175 (1) (vm) of the statutes is created to read:  
5 49.175 (1) (vm) *Work-based learning programs for youth.* For work-based  
6 learning programs for youth funded from the appropriation under s. 20.445 (7) (kc),  
7 \$2,981,800 in fiscal year 1999–2000 and \$6,084,500 in fiscal year 2000–01.

8 **\*-0702/5.37\* SECTION 1347.** 49.175 (1) (vr) of the statutes is created to read:  
9 49.175 (1) (vr) *Youth workforce mentoring.* For administrative support for a  
10 youth workforce mentoring program under which retirees are matched with youth,  
11 \$55,000 in each fiscal year.

12 **\*-0702/5.38\* SECTION 1348.** 49.175 (1) (vt) of the statutes is created to read:  
13 49.175 (1) (vt) *Fatherhood initiative.* For a grant program to promote fathers'  
14 involvement in their children's lives, \$75,000 in fiscal year 1999–2000.

15 **\*-0702/5.39\* SECTION 1349.** 49.175 (1) (vv) of the statutes is created to read:  
16 49.175 (1) (vv) *Alcohol and other drug abuse.* For grants made under s. 49.167  
17 to organizations that provide community-based alcohol and other drug abuse  
18 treatment to individuals who are eligible for temporary assistance for needy families  
19 under 42 USC 601 et. seq., \$1,000,000 in each fiscal year.

20 **\*-0702/5.40\* SECTION 1350.** 49.175 (1) (w) (title) of the statutes is amended to  
21 read:

22 49.175 (1) (w) (title) *Transfer of federal funds to Programs administered by the*  
23 *department of health and family services.*

24 **\*-0702/5.41\* SECTION 1351.** 49.175 (1) (w) (intro.) of the statutes is repealed.

1           \*~~0702/5.42~~\* SECTION 1352. 49.175 (1) (w) 1. of the statutes is amended to  
2 read:

3           49.175 (1) (w) 1. 'Kinship care and long-term kinship care assistance.' For the  
4 kinship care and long-term kinship care programs under s. 48.57 (3m), (3n) and (3p),  
5 \$15,720,400 \$26,322,200 in fiscal year ~~1997-98~~ 1999-2000 and ~~\$22,116,400~~  
6 \$26,618,500 in fiscal year ~~1998-99~~ 2000-01.

7           \*~~0702/5.43~~\* SECTION 1353. 49.175 (1) (w) 2. of the statutes is amended to  
8 read:

9           49.175 (1) (w) 2. 'Children of recipients of supplemental security income.' For  
10 payments made under s. 49.775 for the support of the dependent children of  
11 recipients of supplemental security income, ~~\$5,550,200~~ \$9,173,200 in fiscal year  
12 ~~1997-98~~ 1999-2000 and ~~\$13,260,000~~ \$11,066,900 in fiscal year ~~1998-99~~ 2000-01.

13           \*~~0702/5.44~~\* SECTION 1354. 49.175 (1) (w) 3. of the statutes is amended to  
14 read:

15           49.175 (1) (w) 3. 'Community aids.' For community aids, \$31,800,000 in each  
16 fiscal year 1999-2000 and \$18,092,300 in fiscal year 2000-01.

17           \*~~0702/5.45~~\* SECTION 1355. 49.175 (1) (w) 4. of the statutes is repealed.

18           \*~~0702/5.46~~\* SECTION 1356. 49.175 (1) (w) 5. of the statutes is created to read:  
19           49.175 (1) (w) 5. 'Badger care.' For eligibility determinations under the badger  
20 care program under s. 49.665, \$4,500,000 in each fiscal year.

21           \*~~0702/5.47~~\* SECTION 1357. 49.175 (1) (w) 6. of the statutes is created to read:  
22           49.175 (1) (w) 6. 'Early identification of pregnancy.' For outreach and services  
23 under s. 253.085 to low-income pregnant women, \$100,000 in each fiscal year.

24           \*~~0702/5.48~~\* SECTION 1358. 49.175 (1) (w) 7. of the statutes is created to read:

1           49.175 (1) (w) 7. ‘Supplemental food program for women, infants and children.’  
2 From the appropriation under s. 20.445 (3) (md), for per capita nutritional services  
3 and administration funding to local agencies that administer the federal special  
4 supplemental food program for women, infants and children under 42 USC 1786 and  
5 the state supplemental food program for women, infants and children under s.  
6 253.06, \$500,000 in each fiscal year.

7           \***-0702/5.49\*** **SECTION 1359.** 49.175 (1) (w) 8. of the statutes is created to read:  
8           49.175 (1) (w) 8. ‘Adolescent services and pregnancy prevention programs.’ For  
9 adolescent services and pregnancy prevention programs, \$1,806,400 in each fiscal  
10 year.

11           \***-0940/5.5\*** **SECTION 1360.** 49.175 (1) (x) of the statutes is created to read:  
12           49.175 (1) (x) *Brownfields*. For grants under s. 560.13 (2) (am), \$5,000,000 in  
13 each fiscal year.

14           \***-1631/6.5\*** **SECTION 1361.** 49.175 (1) (y) of the statutes is created to read:  
15           49.175 (1) (y) *Badger Challenge program*. For the Badger Challenge program  
16 under s. 21.25, \$332,700 in each fiscal year.

17           \***-2024/2.4\*** **SECTION 1362.** 49.175 (1) (z) of the statutes is created to read:  
18           49.175 (1) (z) *Aid to Milwaukee Public Schools*. For aid to the school district  
19 operating under ch. 119 under ss. 119.71, 119.72, 119.75 and 119.82, \$7,570,000 in  
20 each fiscal year.

21           \***-0488/1.1\*** **SECTION 1363.** 49.185 (3) (d) of the statutes is amended to read:  
22           49.185 (3) (d) The individual has been employed in an unsubsidized job for at  
23 least 9 6 consecutive months before applying for a grant.

24           \***-0488/1.2\*** **SECTION 1364.** 49.185 (3) (i) of the statutes is amended to read:

1           49.185 (3) (i) The individual contributes, or obtains from other sources, an  
2 amount at least equal to the amount of the grant, ~~and obtains funding from other~~  
3 ~~sources in an amount at least equal to the amount of the grant~~, for tuition, books,  
4 transportation or other direct costs of the training or education.

5           \*~~1186/3.23~~\* SECTION 1365. 49.185 (5) of the statutes is amended to read:

6           49.185 (5) APPLICABILITY. This section applies beginning on ~~the date stated in~~  
7 ~~the notice under s. 49.141 (2) (d), or on~~ November 1, 1997, ~~whichever is later.~~

8           \*~~1989/3.3~~\* SECTION 1366. 49.187 of the statutes is created to read:

9           **49.187 Individual development accounts. (1) ADMINISTRATION.** The  
10 department may establish a program to permit individuals who are eligible under  
11 sub. (2) to establish individual development accounts. If the department establishes  
12 the program under this section, the program shall be administered in accordance  
13 with P.L. 105-285. The department may contract with community action agencies  
14 under s. 46.30 to administer the program under this section.

15           **(2) ELIGIBILITY.** An individual is eligible to establish an individual development  
16 account if the all of the following criteria with respect to the individual are met:

17           (a) The individual is at least 18 years old.

18           (b) The individual is a custodial parent, as defined in s. 49.141 (1) (b).

19           (c) The individual meets the eligibility requirements under P.L. 105-285,  
20 section 408 (a). In determining the net worth of an individual's household, as  
21 required under P.L. 105-285, section 408 (a) (2), the community action agency or the  
22 department shall exclude the equity value of vehicles up to a total equity value of  
23 \$10,000 and one home that serves as the homestead of the individual's household.

