

1           **\*b3033/2.10\* SECTION 100oy.** 44.73 (6) (b) of the statutes, as created by 2001  
2 Wisconsin Act 16, is renumbered 115.9995 (6) (b) and amended to read:

3           115.9995 (6) (b) Notwithstanding par. (a), the ~~board~~ department may award a  
4 school district that operates more than one high school and that had in effect on  
5 October 14, 1997, a contract for access to more than one data line or video link an  
6 annual grant for each data line or video link serving each high school covered by that  
7 contract.”.

8           **\*b3034/1.1\* 130.** Page 34, line 13: delete lines 13 to 21 and substitute:

9           **\*b3034/1.1\* “SECTION 101b.** 48.21 (1) (a) of the statutes, as affected by 2001  
10 Wisconsin Act 61, is amended to read:

11           48.21 (1) (a) If a child who has been taken into custody is not released under  
12 s. 48.20, a hearing to determine whether the child shall continue to be held in custody  
13 under the criteria of ss. 48.205 to 48.209 shall be conducted by the judge or a circuit  
14 court commissioner within 48 hours of the time the decision to hold the child was  
15 made, excluding Saturdays, Sundays, and legal holidays. By the time of the hearing  
16 a petition under s. 48.25 shall be filed, except that no petition need be filed where a  
17 child is taken into custody under s. 48.19 (1) (b) or (d) 2. or 7. or where the child is  
18 a runaway from another state, in which case a written statement of the reasons for  
19 holding a child in custody shall be substituted if the petition is not filed. If no hearing  
20 has been held within 48 hours, excluding Saturdays, Sundays, and legal holidays,  
21 or if no petition or statement has been filed at the time of the hearing, the child shall  
22 be released except as provided in par. (b). A parent not present at the hearing shall  
23 be granted a rehearing upon request for good cause shown.

24           **\*b3034/1.1\* SECTION 101c.** 48.21 (3) (am) of the statutes is amended to read:

1           48.21 (3) (am) The parent, guardian, or legal custodian may waive his or her  
2 right to participate in the hearing under this section. Agreement in writing of the  
3 child is required if he or she is over 12. After any waiver, a hearing rehearing shall  
4 be granted at the request of any the parent, guardian, legal custodian, or any other  
5 interested party for good cause shown.

6           **\*b3034/1.1\* SECTION 101d.** 48.21 (5) (b) 1. of the statutes, as affected by 2001  
7 Wisconsin Act 16, is repealed and recreated to read:

8           48.21 (5) (b) 1. A finding that continued placement of the child in his or her  
9 home would be contrary to the welfare of the child. Unless the judge or circuit court  
10 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to  
11 5. applies, the order shall in addition include a finding as to whether the person who  
12 took the child into custody and the intake worker have made reasonable efforts to  
13 prevent the removal of the child from the home, while assuring that the child's health  
14 and safety are the paramount concerns, and a finding as to whether the person who  
15 took the child into custody and the intake worker have made reasonable efforts to  
16 make it possible for the child to return safely home or, if for good cause shown  
17 sufficient information is not available for the judge or circuit court commissioner to  
18 make a finding as to whether those reasonable efforts were made to prevent the  
19 removal of the child from the home, a finding as to whether those reasonable efforts  
20 were made to make it possible for the child to return safely home and an order for  
21 the county department, department, in a county having a population of 500,000 or  
22 more, or agency primarily responsible for providing services to the child under the  
23 custody order to file with the court sufficient information for the judge or circuit court  
24 commissioner to make a finding as to whether those reasonable efforts were made

1 to prevent the removal of the child from the home by no later than 5 days after the  
2 date of the order.

3 \*b3034/1.1\* SECTION 101e. 48.21 (5) (b) 3. of the statutes is created to read:

4 48.21 (5) (b) 3. If the judge or circuit court commissioner finds that any of the  
5 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
6 a determination that the county department, department, in a county having a  
7 population of 500,000 or more, or agency primarily responsible for providing services  
8 under the custody order is not required to make reasonable efforts with respect to the  
9 parent to make it possible for the child to return safely to his or her home.

10 \*b3034/1.1\* SECTION 101f. 48.21 (5) (c) of the statutes is created to read:

11 48.21 (5) (c) The judge or circuit court commissioner shall make the findings  
12 specified in par. (b) 1. and 3. on a case-by-case basis based on circumstances specific  
13 to the child and shall document or reference the specific information on which those  
14 findings are based in the custody order. A custody order that merely references par.  
15 (b) 1. or 3. without documenting or referencing that specific information in the  
16 custody order or an amended custody order that retroactively corrects an earlier  
17 custody order that does not comply with this paragraph is not sufficient to comply  
18 with this paragraph.

19 \*b3034/1.1\* SECTION 101g. 48.21 (5) (d) of the statutes is created to read:

20 48.21 (5) (d) 1. If the judge or circuit court commissioner finds that any of the  
21 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
22 the judge or circuit court commissioner shall hold a hearing within 30 days after the  
23 date of that finding to determine the permanency plan for the child. If a hearing is  
24 held under this subdivision, the agency responsible for preparing the permanency

1 plan shall file the permanency plan with the court not less than 5 days before the date  
2 of the hearing.

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

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

18 **\*b3034/1.1\* SECTION 101h.** 48.255 (1) (f) of the statutes is created to read:

19 48.255 (1) (f) If the child is being held in custody outside of his or her home,  
20 reliable and credible information showing that continued placement of the child in  
21 his or her home would be contrary to the welfare of the child and, unless any of the  
22 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible  
23 information showing that the person who took the child into custody and the intake  
24 worker have made reasonable efforts to prevent the removal of the child from the

1 home, while assuring that the child's health and safety are the paramount concerns,  
2 and to make it possible for the child to return safely home.

3 \*b3034/1.1\* SECTION 101i. 48.255 (1m) (f) of the statutes is created to read:

4 48.255 (1m) (f) If the expectant mother is a child and the child expectant  
5 mother is being held in custody outside of her home, reliable and credible information  
6 showing that continued placement of the child expectant mother in her home would  
7 be contrary to the welfare of the child expectant mother and, unless any of the  
8 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible  
9 information showing that the person who took the child expectant mother into  
10 custody and the intake worker have made reasonable efforts to prevent the removal  
11 of the child expectant mother from the home, while assuring that the child expectant  
12 mother's health and safety are the paramount concerns, and to make it possible for  
13 the child expectant mother to return safely home.

14 \*b3034/1.1\* SECTION 101j. 48.255 (2) of the statutes is amended to read:

15 48.255 (2) If any of the facts required under sub. (1) (a) to (cm) and (f) or (1m)  
16 (a) to (d) and (f) are not known or cannot be ascertained by the petitioner, the petition  
17 shall so state.

18 \*b3034/1.1\* SECTION 101k. 48.315 (2m) of the statutes is created to read:

19 48.315 (2m) (a) No continuance or extension of a time limit specified in this  
20 chapter may be granted and no period of delay specified in sub. (1) may be excluded  
21 in computing a time requirement under this chapter if the continuance, extension,  
22 or exclusion would result in any of the following:

23 1. The court making an initial finding under s. 48.21 (5) (b) 1., 48.355 (2) (b) 6.,  
24 or 48.357 (2v) (a) 1. that reasonable efforts have been made to prevent the removal  
25 of the child from the home, while assuring that the child's health and safety are the

1 paramount concerns, or an initial finding under s. 48.21 (5) (b) 3., 48.355 (2) (b) 6r.,  
2 or 48.357 (2v) (a) 3. that those efforts were not required to be made because a  
3 circumstance specified in s. 48.355 (2d) (b) 1. to 5. applies, more than 60 days after  
4 the date on which the child was removed from the home.

5 2. The court making an initial finding under s. 48.38 (5m) that the agency  
6 primarily responsible for providing services to the child has made reasonable efforts  
7 to achieve the goals of the child's permanency plan more than 12 months after the  
8 date on which the child was removed from the home or making any subsequent  
9 findings under s. 48.38 (5m) as to those reasonable efforts more than 12 months after  
10 the date of a previous finding as to those reasonable efforts.

11 (b) Failure to comply with any time limit specified in par. (a) does not deprive  
12 the court of personal or subject matter jurisdiction or of competency to exercise that  
13 jurisdiction. If a party does not comply with a time limit specified in par. (a), the  
14 court, while assuring the safety of the child, may dismiss the proceeding with or  
15 without prejudice, release the child from custody, or grant any other relief that the  
16 court considers appropriate.

17 **\*b3034/1.1\* SECTION 101L.** 48.32 (1) of the statutes, as affected by 2001  
18 Wisconsin Act 61, is renumbered 48.32 (1) (a).

19 **\*b3034/1.1\* SECTION 101m.** 48.32 (1) (b) of the statutes is created to read:

20 48.32 (1) (b) 1. If at the time the consent decree is entered into the child is placed  
21 outside the home under a voluntary agreement under s. 48.63 or is otherwise living  
22 outside the home without a court order and if the consent decree maintains the child  
23 in that placement or other living arrangement, the consent decree shall include a  
24 finding that placement of the child in his or her home would be contrary to the welfare  
25 of the child, a finding as to whether the county department, the department, in a

1 county having a population of 500,000 or more, or the agency primarily responsible  
2 for providing services to the child has made reasonable efforts to prevent the removal  
3 of the child from the home, while assuring that the child's health and safety are the  
4 paramount concerns, unless the judge or circuit court commissioner finds that any  
5 of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and a finding as  
6 to whether the county department, department, or agency has made reasonable  
7 efforts to achieve the goal of the child's permanency plan, unless return of the child  
8 to the home is the goal of the permanency plan and the judge or circuit court  
9 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to  
10 5. applies.

11 2. If the judge or circuit court commissioner finds that any of the circumstances  
12 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the consent  
13 decree shall include a determination that the county department, department, in a  
14 county having a population of 500,000 or more, or agency primarily responsible for  
15 providing services under the consent decree is not required to make reasonable  
16 efforts with respect to the parent to make it possible for the child to return safely to  
17 his or her home.

18 3. The judge or circuit court commissioner shall make the findings specified in  
19 subds. 1. and 2. on a case-by-case basis based on circumstances specific to the child  
20 and shall document or reference the specific information on which those findings are  
21 based in the consent decree. A consent decree that merely references subd. 1. or 2.  
22 without documenting or referencing that specific information in the consent decree  
23 or an amended consent decree that retroactively corrects an earlier consent decree  
24 that does not comply with this subdivision is not sufficient to comply with this  
25 subdivision.

1           **\*b3034/1.1\* SECTION 101n.** 48.32 (1) (c) of the statutes is created to read:

2           48.32 (1) (c) 1. If the judge or circuit court commissioner finds that any of the  
3           circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
4           the judge or circuit court commissioner shall hold a hearing within 30 days after the  
5           date of that finding to determine the permanency plan for the child. If a hearing is  
6           held under this subdivision, the agency responsible for preparing the permanency  
7           plan shall file the permanency plan with the court not less than 5 days before the date  
8           of the hearing.

