

1           **SECTION 102br.** 48.355 (2d) (c) of the statutes, as affected by 2001 Wisconsin  
2 Act 2, is renumbered 48.355 (2d) (c) 1. and amended to read:

3           48.355 **(2d)** (c) 1. If the court ~~makes a finding~~ finds that any of the  
4 circumstances specified in par. (b) 1., ~~2., 3., 4., or 5.~~ to 5. applies with respect to a  
5 parent, the court shall hold a hearing within 30 days after the date of that finding  
6 to determine the permanency plan for the child. If a hearing is held under this  
7 paragraph subdivision, the agency responsible for preparing the permanency plan  
8 shall file the permanency plan with the court not less than 5 days before the date of  
9 the hearing.

10           **SECTION 102c.** 48.355 (2d) (c) 2. and 3. of the statutes are created to read:

11           48.355 **(2d)** (c) 2. If a hearing is held under subd. 1., at least 10 days before the  
12 date of the hearing the court shall notify the child, any parent, guardian, and legal  
13 custodian of the child, and any foster parent, treatment foster parent, or other  
14 physical custodian described in s. 48.62 (2) of the child of the time, place, and purpose  
15 of the hearing.

16           3. The court shall give a foster parent, treatment foster parent, or other  
17 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.  
18 2. an opportunity to be heard at the hearing by permitting the foster parent,  
19 treatment foster parent, or other physical custodian to make a written or oral  
20 statement during the hearing, or to submit a written statement prior to the hearing,  
21 relevant to the issues to be determined at the hearing. A foster parent, treatment  
22 foster parent, or other physical custodian who receives a notice of a hearing under  
23 subd. 2. and an opportunity to be heard under this subdivision does not become a  
24 party to the proceeding on which the hearing is held solely on the basis of receiving  
25 that notice and opportunity to be heard.

1           **SECTION 102cg.** 48.355 (4) of the statutes is amended to read:

2           48.355 (4) **TERMINATION OF ORDERS.** Except as provided under s. 48.368, all  
3 orders an order under this section shall ~~terminate at the end of one year unless the~~  
4 ~~judge specifies a shorter period of time. Except if s. 48.368 applies, extensions or~~  
5 ~~revisions or s. 48.357 or 48.365 made before the child reaches 18 years of age that~~  
6 places or continues the placement of the child in his or her home shall terminate at  
7 the end of one year after its entry unless the judge specifies a shorter period of time.  
8 ~~Any order made before the child reaches the age of majority or or the judge~~  
9 ~~terminates the order sooner. Except as provided under s. 48.368, an order under this~~  
10 section or s. 48.357 or 48.365 made before the child reaches 18 years of age that places  
11 or continues the placement of the child in a foster home, treatment foster home,  
12 group home, or residential care center for children and youth or in the home of a  
13 relative other than a parent shall terminate when the child reaches 18 years of age,  
14 at the end of one year after its entry, or, if the child is a full-time student at a  
15 secondary school or its vocational or technical equivalent and is reasonably expected  
16 to complete the program before reaching 19 years of age, when the child reaches 19  
17 years of age, whichever is later, unless the judge specifies a shorter period of time or  
18 the judge terminates the order sooner. An order under this section or s. 48.357 or  
19 48.365 relating to an unborn child in need of protection or services that is made  
20 before the unborn child is born shall be effective for a time up to terminate at the end  
21 of one year after its entry unless the judge specifies a shorter period of time or the  
22 judge terminates the order sooner.

23           **SECTION 102cr.** 48.357 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
24 103, is amended to read:

1           48.357 (1) (a) The person or agency primarily responsible for implementing the  
2           dispositional order, the district attorney, or the corporation counsel may request a  
3           change in the placement of the child or expectant mother, whether or not the change  
4           requested is authorized in the dispositional order, and, as provided in par. (am) or (c),  
5           whichever is applicable.

6           (am) 1. If the proposed change in placement involves any change in placement  
7           other than a change in placement specified in par. (c), the person or agency primarily  
8           responsible for implementing the dispositional order, the district attorney, or the  
9           corporation counsel shall cause written notice of the proposed change in placement  
10          to be sent to the child, the parent, guardian, and legal custodian of the child, any  
11          foster parent, treatment foster parent, or other physical custodian described in s.  
12          48.62 (2) of the child, the child's court-appointed special advocate, and, if the child  
13          is the expectant mother of an unborn child under s. 48.133, the unborn child by the  
14          unborn child's guardian ad litem. If the expectant mother is an adult, written notice  
15          shall be sent to the adult expectant mother and the unborn child by the unborn child's  
16          guardian ad litem. The notice shall contain the name and address of the new  
17          placement, the reasons for the change in placement, a statement describing why the  
18          new placement is preferable to the present placement, and a statement of how the  
19          new placement satisfies objectives of the treatment plan ordered by the court.

20          **SECTION 102ct.** 48.357 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
21          103, is renumbered 48.357 (1) (am) 2. and amended to read:

22          48.357 (1) (am) 2. Any person receiving the notice under ~~par. (a) subd. 1.~~ or  
23          notice of a specific placement under s. 48.355 (2) (b) 2., other than a court-appointed  
24          special advocate, may obtain a hearing on the matter by filing an objection with the  
25          court within 10 days after receipt of the notice. Placements may not be changed until

1 10 days after that notice is sent to the court unless the parent, guardian, or legal  
2 custodian and the child, if 12 years of age or over, or the child expectant mother, if  
3 12 years of age or over, her parent, guardian, or legal custodian and the unborn child  
4 by the unborn child's guardian ad litem, or the adult expectant mother and the  
5 unborn child by the unborn child's guardian ad litem, sign written waivers of  
6 objection, except that ~~placement~~ changes in placement that were authorized in the  
7 dispositional order may be made immediately if notice is given as required under ~~par.~~  
8 (a) subd. 1. In addition, a hearing is not required for placement changes authorized  
9 in the dispositional order except when an objection filed by a person who received  
10 notice alleges that new information is available that affects the advisability of the  
11 court's dispositional order.

12 **SECTION 102d.** 48.357 (1) (am) 3. of the statutes is created to read:

13 48.357 (1) (am) 3. If the court changes the child's placement from a placement  
14 outside the home to another placement outside the home, the change in placement  
15 order shall contain one of the statements specified in sub. (2v) (a) 2.

16 **SECTION 102dg.** 48.357 (1) (c) of the statutes is created to read:

17 48.357 (1) (c) 1. If the proposed change in placement would change the  
18 placement of a child placed in the home to a placement outside the home, the person  
19 or agency primarily responsible for implementing the dispositional order, the district  
20 attorney, or the corporation counsel shall submit a request for the change in  
21 placement to the court. The request shall contain the name and address of the new  
22 placement, the reasons for the change in placement, a statement describing why the  
23 new placement is preferable to the present placement, and a statement of how the  
24 new placement satisfies objectives of the treatment plan ordered by the court. The  
25 request shall also contain specific information showing that continued placement of

1 the child in his or her home would be contrary to the welfare of the child and, unless  
2 any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, specific  
3 information showing that the agency primarily responsible for implementing the  
4 dispositional order has made reasonable efforts to prevent the removal of the child  
5 from the home, while assuring that the child's health and safety are the paramount  
6 concerns.

7 2. The court shall hold a hearing prior to ordering any change in placement  
8 requested under subd. 1. Not less than 3 days prior to the hearing, the court shall  
9 provide notice of the hearing, together with a copy of the request for the change in  
10 placement, to the child, the parent, guardian, and legal custodian of the child, the  
11 child's court-appointed special advocate, and all parties that are bound by the  
12 dispositional order. If all parties consent, the court may proceed immediately with  
13 the hearing.

14 3. If the court changes the child's placement from a placement in the child's  
15 home to a placement outside the child's home, the change in placement order shall  
16 contain the findings specified in sub. (2v) (a) 1., one of the statements specified in sub.  
17 (2v) (a) 2., and, if in addition the court finds that any of the circumstances specified  
18 in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the determination  
19 specified in sub. (2v) (a) 3.

20 **SECTION 102dr.** 48.357 (2) of the statutes, as affected by 2001 Wisconsin Act  
21 103, is amended to read:

22 48.357 (2) If emergency conditions necessitate an immediate change in the  
23 placement of a child or expectant mother placed outside the home, the person or  
24 agency primarily responsible for implementing the dispositional order may remove  
25 the child or expectant mother to a new placement, whether or not authorized by the

1 existing dispositional order, without the prior notice provided in sub. (1) ~~(a)~~ (am) 1.

2 The notice shall, however, be sent within 48 hours after the emergency change in  
3 placement. Any party receiving notice may demand a hearing under sub. (1) ~~(b)~~ (am)

4 2. In emergency situations, a child may be placed in a licensed public or private  
5 shelter care facility as a transitional placement for not more than 20 days, as well  
6 as in any placement authorized under s. 48.345 (3).

7 **SECTION 102e.** 48.357 (2m) (a) of the statutes, as affected by 2001 Wisconsin  
8 Act 103, is amended to read:

9 48.357 (2m) (a) The child, the parent, guardian, or legal custodian of the child,  
10 the expectant mother, the unborn child by the unborn child's guardian ad litem, or  
11 any person or agency primarily bound by the dispositional order, other than the  
12 person or agency responsible for implementing the order, may request a change in  
13 placement under this paragraph. The request shall contain the name and address  
14 of ~~the place of~~ the new placement requested and shall state what new information  
15 is available that affects the advisability of the current placement. If the proposed  
16 change in placement would change the placement of a child placed in the home to a  
17 placement outside the home, the request shall also contain specific information  
18 showing that continued placement of the child in the home would be contrary to the  
19 welfare of the child and, unless any of the circumstances specified in s. 48.355 (2d)  
20 (b) 1. to 5. applies, specific information showing that the agency primarily  
21 responsible for implementing the dispositional order has made reasonable efforts to  
22 prevent the removal of the child from the home, while assuring that the child's health  
23 and safety are the paramount concerns. The request shall be submitted to the court.  
24 In addition, the court may propose a change in placement on its own motion.

1           **SECTION 102ec.** 48.357 (2m) (b) of the statutes, as affected by 2001 Wisconsin  
2 Act 103, is amended to read:

3           48.357 (2m) (b) The court shall hold a hearing on the matter prior to ordering  
4 any change in placement requested or proposed under par. (a) if the request states  
5 that new information is available that affects the advisability of the current  
6 placement, unless the requested or proposed change in placement involves any  
7 change in placement other than a change in placement of a child placed in the home  
8 to a placement outside the home and written waivers of objection to the proposed  
9 change in placement are signed by all persons entitled to receive notice under sub.  
10 (1) ~~(a)~~ (am) 1., other than a court-appointed special advocate, and the court approves.  
11 If a hearing is scheduled, the court shall notify the child, the parent, guardian, and  
12 legal custodian of the child, any foster parent, treatment foster parent, or other  
13 physical custodian described in s. 48.62 (2) of the child, the child's court-appointed  
14 special advocate, all parties who are bound by the dispositional order, and, if the child  
15 is the expectant mother of an unborn child under s. 48.133, the unborn child by the  
16 unborn child's guardian ad litem, or shall notify the adult expectant mother, the  
17 unborn child by the unborn child's guardian ad litem, and all parties who are bound  
18 by the dispositional order, at least 3 days prior to the hearing. A copy of the request  
19 or proposal for the change in placement shall be attached to the notice. If all of the  
20 parties consent, the court may proceed immediately with the hearing.

21           **SECTION 102eg.** 48.357 (2m) (c) of the statutes is created to read:

22           48.357 (2m) (c) If the court changes the child's placement from a placement in  
23 the child's home to a placement outside the child's home, the change in placement  
24 order shall contain the findings specified in sub. (2v) (a) 1., one of the statements  
25 specified in sub. (2v) (a) 2., and, if in addition the court finds that any of the

1 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
2 the determination specified in sub. (2v) (a) 3.

3 **SECTION 102em.** 48.357 (2r) of the statutes, as affected by 2001 Wisconsin Act  
4 103, is amended to read:

5 48.357 (2r) If a hearing is held under sub. (1) ~~(b)~~ (am) 2. or (2m) (b) and the  
6 change in placement would remove a child from a foster home, treatment foster  
7 home, or other placement with a physical custodian described in s. 48.62 (2), the court  
8 shall give the foster parent, treatment foster parent, or other physical custodian  
9 described in s. 48.62 (2) an opportunity to be heard at the hearing by permitting the  
10 foster parent, treatment foster parent, or other physical custodian to make a written  
11 or oral statement during the hearing or to submit a written statement prior to the  
12 hearing relating to the child and the requested change in placement. ~~Any written~~  
13 ~~or oral statement made under this subsection shall be made under oath or~~  
14 ~~affirmation.~~ A foster parent, treatment foster parent, or other physical custodian  
15 described in s. 48.62 (2) who receives notice of a hearing under sub. (1) ~~(b)~~ (am) 1. or  
16 (2m) (b) and an opportunity to be heard under this subsection does not become a  
17 party to the proceeding on which the hearing is held solely on the basis of receiving  
18 that notice and opportunity to be heard.