24           **(3) FUNDING FOR AND USE OF AN INDIVIDUAL DEVELOPMENT ACCOUNT.** (a) An  
25 individual who establishes an individual development account under this section

1 may deposit into the account only earned income, as defined in section 911 (d) (2) of  
2 the Internal Revenue Code of 1986. For every \$1 that the individual deposits in the  
3 account, the community action agency with which the department contracts under  
4 sub. (1), or, if the department does not enter into a contract under sub. (1), the  
5 department, shall deposit not less than 50 cents nor more than \$4 into the account.  
6 Moneys deposited in an individual development account may be withdrawn only for  
7 emergencies as provided under P.L. 105–285, section 404 (3) or for qualified expenses  
8 specified under P.L. 105–285, section 404 (8).

9 (b) An individual who establishes an individual development account under  
10 this section shall participate in financial planning and economic education programs  
11 offered by the community action agency or by the department.

12 \*–1186/3.24\* SECTION 1367. 49.19 (11s) (a) of the statutes is amended to read:

13 49.19 (11s) (a) The department shall conduct a demonstration project under  
14 this subsection pursuant to a waiver from the secretary of the federal department of  
15 health and human services beginning on January 1, 1996. To the extent permitted  
16 in the waiver, the department may apply pars. (b) to (d) to all recipients of aid under  
17 this section or to a test group of recipients of aid under this section determined by  
18 the department. Paragraphs (b) to (d) do not apply to persons who are subject to s.  
19 49.25, 1997 stats., and shall apply only while a waiver under this paragraph is in  
20 effect and only with respect to recipients covered by the waiver.

21 \*–1186/3.25\* SECTION 1368. 49.19 (20) (a) of the statutes is amended to read:

22 49.19 (20) (a) Beginning on January 1, 1999, or beginning on the first day of  
23 the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d),  
24 1997 stats., whichever is sooner, no person is eligible to receive benefits under this  
25 section and no aid may be granted under this section. No additional notice, other

1 than the enactment of this paragraph, is required to be given under sub. (13) to  
2 recipients of aid under this section to terminate their benefits under this paragraph.

3 **\*-1186/3.26\* SECTION 1369.** 49.191 of the statutes is repealed.

4 **\*-1186/3.27\* SECTION 1370.** 49.193 of the statutes is repealed.

5 **\*-1186/3.28\* SECTION 1371.** 49.195 (1) of the statutes is amended to read:

6 49.195 (1) If any parent at the time of receiving aid under s. 49.19 or a benefit  
7 under s. 49.148, 49.155 or 49.157 or at any time thereafter acquires property by gift,  
8 inheritance, sale of assets, court judgment or settlement of any damage claim, or by  
9 winning a lottery or prize, the county granting such aid, or the Wisconsin works  
10 agency granting such a benefit, may sue the parent on behalf of the department to  
11 recover the value of that portion of the aid or of the benefit which does not exceed the  
12 amount of the property so acquired. The value of the aid or benefit liable for recovery  
13 under this section may not include the value of work performed by a member of the  
14 family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,  
15 s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work  
16 experience component under s. 49.193 (6), 1997 stats. During the life of the parent,  
17 the 10-year statute of limitations may be pleaded in defense against any suit for  
18 recovery under this section; and if such property is his or her homestead it shall be  
19 exempt from execution on the judgment of recovery until his or her death or sale of  
20 the property, whichever occurs first. Notwithstanding the foregoing restrictions and  
21 limitations, where the aid or benefit recipient is deceased a claim may be filed against  
22 any property in his or her estate and the statute of limitations specified in s. 859.02  
23 shall be exclusively applicable. The court may refuse to render judgment or allow  
24 the claim in any case where a parent, spouse or child is dependent on the property  
25 for support, and the court in rendering judgment shall take into account the current

1 family budget requirement as fixed by the U.S. department of labor for the  
2 community or as fixed by the authorities of the community in charge of public  
3 assistance. The records of aid or benefits paid kept by the county, by the department  
4 or by the Wisconsin works agency are prima facie evidence of the value of the aid or  
5 benefits furnished. Liability under this section shall extend to any parent or  
6 stepparent whose family receives aid under s. 49.19 or benefits under s. 49.148,  
7 49.155 or 49.157 during the period that he or she is a member of the same household,  
8 but his or her liability is limited to such period. This section does not apply to medical  
9 and health assistance payments for which recovery is prohibited or restricted by  
10 federal law or regulation.

11 **\*-0485/4.3\* SECTION 1372.** 49.195 (3) of the statutes is amended to read:

12 49.195 (3) A county, tribal governing body, Wisconsin works agency or the  
13 department shall determine whether an overpayment has been made under s. 49.19,  
14 49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal  
15 governing body, Wisconsin works agency or department shall provide notice of the  
16 overpayment to the liable person and shall give that person an opportunity for a  
17 review following the procedure specified under s. 49.152, or for a hearing under ch.  
18 227. Notwithstanding s. 49.96, the department shall promptly recover all  
19 overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already  
20 been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing  
21 policies and procedures to administer this subsection.

22 **\*-0485/4.4\* SECTION 1373.** 49.195 (3m) of the statutes is created to read:

23 49.195 (3m) (a) 1. If any person fails to pay to the department any amount  
24 determined under sub. (3), no review or appeal of that determination is pending and

1 the time for requesting a review or taking an appeal has expired, the department  
2 may issue a warrant directed to the clerk of circuit court of any county.

3 2. The clerk of circuit court shall enter in the judgment and lien docket the  
4 name of the person mentioned in the warrant, the amount for which the warrant is  
5 issued and the date on which the clerk entered that information.

6 3. A warrant entered under subd. 2. shall be considered in all respects as a final  
7 judgment constituting a perfected lien upon the person's right, title and interest in  
8 all real and personal property located in the county in which the warrant is entered.

9 4. After issuing a warrant, the department may file an execution with the clerk  
10 of circuit court for filing with the sheriff of the county, commanding the sheriff to levy  
11 upon and sell sufficient real and personal property of the person to pay the amount  
12 stated in the warrant in the same manner as upon an execution against property  
13 issued upon the judgment of a court of record, and to return the warrant to the  
14 department and pay to it the money collected by virtue of the warrant within 60 days  
15 after receipt of the warrant. The execution may not command the sheriff to levy upon  
16 or sell any property that is exempt from execution under ss. 815.18 (3) and 815.20.

17 (b) The clerk of circuit court shall accept, file and enter the warrant in the  
18 judgment and lien docket without prepayment of any fee, but the clerk of circuit court  
19 shall submit a statement of the proper fee semiannually to the department covering  
20 the periods from January 1 to June 30 and July 1 to December 31 unless a different  
21 billing period is agreed to between the clerk of circuit court and the department. The  
22 department shall pay the fees, but shall add the fees provided by s. 814.61 (5) for  
23 entering the warrants to the amount of the warrant and shall collect the fees from  
24 the person named in the warrant when satisfaction or release is presented for entry.

1 (c) If a warrant that is not satisfied in full is returned, the department may  
2 enforce the amount due as if the department had recovered judgment against the  
3 person named in the warrant for the same amount.

4 (d) When the amount set forth in a warrant and all costs due the department  
5 have been paid to it, the department shall issue a satisfaction of the warrant and file  
6 it with the clerk of circuit court. The clerk of circuit court shall immediately enter  
7 a satisfaction of the judgment on the judgment and lien docket. The department  
8 shall send a copy of the satisfaction to the person named in the warrant.