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

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

24          **\*b3034/1.1\* SECTION 101p.** 48.33 (4) (intro.) of the statutes, as affected by 2001  
25          Wisconsin Act 59, is amended to read:



1           48.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending  
2 placement of an adult expectant mother outside of her home shall be in writing. A  
3 report recommending placement of a child in a foster home, treatment foster home,  
4 group home, or residential care center for children and youth or in the home of a  
5 relative other than a parent shall be in writing and shall include all of the following:

6           **\*b3034/1.1\* SECTION 101q.** 48.33 (4) (c) of the statutes is created to read:

7           48.33 (4) (c) Specific information showing that continued placement of the child  
8 in his or her home would be contrary to the welfare of the child, specific information  
9 showing that the county department, the department, in a county having a  
10 population of 500,000 or more, or the agency primarily responsible for providing  
11 services to the child has made reasonable efforts to prevent the removal of the child  
12 from the home, while assuring that the child's health and safety are the paramount  
13 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.  
14 applies, and specific information showing that the county department, department,  
15 or agency has made reasonable efforts to achieve the goal of the child's permanency  
16 plan, unless return of the child to the home is the goal of the permanency plan and  
17 any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

18           **\*b3034/1.1\* SECTION 101r.** 48.335 (3g) of the statutes is created to read:

19           48.335 (3g) At hearings under this section, if the agency, as defined in s. 48.38  
20 (1) (a), is recommending placement of the child in a foster home, treatment foster  
21 home, group home, or residential care center for children and youth or in the home  
22 of a relative other than a parent, the agency shall present as evidence specific  
23 information showing that continued placement of the child in his or her home would  
24 be contrary to the welfare of the child, specific information showing that the county  
25 department, the department, in a county having a population of 500,000 or more, or

1 the agency primarily responsible for providing services to the child has made  
2 reasonable efforts to prevent the removal of the child from the home, while assuring  
3 that the child's health and safety are the paramount concerns, unless any of the  
4 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and specific information  
5 showing that the county department, department, or agency has made reasonable  
6 efforts to achieve the goal of the child's permanency plan, unless return of the child  
7 to the home is the goal of the permanency plan and any of the circumstances specified  
8 in s. 48.355 (2d) (b) 1. to 5. applies.

9 **\*b3034/1.1\* SECTION 101s.** 48.355 (2) (b) 6. of the statutes is amended to read:  
10 48.355 (2) (b) 6. If the child is placed outside the home, a finding that continued  
11 placement of the child in his or her home would be contrary to the health, safety and  
12 welfare of the child and, if sub. (2d) does not apply, a finding as to whether the county  
13 department, the department, in a county having a population of 500,000 or more, or  
14 the agency primarily responsible for providing services under a court order has made  
15 reasonable efforts to prevent the removal of the child from the home, while assuring  
16 that the child's health and safety are the paramount concerns, ~~or, if applicable,~~  
17 unless the court finds that any of the circumstances specified in sub. (2d) (b) 1. to 5.  
18 applies, and a finding as to whether the county department, department, or agency  
19 primarily responsible for providing services under a court order has made reasonable  
20 efforts to ~~make it possible for the child to return safely to his or her home~~ achieve the  
21 goal of the child's permanency plan, unless return of the child to the home is the goal  
22 of the permanency plan and the court finds that any of the circumstances specified  
23 in sub. (2d) (b) 1. to 5. applies. The court shall make the findings specified in this  
24 subdivision on a case-by-case basis based on circumstances specific to the child and  
25 shall document or reference the specific information on which those findings are

1 based in the court order. A court order that merely references this subdivision  
2 without documenting or referencing that specific information in the court order or  
3 an amended court order that retroactively corrects an earlier court order that does  
4 not comply with this subdivision is not sufficient to comply with this subdivision.

5 \*b3034/1.1\* SECTION 101t. 48.355 (2) (b) 6r. of the statutes is created to read:

6 48.355 (2) (b) 6r. If the court finds that any of the circumstances specified in  
7 sub. (2d) (b) 1. to 5. applies with respect to a parent, a determination that the county  
8 department, department, in a county having a population of 500,000 or more, or  
9 agency primarily responsible for providing services under the court order is not  
10 required to make reasonable efforts with respect to the parent to make it possible for  
11 the child to return safely to his or her home.

12 \*b3034/1.1\* SECTION 101u. 48.355 (2b) of the statutes is amended to read:

13 48.355 (2b) CONCURRENT REASONABLE EFFORTS PERMITTED. A county  
14 department, the department, in a county having a population of 500,000 or more, or  
15 the agency primarily responsible for providing services to a child under a court order  
16 may, at the same time as the county department, department, or agency is making  
17 the reasonable efforts required under sub. (2) (b) 6. to prevent the removal of the child  
18 from the home or to make it possible for the child to return safely to his or her home,  
19 work with the department, a county department under s. 48.57 (1) (e) or (hm), or a  
20 child welfare agency licensed under s. 48.61 (5) in making reasonable efforts to place  
21 the child for adoption, with a guardian, with a fit and willing relative, or in some  
22 other alternative permanent placement.

23 \*b3034/1.1\* SECTION 101v. 48.355 (2c) (b) of the statutes is amended to read:

24 48.355 (2c) (b) When a court makes a finding under sub. (2) (b) 6. as to whether  
25 the county department, department, in a county having a population of 500,000 or

1 more, or agency primarily responsible for providing services to the child under a  
2 court order has made reasonable efforts to ~~make it possible for the child to return~~  
3 ~~safely to his or her home~~ achieve the goal of the permanency plan, the court's  
4 consideration of reasonable efforts shall include, ~~but not be limited to~~, the  
5 considerations listed under par. (a) 1. to 5. and whether visitation schedules between  
6 the child and his or her parents were implemented, unless visitation was denied or  
7 limited by the court.

8 \*b3034/1.1\* SECTION 101w. 48.355 (2d) (b) (intro.) of the statutes is amended  
9 to read:

10 48.355 (2d) (b) (intro.) Notwithstanding sub. (2) (b) 6., the court ~~need not~~ is not  
11 required to include in a dispositional order a finding as to whether the county  
12 department, the department, in a county having a population of 500,000 or more, or  
13 the agency primarily responsible for providing services under a court order has made  
14 reasonable efforts with respect to a parent of a child to prevent the removal of the  
15 child from the home, while assuring that the child's health and safety are the  
16 paramount concerns, ~~or, if applicable,~~ a finding as to whether the county department,  
17 department, or agency primarily responsible for providing services under a court  
18 ~~order~~ has made reasonable efforts with respect to a parent of a child to ~~make it~~  
19 ~~possible for the child to return~~ achieve the permanency plan goal of returning the  
20 child safely to his or her home, if the court finds, ~~as evidenced by a final judgment~~  
21 ~~of conviction,~~ any of the following:

22 \*b3034/1.1\* SECTION 101x. 48.355 (2d) (b) 1. of the statutes is amended to read:

23 48.355 (2d) (b) 1. That the parent has subjected the child to aggravated  
24 circumstances, as evidenced by a final judgment of conviction.

25 \*b3034/1.1\* SECTION 101y. 48.355 (2d) (b) 2. of the statutes is amended to read:

1           48.355 (2d) (b) 2. That the parent has committed, has aided or abetted the  
2           commission of, or has solicited, conspired, or attempted to commit, a violation of s.  
3           940.01, 940.02, 940.03, or 940.05 or a violation of the law of any other state or federal  
4           law, if that violation would be a violation of s. 940.01, 940.02, 940.03, or 940.05 if  
5           committed in this state, as evidenced by a final judgment of conviction, and that the  
6           victim of that violation is a child of the parent.

7           **\*b3034/1.1\* SECTION 101z.** 48.355 (2d) (b) 3. of the statutes is amended to read:

8           48.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (2), (3),  
9           (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) or  
10          a violation of the law of any other state or federal law, if that violation would be a  
11          violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
12          or 948.03 (2) (a) or (3) (a) if committed in this state, as evidenced by a final judgment  
13          of conviction, and that the violation resulted in great bodily harm, as defined in s.  
14          939.22 (14), or in substantial bodily harm, as defined in s. 939.22 (38), to the child  
15          or another child of the parent.

16          **\*b3034/1.1\* SECTION 102b.** 48.355 (2d) (b) 3. of the statutes, as affected by  
17          2001 Wisconsin Act .... (this act), is amended to read:

18          48.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
19          1999 stats., a violation of s. 940.19 (2), (~~3~~), (4), or (5), 940.225 (1) or (2), 948.02 (1) or  
20          (2), 948.025, or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
21          federal law, if that violation would be a violation of s. 940.19 (2), (~~3~~), (4), or (5), 940.225  
22          (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) if committed in this state,  
23          as evidenced by a final judgment of conviction, and that the violation resulted in  
24          great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as  
25          defined in s. 939.22 (38), to the child or another child of the parent.

1           **\*b3034/1.1\* SECTION 102bd.** 48.355 (2d) (b) 4. of the statutes is amended to  
2 read:

3           48.355 (2d) (b) 4. That the parental rights of the parent to another child have  
4 been involuntarily terminated, as evidenced by a final order of a court of competent  
5 jurisdiction terminating those parental rights.

6           **\*b3034/1.1\* SECTION 102bg.** 48.355 (2d) (b) 5. of the statutes, as created by  
7 2001 Wisconsin Act 2, is amended to read:

8           48.355 (2d) (b) 5. That the parent has been found under s. 48.13 (2m) to have  
9 relinquished custody of the child under s. 48.195 (1) when the child was 72 hours old  
10 or younger, as evidenced by a final order of a court of competent jurisdiction making  
11 that finding.

12           **\*b3034/1.1\* SECTION 102bm.** 48.355 (2d) (bm) of the statutes is created to  
13 read:

14           48.355 (2d) (bm) The court shall make a finding specified in par. (b) 1. to 5. on  
15 a case-by-case basis based on circumstances specific to the child and shall document  
16 or reference the specific information on which that finding is based in the  
17 dispositional order. A dispositional order that merely references par. (b) 1. to 5.  
18 without documenting or referencing that specific information in the dispositional  
19 order or an amended dispositional order that retroactively corrects an earlier  
20 dispositional order that does not comply with this paragraph is not sufficient to  
21 comply with this paragraph.

22           **\*b3034/1.1\* SECTION 102br.** 48.355 (2d) (c) of the statutes, as affected by 2001  
23 Wisconsin Act 2, is renumbered 48.355 (2d) (c) 1. and amended to read:

24           48.355 (2d) (c) 1. If the court ~~makes a finding~~ finds that any of the  
25 circumstances specified in par. (b) 1., ~~2., 3., 4., or 5.~~ to 5. applies with respect to a

1 parent, the court shall hold a hearing within 30 days after the date of that finding  
2 to determine the permanency plan for the child. If a hearing is held under this  
3 paragraph subdivision, the agency responsible for preparing the permanency plan  
4 shall file the permanency plan with the court not less than 5 days before the date of  
5 the hearing.

6 \*b3034/1.1\* SECTION 102c. 48.355 (2d) (c) 2. and 3. of the statutes are created  
7 to read:

8 48.355 (2d) (c) 2. If a hearing is held under subd. 1., at least 10 days before the  
9 date of the hearing the court shall notify the child, any parent, guardian, and legal  
10 custodian of the child, and any foster parent, treatment foster parent, or other  
11 physical custodian described in s. 48.62 (2) of the child of the time, place, and purpose  
12 of the hearing.

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

23 \*b3034/1.1\* SECTION 102cg. 48.355 (4) of the statutes is amended to read:

24 48.355 (4) TERMINATION OF ORDERS. Except as provided under s. 48.368, all  
25 orders an order under this section shall terminate at the end of one year unless the

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

20 \*b3034/1.1\* SECTION 102cr. 48.357 (1) (a) of the statutes, as affected by 2001  
21 Wisconsin Act 103, is amended to read:

22 48.357 (1) (a) The person or agency primarily responsible for implementing the  
23 dispositional order, the district attorney, or the corporation counsel may request a  
24 change in the placement of the child or expectant mother, whether or not the change



1 requested is authorized in the dispositional order, and, as provided in par. (am) or (c),  
2 whichever is applicable.

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

17 **\*b3034/1.1\* SECTION 102ct.** 48.357 (1) (b) of the statutes, as affected by 2001  
18 Wisconsin Act 103, is renumbered 48.357 (1) (am) 2. and amended to read:

19 48.357 (1) (am) 2. Any person receiving the notice under par. (a) subd. 1. or  
20 notice of a specific placement under s. 48.355 (2) (b) 2., other than a court-appointed  
21 special advocate, may obtain a hearing on the matter by filing an objection with the  
22 court within 10 days after receipt of the notice. Placements may not be changed until  
23 10 days after that notice is sent to the court unless the parent, guardian, or legal  
24 custodian and the child, if 12 years of age or over, or the child expectant mother, if  
25 12 years of age or over, her parent, guardian, or legal custodian and the unborn child

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

9 **\*b3034/1.1\* SECTION 102d.** 48.357 (1) (am) 3. of the statutes is created to read:

10 48.357 (1) (am) 3. If the court changes the child's placement from a placement  
11 outside the home to another placement outside the home, the change in placement  
12 order shall contain one of the statements specified in sub. (2v) (a) 2.

