

1 than 3 months and if earned or unearned income or aid from sources other than those
2 listed in the application will not be available in the 3-month period. Subsistence aid
3 is limited to a maximum of 3 months in a 12-month period unless the department
4 determines that the need for subsistence aid in excess of this maximum time period
5 is caused by the aid recipient's relapse. The department may submit a request to the
6 joint committee on finance for supplemental funds from the veterans trust fund to
7 be credited to the appropriation account under s. 20.485 (2) (vm) for subsistence
8 grants to veterans. If the cochairpersons of the committee do not notify the secretary
9 of the department within 14 working days after the date of the department's
10 submittal that the committee intends to schedule a meeting to review the request,
11 the appropriation account shall be supplemented as provided in the request. If,
12 within 14 working days after the date of the department's submittal, the
13 cochairpersons of the committee notify the secretary of the department that the
14 committee intends to schedule a meeting to review the request, the appropriation
15 account shall be supplemented only as approved by the committee.

16 *–0722/1.1* SECTION 1457. 45.353 (2) of the statutes is amended to read:

17 45.353 (2) Upon application the department shall make a payment to any state
18 veterans organization that establishes that it, or its national organization, or both,
19 has maintained a full-time service office at the regional office for at least 5 of the 10
20 years preceding the date of application. The payment shall equal 25% of all salaries
21 and travel expenses under sub. (3) paid during the previous fiscal year by the state
22 veterans organization to employees engaged in veterans claims service and stationed
23 at the regional office, except that the sum paid to a state veterans organization
24 annually shall not be less than either \$2,500, or the amount of salaries and travel

1 expenses paid by the state veterans organization to employees stationed at the
2 regional office, whichever is less, nor more than \$20,000 ~~\$30,000~~.

3 *b1524/1.3* SECTION 1457m. 45.353 (3) of the statutes is amended to read:

4 45.353 (3) Application by any such state veterans organization shall be filed
5 annually with the department for the 12-month period commencing on April 1 and
6 ending on March 31 of the year in which it is filed. An application shall contain a
7 statement of salaries and travel expenses paid to employees engaged in veterans
8 claims service maintained at the regional office by such state veterans organization
9 covering the period for which application for a grant is made, which statement has
10 been certified as correct by an a certified public accountant licensed or certified under
11 ch. 442 and sworn to as correct by the adjutant or principal officer of the state
12 veterans organization. The application shall also contain the state organization's
13 financial statement for its last completed fiscal year and such evidence of claims
14 service activity as the department requires. Sufficient evidence shall be submitted
15 with an initial application to establish that the state veterans organization, or its
16 national organization, or both, has maintained a full-time service office at the
17 regional office without interruption throughout 5 years out of the 10-year period
18 immediately preceding such application. Subsequent applications must be
19 accompanied by an affidavit by the adjutant or principal officer of such state veterans
20 organization stating that a full-time service office was maintained at the regional
21 office by such state veterans organization, or by such state organization and its
22 national organization, for the entire 12-month period for which application for a
23 grant is made.

24 *-0859/1.2* SECTION 1458. 45.353 (3m) of the statutes is created to read:

1 45.353 (3m) From the appropriation under s. 20.485 (2) (s), the department
2 shall annually provide a grant of \$100,000 to the Wisconsin department of the
3 Disabled American Veterans for the provision of transportation services to veterans.

4 ***b0566/2.2* SECTION 1458m.** 45.353 (3r) of the statutes is created to read:

5 45.353 (3r) From the appropriation under s. 20.485 (2) (vw) the department,
6 annually, shall award a grant of \$12,500 to the Wisconsin chapter of Vietnam
7 Veterans of America, Inc., to reimburse the costs of training individuals to represent
8 veterans in federal benefits disputes. No grant awarded under this subsection may
9 be counted toward the payment limits under sub. (2).

10 ***b2123/1.2* SECTION 1461x.** 45.365 (1) (am) of the statutes is amended to read:

11 45.365 (1) (am) The department shall operate the home, and employ a
12 commandant and the officers, nurses, attendants, and other personnel necessary for
13 the proper conduct of the home. The department may employ a commandant for the
14 southeastern facility. In compliance with the compensation plan established
15 pursuant to s. 230.12 (3), ~~the~~ a commandant may recommend to the director of
16 personnel charges for meals, living quarters, laundry, and other services furnished
17 to employees and members of the employees' family maintained at the home and the
18 southeastern facility. Complete personal maintenance and medical care to include
19 programs and facilities that promote comfort, recreation, well-being, or
20 rehabilitation shall be furnished to all members of the home under the policy of the
21 department.

22 ***b2123/1.2* SECTION 1461xf.** 45.365 (3) of the statutes is amended to read:

23 45.365 (3) The A commandant and employees designated by the commandant
24 may summarily arrest all persons within or upon the grounds of the home or
25 southeastern facility who are guilty of any offense against the laws of this state or

1 the rules and regulations governing the home or southeastern facility. For this
2 purpose ~~the, a~~ commandant and deputies have the power of constables.

3 ***-0725/2.3* SECTION 1462.** 45.37 (3) of the statutes is amended to read:

4 45.37 (3) EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS. A veteran who
5 was not a resident of this state at the time of enlistment or induction into service but
6 who is otherwise qualified for membership may be admitted if the veteran has been
7 a resident of this state for any consecutive ~~5-year~~ 12-month period after enlistment
8 or induction into service and before the date of his or her application. If a person
9 applying for a benefit under this subchapter meets ~~that 5-consecutive-year~~ the
10 residency requirement of 12 consecutive months, the department may not require
11 the person to reestablish that he or she meets ~~the 5-consecutive-year~~ that residency
12 requirement when he or she later applies for any other benefit under this chapter
13 that requires ~~a 5-consecutive-year~~ residency.

14 ***-0725/2.4* SECTION 1463.** 45.37 (6) (f) of the statutes is amended to read:

15 45.37 (6) (f) Has been a resident of this state for the ~~5-years~~ 12 months
16 immediately preceding the date of application for membership.

17 ***-0725/2.5* SECTION 1464.** 45.37 (7) (b) of the statutes is amended to read:

18 45.37 (7) (b) Has been a resident of this state for the ~~5-years next~~ 12-months
19 preceding the date of application for membership; and

20 ***b2123/1.3* SECTION 1464g.** 45.37 (10) (a) of the statutes is amended to read:

21 45.37 (10) (a) Except as otherwise provided in this subsection, the application
22 and admission of any applicant admitted under this section shall constitute a valid
23 and binding contract between ~~such a~~ a member and the department. If a member dies
24 leaving a relative that is entitled to an interest in the property of the member under
25 the rules of intestate succession or a will the existence of which is made known to the

1 commandant of the home within 60 days of ~~such~~ the member's death, the member's
2 property shall constitute a part of the member's estate, except that personal effects
3 of nominal monetary value of ~~such~~ a deceased member who is not survived by a
4 member spouse may be distributed by the commandant of the home or the
5 southeastern facility to surviving relatives of ~~such~~ the member who request ~~such~~ the
6 personal effects within a reasonable time after ~~such~~ the member's death.

7 *b2123/1.3* SECTION 1464i. 45.37 (11) of the statutes is amended to read:

8 45.37 (11) DISPOSITION OF PROPERTY DESCENDING TO STATE. If a member dies
9 without a relative that is entitled to an interest in the property of the member under
10 the rules of intestate succession and without leaving a will the existence of which is
11 made known to the commandant of the home or the southeastern facility, within 60
12 days of the member's death, the member's property shall be converted to cash and
13 turned over by the commandant of the home or the southeastern facility, to the state
14 treasurer to be paid into the appropriation under s. 20.485 (1) (h), without
15 administration. The amount is subject to refund within 6 years to the estate of a
16 veteran if it is subsequently discovered that the veteran left a will or a relative that
17 is entitled to an interest in the property of the member under the rules of intestate
18 succession or to any creditor of the veteran who establishes right to the fund or
19 property or any portion thereof. The department, upon being satisfied that a claim
20 out of such funds or property is legal and valid, shall pay the same out of such funds
21 or property, except that payment of claims for a member's funeral and burial
22 expenses may not exceed a total of \$1,500 including any amount allowed by the
23 United States for the member's funeral and burial and the right for burial and
24 interment provided in sub. (15) (a).

25 *b2123/1.3* SECTION 1464L. 45.37 (14) of the statutes is amended to read:

1 45.37 (14) POWERS OF COMMANDANT OVER PERSONAL FUNDS OF MEMBERS. ~~The A~~
2 commandant of the home may receive, disburse, and account for funds of members
3 of the home.

4 *~~0724/2.6~~* SECTION 1465. 45.396 (1) (a) of the statutes is amended to read:
5 45.396 (1) (a) “Institution of higher education” has the meaning given in ~~20~~
6 ~~USC 1088 (a)~~ 20 USC 1001 (a).

7 *~~0724/2.7~~* SECTION 1466. 45.396 (2) of the statutes is amended to read:
8 45.396 (2) Any veteran upon the completion of any correspondence course or
9 part-time classroom study from an institution of higher education located in this
10 state, from a school that is approved under s. 45.35 (9m), from a proprietary school
11 that is approved under s. 45.54, or from any public or private high school may be
12 reimbursed in part for the cost of the course by the department upon presentation
13 to the department of a certificate from the school indicating that the veteran has
14 completed the course and stating the cost of the course and upon application for
15 reimbursement completed by the veteran and received by the department no later
16 than 60 days after the termination of the course for which the application for
17 reimbursement is made. The department shall accept and process an application
18 received more than 60 days after the termination of the course if the applicant shows
19 good cause for the delayed receipt. The department may not require that an
20 application be received sooner than 60 days after a course is completed. Benefits
21 granted under this section shall be paid out of the appropriation under s. 20.485 (2)
22 (th).