19 **SECTION 102er.** 48.357 (2v) of the statutes, as affected by 2001 Wisconsin Act  
20 103, is renumbered 48.357 (2v) (a) 2. and amended to read:

21 48.357 (2v) (a) 2. If ~~a hearing is held under sub. (1) (b) or (2m) (b) and the~~  
22 ~~change in placement would place the child outside the home in a placement order~~  
23 ~~would change the placement of the child to a placement outside the home~~  
24 recommended by the person or agency primarily responsible for implementing the  
25 dispositional order, ~~the change in placement order shall include whether from a~~



1 placement in the home or from another placement outside the home, a statement  
2 that the court approves the placement recommended by that person or agency or, if  
3 ~~the child is placed outside the home in a placement other than~~ change in placement  
4 order would change the placement of the child to a placement outside the home that  
5 is not a placement recommended by that person or agency, whether from a placement  
6 in the home or from another placement outside the home, a statement that the court  
7 has given bona fide consideration to the recommendations made by that person or  
8 agency and all parties relating to the child's placement.

9 **SECTION 102f.** 48.357 (2v) (a) (intro.) of the statutes is created to read:

10 48.357 (2v) (a) (intro.) A change in placement order under sub. (1) or (2m) shall  
11 contain all of the following:

12 **SECTION 102fg.** 48.357 (2v) (a) 1. of the statutes is created to read:

13 48.357 (2v) (a) 1. If the change in placement order changes the child's  
14 placement from a placement in the child's home to a placement outside the child's  
15 home, a finding that continued placement of the child in his or her home would be  
16 contrary to the welfare of the child and, unless a circumstance specified in s. 48.355  
17 (2d) (b) 1. to 5. applies, a finding that the agency primarily responsible for  
18 implementing the dispositional order has made reasonable efforts to prevent the  
19 removal of the child from the home, while assuring that the child's health and safety  
20 are the paramount concerns.

21 **SECTION 102fm.** 48.357 (2v) (a) 3. of the statutes is created to read:

22 48.357 (2v) (a) 3. If the court finds that any of the circumstances specified in  
23 s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, a determination that the  
24 agency primarily responsible for providing services under the change in placement

1 order is not required to make reasonable efforts with respect to the parent to make  
2 it possible for the child to return safely to his or her home.

3 **SECTION 102fr.** 48.357 (2v) (b) of the statutes is created to read:

4 48.357 (2v) (b) The court shall make the findings specified in par. (a) 1. and 3.  
5 on a case-by-case basis based on circumstances specific to the child and shall  
6 document or reference the specific information on which those findings are based in  
7 the change in placement order. A change in placement order that merely references  
8 par. (a) 1. or 3. without documenting or referencing that specific information in the  
9 change in placement order or an amended change in placement order that  
10 retroactively corrects an earlier change in placement order that does not comply with  
11 this paragraph is not sufficient to comply with this paragraph.

12 **SECTION 102g.** 48.357 (2v) (c) of the statutes is created to read:

13 48.357 (2v) (c) 1. If the court finds under par. (a) 3. that any of the  
14 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
15 the court shall hold a hearing within 30 days after the date of that finding to  
16 determine the permanency plan for the child. If a hearing is held under this  
17 subdivision, the agency responsible for preparing the permanency plan shall file the  
18 permanency plan with the court not less than 5 days before the date of the hearing.

19 2. If a hearing is held under subd. 1., at least 10 days before the date of the  
20 hearing the court shall notify the child, any parent, guardian, and legal custodian  
21 of the child, and any foster parent, treatment foster parent, or other physical  
22 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the  
23 hearing.

24 3. The court shall give a foster parent, treatment foster parent, or other  
25 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.

1 2. an opportunity to be heard at the hearing by permitting the foster parent,  
2 treatment foster parent, or other physical custodian to make a written or oral  
3 statement during the hearing, or to submit a written statement prior to the hearing,  
4 relevant to the issues to be determined at the hearing. A foster parent, treatment  
5 foster parent, or other physical custodian who receives a notice of a hearing under  
6 subd. 2. and an opportunity to be heard under this subdivision does not become a  
7 party to the proceeding on which the hearing is held solely on the basis of receiving  
8 that notice and opportunity to be heard.

9 **SECTION 102gb.** 48.357 (6) of the statutes is amended to read:

10 48.357 (6) No change in placement may extend the expiration date of the  
11 original order, except that if the change in placement is from a placement in the  
12 child's home to a placement outside the home the court may extend the expiration  
13 date of the original order to the date on which the child reaches 18 years of age, to  
14 the date that is one year after the date of the change in placement order, or, if the child  
15 is a full-time student at a secondary school or its vocational or technical equivalent  
16 and is reasonably expected to complete the program before reaching 19 years of age,  
17 to the date on which the child reaches 19 years of age, whichever is later, or for a  
18 shorter period of time as specified by the court. If the change in placement is from  
19 a placement outside the home to a placement in the child's home and if the expiration  
20 date of the original order is more than one year after the date of the change in  
21 placement order, the court shall shorten the expiration date of the original order to  
22 the date that is one year after the date of the change in placement order or to an  
23 earlier date as specified by the court.

24 **SECTION 102gd.** 48.363 (1m) of the statutes is amended to read:

1           48.363 (1m) If a hearing is held under sub. (1) (a), any party may present  
2 evidence relevant to the issue of revision of the dispositional order. In addition, the  
3 court shall give a foster parent, treatment foster parent, or other physical custodian  
4 described in s. 48.62 (2) of the child an opportunity to be heard at the hearing by  
5 permitting the foster parent, treatment foster parent, or other physical custodian to  
6 make a written or oral statement during the hearing, or to submit a written  
7 statement prior to the hearing, relevant to the issue of revision. ~~Any written or oral~~  
8 ~~statement made under this subsection shall be made under oath or affirmation.~~ A  
9 foster parent, treatment foster parent, or other physical custodian described in s.  
10 48.62 (2) who receives notice of a hearing under sub. (1) (a) and an opportunity to be  
11 heard under this subsection does not become a party to the proceeding on which the  
12 hearing is held solely on the basis of receiving that notice and opportunity to be  
13 heard.

14           **SECTION 102gf.** 48.365 (1) of the statutes is amended to read:

15           48.365 (1) In this section, a child is considered to have been placed outside of  
16 his or her home on the date on which ~~the court first found that the child has been~~  
17 ~~subjected to abuse or neglect or on the date that is 60 days after the date on which~~  
18 the child was first removed from his or her home, ~~whichever is earlier.~~

19           **SECTION 102gh.** 48.365 (2g) (b) 2. of the statutes is amended to read:

20           48.365 (2g) (b) 2. An evaluation of the child's adjustment to the placement and  
21 of any progress the child has made, suggestions for amendment of the permanency  
22 plan, ~~a description of efforts to return the child safely to his or her home and specific~~  
23 information showing the efforts that have been made to achieve the goal of the  
24 permanency plan, including, if applicable, the efforts of the parents to remedy the  
25 factors ~~which~~ that contributed to the child's placement and, if continued placement

1 ~~outside of the child's home is recommended, an explanation of why returning the~~  
2 ~~child to his or her home is not safe or feasible, unless return of the child to the home~~  
3 ~~is the goal of the permanency plan and any of the circumstances specified in s. 48.355~~  
4 ~~(2d) (b) 1. to 5. applies.~~

5 **SECTION 102gk.** 48.365 (2g) (b) 3. of the statutes is amended to read:

6 48.365 (2g) (b) 3. If the child has been placed outside of his or her home for 15  
7 of the most recent 22 months, not including any period during which the child was  
8 a runaway from the out-of-home placement or the first 6 months of any period  
9 during which the child was returned to his or her home for a trial home visit, a  
10 statement of whether or not a recommendation has been made to terminate the  
11 parental rights of the parents of the child. If a recommendation for a termination of  
12 parental rights has been made, the statement shall indicate the date on which the  
13 recommendation was made, any previous progress made to accomplish the  
14 termination of parental rights, any barriers to the termination of parental rights,  
15 specific steps to overcome the barriers and when the steps will be completed, reasons  
16 why adoption would be in the best interest of the child, and whether or not the child  
17 should be registered with the adoption information exchange. If a recommendation  
18 for termination of parental rights has not been made, the statement shall include an  
19 explanation of the reasons why a recommendation for termination of parental rights  
20 has not been made. If the lack of appropriate adoptive resources is the primary  
21 reason for not recommending a termination of parental rights, the agency shall  
22 recommend that the child be registered with the adoption information exchange or  
23 report the reason why registering the child is contrary to the best interest of the child.

24 **SECTION 102gm.** 48.365 (2m) (a) of the statutes is renumbered 48.365 (2m) (a)

25 1. and amended to read:

1           48.365 (2m) (a) 1. Any party may present evidence relevant to the issue of  
2 extension. If the child is placed outside of his or her home, the person or agency  
3 primarily responsible for providing services to the child shall present as evidence  
4 specific information showing that the agency has made reasonable efforts to achieve  
5 the goal of the child's permanency plan, unless return of the child to the home is the  
6 goal of the permanency plan and any of the circumstances specified in s. 48.355 (2d)  
7 (b) 1. to 5. applies. The judge shall make findings of fact and conclusions of law based  
8 on the evidence. ~~Subject to s. 48.355 (2d), the~~ The findings of fact shall include a  
9 finding as to whether reasonable efforts were made by the agency primarily  
10 responsible for providing services to the child ~~or expectant mother to make it possible~~  
11 ~~for the child to return safely to his or her home or for the expectant mother to return~~  
12 ~~to her home to achieve the goal of the child's permanency plan, unless return of the~~  
13 ~~child to the home is the goal of the permanency plan and the judge finds that any of~~  
14 ~~the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.~~ An order shall be  
15 issued under s. 48.355.

16           **SECTION 102go.** 48.365 (2m) (a) 2. of the statutes is created to read:

17           48.365 (2m) (a) 2. If the judge finds that any of the circumstances specified in  
18 s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the order shall include a  
19 determination that the person or agency primarily responsible for providing services  
20 to the child is not required to make reasonable efforts with respect to the parent to  
21 make it possible for the child to return safely to his or her home.

22           **SECTION 102gr.** 48.365 (2m) (a) 3. of the statutes is created to read:

23           48.365 (2m) (a) 3. The judge shall make the findings specified in subd. 1.  
24 relating to reasonable efforts to achieve the goal of the child's permanency plan and  
25 the findings specified in subd. 2. on a case-by-case basis based on circumstances

1 specific to the child and shall document or reference the specific information on  
2 which those findings are based in the order issued under s. 48.355. An order that  
3 merely references subd. 1. or 2. without documenting or referencing that specific  
4 information in the order or an amended order that retroactively corrects an earlier  
5 order that does not comply with this subdivision is not sufficient to comply with this  
6 subdivision.

7 **SECTION 102h.** 48.365 (2m) (ad) of the statutes is created to read:

8 48.365 (2m) (ad) 1. If the judge finds that any of the circumstances specified  
9 in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the judge shall hold a  
10 hearing within 30 days after the date of that finding to determine the permanency  
11 plan for the child. If a hearing is held under this subdivision, the agency responsible  
12 for preparing the permanency plan shall file the permanency plan with the court not  
13 less than 5 days before the date of the hearing.

14 2. If a hearing is held under subd. 1., at least 10 days before the date of the  
15 hearing the court shall notify the child, any parent, guardian, and legal custodian  
16 of the child, and any foster parent, treatment foster parent, or other physical  
17 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the  
18 hearing.

19 **SECTION 102hg.** 48.365 (2m) (ag) of the statutes is amended to read:

20 48.365 (2m) (ag) ~~In addition to any evidence presented under par. (a), the~~ The  
21 court shall give a foster parent, treatment foster parent, or other physical custodian  
22 described in s. 48.62 (2) ~~of the child who is notified of a hearing under par. (ad) 2. or~~  
23 sub. (2) an opportunity to be heard at the hearing by permitting the foster parent,  
24 treatment foster parent, or other physical custodian to make a written or oral  
25 statement during the hearing, or to submit a written statement prior to the hearing,

1 relevant to the issue of extension. ~~Any written or oral statement made under this~~  
2 ~~paragraph shall be made under oath or affirmation.~~ A foster parent, treatment foster  
3 parent, or other physical custodian described in s. 48.62 (2) who receives notice of a  
4 hearing under par. (ad) 2. or sub. (2) and an opportunity to be heard under this  
5 paragraph does not become a party to the proceeding on which the hearing is held  
6 solely on the basis of receiving that notice and opportunity to be heard.