13 **\*b3034/1.1\* SECTION 102dg.** 48.357 (1) (c) of the statutes is created to read:

14 48.357 (1) (c) 1. If the proposed change in placement would change the  
15 placement of a child placed in the home to a placement outside the home, the person  
16 or agency primarily responsible for implementing the dispositional order, the district  
17 attorney, or the corporation counsel shall submit a request for the change in  
18 placement to the court. The request shall contain the name and address of the new  
19 placement, the reasons for the change in placement, a statement describing why the  
20 new placement is preferable to the present placement, and a statement of how the  
21 new placement satisfies objectives of the treatment plan ordered by the court. The  
22 request shall also contain specific information showing that continued placement of  
23 the child in his or her home would be contrary to the welfare of the child and, unless  
24 any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, specific  
25 information showing that the agency primarily responsible for implementing the

1 dispositional order has made reasonable efforts to prevent the removal of the child  
2 from the home, while assuring that the child's health and safety are the paramount  
3 concerns.

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

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

17 **\*b3034/1.1\* SECTION 102dr.** 48.357 (2) of the statutes, as affected by 2001  
18 Wisconsin Act 103, is amended to read:

19 48.357 (2) If emergency conditions necessitate an immediate change in the  
20 placement of a child or expectant mother placed outside the home, the person or  
21 agency primarily responsible for implementing the dispositional order may remove  
22 the child or expectant mother to a new placement, whether or not authorized by the  
23 existing dispositional order, without the prior notice provided in sub. (1) ~~(a)~~ (am) 1.  
24 The notice shall, however, be sent within 48 hours after the emergency change in  
25 placement. Any party receiving notice may demand a hearing under sub. (1) ~~(b)~~ (am)

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

4           **\*b3034/1.1\* SECTION 102e.** 48.357 (2m) (a) of the statutes, as affected by 2001  
5     Wisconsin Act 103, is amended to read:

6           48.357 (2m) (a) The child, the parent, guardian, or legal custodian of the child,  
7     the expectant mother, the unborn child by the unborn child's guardian ad litem, or  
8     any person or agency primarily bound by the dispositional order, other than the  
9     person or agency responsible for implementing the order, may request a change in  
10    placement under this paragraph. The request shall contain the name and address  
11    of the place of the new placement requested and shall state what new information  
12    is available that affects the advisability of the current placement. If the proposed  
13    change in placement would change the placement of a child placed in the home to a  
14    placement outside the home, the request shall also contain specific information  
15    showing that continued placement of the child in the home would be contrary to the  
16    welfare of the child and, unless any of the circumstances specified in s. 48.355 (2d)  
17    (b) 1. to 5. applies, specific information showing that the agency primarily  
18    responsible for implementing the dispositional order has made reasonable efforts to  
19    prevent the removal of the child from the home, while assuring that the child's health  
20    and safety are the paramount concerns. The request shall be submitted to the court.  
21    In addition, the court may propose a change in placement on its own motion.

22           **\*b3034/1.1\* SECTION 102ec.** 48.357 (2m) (b) of the statutes, as affected by 2001  
23    Wisconsin Act 103, is amended to read:

24           48.357 (2m) (b) The court shall hold a hearing on the matter prior to ordering  
25    any change in placement requested or proposed under par. (a) if the request states

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

17 **\*b3034/1.1\* SECTION 102eg.** 48.357 (2m) (c) of the statutes is created to read:  
18 48.357 (2m) (c) If the court changes the child's placement from a placement in  
19 the child's home to a placement outside the child's home, the change in placement  
20 order shall contain the findings specified in sub. (2v) (a) 1., one of the statements  
21 specified in sub. (2v) (a) 2., and, if in addition the court finds that any of the  
22 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
23 the determination specified in sub. (2v) (a) 3.

24 **\*b3034/1.1\* SECTION 102em.** 48.357 (2r) of the statutes, as affected by 2001  
25 Wisconsin Act 103, is amended to read:

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

15           **\*b3034/1.1\* SECTION 102er.** 48.357 (2v) of the statutes, as affected by 2001  
16 Wisconsin Act 103, is renumbered 48.357 (2v) (a) 2. and amended to read:

17           48.357 (2v) (a) 2. If ~~a hearing is held under sub. (1) (b) or (2m) (b) and the~~  
18 ~~change in placement would place the child outside the home in a placement order~~  
19 ~~would change the placement of the child to a placement outside the home~~  
20 recommended by the person or agency primarily responsible for implementing the  
21 dispositional order, ~~the change in placement order shall include whether from a~~  
22 ~~placement in the home or from another placement outside the home,~~ a statement  
23 that the court approves the placement recommended by that person or agency or, if  
24 the child is placed outside the home in a placement other than change in placement  
25 order would change the placement of the child to a placement outside the home that

1 is not a placement recommended by that person or agency, whether from a placement  
2 in the home or from another placement outside the home, a statement that the court  
3 has given bona fide consideration to the recommendations made by that person or  
4 agency and all parties relating to the child's placement.

5 **\*b3034/1.1\* SECTION 102f.** 48.357 (2v) (a) (intro.) of the statutes is created to  
6 read:

7 48.357 (2v) (a) (intro.) A change in placement order under sub. (1) or (2m) shall  
8 contain all of the following:

9 **\*b3034/1.1\* SECTION 102fg.** 48.357 (2v) (a) 1. of the statutes is created to read:

10 48.357 (2v) (a) 1. If the change in placement order changes the child's  
11 placement from a placement in the child's home to a placement outside the child's  
12 home, a finding that continued placement of the child in his or her home would be  
13 contrary to the welfare of the child and, unless a circumstance specified in s. 48.355  
14 (2d) (b) 1. to 5. applies, a finding that the agency primarily responsible for  
15 implementing the dispositional order has made reasonable efforts to prevent the  
16 removal of the child from the home, while assuring that the child's health and safety  
17 are the paramount concerns.

18 **\*b3034/1.1\* SECTION 102fm.** 48.357 (2v) (a) 3. of the statutes is created to read:

19 48.357 (2v) (a) 3. If the court finds that any of the circumstances specified in  
20 s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, a determination that the  
21 agency primarily responsible for providing services under the change in placement  
22 order is not required to make reasonable efforts with respect to the parent to make  
23 it possible for the child to return safely to his or her home.

24 **\*b3034/1.1\* SECTION 102fr.** 48.357 (2v) (b) of the statutes is created to read:

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

9           **\*b3034/1.1\* SECTION 102g.** 48.357 (2v) (c) of the statutes is created to read:

10          48.357 (2v) (c) 1. If the court finds under par. (a) 3. that any of the  
11          circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
12          the court shall hold a hearing within 30 days after the date of that finding to  
13          determine the permanency plan for the child. If a hearing is held under this  
14          subdivision, the agency responsible for preparing the permanency plan shall file the  
15          permanency plan with the court not less than 5 days before the date of the hearing.

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

21          3. The court shall give a foster parent, treatment foster parent, or other  
22          physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.  
23          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 issues to be determined at the hearing. A foster parent, treatment  
2 foster parent, or other physical custodian who receives a notice of a hearing under  
3 subd. 2. and an opportunity to be heard under this subdivision does not become a  
4 party to the proceeding on which the hearing is held solely on the basis of receiving  
5 that notice and opportunity to be heard.

6 \*b3034/1.1\* SECTION 102gb. 48.357 (6) of the statutes is amended to read:

7 48.357 (6) No change in placement may extend the expiration date of the  
8 original order, except that if the change in placement is from a placement in the  
9 child's home to a placement outside the home the court may extend the expiration  
10 date of the original order to the date on which the child reaches 18 years of age, to  
11 the date that is one year after the date of the change in placement order, or, if the child  
12 is a full-time student at a secondary school or its vocational or technical equivalent  
13 and is reasonably expected to complete the program before reaching 19 years of age,  
14 to the date on which the child reaches 19 years of age, whichever is later, or for a  
15 shorter period of time as specified by the court. If the change in placement is from  
16 a placement outside the home to a placement in the child's home and if the expiration  
17 date of the original order is more than one year after the date of the change in  
18 placement order, the court shall shorten the expiration date of the original order to  
19 the date that is one year after the date of the change in placement order or to an  
20 earlier date as specified by the court.

21 \*b3034/1.1\* SECTION 102gd. 48.363 (1m) of the statutes is amended to read:

22 48.363 (1m) If a hearing is held under sub. (1) (a), any party may present  
23 evidence relevant to the issue of revision of the dispositional order. In addition, the  
24 court shall give a foster parent, treatment foster parent, or other physical custodian  
25 described in s. 48.62 (2) of the child an opportunity to be heard at the hearing by

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

10 **\*b3034/1.1\* SECTION 102gf.** 48.365 (1) of the statutes is amended to read:

11 48.365 (1) In this section, a child is considered to have been placed outside of  
12 his or her home on the date on which ~~the court first found that the child has been~~  
13 ~~subjected to abuse or neglect or on the date that is 60 days after the date on which~~  
14 the child was first removed from his or her home, ~~whichever is earlier.~~

15 **\*b3034/1.1\* SECTION 102gh.** 48.365 (2g) (b) 2. of the statutes is amended to  
16 read:

17 48.365 (2g) (b) 2. An evaluation of the child's adjustment to the placement and  
18 of any progress the child has made, suggestions for amendment of the permanency  
19 plan, ~~a description of efforts to return the child safely to his or her home and specific~~  
20 information showing the efforts that have been made to achieve the goal of the  
21 permanency plan, including, if applicable, the efforts of the parents to remedy the  
22 factors which that contributed to the child's placement and, if continued placement  
23 outside of the child's home is recommended, an explanation of why returning the  
24 child to his or her home is not safe or feasible, unless return of the child to the home

1 is the goal of the permanency plan and any of the circumstances specified in s. 48.355  
2 (2d) (b) 1. to 5. applies.

3 \*b3034/1.1\* SECTION 102gk. 48.365 (2g) (b) 3. of the statutes is amended to  
4 read:

5 48.365 (2g) (b) 3. If the child has been placed outside of his or her home for 15  
6 of the most recent 22 months, not including any period during which the child was  
7 a runaway from the out-of-home placement or the first 6 months of any period  
8 during which the child was returned to his or her home for a trial home visit, a  
9 statement of whether or not a recommendation has been made to terminate the  
10 parental rights of the parents of the child. If a recommendation for a termination of  
11 parental rights has been made, the statement shall indicate the date on which the  
12 recommendation was made, any previous progress made to accomplish the  
13 termination of parental rights, any barriers to the termination of parental rights,  
14 specific steps to overcome the barriers and when the steps will be completed, reasons  
15 why adoption would be in the best interest of the child, and whether or not the child  
16 should be registered with the adoption information exchange. If a recommendation  
17 for termination of parental rights has not been made, the statement shall include an  
18 explanation of the reasons why a recommendation for termination of parental rights  
19 has not been made. If the lack of appropriate adoptive resources is the primary  
20 reason for not recommending a termination of parental rights, the agency shall  
21 recommend that the child be registered with the adoption information exchange or  
22 report the reason why registering the child is contrary to the best interest of the child.