23 *~~0724/2.8~~* SECTION 1467. 45.396 (3) (intro.) of the statutes is amended to
24 read:

1 45.396 (3) (intro.) A veteran who is a resident of this state and otherwise
2 qualified to receive benefits under this section may receive the benefits under this
3 section upon the completion of any correspondence courses or part-time classroom
4 study from an institution of higher education located outside this state, from a school
5 that is approved under s. 45.35 (9m), or from a proprietary school that is approved
6 under s. 45.54, if any of the following applies:

7 ***-0724/2.9*** SECTION 1468. 45.396 (5) of the statutes is amended to read:

8 45.396 (5) Except as provided in sub. (9), the amount of the reimbursement may
9 not exceed ~~65%~~ 85% of the total cost of the individual's tuition and fees and shall also
10 be limited to a maximum of 65% of or 85% of the standard cost for a state resident
11 for tuition and fees for an equivalent undergraduate course at the University of
12 Wisconsin-Madison per course, whichever is less, and may not be provided to an
13 individual more than 4 times during any consecutive 12-month period.

14 ***-0906/1.1*** SECTION 1470. 45.397 (1) of the statutes is amended to read:

15 45.397 (1) GRANT AMOUNT AND APPLICATION. The department may grant a
16 veteran not more than \$3,000 for retraining to enable the veteran to obtain gainful
17 employment. The department shall determine the amount of the grant based on the
18 veteran's financial need. A veteran may apply for a grant to the county veterans'
19 service officer of the county in which the veteran is living. The department may, on
20 behalf of a veteran who is engaged in a structured on-the-job training program and
21 who meets the requirements under sub. (2), pay a retraining grant under this
22 subsection to the veteran's employer.

23 ***b0565/2.3*** SECTION 1470m. 45.43 (7) (title) of the statutes is amended to
24 read:

25 45.43 (7) (title) GRANTS TO COUNTIES FOR IMPROVEMENT OF SERVICES.

1 ***b0565/2.3* SECTION 1470p.** 45.43 (7m) of the statutes is created to read:

2 45.43 (7m) TRANSPORTATION SERVICES GRANTS TO COUNTIES. (a) Annually, from
3 the appropriation under s. 20.485 (2) (s), the department shall award grants to
4 counties that are not served by transportation services provided by the Wisconsin
5 department of Disabled American Veterans to develop, maintain, and expand
6 transportation services for disabled veterans. The grants may be used to support
7 multi-county cooperative transportation services.

8 (b) The department shall promulgate rules specifying the application
9 procedures and eligibility criteria for grants under this subsection.

10 (c) A county may not allocate any portion of a grant awarded under this
11 subsection for use by another county department and may not reduce funding to a
12 county veterans' service office based upon receipt of a grant.

13 ***-0734/1.12* SECTION 1471.** 45.54 (2) of the statutes is amended to read:

14 45.54 (2) PURPOSE. The purpose of the board is to ~~approve schools and courses~~
15 ~~of instruction for the training of veterans of the armed forces and war orphans~~
16 ~~receiving assistance from the federal government,~~ protect the general public by
17 inspecting and approving private trade, correspondence, business, and technical
18 schools doing business within this state whether located within or outside this state,
19 changes of ownership or control of these schools, teaching locations used by these
20 schools, and courses of instruction offered by these schools and to regulate the
21 soliciting of students for correspondence or classroom courses and courses of
22 instruction offered by these schools.

23 ***-0734/1.13* SECTION 1472.** 45.54 (6) of the statutes is renumbered 45.35 (9m),
24 and 45.35 (9m) (a), as renumbered, is amended to read:

1 45.35 (9m) (a) Except as provided in par. (b), the ~~board~~ department shall be the
2 state approval agency for the education and training of veterans and war orphans.
3 ~~It~~ The department shall approve and supervise schools and courses of instruction for
4 their the training of veterans and war orphans under Title 38, USC, and may enter
5 into and receive money under contracts with the U.S. department of veterans affairs
6 or other appropriate federal agencies.

7 *~~-0725/2.6~~* SECTION 1473. 45.71 (16) (a) 2m. a. of the statutes is amended to
8 read:

9 45.71 (16) (a) 2m. a. Has been a resident of this state for any consecutive ~~5-year~~
10 12-month period after enlistment or induction into service and before the date of his
11 or her application or death. If a person applying for a benefit under this subchapter
12 meets ~~that 5-consecutive-year~~ the residency requirement of 12 consecutive months,
13 the department may not require the person to reestablish that he or she meets ~~the~~
14 ~~5-consecutive-year~~ that residency requirement when he or she applies for any other
15 benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

16 *~~-0736/1.1~~* SECTION 1474. 45.76 (1) (c) of the statutes is amended to read:

17 45.76 (1) (c) *Home improvements*. A loan of not more than \$25,000 to improve
18 a home, including the construction of a garage or the removal or other alteration of
19 existing improvements that were made to improve the accessibility of a home for a
20 disabled individual.

21 *~~-0726/5.4~~* SECTION 1475. 45.79 (3) (b) of the statutes is amended to read:

22 45.79 (3) (b) *Casualty insurance coverage*. Mortgages given to secure loans
23 under this section shall provide for adequate fire and extended coverage insurance.
24 Policies providing such insurance coverage shall name the authorized lender
25 ~~involved~~ or the department as an insured.

1 *~~0726/5.5~~* SECTION 1476. 45.79 (5) (a) 6. of the statutes is amended to read:

2 45.79 (5) (a) 6. Require borrowers to make monthly escrow payments to be held
3 by the authorized lender or the department for real estate taxes and casualty
4 insurance premiums ~~which.~~ The authorized lender or, if the department holds the
5 payments in escrow, the department shall be paid by the authorized lender where
6 due to the extent of the amounts owing thereon or to the extent escrowed, whichever
7 is less pay all of the amounts due for real estate taxes and casualty insurance
8 premiums, even if the amount held in escrow is insufficient to cover the amounts due.
9 If the amount held in escrow is insufficient to cover the amounts due, the authorized
10 lender or, if the department holds the payments in escrow, the department shall
11 recover from the borrower, after paying the amounts due under this subdivision, an
12 amount equal to the difference between the amounts paid and the amount held in
13 escrow. If the amount held in escrow is more than the amounts due, the authorized
14 lender or, if the department holds the payments in escrow, the department shall
15 refund to the borrower, after paying the amounts due under this subdivision, an
16 amount equal to the difference between the amount held in escrow and the amounts
17 paid by the authorized lender or the department.

18 *~~0726/5.6~~* SECTION 1477. 45.79 (5) (a) 10. of the statutes is created to read:

19 45.79 (5) (a) 10. Service loans made under this section and purchase from
20 authorized lenders the servicing rights for loans made by authorized lenders under
21 this section.

22 *~~0737/1.2~~* SECTION 1478. 45.79 (5) (b) of the statutes is amended to read:

23 45.79 (5) (b) 1. Persons Veterans receiving loans under this section shall pay
24 at the time of closing an origination fee to the authorized lender participating in the
25 loan, except that the department shall pay, on behalf of a veteran who receives a loan

1 under this section and who has at least a 30% service connected disability rating for
2 purposes of 38 USC 1114 or 1134, the origination fee to the authorized lender. The
3 origination fee charged to borrowers under this section paragraph shall be
4 negotiated between the department and the authorized lender but may not exceed
5 that which the authorized lender would charge other borrowers in the ordinary
6 course of business under the same or similar circumstances.

7 ***-0726/5.7* SECTION 1479.** 45.79 (7) (a) (intro.) of the statutes is amended to
8 read:

9 45.79 (7) (a) (intro.) There is created the veterans mortgage loan repayment
10 fund. All moneys received by the department for the repayment of loans funded
11 under sub. (6) (a) except for servicing fees required to be paid to authorized lenders,
12 net proceeds from the sale of mortgaged properties, any repayment to the
13 department of moneys paid to authorized lenders, gifts, grants, other
14 appropriations, and interest earnings accruing thereon, any repayment of moneys
15 borrowed under s. 45.356 (9) (a), all moneys received under sub. (5) (a) 6., and any
16 moneys deposited or transferred under s. 18.04 (6) (b) or (d) shall be promptly
17 deposited into the veterans mortgage loan repayment fund. The board shall
18 establish by resolution a system of accounts providing for the maintenance and
19 disbursement of moneys of the veterans mortgage loan repayment fund to fund loans
20 under sub. (6) (a) or to fund, refund, or acquire public debt as provided in s. 18.04 (5).
21 The system of accounts shall record and provide moneys for all of the following
22 purposes:

23 ***-0726/5.8* SECTION 1480.** 45.79 (7) (a) 4. of the statutes is amended to read:

24 45.79 (7) (a) 4. Payment of all costs incurred by the department in processing
25 and servicing loans, purchasing servicing rights for loans under this section, and

1 accounting for and administering the program under this section, including a portion
2 of grants made to county veterans' service officers under s. 15.43 (7).

3 ***-0737/1.3*** SECTION 1481. 45.79 (7) (a) 10. of the statutes is created to read:

4 45.79 (7) (a) 10. Payment of origination fees, on behalf of veterans who have
5 at least a 30% service connected disability rating for purposes of 38 USC 1114 or 1134,
6 to authorized lenders under sub. (5) (b).

7 ***-0726/5.9*** SECTION 1482. 45.79 (7) (a) 11. of the statutes is created to read:

8 45.79 (7) (a) 11. To make payments required of the department under sub. (5)
9 (a) 6.

10 ***-0426/4.1*** SECTION 1483. 46.03 (34) of the statutes is amended to read:

11 46.03 (34) FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS. The
12 department shall acquire, without cost if possible, pamphlets that describe the
13 causes and effects of fetal alcohol syndrome and the dangers to a fetus of the mother's
14 use of cocaine or other drugs during pregnancy and shall distribute the pamphlets
15 free of charge to each county clerk in sufficient quantities so that each county clerk
16 may provide pamphlets to marriage license applicants under s. 765.12 (1) (a).

17 ***b2051/3.5*** SECTION 1483gb. 46.03 (43) of the statutes is amended to read:

18 46.03 (43) COMPULSIVE GAMBLING AWARENESS CAMPAIGNS. ~~Provide From the~~
19 appropriation account under s. 20.435 (7) (kg), provide grants to one or more
20 individuals or organizations in the private sector to conduct compulsive gambling
21 awareness campaigns.

22 ***b2012/2.3*** SECTION 1483j. 46.03 (44) of the statutes is created to read:

23 46.03 (44) PERFORMANCE EVALUATIONS FOR ALCOHOL AND OTHER DRUG ABUSE
24 INTERVENTION AND TREATMENT SERVICES. Promote efficient use of resources for alcohol

1 and other drug abuse intervention and treatment services by doing all of the
2 following:

3 (a) Developing one or more methods to evaluate the effectiveness of, and
4 developing performance standards for, alcohol and other drug abuse intervention
5 and treatment services that are administered by the department.