7 **SECTION 102hr.** 48.365 (5) of the statutes is amended to read:

8 48.365 (5) Except as provided in s. 48.368, ~~all orders an order under this section~~  
9 ~~that continues the placement of a child in his or her home or that relates to an unborn~~  
10 ~~child of an adult expectant mother shall be for a specified length of time not to exceed~~  
11 ~~one year after its date of entry. Except as provided in s. 48.368, an order under this~~  
12 ~~section that continues the placement of a child in an out-of-home placement shall~~  
13 ~~be for a specified length of time not to exceed the date on which the child reaches 18~~  
14 ~~years of age, one year after the date of entry of the order, or, if the child is a full-time~~  
15 ~~student at a secondary school or its vocational or technical equivalent and is~~  
16 ~~reasonably expected to complete the program before reaching 19 years of age, the~~  
17 ~~date on which the child reaches 19 years of age, whichever is later.~~

18 **SECTION 102j.** 48.38 (2) (intro.) of the statutes, as affected by 2001 Wisconsin  
19 Act 59, is amended to read:

20 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),  
21 for each child living in a foster home, treatment foster home, group home, residential  
22 care center for children and youth, secure detention facility, or shelter care facility,  
23 the agency that placed the child or arranged the placement or the agency assigned  
24 primary responsibility for providing services to the child under s. 48.355 shall  
25 prepare a written permanency plan, if ~~one~~ any of the following conditions exists, and,



1 for each child living in the home of a relative other than a parent, that agency shall  
2 prepare a written permanency plan, if any of the conditions specified in pars. (a) to  
3 (e) exists:

4 **SECTION 102jg.** 48.38 (2) (c) of the statutes is amended to read:

5 48.38 (2) (c) The child is under the supervision of an agency under s. 48.64 (2)  
6 or pursuant to, under a consent decree under s. 48.32 (1) (b), or under a court order  
7 under s. 48.355.

8 **SECTION 102jm.** 48.38 (2) (f) of the statutes is amended to read:

9 48.38 (2) (f) The child's care is paid would be paid for under s. 49.19 but for s.  
10 49.19 (20).

11 **SECTION 102jr.** 48.38 (2) (g) of the statutes, as created by 2001 Wisconsin Act  
12 69, is amended to read:

13 48.38 (2) (g) The child's parent is placed in a foster home, treatment foster  
14 home, group home, child-caring institution residential care center for children and  
15 youth, secure detention facility, or shelter care facility and the child is residing with  
16 that parent.

17 **SECTION 102k.** 48.38 (3) of the statutes is amended to read:

18 48.38 (3) TIME. Subject to s. 48.355 (2d) (c) 1, the agency shall file the  
19 permanency plan with the court within 60 days after the date on which the child was  
20 first held in physical custody or placed outside of his or her home under a court order  
21 removed from his or her home, except that if the child is held for less than 60 days  
22 in a secure detention facility, juvenile portion of a county jail, or a shelter care facility,  
23 no permanency plan is required if the child is returned to his or her home within that  
24 period.

25 **SECTION 102kg.** 48.38 (4) (intro.) of the statutes is amended to read:

1           48.38 (4) CONTENTS OF PLAN. (intro.) The permanency plan shall include ~~a~~  
2 ~~description of all of the following:~~

3           **SECTION 102km.** 48.38 (4) (a) of the statutes, as affected by 2001 Wisconsin Act  
4 2, is renumbered 48.38 (4) (ar) and amended to read:

5           48.38 (4) (ar) ~~The A description of the services offered and any service services~~  
6 ~~provided in an effort to prevent holding or placing the child outside of the removal~~  
7 ~~of the child from his or her home, while assuring that the health and safety of the~~  
8 ~~child are the paramount concerns, and to make it possible for the child to return~~  
9 ~~safely home achieve the goal of the permanency plan, except that the permanency~~  
10 ~~plan need not is not required to include a description of these the services offered or~~  
11 ~~provided with respect to a parent of the child to prevent the removal of the child from~~  
12 ~~the home or to achieve the permanency plan goal of returning the child safely to his~~  
13 ~~or her home if any of the circumstances specified in s. 48.355 (2d) (b) 1., 2., 3., 4., or~~  
14 ~~to 5. apply applies to that parent.~~

15           **SECTION 102kr.** 48.38 (4) (ag) of the statutes is created to read:

16           48.38 (4) (ag) The name, address, and telephone number of the child's parent,  
17 guardian, and legal custodian.

18           **SECTION 102m.** 48.38 (4) (am) of the statutes is created to read:

19           48.38 (4) (am) The date on which the child was removed from his or her home  
20 and the date on which the child was placed in out-of-home care.

21           **SECTION 102mg.** 48.38 (4) (bm) of the statutes is amended to read:

22           48.38 (4) (bm) ~~The A statement as to the~~ availability of a safe and appropriate  
23 placement with a fit and willing relative of the child and, if a decision is made not  
24 to place the child with an available relative, a statement as to why placement with  
25 the relative is not safe or appropriate.

1           **SECTION 102mm.** 48.38 (4) (dg) of the statutes is created to read:

2           48.38 (4) (dg) Information about the child's education, including all of the  
3 following:

4           1. The name and address of the school in which the child is or was most recently  
5 enrolled.

6           2. Any special education programs in which the child is or was previously  
7 enrolled.

8           3. The grade level in which the child is or was most recently enrolled and all  
9 information that is available concerning the child's grade level performance.

10          4. A summary of all available education records relating to the child that are  
11 relevant to any education goals included in the education services plan prepared  
12 under s. 48.33 (1) (e).

13           **SECTION 102mr.** 48.38 (4) (dm) of the statutes is created to read:

14           48.38 (4) (dm) If as a result of the placement the child has been or will be  
15 transferred from the school in which the child is or most recently was enrolled,  
16 documentation that a placement that would maintain the child in that school is  
17 either unavailable or inappropriate or that a placement that would result in the  
18 child's transfer to another school would be in the child's best interests.

19           **SECTION 102n.** 48.38 (4) (dr) of the statutes is created to read:

20           48.38 (4) (dr) Medical information relating to the child, including all of the  
21 following:

22          1. The names and addresses of the child's physician, dentist, and any other  
23 health care provider that is or was previously providing health care services to the  
24 child.

1           2. The child's immunization record, including the name and date of each  
2 immunization administered to the child.

3           3. Any known medical condition for which the child is receiving medical care  
4 or treatment and any known serious medical condition for which the child has  
5 previously received medical care or treatment.

6           4. The name, purpose, and dosage of any medication that is being administered  
7 to the child and the name of any medication that causes the child to suffer an allergic  
8 or other negative reaction.

9           **SECTION 102ng.** 48.38 (4) (e) of the statutes is amended to read:

10           48.38 (4) (e) The A plan for ensuring the safety and appropriateness of the  
11 placement and a description of the services provided to meet the needs of the child  
12 and family, including a discussion of services that have been investigated and  
13 considered and are not available or likely to become available within a reasonable  
14 time to meet the needs of the child or, if available, why such services are not safe or  
15 appropriate.

16           **SECTION 102nm.** 48.38 (4) (f) (intro.) of the statutes is amended to read:

17           48.38 (4) (f) (intro.) The A description of the services that will be provided to  
18 the child, the child's family, and the child's foster parent, the child's treatment foster  
19 parent or, the operator of the facility where the child is living, or the relative with  
20 whom the child is living to carry out the dispositional order, including services  
21 planned to accomplish all of the following:

22           **SECTION 102nr.** 48.38 (4) (fg) of the statutes is created to read:

23           48.38 (4) (fg) The goal of the permanency plan or, if the agency is making  
24 concurrent reasonable efforts under s. 48.355 (2b), the goals of the permanency plan.  
25 If a goal of the permanency plan is any goal other than return of the child to his or

1 her home, the permanency plan shall include the rationale for deciding on that goal.  
2 If a goal of the permanency plan is an alternative permanent placement under subd.  
3 5., the permanency plan shall document a compelling reason why it would not be in  
4 the best interest of the child to pursue a goal specified in subds. 1. to 4. The agency  
5 shall determine one or more of the following goals to be the goal or goals of a child's  
6 permanency plan:

- 7 1. Return of the child to the child's home.
- 8 2. Placement of the child for adoption.
- 9 3. Placement of the child with a guardian.
- 10 4. Permanent placement of the child with a fit and willing relative.
- 11 5. Some other alternative permanent placement, including sustaining care,  
12 independent living, or long-term foster care.

13 **SECTION 102p.** 48.38 (4) (fm) of the statutes is amended to read:

14 48.38 (4) (fm) If the goal of the permanency plan calls for placing is to place the  
15 child for adoption, with a guardian, with a fit and willing relative, or in some other  
16 alternative permanent placement, the efforts made to ~~place the child for adoption,~~  
17 ~~with a guardian or in some other alternative permanent placement~~ achieve that goal.

18 **SECTION 102pg.** 48.38 (4) (h) of the statutes is created to read:

19 48.38 (4) (h) If the child is 15 years of age or over, a description of the programs  
20 and services that are or will be provided to assist the child in preparing for the  
21 transition from out-of-home care to independent living. The description shall  
22 include all of the following:

- 23 1. The anticipated age at which the child will be discharged from out-of-home  
24 care.

1           2. The anticipated amount of time available in which to prepare the child for  
2 the transition from out-of-home care to independent living.

3           3. The anticipated location and living situation of the child on discharge from  
4 out-of-home care.

5           4. A description of the assessment processes, tools, and methods that have been  
6 or will be used to determine the programs and services that are or will be provided  
7 to assist the child in preparing for the transition from out-of-home care to  
8 independent living.

9           5. The rationale for each program or service that is or will be provided to assist  
10 the child in preparing for the transition from out-of-home care to independent  
11 living, the time frames for delivering those programs or services, and the intended  
12 outcome of those programs or services.

13           **SECTION 102pm.** 48.38 (5) (a) of the statutes, as affected by 2001 Wisconsin Act  
14 69, is amended to read:

15           48.38 (5) (a) Except as provided in s. 48.63 (5) (d), the court or a panel appointed  
16 under ~~this paragraph~~ par. (ag) shall review the permanency plan ~~every in the~~  
17 manner provided in this subsection not later than 6 months from after the date on  
18 which the child was first held in physical custody or placed outside of removed from  
19 his or her home and every 6 months after a previous review under this subsection for  
20 as long as the child is placed outside the home, except that for the review that is  
21 required to be conducted not later than 12 months after the child was first removed  
22 from his or her home and the reviews that are required to be conducted every 12  
23 months after that review the court shall hold a hearing under sub. (5m) to review the  
24 permanency plan, which hearing may be instead of or in addition to the review under  
25 this subsection.

1           (ag) If the court elects not to review the permanency plan, the court shall  
2           appoint a panel to review the permanency plan. The panel shall consist of 3 persons  
3           who are either designated by an independent agency that has been approved by the  
4           chief judge of the judicial administrative district or designated by the agency that  
5           prepared the permanency plan. A voting majority of persons on each panel shall be  
6           persons who are not employed by the agency that prepared the permanency plan and  
7           who are not responsible for providing services to the child or the parents of the child  
8           whose permanency plan is the subject of the review.

9           **SECTION 102pr.** 48.38 (5) (b) of the statutes is amended to read:

10           48.38 (5) (b) The court or the agency shall notify the parents of the child, the  
11           child, if he or she is 12 years of age or older, and the child's foster parent, the child's  
12           treatment foster parent ~~or~~, the operator of the facility in which the child is living, or  
13           the relative with whom the child is living of the date, time, and place of the review,  
14           of the issues to be determined as part of the review, and of the fact that they may have  
15           an opportunity to be heard at the review by submitting written comments not less  
16           than 10 working days before the review or by participating at the review. The court  
17           or agency shall notify the person representing the interests of the public, the child's  
18           counsel, the child's guardian ad litem, and the child's court-appointed special  
19           advocate of the date of the review, of the issues to be determined as part of the review,  
20           and of the fact that they may submit written comments not less than 10 working days  
21           before the review. The notices under this paragraph shall be provided in writing not  
22           less than 30 days before the review and copies of the notices shall be filed in the child's  
23           case record.

24           **SECTION 102q.** 48.38 (5) (c) 6. (intro.) of the statutes is amended to read:

1           48.38 (5) (c) 6. (intro.) If the child has been placed outside of his or her home,  
2 as described in s. 48.365 (1), for 15 of the most recent 22 months, not including any  
3 period during which the child was a runaway from the out-of-home placement or the  
4 first 6 months of any period during which the child was returned to his or her home  
5 for a trial home visit, the appropriateness of the permanency plan and the  
6 circumstances which prevent the child from any of the following:

7           **SECTION 102qg.** 48.38 (5) (c) 6. am. of the statutes is renumbered 48.38 (5) (c)  
8 6. cm. and amended to read:

9           48.38 (5) (c) 6. cm. Being placed in the home of a fit and willing relative of the  
10 child.

11           **SECTION 102qm.** 48.38 (5) (c) 6. cg. of the statutes is created to read:

12           48.38 (5) (c) 6. cg. Being placed with a guardian.

13           **SECTION 102qr.** 48.38 (5) (c) 6. d. of the statutes is amended to read:

14           48.38 (5) (c) 6. d. Being placed in some other alternative permanent placement,  
15 including sustaining care, independent living, or long-term foster care.

16           **SECTION 102r.** 48.38 (5) (c) 7. of the statutes, as affected by 2001 Wisconsin Act  
17 2, is amended to read:

18           48.38 (5) (c) 7. Whether reasonable efforts were made by the agency to ~~make~~  
19 ~~it possible for the child to return safely to his or her home, except that the court or~~  
20 ~~panel need not determine whether those reasonable efforts were made with respect~~  
21 ~~to a parent of the child if any of the circumstances specified in s. 48.355 (2d) (b) 1.,~~  
22 ~~2., 3., 4., or 5. apply to that parent~~ achieve the goal of the permanency plan, unless  
23 return of the child to the home is the goal of the permanency plan and any of the  
24 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

25           **SECTION 102rm.** 48.38 (5m) of the statutes is created to read:



1           48.38 **(5m)** PERMANENCY PLAN HEARING. (a) The court shall hold a hearing to  
2 review the permanency plan and to make the determinations specified in sub. (5) (c)  
3 no later than 12 months after the date on which the child was first removed from the  
4 home and every 12 months after a previous hearing under this subsection for as long  
5 as the child is placed outside the home.

6           (b) Not less than 30 days before the date of the hearing, the court shall notify  
7 the child; the child's parent, guardian, and legal custodian; the child's foster parent  
8 or treatment foster parent, the operator of the facility in which the child is living, or  
9 the relative with whom the child is living; the child's counsel, the child's guardian ad  
10 litem, and the child's court-appointed special advocate; the agency that prepared the  
11 permanency plan; and the person representing the interests of the public of the date,  
12 time, and place of the hearing.

13           (c) Any person who is provided notice of the hearing may have an opportunity  
14 to be heard at the hearing by submitting written comments relevant to the  
15 determinations specified in sub. (5) (c) not less than 10 working days before the date  
16 of the hearing or by participating at the hearing. A foster parent, treatment foster  
17 parent, operator of a facility in which a child is living, or relative with whom a child  
18 is living who receives notice of a hearing under par. (b) and an opportunity to be heard  
19 under this paragraph does not become a party to the proceeding on which the hearing  
20 is held solely on the basis of receiving that notice and opportunity to be heard.

21           (d) At least 5 days before the date of the hearing the agency that prepared the  
22 permanency plan shall provide a copy of the permanency plan and any written  
23 comments submitted under par. (c) to the court, to the child's parent, guardian, and  
24 legal custodian, to the person representing the interests of the public, to the child's  
25 counsel or guardian ad litem, and to the child's court-appointed special advocate.

1 Notwithstanding s. 48.78 (2) (a), the person representing the interests of the public,  
2 the child's counsel or guardian ad litem, and the child's court-appointed special  
3 advocate may have access to any other records concerning the child for the purpose  
4 of participating in the review. A person permitted access to a child's records under  
5 this paragraph may not disclose any information from the records to any other  
6 person.

7 (e) After the hearing, the court shall make written findings of fact and  
8 conclusions of law relating to the determinations under sub. (5) (c) and shall provide  
9 a copy of those findings of fact and conclusions of law to the child; the child's parent,  
10 guardian, and legal custodian; the child's foster parent or treatment foster parent,  
11 the operator of the facility in which the child is living, or the relative with whom the  
12 child is living; the child's court-appointed special advocate; the agency that prepared  
13 the permanency plan; and the person representing the interests of the public. The  
14 court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis based  
15 on circumstances specific to the child and shall document or reference the specific  
16 information on which those findings are based in the findings of fact and conclusions  
17 of law prepared under this paragraph. Findings of fact and conclusions of law that  
18 merely reference sub. (5) (c) 7. without documenting or referencing that specific  
19 information in the findings of fact and conclusions of law or amended findings of fact  
20 and conclusions of law that retroactively correct earlier findings of fact and  
21 conclusions of law that do not comply with this paragraph are not sufficient to comply  
22 with this paragraph.

23 (f) If the findings of fact and conclusions of law under par. (e) conflict with the  
24 child's dispositional order or provide for any additional services not specified in the

1 dispositional order, the court shall revise the dispositional order under s. 48.363 or  
2 order a change in placement under s. 48.357, as appropriate.”.

3 **131.** Page 35, line 4: delete lines 4 to 12 and substitute:

4 **“SECTION 103m.** 48.417 (1) (a) of the statutes is amended to read:

5 48.417 (1) (a) The child has been placed outside of his or her home, as described  
6 in s. 48.365 (1) or 938.365 (1), for 15 of the most recent 22 months, not including any  
7 period during which the child was a runaway from the out-of-home placement or the  
8 first 6 months of any period during which the child was returned to his or her home  
9 for a trial home visit. If the circumstances specified in this paragraph apply, the  
10 petition shall be filed or joined in by the last day of the 15th month, as described in  
11 this paragraph, for which the child was placed outside of his or her home.

12 **SECTION 103p.** 48.417 (1) (b) of the statutes is amended to read:

13 48.417 (1) (b) A court of competent jurisdiction has found under s. 48.13 (2) or  
14 under a law of any other state or a federal law that is comparable to s. 48.13 (2) that  
15 the child was abandoned when he or she was under one year of age or has found that  
16 the parent abandoned the child when the child was under one year of age in violation  
17 of s. 948.20 or in violation of the law of any other state or federal law, if that violation  
18 would be a violation of s. 948.20 if committed in this state. If the circumstances  
19 specified in this paragraph apply, the petition shall be filed or joined in within 60  
20 days after the date on which the court of competent jurisdiction found that the child  
21 was abandoned as described in this paragraph.

22 **SECTION 103r.** 48.417 (1) (c) of the statutes is amended to read:

23 48.417 (1) (c) A court of competent jurisdiction has found that the parent has  
24 committed, has aided or abetted the commission of, or has solicited, conspired, or

1 attempted to commit, a violation of s. 940.01, 940.02, 940.03, or 940.05 or a violation  
2 of the law of any other state or federal law, if that violation would be a violation of  
3 s. 940.01, 940.02, 940.03, or 940.05 if committed in this state, and that the victim of  
4 that violation is a child of the parent. If the circumstances specified in this paragraph  
5 apply, the petition shall be filed or joined in within 60 days after the date on which  
6 the court assigned to exercise jurisdiction under this chapter determines, based on  
7 a finding that a circumstance specified in this paragraph applies, that reasonable  
8 efforts to make it possible for the child to return safely to his or her home are not  
9 required.

10 **SECTION 103t.** 48.417 (1) (d) of the statutes is amended to read:

11 48.417 (1) (d) A court of competent jurisdiction has found that the parent has  
12 committed a violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or  
13 (2), 948.025, or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
14 federal law, if that violation would be a violation of s. 940.19 (2), (3), (4), or (5), 940.225  
15 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) if committed in this state,  
16 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or  
17 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child  
18 of the parent. If the circumstances specified in this paragraph apply, the petition  
19 shall be filed or joined in within 60 days after the date on which the court assigned  
20 to exercise jurisdiction under this chapter determines, based on a finding that a  
21 circumstance specified in this paragraph applies, that reasonable efforts to make it  
22 possible for the child to return safely to his or her home are not required.

23 **SECTION 104b.** 48.417 (1) (d) of the statutes, as affected by 2001 Wisconsin Act

24 .... (this act), is amended to read:

1           48.417 (1) (d) A court of competent jurisdiction has found that the parent has  
2           committed a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.19 (2), (3), (4),  
3           or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) or a  
4           violation of the law of any other state or federal law, if that violation would be a  
5           violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
6           or 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted  
7           in great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as  
8           defined in s. 939.22 (38), to the child or another child of the parent. If the  
9           circumstances specified in this paragraph apply, the petition shall be filed or joined  
10          in within 60 days after the date on which the court assigned to exercise jurisdiction  
11          under this chapter determines, based on a finding that a circumstance specified in  
12          this paragraph applies, that reasonable efforts to make it possible for the child to  
13          return safely to his or her home are not required.

14           **SECTION 104d.** 48.417 (2) (a) of the statutes is amended to read:

15           48.417 (2) (a) The child is being cared for by a fit and willing relative of the  
16          child.

17           **SECTION 104e.** 48.417 (2) (b) of the statutes is amended to read:

18           48.417 (2) (b) The child's permanency plan indicates and provides  
19          documentation that termination of parental rights to the child is not in the best  
20          interests of the child.

21           **SECTION 104f.** 48.417 (2) (d) of the statutes is created to read:

22           48.417 (2) (d) Grounds for an involuntary termination of parental rights under  
23          s. 48.415 do not exist.”.

24           **132.** Page 35, line 18: after that line insert:

1           **“SECTION 110m.** 48.63 (1) of the statutes, as affected by 2001 Wisconsin Act 69,  
2 is amended to read:

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

22           **SECTION 110p.** 48.63 (4) of the statutes is amended to read:

23           48.63 (4) A permanency plan under s. 48.38 is required for each child placed  
24 in a foster home or treatment foster home under sub. (1). If the child is living in a  
25 foster home or treatment foster home under a voluntary agreement, the agency that

1 negotiated or acted as intermediary for the placement shall prepare the permanency  
2 plan within 60 days after the placement date on which the child was removed from  
3 his or her home under the voluntary agreement. A copy of each plan shall be provided  
4 to the child if he or she is 12 years of age or over and to the child's parent or guardian.  
5 If the agency ~~which~~ that arranged the voluntary placement intends to seek a court  
6 order to place the child outside of his or her home at the expiration of the voluntary  
7 placement, the agency shall prepare a revised permanency plan and file that revised  
8 plan with the court prior to the date of the hearing on the proposed placement.

9 **SECTION 110r.** 48.63 (5) (b) of the statutes, as created by 2001 Wisconsin Act  
10 69, is amended to read:

11 48.63 (5) (b) If a child who is at least 14 years of age, who is a custodial parent,  
12 as defined in s. 49.141 (1) (b), or an expectant mother, and who is in need of a safe  
13 and structured living arrangement and the parent or guardian of the child consent,  
14 a child welfare agency licensed to place children in group homes may place the child  
15 or arrange the placement of the child in a group home described in s. 48.625 (1m).  
16 Before placing a child or arranging the placement of a child under this paragraph,  
17 the child welfare agency shall report any suspected abuse or neglect of the child as  
18 required under s. 48.981 (2). A voluntary agreement to place a child in a group home  
19 described in s. 48.625 (1m) may be made only under this paragraph, shall be in  
20 writing, and shall specifically state that the agreement may be terminated at any  
21 time by the parent, guardian, or child. An initial placement under this paragraph  
22 may not exceed ~~6 months~~ 180 days from the date on which the child was removed  
23 from the home under the voluntary agreement, but may be extended as provided in  
24 par. (d) 3. to 6. An initial placement under this paragraph of a child who is under 16

1 years of age on the date of the initial placement may be extended as provided in par.  
2 (d) 3. to 6. no more than once.

3 **SECTION 110s.** 48.63 (5) (c) of the statutes, as created by 2001 Wisconsin Act  
4 69, is amended to read:

5 48.63 (5) (c) A permanency plan under s. 48.38 is required for each child placed  
6 in a group home under par. (b) and for any child of that child who is residing with that  
7 child. The agency that placed the child or that arranged the placement of the child  
8 shall prepare the plan within 60 days after the placement date on which the child was  
9 removed from his or her home under the voluntary agreement and shall provide a  
10 copy of the plan to the child and the child's parent or guardian.”