9 (e) If the department finds that the interests of the state will not be jeopardized,  
10 the department may issue a release of any warrant with respect to any real or  
11 personal property upon which the warrant is a lien or cloud upon title. Upon  
12 presentation to the clerk and payment of the fee for filing the release, the clerk shall  
13 enter the release of record. The release is conclusive that the lien or cloud upon the  
14 title of the property covered by the release is extinguished.

15 (f) Notwithstanding s. 49.96, at any time after the filing of a warrant, the  
16 department may commence and maintain a garnishee action as provided by ch. 812  
17 or may use the remedy of attachment as provided by ch. 811 for actions to enforce a  
18 judgment. The place of trial of such an action may be either in Dane County or the  
19 county where the debtor resides and may not be changed from the county in which  
20 that action is commenced, except upon consent of the parties.

21 (g) If the department issues an erroneous warrant, the department shall issue  
22 a notice of withdrawal of the warrant to the clerk of circuit court for the county in  
23 which the warrant is filed. The clerk shall void the warrant and any resulting liens.

24 \***-0485/4.5\*** SECTION 1374. 49.195 (3n) of the statutes is created to read:

25 49.195 (3n) (a) In this subsection:

- 1           1. “Debt” means the amount of liability determined under sub. (3).
- 2           2. “Debtor” means an individual who is liable under sub. (3).
- 3           3. “Disposable earnings” means that part of the earnings of any debtor after the  
4 deduction from those earnings of any amounts required by law to be withheld, any  
5 life, health, dental or similar type of insurance premiums, union dues, any amount  
6 necessary to comply with a court order to contribute to the support of minor children,  
7 and any levy, wage assignment or garnishment executed prior to the date of a levy  
8 under this subsection.
- 9           4. “Federal minimum hourly wage” means that wage prescribed by 29 USC 206  
10 (a) (1).
- 11          5. “Levy” means all powers of distraint and seizure.
- 12          6. “Property” includes all tangible and intangible personal property and rights  
13 to such property, including compensation paid or payable for personal services,  
14 whether denominated as wages, salary, commission, bonus or otherwise, periodic  
15 payments received pursuant to a pension or retirement program, rents, proceeds of  
16 insurance and contract payments.
- 17          (b) If any debtor neglects or refuses to pay a debt after the department has made  
18 demand for payment, the department may collect that debt and the expenses of the  
19 levy by levy upon any property belonging to the debtor. Whenever the value of any  
20 property that has been levied upon under this section is not sufficient to satisfy the  
21 claim of the department, the department may levy upon any additional property of  
22 the person until the debt and expenses of the levy are fully paid.
- 23          (c) Any person in possession of or obligated with respect to property or rights  
24 to property that is subject to levy and upon which a levy has been made shall, upon  
25 demand of the department, surrender the property or rights or discharge the

1 obligation to the department, except that part of the property or rights which is, at  
2 the time of the demand, subject to any prior attachment or execution under any  
3 judicial process.

4 (d) 1. Any debtor who fails or refuses to surrender any property or rights to  
5 property that is subject to levy, upon demand by the department, is subject to  
6 proceedings to enforce the amount of the levy.

7 2. Any 3rd party who fails to surrender any property or rights to property  
8 subject to levy, upon demand of the department, is subject to proceedings to enforce  
9 the levy. The 3rd party is not liable to the department under this subdivision for more  
10 than 25% of the debt. The department shall serve the levy as provided under par.  
11 (m) on any 3rd party who fails to surrender property under this subdivision.  
12 Proceedings may not be initiated by the department until 5 days after service of the  
13 demand.

14 3. When a 3rd party surrenders the property or rights to the property on  
15 demand of the department or discharges the obligation to the department for which  
16 the levy is made, the 3rd party is discharged from any obligation or liability to the  
17 debtor with respect to the property or rights to the property arising from the  
18 surrender or payment to the department.

19 (e) 1. If the department has levied upon property, any person, other than the  
20 debtor who is liable to pay the debt out of which the levy arose, who claims an interest  
21 in or lien on that property and claims that that property was wrongfully levied upon  
22 may bring a civil action against the state in the circuit court for Dane County. That  
23 action may be brought whether or not that property has been surrendered to the  
24 department. The court may grant only the relief under subd. 2. No other action to

1 question the validity of or restrain or enjoin a levy by the department may be  
2 maintained.

3 2. In an action under subd. 1., if a levy would irreparably injure rights to  
4 property, the court may enjoin the enforcement of that levy. If the court determines  
5 that the property has been wrongfully levied upon, it may grant a judgment for the  
6 amount of money obtained by levy.

7 3. For purposes of an adjudication under this paragraph, the determination of  
8 the debt upon which the interest or lien of the department is based is conclusively  
9 presumed to be valid.

10 (f) The department shall determine its costs and expenses to be paid in all cases  
11 of levy.

12 (g) 1. The department shall apply all money obtained under this subsection  
13 first against the expenses of the proceedings and then against the liability in respect  
14 to which the levy was made and any other liability owed to the department by the  
15 debtor.

16 2. The department may refund or credit any amount left after the applications  
17 under subd. 1., upon submission of a claim for that amount and satisfactory proof of  
18 the claim, to the person entitled to that amount.

19 (h) The department may release the levy upon all or part of property levied  
20 upon to facilitate the collection of the liability or to grant relief from a wrongful levy,  
21 but that release does not prevent any later levy.

22 (j) If the department determines that property has been wrongfully levied  
23 upon, the department may return the property at any time, or may return an amount  
24 of money equal to the amount of money levied upon.

1           (k) Any person who removes, deposits or conceals or aids in removing,  
2           depositing or concealing any property upon which a levy is authorized under this  
3           subsection with intent to evade or defeat the assessment or collection of any debt may  
4           be fined not more than \$5,000 or imprisoned for not more than 3 years or both, and  
5           shall be liable to the state for the costs of prosecution.

6           (L) If no appeal or other proceeding for review permitted by law is pending and  
7           the time for taking an appeal or petitioning for review has expired, the department  
8           shall make a demand to the debtor for payment of the debt which is subject to levy  
9           and give notice that the department may pursue legal action for collection of the debt  
10          against the debtor. The department shall make the demand for payment and give  
11          the notice at least 10 days prior to the levy, personally or by any type of mail service  
12          which requires a signature of acceptance, at the address of the debtor as it appears  
13          on the records of the department. The demand for payment and notice shall include  
14          a statement of the amount of the debt, including interest and penalties, and the name  
15          of the debtor who is liable for the debt. The debtor's refusal or failure to accept or  
16          receive the notice does not prevent the department from making the levy. Notice  
17          prior to levy is not required for a subsequent levy on any debt of the same debtor  
18          within one year of the date of service of the original levy.

19          (m) 1. The department shall serve the levy upon the debtor and 3rd party by  
20          personal service or by any type of mail service which requires a signature of  
21          acceptance.

22          2. Personal service shall be made upon an individual, other than a minor or  
23          incapacitated person, by delivering a copy of the levy to the debtor or 3rd party  
24          personally; by leaving a copy of the levy at the debtor's dwelling or usual place of  
25          abode with some person of suitable age and discretion residing there; by leaving a

1 copy of the levy at the business establishment with an officer or employe of the  
2 establishment; or by delivering a copy of the levy to an agent authorized by law to  
3 receive service of process.

4 3. The department representative who serves the levy shall certify service of  
5 process on the notice of levy form and the person served shall acknowledge receipt  
6 of the certification by signing and dating it. If service is made by mail, the return  
7 receipt is the certificate of service of the levy.