6 (b) Adopting policies to ensure that, to the extent possible under state and
7 federal law, funding for alcohol and other drug abuse intervention and treatment
8 services that are administered by the department is distributed giving primary
9 consideration to the effectiveness of the services in meeting department performance
10 standards for alcohol and other drug abuse services.

11 (c) Requiring every application for funding from the department for alcohol and
12 other drug abuse intervention or treatment services to include a plan for the
13 evaluation of the effectiveness of the services in reducing alcohol and other drug
14 abuse by recipients of services.

15 (d) Requiring every person receiving funding from the department for alcohol
16 and other drug abuse intervention or treatment services to provide the department
17 the results of the evaluation conducted under par. (c).

18 ***b0323/3.4* SECTION 1484m.** 46.034 (3) of the statutes is amended to read:

19 46.034 (3) With the agreement of the affected county board of supervisors in
20 a county with a single-county department or boards of supervisors in counties with
21 a multicounty department, effective for the contract period beginning January 1,
22 1980, the department may approve a county with a single-county department or
23 counties participating in a multicounty department to administer a single
24 consolidated aid consisting of the state and federal financial aid available to that
25 county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b), ~~(kw)~~

1 and (o) for services provided and purchased by county departments under ss. 46.215,
2 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of
3 improved service coordination and effectiveness, the county board of supervisors in
4 a county with a single-county department or county boards of supervisors in
5 counties with a multicounty department may reallocate among county departments
6 under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be
7 specified for use by a single county department. The budget under s. 46.031 (1) shall
8 be the vehicle for expressing the proposed use of the single consolidated fund by the
9 county board of supervisors in a county with a single-county department or county
10 boards of supervisors in counties with a multicounty department. Approval by the
11 department of this use of the fund shall be in the contract under s. 46.031 (2g).
12 Counties that were selected by the department to pilot test consolidated aids for
13 contract periods beginning January 1, 1978, may continue or terminate
14 consolidation with the agreement of the affected county board of supervisors in a
15 county with a single-county department or county boards of supervisors in counties
16 with a multicounty department.

17 *~~0263/2.1~~* SECTION 1485. 46.036 (5m) (a) 1. of the statutes is amended to
18 read:

19 46.036 (5m) (a) 1. "Provider" means a nonstock corporation organized under
20 ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), and that
21 contracts under this section to provide client services on the basis of a unit rate per
22 client service or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437
23 that contracts under this section to provide client services on the basis of a unit rate
24 per client service.

1 ***-0263/2.2*** SECTION 1486. 46.036 (5m) (b) 1. of the statutes is amended to
2 read:

3 46.036 (5m) (b) 1. Subject to subd. 2. and pars. (e) and (em), if revenue under
4 a contract for the provision of a rate-based service exceeds allowable costs incurred
5 in the contract period, the provider may retain from the surplus generated by that
6 rate-based service up to 5% of the revenue received under the contract. A provider
7 that retains a surplus under this subdivision shall use that retained surplus to cover
8 a deficit between revenue and allowable costs incurred in any preceding or future
9 contract period for the same rate-based service that generated the surplus or to
10 address the programmatic needs of clients served by the same rate-based service
11 that generated the surplus.

12 ***-0263/2.3*** SECTION 1487. 46.036 (5m) (b) 2. of the statutes is amended to
13 read:

14 46.036 (5m) (b) 2. ~~A~~ Subject to pars. (e) and (em), a provider may accumulate
15 funds from more than one contract period under this paragraph, except that, if at the
16 end of a contract period the amount accumulated from all contract periods for a
17 rate-based service exceeds 10% of the revenue received under all current contracts
18 for that rate-based service, the provider shall, at the request of a purchaser, return
19 to that purchaser the purchaser's proportional share of that excess and use any of
20 that excess that is not returned to a purchaser to reduce the provider's unit rate per
21 client for that rate-based service in the next contract period. If a provider has held
22 for 4 consecutive contract periods an accumulated reserve for a rate-based service
23 that is equal to or exceeds 10% of the revenue received under all current contracts
24 for that rate-based service, the provider shall apply 50% of that accumulated

1 amount to reducing its unit rate per client for that rate-based service in the next
2 contract period.

3 ***-0263/2.4* SECTION 1488.** 46.036 (5m) (e) of the statutes is amended to read:

4 46.036 (5m) (e) Notwithstanding this ~~subsection~~ par. (b) 1. and 2., the
5 department or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437
6 that purchases care and services from an inpatient alcohol and other drug abuse
7 treatment program that is not affiliated with a hospital and that is licensed as a
8 community-based residential facility, may allocate to the program an amount that
9 is equal to the amount of revenues received by the program that are in excess of the
10 allowable costs incurred in the period of a contract between the program and the
11 department or the county department for purchase of care and services under this
12 section. The department or the county department may make the allocation under
13 this paragraph only if the funds so allocated do not reduce any amount of
14 unencumbered state aid to the department or the county department that otherwise
15 would lapse to the general fund.

16 ***-0263/2.5* SECTION 1489.** 46.036 (5m) (em) of the statutes is created to read:

17 46.036 (5m) (em) Notwithstanding pars. (b) 1. and 2. and (e), a county
18 department under s. 46.215, 51.42, or 51.437 providing client services in a county
19 having a population of 500,000 or more or a nonstock, nonprofit corporation
20 providing client services in such a county may not retain a surplus under par. (b) 1.,
21 accumulate funds under par. (b) 2., or allocate an amount under par. (e) from
22 revenues that are used to meet the maintenance-of-effort requirement under the
23 federal temporary assistance for needy families program under 42 USC 601 to 619.

24 ***b2193/1.18* SECTION 1489m.** 46.041 (1) (a) of the statutes is amended to read:

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

9 *~~0424/5.3~~* SECTION 1490. 46.043 (2) of the statutes is amended to read:

10 46.043 (2) Services under this section may be provided only under contract
11 between the department and a county department under s. 46. 215, 46.22 or 46.23,
12 a school district or another public or private entity within the state to persons
13 referred from those entities, at the discretion of the department. The department
14 shall charge the referring entity all costs associated with providing the services.
15 Unless a referral is made, the department may not offer services under this section
16 to the person who is to receive the services or his or her family. The department may
17 not impose a charge for services under this section upon the person receiving the
18 services or his or her family. The department shall credit any revenues received
19 under this section to the appropriation account under s. 20.435 (2) (~~gk~~) (g).

20 *~~0437/3.1~~* SECTION 1491. 46.057 (2) of the statutes is amended to read:

21 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
22 department of corrections shall transfer to the appropriation account under s. 20.435
23 (2) (kx) ~~\$1,273,900~~ \$1,379,300 in fiscal year ~~1999–2000~~ 2001–02 and \$1,379,300 in
24 fiscal year ~~2000–01~~ 2002–03 and, from the appropriation account under s. 20.410 (3)
25 (hm), the department of corrections shall transfer to the appropriation account under

1 s. 20.435 (2) (kx) ~~\$2,489,300~~ \$2,694,400 in fiscal year ~~1999–2000~~ 2001–02 and
2 ~~\$2,489,900~~ \$2,947,200 in fiscal year ~~2000–01~~ 2002–03 for services for juveniles
3 placed at the Mendota juvenile treatment center. The department of health and
4 family services may charge the department of corrections not more than the actual
5 cost of providing those services.

6 ***-0424/5.4* SECTION 1492.** 46.10 (8m) (b) 2. of the statutes is amended to read:
7 46.10 (8m) (b) 2. Paragraph (a) 2. and 4. does not apply to services provided
8 under s. 51.06 (1) (1m) (d) that are billed under s. 51.437 (4rm) (c) 2m. and does not
9 apply to treatment and services provided under s. 51.42 (3) (aw) 1. d.

10 ***b0429/2.1* SECTION 1494m.** 46.215 (1) (k) of the statutes is amended to read:
11 46.215 (1) (k) ~~Except as provided under sub. (1g), certify~~ Certify eligibility for
12 and issue food coupons to needy households in conformity with the federal food stamp
13 act of 1964 as amended, and, in addition, the county department of social services
14 may certify eligibility for and distribute surplus commodities and food stuffs.

15 ***b0429/2.1* SECTION 1494q.** 46.215 (1g) of the statutes is repealed.

16 ***b0323/3.5* SECTION 1494r.** 46.215 (2) (c) 1. of the statutes is amended to read:
17 46.215 (2) (c) 1. A county department of social services shall develop, under the
18 requirements of s. 46.036, plans and contracts for care and services to be purchased,
19 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
20 of health and family services may review the contracts and approve them if they are
21 consistent with s. 46.036 and if state or federal funds are available for such purposes.
22 The joint committee on finance may require the department of health and family
23 services to submit the contracts to the committee for review and approval. The
24 department of health and family services may not make any payments to a county
25 for programs included in a contract under review by the committee. The department

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

4 ***b0429/2.1* SECTION 1494t.** 46.22 (1) (b) 2. d. of the statutes is amended to
5 read:

6 46.22 (1) (b) 2. d. ~~Except as provided in sub. (1g), to~~ To certify eligibility for and
7 issue food coupons to needy households in conformity with 7 USC 2011 to 2029.

8 ***b0323/3.6* SECTION 1495g.** 46.22 (1) (e) 3. a. of the statutes is amended to
9 read:

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

22 ***b0429/2.2* SECTION 1495m.** 46.22 (1g) of the statutes is repealed.

23 ***b1844/2.2* SECTION 1502L.** 46.27 (3) (f) of the statutes is amended to read:

24 46.27 (3) (f) Beginning on January 1, 1996, from the annual allocation to the
25 county for the provision of long-term community support services under subs. (7) (b)

1 and (11), annually establish a maximum total amount that may be encumbered in
2 a calendar year for services for eligible individuals in community-based residential
3 facilities, unless the department waives the requirement under sub (2) (i) or
4 approves a request for an exception under sub. (6r) (c).