23 \*b3034/1.1\* SECTION 102gm. 48.365 (2m) (a) of the statutes is renumbered  
24 48.365 (2m) (a) 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           **\*b3034/1.1\* SECTION 102go.** 48.365 (2m) (a) 2. of the statutes is created to  
17 read:

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

23           **\*b3034/1.1\* SECTION 102gr.** 48.365 (2m) (a) 3. of the statutes is created to read:

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

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

8 **\*b3034/1.1\* SECTION 102h.** 48.365 (2m) (ad) of the statutes is created to read:

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

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

20 **\*b3034/1.1\* SECTION 102hg.** 48.365 (2m) (ag) of the statutes is amended to  
21 read:

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

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

9 **\*b3034/1.1\* SECTION 102hr.** 48.365 (5) of the statutes is amended to read:

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

20 **\*b3034/1.1\* SECTION 102j.** 48.38 (2) (intro.) of the statutes, as affected by 2001  
21 Wisconsin Act 59, is amended to read:

22 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),  
23 for each child living in a foster home, treatment foster home, group home, residential  
24 care center for children and youth, secure detention facility, or shelter care facility,  
25 the agency that placed the child or arranged the placement or the agency assigned

1 primary responsibility for providing services to the child under s. 48.355 shall  
2 prepare a written permanency plan, if ~~one~~ any of the following conditions exists, and,  
3 for each child living in the home of a relative other than a parent, that agency shall  
4 prepare a written permanency plan, if any of the conditions specified in pars. (a) to  
5 (e) exists:

6 \*b3034/1.1\* SECTION 102jg. 48.38 (2) (c) of the statutes is amended to read:  
7 48.38 (2) (c) The child is under the supervision of an agency under s. 48.64 (2)  
8 or pursuant to, under a consent decree under s. 48.32 (1) (b), or under a court order  
9 under s. 48.355.

10 \*b3034/1.1\* SECTION 102jm. 48.38 (2) (f) of the statutes is amended to read:  
11 48.38 (2) (f) The child's care ~~is paid~~ would be paid for under s. 49.19 but for s.  
12 49.19 (20).

13 \*b3034/1.1\* SECTION 102jr. 48.38 (2) (g) of the statutes, as created by 2001  
14 Wisconsin Act 69, is amended to read:

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

19 \*b3034/1.1\* SECTION 102k. 48.38 (3) of the statutes is amended to read:

20 48.38 (3) TIME. Subject to s. 48.355 (2d) (c) 1, the agency shall file the  
21 permanency plan with the court within 60 days after the date on which the child was  
22 ~~first held in physical custody or placed outside of his or her home under a court order~~  
23 removed from his or her home, except that if the child is held for less than 60 days  
24 in a secure detention facility, juvenile portion of a county jail, or a shelter care facility,

1 no permanency plan is required if the child is returned to his or her home within that  
2 period.

3 **\*b3034/1.1\* SECTION 102kg.** 48.38 (4) (intro.) of the statutes is amended to  
4 read:

5 48.38 (4) CONTENTS OF PLAN. (intro.) The permanency plan shall include a  
6 description of all of the following:

7 **\*b3034/1.1\* SECTION 102km.** 48.38 (4) (a) of the statutes, as affected by 2001  
8 Wisconsin Act 2, is renumbered 48.38 (4) (ar) and amended to read:

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

19 **\*b3034/1.1\* SECTION 102kr.** 48.38 (4) (ag) of the statutes is created to read:  
20 48.38 (4) (ag) The name, address, and telephone number of the child's parent,  
21 guardian, and legal custodian.

22 **\*b3034/1.1\* SECTION 102m.** 48.38 (4) (am) of the statutes is created to read:  
23 48.38 (4) (am) The date on which the child was removed from his or her home  
24 and the date on which the child was placed in out-of-home care.

25 **\*b3034/1.1\* SECTION 102mg.** 48.38 (4) (bm) of the statutes is amended to read:



1           48.38 (4) (bm) The A statement as to the availability of a safe and appropriate  
2 placement with a fit and willing relative of the child and, if a decision is made not  
3 to place the child with an available relative, a statement as to why placement with  
4 the relative is not safe or appropriate.

5           **\*b3034/1.1\* SECTION 102mm.** 48.38 (4) (dg) of the statutes is created to read:

6           48.38 (4) (dg) Information about the child's education, including all of the  
7 following:

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

10           2. Any special education programs in which the child is or was previously  
11 enrolled.

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

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

17           **\*b3034/1.1\* SECTION 102mr.** 48.38 (4) (dm) of the statutes is created to read:

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

23           **\*b3034/1.1\* SECTION 102n.** 48.38 (4) (dr) of the statutes is created to read:

24           48.38 (4) (dr) Medical information relating to the child, including all of the  
25 following:

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

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

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

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

12           **\*b3034/1.1\* SECTION 102ng.** 48.38 (4) (e) of the statutes is amended to read:

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

19           **\*b3034/1.1\* SECTION 102nm.** 48.38 (4) (f) (intro.) of the statutes is amended  
20 to read:

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

1           **\*b3034/1.1\* SECTION 102nr.** 48.38 (4) (fg) of the statutes is created to read:

2           48.38 (4) (fg) The goal of the permanency plan or, if the agency is making  
3 concurrent reasonable efforts under s. 48.355 (2b), the goals of the permanency plan.  
4 If a goal of the permanency plan is any goal other than return of the child to his or  
5 her home, the permanency plan shall include the rationale for deciding on that goal.  
6 If a goal of the permanency plan is an alternative permanent placement under subd.  
7 5., the permanency plan shall document a compelling reason why it would not be in  
8 the best interest of the child to pursue a goal specified in subds. 1. to 4. The agency  
9 shall determine one or more of the following goals to be the goal or goals of a child's  
10 permanency plan:

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

17           **\*b3034/1.1\* SECTION 102p.** 48.38 (4) (fm) of the statutes is amended to read:

18           48.38 (4) (fm) If the goal of the permanency plan calls for placing is to place the  
19 child for adoption, with a guardian, with a fit and willing relative, or in some other  
20 alternative permanent placement, the efforts made to place the child for adoption,  
21 with a guardian or in some other alternative permanent placement achieve that goal.

22           **\*b3034/1.1\* SECTION 102pg.** 48.38 (4) (h) of the statutes is created to read:

23           48.38 (4) (h) If the child is 15 years of age or over, a description of the programs  
24 and services that are or will be provided to assist the child in preparing for the

1 transition from out-of-home care to independent living. The description shall  
2 include all of the following:

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

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

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

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

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

17 **\*b3034/1.1\* SECTION 102pm.** 48.38 (5) (a) of the statutes, as affected by 2001  
18 Wisconsin Act 69, is amended to read:

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

1 from his or her home and the reviews that are required to be conducted every 12  
2 months after that review the court shall hold a hearing under sub. (5m) to review the  
3 permanency plan, which hearing may be instead of or in addition to the review under  
4 this subsection.

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

13 **\*b3034/1.1\* SECTION 102pr.** 48.38 (5) (b) of the statutes is amended to read:

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

1 less than 30 days before the review and copies of the notices shall be filed in the child's  
2 case record.

3 \*b3034/1.1\* SECTION 102q. 48.38 (5) (c) 6. (intro.) of the statutes is amended  
4 to read:

5 48.38 (5) (c) 6. (intro.) If the child has been placed outside of his or her home,  
6 as described in s. 48.365 (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, the appropriateness of the permanency plan and the  
10 circumstances which prevent the child from any of the following:

11 \*b3034/1.1\* SECTION 102qg. 48.38 (5) (c) 6. am. of the statutes is renumbered  
12 48.38 (5) (c) 6. cm. and amended to read:

13 48.38 (5) (c) 6. cm. Being placed in the home of a fit and willing relative of the  
14 child.

15 \*b3034/1.1\* SECTION 102qm. 48.38 (5) (c) 6. cg. of the statutes is created to  
16 read:

17 48.38 (5) (c) 6. cg. Being placed with a guardian.

18 \*b3034/1.1\* SECTION 102qr. 48.38 (5) (c) 6. d. of the statutes is amended to  
19 read:

20 48.38 (5) (c) 6. d. Being placed in some other alternative permanent placement,  
21 including sustaining care, independent living, or long-term foster care.

22 \*b3034/1.1\* SECTION 102r. 48.38 (5) (c) 7. of the statutes, as affected by 2001  
23 Wisconsin Act 2, is amended to read:

24 48.38 (5) (c) 7. Whether reasonable efforts were made by the agency to ~~make~~  
25 ~~it possible for the child to return safely to his or her home, except that the court or~~

1 ~~panel need not determine whether those reasonable efforts were made with respect~~  
2 ~~to a parent of the child if any of the circumstances specified in s. 48.355 (2d) (b) 1.,~~  
3 ~~2., 3., 4., or 5. apply to that parent achieve the goal of the permanency plan, unless~~  
4 ~~return of the child to the home is the goal of the permanency plan and any of the~~  
5 ~~circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.~~

6 \*b3034/1.1\* SECTION 102rm. 48.38 (5m) of the statutes is created to read:

7 48.38 (5m) PERMANENCY PLAN HEARING. (a) The court shall hold a hearing to  
8 review the permanency plan and to make the determinations specified in sub. (5) (c)  
9 no later than 12 months after the date on which the child was first removed from the  
10 home and every 12 months after a previous hearing under this subsection for as long  
11 as the child is placed outside the home.

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

19 (c) Any person who is provided notice of the hearing may have an opportunity  
20 to be heard at the hearing by submitting written comments relevant to the  
21 determinations specified in sub. (5) (c) not less than 10 working days before the date  
22 of the hearing or by participating at the hearing. A foster parent, treatment foster  
23 parent, operator of a facility in which a child is living, or relative with whom a child  
24 is living who receives notice of a hearing under par. (b) and an opportunity to be heard

1 under this paragraph does not become a party to the proceeding on which the hearing  
2 is held solely on the basis of receiving that notice and opportunity to be heard.

3 (d) At least 5 days before the date of the hearing the agency that prepared the  
4 permanency plan shall provide a copy of the permanency plan and any written  
5 comments submitted under par. (c) to the court, to the child's parent, guardian, and  
6 legal custodian, to the person representing the interests of the public, to the child's  
7 counsel or guardian ad litem, and to the child's court-appointed special advocate.  
8 Notwithstanding s. 48.78 (2) (a), the person representing the interests of the public,  
9 the child's counsel or guardian ad litem, and the child's court-appointed special  
10 advocate may have access to any other records concerning the child for the purpose  
11 of participating in the review. A person permitted access to a child's records under  
12 this paragraph may not disclose any information from the records to any other  
13 person.

14 (e) After the hearing, the court shall make written findings of fact and  
15 conclusions of law relating to the determinations under sub. (5) (c) and shall provide  
16 a copy of those findings of fact and conclusions of law to the child; the child's parent,  
17 guardian, and legal custodian; the child's foster parent or treatment foster parent,  
18 the operator of the facility in which the child is living, or the relative with whom the  
19 child is living; the child's court-appointed special advocate; the agency that prepared  
20 the permanency plan; and the person representing the interests of the public. The  
21 court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis based  
22 on circumstances specific to the child and shall document or reference the specific  
23 information on which those findings are based in the findings of fact and conclusions  
24 of law prepared under this paragraph. Findings of fact and conclusions of law that  
25 merely reference sub. (5) (c) 7. without documenting or referencing that specific



1 information in the findings of fact and conclusions of law or amended findings of fact  
2 and conclusions of law that retroactively correct earlier findings of fact and  
3 conclusions of law that do not comply with this paragraph are not sufficient to comply  
4 with this paragraph.

5 (f) If the findings of fact and conclusions of law under par. (e) conflict with the  
6 child's dispositional order or provide for any additional services not specified in the  
7 dispositional order, the court shall revise the dispositional order under s. 48.363 or  
8 order a change in placement under s. 48.357, as appropriate.”.

9 \*b3034/1.2\* **131.** Page 35, line 4: delete lines 4 to 12 and substitute:

10 \*b3034/1.2\* “SECTION 103m. 48.417 (1) (a) of the statutes is amended to read:

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

18 \*b3034/1.2\* SECTION 103p. 48.417 (1) (b) of the statutes is amended to read:

19 48.417 (1) (b) A court of competent jurisdiction has found under s. 48.13 (2) or  
20 under a law of any other state or a federal law that is comparable to s. 48.13 (2) that  
21 the child was abandoned when he or she was under one year of age or has found that  
22 the parent abandoned the child when the child was under one year of age in violation  
23 of s. 948.20 or in violation of the law of any other state or federal law, if that violation  
24 would be a violation of s. 948.20 if committed in this state. If the circumstances

1 specified in this paragraph apply, the petition shall be filed or joined in within 60  
2 days after the date on which the court of competent jurisdiction found that the child  
3 was abandoned as described in this paragraph.