8 4. The debtor's or 3rd party's failure to accept or receive service of the levy does  
9 not invalidate the levy.

10 (n) Within 20 days after the service of the levy upon a 3rd party, the 3rd party  
11 shall file an answer with the department stating whether the 3rd party is in  
12 possession of or obligated with respect to property or rights to property of the debtor,  
13 including a description of the property or the rights to property and the nature and  
14 dollar amount of any such obligation.

15 (p) A levy is effective from the date on which the levy is first served on the 3rd  
16 party until the liability out of which the levy arose is satisfied, until the levy is  
17 released or until one year from the date of service, whichever occurs first.

18 (q) 1. The debtor is entitled to an exemption from levy of the greater of the  
19 following:

20 a. A subsistence allowance of 75% of the debtor's disposable earnings then due  
21 and owing.

22 b. An amount equal to 30 times the federal minimum hourly wage for each full  
23 week of the debtor's pay period; or, in the case of earnings for a period other than a  
24 week, a subsistence allowance computed so that it is equivalent to that amount using

1 a multiple of the federal minimum hourly wage prescribed by the department by  
2 rule.

3 2. The first \$1,000 of an account in a depository institution is exempt from any  
4 levy to recover a benefit overpayment.

5 (r) No employer may discharge or otherwise discriminate with respect to the  
6 terms and conditions of employment against any employe by reason of the fact that  
7 his or her earnings have been subject to levy for any one levy or because of compliance  
8 with any provision of this subsection. Any person who violates this paragraph may  
9 be fined not more than \$1,000 or imprisoned for not more than one year or both.

10 (s) Any debtor who is subject to a levy proceeding made by the department has  
11 the right to appeal the levy proceeding under ch. 227.44. The appeal is limited to  
12 questions of prior payment of the debt that the department is proceeding against,  
13 and mistaken identity of the debtor. The levy is not stayed pending an appeal in any  
14 case where property is secured through the levy.

15 (t) Any 3rd party is entitled to a levy fee of \$5 for each levy in any case where  
16 property is secured through the levy. The 3rd party shall deduct the fee from the  
17 proceeds of the levy.

18 **\*-0485/4.6\* SECTION 1375.** 49.195 (3n) (k) of the statutes, as created by 1999  
19 Wisconsin Act .... (this act), is amended to read:

20 49.195 (3n) (k) Any person who removes, deposits or conceals or aids in  
21 removing, depositing or concealing any property upon which a levy is authorized  
22 under this subsection with intent to evade or defeat the assessment or collection of  
23 any debt may be fined not more than \$5,000 or imprisoned for not more than ~~3 years~~  
24 4 years and 6 months or both, and shall be liable to the state for the costs of  
25 prosecution.

1           \***-0485/4.7\*** **SECTION 1376.** 49.195 (3n) (r) of the statutes, as created by 1999  
2 Wisconsin Act .... (this act), is amended to read:

3           49.195 (3n) (r) No employer may discharge or otherwise discriminate with  
4 respect to the terms and conditions of employment against any employe by reason  
5 of the fact that his or her earnings have been subject to levy for any one levy or  
6 because of compliance with any provision of this subsection. Any person who violates  
7 this paragraph may be fined not more than \$1,000 or imprisoned for not more than  
8 ~~one year~~ 2 years or both.

9           \***-0485/4.8\*** **SECTION 1377.** 49.195 (3p) of the statutes is created to read:

10          49.195 (3p) The availability of the remedies under subs. (3m) and (3n) does not  
11 abridge the right of the department to pursue other remedies.

12          \***-0485/4.9\*** **SECTION 1378.** 49.195 (3r) of the statutes is created to read:

13          49.195 (3r) From the appropriation under s. 20.445 (3) (L) the department may  
14 contract with or employ a collection agency or other person to enforce a repayment  
15 obligation of a person who is found liable under sub. (3) who is delinquent in making  
16 repayments.

17          \***-1186/3.29\*** **SECTION 1379.** 49.20 of the statutes is repealed.

18          \***-1186/3.30\*** **SECTION 1380.** 49.21 of the statutes is repealed.

19          \***-0497/4.3\*** **SECTION 1381.** 49.23 (1) of the statutes is amended to read:

20          49.23 (1) From the appropriation under s. 20.445 (3) ~~(eb)~~ (k), the department  
21 shall award grants to counties for programs to revise child support orders. Each  
22 county receiving a grant shall review child support orders awarded to persons who  
23 receive benefits under s. 48.57 (3m) or (3n) or 49.148 or whose children receive  
24 benefits under s. 49.19 and to persons who do not receive benefits under s. 48.57 (3m)  
25 or (3n) or 49.148 and whose children do not receive benefits under s. 49.19 and shall

1 initiate actions to revise the orders based on that review. Each county receiving a  
2 grant shall review child support orders awarded to persons who receive benefits  
3 under s. 48.57 (3m) or (3n) or 49.148 or whose children receive benefits under s. 49.19  
4 and child support orders awarded to persons who do not receive benefits under s.  
5 48.57 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19  
6 in proportion to the number of those 2 categories of orders in the county's child  
7 support case load. Before a county may initiate an action to revise a child support  
8 order under this subsection for a person who does not receive benefits under s. 48.57  
9 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19, the  
10 custodial parent of the children must voluntarily consent to the revision.

11 \*~~0497/4.4~~\* **SECTION 1382.** 49.23 (2) (a) (intro.) of the statutes is amended to  
12 read:

13 49.23 (2) (a) (intro.) From the appropriation under s. 20.445 (3) ~~(eb)~~ (k), the  
14 department shall provide state incentive payments, in a total amount of not less than  
15 \$259,000 in each fiscal year, to counties that meet the child support collection and  
16 child support administrative efficiency criteria, according to a distribution formula  
17 determined by the department that does all of the following:

18 \*~~0497/4.5~~\* **SECTION 1383.** 49.23 (2) (a) 3. of the statutes is repealed.

19 \*~~0497/4.6~~\* **SECTION 1384.** 49.24 (1) of the statutes, as affected by 1997  
20 Wisconsin Act 27, section 1882n, is amended to read:

21 49.24 (1) From the appropriation under s. 20.445 (3) (k), the department shall  
22 provide child support incentive payments to counties to offset reduced federal child  
23 support incentive payments. Total payments under this subsection may not exceed  
24 ~~\$3,178,000~~ \$3,850,000 in fiscal year ~~1997-98~~ 1999-2000 or \$3,850,000 in fiscal year  
25 ~~1998-99~~ 2000-01.

1           \***-1186/3.31\*** SECTION 1385. 49.25 of the statutes is repealed.

2           \***-1186/3.32\*** SECTION 1386. 49.26 (1) (h) 1. as. of the statutes is amended to  
3 read:

4           49.26 (1) (h) 1. as. The individual has failed to request a hearing or has failed  
5 to show good cause for not cooperating with case management efforts in a hearing.  
6 ~~If the individual is a recipient of aid under s. 49.19, the hearing shall be requested~~  
7 ~~and held under s. 49.21 (1). If the individual is a member of a Wisconsin works group,~~  
8 ~~as defined in s. 49.141 (1) (s), the~~ The hearing shall be requested and held under s.  
9 49.152. The department shall determine by rule the criteria for good cause.

10          \***-1186/3.33\*** SECTION 1387. 49.27 of the statutes is repealed.