5 *b1844/2.2* SECTION 1502n. 46.27 (7) (cm) 1. (intro.) of the statutes is
6 amended to read:

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

11 *b1844/2.2* SECTION 1502p. 46.27 (7) (cm) 1. c. of the statutes is amended to
12 read:

13 46.27 (7) (cm) 1. c. The department approves the provision of services in a
14 community-based residential facility that is initially licensed after July 29, 1995,
15 that is licensed for more than 20 ~~or fewer~~ beds and that meets standards established
16 under subd. 2.

17 *b1844/2.2* SECTION 1502r. 46.27 (7b) of the statutes is repealed.

18 *-1627/4.5* SECTION 1503. 46.27 (9) (a) of the statutes is amended to read:

19 46.27 (9) (a) The department may select up to 5 counties that volunteer to
20 participate in a pilot project under which they will receive certain funds allocated for
21 long-term care. The department shall allocate a level of funds to these counties
22 equal to the amount that would otherwise be paid under s. 20.435 (4) (b) or (w) to
23 nursing homes for providing care because of increased utilization of nursing home
24 services, as estimated by the department. In estimating these levels, the department
25 shall exclude any increased utilization of services provided by state centers for the

1 developmentally disabled. The department shall calculate these amounts on a
2 calendar year basis under sub. (10).

3 ***-1627/4.6* SECTION 1504.** 46.27 (10) (a) 1. of the statutes is amended to read:

4 46.27 (10) (a) 1. The department shall determine for each county participating
5 in the pilot project under sub. (9) a funding level of state medical assistance
6 expenditures to be received by the county. This level shall equal the amount that the
7 department determines would otherwise be paid under s. 20.435 (4) (b) or (w) because
8 of increased utilization of nursing home services, as estimated by the department.

9 ***b1844/2.3* SECTION 1504r.** 46.27 (11) (c) 5p. of the statutes is repealed.

10 ***b1844/2.4* SECTION 1505b.** 46.27 (11) (c) 6. (intro.) and a. of the statutes are
11 consolidated, renumbered 46.27 (11) (c) 6. a. and amended to read:

12 46.27 (11) (c) 6. a. No county, private nonprofit agency or aging unit may use
13 funds received under this subsection to provide residential services in any
14 ~~community-based residential facility, as defined in s. 50.01 (1g), or a group home, as~~
15 ~~defined in s. 48.02 (7), that has more than 4 5 beds, unless one of the following~~
16 ~~applies: a. The the department approves the provision of services in a~~
17 ~~community-based residential facility or group home that has 5 6 to 8 beds.~~

18 ***b1844/2.4* SECTION 1505d.** 46.27 (11) (c) 6. b. of the statutes is repealed and
19 recreated to read:

20 46.27 (11) (c) 6. b. No county, private nonprofit agency, or aging unit may use
21 funds received under this subsection to provide residential services in a
22 community-based residential facility, as defined in s. 50.01 (1g), that has more than
23 20 beds, unless the requirements of sub. (7) (cm) 1. a., b., or c. are met.

24 ***-1627/4.7* SECTION 1506.** 46.275 (5) (a) of the statutes is amended to read:

1 46.275 (5) (a) Medical assistance reimbursement for services a county, or the
2 department under sub. (3r), provides under this program is available from the
3 appropriations under s. 20.435 (4) (b) ~~and, (o), and (w)~~. If 2 or more counties jointly
4 contract to provide services under this program and the department approves the
5 contract, medical assistance reimbursement is also available for services provided
6 jointly by these counties.

7 ***-1627/4.8* SECTION 1507.** 46.275 (5) (c) of the statutes is amended to read:

8 46.275 (5) (c) The total allocation under s. 20.435 (4) (b) ~~and, (o), and (w)~~ to
9 counties and to the department under sub. (3r) for services provided under this
10 section may not exceed the amount approved by the federal department of health and
11 human services. A county may use funds received under this section only to provide
12 services to persons who meet the requirements under sub. (4) and may not use
13 unexpended funds received under this section to serve other developmentally
14 disabled persons residing in the county.

15 ***b1844/2.5* SECTION 1507s.** 46.277 (5) (d) 1m. (intro.) of the statutes is
16 amended to read:

17 46.277 (5) (d) 1m. (intro.) No county may use funds received under this section
18 to provide services to a person who does not live in his or her own home or apartment
19 unless, subject to the limitations under subds. 2. ~~and, 3., and 4.~~ and par. (e), one of
20 the following applies:

21 ***b1844/2.5* SECTION 1507t.** 46.277 (5) (d) 1n. (intro.) of the statutes is
22 amended to read:

23 46.277 (5) (d) 1n. (intro.) A county may also use funds received under this
24 section, subject to the limitations under subds. 2. ~~and, 3., and 4.~~ and par. (e), to
25 provide services to a person who does not live in his or her own home or apartment

1 if the services are provided to the person in a community-based residential facility
2 and the county department or aging unit has determined that all of the following
3 conditions have been met:

4 *b1844/2.5* SECTION 1507u. 46.277 (5) (d) 2. (intro.) of the statutes is amended
5 to read:

6 46.277 (5) (d) 2. (intro.) No county may use funds received under this section
7 to provide residential services in any community-based residential facility, as
8 defined in s. 50.01 (1g), or group home, as defined in s. 48.02 (7), that has more than
9 4 beds, unless one of the following applies:

10 *b1844/2.6* SECTION 1508b. 46.277 (5) (d) 2. a. of the statutes is repealed and
11 recreated to read:

12 46.277 (5) (d) 2. a. The requirements of s. 46.27 (7) (cm) 1. a. or c. are met.

13 *b1844/2.6* SECTION 1508d. 46.277 (5) (d) 4. of the statutes is created to read:

14 46.277 (5) (d) 4. No county may use funds received under this section to provide
15 residential services in a group home, as defined in s. 48.02 (7), that has more than
16 5 beds, unless the department approves the provision of services in a group home that
17 has 6 to 8 beds.

18 *b1402/1.2* SECTION 1508rg. 46.278 (title) and (1) of the statutes are amended
19 to read:

20 **46.278 (title) Community integration program and brain injury waiver**
21 **program for persons with mental retardation developmental disabilities.**

22 (1) LEGISLATIVE INTENT. The intent of the ~~program~~ programs under this section
23 is to provide home or community-based care to serve in a noninstitutional
24 community setting a person who meets eligibility requirements under 42 USC 1396n
25 (c) and who is diagnosed as developmentally disabled under the definition specified

1 in s. 51.01 (5) and relocated from an institution other than a state center for the
2 developmentally disabled or who meets the intermediate care facility for the
3 mentally retarded or a brain injury rehabilitation facility level of care requirements
4 for medical assistance reimbursement in an intermediate care facility for the
5 mentally retarded or brain injury rehabilitation facility and is ineligible for services
6 under s. 46.275 or 46.277. The intent of the program is also that counties use all
7 existing services for providing care under this section, including those services
8 currently provided by counties.

9 *b1402/1.2* SECTION 1508rh. 46.278 (1m) (a) of the statutes is created to read:

10 46.278 (1m) (a) “Brain injury rehabilitation facility” means a nursing facility
11 or hospital designated as a facility for brain injury rehabilitation by the department
12 under the approved state medicaid plan.

13 *b1402/1.2* SECTION 1508ri. 46.278 (1m) (c) of the statutes is amended to
14 read:

15 46.278 (1m) (c) “Program” means the community integration program or the
16 brain injury waiver program, for facilities certified as medical assistance providers,
17 for which a waiver has been received under sub. (3).

18 *b1402/1.2* SECTION 1508rj. 46.278 (2) (a) of the statutes is amended to read:

19 46.278 (2) (a) The department may request ~~a waiver~~ one or more waivers from
20 the secretary of the federal department of health and human services, under 42 USC
21 1396n (c), authorizing the department to serve medical assistance recipients, who
22 meet the level of care requirements for medical assistance reimbursement in an
23 intermediate care facility for the mentally retarded or in a brain injury rehabilitation
24 facility, in their communities by providing home or community-based services as

1 part of medical assistance. If the department requests a waiver, it shall include all
2 assurances required under 42 USC 1396n (c) (2) in its request.

3 *b1402/1.2* SECTION 1508rk. 46.278 (3) (a) of the statutes is amended to read:

4 46.278 (3) (a) Evaluate the effect of the each program on medical assistance
5 costs and on the program's ability to provide community care alternatives to
6 institutional care in facilities certified as medical assistance providers.

7 *b1402/1.2* SECTION 1508rL. 46.278 (4) (a) of the statutes is amended to read:

8 46.278 (4) (a) Sections 46.27 (3) (b) and 46.275 (3) (a) and (c) to (e) apply to
9 county participation in ~~this~~ a program, except that services provided in the program
10 shall substitute for care provided a person in an intermediate care facility for the
11 mentally retarded or brain injury rehabilitation facility who meets the intermediate
12 care facility for the mentally retarded or brain injury rehabilitation facility level of
13 care requirements for medical assistance reimbursement to that facility rather than
14 for care provided at a state center for the developmentally disabled.

15 *b1402/1.2* SECTION 1508rm. 46.278 (4) (b) 2. of the statutes is amended to
16 read:

17 46.278 (4) (b) 2. Each county department participating in the a program shall
18 provide home or community-based care to persons eligible under this section, except
19 that the number of persons who receive home or community-based care under this
20 section may not exceed the number that are approved under ~~the~~ an applicable waiver
21 received under sub. (3).

22 *b1402/1.2* SECTION 1508rn. 46.278 (5) (a) and (b) of the statutes are
23 amended to read:

24 46.278 (5) (a) Any medical assistance recipient who meets the level of care
25 requirements for medical assistance reimbursement in an intermediate care facility

1 for the mentally retarded or in a brain injury rehabilitation facility and is ineligible
2 for service under s. 46.275 or 46.277 is eligible to participate in ~~the~~ a program, except
3 that persons eligible for the brain injury waiver program must meet the definition
4 of brain injury under s. 51.01 (2g), and except that the number of participants may
5 not exceed the number approved under the waiver received under sub. (3). Such a
6 recipient may apply, or any person may apply on behalf of such a recipient, for
7 participation in ~~the~~ a program. Section 46.275 (4) (b) applies to participation in ~~the~~
8 a program.