11 **133.** Page 36, line 12: delete lines 12 to 16 and substitute:

12 **“SECTION 113x.** 48.685 (5) (bm) 4. of the statutes is amended to read:

13 48.685 (5) (bm) 4. A violation of s. 125.075 (1), 125.085 (3) (a) 2., 125.105 (2) (b),  
14 125.66 (3), 125.68 (12), 940.09, 940.19 (2), (3), (4), (5), or (6), 940.20, 940.203, 940.205  
15 or, 940.207, or 940.25, a violation of s. 346.63 (1), (2), (5), or (6) that is a felony under  
16 s. 346.65 (2) (e) or (f), (2j) (d), or (3m), or an offense under ch. 961 that is a felony, if  
17 committed not more than 5 years before the date of the investigation under sub. (2)  
18 (am).

19 **SECTION 114b.** 48.685 (5) (bm) 4. of the statutes, as affected by 2001 Wisconsin  
20 Act .... (this act), is amended to read:

21 48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 125.075 (1),  
22 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12), 940.09, 940.19 (2), (3), (4),  
23 (5), or (6), 940.20, 940.203, 940.205, 940.207, or 940.025, a violation of s. 346.63 (1),  
24 (2), (5), or (6) that is a felony under s. 346.65 (2) (e) or (f), (2j) (d) or (3m), or an offense



1 under ch. 961 that is a felony, if committed not more than 5 years before the date of  
2 the investigation under sub. (2) (am).

3 **SECTION 114g.** 48.78 (2) (a) of the statutes is amended to read:

4 48.78 (2) (a) No agency may make available for inspection or disclose the  
5 contents of any record kept or information received about an individual in its care  
6 or legal custody, except as provided under s. 48.371, 48.38 (5) (b) or (d) or (5m) (d),  
7 48.432, 48.433, 48.93, 48.981 (7), 938.51, or 938.78 or by order of the court.

8 **SECTION 114m.** 48.977 (2) (f) of the statutes, as affected by 2001 Wisconsin Act  
9 2, is amended to read:

10 48.977 (2) (f) That the agency primarily responsible for providing services to  
11 the child under a court order has made reasonable efforts to make it possible for the  
12 child to return to his or her home, while assuring that the child's health and safety  
13 are the paramount concerns, but that reunification of the child with the child's  
14 parent or parents is unlikely or contrary to the best interests of the child and that  
15 further reunification efforts are unlikely to be made or are contrary to the best  
16 interests of the child, except that the court ~~need not~~ is not required to find that the  
17 agency has made those reasonable efforts with respect to a parent of the child if any  
18 of the circumstances specified in s. 48.355 (2d) (b) 1., 2., 3., 4., or 5. apply to 5. applies  
19 to that parent. The court shall make the findings specified in this paragraph on a  
20 case-by-case basis based on circumstances specific to the child and shall document  
21 or reference the specific information on which those findings are based in the  
22 guardianship order. A guardianship order that merely references this paragraph  
23 without documenting or referencing that specific information in the order or an  
24 amended guardianship order that retroactively corrects an earlier guardianship

1 order that does not comply with this paragraph is not sufficient to comply with this  
2 paragraph.”.

3 **134.** Page 37, line 25: after that line insert:

4 “**SECTION 119k.** 49.175 (1) (z) of the statutes, as affected by 2001 Wisconsin Act  
5 16, is amended to read:

6 49.175 (1) (z) *Community youth grant.* For a competitive grant program  
7 administered by the department to fund programs that improve social, academic and  
8 employment skills of youth who are eligible to receive temporary assistance for needy  
9 families under 42 USC 601 et seq., ~~\$7,579,700~~ \$7,829,700 in fiscal year 2001–02 and  
10 ~~\$50,000~~ \$300,000 fiscal year 2002–03.”.

11 **135.** Page 37, line 25: after that line insert:

12 “**SECTION 119g.** 49.152 (title) of the statutes is renumbered 49.16 (title).

13 **SECTION 119gd.** 49.152 (1) of the statutes is renumbered 49.16 (1).

14 **SECTION 119gh.** 49.152 (2) of the statutes is renumbered 49.16 (2).

15 **SECTION 119gi.** 49.152 (3) (title) of the statutes is renumbered 49.16 (3) (title).

16 **SECTION 119gj.** 49.152 (3) (a) of the statutes is renumbered 49.16 (3) (a) and  
17 amended to read:

18 49.16 (3) (a) If, following review under sub. (2), the Wisconsin works agency or  
19 the department determines that an individual, ~~whose application for a Wisconsin~~  
20 ~~works employment position was denied based on eligibility, was in fact eligible, or~~  
21 ~~that the individual~~ was placed in an inappropriate Wisconsin works employment  
22 position, the Wisconsin works agency shall place the individual in the first available  
23 Wisconsin works employment position that is appropriate for that individual, as  
24 determined by the Wisconsin works agency or the department. An individual who

1 is placed in a Wisconsin works employment position under this paragraph is eligible  
2 for the benefit for that position under s. 49.148 beginning on the date on which the  
3 individual begins participation under s. 49.147.

4 **SECTION 119gk.** 49.152 (3) (b) of the statutes is renumbered 49.16 (3) (b) and  
5 amended to read:

6 49.16 (3) (b) If, following review under sub. (2), the Wisconsin works agency or  
7 the department determines that an individual's application was not acted upon with  
8 reasonable promptness or was improperly denied in whole or in part or that a  
9 participant's benefit was improperly modified or canceled, or was calculated  
10 incorrectly, the Wisconsin works agency shall restore the benefit to the level  
11 determined to be appropriate by the Wisconsin works agency or by the department  
12 grant the appropriate benefit, retroactive to the date on which the individual's  
13 application was first not acted upon with reasonable promptness or improperly  
14 denied in whole or in part or the individual's benefit was first improperly modified  
15 or canceled or incorrectly calculated."

16 **136.** Page 38, line 6: after that line insert:

17 "SECTION 119r. 49.195 (3) of the statutes, as affected by 2001 Wisconsin Act 16,  
18 is amended to read:

19 49.195 (3) A county, tribal governing body, Wisconsin works agency or the  
20 department shall determine whether an overpayment has been made under s. 49.19,  
21 49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal  
22 governing body, Wisconsin works agency or department shall provide notice of the  
23 overpayment to the liable person. The department shall give that person an  
24 opportunity for a review following the procedure specified under s. ~~49.152~~ 49.16, if

1 the person received the overpayment under s. 49.141 to 49.161, and for a hearing  
2 under ch. 227. Notwithstanding s. 49.96, the department shall promptly recover all  
3 overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already  
4 been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing  
5 policies and procedures to administer this subsection. The rules shall include  
6 notification procedures similar to those established for child support collections.”.

7 **137.** Page 38, line 20: after that line insert:

8 “**SECTION 121pb.** 49.45 (2) (a) 9. of the statutes is amended to read:

9 49.45 (2) (a) 9. Periodically set forth conditions of participation and  
10 reimbursement ~~in a contract with provider~~ for contracts with providers of service  
11 under this section. The department shall promulgate rules that specify criteria for  
12 and required procedures for submittal of appropriate claims for reimbursement.

13 **SECTION 121pc.** 49.45 (2) (a) 10. a. of the statutes, as affected by 2001  
14 Wisconsin Act 16, is renumbered 49.45 (2) (a) 10. and amended to read:

15 49.45 (2) (a) 10. After reasonable notice and opportunity for a hearing  
16 conducted as a class 2 proceeding under ch. 227, recover money improperly or  
17 erroneously paid or overpayments to a provider by offsetting or adjusting amounts  
18 owed the provider under the program, crediting against a provider’s future claims  
19 for reimbursement for other services or items furnished by the provider under the  
20 program, or requiring the provider to make direct payment to the department or its  
21 fiscal intermediary.

22 **SECTION 121pd.** 49.45 (2) (a) 10. b. of the statutes, as created by 2001 Wisconsin  
23 Act 16, is repealed.

1           **SECTION 121pe.** 49.45 (2) (a) 10. c. of the statutes, as created by 2001 Wisconsin  
2 Act 16, is repealed.

3           **SECTION 121pf.** 49.45 (2) (a) 11. a. of the statutes, as affected by 2001 Wisconsin  
4 Act 16, is renumbered 49.45 (2) (a) 11. and amended to read:

5           49.45 (2) (a) 11. Establish criteria for the certification of eligible providers of  
6 medical assistance and, except as provided in ~~par. (b) 6m. and s. 49.48, and subject~~  
7 ~~to par. (b) 7. and 8.,~~ certify providers who meet the criteria.

8           **SECTION 121pg.** 49.45 (2) (a) 11. b. of the statutes, as created by 2001 Wisconsin  
9 Act 16, is repealed.

10          **SECTION 121ph.** 49.45 (2) (a) 12. a. of the statutes, as affected by 2001  
11 Wisconsin Act 16, is renumbered 49.45 (2) (a) 12. and amended to read:

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

1           **SECTION 121pi.** 49.45 (2) (a) 12. b. of the statutes, as created by 2001 Wisconsin  
2 Act 16, is repealed.

3           **SECTION 121pj.** 49.45 (2) (a) 14. of the statutes is amended to read:

4           49.45 (2) (a) 14. Assure due process in implementing subs. 12. and 13. by  
5 providing written notice, ~~a fair hearing and a written decision~~ and a hearing  
6 conducted as a class 2 proceeding under ch. 227.

7           **SECTION 121pk.** 49.45 (2) (b) 6m. of the statutes, as created by 2001 Wisconsin  
8 Act 16, is repealed.

9           **SECTION 121pL.** 49.45 (2) (b) 7. of the statutes, as created by 2001 Wisconsin  
10 Act 16, is repealed.

11           **SECTION 121pm.** 49.45 (2) (b) 8. of the statutes, as created by 2001 Wisconsin  
12 Act 16, is repealed.

13           **SECTION 121pn.** 49.45 (2) (b) 9. of the statutes, as created by 2001 Wisconsin  
14 Act 16, is repealed.

15           **SECTION 121pp.** 49.45 (3) (g) 1. of the statutes, as affected by 2001 Wisconsin  
16 Act 16, is renumbered 49.45 (3) (g) and amended to read:

17           49.45 (3) (g) The secretary may authorize personnel to audit or investigate and  
18 report to the department on any matter involving violations or complaints alleging  
19 violations of statutes, regulations, or rules applicable to the medical assistance  
20 program and to perform such investigations or audits as are required to verify the  
21 actual provision of services or items available under the medical assistance program  
22 and the appropriateness and accuracy of claims for reimbursement submitted by  
23 providers participating in the program. Department employees authorized by the  
24 secretary under this paragraph shall be issued, and shall possess at all times while  
25 they are performing their investigatory or audit functions under this section,

1 identification, signed by the secretary, that specifically designates the bearer as  
2 possessing the authorization to conduct medical assistance investigations or audits.  
3 Under the request of a designated person and upon presentation of the person's  
4 authorization, providers and medical assistance recipients shall accord the person  
5 access to any ~~provider personnel~~, records, books, or documents or other information  
6 needed. Under the written request of a designated person and upon presentation of  
7 the person's authorization, providers and recipients shall accord the person access  
8 to any needed patient health care records of a recipient. Authorized employees may  
9 hold hearings, administer oaths, take testimony, and perform all other duties  
10 necessary to bring the matter before the department for final adjudication and  
11 determination.

12 **SECTION 121pq.** 49.45 (3) (g) 2. of the statutes, as created by 2001 Wisconsin  
13 Act 16, is repealed.

14 **SECTION 121pr.** 49.45 (3) (h) 1. of the statutes is created to read:

15 49.45 (3) (h) 1. For purposes of any audit, investigation, examination, analysis,  
16 review, or other function authorized by law with respect to the medical assistance  
17 program, the secretary shall have the power to sign and issue subpoenas to any  
18 person requiring the production of any pertinent books, records, patient health care  
19 records, or other information. Subpoenas so issued shall be served by anyone  
20 authorized by the secretary by delivering a copy to the person named in the  
21 subpoena, or by registered mail or certified mail addressed to the person at his or her  
22 last known residence or principal place of business. A verified return by the person  
23 serving the subpoena setting forth the manner of service, or, in the event service is  
24 by registered or certified mail, the return post-office receipt signed by the person  
25 served constitutes proof of service.

1           **SECTION 121ps.** 49.45 (3) (h) 1m. of the statutes, as affected by 2001 Wisconsin  
2 Act 16, is renumbered 49.45 (3) (h) 3. and amended to read:

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

13           **SECTION 121pt.** 49.45 (3) (h) 1n. of the statutes, as created by 2001 Wisconsin  
14 Act 16, is repealed.

15           **SECTION 121pu.** 49.45 (3) (h) 2. of the statutes is created to read:

16           49.45 (3) (h) 2. In the event of contumacy or refusal to obey a subpoena issued  
17 under this paragraph and duly served upon any person, any judge in a court of record  
18 in the county in which the person was served may enforce the subpoena in accordance  
19 with s. 885.12.

20           **SECTION 121pv.** 49.45 (21) (title) of the statutes, as affected by 2001 Wisconsin  
21 Act 16, is amended to read:

22           49.45 (21) (title) ~~TAKING OVER PROVIDER'S OPERATION~~ TRANSFER OF BUSINESS,  
23 LIABILITY FOR; REPAYMENTS REQUIRED.

24           **SECTION 121pw.** 49.45 (21) (ag) of the statutes, as created by 2001 Wisconsin  
25 Act 16, is repealed.



1           **SECTION 121pwj.** 49.45 (21) (ar) of the statutes, as affected by 2001 Wisconsin  
2 Act 16, is renumbered 49.45 (21) (a) and amended to read:

3           49.45 (21) (a) ~~Before a person may take over the operation of a provider that~~  
4 is If any provider liable for repayment of improper or erroneous payments or  
5 overpayments under ss. 49.43 to 49.497, ~~full repayment shall be made. Upon~~  
6 ~~request, the department shall notify the provider or the person that intends to take~~  
7 ~~over the operation of the provider as to whether the provider~~ sells or otherwise  
8 transfers ownership of his or her business or all or substantially all of the assets of  
9 the business, the transferor and transferee are each liable for the repayment. Prior  
10 to final transfer, the transferee is responsible for contacting the department and  
11 ascertaining if the transferor is liable under this paragraph.

12           **SECTION 121px.** 49.45 (21) (b) of the statutes, as affected by 2001 Wisconsin Act  
13 16, is amended to read:

14           49.45 (21) (b) ~~If, notwithstanding the prohibition under par. (ar), a person takes~~  
15 ~~over the operation of a provider~~ If a transfer occurs and the applicable amount under  
16 ~~par. (ar) (a) has not been repaid, the department may, in addition to withholding~~  
17 ~~certification as authorized under sub. (2) (b) 8., proceed against the provider or the~~  
18 ~~person either the transferor or the transferee. Within 30 days after the certified~~  
19 ~~provider receives receiving notice from the department, the transferor or the~~  
20 ~~transferee shall pay the amount shall be repaid in full. If the amount is not repaid~~  
21 ~~in full Upon failure to comply, the department may bring an action to compel~~  
22 ~~payment. If a transferor fails to pay within 90 days after receiving notice from the~~  
23 ~~department, the department may proceed under sub. (2) (a) 12., or may do both.~~

24           **SECTION 121py.** 49.45 (21) (e) of the statutes, as created by 2001 Wisconsin Act  
25 16, is repealed.”.

1           **138.** Page 38, line 20: after that line insert:

2           “**SECTION 121t.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

3           49.45 (6m) (ar) 1. a. The department shall establish standards for payment of  
4           allowable direct care costs, for facilities that do not primarily serve the  
5           developmentally disabled, that take into account direct care costs for a sample of all  
6           of those facilities in this state and separate standards for payment of allowable direct  
7           care costs, for facilities that primarily serve the developmentally disabled, that take  
8           into account direct care costs for a sample of all of those facilities in this state. The  
9           standards shall be adjusted by the department for regional labor cost variations. For  
10          facilities in Douglas, Pierce, and St. Croix counties, the department shall perform the  
11          adjustment by use of the wage index that is used by the federal department of health  
12          and human services for hospital reimbursement under 42 USC 1395 to 1395ggg.”.

13          **139.** Page 38, line 20: after that line insert:

14          “**SECTION 121k.** 49.26 (1) (h) 1. as. of the statutes is amended to read:

15          49.26 (1) (h) 1. as. The individual has failed to request a hearing or has failed  
16          to show good cause for not cooperating with case management efforts in a hearing.  
17          The hearing shall be requested and held under s. ~~49.152~~ 49.16. The department shall  
18          determine by rule the criteria for good cause.”.

19          **140.** Page 39, line 10: after that line insert:

20          “**SECTION 122c.** 49.45 (50) of the statutes is created to read:

21          49.45 (50) DISEASE MANAGEMENT. (a) In this subsection, “disease management”  
22          means an integrated and systematic approach for managing the health care needs  
23          of patients who are at risk of or are diagnosed with a specific disease, using all of the  
24          following:

- 1           1. Best practices.
- 2           2. Prevention strategies.
- 3           3. Clinical practice improvement.
- 4           4. Clinical interventions and protocols.
- 5           5. Outcomes research, information, and technology.
- 6           6. Other tools and resources to reduce overall costs and improve measurable
- 7 outcomes.

8           (b) The department may contract with an entity, under the department's  
9 request-for-proposal procedures, to engage in disease management activities on  
10 behalf of recipients of medical assistance.”.

11           **141.** Page 41, line 13: after that line insert:

12           “**SECTION 128g.** 49.49 (6) of the statutes is amended to read:

13           **49.49 (6) RECOVERY.** In addition to other remedies available under this section,  
14 the court may award the department of justice the reasonable and necessary costs  
15 of investigation, an amount reasonably necessary to remedy the harmful effects of  
16 the violation and the reasonable and necessary expenses of prosecution, including  
17 attorney fees, from any person who violates this section. The department of justice  
18 shall deposit in the state treasury for deposit in the general fund all moneys that the  
19 court awards to the department or the state under this subsection. ~~Ten percent of~~  
20 ~~the money deposited in the general fund that was awarded under this subsection for~~  
21 ~~the costs of investigation and the expenses of prosecution, including attorney fees,~~  
22 ~~shall be credited to the appropriation account under s. 20.455 (1) (gh).”.~~

23           **142.** Page 46, line 20: after that line insert:

1           **SECTION 145g.** 49.85 (2) (a) of the statutes, as affected by 2001 Wisconsin Act  
2 16, is amended to read:

3           49.85 (2) (a) At least annually, the department of health and family services  
4 shall certify to the department of revenue the amounts that, based on the  
5 notifications received under sub. (1) and on other information received by the  
6 department of health and family services, the department of health and family  
7 services has determined that it may recover under s. ~~49.45 (2) (a) 10. or~~ 49.497, except  
8 that the department of health and family services may not certify an amount under  
9 this subsection unless it has met the notice requirements under sub. (3) and unless  
10 its determination has either not been appealed or is no longer under appeal.

11           **SECTION 145h.** 49.85 (3) (a) 1. of the statutes, as affected by 2001 Wisconsin Act  
12 16, is amended to read:

13           49.85 (3) (a) 1. Inform the person that the department of health and family  
14 services intends to certify to the department of revenue an amount that the  
15 department of health and family services has determined to be due under s. ~~49.45~~  
16 ~~(2) (a) 10. or~~ 49.497, for setoff from any state tax refund that may be due the person.”.

17           **143.** Page 47, line 25: after that line insert:

18           **SECTION 148n.** 50.36 (3d) of the statutes is created to read:

19           50.36 (3d) (a) A hospital shall develop and maintain a system under which the  
20 hospital may grant emergency staff privileges to a health care provider, as defined  
21 in s. 146.81 (1), to whom all of the following apply:

22           1. The health care provider seeks to provide care at the hospital during a period  
23 of a state of emergency related to public health declared by the governor under s.  
24 166.03 (1) (b) 1.

1           2. The health care provider does not have staff privileges at the hospital at the  
2 time that the state of emergency related to public health is declared by the governor  
3 under s. 166.03 (1) (b) 1.

4           3. The health care provider has staff privileges at another hospital.

5           (b) A hospital that grants emergency staff privileges under par. (a) has  
6 immunity from civil liability for acts or omissions by a health care provider who is  
7 granted emergency staff privileges under par. (a).”.

8           **144.** Page 48, line 5: after that line insert:

9           “**SECTION 149f.** 51.20 (13) (ct) 2m. of the statutes is amended to read:

10           51.20 (13) (ct) 2m. If the subject individual is before the court on a petition filed  
11 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a  
12 violation, or to have solicited, conspired, or attempted to commit a violation, of s.  
13 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,  
14 948.06, 948.07, 948.075, 948.08, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or  
15 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the subject individual  
16 was not the victim’s parent, the court shall require the individual to comply with the  
17 reporting requirements under s. 301.45 unless the court determines, after a hearing  
18 on a motion made by the individual, that the individual is not required to comply  
19 under s. 301.45 (1m).”.

20           **145.** Page 48, line 10: after that line insert:

21           “**SECTION 150tg.** 62.13 (5) (i) of the statutes is amended to read:

22           62.13 (5) (i) Any person suspended, reduced, suspended and reduced, or  
23 removed by the board may appeal from the order of the board to the circuit court by  
24 serving written notice of the appeal on the secretary of the board within 10 days after

1 the order is filed. Within 5 days after receiving written notice of the appeal, the board  
2 shall certify to the clerk of the circuit court the record of the proceedings, including  
3 all documents, testimony, and minutes. The action shall then be at issue and shall  
4 have precedence over any other cause of a different nature pending in the court,  
5 which shall always be open to the trial thereof. The court shall upon application of  
6 the accused or of the board fix a date of trial, which shall not be later than 15 days  
7 after such application except by agreement. The trial shall be by the court and upon  
8 the return of the board, except that the court may require further return or the taking  
9 and return of further evidence by the board. The question to be determined by the  
10 court shall be: Upon the evidence is there just cause, as described under par. (em),  
11 to sustain the charges against the accused? No costs shall be allowed either party  
12 and the clerk's fees shall be paid by the city. If the order of the board is reversed, the  
13 accused shall be forthwith reinstated and entitled to pay as though in continuous  
14 service. If the order of the board is sustained, it shall be final and conclusive. This  
15 paragraph does not apply to any person who is suspended, reduced, suspended and  
16 reduced, or removed by the board or by a committee or person acting under this  
17 subsection in place of a board, and who is subject to the terms of a collective  
18 bargaining agreement entered into under subch. IV of ch. 111 that provides an  
19 alternative to the appeals procedure specified in this paragraph, unless the person  
20 chooses to appeal the order to circuit court. If the alternative to the appeals  
21 procedure includes a hearing, the hearing shall be open to the public with reasonable  
22 advance notice given by the employer. An accused person who chooses to appeal the  
23 decision of the board through a collectively bargained alternative to the appeals  
24 procedure specified in this paragraph is considered to have waived his or her right  
25 to circuit court review of the board decision."

1           **146.** Page 48, line 10: after that line insert:

2           “**SECTION 150c.** 59.692 (6m) of the statutes is amended to read:

3           59.692 **(6m)** For an amendment to an ordinance enacted under this section that  
4 affects an activity that meets all of the requirements under s. 281.165 (2) ~~or (3) (a)~~,  
5 the department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review  
6 the amendment, to determine whether the ordinance, as amended, fails to meet the  
7 shoreland zoning standards.

8           **SECTION 150m.** 62.231 (6m) of the statutes is amended to read:

9           62.231 **(6m)** CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an  
10 ordinance enacted under this section that affects an activity that meets all of the  
11 requirements under s. 281.165 (2) ~~or (3) (a)~~, the department of natural resources may  
12 not proceed under sub. (6), or otherwise review the amendment, to determine  
13 whether the ordinance, as amended, fails to meet reasonable minimum standards.”.

14           **147.** Page 49, line 18: after that line insert:

15           “**SECTION 151n.** 66.0303 (3) of the statutes is renumbered 66.0303 (3) (a) and  
16 amended to read:

17           66.0303 **(3)** (a) ~~An~~ Except as provided in par. (b), an agreement made under this  
18 section shall, prior to and as a condition precedent to taking effect, be submitted to  
19 the attorney general who shall determine whether the agreement is in proper form  
20 and compatible with the laws of this state. The attorney general shall approve any  
21 agreement submitted under this ~~subsection~~ paragraph unless the attorney general  
22 finds that it does not meet the conditions set forth in this section and details in  
23 writing addressed to the concerned municipal governing bodies the specific respects  
24 in which the proposed agreement fails to meet the requirements of law. Failure to

1 disapprove an agreement submitted under this ~~subsection~~ paragraph within 90 days  
2 of its submission constitutes approval. The attorney general, upon submission of an  
3 agreement, shall transmit a copy of the agreement to the governor who shall consult  
4 with any state department or agency affected by the agreement. The governor shall  
5 forward to the attorney general any comments the governor may have concerning the  
6 agreement.

7 **SECTION 151nb.** 66.0303 (3) (b) of the statutes is created to read:

8 66.0303 (3) (b) An agreement under this section between a municipality of this  
9 state and a municipality of another state that relates to the receipt, furnishing, or  
10 joint exercise of fire fighting or emergency medical services need not be submitted  
11 to or approved by the attorney general before the agreement may take effect.”

12 **148.** Page 49, line 18: after that line insert:

13 **SECTION 151e.** 66.0218 of the statutes is created to read:

14 **66.0218 Direct annexation of certain town territory. (1) DEFINITIONS.**

15 In this section:

16 (a) “Legal description” has the meaning given in s. 66.0217 (1) (c).

17 (b) “Members–elect” has the meaning given in s. 59.001 (2m).

18 (c) “Municipality” means a city, village, or town.

19 (d) “Public services” includes police and fire protection; sewer and water  
20 treatment; stormwater treatment; building, health, and fire prevention inspections;  
21 planning; and public works services.

22 (e) “Scale map” has the meaning given in s. 66.0217 (1) (g).

23 **(2) CITY OR VILLAGE ORDINANCES.** (a) *Enactment.* Notwithstanding s. 66.0221,  
24 the governing body of a city or village may, by a two–thirds vote of its members–elect,



1 enact an ordinance to annex a contiguous town or contiguous town territory if all of  
2 the following apply:

3 1. The area of the territory to be annexed is less than 10 square miles and the  
4 territory is located in a county with a population of at least 425,000.

5 2. The annexing city or village is contiguous to more than 50% of the length of  
6 the boundary of the territory to be annexed.

7 3. The annexing city or village is capable of providing public services to the  
8 territory to be annexed at a level that at least equals the level of service that is being  
9 provided by the town.

10 4. The annexation of the territory will reduce any existing problems of  
11 duplicative public services being provided within the same area by more than one  
12 municipality.

13 5. The boundary of the territory to be annexed is contiguous to one or more cities  
14 or villages for at least 95% of its length, excluding areas that border on water, or on  
15 land whose condition prohibits development.

16 (b) *Requirements.* The annexation ordinance shall contain a legal description  
17 of the territory annexed and the name of the town from which the territory is  
18 annexed. Upon enactment of the ordinance under par. (a) the city or village clerk  
19 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a  
20 scale map, and 8 copies of a plat which shows the boundaries of the city or village,  
21 including the annexed territory.

22 (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale  
23 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale  
24 map, and plat to the department of transportation, one copy to the department of  
25 administration, one copy to the department of natural resources, one copy to the

1 department of revenue, one copy to the department of public instruction, and one  
2 copy to the clerk of the town from which the territory was annexed.

3 (d) *Action to contest annexation.* Section 66.0217 (11) applies to annexations  
4 under this section.

5 (3) EFFECTIVENESS OF ANNEXATION ORDINANCE. An ordinance enacted under sub.  
6 (2) takes effect on the first day of the 2nd month beginning after enactment.

7 (4) SUNSET. This section does not apply after December 31, 2003.”.

8 **149.** Page 49, line 19: delete the material beginning with that line and ending  
9 with page 53, line 4.

10 **150.** Page 53, line 4: after that line insert:

11 “SECTION 153s. 66.1113 (2) (a) of the statutes, as affected by 2001 Wisconsin  
12 Act 16, is amended to read:

13 66.1113 (2) (a) The governing body of a political subdivision, by a two-thirds  
14 vote of the members of the governing body who are present when the vote is taken,  
15 may enact an ordinance or adopt a resolution declaring itself to be a premier resort  
16 area if, except as provided in ~~par.~~ pars. (e) and (f), at least 40% of the equalized  
17 assessed value of the taxable property within such political subdivision is used by  
18 tourism-related retailers.

19 SECTION 153t. 66.1113 (2) (f) of the statutes is created to read:

20 66.1113 (2) (f) The city of Bayfield may enact an ordinance or adopt a resolution  
21 declaring itself to be a premier resort area under par. (a) even if less than 40% of the  
22 equalized assessed value of the taxable property within Bayfield is used by  
23 tourism-related retailers.”.

24 **151.** Page 53, line 4: after that line insert:

1           **“SECTION 153d.** 66.0903 (10) (a) of the statutes is amended to read:

2           66.0903 (10) (a) Each contractor, subcontractor, or contractor’s or  
3 subcontractor’s agent performing work on a project that is subject to this section  
4 shall keep full and accurate records clearly indicating the name and trade or  
5 occupation of every person performing the work described in sub. (4) and an accurate  
6 record of the number of hours worked by each of those persons and the actual wages  
7 paid for the hours worked. If requested by any person, a contractor, subcontractor,  
8 or contractor’s or subcontractor’s agent performing work on a project that is subject  
9 to this section shall permit that person to inspect and copy any of those records to the  
10 same extent as if the record were maintained by the department, except that s. 19.36  
11 (3) does not limit the duty of a subcontractor or a contractor’s or subcontractor’s agent  
12 to permit inspection and copying of a record under this paragraph. Before permitting  
13 the inspection and copying of a record under this paragraph, a contractor,  
14 subcontractor, or contractor’s or subcontractor’s agent shall delete from the record  
15 any personally identifiable information, as defined in s. 19.62 (5), contained in the  
16 record about any person performing the work described in sub. (4) other than the  
17 trade or occupation of the person, the number of hours worked by the person, and the  
18 actual wages paid for those hours worked.”

19           **152.** Page 53, line 20: after that line insert:

20           **“SECTION 156b.** 70.32 (2) (c) 1. of the statutes is amended to read:

21           70.32 (2) (c) 1. “Agricultural land” means land, exclusive of buildings and  
22 improvements and the land necessary for their location and convenience, that is  
23 devoted primarily to agricultural use, as defined by rule, if the land is a farm, as

1 defined in sub. (2s) (a) 2., and the owner or lessee of the land files the form under sub.  
2 (2s).

3 **SECTION 156d.** 70.32 (2) (c) 1m. of the statutes is created to read:

4 70.32 (2) (c) 1m. “Other,” as it relates to par. (a) 7., means buildings and  
5 improvements located on farms, as defined in sub. (2s) (a) 2.; including any residence  
6 for the farm operator’s spouse, children, parents, or grandparents; and the land  
7 necessary for the location and convenience of those building and improvements.

8 **SECTION 156e.** 70.32 (2s) of the statutes is created to read:

9 70.32 (2s) (a) In this subsection:

10 1. “Department” means the department of revenue.

11 2. “Farm” means a business engaged in activities included in the North  
12 American Industry Classification System, 1997 edition, published by the U.S. office  
13 of management and budget under any of the following classifications:

14 a. Classification 111–Crop production.

15 b. Classification 112–Animal production.

16 (b) Any person who owns or who is a lessee of land used as a farm shall file a  
17 form, as prescribed by the department, with the assessor of each taxation district in  
18 which land included in the farm is located no later than March 1 that certifies that  
19 the person is the owner or lessee of land used as a farm. The person shall identify  
20 on the form the land that is included in the farm. A person who has filed a form under  
21 this paragraph shall only file such a form in a subsequent year if in that subsequent  
22 year the person has acquired or leased additional land to be used as part of the farm.

23 (c) If the use of the person’s land has changed so that it may no longer be  
24 assessed as agricultural land under sub. (2r), the person who owns or who is the  
25 lessee of the land shall notify the assessor of the taxation district in which the

1 person's land is located, on a form prescribed by the department. If the use of the  
2 person's land has changed so that it may no longer be assessed as agricultural land  
3 under sub. (2r) and the person who owns or who is the lessee of the land does not  
4 notify the assessor of the taxation district as provided under this paragraph, the  
5 taxation district shall treat the difference between the land's value as agricultural  
6 land under sub. (2r) and the land's value under the appropriate classification as  
7 provided under sub. (2) (a) as omitted property under s. 70.44 and collect from the  
8 owner of the land the penalty under s. 74.485.

9 (d) If a person who owns or who is a lessee of land used as a farm fails to timely  
10 file the form under par. (b), the land may be assessed as agricultural land if the  
11 person appeals the land's classification to the board of review under s. 70.47 or files  
12 a claim under s. 74.35 with the taxation district and the board of review or the  
13 taxation district determines that the land is agricultural land, as defined in sub. (2)  
14 (c) 1.”.

15 **153.** Page 53, line 25: after that line insert:

16 “SECTION 157m. 70.995 (8) (a) of the statutes is amended to read:

17 70.995 (8) (a) The secretary of revenue shall establish a state board of  
18 assessors, which shall be comprised of the members of the department of revenue  
19 whom the secretary designates. The state board of assessors shall investigate any  
20 objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state  
21 board of assessors, after having made the investigation, shall notify the person  
22 assessed or the person's agent and the appropriate municipality of its determination  
23 by 1st class mail or electronic mail. Beginning with objections filed in 1989, the state  
24 board of assessors shall make its determination on or before April 1 of the year after

1 the filing. If the determination results in a refund of property taxes paid, the state  
2 board of assessors shall include in the determination a finding of whether the refund  
3 is due to false or incomplete information supplied by the person assessed. The person  
4 assessed or the municipality having been notified of the determination of the state  
5 board of assessors shall be deemed to have accepted the determination unless the  
6 person or municipality files a petition for review with the clerk of the tax appeals  
7 commission as provided in s. 73.01 (5) and the rules of practice promulgated by the  
8 commission. If an assessment is reduced by the state board of assessors, the  
9 municipality affected may file an appeal seeking review of the reduction, or may,  
10 within 30 days after the person assessed files a petition for review, file a  
11 cross–appeal, before the tax appeals commission even though the municipality did  
12 not file an objection to the assessment with the board. If the board does not overrule  
13 a change from assessment under this section to assessment under s. 70.32 (1), the  
14 affected municipality may file an appeal before the tax appeals commission. If an  
15 assessment is increased by the board, the person assessed may file an appeal seeking  
16 review of the increase, or may, within 30 days after the municipality files a petition  
17 for review, file a cross–appeal, before the commission even though the person did not  
18 file an objection to the assessment with the board.

19 **SECTION 157n.** 70.995 (8) (b) 1. of the statutes, as affected by 2001 Wisconsin  
20 Act 16, is amended to read:

21 70.995 (8) (b) 1. The department of revenue shall annually notify each  
22 manufacturer assessed under this section and the municipality in which the  
23 manufacturing property is located of the full value of all real and personal property  
24 owned by the manufacturer. The notice shall be in writing and shall be sent by 1st  
25 class mail or electronic mail. In addition, the notice shall specify that objections to

1 valuation, amount, or taxability must be filed with the state board of assessors  
2 within 60 days of issuance of the notice of assessment, that objections to a change  
3 from assessment under this section to assessment under s. 70.32 (1) must be filed  
4 within 60 days after receipt of the notice, that the fee under par. (c) 1. or (d) must be  
5 paid and that the objection is not filed until the fee is paid. A statement shall be  
6 attached to the assessment roll indicating that the notices required by this section  
7 have been mailed and failure to receive the notice does not affect the validity of the  
8 assessments, the resulting tax on real or personal property, the procedures of the tax  
9 appeals commission or of the state board of assessors, or the enforcement of  
10 delinquent taxes by statutory means.”

11

12 **154.** Page 54, line 12: on lines 12 and 19, after “P.L. 106-554” insert “,  
13 excluding sections 162 and 165 of P.L. 106-554”.

14 **155.** Page 55, line 2: on lines 2, 6, 16 and 24, after “P.L. 106-554” insert “,  
15 excluding sections 162 and 165 of P.L. 106-554”.

16 **156.** Page 56, line 6: on lines 6, 9 and 20, after “106-554” insert “,excluding  
17 sections 162 and 165 of P.L. 106-554”.

18 **157.** Page 57, line 2: on lines 2, 9, 13 and 22, after “106-554” insert “,excluding  
19 sections 162 and 165 of P.L. 106-554”.

20 **158.** Page 58, line 5: on lines 5, 11, 14 and 25, after “P.L. 106-554” insert “,  
21 excluding sections 162 and 165 of P.L. 106-554”.

22 **159.** Page 58, line 25: delete “P.L. 106-573”.

1           **160.** Page 59, line 9: on lines 9, 15 and 18, delete “P.L. 106-573, and substitute  
2           “excluding sections 162 and 165 of P.L. 106-554”.

3           **161.** Page 60, line 3: delete the material beginning with “106-230” and ending  
4           with “P.L. 106-573” on line 4 and substitute “106-554, excluding sections 162 and  
5           165 of P.L. 106-554”.

6           **162.** Page 60, line 13: delete that line and substitute “P.L. 106-554, excluding  
7           sections 162 and 165 of P.L. 106-554, and P.L. 107-16, excluding”.

8           **163.** Page 60, line 19: delete the material beginning with “106-230” and  
9           ending with “106-573” on line 20 and substitute “106-554, excluding sections 162  
10          and 165 of P.L. 106-554”.

11          **164.** Page 60, line 22: delete 106-230, P.L. 106-519, P.L. 106-554, P.L.  
12          106-573” and substitute “106-554, excluding sections 162 and 165 of P.L. 106-554”.

13          **165.** Page 61, line 1: delete the material beginning with “and before” and  
14          ending with “2001,” on line 2.

15          **166.** Page 61, line 7: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.  
16          106-554,” and substitute “P.L. 106-554, excluding sections 162 and 165 of P.L.  
17          106-554”.

18          **167.** Page 61, line 8: delete “P.L. 106-573,”.

19          **168.** Page 61, line 16: delete “P.L. 106-200, P.L. 106-230,”.

20          **169.** Page 61, line 17: delete “106-519, P.L. 106-554, P.L. 106-573” and  
21          substitute “106-554, excluding sections 162 and 165 of P.L. 106-554”.

22          **170.** Page 61, line 21: delete “and before January 1, 2001,”.

23          **171.** Page 61, line 22: delete “106-200, P.L.”.



1           **172.** Page 61, line 23: delete “106-230, P.L. 106-519, P.L. 106-554, P.L.  
2           106-573” and substitute “106-554, excluding sections 162 and 165 of P.L. 106-554”.

3           **168b** Page 61, line 25: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519,”.

4 *Thaw*           **173.** Page 62, line 1: delete “, P.L. 106-573,”.

5           **174.** Page 62, line 3: delete the material beginning with that line and ending  
6           with page 63, line 24.

7           **175.** Page 64, line 9: delete the material beginning with that line and ending  
8           with page 66, line 15.

9           **176.** Page 66, line 15: after that line insert:

10           “**SECTION 170L.** 71.05 (6) (b) 32. (intro.) of the statutes, as created by 1999  
11           Wisconsin Act 44, is amended to read:

12           71.05 (6) (b) 32. (intro.) An amount paid into a college savings account, as  
13           described in s. 14.64, if the beneficiary of the account either is the claimant ~~or~~ is the  
14           claimant’s child and the claimant’s dependent who is claimed under section 151 (c)  
15           of the Internal Revenue Code; ~~or is the claimant’s grandchild;~~ calculated as follows:

16           **SECTION 170Lb.** 71.05 (6) (b) 32. a. of the statutes, as created by 1999 Wisconsin  
17           Act 44, is amended to read:

18           71.05 (6) (b) 32. a. An amount equal to not more than \$3,000 per beneficiary  
19           by each contributor to an account for each year to which the claim relates, except that  
20           the total amount for which a deduction may be claimed under this subdivision and  
21           under subd. 33., per beneficiary by any claimant may not exceed \$3,000 each year.  
22           In the case of a married couple filing a joint return, the total deduction under this  
23           subdivision and under subdivision 33., per beneficiary by the married couple may not  
24           exceed \$3,000 each year.

1           **SECTION 170Ld.** 71.05 (6) (b) 33. (intro.) of the statutes, as created by 1999  
2 Wisconsin Act 44, is amended to read:

3           71.05 (6) (b) 33. (intro.) An amount paid into a college tuition and expenses  
4 program, as described in s. 14.63, if the beneficiary of the account either is the  
5 claimant ~~or~~; is the claimant's child and the claimant's dependent who is claimed  
6 under section 151 (c) of the Internal Revenue Code; or is the claimant's grandchild;  
7 calculated as follows:

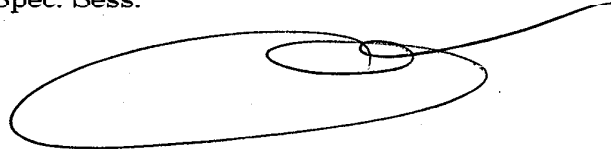
8           **SECTION 170Le.** 71.05 (6) (b) 33. a. of the statutes, as created by 1999 Wisconsin  
9 Act 44, is amended to read:

10           71.05 (6) (b) 33. a. An amount equal to not more than \$3,000 per beneficiary  
11 by each contributor to an account for each year to which the claim relates, except that  
12 the total amount for which a deduction may be claimed under this subdivision and  
13 under subd. 32., per beneficiary by any claimant may not exceed \$3,000 each year.  
14 In the case of a married couple filing a joint return, the total deduction under this  
15 subdivision and under subdivision 32., per beneficiary by the married couple may not  
16 exceed \$3,000 each year."

17           **177.** Page 66, line 15: after that line insert:

18           **"SECTION 170q.** 71.10 (7) (c) of the statutes is created to read:

19           71.10 (7) (c) 1. For taxable years beginning after December 31, 2000, this state  
20 shall pay Minnesota interest on any reciprocity payment that is due under this  
21 subsection. Interest shall be calculated according to the Laws of Minnesota 2002  
22 Chapter 377, or at another rate and under another method of calculation that is  
23 agreed to by Minnesota and Wisconsin."



①

2           **178.** Page 67, line 2: on lines 2, 11, 18 and 22, after “P.L. 106-554” insert “  
3           excluding sections 162 and 165 of P.L. 106-554”.

4           **179.** Page 68, line 8: on lines 8, 17 and 24, after “P.L. 106-554” insert “  
5           excluding sections 162 and 165 of P.L. 106-554”.

6           **180.** Page 69, line 2: on lines 2, 12 and 21, after “P.L. 106-554” insert “  
7           excluding sections 162 and 165 of P.L. 106-554”.

8           **181.** Page 70, line 3: on lines 3, 7 and 17, after “P.L. 106-554” insert “  
9           excluding sections 162 and 165 of P.L. 106-554”.

10          **182.** Page 71, line 2: on lines 2, 8, 11 and 21, after “P.L. 106-554” insert “  
11          excluding sections 162 and 165 of P.L. 106-554”.

12          **183.** Page 71, line 21: delete “P.L. 106-573”.

13          **184.** Page 72, line 6: on lines 6, 13 and 16, delete “P.L. 106-573” and  
14          substitute “excluding sections 162 and 165 of P.L. 106-554”.

15          **185.** Page 72, line 25: delete “P.L. 106-230, P.L. 106-519”.

16          **186.** Page 73, line 1: delete “P.L. 106-573” and substitute “excluding sections  
17          162 and 165 of P.L. 106-554”.

18          **187.** Page 73, line 11: delete “P.L. 106-230, P.L. 106-519”.

19          **188.** Page 73, line 12: delete “P.L. 106-573” and substitute “excluding  
20          sections 162 and 165 of P.L. 106-554”.

21          **189.** Page 73, line 17: delete “106-170, P.L.” and substitute “106-170”.

22          **190.** Page 73, line 18: delete that line and substitute “P.L. 106-554, excluding  
23          sections 162 and 165 of P.L. 106-554, and P.L. 107-16, excluding”.

1           **191.** Page 73, line 20: delete “P.L. 106-230.”

2           **192.** Page 73, line 21: delete “106-519, P.L. 106-554, P.L. 106-573” and  
3 substitute “P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554.”

4           **193.** Page 74, line 1: delete “and before January 1, 2001.”

5           **194.** Page 74, line 5: delete that line and substitute “amended by P.L.  
6 106-554, excluding sections 162 and 165 of P.L. 106-554, and P.L. 107-16,  
7 excluding”.

8           **195.** Page 74, line 16: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519.”

9           **196.** Page 74, line 17: delete “P.L. 106-573,” and substitute “excluding  
10 sections 162 and 165 of P.L. 106-554.”

11          **197.** Page 74, line 21: delete “and before January 1, 2001.”

12          **198.** Page 74, line 22: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519.”

13          **199.** Page 74, line 23: delete “P.L. 106-573,” and substitute “excluding  
14 sections 162 and 165 of P.L. 106-554.”

15          **200.** Page 74, line 25: delete that line and substitute “P.L. 106-554, excluding  
16 sections 162 and 165 of P.L. 106-554, and P.L.”.

17          **201.** Page 75, line 3: delete the material beginning with that line and ending  
18 with page 77, line 2.

19          **202.** Page 77, line 14: on lines 14 and 22, after “106-554” insert “excluding  
20 sections 162 and 165 of P.L. 106-554”.

21          **203.** Page 78, line 4: on lines 4, 8 and 18, after “106-554” insert “excluding  
22 sections 162 and 165 of P.L. 106-554”.

1           **204.** Page 79, line 1: on lines 1, 7, 11 and 20, after “106-554” insert “, excluding  
2 sections 162 and 165 of P.L. 106-554”.

3           **205.** Page 80, line 3: on lines 3, 9, 13 and 23, after “106-554” insert “, excluding  
4 sections 162 and 165 of P.L. 106-554”.

5           **206.** Page 81, line 6: on lines 6, 12, 15 and 25, after “106-554” insert “,  
6 excluding sections 162 and 165 of P.L. 106-554”.

7           **207.** Page 81, line 25: delete “P.L. 106-573”.

8           **208.** Page 82, line 9: on lines 9, 15 and 18, delete “P.L. 106-573,” and  
9 substitute “excluding sections 162 and 165 of P.L. 106-554”.

10          **209.** Page 83, line 3: delete “106-230, P.L.”.

11          **210.** Page 83, line 4: delete “106-519, P.L. 106-554, P.L. 106-573” and  
12 substitute “106-554, excluding sections 162 and 165 of P.L. 106-554”.

13          **211.** Page 83, line 13: on lines 13, 19 and 22, delete “106-230, P.L. 106-519,  
14 P.L. 106-554, P.L. 106-573” and substitute “106-554, excluding sections 162 and 165  
15 of P.L. 106-554”.

16          **212.** Page 84, line 1: delete the material beginning with “and” and ending with  
17 “2001,” on line 2.

18          **213.** Page 84, line 7: delete that line and substitute “104-188, and as amended  
19 by P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554”.

20          **214.** Page 84, line 8: delete “P.L. 106-573”.

21          **215.** Page 84, line 16: delete “P.L. 106-200, P.L. 106-230”.

22          **216.** Page 84, line 17: delete “106-519, P.L. 106-554, P.L. 106-573” and  
23 substitute “106-554, excluding sections 162 and 165 of P.L. 106-554”.

1           **217.** Page 84, line 21: delete “and before January 1, 2001,”.

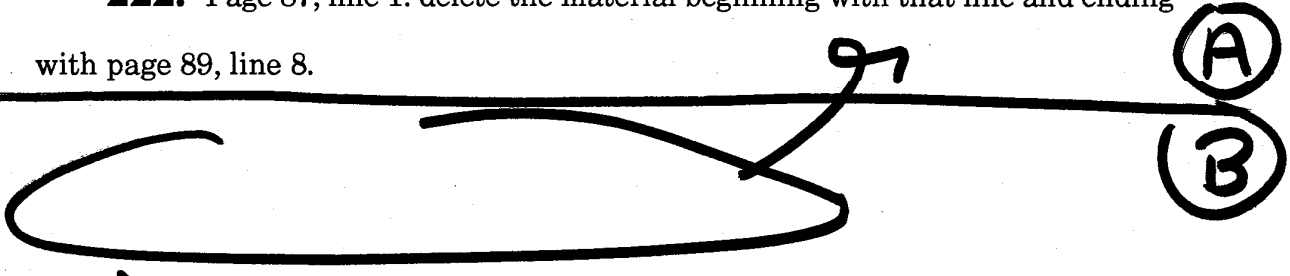
2           **218.** Page 84, line 22: delete “P.L. 106–200, P.L. 106–230, P.L. 106–519.”.

3           **219.** Page 84, line 23: delete “P.L. 106–573.” and substitute “, excluding  
4 sections 162 and 165 of P.L. 106–554.”.

5           **220.** Page 84, line 25: delete that line and substitute “P.L. 106–554, excluding  
6 sections 162 and 165 of P.L. 106–554, and P.L.”.

7           **221.** Page 85, line 3: delete the material beginning with that line and ending  
8 with page 86, line 24.

9           **222.** Page 87, line 1: delete the material beginning with that line and ending  
10 with page 89, line 8.



11  
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14           **223.** Page 89, line 21: after “106–554” insert “, excluding sections 162 and 165  
15 of P.L. 106–554.”.

16           **224.** Page 90, line 3: on lines 3, 12 and 19, after “106–554” insert “, excluding  
17 sections 162 and 165 of P.L. 106–554.”.

18           **225.** Page 91, line 7: on lines 7, 14 and 21, after “P.L. 106–554” insert “,  
19 excluding sections 162 and 165 of P.L. 106–554.”.

20           **226.** Page 92, line 1: on lines 1, 12 and 19, after “P.L. 106–554” insert “,  
21 excluding sections 162 and 165 of P.L. 106–554.”.

22           **227.** Page 93, line 2: on lines 2, 9 and 21, after “P.L. 106–554” insert “,  
23 excluding sections 162 and 165 of P.L. 106–554.”.