11          \***-0500/1.1\*** SECTION 1388. 49.30 (1m) (c) of the statutes is created to read:

12          49.30 (1m) (c) If a request for payment under sub. (1) is made more than 12  
13 months after the death of the recipient, the county or applicable tribal governing  
14 body or organization responsible for burial of the recipient is not required to make  
15 a payment for cemetery, funeral or burial expenses.

16          \***-0786/1.1\*** SECTION 1389. 49.36 (2) of the statutes is amended to read:

17          49.36 (2) The department may contract with any county or Wisconsin works  
18 agency to administer a work experience and job training program for parents who  
19 are not custodial parents and who fail to pay child support or to meet their children's  
20 needs for support as a result of unemployment or underemployment. The program  
21 may provide the kinds of work experience and job training services available from  
22 the program under s. 49.193 or 49.147 (3) or (4). The program may also include job  
23 search and job orientation activities. The department shall fund the program from  
24 the appropriation under s. 20.445 (3) (dz).

25          \***-1186/3.34\*** SECTION 1390. 49.36 (2) of the statutes is amended to read:

1           49.36 (2) The department may contract with any county to administer a work  
2 experience and job training program for parents who are not custodial parents and  
3 who fail to pay child support or to meet their children's needs for support as a result  
4 of unemployment or underemployment. The program may provide the kinds of work  
5 experience and job training services available from the program under s. 49.193,  
6 1997 stats., or s. 49.147 (3) or (4). The program may also include job search and job  
7 orientation activities. The department shall fund the program from the  
8 appropriation under s. 20.445 (3) (dz).

9           \*~~0786/1.2~~\* SECTION 1391. 49.36 (3) (g) of the statutes is repealed.

10           \*~~1186/3.35~~\* SECTION 1392. 49.36 (3) (g) of the statutes is repealed.

11           \*~~0786/1.3~~\* SECTION 1393. 49.36 (7) of the statutes is amended to read:

12           49.36 (7) The department shall pay a county or Wisconsin works agency ~~\$200~~  
13 \$400 for each person who participates in the program under this section in the region  
14 in which the county or Wisconsin works agency administers the program under this  
15 section. The county or Wisconsin works agency shall pay any additional costs of the  
16 program.

17           \*~~0702/5.50~~\* SECTION 1394. 49.37 of the statutes is repealed.

18           \*~~0266/1.3~~\* SECTION 1395. 49.43 (8) of the statutes is amended to read:

19           49.43 (8) "Medical assistance" means any services or items under ss. 49.45 to  
20 ~~49.47~~ 49.472, except s. 49.472 (6), and under ss. 49.49 to 49.497, or any payment or  
21 reimbursement made for such services or items.

22           \*~~0028/6.53~~\* SECTION 1396. 49.45 (2) (a) 4. of the statutes is amended to read:

23           49.45 (2) (a) 4. To the extent funds are available under s. 20.435 ~~(1)~~ (4) (bm),  
24 certify all proper charges and claims for administrative services to the department

1 of administration for payment and the department of administration shall draw its  
2 warrant forthwith.

3 **\*-1098/3.1\* SECTION 1397.** 49.45 (2) (a) 9. of the statutes is amended to read:

4 49.45 (2) (a) 9. Periodically ~~set forth~~ prescribe conditions of participation and  
5 terms of reimbursement in a contract with provider of service under this section.

6 **\*-1098/3.2\* SECTION 1398.** 49.45 (2) (a) 10. of the statutes is renumbered 49.45

7 (2) (a) 10. a. and amended to read:

8 49.45 (2) (a) 10. a. ~~After reasonable notice and opportunity for hearing, recover~~  
9 Recover money improperly or erroneously paid, or overpayments to a provider ~~either~~  
10 by offsetting or adjusting amounts owed the provider under the program, crediting  
11 against a provider's future claims for reimbursement for other services or items  
12 furnished by the provider under the program, ~~or by~~ or requiring the provider to make  
13 direct payment to the department or its fiscal intermediary.

14 **\*-1098/3.3\* SECTION 1399.** 49.45 (2) (a) 10. b. of the statutes is created to read:

15 49.45 (2) (a) 10. b. Promptly afford the provider an opportunity to present  
16 information and argument regarding a recovery imposed under this subdivision, but  
17 the department need not stay collection of the amount to be recovered pending that  
18 opportunity.

19 **\*-1098/3.4\* SECTION 1400.** 49.45 (2) (a) 10. c. of the statutes is created to read:

20 49.45 (2) (a) 10. c. Establish a deadline for payment of a recovery imposed under  
21 this subdivision and, if a provider fails to pay all of the amount to be recovered by the  
22 deadline, require payment by the provider of interest on any delinquent amount at  
23 the rate of 1% per month or fraction of a month from the date of the overpayment.

24 **\*-1098/3.5\* SECTION 1401.** 49.45 (2) (a) 11. of the statutes is amended to read:

1           49.45 (2) (a) 11. Establish criteria for the certification of eligible providers of  
2 ~~services under Title XIX of the social security act~~ medical assistance and, except as  
3 provided in par. (b) 6. and 7. and s. 49.48, certify ~~such eligible providers who meet~~  
4 the criteria.

5           \***-1098/3.6\*** SECTION 1402. 49.45 (2) (a) 12. of the statutes is amended to read:

6           49.45 (2) (a) 12. Decertify ~~or suspend under this subdivision~~ a provider from  
7 or restrict a provider's participation in the medical assistance program, if after  
8 giving reasonable notice and opportunity for hearing, the department finds that the  
9 provider has violated a federal statute or regulation or a state law statute or  
10 administrative rule and such violations are the violation is by law statute, regulation  
11 or rule grounds for decertification or suspension restriction. The department shall  
12 suspend the provider pending the hearing under this subdivision if the department  
13 includes in its decertification notice findings that the provider's continued  
14 participation in the medical assistance program pending hearing is likely to lead to  
15 the irretrievable loss of public funds and is unnecessary to provide adequate access  
16 to services to medical assistance recipients. As soon as practicable after the hearing,  
17 the department shall issue a written decision. No payment may be made under the  
18 medical assistance program with respect to any service or item furnished by the  
19 provider subsequent to decertification or during the period of suspension.

20           \***-1098/3.7\*** SECTION 1403. 49.45 (2) (a) 13. of the statutes is amended to read:

21           49.45 (2) (a) 13. Impose additional sanctions for noncompliance with the  
22 conditions of participation and terms of provider agreements reimbursement under  
23 subd. 9. or certification criteria established under subd. 11. and, if prescribed by the  
24 department, under par. (b) 6. or 7.

25           \***-1098/3.8\*** SECTION 1404. 49.45 (2) (a) 14. of the statutes is repealed.

1           \***-0028/6.54\*** SECTION 1405. 49.45 (2) (a) 17. of the statutes is amended to read:

2           49.45 (2) (a) 17. Notify the governor, the joint committee on legislative  
3 organization, the joint committee on finance and appropriate standing committees,  
4 as determined by the presiding officer of each house, if the appropriation under s.  
5 20.435 (5) (4) (b) is insufficient to provide the state share of medical assistance.

6           \***-1098/3.9\*** SECTION 1406. 49.45 (2) (b) 6. of the statutes is created to read:

7           49.45 (2) (b) 6. Prescribe criteria for certification of providers of medical  
8 assistance that limit the number of providers of particular services or that limit the  
9 amount of resources, including employes and equipment, that a certified provider  
10 may use to provide particular services to medical assistance recipients, if the  
11 department finds all of the following:

12           a. That existing certified providers and resources provide services that are  
13 adequate in quality and amount to meet the need of medical assistance recipients for  
14 the particular services.