9 (b) To the extent authorized under 42 USC 1396n, if a person discontinues
10 participation in ~~the~~ a program, a medical assistance recipient may participate in ~~the~~
11 a program in place of the participant who discontinues if that recipient meets the
12 ~~intermediate care facility for the mentally retarded level of care requirements for~~
13 ~~medical assistance reimbursement in an intermediate care facility for the mentally~~
14 ~~retarded except that the number of participants concurrently served may not exceed~~
15 ~~the number approved under the waiver received under sub. (3)~~ requirements under
16 par. (a).

17 ***b1402/1.2* SECTION 1508rp.** 46.278 (6) (a), (b) and (c) of the statutes are
18 amended to read:

19 46.278 (6) (a) The provisions of s. 46.275 (5) (a), (b) and (d) apply to funding
20 received by counties under the ~~program~~ programs.

21 (b) Total funding to counties for relocating each person under ~~the~~ a program
22 may not exceed the amount approved in the waiver received under sub. (3).

23 (c) Funding may be provided under ~~the~~ a program for services of a family
24 consortium.

25 ***-1627/4.9* SECTION 1509.** 46.278 (6) (d) of the statutes is amended to read:

1 46.278 (6) (d) If a county makes available nonfederal funds equal to the state
2 share of service costs under ~~the a~~ waiver received under sub. (3), the department
3 may, from the appropriation under s. 20.435 (4) (o), provide reimbursement for
4 services that the county provides under this section to persons who are in addition
5 to those who may be served under this section with funds from the appropriation
6 under s. 20.435 (4) (b) or (w).

7 ***b1402/1.4* SECTION 1509g.** 46.278 (6) (e) 1. of the statutes is amended to read:

8 46.278 (6) (e) 1. The department may provide enhanced reimbursement for
9 services under the community integration program for an individual who was
10 relocated to the community by a county department from one of the following:

11 ***b1402/1.4* SECTION 1509h.** 46.278 (6) (f) of the statutes is amended to read:

12 46.278 (6) (f) If a county owns the institution or intermediate care facility for
13 the mentally retarded from which an individual is relocated to the community under
14 this section, in order to receive funding under the community integration program,
15 the county shall submit a plan for delicensing a bed of the institution or intermediate
16 care facility for the mentally retarded that is approved by the department.

17 ***b0606/1.1* SECTION 1520d.** 46.282 (3) (a) 2. a. of the statutes is amended to
18 read:

19 46.282 (3) (a) 2. a. ~~In the years 2000 and 2001~~ Before July 1, 2003, under
20 criteria that the department prescribes, after consulting with the council on
21 long-term care, evaluate the performance of the care management organization or
22 organizations in the area of the local long-term care council and determine whether
23 additional care management organizations are needed in the area and, if so,
24 recommend this to the department.

1 ***b0606/1.1* SECTION 1520e.** 46.282 (3) (a) 2. b. of the statutes is amended to
2 read:

3 46.282 (3) (a) 2. b. ~~In the year 2002 and thereafter~~ After June 30, 2003, under
4 criteria that the department prescribes, evaluate the performance of the care
5 management organization or organizations in the area of the local long-term care
6 council and determine whether additional care management organizations are
7 needed in the area and, if so recommend this to the department.

8 ***b0606/1.1* SECTION 1520w.** 46.282 (3) (a) 15. of the statutes is amended to
9 read:

10 46.282 (3) (a) 15. Annually report to the department and, before July 1, ~~2001~~
11 2003, to the council on long-term care ~~council~~ concerning significant achievements
12 and problems in the local long-term care system.

13 ***-1627/4.10* SECTION 1528.** 46.283 (5) of the statutes is amended to read:

14 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
15 (bm) ~~and, (pa), and (w)~~ and (7) (b), (bd), and (md), the department may contract with
16 organizations that meet standards under sub. (3) for performance of the duties under
17 sub. (4) and shall distribute funds for services provided by resource centers.

18 ***-0201/3.4* SECTION 1532.** 46.284 (5) (a) of the statutes is amended to read:

19 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g) ~~and,~~
20 (im), (o), and (w) and (7) (b) and (bd), the department shall provide funding on a
21 capitated payment basis for the provision of services under this section.
22 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
23 under contract with the department may expend the funds, consistent with this
24 section, including providing payment, on a capitated basis, to providers of services
25 under the family care benefit.

1 ***-0196/2.1*** SECTION 1534. 46.286 (1) (a) 2. (intro.) of the statutes is amended
2 to read:

3 46.286 (1) (a) 2. (intro.) The person has a condition that is expected to last at
4 least 90 days or result in death within 12 months after the date of application but that
5 does not meet the level specified under subd. 1. a. or b.; the person first applies for
6 eligibility for the family care benefit within 36 months after the date on which the
7 family care benefit is initially available in the person's county residence; and, on the
8 date that the family care benefit became available in the person's county of residence,
9 the person was a resident in a nursing home or had been receiving for at least 60 days,
10 under a written plan of care, long-term care services, as specified by the department,
11 that were funded under any of the following:

12 ***-0196/2.2*** SECTION 1535. 46.286 (1m) of the statutes is amended to read:

13 46.286 (1m) ELIGIBILITY EXCEPTION. A person whose primary disabling
14 condition is developmental disability is eligible for the family care benefit if the
15 person is a resident of a county or is a member of a tribe or band that has operated,
16 before July 1, ~~2001~~ 2003, a care management organization under s. 46.281 (1) (d), is
17 at least 18 years of age and meets ~~all other~~ eligibility criteria under ~~this subsection~~
18 sub. (1) (a) and (b).

19 ***-0196/2.3*** SECTION 1536. 46.286 (3) (a) (intro.) of the statutes is amended to
20 read:

21 46.286 (3) (a) (intro.) Subject to pars. (c) and (d), a person is entitled to and may
22 receive the family care benefit through enrollment in a care management
23 organization if, except as provided in subd. 5., he or she meets the requirements of
24 sub. (1) (intro.) is at least 18 years of age, has a physical disability, as defined in s.
25 15.197 (4) (a) 2., or infirmities of aging, as defined in s. 55.01 (3), is financially

1 eligible, fulfills any applicable cost-sharing requirements and meets any of the
2 following criteria:

3 ***-0196/2.4* SECTION 1537.** 46.286 (3) (a) 6. of the statutes is created to read:

4 46.286 (3) (a) 6. Is functionally eligible at the intermediate level and meets all
5 of the following criteria:

6 a. On the date on which the family care benefit is initially available in the
7 person's county of residence, is a resident in a nursing home or has been receiving
8 for at least 60 days, under a written plan of care, long-term care services, as specified
9 by the department, which are funded as specified under sub. (1) (a) 2. a., b., c., d., or
10 e.

11 b. Enrolls within 36 months after the date on which the family care benefit is
12 initially available in the person's county of residence.

13 ***-0198/2.1* SECTION 1538.** 46.286 (3) (d) of the statutes is amended to read:

14 46.286 (3) (d) The department shall determine the date, which shall not be later
15 than ~~July 1, 2000~~ January 1, 2004, on which par. (a) shall first apply to persons who
16 are not eligible for medical assistance under ch. 49. Before the date determined by
17 the department, persons who are not eligible for medical assistance may receive the
18 family care benefit within the limits of state funds appropriated for this purpose and
19 available federal funds.

20 ***b0358/1.1* SECTION 1553b.** 46.29 (1) (f) of the statutes is repealed.

21 ***b0323/3.7* SECTION 1553t.** 46.40 (1) (a) of the statutes is amended to read:

22 46.40 (1) (a) Within the limits of available federal funds and of the
23 appropriations under s. 20.435 (3) (o) and (7) (b), ~~(kw)~~ and (o), the department shall
24 distribute funds for community social, mental health, developmental disabilities,
25 and alcohol and other drug abuse services and for services under ss. 46.51, 46.87,

1 46.985, and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and
2 51.437 and to county aging units, as provided in subs. (2), (2m), and (7) to (9).

3 ***b0323/3.7* SECTION 1554d.** 46.40 (2) of the statutes is amended to read:

4 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
5 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
6 more than ~~\$284,978,800~~ \$244,745,200 for fiscal year ~~1999-2000~~ 2001-02 and
7 ~~\$285,511,800~~ \$244,703,400 for fiscal year ~~2000-01~~ 2002-03.

8 ***-0442/6.3* SECTION 1555.** 46.40 (2m) (a) of the statutes is amended to read:

9 46.40 (2m) (a) *Prevention and treatment of substance abuse.* For prevention
10 and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the
11 department shall distribute not more than ~~\$11,318,700~~ \$9,735,700 in each fiscal
12 year.

13 ***b0328/3.1* SECTION 1555w.** 46.40 (7) of the statutes is amended to read:

14 46.40 (7) FAMILY SUPPORT ALLOCATION. For family support programs for the
15 families of disabled children under s. 46.985, the department shall distribute not
16 more than ~~\$4,339,800~~ \$4,589,800 in each fiscal year 2001-02 and not more than
17 \$5,089,800 in fiscal year 2002-03 and in each fiscal year thereafter.

18 ***-0443/3.1* SECTION 1556.** 46.40 (8) of the statutes is amended to read:

19 46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. Subject to
20 sub. (9), for services to persons with Alzheimer's disease and their caregivers under
21 s. 46.87, the department shall distribute not more than ~~\$1,993,400 for fiscal year~~
22 ~~1999-2000~~ and ~~\$2,226,300 for fiscal year 2000-01~~ \$2,342,800 in each fiscal year.