4 **\*b3034/1.2\* SECTION 103r.** 48.417 (1) (c) of the statutes is amended to read:

5 48.417 (1) (c) A court of competent jurisdiction has found that the parent has  
6 committed, has aided or abetted the commission of, or has solicited, conspired, or  
7 attempted to commit, a violation of s. 940.01, 940.02, 940.03, or 940.05 or a violation  
8 of the law of any other state or federal law, if that violation would be a violation of  
9 s. 940.01, 940.02, 940.03, or 940.05 if committed in this state, and that the victim of  
10 that violation is a child of the parent. If the circumstances specified in this paragraph  
11 apply, the petition shall be filed or joined in within 60 days after the date on which  
12 the court assigned to exercise jurisdiction under this chapter determines, based on  
13 a finding that a circumstance specified in this paragraph applies, that reasonable  
14 efforts to make it possible for the child to return safely to his or her home are not  
15 required.

16 **\*b3034/1.2\* SECTION 103t.** 48.417 (1) (d) of the statutes is amended to read:

17 48.417 (1) (d) A court of competent jurisdiction has found that the parent has  
18 committed a violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or  
19 (2), 948.025, or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
20 federal law, if that violation would be a violation of s. 940.19 (2), (3), (4), or (5), 940.225  
21 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) if committed in this state,  
22 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or  
23 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child  
24 of the parent. If the circumstances specified in this paragraph apply, the petition  
25 shall be filed or joined in within 60 days after the date on which the court assigned

1 to exercise jurisdiction under this chapter determines, based on a finding that a  
2 circumstance specified in this paragraph applies, that reasonable efforts to make it  
3 possible for the child to return safely to his or her home are not required.

4 \*b3034/1.2\* SECTION 104b. 48.417 (1) (d) of the statutes, as affected by 2001  
5 Wisconsin Act .... (this act), is amended to read:

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

19 \*b3034/1.2\* SECTION 104d. 48.417 (2) (a) of the statutes is amended to read:  
20 48.417 (2) (a) The child is being cared for by a fit and willing relative of the  
21 child.

22 \*b3034/1.2\* SECTION 104e. 48.417 (2) (b) of the statutes is amended to read:  
23 48.417 (2) (b) The child's permanency plan indicates and provides  
24 documentation that termination of parental rights to the child is not in the best  
25 interests of the child.

1           **\*b3034/1.2\* SECTION 104f.** 48.417 (2) (d) of the statutes is created to read:  
2           48.417 (2) (d) Grounds for an involuntary termination of parental rights under  
3           s. 48.415 do not exist.”.

4           **\*b3034/1.3\* 132.** Page 35, line 18: after that line insert:

5           **\*b3034/1.3\* “SECTION 110m.** 48.63 (1) of the statutes, as affected by 2001  
6           Wisconsin Act 69, is amended to read:

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

1 is required. The child's consent to the agreement is required whenever the child is  
2 12 years of age or older.

3 **\*b3034/1.3\* SECTION 110p.** 48.63 (4) of the statutes is amended to read:

4 48.63 (4) A permanency plan under s. 48.38 is required for each child placed  
5 in a foster home or treatment foster home under sub. (1). If the child is living in a  
6 foster home or treatment foster home under a voluntary agreement, the agency that  
7 negotiated or acted as intermediary for the placement shall prepare the permanency  
8 plan within 60 days after the placement date on which the child was removed from  
9 his or her home under the voluntary agreement. A copy of each plan shall be provided  
10 to the child if he or she is 12 years of age or over and to the child's parent or guardian.  
11 If the agency ~~which~~ that arranged the voluntary placement intends to seek a court  
12 order to place the child outside of his or her home at the expiration of the voluntary  
13 placement, the agency shall prepare a revised permanency plan and file that revised  
14 plan with the court prior to the date of the hearing on the proposed placement.

15 **\*b3034/1.3\* SECTION 110r.** 48.63 (5) (b) of the statutes, as created by 2001  
16 Wisconsin Act 69, is amended to read:

17 48.63 (5) (b) If a child who is at least 14 years of age, who is a custodial parent,  
18 as defined in s. 49.141 (1) (b), or an expectant mother, and who is in need of a safe  
19 and structured living arrangement and the parent or guardian of the child consent,  
20 a child welfare agency licensed to place children in group homes may place the child  
21 or arrange the placement of the child in a group home described in s. 48.625 (1m).  
22 Before placing a child or arranging the placement of a child under this paragraph,  
23 the child welfare agency shall report any suspected abuse or neglect of the child as  
24 required under s. 48.981 (2). A voluntary agreement to place a child in a group home  
25 described in s. 48.625 (1m) may be made only under this paragraph, shall be in

1 writing, and shall specifically state that the agreement may be terminated at any  
2 time by the parent, guardian, or child. An initial placement under this paragraph  
3 may not exceed ~~6 months~~ 180 days from the date on which the child was removed  
4 from the home under the voluntary agreement, but may be extended as provided in  
5 par. (d) 3. to 6. An initial placement under this paragraph of a child who is under 16  
6 years of age on the date of the initial placement may be extended as provided in par.  
7 (d) 3. to 6. no more than once.

8 \*b3034/1.3\* **SECTION 110s.** 48.63 (5) (c) of the statutes, as created by 2001  
9 Wisconsin Act 69, is amended to read:

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

16 \*b3034/1.4\* **133.** Page 36, line 12: delete lines 12 to 16 and substitute:

17 \*b3034/1.4\* **SECTION 113x.** 48.685 (5) (bm) 4. of the statutes is amended to  
18 read:

19 48.685 (5) (bm) 4. A violation of s. 125.075 (1), 125.085 (3) (a) 2., 125.105 (2) (b),  
20 125.66 (3), 125.68 (12), 940.09, 940.19 (2), (3), (4), (5), or (6), 940.20, 940.203, 940.205  
21 or, 940.207, or 940.25, a violation of s. 346.63 (1), (2), (5), or (6) that is a felony under  
22 s. 346.65 (2) (e) or (f), (2j) (d), or (3m), or an offense under ch. 961 that is a felony, if  
23 committed not more than 5 years before the date of the investigation under sub. (2)  
24 (am).

1           **\*b3034/1.4\* SECTION 114b.** 48.685 (5) (bm) 4. of the statutes, as affected by  
2 2001 Wisconsin Act .... (this act), is amended to read:

3           48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 125.075 (1),  
4 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12), 940.09, 940.19 (2), ~~(3)~~, (4),  
5 (5), or (6), 940.20, 940.203, 940.205, 940.207, or 940.025, a violation of s. 346.63 (1),  
6 (2), (5), or (6) that is a felony under s. 346.65 (2) (e) or (f), (2j) (d) or (3m), or an offense  
7 under ch. 961 that is a felony, if committed not more than 5 years before the date of  
8 the investigation under sub. (2) (am).

9           **\*b3034/1.4\* SECTION 114g.** 48.78 (2) (a) of the statutes is amended to read:

10          48.78 (2) (a) No agency may make available for inspection or disclose the  
11 contents of any record kept or information received about an individual in its care  
12 or legal custody, except as provided under s. 48.371, 48.38 (5) (b) or (d) or (5m) (d),  
13 48.432, 48.433, 48.93, 48.981 (7), 938.51, or 938.78 or by order of the court.

14          **\*b3034/1.4\* SECTION 114m.** 48.977 (2) (f) of the statutes, as affected by 2001  
15 Wisconsin Act 2, is amended to read:

16          48.977 (2) (f) That the agency primarily responsible for providing services to  
17 the child under a court order has made reasonable efforts to make it possible for the  
18 child to return to his or her home, while assuring that the child's health and safety  
19 are the paramount concerns, but that reunification of the child with the child's  
20 parent or parents is unlikely or contrary to the best interests of the child and that  
21 further reunification efforts are unlikely to be made or are contrary to the best  
22 interests of the child, ~~except that the court need not~~ is not required to find that the  
23 agency has made those reasonable efforts with respect to a parent of the child if any  
24 of the circumstances specified in s. 48.355 (2d) (b) 1., 2., 3., 4., or 5. apply to 5. applies  
25 to that parent. The court shall make the findings specified in this paragraph on a

1 case-by-case basis based on circumstances specific to the child and shall document  
2 or reference the specific information on which those findings are based in the  
3 guardianship order. A guardianship order that merely references this paragraph  
4 without documenting or referencing that specific information in the order or an  
5 amended guardianship order that retroactively corrects an earlier guardianship  
6 order that does not comply with this paragraph is not sufficient to comply with this  
7 paragraph.”.

8 \*b2909/2.1\* **134.** Page 37, line 25: after that line insert:

9 \*b2909/2.1\* “SECTION 119k. 49.175 (1) (z) of the statutes, as affected by 2001  
10 Wisconsin Act 16, is amended to read:

11 49.175 (1) (z) *Community youth grant.* For a competitive grant program  
12 administered by the department to fund programs that improve social, academic and  
13 employment skills of youth who are eligible to receive temporary assistance for needy  
14 families under 42 USC 601 et seq., ~~\$7,579,700~~ \$7,829,700 in fiscal year 2001–02 and  
15 ~~\$50,000~~ \$300,000 fiscal year 2002–03.”.

16 \*b3088/2.1\* **135.** Page 37, line 25: after that line insert:

17 \*b3088/2.1\* “SECTION 119g. 49.152 (title) of the statutes is renumbered 49.16  
18 (title).

19 \*b3088/2.1\* SECTION 119gd. 49.152 (1) of the statutes is renumbered 49.16 (1).

20 \*b3088/2.1\* SECTION 119gh. 49.152 (2) of the statutes is renumbered 49.16 (2).

21 \*b3088/2.1\* SECTION 119gi. 49.152 (3) (title) of the statutes is renumbered  
22 49.16 (3) (title).

23 \*b3088/2.1\* SECTION 119gj. 49.152 (3) (a) of the statutes is renumbered 49.16  
24 (3) (a) and amended to read:



1           49.16 (3) (a) If, following review under sub. (2), the Wisconsin works agency or  
2 the department determines that an individual, ~~whose application for a Wisconsin~~  
3 ~~works employment position was denied based on eligibility, was in fact eligible, or~~  
4 ~~that the individual~~ was placed in an inappropriate Wisconsin works employment  
5 position, the Wisconsin works agency shall place the individual in the first available  
6 Wisconsin works employment position that is appropriate for that individual, as  
7 determined by the Wisconsin works agency or the department. An individual who  
8 is placed in a Wisconsin works employment position under this paragraph is eligible  
9 for the benefit for that position under s. 49.148 beginning on the date on which the  
10 individual begins participation under s. 49.147.

11           **\*b3088/2.1\* SECTION 119gk.** 49.152 (3) (b) of the statutes is renumbered 49.16  
12 (3) (b) and amended to read:

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

23           **\*b3088/2.2\* 136.** Page 38, line 6: after that line insert:

1           **\*b3088/2.2\*** “SECTION 119r. 49.195 (3) of the statutes, as affected by 2001  
2       Wisconsin Act 16, is amended to read:

3           49.195 (3) A county, tribal governing body, Wisconsin works agency or the  
4       department shall determine whether an overpayment has been made under s. 49.19,  
5       49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal  
6       governing body, Wisconsin works agency or department shall provide notice of the  
7       overpayment to the liable person. The department shall give that person an  
8       opportunity for a review following the procedure specified under s. ~~49.152~~ 49.16, if  
9       the person received the overpayment under s. 49.141 to 49.161, and for a hearing  
10      under ch. 227. Notwithstanding s. 49.96, the department shall promptly recover all  
11      overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already  
12      been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing  
13      policies and procedures to administer this subsection. The rules shall include  
14      notification procedures similar to those established for child support collections.”.

15           **\*b2863/1.2\* 137.** Page 38, line 20: after that line insert:

16           **\*b2863/1.2\*** “SECTION 121pb. 49.45 (2) (a) 9. of the statutes is amended to read:  
17           49.45 (2) (a) 9. Periodically set forth conditions of participation and  
18       reimbursement ~~in a contract with provider~~ for contracts with providers of service  
19       under this section. The department shall promulgate rules that specify criteria for  
20       and required procedures for submittal of appropriate claims for reimbursement.

21           **\*b2863/1.2\* SECTION 121pc.** 49.45 (2) (a) 10. a. of the statutes, as affected by  
22       2001 Wisconsin Act 16, is renumbered 49.45 (2) (a) 10. and amended to read:

23           49.45 (2) (a) 10. After reasonable notice and opportunity for a hearing  
24       conducted as a class 2 proceeding under ch. 227, recover money improperly or

1 erroneously paid or overpayments to a provider by offsetting or adjusting amounts  
2 owed the provider under the program, crediting against a provider's future claims  
3 for reimbursement for other services or items furnished by the provider under the  
4 program, or requiring the provider to make direct payment to the department or its  
5 fiscal intermediary.

6 **\*b2863/1.2\* SECTION 121pd.** 49.45 (2) (a) 10. b. of the statutes, as created by  
7 2001 Wisconsin Act 16, is repealed.

8 **\*b2863/1.2\* SECTION 121pe.** 49.45 (2) (a) 10. c. of the statutes, as created by  
9 2001 Wisconsin Act 16, is repealed.

10 **\*b2863/1.2\* SECTION 121pf.** 49.45 (2) (a) 11. a. of the statutes, as affected by  
11 2001 Wisconsin Act 16, is renumbered 49.45 (2) (a) 11. and amended to read:

12 49.45 (2) (a) 11. Establish criteria for the certification of eligible providers of  
13 medical assistance and, except as provided in ~~par. (b) 6m. and s. 49.48, and subject~~  
14 ~~to par. (b) 7. and 8.,~~ certify providers who meet the criteria.

15 **\*b2863/1.2\* SECTION 121pg.** 49.45 (2) (a) 11. b. of the statutes, as created by  
16 2001 Wisconsin Act 16, is repealed.

17 **\*b2863/1.2\* SECTION 121ph.** 49.45 (2) (a) 12. a. of the statutes, as affected by  
18 2001 Wisconsin Act 16, is renumbered 49.45 (2) (a) 12. and amended to read:

19 49.45 (2) (a) 12. Decertify or suspend under this subdivision a provider from  
20 ~~or restrict a provider's participation in~~ the medical assistance program, if after  
21 giving reasonable notice and opportunity for hearing the department finds that the  
22 provider has violated a federal statute or regulation or a state statute or  
23 administrative rule and the violation is by statute, regulation, or rule grounds for  
24 decertification or restriction. ~~The department shall suspend the provider pending~~  
25 ~~the hearing under this subdivision if the department includes in its decertification~~

1 notice findings that the provider's continued participation in the medical assistance  
2 program pending hearing is likely to lead to the irretrievable loss of public funds and  
3 is unnecessary to provide adequate access to services to medical assistance  
4 recipients. As soon as practicable after the hearing, the department shall issue a  
5 written decision suspension. No payment may be made under the medical assistance  
6 program with respect to any service or item furnished by the provider subsequent to  
7 decertification or during the period of suspension.

8 \*b2863/1.2\* SECTION 121pi. 49.45 (2) (a) 12. b. of the statutes, as created by  
9 2001 Wisconsin Act 16, is repealed.

10 \*b2863/1.2\* SECTION 121pj. 49.45 (2) (a) 14. of the statutes is amended to read:  
11 49.45 (2) (a) 14. Assure due process in implementing subs. 12. and 13. by  
12 providing written notice, ~~a fair hearing and a written decision~~ and a hearing  
13 conducted as a class 2 proceeding under ch. 227.

14 \*b2863/1.2\* SECTION 121pk. 49.45 (2) (b) 6m. of the statutes, as created by  
15 2001 Wisconsin Act 16, is repealed.

16 \*b2863/1.2\* SECTION 121pl. 49.45 (2) (b) 7. of the statutes, as created by 2001  
17 Wisconsin Act 16, is repealed.

18 \*b2863/1.2\* SECTION 121pm. 49.45 (2) (b) 8. of the statutes, as created by 2001  
19 Wisconsin Act 16, is repealed.

20 \*b2863/1.2\* SECTION 121pn. 49.45 (2) (b) 9. of the statutes, as created by 2001  
21 Wisconsin Act 16, is repealed.

22 \*b2863/1.2\* SECTION 121pp. 49.45 (3) (g) 1. of the statutes, as affected by 2001  
23 Wisconsin Act 16, is renumbered 49.45 (3) (g) and amended to read:

24 49.45 (3) (g) The secretary may authorize personnel to audit or investigate and  
25 report to the department on any matter involving violations or complaints alleging

1 violations of statutes, regulations, or rules applicable to the medical assistance  
2 program and to perform such investigations or audits as are required to verify the  
3 actual provision of services or items available under the medical assistance program  
4 and the appropriateness and accuracy of claims for reimbursement submitted by  
5 providers participating in the program. Department employees authorized by the  
6 secretary under this paragraph shall be issued, and shall possess at all times while  
7 they are performing their investigatory or audit functions under this section,  
8 identification, signed by the secretary, that specifically designates the bearer as  
9 possessing the authorization to conduct medical assistance investigations or audits.  
10 Under the request of a designated person and upon presentation of the person's  
11 authorization, providers and medical assistance recipients shall accord the person  
12 access to any ~~provider personnel~~, records, books, or documents or other information  
13 needed. Under the written request of a designated person and upon presentation of  
14 the person's authorization, providers and recipients shall accord the person access  
15 to any needed patient health care records of a recipient. Authorized employees may  
16 hold hearings, administer oaths, take testimony, and perform all other duties  
17 necessary to bring the matter before the department for final adjudication and  
18 determination.

19 **\*b2863/1.2\* SECTION 121pq.** 49.45 (3) (g) 2. of the statutes, as created by 2001  
20 Wisconsin Act 16, is repealed.

21 **\*b2863/1.2\* SECTION 121pr.** 49.45 (3) (h) 1. of the statutes is created to read:

22 49.45 (3) (h) 1. For purposes of any audit, investigation, examination, analysis,  
23 review, or other function authorized by law with respect to the medical assistance  
24 program, the secretary shall have the power to sign and issue subpoenas to any  
25 person requiring the production of any pertinent books, records, patient health care

1 records, or other information. Subpoenas so issued shall be served by anyone  
2 authorized by the secretary by delivering a copy to the person named in the  
3 subpoena, or by registered mail or certified mail addressed to the person at his or her  
4 last-known residence or principal place of business. A verified return by the person  
5 serving the subpoena setting forth the manner of service, or, in the event service is  
6 by registered or certified mail, the return post-office receipt signed by the person  
7 served constitutes proof of service.

8 **\*b2863/1.2\* SECTION 121ps.** 49.45 (3) (h) 1m. of the statutes, as affected by  
9 2001 Wisconsin Act 16, is renumbered 49.45 (3) (h) 3. and amended to read:

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

20 **\*b2863/1.2\* SECTION 121pt.** 49.45 (3) (h) 1n. of the statutes, as created by 2001  
21 Wisconsin Act 16, is repealed.

22 **\*b2863/1.2\* SECTION 121pu.** 49.45 (3) (h) 2. of the statutes is created to read:

23 49.45 (3) (h) 2. In the event of contumacy or refusal to obey a subpoena issued  
24 under this paragraph and duly served upon any person, any judge in a court of record

1 in the county in which the person was served may enforce the subpoena in accordance  
2 with s. 885.12.

3 \*b2863/1.2\* SECTION 121pv. 49.45 (21) (title) of the statutes, as affected by  
4 2001 Wisconsin Act 16, is amended to read:

5 49.45 (21) (title) ~~TAKING OVER PROVIDER'S OPERATION~~ TRANSFER OF BUSINESS,  
6 LIABILITY FOR; REPAYMENTS REQUIRED.

7 \*b2863/1.2\* SECTION 121pw. 49.45 (21) (ag) of the statutes, as created by 2001  
8 Wisconsin Act 16, is repealed.

9 \*b2863/1.2\* SECTION 121pwj. 49.45 (21) (ar) of the statutes, as affected by  
10 2001 Wisconsin Act 16, is renumbered 49.45 (21) (a) and amended to read:

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

20 \*b2863/1.2\* SECTION 121px. 49.45 (21) (b) of the statutes, as affected by 2001  
21 Wisconsin Act 16, is amended to read:

22 49.45 (21) (b) ~~If, notwithstanding the prohibition under par. (ar), a person takes~~  
23 ~~over the operation of a provider~~ If a transfer occurs and the applicable amount under  
24 par. (ar) (a) has not been repaid, the department may, in addition to withholding  
25 certification as authorized under sub. (2) (b) 8., proceed against the provider or the

1 ~~person either the transferor or the transferee.~~ Within 30 days after the ~~certified~~  
2 ~~provider receives~~ receiving notice from the department, the transferor or the  
3 transferee shall pay the amount shall be repaid in full. ~~If the amount is not repaid~~  
4 ~~in full~~ Upon failure to comply, the department may bring an action to compel  
5 payment. ~~If a transferor fails to pay within 90 days after receiving notice from the~~  
6 ~~department, the department may proceed under sub. (2) (a) 12., or may do both.~~

7 \*b2863/1.2\* SECTION 121py. 49.45 (21) (e) of the statutes, as created by 2001  
8 Wisconsin Act 16, is repealed.”.

9 \*b3059/1.1\* **138.** Page 38, line 20: after that line insert:

10 \*b3059/1.1\* “SECTION 121t. 49.45 (6m) (ar) 1. a. of the statutes is amended to  
11 read:

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

22 \*b3088/2.3\* **139.** Page 38, line 20: after that line insert:

23 \*b3088/2.3\* “SECTION 121k. 49.26 (1) (h) 1. as. of the statutes is amended to  
24 read:



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

5           **\*b2388/1.1\* 140.** Page 39, line 10: after that line insert:

6           **\*b2388/1.1\*** “SECTION 122c. 49.45 (50) of the statutes is created to read:

7           49.45 (50) DISEASE MANAGEMENT. (a) In this subsection, “disease management”  
8 means an integrated and systematic approach for managing the health care needs  
9 of patients who are at risk of or are diagnosed with a specific disease, using all of the  
10 following:

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

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

21           **\*b2372/2.2\* 141.** Page 41, line 13: after that line insert:

22           **\*b2372/2.2\*** “SECTION 128g. 49.49 (6) of the statutes is amended to read:

23           49.49 (6) RECOVERY. In addition to other remedies available under this section,  
24 the court may award the department of justice the reasonable and necessary costs

1 of investigation, an amount reasonably necessary to remedy the harmful effects of  
2 the violation and the reasonable and necessary expenses of prosecution, including  
3 attorney fees, from any person who violates this section. The department of justice  
4 shall deposit in the state treasury for deposit in the general fund all moneys that the  
5 court awards to the department or the state under this subsection. ~~Ten percent of~~  
6 ~~the money deposited in the general fund that was awarded under this subsection for~~  
7 ~~the costs of investigation and the expenses of prosecution, including attorney fees,~~  
8 ~~shall be credited to the appropriation account under s. 20.455 (1) (gh).”~~

9 **\*b2863/1.3\* 142.** Page 46, line 20: after that line insert:

10 **\*b2863/1.3\* “SECTION 145g.** 49.85 (2) (a) of the statutes, as affected by 2001  
11 Wisconsin Act 16, is amended to read:

12 49.85 (2) (a) At least annually, the department of health and family services  
13 shall certify to the department of revenue the amounts that, based on the  
14 notifications received under sub. (1) and on other information received by the  
15 department of health and family services, the department of health and family  
16 services has determined that it may recover under s. ~~49.45 (2) (a) 10.~~ or 49.497, except  
17 that the department of health and family services may not certify an amount under  
18 this subsection unless it has met the notice requirements under sub. (3) and unless  
19 its determination has either not been appealed or is no longer under appeal.

20 **\*b2863/1.3\* SECTION 145h.** 49.85 (3) (a) 1. of the statutes, as affected by 2001  
21 Wisconsin Act 16, is amended to read:

22 49.85 (3) (a) 1. Inform the person that the department of health and family  
23 services intends to certify to the department of revenue an amount that the

1 department of health and family services has determined to be due under s. 49.45  
2 (2)(a) 10. or 49.497, for setoff from any state tax refund that may be due the person.”.

3 \*b2391/1.6\* **143.** Page 47, line 25: after that line insert:

4 \*b2391/1.6\* “SECTION 148n. 50.36 (3d) of the statutes is created to read:

5 50.36 (3d) (a) A hospital shall develop and maintain a system under which the  
6 hospital may grant emergency staff privileges to a health care provider, as defined  
7 in s. 146.81 (1), to whom all of the following apply:

8 1. The health care provider seeks to provide care at the hospital during a period  
9 of a state of emergency related to public health declared by the governor under s.  
10 166.03 (1) (b) 1.

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

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

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

18 \*b2613/1.1\* **144.** Page 48, line 5: after that line insert:

19 \*b2613/1.1\* “SECTION 149f. 51.20 (13) (ct) 2m. of the statutes is amended to  
20 read:

21 51.20 (13) (ct) 2m. If the subject individual is before the court on a petition filed  
22 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a  
23 violation, or to have solicited, conspired, or attempted to commit a violation, of s.  
24 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,

1 948.06, 948.07, 948.075, 948.08, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or  
2 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the subject individual  
3 was not the victim's parent, the court shall require the individual to comply with the  
4 reporting requirements under s. 301.45 unless the court determines, after a hearing  
5 on a motion made by the individual, that the individual is not required to comply  
6 under s. 301.45 (1m).”.

7 \*b2772/1.1\* **145.** Page 48, line 10: after that line insert:

8 \*b2772/1.1\* **“SECTION 150tg.** 62.13 (5) (i) of the statutes is amended to read:

9 62.13 (5) (i) Any person suspended, reduced, suspended and reduced, or  
10 removed by the board may appeal from the order of the board to the circuit court by  
11 serving written notice of the appeal on the secretary of the board within 10 days after  
12 the order is filed. Within 5 days after receiving written notice of the appeal, the board  
13 shall certify to the clerk of the circuit court the record of the proceedings, including  
14 all documents, testimony, and minutes. The action shall then be at issue and shall  
15 have precedence over any other cause of a different nature pending in the court,  
16 which shall always be open to the trial thereof. The court shall upon application of  
17 the accused or of the board fix a date of trial, which shall not be later than 15 days  
18 after such application except by agreement. The trial shall be by the court and upon  
19 the return of the board, except that the court may require further return or the taking  
20 and return of further evidence by the board. The question to be determined by the  
21 court shall be: Upon the evidence is there just cause, as described under par. (em),  
22 to sustain the charges against the accused? No costs shall be allowed either party  
23 and the clerk's fees shall be paid by the city. If the order of the board is reversed, the  
24 accused shall be forthwith reinstated and entitled to pay as though in continuous

1 service. If the order of the board is sustained, it shall be final and conclusive. This  
2 paragraph does not apply to any person who is suspended, reduced, suspended and  
3 reduced, or removed by the board or by a committee or person acting under this  
4 subsection in place of a board, and who is subject to the terms of a collective  
5 bargaining agreement entered into under subch. IV of ch. 111 that provides an  
6 alternative to the appeals procedure specified in this paragraph, unless the person  
7 chooses to appeal the order to circuit court. If the alternative to the appeals  
8 procedure includes a hearing, the hearing shall be open to the public with reasonable  
9 advance notice given by the employer. An accused person who chooses to appeal the  
10 decision of the board through a collectively bargained alternative to the appeals  
11 procedure specified in this paragraph is considered to have waived his or her right  
12 to circuit court review of the board decision.”.

13 \*b3008/1.1\* **146.** Page 48, line 10: after that line insert:

14 \*b3008/1.1\* “SECTION 150c. 59.692 (6m) of the statutes is amended to read:  
15 59.692 (6m) For an amendment to an ordinance enacted under this section that  
16 affects an activity that meets all of the requirements under s. 281.165 (2) ~~or (3) (a)~~,  
17 the department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review  
18 the amendment, to determine whether the ordinance, as amended, fails to meet the  
19 shoreland zoning standards.

20 \*b3008/1.1\* SECTION 150m. 62.231 (6m) of the statutes is amended to read:  
21 62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an  
22 ordinance enacted under this section that affects an activity that meets all of the  
23 requirements under s. 281.165 (2) ~~or (3) (a)~~, the department of natural resources may

1 not proceed under sub. (6), or otherwise review the amendment, to determine  
2 whether the ordinance, as amended, fails to meet reasonable minimum standards.”.

3 \*b3055/2.1\* **147.** Page 49, line 18: after that line insert:

4 \*b3055/2.1\* “**SECTION 151n.** 66.0303 (3) of the statutes is renumbered 66.0303  
5 (3) (a) and amended to read:

6 66.0303 (3) (a) ~~An~~ Except as provided in par. (b), an agreement made under this  
7 section shall, prior to and as a condition precedent to taking effect, be submitted to  
8 the attorney general who shall determine whether the agreement is in proper form  
9 and compatible with the laws of this state. The attorney general shall approve any  
10 agreement submitted under this subsection paragraph unless the attorney general  
11 finds that it does not meet the conditions set forth in this section and details in  
12 writing addressed to the concerned municipal governing bodies the specific respects  
13 in which the proposed agreement fails to meet the requirements of law. Failure to  
14 disapprove an agreement submitted under this subsection paragraph within 90 days  
15 of its submission constitutes approval. The attorney general, upon submission of an  
16 agreement, shall transmit a copy of the agreement to the governor who shall consult  
17 with any state department or agency affected by the agreement. The governor shall  
18 forward to the attorney general any comments the governor may have concerning the  
19 agreement.

20 \*b3055/2.1\* **SECTION 151nb.** 66.0303 (3) (b) of the statutes is created to read:

21 66.0303 (3) (b) An agreement under this section between a municipality of this  
22 state and a municipality of another state that relates to the receipt, furnishing, or  
23 joint exercise of fire fighting or emergency medical services need not be submitted  
24 to or approved by the attorney general before the agreement may take effect.”.

1           **\*b3098/2.1\* 148.** Page 49, line 18: after that line insert:

2           **\*b3098/2.1\* “SECTION 151e.** 66.0218 of the statutes is created to read:

3           **66.0218 Direct annexation of certain town territory. (1) DEFINITIONS.**

4           In this section:

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

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

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

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

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

12          **(2) CITY OR VILLAGE ORDINANCES.** (a) *Enactment.* Notwithstanding s. 66.0221,  
13          the governing body of a city or village may, by a two–thirds vote of its members–elect,  
14          enact an ordinance to annex a contiguous town or contiguous town territory if all of  
15          the following apply:

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

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

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

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

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

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

13           (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale  
14 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale  
15 map, and plat to the department of transportation, one copy to the department of  
16 administration, one copy to the department of natural resources, one copy to the  
17 department of revenue, one copy to the department of public instruction, and one  
18 copy to the clerk of the town from which the territory was annexed.

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

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

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



1           **\*b3105/1.1\* 149.** Page 49, line 19: delete the material beginning with that  
2 line and ending with page 53, line 4.

3           **\*b2939/1.1\* 150.** Page 53, line 4: after that line insert:

4           **\*b2939/1.1\* “SECTION 153s.** 66.1113 (2) (a) of the statutes, as affected by 2001  
5 Wisconsin Act 16, is amended to read:

6           66.1113 (2) (a) The governing body of a political subdivision, by a two-thirds  
7 vote of the members of the governing body who are present when the vote is taken,  
8 may enact an ordinance or adopt a resolution declaring itself to be a premier resort  
9 area if, except as provided in ~~par. pars.~~ (e) and (f), at least 40% of the equalized  
10 assessed value of the taxable property within such political subdivision is used by  
11 tourism-related retailers.

12           **\*b2939/1.1\* SECTION 153t.** 66.1113 (2) (f) of the statutes is created to read:

13           66.1113 (2) (f) The city of Bayfield may enact an ordinance or adopt a resolution  
14 declaring itself to be a premier resort area under par. (a) even if less than 40% of the  
15 equalized assessed value of the taxable property within Bayfield is used by  
16 tourism-related retailers.”.

17           **\*b3087/1.1\* 151.** Page 53, line 4: after that line insert:

18           **\*b3087/1.1\* “SECTION 153d.** 66.0903 (10) (a) of the statutes is amended to read:

19           66.0903 (10) (a) Each contractor, subcontractor, or contractor’s or  
20 subcontractor’s agent performing work on a project that is subject to this section  
21 shall keep full and accurate records clearly indicating the name and trade or  
22 occupation of every person performing the work described in sub. (4) and an accurate  
23 record of the number of hours worked by each of those persons and the actual wages  
24 paid for the hours worked. If requested by any person, a contractor, subcontractor,

1 or contractor's or subcontractor's agent performing work on a project that is subject  
2 to this section shall permit that person to inspect and copy any of those records to the  
3 same extent as if the record were maintained by the department, except that s. 19.36  
4 (3) does not limit the duty of a subcontractor or a contractor's or subcontractor's agent  
5 to permit inspection and copying of a record under this paragraph. Before permitting  
6 the inspection and copying of a record under this paragraph, a contractor,  
7 subcontractor, or contractor's or subcontractor's agent shall delete from the record  
8 any personally identifiable information, as defined in s. 19.62 (5), contained in the  
9 record about any person performing the work described in sub. (4) other than the  
10 trade or occupation of the person, the number of hours worked by the person, and the  
11 actual wages paid for those hours worked."

12 **\*b3069/3.1\* 152.** Page 53, line 20: after that line insert:

13 **\*b3069/3.1\* "SECTION 156b.** 70.32 (2) (c) 1. of the statutes is amended to read:  
14 70.32 (2) (c) 1. "Agricultural land" means land, exclusive of buildings and  
15 improvements and the land necessary for their location and convenience, that is  
16 devoted primarily to agricultural use, as defined by rule, if the land is a farm, as  
17 defined in sub. (2s) (a) 2., and the owner or lessee of the land files the form under sub.  
18 (2s).

19 **\*b3069/3.1\* SECTION 156d.** 70.32 (2) (c) 1m. of the statutes is created to read:  
20 70.32 (2) (c) 1m. "Other," as it relates to par. (a) 7., means buildings and  
21 improvements located on farms, as defined in sub. (2s) (a) 2.; including any residence  
22 for the farm operator's spouse, children, parents, or grandparents; and the land  
23 necessary for the location and convenience of those building and improvements.

24 **\*b3069/3.1\* SECTION 156e.** 70.32 (2s) of the statutes is created to read:

1           70.32 (2s) (a) In this subsection:

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

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

6           a. Classification 111–Crop production.

7           b. Classification 112–Animal production.

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

15           (c) If the use of the person’s land has changed so that it may no longer be  
16 assessed as agricultural land under sub. (2r), the person who owns or who is the  
17 lessee of the land shall notify the assessor of the taxation district in which the  
18 person’s land is located, on a form prescribed by the department. If the use of the  
19 person’s land has changed so that it may no longer be assessed as agricultural land  
20 under sub. (2r) and the person who owns or who is the lessee of the land does not  
21 notify the assessor of the taxation district as provided under this paragraph, the  
22 taxation district shall treat the difference between the land’s value as agricultural  
23 land under sub. (2r) and the land’s value under the appropriate classification as  
24 provided under sub. (2) (a) as omitted property under s. 70.44 and collect from the  
25 owner of the land the penalty under s. 74.485.

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

7 \*b2382/1.1\* **153.** Page 53, line 25: after that line insert:

8 \*b2382/1.1\* **SECTION 157m.** 70.995 (8) (a) of the statutes is amended to read:

9 70.995 (8) (a) The secretary of revenue shall establish a state board of  
10 assessors, which shall be comprised of the members of the department of revenue  
11 whom the secretary designates. The state board of assessors shall investigate any  
12 objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state  
13 board of assessors, after having made the investigation, shall notify the person  
14 assessed or the person's agent and the appropriate municipality of its determination  
15 by 1st class mail or electronic mail. Beginning with objections filed in 1989, the state  
16 board of assessors shall make its determination on or before April 1 of the year after  
17 the filing. If the determination results in a refund of property taxes paid, the state  
18 board of assessors shall include in the determination a finding of whether the refund  
19 is due to false or incomplete information supplied by the person assessed. The person  
20 assessed or the municipality having been notified of the determination of the state  
21 board of assessors shall be deemed to have accepted the determination unless the  
22 person or municipality files a petition for review with the clerk of the tax appeals  
23 commission as provided in s. 73.01 (5) and the rules of practice promulgated by the  
24 commission. If an assessment is reduced by the state board of assessors, the

1 municipality affected may file an appeal seeking review of the reduction, or may,  
2 within 30 days after the person assessed files a petition for review, file a  
3 cross–appeal, before the tax appeals commission even though the municipality did  
4 not file an objection to the assessment with the board. If the board does not overrule  
5 a change from assessment under this section to assessment under s. 70.32 (1), the  
6 affected municipality may file an appeal before the tax appeals commission. If an  
7 assessment is increased by the board, the person assessed may file an appeal seeking  
8 review of the increase, or may, within 30 days after the municipality files a petition  
9 for review, file a cross–appeal, before the commission even though the person did not  
10 file an objection to the assessment with the board.

11 \*b2382/1.1\* SECTION 157n. 70.995 (8) (b) 1. of the statutes, as affected by 2001  
12 Wisconsin Act 16, is amended to read:

13 70.995 (8) (b) 1. The department of revenue shall annually notify each  
14 manufacturer assessed under this section and the municipality in which the  
15 manufacturing property is located of the full value of all real and personal property  
16 owned by the manufacturer. The notice shall be in writing and shall be sent by 1st  
17 class mail or electronic mail. In addition, the notice shall specify that objections to  
18 valuation, amount, or taxability must be filed with the state board of assessors  
19 within 60 days of issuance of the notice of assessment, that objections to a change  
20 from assessment under this section to assessment under s. 70.32 (1) must be filed  
21 within 60 days after receipt of the notice, that the fee under par. (c) 1. or (d) must be  
22 paid and that the objection is not filed until the fee is paid. A statement shall be  
23 attached to the assessment roll indicating that the notices required by this section  
24 have been mailed and failure to receive the notice does not affect the validity of the  
25 assessments, the resulting tax on real or personal property, the procedures of the tax

1 appeals commission or of the state board of assessors, or the enforcement of  
2 delinquent taxes by statutory means.”

3 \*b2890/2.1\* **154.** Page 54, line 3: delete the material beginning with that and  
4 ending with page 57, line 13.

5 \*b2890/2.2\* **155.** Page 57, line 22: delete “P.L. 106-554.”

6 \*b2890/2.3\* **156.** Page 58, line 5: on lines 5, 11 and 14, delete “P.L. 106-554.”

7 \*b2890/2.4\* **157.** Page 58, line 25: delete “P.L. 106-554, P.L. 106-573.”

8 \*b2890/2.5\* **158.** Page 59, line 9: on lines 9, 15 and 18, delete “P.L. 106-554,  
9 P.L. 106-573.”

10 \*b2890/2.6\* **159.** Page 60, line 3: delete the material beginning with “P.L.  
11 106-230” and ending with “P.L. 106-573,” on line 4.

12 \*b2890/2.7\* **160.** Page 60, line 13: delete that line and substitute “and P.L.  
13 107-16, excluding”.

14 \*b2890/2.8\* **161.** Page 60, line 19: delete the material beginning with “P.L.  
15 106-230” and ending with “106-573,” on line 20.

16 \*b2890/2.9\* **162.** Page 60, line 22: delete “P.L. 106-230, P.L. 106-519, P.L.  
17 106-554, P.L. 106-573.”

18 \*b2890/2.10\* **163.** Page 61, line 1: delete the material beginning with “and  
19 before” and ending with “2001,” on line 2.

20 \*b2890/2.11\* **164.** Page 61, line 7: delete that line and substitute “104-188,  
21 and as amended by”.

22 \*b2890/2.12\* **165.** Page 61, line 8: delete “P.L. 106-573, and”.

23 \*b2890/2.13\* **166.** Page 61, line 16: delete “P.L. 106-200, P.L. 106-230.”

1           **\*b2890/2.14\* 167.** Page 61, line 17: delete “P.L. 106–519, P.L. 106–554, P.L.  
2           106–573.”.

3           **\*b2890/2.15\* 168.** Page 61, line 21: delete “and before January 1, 2001.”.

4           **\*b2890/2.16\* 169.** Page 61, line 22: delete “P.L. 106–200, P.L.”.

5           **\*b2890/2.17\* 170.** Page 61, line 23: delete “106–230, P.L. 106–519, P.L.  
6           106–554, P.L. 106–573, and”.

7           **\*b2890/2.18\* 171.** Page 61, line 25: delete “P.L. 106–200, P.L. 106–230, P.L.  
8           106–519, P.L.”.

9           **\*b2890/2.19\* 172.** Page 62, line 1: delete “106–554, P.L. 106–573, and”.

10          **\*b2890/2.20\* 173.** Page 62, line 3: delete the material beginning with that  
11          line and ending with page 63, line 24.

12          **\*b2888/1.1\* 174.** Page 64, line 9: delete the material beginning with that line  
13          and ending with page 66, line 15.

14          **\*b2450/1.1\* 175.** Page 66, line 15: after that line insert:

15          **\*b2450/1.1\* “SECTION 170L.** 71.05 (6) (b) 32. (intro.) of the statutes, as created  
16          by 1999 Wisconsin Act 44, is amended to read:

17                 71.05 (6) (b) 32. (intro.) An amount paid into a college savings account, as  
18          described in s. 14.64, if the beneficiary of the account either is the claimant ~~or~~ is the  
19          claimant’s child and the claimant’s dependent who is claimed under section 151 (c)  
20          of the Internal Revenue Code; or is the claimant’s grandchild; calculated as follows:

21          **\*b2450/1.1\* SECTION 170Lb.** 71.05 (6) (b) 32. a. of the statutes, as created by  
22          1999 Wisconsin Act 44, is amended to read:

1           71.05 (6) (b) 32. a. An amount equal to not more than \$3,000 per beneficiary  
2 by each contributor to an account for each year to which the claim relates, except that  
3 the total amount for which a deduction may be claimed under this subdivision and  
4 under subd. 33., per beneficiary by any claimant may not exceed \$3,000 each year.  
5 In the case of a married couple filing a joint return, the total deduction under this  
6 subdivision and under subdivision 33., per beneficiary by the married couple may not  
7 exceed \$3,000 each year.

8           **\*b2450/1.1\* SECTION 170Ld.** 71.05 (6) (b) 33. (intro.) of the statutes, as created  
9 by 1999 Wisconsin Act 44, is amended to read:

10           71.05 (6) (b) 33. (intro.) An amount paid into a college tuition and expenses  
11 program, as described in s. 14.63, if the beneficiary of the account either is the  
12 claimant or; is the claimant's child and the claimant's dependent who is claimed  
13 under section 151 (c) of the Internal Revenue Code; or is the claimant's grandchild;  
14 calculated as follows:

15           **\*b2450/1.1\* SECTION 170Le.** 71.05 (6) (b) 33. a. of the statutes, as created by  
16 1999 Wisconsin Act 44, is amended to read:

17           71.05 (6) (b) 33. a. An amount equal to not more than \$3,000 per beneficiary  
18 by each contributor to an account for each year to which the claim relates, except that  
19 the total amount for which a deduction may be claimed under this subdivision and  
20 under subd. 32., per beneficiary by any claimant may not exceed \$3,000 each year.  
21 In the case of a married couple filing a joint return, the total deduction under this  
22 subdivision and under subdivision 32., per beneficiary by the married couple may not  
23 exceed \$3,000 each year.”.

24           **\*b3036/3.1\* 176.** Page 66, line 15: after that line insert:



1           **\*b3036/3.1\*** “SECTION 170q. 71.10 (7) (c) of the statutes is created to read:

2           71.10 (7) (c) 1. For taxable years beginning after December 31, 2000, this state  
3 shall pay Minnesota interest on any reciprocity payment that is due under this  
4 subsection. Interest shall be calculated according to the Laws of Minnesota 2002  
5 Chapter 377, or at another rate and under another method of calculation that is  
6 agreed to by Minnesota and Wisconsin.”

7           **\*b2890/2.21\* 177.** Page 66, line 18: delete the material beginning with that  
8 line and ending with page 70, line 8.

9           **\*b2890/2.22\* 178.** Page 70, line 17: delete “P.L. 106-554.”

10          **\*b2890/2.23\* 179.** Page 71, line 2: on lines 2, 8 and 11, delete “P.L. 106-554.”

11          **\*b2890/2.24\* 180.** Page 71, line 21: delete “P.L. 106-554, P.L. 106-573.”

12          **\*b2890/2.25\* 181.** Page 72, line 6: on lines 6, 13 and 16, delete “P.L. 106-554,  
13 P.L. 106-573.”

14          **\*b2890/2.26\* 182.** Page 72, line 25: delete “P.L. 106-230, P.L. 106-519, P.L.”

15          **\*b2890/2.27\* 183.** Page 73, line 1: delete “106-544, P.L. 106-573.”

16          **\*b2890/2.28\* 184.** Page 73, line 11: delete “P.L. 106-230, P.L. 106-519, P.L.  
17 106-554.”

18          **\*b2890/2.29\* 185.** Page 73, line 12: delete “P.L. 106-573.”

19          **\*b2890/2.30\* 186.** Page 73, line 17: delete “106-170, P.L. and substitute  
20 “106-170.”

21          **\*b2890/2.31\* 187.** Page 73, line 18: delete that line and substitute “and P.L.  
22 107-16, excluding”.

23          **\*b2890/2.32\* 188.** Page 73, line 20: delete “P.L. 106-230.”

- 1           **\*b2890/2.33\* 189.** Page 73, line 21: delete “P.L. 106-519, P.L. 106-554, P.L.  
2 106-573.”.
- 3           **\*b2890/2.34\* 190.** Page 74, line 1: delete “and before January 1, 2001.”.
- 4           **\*b2890/2.35\* 191.** Page 74, line 5: delete that line and substitute “amended  
5 by”.
- 6           **\*b2890/2.36\* 192.** Page 74, line 6: delete “and P.L.” and substitute “P.L.”.
- 7           **\*b2890/2.37\* 193.** Page 74, line 16: delete “P.L. 106-200, P.L. 106-230, P.L.  
8 106-519, P.L. 106-554.”.
- 9           **\*b2890/2.38\* 194.** Page 74, line 17: delete “P.L. 106-573.”.
- 10           **\*b2890/2.39\* 195.** Page 74, line 21: delete “and before January 1, 2001.”.
- 11           **\*b2890/2.40\* 196.** Page 74, line 22: delete “P.L. 106-200, P.L. 106-230, P.L.  
12 106-519, P.L.”.
- 13           **\*b2890/2.41\* 197.** Page 74, line 23: delete “106-554, P.L. 106-573, and”.
- 14           **\*b2890/2.42\* 198.** Page 74, line 25: delete that line and substitute “P.L.”.
- 15           **\*b2890/2.43\* 199.** Page 75, line 3: delete the material beginning with that  
16 line and ending with page 77, line 2.
- 17           **\*b2890/2.44\* 200.** Page 77, line 5: delete the material beginning with that  
18 line and ending with page 80, line 14.
- 19           **\*b2890/2.45\* 201.** Page 80, line 23: delete “P.L. 106-554.”.
- 20           **\*b2890/2.46\* 202.** Page 81, line 6: on lines 6, 12 and 15, delete “P.L.  
21 106-554.”.
- 22           **\*b2890/2.47\* 203.** Page 81, line 25: delete “P.L. 106-554, P.L. 106-573.”.