15           b. That the potential for medical assistance fraud or abuse exists if additional  
16 providers are certified or additional resources are used by certified providers.

17           \***-1098/3.10\*** SECTION 1407. 49.45 (2) (b) 7. of the statutes is created to read:

18           49.45 (2) (b) 7. Require, as a condition of certification under par. (a) 11., all  
19 providers of a specific service that is among those enumerated under s. 49.46 (2) (b)  
20 or 49.47 (6) (a), as specified in this subdivision, to file with the department a surety  
21 bond issued by a surety company licensed to do business in this state. Providers  
22 subject to this subdivision provide those services specified under s. 49.46 (2) (b) or  
23 49.47 (6) (a) for which providers have demonstrated significant potential to violate  
24 s. 49.489 (2) or (3) or 49.49 (1) (a), (2) (a) or (b), (3), (3m) (a), (3p), (4) (a) or (4m) (a),  
25 to require recovery under par. (a) 10. or to need additional sanctions under par. (a)

1 13. The surety bond shall be payable to the department and in an amount that would  
2 reasonably pay the amount of a recovery and the department's costs to pursue  
3 recovery under par. (a) 10. or to investigate and pursue allegations of violations of  
4 s. 49.489 or 49.49. The department shall promulgate rules under this subdivision  
5 that specify all of the following:

6 a. Services under medical assistance for which providers have demonstrated  
7 significant potential to violate s. 49.489 (2) or (3) or 49.49 (1) (a), (2) (a) or (b), (3), (3m)  
8 (a), (3p), (4) (a) or (4m) (a), to require recovery under par. (a) 10. or to need additional  
9 sanctions under par. (a) 13.

10 b. The amount or amounts of the surety bonds.

11 c. Terms of the surety bond, including amounts, if any, without interest to be  
12 refunded to the provider upon withdrawal or decertification from the medical  
13 assistance program.

14 \***-0030/P4.71\* SECTION 1408.** 49.45 (3) (ag) of the statutes is amended to read:

15 49.45 (3) (ag) Reimbursement shall be made to each entity contracted with  
16 under s. ~~46.271 (2m)~~ 46.281 (1) (d) for ~~assessments completed~~ functional screens  
17 performed under s. ~~46.271 (2m) (a) 2.~~ 46.281 (1) (d).

18 \***-0028/6.55\* SECTION 1409.** 49.45 (3) (am) 1. of the statutes is amended to  
19 read:

20 49.45 (3) (am) 1. From the appropriation under s. 20.435 ~~(1)~~ (4) (bm), the  
21 department shall make incentive payments to counties to encourage counties to  
22 identify medical assistance applicants and recipients who have other health care  
23 coverage and the providers of the health care coverage and give that information to  
24 the department.

25 \***-1098/3.11\* SECTION 1410.** 49.45 (3) (f) 3. of the statutes is amended to read:

1           49.45 (3) (f) 3. Contractors under sub. (2) (b) shall maintain records as required  
2 by the department for audit purposes. ~~Contractors~~ Upon request of the department,  
3 contractors shall immediately provide the department access to the records upon  
4 request of the department, and, which the department may audit the records.

5           \*~~1098/3.12~~\* SECTION 1411. 49.45 (3) (g) of the statutes is amended to read:

6           49.45 (3) (g) The secretary may ~~appoint~~ authorize personnel to audit or  
7 investigate and report to the department on any matter involving violations or  
8 complaints alleging violations of ~~laws~~ statutes, regulations, or rules applicable to  
9 ~~Title XIX of the federal social security act or the medical assistance program and to~~  
10 perform such investigations or audits as are required to verify the actual provision  
11 of services or items available under the medical assistance program and the  
12 appropriateness and accuracy of claims for reimbursement submitted by providers  
13 participating in the program. Department employees ~~appointed~~ authorized by the  
14 secretary under this paragraph shall be issued, and shall possess at all times ~~during~~  
15 ~~which~~ while they are performing their investigatory or audit functions under this  
16 section, identification, signed by the secretary ~~which, that~~ specifically designates the  
17 bearer as possessing the authorization to conduct medical assistance investigations  
18 or audits. ~~Pursuant to~~ Under the request of a designated person and upon  
19 presentation of ~~that~~ the person's authorization, providers and medical assistance  
20 recipients shall immediately accord such the person access to any provider  
21 personnel, records, books, recipient medical records, or documents or other  
22 information needed. Under the written request of a designated person and upon  
23 presentation of the person's authorization, providers and recipients shall  
24 immediately accord the person access to any needed patient health care records of  
25 a recipient. Authorized employees ~~shall have authority to~~ may hold hearings,

1 administer oaths, take testimony and perform all other duties necessary to bring  
2 ~~such~~ the matter before the department for final adjudication and determination.

3 \***-1098/3.13\*** SECTION 1412. 49.45 (3) (h) 1. of the statutes is repealed.

4 \***-1098/3.14\*** SECTION 1413. 49.45 (3) (h) 2. of the statutes is repealed.

5 \***-1098/3.15\*** SECTION 1414. 49.45 (3) (h) 3. of the statutes is renumbered 49.45  
6 (3) (h) and amended to read:

7 49.45 (3) (h) The failure or refusal of a ~~person to purge himself or herself of~~  
8 ~~contempt found under s. 885.12 and perform the act as required by law shall~~  
9 ~~constitute provider immediately to accord department auditors under par. (f) 3. or~~  
10 ~~investigators under par. (g) access to any provider personnel, records, books, patient~~  
11 ~~health care records of medical assistance recipients or documents or other~~  
12 ~~information requested constitutes grounds for decertification or suspension of that~~  
13 ~~person the provider~~ from participation in the medical assistance program and no  
14 payment may be made for services rendered by ~~that person~~ subsequent to the  
15 provider following decertification or during the period of suspension.

16 \***-0028/6.56\*** SECTION 1415. 49.45 (3) (j) of the statutes is amended to read:

17 49.45 (3) (j) Reimbursement for administrative contract costs under this  
18 section is limited to the funds available under s. 20.435 ~~(1)~~ (4) (bm).

19 \***-0264/2.1\*** SECTION 1416. 49.45 (5m) (a) of the statutes is renumbered 49.45  
20 (5m) (am) and amended to read:

21 49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriations under  
22 s. 20.435 (5) (b) and (o) the department shall distribute not more than \$2,256,000 in  
23 each fiscal year, to provide supplemental funds to rural hospitals that, as determined  
24 by the department, have high utilization of inpatient services by patients whose care  
25 is provided from governmental sources, and to provide supplemental funds to critical

1 access hospitals, except that the department may not distribute funds to a rural  
2 hospital or to a critical access hospital to the extent that the distribution would  
3 exceed any limitation under 42 USC 1396b (i) (3).

4 \***-0264/2.2\*** SECTION 1417. 49.45 (5m) (a) of the statutes is created to read:

5 49.45 (5m) (a) In this subsection, “critical access hospital” has the meaning  
6 given in s. 50.33 (1g).

7 \***-0028/6.57\*** SECTION 1418. 49.45 (5m) (a) of the statutes is amended to read:

8 49.45 (5m) (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
9 20.435 (5) (4) (b) and (o) the department shall distribute not more than \$2,256,000  
10 in each fiscal year, to provide supplemental funds to rural hospitals that, as  
11 determined by the department, have high utilization of inpatient services by  
12 patients whose care is provided from governmental sources, except that the  
13 department may not distribute funds to a rural hospital to the extent that the  
14 distribution would exceed any limitation under 42 USC 1396b (i) (3).