23 ***b2063/2.1* SECTION 1556d.** 46.40 (9) (a) (intro.) of the statutes is amended

24 to read:

1 46.40 (9) (a) *Transfer to family care program and adult protective services*
2 *allocation.* (intro.) If a care management organization under s. ~~46.285~~ 46.284 is
3 available in a county, the department may dispose of ~~the amount allocated under sub.~~
4 ~~(8) to that county and~~ not more than 21.3% of the amount allocated under sub. (2)
5 to that county as follows; and, of the amount allocated under sub. (8), may dispose
6 of the lesser of up to 60% or the amount remaining after subtracting an amount
7 necessary to maintain funding for recipients under sub. (8) who, on the effective date
8 of this paragraph ... [revisor inserts date], are ineligible for the family care benefit
9 under s. 46.286, to that county, as follows:

10 ***b2046/3.4* SECTION 1557b.** 46.45 (2) (a) of the statutes, as affected by 1999
11 Wisconsin Act 9, is amended to read:

12 46.45 (2) (a) If on December 31 of any year there remains unspent or
13 unencumbered in the allocation under s. 46.40 (2) an amount that exceeds the
14 amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in that
15 year, the department shall carry forward the excess moneys and distribute not less
16 than 50% of the excess moneys to counties having a population of less than 500,000
17 that are making a good faith effort, as determined by the department, to comply with
18 s. 46.22 (1) (c) 8. f. for services and projects to assist children and families,
19 notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not
20 less than 50% of the moneys distributed to the county under this subsection for
21 services for children who are at risk of abuse or neglect to prevent the need for child
22 abuse and neglect intervention services, except that in the calendar year in which
23 a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2 calendar years after
24 that calendar year the county may use 100% of the moneys distributed under this
25 paragraph to reimburse the department for the costs of achieving that compliance.

1 If a county does not comply with s. 46.22 (1) (c) 8. f. before July 1, 2005, the
2 department may recover any amounts distributed to that county under this
3 paragraph after June 30, 2001, by billing the county or deducting from that county's
4 allocation under s. 46.40 (2). All moneys received by the department under this
5 paragraph shall be credited to the appropriation account under s. 20.435 (3) (j).

6 ***b1031/1.2* SECTION 1557jd.** 46.46 (1) of the statutes is amended to read:

7 **46.46 (1)** From the appropriation account under s. 20.435 (8) (mb), the
8 department shall ~~support costs that are exclusively related to the operational costs~~
9 ~~of augmenting itself perform activities to augment~~ the amount of moneys received
10 under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to 1396v. ~~In~~
11 ~~addition, the department may expend moneys from the appropriation account under~~
12 ~~s. 20.435 (8) (mb) as provided in sub. (2).~~ The department may not contract with any
13 person to perform those augmentation activities.

14 ***b2046/3* SECTION 1557jg.** 46.46 (1m) of the statutes is created to read:

15 **46.46 (1m)** In addition to expending moneys from the appropriation account
16 under s. 20.435 (8) (mb) for the augmentation activities specified in sub. (1), the
17 department may expend moneys received under 42 USC 1396 to 1396v in
18 reimbursement of the cost of providing targeted case management services to
19 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and
20 credited to the appropriation account under s. 20.435 (8) (mb) to support the counties'
21 share of implementing the statewide automated child welfare information system
22 under s. 46.22 (1) (c) 8. f.

23 ***b0345/2.2* SECTION 1557k.** 46.46 (2) of the statutes is repealed.

24 ***b0916/1.2* SECTION 1557v.** 46.48 (6) of the statutes is amended to read:

1 46.48 (6) CAREER YOUTH DEVELOPMENT CENTER. The department shall distribute
2 \$80,000 \$110,000 in each fiscal year to the career youth development center in the
3 city of Milwaukee. Of those amounts, \$80,000 shall be distributed in each fiscal year
4 for the operation of a minority youth substance abuse treatment program and
5 \$30,000 shall be distributed in each fiscal year for drug prevention and intervention
6 programs for middle school and high school athletes in the Milwaukee public schools
7 system.

8 *~~0310/1.2~~* SECTION 1558. 46.48 (10) of the statutes is repealed.

9 *~~b0323/3.9~~* SECTION 1559t. 46.495 (1) (am) of the statutes is amended to read:

10 46.495 (1) (am) The department shall reimburse each county from the
11 appropriations under s. 20.435 (3) (o) and (7) (b), ~~(kw)~~ and (o) for social services as
12 approved by the department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b)
13 1. d. and (e) 3. a. except that no reimbursement may be made for the administration
14 of or aid granted under s. 49.02.

15 *~~b0323/3.9~~* SECTION 1560d. 46.495 (1) (d) of the statutes is amended to read:

16 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), ~~(kw)~~
17 and (o), the department shall distribute the funding for social services, including
18 funding for foster care or treatment foster care of a child on whose behalf aid is
19 received under s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23
20 as provided under s. 46.40. County matching funds are required for the distributions
21 under s. 46.40 (2), (8), and (9) (b). Each county's required match for the distributions
22 under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the county's
23 distributions under s. 46.40 (2) and (8) for that year for which matching funds are
24 required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to
25 spend for juvenile delinquency-related services from its distribution for 1987. Each

1 county's required match for the distribution under s. 46.40 (9) (b) for a year equals
2 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that year.
3 Matching funds may be from county tax levies, federal and state revenue sharing
4 funds, or private donations to the county that meet the requirements specified in s.
5 51.423 (5). Private donations may not exceed 25% of the total county match. If the
6 county match is less than the amount required to generate the full amount of state
7 and federal funds distributed for this period, the decrease in the amount of state and
8 federal funds equals the difference between the required and the actual amount of
9 county matching funds.

10 *~~0195/1.1~~* SECTION 1562. 46.52 of the statutes is amended to read:

11 **46.52 Systems change grants.** From the appropriation under s. 20.435 (7)
12 (~~md~~), the department may not distribute more than \$350,000 in each fiscal year to
13 counties to assist in relocating individuals with mental illness from institutional or
14 residential care to less restrictive and more cost-effective community settings and
15 services. The department shall distribute funds to each grant recipient under this
16 section so as to permit initial phasing in of community services recovery-oriented
17 system changes, prevention and early intervention strategies, and consumer and
18 family involvement for individuals with mental illness who are relocated or diverted
19 from institutional or residential care and. A grant recipient under this section may
20 include only a nonprofit, tax-exempt corporation, as defined in s. 49.134 (1) (c), or
21 a county. At least 10% of the funds distributed shall be for children with mental
22 illness. The department shall eliminate the funding for a recipient at the end of a
23 period of not more than 5 3 years in order to provide funding to benefit another county
24 recipient. The department shall require that the community services that are
25 developed under this section are continued, following termination of a county's

1 funding under this section, by use of funding savings made available to the county
2 ~~from reduced institutional and residential care utilization~~ from incorporating
3 recovery, prevention and early intervention strategies, and consumer and family
4 involvement in the services.

5 *b0326/3.1* SECTION 1562d. 46.54 of the statutes is amended to read:

6 **46.54 Consumer and family self-help and peer-support programs.**

7 From the appropriation under s. 20.435 (7) (md), the department may not distribute
8 more than ~~\$480,000~~ \$874,000 in each fiscal year to increase support for mental
9 health family support projects, employment projects operated by consumers of
10 mental health services, mental health crisis intervention and drop-in projects, and
11 public mental health information activities.

12 *b1043/1.2* SECTION 1563d. 46.56 (3) (b) 6. of the statutes is amended to read:

13 46.56 (3) (b) 6. Representatives of the county health department, ~~as defined in~~
14 ~~s. 251.01 (2)~~ established under s. 251.02 (1) or city-county health department
15 established under s. 251.02 (1m).

16 *b2025/2.3* SECTION 1568b. 46.766 of the statutes is created to read:

17 **46.766 Food pantry grants. (1)** In this section:

18 (a) “Nonprofit organization” means an organization described in section 501 (c)
19 of the Internal Revenue Code.

20 (b) “Rural” means outside a metropolitan statistical area specified under 42
21 CFR 412.62 (ii) (A) or within a metropolitan statistical area but isolated from an
22 urban center.

23 (2) (a) From the appropriation under s. 20.435 (3) (fp), the department shall
24 provide annual grants to food pantries that meet the eligibility requirements under

1 sub. (4). The amount of each grant awarded to a food pantry shall be in proportion
2 to the number of persons served by the food pantry.

3 (b) The department shall allocate 25% of the amounts appropriated under s.
4 20.435 (3) (fp) for grants to rural food pantries. The department shall allocate the
5 remainder of the amounts available for grants under s. 20.435 (3) (fp) for grants to
6 all food pantries. If, after awarding the grants to rural food pantries, any of the
7 moneys remain unallocated, the department shall distribute the unallocated
8 amounts for grants to all food pantries in proportion to the number of persons served
9 by those food pantries.

10 (c) The total amount of all grants awarded annually to each food pantry under
11 this section may not exceed \$15,000.

12 (3) Grants awarded under this section may be used for any of the following
13 purposes:

14 (a) The purchase, storage, transportation, coordination, or distribution of food
15 to needy households.

16 (b) The administration of emergency food distribution.

17 (c) The purchase of capital equipment.

18 (d) Programs designed to increase food availability to needy households or
19 enhance food security.

20 (e) Nutrition education and outreach.

21 (f) Technical assistance related to food pantry management.

22 (4) A food pantry is eligible for a grant under this section if the food pantry
23 meets all of the following requirements:

24 (a) The food pantry applies for a grant on an application developed by the
25 department. The application may not exceed one page.

1 (b) The food pantry is a nonprofit organization or is affiliated with a nonprofit
2 organization.

3 (c) The food pantry distributes food packages directly, without charge, to needy
4 households.

5 (d) The food pantry is open to the general public in its service area.

6 (e) The food pantry does not base food distribution on any criteria other than
7 need of the recipient, except to the extent necessary for the orderly and fair
8 distribution of food.

9 (f) The food pantry has a permanent address, regular hours of operation, and
10 is open at least one day per month.

11 (g) The food pantry adheres to the U.S. department of agriculture food safety
12 and food storage standards.

13 (5) The department may not use more than 5% of the total amount
14 appropriated under s. 20.435 (3) (fp) for administration of the grant program under
15 this section.

16 (6) A food pantry that receives a grant under this section shall, not later than
17 60 days after the end of the grant period, submit a report, not longer than 3 pages,
18 to the department in the manner prescribed by the department, that describes how
19 the grant money was used by the food pantry. The department shall compile the
20 reports and submit the compiled reports to the legislature under s. 13.172 (2).

21 ***b2098/1.4* SECTION 1568c.** 46.858 of the statutes is created to read:

22 **46.858 Publicity for Alzheimer's disease registration program.** (1) In
23 this section, "Alzheimer's disease" has the meaning given in s. 46.87 (1) (a).