15 \***-0264/2.3\*** SECTION 1419. 49.45 (5m) (b) of the statutes is amended to read:

16 49.45 (5m) (b) The supplemental funding for rural hospitals under par. (a) (am)  
17 shall be based on the utilization, by recipients of medical assistance, of the total  
18 inpatient days of a rural hospital in relation to that utilization in other rural  
19 hospitals.

20 \***-0328/1.1\*** SECTION 1420. 49.45 (6b) (intro.) of the statutes is renumbered

21 49.45 (6b) and amended to read:

22 49.45 (6b) CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the  
23 appropriation under s. 20.435 (2) (gk), the department may reimburse the cost of  
24 services provided by the centers for the developmentally disabled. Reimbursement  
25 to the centers for the developmentally disabled shall be reduced following each

1 placement made under s. 46.275 ~~which that~~ involves a relocation from a center for  
2 the developmentally disabled, ~~as follows: by \$184 per day, beginning in fiscal year~~  
3 1999-2000, and by \$190 per day, beginning in fiscal year 2000-01.

4 \*~~0328/1.2~~\* SECTION 1421. 49.45 (6b) (a) of the statutes is repealed.

5 \*~~0328/1.3~~\* SECTION 1422. 49.45 (6b) (b) of the statutes is repealed.

6 \*~~0328/1.4~~\* SECTION 1423. 49.45 (6b) (c) of the statutes is repealed.

7 \*~~0028/6.58~~\* SECTION 1424. 49.45 (6m) (ag) (intro.) of the statutes is amended  
8 to read:

9 49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this  
10 subsection made under s. 20.435 ~~(1) (4) (b), (p) or (5) (b) or (o)~~ shall, except as provided  
11 in pars. (bg), (bm) and (br), be determined according to a prospective payment system  
12 updated annually by the department. The payment system shall implement  
13 standards that are necessary and proper for providing patient care and that meet  
14 quality and safety standards established under subch. II of ch. 50 and ch. 150. The  
15 payment system shall reflect all of the following:

\*\*\*\*NOTE: This redraft (~~0028/5~~) deletes treatment of s. 49.45 (6m) (ag) 8., which is  
repealed in LRB-1756. If LRB-1756 is not included in the budget bill, the treatment  
should be restored.

16 \*~~1756/1.1~~\* SECTION 1425. 49.45 (6m) (ag) 3m. of the statutes is repealed.

17 \*~~1756/1.2~~\* SECTION 1426. 49.45 (6m) (ag) 8. of the statutes is repealed.

18 \*~~1756/1.3~~\* SECTION 1427. 49.45 (6m) (ar) 1. a. of the statutes is amended to  
19 read:

20 49.45 (6m) (ar) 1. a. The department shall establish standards for payment of  
21 allowable direct care costs, for facilities that do not primarily serve the  
22 developmentally disabled, that ~~are not less than the median for~~ take into account  
23 direct care costs for a sample of all of those facilities in this state and separate

1 standards for payment of allowable direct care costs, for facilities that primarily  
2 serve the developmentally disabled, that ~~are not less than the median for take into~~  
3 account direct care costs for a sample of all of those facilities in this state. The  
4 standards shall be adjusted by the department for regional labor cost variations.

5 **\*-1756/1.4\* SECTION 1428.** 49.45 (6m) (ar) 1. cm. of the statutes is amended  
6 to read:

7 49.45 (6m) (ar) 1. cm. ~~Notwithstanding the limitations under par. (ag) 8,~~  
8 funding Funding distributed to facilities for the provision of active treatment to  
9 residents with a diagnosis of developmental disability shall be distributed in  
10 accordance with a method developed by the department which is consistent with a  
11 prudent buyer approach to payment for services.

12 **\*-1756/1.5\* SECTION 1429.** 49.45 (6m) (ar) 2. a. of the statutes is amended to  
13 read:

14 49.45 (6m) (ar) 2. a. The department shall establish one or more standards for  
15 the payment of support service costs that ~~are not less than the median of take into~~  
16 account support service costs for a sample of all facilities within the state.

17 **\*-1756/1.6\* SECTION 1430.** 49.45 (6m) (ar) 3. a. of the statutes is amended to  
18 read:

19 49.45 (6m) (ar) 3. a. The department shall establish standards, adjusted for  
20 heating degree day variations in the state, for payment of fuel and utility costs that  
21 ~~are not less than the median of take into account~~ heating fuel and utility costs for a  
22 sample of all facilities within the state.

23 **\*-1756/1.7\* SECTION 1431.** 49.45 (6m) (ar) 4. of the statutes is amended to read:

24 49.45 (6m) (ar) 4. For net property taxes or municipal services, payment shall  
25 be made for these costs that ~~range from~~ the amount of the previous calendar year's

1 tax or the amount of municipal service costs for a period specified by the department,  
2 subject to a maximum limit as determined by the department.

3 **\*-1756/1.8\* SECTION 1432.** 49.45 (6m) (ar) 5. a. of the statutes is amended to  
4 read:

5 49.45 (6m) (ar) 5. a. The department shall establish one or more standards for  
6 the payment of administrative and general costs that ~~are not less than the median~~  
7 of take into account administrative and general costs for a sample of all facilities  
8 within the state.

9 **\*-1756/1.9\* SECTION 1433.** 49.45 (6m) (ar) 6. of the statutes is amended to read:

10 49.45 (6m) (ar) 6. Capital payment shall be based on a replacement value for  
11 a facility. The replacement value shall be determined by a commercial estimator  
12 contracted for by the department and paid for by the facility. The replacement value  
13 shall be subject to limitations determined by the department, ~~except that the~~  
14 ~~department may not reduce final capital payment of a facility by more than \$3.50 per~~  
15 ~~patient day.~~

16 **\*-1756/1.10\* SECTION 1434.** 49.45 (6m) (av) 1. of the statutes is amended to  
17 read:

18 49.45 (6m) (av) 1. The department shall calculate a payment rate for a facility  
19 by applying the criteria set forth under pars. (ag) 1. to 5., and 7. and 8., (am) 1. to 5.  
20 and (ar) 1. to 5. to information from cost reports submitted by the facility.

21 **\*-1756/1.11\* SECTION 1435.** 49.45 (6m) (av) 5m. of the statutes is amended to  
22 read:

23 49.45 (6m) (av) 5m. ~~Notwithstanding the limitations under par. (ag) 8., the~~ The  
24 rate under subd. 1., 4. or 5. may be adjusted by the department to reflect payments

1 for the provision of active treatment to facility residents with a diagnosis of  
2 developmental disability.

3 **\*-1756/1.12\* SECTION 1436.** 49.45 (6m) (bp) (intro.) of the statutes is amended  
4 to read:

5 49.45 (6m) (bp) (intro.) Notwithstanding pars. ~~(ag) 3m~~, (am) 6. and (ar) 6., the  
6 department may establish payment methods based on actual costs for capital  
7 payment for a facility to which, after December 31, 1982, any of the following applies:

8 **\*-0027/4.33\* SECTION 1437.** 49.45 (6m) (br) 1. of the statutes is amended to  
9 read:

10 49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 ~~(5) (4)~~ (bt) ~~or (bu)~~  
11 or (7) (b) or 20.445 (3) (dz), the department shall reduce allocations of funds to  
12 counties in the amount of the disallowance from the appropriation account under s.  
13 20.435 ~~(5) (4)~~ (bt) ~~or (bu)~~ or (7) (b), or the department shall direct the department of  
14 workforce development to reduce allocations of funds to counties or Wisconsin works  
15 agencies in the amount of the disallowance from the appropriation account under s.  
16 20.445 (3) (dz) or direct the department of corrections to reduce allocations of funds  
17 to counties in the amount of the disallowance from the appropriation account under  
18 s. 20.410 (3) (cd), in accordance with s. 16.544 to the extent applicable.