24 (2) From the appropriation under s. 20.435 (6) (a), the department shall engage
25 in activities to publicize the existence of a program administered by a

1 nongovernmental entity that registers persons with Alzheimer's disease or other
2 related dementias in a national database and provides the persons identification
3 products in order to facilitate the safe return to caregivers of persons who have
4 Alzheimer's disease or other related dementias and who have become lost or have
5 wandered.

6 *b0327/3.1* SECTION 1568d. 46.86 (6) (a) (intro.) of the statutes is amended
7 to read:

8 46.86 (6) (a) (intro.) From the appropriation under s. 20.435 (7) (md), the
9 department may award ~~not more than \$1,167,900 in each fiscal year up to \$1,369,000~~
10 in fiscal year 2001–02 and up to \$1,330,800 in fiscal year 2002–03 and in each fiscal
11 year thereafter, and from the appropriation under s. 20.435 (6) (gb), the department
12 may award not more than \$231,300 in fiscal year 2001–02 and not more than
13 \$319,500 in fiscal year 2002–03 and in each fiscal year thereafter, as grants to
14 counties and private entities to provide community-based alcohol and other drug
15 abuse treatment programs that do all of the following:

16 *b0323/3.10* SECTION 1568m. 46.87 (2) of the statutes is amended to read:

17 46.87 (2) From the appropriations under s. 20.435 (7) (b), ~~(kw)~~ and (o), the
18 department shall allocate funds to agencies designated under sub. (3) (c), to be used
19 for the administration and implementation of an Alzheimer's family and caregiver
20 support program for persons with Alzheimer's disease and their caregivers.

21 *b2063/2.2* SECTION 1568mg. 46.87 (5) (a) 3. of the statutes is amended to
22 read:

23 46.87 (5) (a) 3. The household meets financial eligibility requirements specified
24 by the department by rule, and persons in the household are ineligible for the family

1 care benefit under s. 46.286 in a county in which a care management organization
2 under s. 46.284 operates.

3 ***b2063/2.2* SECTION 1568mh.** 46.87 (5) (b) of the statutes is amended to read:

4 46.87 (5) (b) Provide or contract for the provision of services and goods or make
5 payments for services to ~~persons a person~~ with Alzheimer's disease living in a
6 residential facilities facility in the county who ~~meet~~ meets financial eligibility
7 requirements specified by the department by rule and is ineligible for the family care
8 benefit under s. 46.286 in a county in which a care management organization under
9 s. 46.284 operates.

10 ***-0515/4.4* SECTION 1569.** 46.93 (1m) (b) of the statutes is amended to read:

11 46.93 (1m) (b) "Board" means the adolescent pregnancy prevention and
12 pregnancy services board ~~under s. 15.195 (5).~~

13 ***-0515/4.5* SECTION 1570.** 46.93 (2) (intro.) of the statutes is amended to read:

14 46.93 (2) PURPOSE; ALLOCATION. (intro.) From the ~~appropriation~~ appropriations
15 under s. 20.434 (1) (b) and (ky), the board shall award not more than \$439,300 in each
16 fiscal year for grants to organizations to provide adolescent pregnancy prevention
17 programs or pregnancy services that include health care, education, counseling, and
18 vocational training. Types of services and programs that are eligible for grants
19 include all of the following:

20 ***-0515/4.6* SECTION 1571.** 46.93 (2m) (a) of the statutes is amended to read:

21 46.93 (2m) (a) Each organization that receives a grant under this section shall
22 provide matching funds equal to 20% of the grant amount awarded. The match may
23 be in the form of money or in-kind services or both, but any moneys used by an
24 organization toward a match may not include moneys received from the state or
25 federal government.

1 *~~0515/4.7~~* SECTION 1572. 46.93 (3) of the statutes is amended to read:

2 46.93 (3) STAFF AND SALARIES. The salaries of the board staff and all actual and
3 necessary operating expenses of the board shall be paid from the ~~appropriation~~
4 appropriations under s. 20.434 (1) (a) and (kp).

5 *b0358/1.3* SECTION 1574b. 46.972 (4) of the statutes is repealed.

6 *b0323/3.11* SECTION 1574p. 46.985 (7) (a) of the statutes is amended to read:

7 46.985 (7) (a) From the appropriations under s. 20.435 (7) (b), ~~(kw)~~ and (o), the
8 department shall allocate to county departments funds for the administration and
9 implementation of the program.

10 *b0610/1.1* SECTION 1574v. 46.986 (2) (b) 2. (intro.) of the statutes is amended
11 to read:

12 46.986 (2) (b) 2. (intro.) Solicit applications from and, using the criteria under
13 subd. 1., award in the ~~1999–2001~~ each state fiscal biennium up to one grant in each
14 of the 5 administrative regions prescribed by the department to any of the following
15 to conduct a life–span respite care project:

16 *~~0262/1.1~~* SECTION 1575. 46.99 (2) (a) (intro.) of the statutes is amended to
17 read:

18 46.99 (2) (a) (intro.) From the appropriations under s. 20.435 (3) (eg), (km) and
19 (nL), the department, ~~beginning on January 1, 2001,~~ shall distribute \$2,125,200 in
20 each fiscal year to applying nonprofit corporations and public agencies operating in
21 a county having a population of 500,000 or more and ~~\$1,229,300~~ \$1,199,300 in each
22 fiscal year to applying county departments under s. 46.22, ~~46.23,~~ 51.42 or 51.437
23 operating in counties other than a county having a population of 500,000 or more to
24 provide programs to accomplish all of the following:

25 *~~0262/1.2~~* SECTION 1576. 46.995 (1m) of the statutes is amended to read:

1 46.995 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATIONS. From the appropriation
2 account under s. 20.435 (3) (km), the department may allocate \$172,500 \$195,000 in
3 each fiscal year and, from the appropriation account under s. 20.435 (3) (eg), the
4 department may allocate ~~\$7,500~~ \$15,000 in each fiscal year to provide the grants
5 specified in subs. (2), (3) (b) and (4m) (b).

6 ***-0262/1.3*** SECTION 1577. 46.995 (4m) (b) (intro.) of the statutes is amended
7 to read:

8 46.995 (4m) (b) (intro.) From the allocations under sub. (1m), the department
9 may provide a grant annually in the amount of ~~\$30,000~~ \$60,000 to the elected
10 governing body of a federally recognized American Indian tribe or band for the
11 provision of information to members of the tribe or band in order to increase
12 community knowledge about problems of adolescents and information to and
13 activities for adolescents, particularly female adolescents, in order to enable the
14 adolescents to develop skills with respect to all of the following:

15 ***b1827/1.1*** SECTION 1577g. 48.02 (15) of the statutes is amended to read:

16 48.02 (15) “Relative” means a parent, grandparent, greatgrandparent,
17 stepparent, brother, sister, first cousin, nephew, niece, uncle, or aunt. This
18 relationship shall be by blood, marriage, or adoption.

19 ***b1428/1.1*** SECTION 1578. 48.21 (5) (b) of the statutes is renumbered 48.21
20 (5) (b) (intro.) and amended to read:

21 48.21 (5) (b) (intro.) An order relating to a child held in custody outside of his
22 or her home shall also ~~describe~~ include all of the following:

23 1. A description of any efforts that were made to permit the child to remain
24 safely at home and the services that are needed to ensure the child’s well-being, to

1 enable the child to return safely to his or her home, and to involve the parents in
2 planning for the child.

3 ***b1428/1.1* SECTION 1579.** 48.21 (5) (b) 2. of the statutes is created to read:

4 48.21 (5) (b) 2. If the child is held in custody outside the home in a placement
5 recommended by the intake worker, a statement that the court approves the
6 placement recommended by the intake worker or, if the child is placed outside the
7 home in a placement other than a placement recommended by the intake worker, a
8 statement that the court has given bona fide consideration to the recommendations
9 made by the intake worker and all parties relating to the placement of the child.

10 ***-0094/5.1* SECTION 1580.** 48.315 (1) (h) of the statutes is created to read:

11 48.315 (1) (h) Any period of delay resulting from the need to appoint a qualified
12 interpreter.

13 ***b1428/1.2* SECTION 1583.** 48.355 (2) (b) 6m. of the statutes is created to read:

14 48.355 (2) (b) 6m. If the child is placed outside the home in a placement
15 recommended by the agency designated under s. 48.33 (1), a statement that the court
16 approves the placement recommended by the agency or, if the child is placed outside
17 the home in a placement other than a placement recommended by that agency, a
18 statement that the court has given bona fide consideration to the recommendations
19 made by the agency and all parties relating to the child's placement.

20 ***b1428/1.2* SECTION 1584.** 48.357 (2v) of the statutes is created to read:

21 48.357 (2v) If a hearing is held under sub. (1) or (2m) and the change in
22 placement would place the child outside the home in a placement recommended by
23 the person or agency primarily responsible for implementing the dispositional order,
24 the change in placement order shall include a statement that the court approves the
25 placement recommended by that person or agency or, if the child is placed outside the

1 home in a placement other than a placement recommended by that person or agency,
2 a statement that the court has given bona fide consideration to the recommendations
3 made by that person or agency and all parties relating to the child's placement.

4 ***b0924/2.2* SECTION 1585d.** 48.366 (8) of the statutes is amended to read:

5 48.366 (8) TRANSFER TO OR BETWEEN FACILITIES. The department of corrections
6 may transfer a person subject to an order between secured correctional facilities.
7 After the person attains the age of 17 years, the department of corrections may place
8 the person in a state prison named in s. 302.01, except that the department of
9 corrections may not place any person under the age of 18 years in the correctional
10 institution authorized in s. 301.16 (1n). If the person is 15 years of age or over, the
11 department of corrections may transfer the person to the Racine youthful offender
12 correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). If the
13 department of corrections places a person subject to an order under this section in
14 a state prison, that department shall provide services for that person from the
15 appropriate appropriation under s. 20.410 (1). The department of corrections may
16 transfer a person placed in a state prison under this subsection to or between state
17 prisons named in s. 302.01 without petitioning for revision of the order under sub.
18 (5) (a), except that the department of corrections may not transfer any person under
19 the age of 18 years to the correctional institution authorized in s. 301.16 (1n).

20 ***-0094/5.2* SECTION 1587.** 48.375 (7) (d) 1m. of the statutes is amended to
21 read:

22 48.375 (7) (d) 1m. Except as provided under s. 48.315 (1) (b), (c) ~~and~~, (f), and
23 (h), if the court fails to comply with the time limits specified under subd. 1. without
24 the prior consent of the minor and the minor's counsel, if any, or the member of the
25 clergy who filed the petition on behalf of the minor, if any, the minor and the minor's

1 counsel, if any, or the member of the clergy, if any, shall select a temporary reserve
2 judge, as defined in s. 753.075 (1) (b), to make the determination under par. (c) and
3 issue an order granting or denying the petition and the chief judge of the judicial
4 administrative district in which the court is located shall assign the temporary
5 reserve judge selected by the minor and the minor's counsel, if any, or the member
6 of the clergy, if any, to make the determination and issue the order. A temporary
7 reserve judge assigned under this subdivision to make a determination under par.
8 (c) and issue an order granting or denying a petition shall make the determination
9 and issue the order within 2 calendar days after the assignment, unless the minor
10 and her counsel, if any, or the member of the clergy who filed the petition on behalf
11 of the minor, if any, consent to an extension of that time period. The order shall be
12 effective immediately. The court shall prepare and file with the clerk of court
13 findings of fact, conclusions of law and a final order granting or denying the petition,
14 and shall notify the minor of the court's order, as provided under subd. 1.

15 *b0554/2.1* SECTION 1618r. 48.48 (17) (e) of the statutes is created to read:

16 48.48 (17) (e) The department shall promulgate rules regulating the
17 administration of child welfare services in a county having a population of 500,000
18 or more. Those rules shall include rules providing for all of the following:

19 1. The process by which the department contracts for the provision of child
20 welfare services that the department is authorized to provide under this chapter.

21 2. Grievance procedures under which any person who is aggrieved by any act
22 or omission of the department, or of a person contracting to provide child welfare
23 services under this chapter, relating to the provision of those services may grieve that
24 act or omission.

1 3. Caseload ratios for staff providing direct child welfare services under this
2 chapter, whether employed by the department or by a person contracting to provide
3 child welfare services under this chapter.

4 4. Standards for the provision of child welfare services under this chapter.

5 5. The use of an open public participation process for the planning, monitoring,
6 and evaluation of child welfare services provided under this chapter.

7 ***b0556/3.1* SECTION 1619r.** 48.55 (1) of the statutes is amended to read:

8 48.55 (1) The department shall establish a state adoption information
9 exchange for the purpose of finding adoptive homes for children with special needs
10 who do not have permanent homes and a state adoption center for the purposes of
11 increasing public knowledge of adoption and promoting to adolescents and pregnant
12 women the availability of adoption services. From the appropriation under s. 20.435
13 (3) (dg), the department may provide not more than ~~\$125,000~~ \$163,700 in fiscal year
14 2001–02 and not more than \$171,300 in each fiscal year thereafter as grants to
15 individuals and private agencies to provide adoption information exchange services
16 and to operate the state adoption center.

17 ***-0442/6.4* SECTION 1620.** 48.561 (3) (a) of the statutes is renumbered 48.561
18 (3) (a) (intro.) and amended to read:

19 48.561 (3) (a) (intro.) A county having a population of 500,000 or more shall
20 contribute \$58,893,500 in each state fiscal year for the provision of child welfare
21 services in that county by the department. That contribution shall be made as
22 follows:

23 ***-0442/6.5* SECTION 1621.** 48.561 (3) (a) 1. of the statutes is created to read:

24 48.561 (3) (a) 1. Through a reduction of \$37,209,200 from the amount
25 distributed to that county under s. 46.40 (2) in each state fiscal year.

1 *~~0442/6.6~~* SECTION 1622. 48.561 (3) (a) 2. of the statutes is created to read:
2 48.561 (3) (a) 2. Through a reduction of \$1,583,000 from the amount distributed
3 to that county under s. 46.40 (2m) (a) in each state fiscal year.

4 *~~0442/6.7~~* SECTION 1623. 48.561 (3) (a) 3. of the statutes is created to read:
5 48.561 (3) (a) 3. Through a deduction of \$20,101,300 from any state payment
6 due that county under s. 79.03, 79.04, 79.058, 79.06, or 79.08 as provided in par. (b).

7 *~~b0554/2.2~~* SECTION 1624d. 48.561 (3) (b) of the statutes is amended to read:
8 48.561 (3) (b) The department of administration shall collect the amount
9 specified in par. (a) 3, from a county having a population of 500,000 or more by
10 deducting all or part of that amount from any state payment due that county under
11 s. ~~46.40~~, 79.03, 79.04, 79.058, 79.06, or 79.08. The department of administration
12 shall notify the department of revenue, by September 15 of each year, of the amount
13 to be deducted from the state payments due under s. 79.03, 79.04, 79.058, 79.06, or
14 79.08. The department of administration shall credit all amounts collected under
15 this paragraph to the appropriation account under s. 20.435 (3) (kw) and shall notify
16 the county from which those amounts are collected of that collection. The
17 department may not expend any moneys from the appropriation account under s.
18 20.435 (3) (cx) for providing services to children and families under s. 48.48 (17) until
19 the amounts in the appropriation account under s. 20.435 (3) (kw) are exhausted.

20 *~~1825/1.1~~* SECTION 1629. 48.57 (3p) (fm) 2. of the statutes is amended to read:
21 48.57 (3p) (fm) 2. A person receiving payments under sub. (3m) may
22 provisionally employ a person in a position in which that person would have regular
23 contact with the child for whom those payments are being made or provisionally
24 permit a person to be an adult resident if the person receiving those payments states
25 to the county department or, in a county having a population of 500,000 or more, the

1 department of health and family services that the employee or adult resident does
2 not have any arrests or convictions that could adversely affect the child or the ability
3 of the person receiving payments to care for the child. A person receiving payments
4 under sub. (3m) may not finally employ a person in a position in which that person
5 would have regular contact with the child for whom those payments are being made
6 or finally permit a person to be an adult resident until the county department or, in
7 a county having a population of 500,000 or more, the department of health and family
8 services receives information from the department of justice indicating that the
9 person's conviction record under the law of this state is satisfactory according to the
10 criteria specified in par. (g) 1. to 3. and the county department ~~so advises~~ or, in a
11 county having a population of 500,000 or more, the department of health and family
12 services ~~and so advises~~ the person receiving payments under sub. (3m) or the
13 ~~department of health and family services so advises that person~~ until a decision is
14 made under par. (h) 4. to permit a person who is receiving payments under sub. (3m)
15 to employ a person in a position in which that person would have regular contact with
16 the child for whom payments are being made or to permit a person to be an adult
17 resident and the county department or, in a county having a population of 500,000
18 or more, the department of health and family services so advises the person receiving
19 payments under sub. (3m). A person receiving payments under sub. (3m) may finally
20 employ a person in a position in which that person would have regular contact with
21 the child for whom those payments are being made or finally permit a person to be
22 an adult resident conditioned on the receipt of information from the county
23 department or, in a county having a population of 500,000 or more, the department
24 of health and family services that the federal bureau of investigation indicates that

1 the person's conviction record under the law of any other state or under federal law
2 is satisfactory according to the criteria specified in par. (g) 1. to 3.

3 ***b0369/3.1* SECTION 1629x.** 48.57 (3r) of the statutes is created to read:

4 48.57 (3r) If the amounts in the appropriation under s. 20.435 (3) (kc) are
5 insufficient to provide payments under sub. (3m) (am) (intro.) or (3n) (am) (intro.) to
6 all persons who are eligible to receive those payments, the department may request
7 the secretary of administration under s. 16.515 to supplement that appropriation for
8 the purpose of increasing funding for those payments. Notwithstanding s. 16.515 (1),
9 the secretary of administration may supplement the appropriation under s. 20.435
10 (3) (kc) if all of the following occur:

11 (a) The secretary of administration determines that the amounts in the
12 appropriation are insufficient to provide payments under sub. (3m) (am) (intro.) or
13 (3n) (am) (intro.) to all persons who are eligible to receive those payments.

14 (b) The joint committee on finance either does not schedule a meeting for the
15 purpose of reviewing the proposed supplementation within 14 working days after the
16 secretary of administration notifies the committee of the proposed supplementation
17 or, if the committee schedules a meeting for the purpose of reviewing the proposed
18 supplementation, the committee approves the proposed supplementation.

19 ***-0261/1.1* SECTION 1635.** 48.627 (3) (h) of the statutes is amended to read:

20 48.627 (3) (h) If a claim by a foster, treatment foster or family-operated group
21 home parent or a member of the foster, treatment foster or family-operated group
22 home parent's family is approved, the department shall deduct from the amount
23 approved ~~\$200~~ \$100 less any amount deducted by an insurance company from a
24 payment for the same claim, except that a foster, treatment foster or family-operated

1 group home parent and his or her family are subject to only one deductible for all
2 claims filed in a fiscal year.

3 ***1843/1.1*** SECTION 1636. 48.651 (1) (intro.) of the statutes is amended to
4 read:

5 48.651 (1) (intro.) Each county department shall certify, according to the
6 standards adopted by the department of workforce development under s. 49.155 (1d),
7 each day care provider reimbursed for child care services provided to families
8 determined eligible under s. 49.155 (~~1m~~), unless the provider is a day care center
9 licensed under s. 48.65 or is established or contracted for under s. 120.13 (14). Each
10 county may charge a fee to cover the costs of certification. To be certified under this
11 section, a person must meet the minimum requirements for certification established
12 by the department of workforce development under s. 49.155 (1d), meet the
13 requirements specified in s. 48.685 and pay the fee specified in this section. The
14 county shall certify the following categories of day care providers:

15 ***b1430/2.1*** SECTION 1636d. 48.67 of the statutes is amended to read:

16 **48.67 Rules governing child welfare agencies, day care centers, foster**
17 **homes, treatment foster homes, group homes, shelter care facilities and**
18 **county departments.** The department shall promulgate rules establishing
19 minimum requirements for the issuance of licenses to, and establishing standards
20 for the operation of, child welfare agencies, day care centers, foster homes, treatment
21 foster homes, group homes, shelter care facilities, and county departments. These
22 rules shall be designed to protect and promote the health, safety, and welfare of the
23 children in the care of all licensees. The department shall consult with the
24 department of commerce and the department of public instruction before
25 promulgating these rules. In establishing the minimum requirements for the