\*\*\*\*NOTE: This provision contains a cross-reference to s. 20.435 (5) (bt), which is  
renumbered in this bill to s. 20.435 (4) (bt) to conform to the changes in LRB-0028. If  
LRB-0028 is not included in the budget bill, this renumbering should be deleted.

19 **\*-0030/P4.72\* SECTION 1438.** 49.45 (6m) (c) 5. of the statutes is amended to  
20 read:

21 49.45 (6m) (c) 5. Admit only patients assessed or who waive or are exempt from  
22 the requirement of assessment under s. 46.27 (6) (a) or, if required under s. 50.035  
23 (4n) or 50.04 (2h), who have been referred to a resource center.

1           \***-0028/6.59\*** SECTION 1439. 49.45 (6t) (intro.) of the statutes is amended to  
2 read:

3           49.45 (6t) COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING  
4 DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (o), for  
5 reduction of operating deficits, as defined under criteria developed by the  
6 department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42  
7 or by a local health department, as defined in s. 250.01 (4), for services provided  
8 under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management  
9 services under s. 49.46 (2) (b) 12. and for mental health day treatment services for  
10 minors provided under the authorization under 42 USC 1396d (r) (5), the department  
11 shall allocate up to \$4,500,000 in each fiscal year to these county departments, or  
12 local health departments as determined by the department, and shall perform all of  
13 the following:

14           \***-0028/6.60\*** SECTION 1440. 49.45 (6t) (d) of the statutes is amended to read:

15           49.45 (6t) (d) If the federal department of health and human services approves  
16 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
17 in a lesser allocation amount than that allocated under this subsection or disallows  
18 use of the allocation of federal medicaid funds under par. (c), reduce allocations under  
19 this subsection and distribute on a prorated basis, as determined by the department.

20           \***-0028/6.61\*** SECTION 1441. 49.45 (6u) (intro.) of the statutes is amended to  
21 read:

22           49.45 (6u) SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.)  
23 Notwithstanding sub. (6m), from the appropriation under s. 20.435 ~~(5)~~ (4) (o), for  
24 reduction of operating deficits, as defined under criteria developed by the  
25 department, incurred by a facility, as defined under sub. (6m) (a) 3., that is

1 established under s. 49.70 (1) or that is owned and operated by a city, village or town,  
2 the department may not distribute to these facilities more than \$38,600,000 in each  
3 fiscal year, as determined by the department, except that the department shall also  
4 distribute for this same purpose from the appropriation under s. 20.435 (5) (4) (o) any  
5 additional federal medical assistance moneys that were not anticipated before  
6 enactment of the biennial budget act or other legislation affecting s. 20.435 (5) (4) (o)  
7 and that were not used to fund nursing home rate increases under sub. (6m) (ag) 8.  
8 The total amount that a county certifies under this subsection may not exceed 100%  
9 of otherwise-unreimbursed care. In distributing funds under this subsection, the  
10 department shall perform all of the following:

11 \***-1756/1.13\* SECTION 1442.** 49.45 (6u) (intro.) of the statutes is amended to  
12 read:

13 49.45 (6u) SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.)  
14 Notwithstanding sub. (6m), from the appropriation under s. 20.435 (5) (o), for  
15 reduction of operating deficits, as defined under criteria developed by the  
16 department, incurred by a facility, as defined under sub. (6m) (a) 3., that is  
17 established under s. 49.70 (1) or that is owned and operated by a city, village or town,  
18 the department may not distribute to these facilities more than \$38,600,000 in each  
19 fiscal year, as determined by the department, except that the department shall also  
20 distribute for this same purpose from the appropriation under s. 20.435 (5) (o) any  
21 additional federal medical assistance moneys that were not anticipated before  
22 enactment of the biennial budget act or other legislation affecting s. 20.435 (5) (o) ~~and~~  
23 ~~that were not used to fund nursing home rate increases under sub. (6m) (ag) 8.~~ The  
24 total amount that a county certifies under this subsection may not exceed 100% of

1 otherwise-unreimbursed care. In distributing funds under this subsection, the  
2 department shall perform all of the following:

3 **\*-0028/6.62\* SECTION 1443.** 49.45 (6u) (d) of the statutes is amended to read:

4 49.45 (6u) (d) If the federal department of health and human services approves  
5 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
6 in a lesser allocation amount than that allocated under this subsection, allocate not  
7 more than the lesser amount so approved by the federal department of health and  
8 human services.

9 **\*-0028/6.63\* SECTION 1444.** 49.45 (6u) (e) of the statutes is amended to read:

10 49.45 (6u) (e) If the federal department of health and human services approves  
11 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
12 in a lesser allocation amount than that allocated under this subsection, submit a  
13 revision of the method developed under par. (b) for approval by the joint committee  
14 on finance in that state fiscal year.

15 **\*-1060/2.1\* SECTION 1445.** 49.45 (6v) (b) of the statutes is amended to read:

16 49.45 (6v) (b) The department shall, each year, submit to the joint committee  
17 on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that  
18 provides information on the utilization of beds by recipients of medical assistance in  
19 facilities and a discussion and detailed projection of the likely balances,  
20 expenditures, encumbrances and carry over of currently appropriated amounts in  
21 the appropriation accounts under s. 20.435 (5) (b) and (o).

22 **\*-0028/6.64\* SECTION 1446.** 49.45 (6v) (c) of the statutes is amended to read:

23 49.45 (6v) (c) If the report specified in par. (b) indicates that utilization of beds  
24 by recipients of medical assistance in facilities decreased, the department shall  
25 include a proposal to transfer from the appropriation under s. 20.435 ~~(5)~~ (4) (b) to the

1 appropriation under s. 20.435 (7) (bd) for the purpose of increasing funding for the  
2 community options program under s. 46.27. The secretary shall transfer the amount  
3 identified under the proposal.

4 **\*-1060/2.2\* SECTION 1447.** 49.45 (6v) (c) of the statutes is amended to read:

5 49.45 (6v) (c) If the report specified in par. (b) indicates that utilization of beds  
6 by recipients of medical assistance in facilities decreased is less than estimates for  
7 that utilization reflected in the intentions of the joint committee on finance,  
8 legislature and governor, as expressed by them in the budget determinations, the  
9 department shall include a proposal to transfer moneys from the appropriation  
10 under s. 20.435 (5) (b) to the appropriation under s. 20.435 (7) (bd) for the purpose  
11 of increasing funding for the community options program under s. 46.27. The  
12 amount proposed for transfer may not reduce the balance in the appropriation  
13 account under s. 20.435 (5) (b) below an amount necessary to ensure that that  
14 appropriation account will end the current fiscal year or the current fiscal biennium  
15 with a positive balance. The secretary shall transfer the amount identified under the  
16 proposal.

17 **\*-0028/6.65\* SECTION 1448.** 49.45 (6w) (intro.) of the statutes is amended to  
18 read:

19 49.45 (6w) HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the  
20 appropriation under s. 20.435 (5) (4) (o), for reduction of operating deficits, as defined  
21 under criteria developed by the department, incurred by a hospital, as defined under  
22 s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.71 or  
23 owned and operated by a city or village, the department shall allocate up to  
24 \$3,300,000 in each fiscal year to these hospitals, as determined by the department,  
25 and shall perform all of the following: