

SENATE BILL 55**SECTION 1427**

1 ***-0591/P1.1*** **SECTION 1427.** 44.72 (2) (dm) of the statutes is created to read:

2 44.72 (2) (dm) A school district receiving a grant under par. (b) shall submit an
3 annual report to the board concerning the specific purposes for which the school
4 district uses the grant.

5 ***-0705/3.7*** **SECTION 1428.** 44.72 (4) (a) of the statutes is renumbered 44.72 (4)
6 (a) 1. and amended to read:

7 44.72 (4) (a) 1. The board may provide financial assistance under this
8 ~~subsection subdivision~~ to school districts and charter school sponsors from the
9 proceeds of public debt contracted under s. 20.866 (2) (zc) and to public library boards
10 from the proceeds of public debt contracted under s. 20.866 (2) (zcm). Financial
11 assistance under this ~~subsection subdivision~~ may be used only for the purpose of
12 upgrading the electrical wiring of school and library buildings in existence on
13 October 14, 1997, and installing and upgrading computer network wiring.

****NOTE: This is reconciled s. 44.72 (4) (a) 1. This SECTION has been affected by
drafts with the following LRB#: LRB-0684.

14 ***-0705/3.8*** **SECTION 1429.** 44.72 (4) (a) 2. of the statutes is created to read:

15 44.72 (4) (a) 2. The board may provide financial assistance under this
16 subdivision to public library boards from the proceeds of public debt contracted
17 under s. 20.866 (2) (zcp). Financial assistance under this subdivision may be used
18 only for the purpose of purchasing communications servers, routers, hubs, or
19 switches that enable a computer network in a library building to be directly
20 connected to the Internet. Financial assistance under this subdivision may not be
21 used for the purchase of personal computers. The board shall establish, on a per
22 building basis, the maximum amount of a financial assistance under this
23 subdivision.

SENATE BILL 55

SECTION 1430

1 *~~0705/3.9~~* SECTION 1430. 44.72 (4) (b) of the statutes is amended to read:

2 44.72 (4) (b) *Financial assistance applications, terms and conditions.* The
3 board shall establish application procedures for, and the terms and conditions of,
4 financial assistance under ~~this subsection~~ par. (a), including a condition requiring
5 a charter school sponsor to use financial assistance under par. (a) for wiring
6 upgrading and installation that benefits pupils attending the charter school. The
7 procedures shall allow a public library board to apply for financial assistance under
8 par. (a) 1. or 2. or under both par. (a) 1. and 2. The board shall make a loan to a school
9 district, charter school sponsor, or public library board in an amount equal to 50%
10 of the total amount of financial assistance for which the board determines the school
11 district, charter school sponsor, or public library board is eligible and provide a grant
12 to the school district, charter school sponsor, or public library board for the remainder
13 of the total. The terms and conditions of any financial assistance under ~~this~~
14 ~~subsection~~ par. (a) 1. or 2. may include provision of professional building construction
15 services under s. 16.85 (15). The terms and conditions of any financial assistance
16 under par. (a) 2. shall require the recipient to apply for a rate discount under 47 USC
17 254 for any servers, routers, hubs, or switches that are purchased with the financial
18 assistance. The board shall determine the interest rate on loans under ~~this~~
19 ~~subsection~~ par. (a). The interest rate shall be as low as possible but shall be sufficient
20 to fully pay all interest expenses incurred by the state in making the loans and to
21 provide reserves that are reasonably expected to be required in the judgment of the
22 board to ensure against losses arising from delinquency and default in the
23 repayment of the loans. The term of a loan under ~~this subsection~~ par. (a) 1. may not
24 exceed 10 years and the term of a loan under par. (a) 2. may not exceed 4 years.

SENATE BILL 55

****NOTE: This is reconciled s. 44.72 (4) (b). This SECTION has been affected by drafts with the following LRB#: LRB-0684.

1 ***-0684/2.10* SECTION 1431.** 44.72 (4) (c) of the statutes is amended to read:

2 44.72 (4) (c) *Repayment of loans.* The board shall credit all moneys received
3 from school districts and charter school sponsors for repayment of loans under this
4 subsection to the appropriation account under s. 20.275 (1) (h). The board shall credit
5 all moneys received from public library boards for repayment of loans under this
6 subsection to the appropriation account under s. 20.275 (1) (hb).

7 ***-0705/3.10* SECTION 1432.** 44.72 (4) (d) of the statutes is amended to read:

8 44.72 (4) (d) *Funding for financial assistance.* The board, with the approval
9 of the governor and subject to the limits of s. 20.866 (2) (zc) and, (zcm), and (zcp), may
10 request that the building commission contract public debt in accordance with ch. 18
11 to fund financial assistance under this subsection.

12 ***-1857/5.108* SECTION 1433.** 44.73 (1) of the statutes is amended to read:

13 44.73 (1) Except as provided in s. 196.218 (4t), the board, in consultation with
14 the department and subject to the approval of the department of electronic
15 government, shall promulgate rules establishing an educational
16 telecommunications access program to provide educational agencies with access to
17 data lines and video links.

18 ***-0705/3.11* SECTION 1434.** 44.73 (2) (a) of the statutes is amended to read:

19 44.73 (2) (a) Allow an educational agency to make a request to the board for
20 access to either one data line or one video link, except that any educational agency
21 may request access to additional data lines if the agency shows to the satisfaction of
22 the board that the additional data lines are more cost-effective than a single data
23 line and except that a school district that operates more than one high school or a

SENATE BILL 55**SECTION 1434**

1 public library board that operates more than one library facility may request access
2 to both a data line and a video link and access to more than one data line or video link.

3 ***-0684/2.11*** **SECTION 1435.** 44.73 (2) (b) of the statutes is amended to read:

4 44.73 (2) (b) Establish eligibility requirements for an educational agency to
5 participate in the program established under sub. (1), including a requirement that
6 a charter school sponsor use data lines and video links to benefit pupils attending the
7 charter school.

8 ***-0445/3.5*** **SECTION 1436.** 44.73 (2) (f) of the statutes is created to read:

9 44.73 (2) (f) Ensure that secured correctional facilities that receive access
10 under this section to data lines and video links use them only for educational
11 purposes.

12 ***-0705/3.12*** **SECTION 1437.** 44.73 (2g) of the statutes is created to read:

13 44.73 (2g) An educational agency that is provided access to a data line under
14 the program established under sub. (1) may not do any of the following:

15 (a) Provide access to the data line to any business entity, as defined in s. 13.62
16 (5).

17 (b) Request access to an additional data line for purposes of providing access
18 to bandwidth to a political subdivision under a shared service agreement under sub.
19 (2r) (a).

20 ***-0705/3.13*** **SECTION 1438.** 44.73 (2r) of the statutes is created to read:

21 44.73 (2r) (a) A public library board that is provided access to a data line under
22 the program established under sub. (1) may enter into a shared service agreement
23 with a political subdivision that provides the political subdivision with access to any
24 excess bandwidth on the data line that is not used by the public library board, except
25 that a public library board may not sell, resell, or transfer in consideration for money

SENATE BILL 55

1 or anything of value to a political subdivision access to any excess bandwidth. A
2 shared service agreement under this paragraph is not valid unless the agreement
3 allows the public library board to cancel the agreement at any time after providing
4 notice to the political subdivision.

5 (b) A political subdivision that obtains access to bandwidth under a shared
6 service agreement under par. (a) may not receive compensation for providing any
7 other person with access to the bandwidth.

8 (c) A public library board shall provide the technology for educational
9 achievement in Wisconsin board with written notice within 30 days after entering
10 into or modifying a shared service agreement under par. (a).

11 ***-1857/5.109* SECTION 1439.** 44.73 (3) of the statutes is amended to read:

12 44.73 (3) The board shall submit an annual report to the department on the
13 status of providing data lines and video links that are requested under sub. (2) (a)
14 and the impact on the universal service fund of any payment under contracts under
15 s. 16.974 (7).

16 ***-1857/5.110* SECTION 1440.** 44.73 (6) of the statutes is amended to read:

17 44.73 (6) From the appropriation under s. 20.275 (1) (s) or (tm), the board may
18 award an annual grant to a school district or private school that had in effect on
19 October 14, 1997, a contract for access to a data line or video link, as documented by
20 the board. The board shall determine the amount of the grant, which shall be equal
21 to the cost incurred by the state to provide telecommunications access to a school
22 district or private school under a contract entered into under s. 16.974 (7) (a) or (c)
23 (1) or (3) less the amount that the school district or private school would be paying
24 under sub. (2) (d) if the school district or private school were participating in the
25 program established under sub. (1), except that the amount may not be greater than

SENATE BILL 55**SECTION 1440**

1 the cost that a school district or private school incurs under the contract in effect on
2 October 14, 1997. A school district or private school receiving a grant under this
3 subsection is not eligible to participate in the program under sub. (1). No grant may
4 be awarded under this subsection after June 30, 2002.

5 ***-0734/1.6* SECTION 1441.** 45.01 of the statutes is renumbered 45.014.

6 ***-0724/2.1* SECTION 1442.** 45.25 (1) of the statutes is amended to read:

7 45.25 (1) ADMINISTRATION. The department of veterans affairs shall administer
8 a tuition and fee reimbursement program for eligible veterans enrolling as
9 undergraduates in any institution of higher education, as defined in s. 45.396 (1) (a),
10 in this state, enrolling in a school that is approved under s. 45.35 (9m), enrolling in
11 a proprietary school that is approved under s. 45.54, or receiving a waiver of
12 nonresident tuition under s. 39.47.

****NOTE: This is reconciled s. 45.25 (1). This SECTION has been affected by drafts
with the following LRB numbers: -0724 and -0734. If LRB-0734 is not included in the
budget bill, the reference to schools approved under s. 45.35 (9m) should be deleted.

13 ***-0725/2.1* SECTION 1443.** 45.25 (2) (d) of the statutes is amended to read:

14 45.25 (2) (d) The individual is a resident at the time of application for the
15 tuition and fee reimbursement program and was a Wisconsin resident at the time of
16 entry or reentry into service or was a resident for any consecutive ~~5-year~~ 12-month
17 period after entry or reentry into service and before the date of his or her application.
18 If a person applying for a benefit under this section meets ~~that 5-consecutive-year~~
19 the residency requirement of 12 consecutive months, the department may not
20 require the person to reestablish that he or she meets ~~the 5-consecutive-year that~~
21 residency requirement when he or she later applies for any other benefit under this
22 chapter that requires ~~a 5-consecutive-year that~~ residency.

23 ***-0724/2.2* SECTION 1444.** 45.25 (3) (a) of the statutes is amended to read:

SENATE BILL 55**SECTION 1444**

1 45.25 (3) (a) ~~Except as provided in par. (am), an~~ An individual who meets the
2 requirements under sub. (2), upon satisfactory completion of a full-time
3 undergraduate semester in any institution of higher education, as defined in s.
4 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
5 proprietary school that is approved under s. 45.54, or any institution from which the
6 individual receives a waiver of nonresident tuition under s. 39.47, may be
7 reimbursed ~~for up to 65%~~ an amount not to exceed the total cost of the individual's
8 tuition and fees. ~~The reimbursement under this paragraph is limited to a maximum~~
9 ~~of 65% of~~ minus any grants or scholarships, including those made under s. 21.49, that
10 the individual receives specifically for the payment of the tuition or fees, or the
11 standard cost for a state resident for an equivalent undergraduate course at the
12 University of Wisconsin-Madison per course ~~or the difference between the~~
13 ~~individual's tuition and fees and the grants or scholarships, including those made~~
14 ~~under s. 21.49, that the individual receives specifically for the payment of the tuition~~
15 ~~or fees, whichever is less.~~ Reimbursement is available only for tuition and fees that
16 are part of a curriculum that is relevant to a degree in a particular course of study
17 at the institution.

****NOTE: This is reconciled s. 45.25 (3) (a). This SECTION has been affected by drafts with the following LRB numbers: -0724 and -0734. If LRB-0734 is not included in the budget bill, the reference to schools approved under s. 45.35 (9m) should be deleted.

18 ***-0724/2.3*** SECTION 1445. 45.25 (3) (am) of the statutes is repealed.

19 ***-0724/2.4*** SECTION 1446. 45.25 (3) (b) (intro.) of the statutes is amended to
20 read:

21 45.25 (3) (b) (intro.) An application for reimbursement of tuition and fees under
22 par. (a) ~~or (am)~~ shall meet all of the following requirements:

23 ***-0724/2.5*** SECTION 1447. 45.25 (4) (a) of the statutes is amended to read:

SENATE BILL 55**SECTION 1447**

1 45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for
2 more than 120 credits or 8 full semesters of full-time study at any institution of
3 higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits or 4 full
4 semesters of full-time study at any institution of higher education, as defined in s.
5 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits, or an
6 equivalent amount of credits at a school that is approved under s. 45.35 (9m), at a
7 proprietary school that is approved under s. 45.54, or at an institution where he or
8 she is receiving a waiver of nonresident tuition under s. 39.47.

****NOTE: This is reconciled s. 45.25 (4) (a). This SECTION has been affected by drafts with the following LRB numbers: -0724 and -0734. If LRB-0734 is not included in the budget bill, the reference to schools approved under s. 45.35 (9m) should be deleted.

9 *-0734/1.7* SECTION 1448. 45.35 (2) of the statutes is renumbered 45.012 and
10 amended to read:

11 **45.012 Definition.** In this ~~chapter~~ subchapter, “board” means the board of
12 veterans affairs.

13 *-0734/1.8* SECTION 1449. 45.35 (2g) of the statutes is created to read:

14 45.35 (2g) DEFINITION. In this section, “department” means the department of
15 veterans affairs.

16 *-0734/1.9* SECTION 1450. 45.35 (3d) (a) of the statutes is amended to read:

17 45.35 (3d) (a) The council on veterans programs created under s. 15.497 shall
18 advise the board ~~of veterans affairs~~ and the department ~~of veterans affairs~~ on
19 solutions and policy alternatives relating to the problems of veterans.

20 *-0734/1.10* SECTION 1451. 45.35 (3d) (b) of the statutes is amended to read:

21 45.35 (3d) (b) The council on veterans programs and the department of
22 ~~veterans affairs~~, jointly or separately, shall submit a report regarding the council on
23 veterans programs to the chief clerk of each house of the legislature for distribution

SENATE BILL 55

SECTION 1451

1 to the legislature under s. 13.172 (2) by November 1, 1989, and by September 30 of
2 every odd-numbered year thereafter. The report shall include a general summary
3 of the activities and membership over the past 2 years of the council and each
4 organization on the council.

5 ~~*-0725/2.2*~~ SECTION 1452. 45.35 (5) (a) 2. c. of the statutes is amended to read:

6 45.35 (5) (a) 2. c. Has been a resident of this state for any consecutive ~~5-year~~
7 12-month period after entry or reentry into service and before the date of his or her
8 application or death. If a person applying for a benefit under this subchapter meets
9 ~~that 5-consecutive-year~~ that residency requirement of 12 consecutive months, the
10 department may not require the person to reestablish that he or she meets ~~the~~
11 ~~5-consecutive-year~~ that residency requirement when he or she later applies for any
12 other benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

13 ~~*-0734/1.11*~~ SECTION 1453. 45.35 (5) (e) 8. of the statutes is amended to read:

14 45.35 (5) (e) 8. Persian Gulf war: Between August 1, 1990, and the ending date
15 of Operation Desert Shield or the ending date of Operation Desert Storm as
16 established by the department ~~of veterans affairs~~ by rule.

17 ~~*-0727/1.1*~~ SECTION 1454. 45.351 (1) of the statutes is amended to read:

18 45.351 (1) SUBSISTENCE GRANTS. The department may grant subsistence aid to
19 any incapacitated individual who is a veteran or to any a dependent of a veteran in
20 an amount that the department determines is advisable to prevent want or distress.
21 The department may grant subsistence aid under this subsection to an individual
22 whose incapacitation is the result of the individual's abuse of alcohol or other drugs.
23 The department may grant subsistence aid on a month-to-month basis or for a
24 3-month period. The department may grant subsistence aid for a 3-month period
25 if the veteran or dependent whose incapacity is the basis for the aid will be

SENATE BILL 55**SECTION 1454**

1 incapacitated for more than 3 months and if earned or unearned income or aid from
2 sources other than those listed in the application will not be available in the 3-month
3 period. Subsistence aid is limited to a maximum of 3 months in a 12-month period
4 unless the department determines that the need for subsistence aid in excess of this
5 maximum time period is caused by the aid recipient's relapse. The department may
6 submit a request to the joint committee on finance for supplemental funds from the
7 veterans trust fund to be credited to the appropriation account under s. 20.485 (2)
8 (vm) for subsistence grants to veterans. If the cochairpersons of the committee do
9 not notify the secretary of the department within 14 working days after the date of
10 the department's submittal that the committee intends to schedule a meeting to
11 review the request, the appropriation account shall be supplemented as provided in
12 the request. If, within 14 working days after the date of the department's submittal,
13 the 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 ***-0728/1.2* SECTION 1455.** 45.351 (1j) of the statutes is repealed.

17 ***-0728/1.3* SECTION 1456.** 45.351 (2m) of the statutes is created to read:

18 45.351 (2m) GRANTS FOR EYE AND DENTAL CARE. From the appropriation under
19 s. 20.485 (2) (vg), the department may award grants to eligible veterans or their
20 dependents for the costs of eyeglasses, contact lenses, hearing aids, and basic dental
21 care, including dentures. The department shall promulgate rules establishing
22 criteria and procedures for awarding grants under this subsection, including rules
23 that specify the financial eligibility requirements and application procedures.

24 ***-0722/1.1* SECTION 1457.** 45.353 (2) of the statutes is amended to read:

SENATE BILL 55**SECTION 1457**

1 45.353 (2) Upon application the department shall make a payment to any state
2 veterans organization that establishes that it, or its national organization, or both,
3 has maintained a full-time service office at the regional office for at least 5 of the 10
4 years preceding the date of application. The payment shall equal 25% of all salaries
5 and travel expenses under sub. (3) paid during the previous fiscal year by the state
6 veterans organization to employees engaged in veterans claims service and stationed
7 at the regional office, except that the sum paid to a state veterans organization
8 annually shall not be less than either \$2,500, or the amount of salaries and travel
9 expenses paid by the state veterans organization to employees stationed at the
10 regional office, whichever is less, nor more than ~~\$20,000~~ \$30,000.

11 *~~-0859/1.2~~* **SECTION 1458.** 45.353 (3m) of the statutes is created to read:

12 45.353 (3m) From the appropriation under s. 20.485 (2) (s), the department
13 shall annually provide a grant of \$100,000 to the Wisconsin department of the
14 Disabled American Veterans for the provision of transportation services to veterans.

15 *~~-0731/1.1~~* **SECTION 1459.** 45.356 (2) of the statutes is amended to read:

16 45.356 (2) The department may ~~lend~~ make a loan to a veteran, a veteran's
17 unmarried spouse, or a deceased veteran's child who meets the requirements of s.
18 45.35 (5m) (a) 2. ~~not more than \$15,000 or a lesser amount established by the~~
19 ~~department by rule~~ for the purchase of a mobile home, business, or business property,
20 the education of the veteran or his or her spouse or children, the payment of medical
21 or funeral expenses, the payment under sub. (6) (c), or the consolidation of debt. The
22 department shall determine the amount of each loan made under this subsection by
23 applying the criteria specified in rules promulgated under sub. (7) (bm), except that
24 no loan may exceed \$15,000. The department may prescribe loan conditions, but the
25 term of the loan may not exceed 10 years. The department shall ensure that the

SENATE BILL 55**SECTION 1459**

1 proceeds of any loan made under this section shall first be applied to pay any
2 delinquent child support or maintenance payments and to pay any past support,
3 medical expenses, or birth expenses.

4 ***-0731/1.2* SECTION 1460.** 45.356 (3) of the statutes is amended to read:

5 45.356 (3) The department may ~~lend not more than \$15,000 or a lesser amount~~
6 ~~established by the department by rule~~ make a loan to a veteran's remarried surviving
7 spouse or to the parent of a deceased veteran's child for the education of a child who
8 meets the requirements of s. 45.35 (5m) (a) 2. The department shall determine the
9 amount of each loan made under this subsection by applying the criteria specified
10 in rules promulgated under sub. (7) (bm), except that no loan may exceed \$15,000.

11 ***-0731/1.3* SECTION 1461.** 45.356 (7) (bm) of the statutes is created to read:

12 45.356 (7) (bm) Criteria for determining the amount of each loan made under
13 subs. (2) and (3).

14 ***-0725/2.3* SECTION 1462.** 45.37 (3) of the statutes is amended to read:

15 45.37 (3) EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS. A veteran who
16 was not a resident of this state at the time of enlistment or induction into service but
17 who is otherwise qualified for membership may be admitted if the veteran has been
18 a resident of this state for any consecutive ~~5-year~~ 12-month period after enlistment
19 or induction into service and before the date of his or her application. If a person
20 applying for a benefit under this subchapter meets ~~that 5-consecutive-year~~ the
21 residency requirement of 12 consecutive months, the department may not require
22 the person to reestablish that he or she meets ~~the 5-consecutive-year~~ that residency
23 requirement when he or she later applies for any other benefit under this chapter
24 that requires ~~a 5-consecutive-year~~ residency.

25 ***-0725/2.4* SECTION 1463.** 45.37 (6) (f) of the statutes is amended to read:

SENATE BILL 55**SECTION 1463**

1 45.37 (6) (f) Has been a resident of this state for the ~~5 years~~ 12 months
2 immediately preceding the date of application for membership.

3 *~~0725/2.5~~* **SECTION 1464.** 45.37 (7) (b) of the statutes is amended to read:

4 45.37 (7) (b) Has been a resident of this state for the ~~5 years next~~ 12 months
5 preceding the date of application for membership; and

6 *~~0724/2.6~~* **SECTION 1465.** 45.396 (1) (a) of the statutes is amended to read:

7 45.396 (1) (a) “Institution of higher education” has the meaning given in ~~20~~
8 ~~USC 1088 (a)~~ 20 USC 1001 (a).

9 *~~0724/2.7~~* **SECTION 1466.** 45.396 (2) of the statutes is amended to read:

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

SENATE BILL 55**SECTION 1466**

****NOTE: This is reconciled s. 45.396 (2). This SECTION has been affected by drafts with the following LRB numbers: -0724 and -0734. If LRB-0734 is not included in the budget bill, the reference to schools approved under s. 45.35 (9m) should be deleted.

1 ***-0724/2.8*** **SECTION 1467.** 45.396 (3) (intro.) of the statutes is amended to
2 read:

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

****NOTE: This is reconciled s. 45.396 (2) (intro.). This SECTION has been affected by drafts with the following LRB numbers: -0724 and -0734. If LRB-0734 is not included in the budget bill, the reference to schools approved under s. 45.35 (9m) should be deleted.

9 ***-0724/2.9*** **SECTION 1468.** 45.396 (5) of the statutes is amended to read:

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

16 ***-0724/2.10*** **SECTION 1469.** 45.396 (9) of the statutes is repealed.

17 ***-0906/1.1*** **SECTION 1470.** 45.397 (1) of the statutes is amended to read:

18 45.397 (1) **GRANT AMOUNT AND APPLICATION.** The department may grant a
19 veteran not more than \$3,000 for retraining to enable the veteran to obtain gainful
20 employment. The department shall determine the amount of the grant based on the
21 veteran's financial need. A veteran may apply for a grant to the county veterans'

SENATE BILL 55**SECTION 1470**

1 service officer of the county in which the veteran is living. The department may, on
2 behalf of a veteran who is engaged in a structured on-the-job training program and
3 who meets the requirements under sub. (2), pay a retraining grant under this
4 subsection to the veteran's employer.

5 *~~0734/1.12~~* **SECTION 1471.** 45.54 (2) of the statutes is amended to read:

6 45.54 (2) PURPOSE. The purpose of the board is to ~~approve schools and courses~~
7 ~~of instruction for the training of veterans of the armed forces and war orphans~~
8 ~~receiving assistance from the federal government,~~ protect the general public by
9 inspecting and approving private trade, correspondence, business, and technical
10 schools doing business within this state whether located within or outside this state,
11 changes of ownership or control of these schools, teaching locations used by these
12 schools, and courses of instruction offered by these schools and to regulate the
13 soliciting of students for correspondence or classroom courses and courses of
14 instruction offered by these schools.

15 *~~0734/1.13~~* **SECTION 1472.** 45.54 (6) of the statutes is renumbered 45.35 (9m),
16 and 45.35 (9m) (a), as renumbered, is amended to read:

17 45.35 (9m) (a) Except as provided in par. (b), the ~~board~~ department shall be the
18 state approval agency for the education and training of veterans and war orphans.
19 ~~It~~ The department shall approve and supervise schools and courses of instruction for
20 ~~their~~ the training of veterans and war orphans under Title 38, USC, and may enter
21 into and receive money under contracts with the U.S. department of veterans affairs
22 or other appropriate federal agencies.

23 *~~0725/2.6~~* **SECTION 1473.** 45.71 (16) (a) 2m. a. of the statutes is amended to
24 read:

SENATE BILL 55

SECTION 1473

1 45.71 (16) (a) 2m. a. Has been a resident of this state for any consecutive ~~5-year~~
2 12-month period after enlistment or induction into service and before the date of his
3 or her application or death. If a person applying for a benefit under this subchapter
4 meets ~~that 5-consecutive-year~~ the residency requirement of 12 consecutive months,
5 the department may not require the person to reestablish that he or she meets ~~the~~
6 ~~5-consecutive-year~~ that residency requirement when he or she applies for any other
7 benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

8 *~~0736/1.1~~* SECTION 1474. 45.76 (1) (c) of the statutes is amended to read:

9 45.76 (1) (c) *Home improvements.* A loan of not more than \$25,000 to improve
10 a home, including the construction of a garage or the removal or other alteration of
11 existing improvements that were made to improve the accessibility of a home for a
12 disabled individual.

13 *~~0726/5.4~~* SECTION 1475. 45.79 (3) (b) of the statutes is amended to read:

14 45.79 (3) (b) *Casualty insurance coverage.* Mortgages given to secure loans
15 under this section shall provide for adequate fire and extended coverage insurance.
16 Policies providing such insurance coverage shall name the authorized lender
17 involved or the department as an insured.

18 *~~0726/5.5~~* SECTION 1476. 45.79 (5) (a) 6. of the statutes is amended to read:

19 45.79 (5) (a) 6. Require borrowers to make monthly escrow payments to be held
20 by the authorized lender or the department for real estate taxes and casualty
21 insurance premiums ~~which.~~ The authorized lender or, if the department holds the
22 payments in escrow, the department shall be paid by the authorized lender where
23 due to the extent of the amounts owing thereon or to the extent escrowed, whichever
24 is less pay all of the amounts due for real estate taxes and casualty insurance
25 premiums, even if the amount held in escrow is insufficient to cover the amounts due.

SENATE BILL 55**SECTION 1476**

1 If the amount held in escrow is insufficient to cover the amounts due, the authorized
2 lender or, if the department holds the payments in escrow, the department shall
3 recover from the borrower, after paying the amounts due under this subdivision, an
4 amount equal to the difference between the amounts paid and the amount held in
5 escrow. If the amount held in escrow is more than the amounts due, the authorized
6 lender or, if the department holds the payments in escrow, the department shall
7 refund to the borrower, after paying the amounts due under this subdivision, an
8 amount equal to the difference between the amount held in escrow and the amounts
9 paid by the authorized lender or the department.

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

11 45.79 (5) (a) 10. Service loans made under this section and purchase from
12 authorized lenders the servicing rights for loans made by authorized lenders under
13 this section.

14 ***-0737/1.2* SECTION 1478.** 45.79 (5) (b) of the statutes is amended to read:

15 45.79 (5) (b) 1. ~~Persons~~ Veterans receiving loans under this section shall pay
16 at the time of closing an origination fee to the authorized lender participating in the
17 loan, except that the department shall pay, on behalf of a veteran who receives a loan
18 under this section and who has at least a 30% service connected disability rating for
19 purposes of 38 USC 1114 or 1134, the origination fee to the authorized lender. The
20 origination fee charged to ~~borrowers~~ under this section paragraph shall be
21 negotiated between the department and the authorized lender but may not exceed
22 that which the authorized lender would charge other borrowers in the ordinary
23 course of business under the same or similar circumstances.

24 ***-0726/5.7* SECTION 1479.** 45.79 (7) (a) (intro.) of the statutes is amended to

25 read:

SENATE BILL 55**SECTION 1479**

1 45.79 (7) (a) (intro.) There is created the veterans mortgage loan repayment
2 fund. All moneys received by the department for the repayment of loans funded
3 under sub. (6) (a) except for servicing fees required to be paid to authorized lenders,
4 net proceeds from the sale of mortgaged properties, any repayment to the
5 department of moneys paid to authorized lenders, gifts, grants, other
6 appropriations, and interest earnings accruing thereon, any repayment of moneys
7 borrowed under s. 45.356 (9) (a), all moneys received under sub. (5) (a) 6., and any
8 moneys deposited or transferred under s. 18.04 (6) (b) or (d) shall be promptly
9 deposited into the veterans mortgage loan repayment fund. The board shall
10 establish by resolution a system of accounts providing for the maintenance and
11 disbursement of moneys of the veterans mortgage loan repayment fund to fund loans
12 under sub. (6) (a) or to fund, refund, or acquire public debt as provided in s. 18.04 (5).
13 The system of accounts shall record and provide moneys for all of the following
14 purposes:

15 *~~0726/5.8~~* **SECTION 1480.** 45.79 (7) (a) 4. of the statutes is amended to read:

16 45.79 (7) (a) 4. Payment of all costs incurred by the department in processing
17 and servicing loans, purchasing servicing rights for loans under this section, and
18 accounting for and administering the program under this section, including a portion
19 of grants made to county veterans' service officers under s. 45.43 (7).

20 *~~0737/1.3~~* **SECTION 1481.** 45.79 (7) (a) 10. of the statutes is created to read:

21 45.79 (7) (a) 10. Payment of origination fees, on behalf of veterans who have
22 at least a 30% service connected disability rating for purposes of 38 USC 1114 or 1134,
23 to authorized lenders under sub. (5) (b).

24 *~~0726/5.9~~* **SECTION 1482.** 45.79 (7) (a) 11. of the statutes is created to read:

SENATE BILL 55**SECTION 1482**

1 45.79 (7) (a) 11. To make payments required of the department under sub. (5)
2 (a) 6.

3 *~~0426/4.1~~* **SECTION 1483.** 46.03 (34) of the statutes is amended to read:

4 46.03 (34) FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS. The
5 department shall acquire, without cost if possible, pamphlets that describe the
6 causes and effects of fetal alcohol syndrome and the dangers to a fetus of the mother's
7 use of cocaine or other drugs during pregnancy and shall distribute the pamphlets
8 free of charge to each county clerk in sufficient quantities so that each county clerk
9 may provide pamphlets to marriage license applicants under s. 765.12 (1) (a).

10 *~~1686/4.1~~* **SECTION 1484.** 46.031 (2r) (a) 3. of the statutes is amended to read:

11 46.031 (2r) (a) 3. Is for the treatment of alcoholics in treatment facilities which
12 have not been approved by the department in accordance with s. 51.45 (8) 51.04 (1)
13 or conditionally approved by the department in accordance with s. 51.04 (3).

14 *~~0263/2.1~~* **SECTION 1485.** 46.036 (5m) (a) 1. of the statutes is amended to
15 read:

16 46.036 (5m) (a) 1. "Provider" means a nonstock corporation organized under
17 ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), and that
18 contracts under this section to provide client services on the basis of a unit rate per
19 client service or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437
20 that contracts under this section to provide client services on the basis of a unit rate
21 per client service.

22 *~~0263/2.2~~* **SECTION 1486.** 46.036 (5m) (b) 1. of the statutes is amended to
23 read:

24 46.036 (5m) (b) 1. Subject to subd. 2. and pars. (e) and (em), if revenue under
25 a contract for the provision of a rate-based service exceeds allowable costs incurred

SENATE BILL 55**SECTION 1486**

1 in the contract period, the provider may retain from the surplus generated by that
2 rate-based service up to 5% of the revenue received under the contract. A provider
3 that retains a surplus under this subdivision shall use that retained surplus to cover
4 a deficit between revenue and allowable costs incurred in any preceding or future
5 contract period for the same rate-based service that generated the surplus or to
6 address the programmatic needs of clients served by the same rate-based service
7 that generated the surplus.

8 *~~0263/2.3~~* **SECTION 1487.** 46.036 (5m) (b) 2. of the statutes is amended to
9 read:

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

23 *~~0263/2.4~~* **SECTION 1488.** 46.036 (5m) (e) of the statutes is amended to read:

24 46.036 (5m) (e) Notwithstanding ~~this subsection~~ par. (b) 1. and 2., the
25 department or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437

SENATE BILL 55**SECTION 1488**

1 that purchases care and services from an inpatient alcohol and other drug abuse
2 treatment program that is not affiliated with a hospital and that is licensed as a
3 community-based residential facility, may allocate to the program an amount that
4 is equal to the amount of revenues received by the program that are in excess of the
5 allowable costs incurred in the period of a contract between the program and the
6 department or the county department for purchase of care and services under this
7 section. The department or the county department may make the allocation under
8 this paragraph only if the funds so allocated do not reduce any amount of
9 unencumbered state aid to the department or the county department that otherwise
10 would lapse to the general fund.

11 ***-0263/2.5* SECTION 1489.** 46.036 (5m) (em) of the statutes is created to read:

12 46.036 (5m) (em) Notwithstanding pars. (b) 1. and 2. and (e), a county
13 department under s. 46.215, 51.42, or 51.437 providing client services in a county
14 having a population of 500,000 or more or a nonstock, nonprofit corporation
15 providing client services in such a county may not retain a surplus under par. (b) 1.,
16 accumulate funds under par. (b) 2., or allocate an amount under par. (e) from
17 revenues that are used to meet the maintenance-of-effort requirement under the
18 federal temporary assistance for needy families program under 42 USC 601 to 619.

19 ***-0424/5.3* SECTION 1490.** 46.043 (2) of the statutes is amended to read:

20 46.043 (2) Services under this section may be provided only under contract
21 between the department and a county department under s. 46. 215, 46.22 or 46.23,
22 a school district or another public or private entity within the state to persons
23 referred from those entities, at the discretion of the department. The department
24 shall charge the referring entity all costs associated with providing the services.
25 Unless a referral is made, the department may not offer services under this section

SENATE BILL 55**SECTION 1490**

1 to the person who is to receive the services or his or her family. The department may
2 not impose a charge for services under this section upon the person receiving the
3 services or his or her family. The department shall credit any revenues received
4 under this section to the appropriation account under s. 20.435 (2) (~~gk~~) (g).

5 ***-0437/3.1* SECTION 1491.** 46.057 (2) of the statutes is amended to read:

6 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
7 department of corrections shall transfer to the appropriation account under s. 20.435
8 (2) (~~kx~~) ~~\$1,273,900~~ \$1,379,300 in fiscal year ~~1999-2000~~ 2001-02 and \$1,379,300 in
9 fiscal year ~~2000-01~~ 2002-03 and, from the appropriation account under s. 20.410 (3)
10 (hm), the department of corrections shall transfer to the appropriation account under
11 s. 20.435 (2) (~~kx~~) ~~\$2,489,300~~ \$2,694,400 in fiscal year ~~1999-2000~~ 2001-02 and
12 ~~\$2,489,900~~ \$2,947,200 in fiscal year ~~2000-01~~ 2002-03 for services for juveniles
13 placed at the Mendota juvenile treatment center. The department of health and
14 family services may charge the department of corrections not more than the actual
15 cost of providing those services.

16 ***-0424/5.4* SECTION 1492.** 46.10 (8m) (b) 2. of the statutes is amended to read:

17 46.10 (8m) (b) 2. Paragraph (a) 2. and 4. does not apply to services provided
18 under s. 51.06 (~~1~~) (1m) (d) that are billed under s. 51.437 (4rm) (c) 2m. and does not
19 apply to treatment and services provided under s. 51.42 (3) (aw) 1. d.

20 ***-0441/6.3* SECTION 1493.** 46.10 (14) (a) of the statutes is amended to read:

21 46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person
22 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons
23 under 18 years of age at community mental health centers, a county mental health
24 complex under s. 51.08, the centers for the developmentally disabled, Mendota
25 mental health institute, and Winnebago mental health institute or care and

SENATE BILL 55**SECTION 1493**

1 maintenance of persons under 18 years of age in residential, nonmedical facilities
2 such as group homes, foster homes, treatment foster homes, subsidized
3 guardianship homes, child caring institutions, and juvenile correctional institutions
4 is determined in accordance with the cost-based fee established under s. 46.03 (18).
5 The department shall bill the liable person up to any amount of liability not paid by
6 an insurer under s. 632.89 (2) or (2m) or by other 3rd party benefits, subject to rules
7 which include formulas governing ability to pay promulgated by the department
8 under s. 46.03 (18). Any liability of the patient not payable by any other person
9 terminates when the patient reaches age 18, unless the liable person has prevented
10 payment by any act or omission.

11 ***-0441/6.4* SECTION 1494.** 46.10 (14) (b) of the statutes is amended to read:

12 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
13 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
14 parent's minor child who has been placed by a court order under s. 48.355 or 48.357
15 in a residential, nonmedical facility such as a group home, foster home, treatment
16 foster home, subsidized guardianship home, or child caring institution shall be
17 determined by the court by using the percentage standard established by the
18 department of workforce development under s. 49.22 (9) and by applying the
19 percentage standard in the manner established by the department under s. 46.247.

20 ***-1939/5.9* SECTION 1495.** 46.22 (1) (d) of the statutes is repealed.

21 ***-1939/5.10* SECTION 1496.** 46.22 (2) (b) of the statutes is amended to read:

22 46.22 (2) (b) Appoint the county social services director under sub. (3) subject
23 to s. 49.33 (4) to (7) and the rules promulgated thereunder and subject to the approval
24 of the county board of supervisors in a county with a single-county department of

SENATE BILL 55**SECTION 1496**

1 social services or the county boards of supervisors in counties with a multicounty
2 department of social services.

3 *~~1939/5.11~~* **SECTION 1497.** 46.22 (3m) (a) of the statutes is amended to read:

4 46.22 (3m) (a) In any county with a county executive or a county administrator
5 which has established a single-county department of social services, the county
6 executive or county administrator, ~~subject to s. 49.33 (4) to (7) and the rules~~
7 ~~promulgated thereunder~~, shall appoint and supervise the county social services
8 director. The appointment is subject to the confirmation of the county board of
9 supervisors unless the county board of supervisors, by ordinance, elects to waive
10 confirmation or unless the appointment is made under a civil service system
11 competitive examination procedure established under s. 59.52 (8) or ch. 63.

12 *~~0441/6.5~~* **SECTION 1498.** 46.261 (1) (a) of the statutes is amended to read:

13 46.261 (1) (a) The child is living in a foster home or treatment foster home
14 licensed under s. 48.62 if a license is required under that section, in a foster home
15 or treatment foster home located within the boundaries of a federally recognized
16 American Indian reservation in this state and licensed by the tribal governing body
17 of the reservation, in a group home licensed under s. 48.625, in a subsidized
18 guardianship home under s. 48.62 (5), or in a child caring institution licensed under
19 s. 48.60, and has been placed in the foster home, treatment foster home, group home,
20 subsidized guardianship home, or institution by a county department under s.
21 46.215, 46.22, or 46.23, by the department, or by a federally recognized American
22 Indian tribal governing body in this state under an agreement with a county
23 department under s. 46.215, 46.22, or 46.23.

24 *~~0441/6.6~~* **SECTION 1499.** 46.261 (2) (a) 1. of the statutes is amended to read:

SENATE BILL 55**SECTION 1499**

1 46.261 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
2 home or treatment foster home having a license under s. 48.62, in a foster home or
3 treatment foster home located within the boundaries of a federally recognized
4 American Indian reservation in this state and licensed by the tribal governing body
5 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian
6 under s. 48.62 (5) who cares for the dependent child, or a minor custodial parent who
7 cares for the dependent child, regardless of the cause or prospective period of
8 dependency. The state shall reimburse counties pursuant to the procedure under s.
9 46.495 (2) and the percentage rate of participation set forth in s. 46.495 (1) (d) for aid
10 granted under this section except that if the child does not have legal settlement in
11 the granting county, state reimbursement shall be at 100%. The county department
12 under s. 46.215 or 46.22 or the department under s. 48.48 (17) shall determine the
13 legal settlement of the child. A child under one year of age shall be eligible for aid
14 under this subsection irrespective of any other residence requirement for eligibility
15 within this section.

16 *~~0441/6.7~~* **SECTION 1500.** 46.261 (2) (a) 3. of the statutes is amended to read:

17 46.261 (2) (a) 3. A county or, in a county having a population of 500,000 or more,
18 the department, when the child is placed in a licensed foster home, treatment foster
19 home, group home, or child caring institution or in a subsidized guardianship home
20 by a licensed child welfare agency or by a federally recognized American Indian tribal
21 governing body in this state or by its designee, if the child is in the legal custody of
22 the county department under s. 46.215, 46.22, or 46.23 or the department under s.
23 48.48 (17) or if the child was removed from the home of a relative, as defined under
24 s. 48.02 (15), as a result of a judicial determination that continuance in the home of

SENATE BILL 55**SECTION 1500**

1 the relative would be contrary to the child's welfare for any reason and the placement
2 is made pursuant to an agreement with the county department or the department.

3 ***-0441/6.8* SECTION 1501.** 46.261 (2) (a) 4. of the statutes is amended to read:

4 46.261 (2) (a) 4. A licensed foster home, treatment foster home, group home,
5 or child caring institution or a subsidized guardianship home when the child is in the
6 custody or guardianship of the state, when the child is a ward of an American Indian
7 tribal court in this state and the placement is made under an agreement between the
8 department and the tribal governing body, or when the child was part of the state's
9 direct service case load and was removed from the home of a relative, as defined
10 under s. 48.02 (15), as a result of a judicial determination that continuance in the
11 home of a relative would be contrary to the child's welfare for any reason and the child
12 is placed by the department.

13 ***-0441/6.9* SECTION 1502.** 46.261 (2) (b) of the statutes is amended to read:

14 46.261 (2) (b) Notwithstanding par. (a), aid under this section may not be
15 granted for placement of a child in a foster home or treatment foster home licensed
16 by a federally recognized American Indian tribal governing body, for placement of a
17 child in a foster home, treatment foster home, group home, subsidized guardianship
18 home, or child caring institution by a tribal governing body or its designee, or for the
19 placement of a child who is a ward of a tribal court if the tribal governing body is
20 receiving or is eligible to receive funds from the federal government for that type of
21 placement ~~or for placement of a child in a group home licensed under s. 48.625.~~

22 ***-1627/4.5* SECTION 1503.** 46.27 (9) (a) of the statutes is amended to read:

23 46.27 (9) (a) The department may select up to 5 counties that volunteer to
24 participate in a pilot project under which they will receive certain funds allocated for
25 long-term care. The department shall allocate a level of funds to these counties

SENATE BILL 55**SECTION 1503**

1 equal to the amount that would otherwise be paid under s. 20.435 (4) (b) or (w) to
2 nursing homes for providing care because of increased utilization of nursing home
3 services, as estimated by the department. In estimating these levels, the department
4 shall exclude any increased utilization of services provided by state centers for the
5 developmentally disabled. The department shall calculate these amounts on a
6 calendar year basis under sub. (10).

7 ***-1627/4.6* SECTION 1504.** 46.27 (10) (a) 1. of the statutes is amended to read:

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

13 ***-0427/1.1* SECTION 1505.** 46.27 (11) (c) 6. a. of the statutes is amended to
14 read:

15 46.27 (11) (c) 6. a. The department approves the provision of services in a
16 ~~community-based residential facility or group home that has 5 to 8 beds~~ or in a
17 community-based residential facility that has 5 to 20 beds.

18 ***-1627/4.7* SECTION 1506.** 46.275 (5) (a) of the statutes is amended to read:

19 46.275 (5) (a) Medical assistance reimbursement for services a county, or the
20 department under sub. (3r), provides under this program is available from the
21 appropriations under s. 20.435 (4) (b) ~~and, (o), and (w).~~ and (w). If 2 or more counties jointly
22 contract to provide services under this program and the department approves the
23 contract, medical assistance reimbursement is also available for services provided
24 jointly by these counties.

25 ***-1627/4.8* SECTION 1507.** 46.275 (5) (c) of the statutes is amended to read:

SENATE BILL 55**SECTION 1507**

1 46.275 (5) (c) The total allocation under s. 20.435 (4) (b) ~~and, (o), and (w)~~ to
2 counties and to the department under sub. (3r) for services provided under this
3 section may not exceed the amount approved by the federal department of health and
4 human services. A county may use funds received under this section only to provide
5 services to persons who meet the requirements under sub. (4) and may not use
6 unexpended funds received under this section to serve other developmentally
7 disabled persons residing in the county.

8 *~~0427/1.2~~* **SECTION 1508.** 46.277 (5) (d) 2. a. of the statutes is amended to
9 read:

10 46.277 (5) (d) 2. a. The department approves the provision of services in a
11 ~~community-based residential facility or group home that has 5 to 8 beds or in a~~
12 community-based residential facility that has 5 to 20 beds.

13 *~~1627/4.9~~* **SECTION 1509.** 46.278 (6) (d) of the statutes is amended to read:

14 46.278 (6) (d) If a county makes available nonfederal funds equal to the state
15 share of service costs under the waiver received under sub. (3), the department may,
16 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services
17 that the county provides under this section to persons who are in addition to those
18 who may be served under this section with funds from the appropriation under s.
19 20.435 (4) (b) or (w).

20 *~~0205/3.1~~* **SECTION 1510.** 46.2805 (6m) of the statutes is created to read:

21 46.2805 (6m) “Family member” has the meaning given in s. 157.061 (7).

22 *~~0205/3.2~~* **SECTION 1511.** 46.2805 (7) of the statutes is amended to read:

23 46.2805 (7) ~~“Functional and financial screen~~ Financial eligibility and
24 cost-sharing screening” means ~~a screen~~ the use of a uniform screening tool
25 prescribed by the department that is used to determine functional eligibility under

SENATE BILL 55**SECTION 1511**

1 ~~s. 46.286 (1) (a) and financial eligibility under s. 46.286 (1) (b) and cost-sharing~~
2 ~~under s. 46.286 (2).~~

3 ***-0205/3.3* SECTION 1512.** 46.2805 (7g) of the statutes is created to read:

4 46.2805 (7g) “Functional screening” means the use of a uniform screening tool
5 prescribed by the department to determine functional eligibility under s. 46.286 (1)
6 (a) and (1m).

7 ***-0203/2.1* SECTION 1513.** 46.281 (3) of the statutes is renumbered 46.281 (3)
8 (intro.) and amended to read:

9 46.281 (3) DUTY OF THE SECRETARY. (intro.) The secretary shall ~~certify~~ do all of
10 the following:

11 (a) Certify to each county, hospital, nursing home, community-based
12 residential facility, adult family home, and residential care apartment complex the
13 date on which a resource center that serves the area of the county, hospital, nursing
14 home, community-based residential facility, adult family home, or residential care
15 apartment complex is first available to provide a functional screening and financial
16 ~~screen~~ eligibility and cost-sharing screening. To facilitate phase-in of services of
17 resource centers, the secretary may certify that the resource center is available for
18 specified groups of eligible individuals or for specified facilities in the county.

****NOTE: This is reconciled s. 46.281 (3) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0203/1 and LRB-0205/2.

19 ***-0203/2.2* SECTION 1514.** 46.281 (3) (b) of the statutes is created to read:

20 46.281 (3) (b) Review the list of proposed initial members of a family care
21 district board under s. 46.2895 (1) (a) 2. b. and the recommendations of the local
22 long-term care council under s. 46.2895 (1) (a) 2. c. and approve or disapprove the
23 proposed membership.

SENATE BILL 55**SECTION 1515**

1 *–0203/2.3* **SECTION 1515.** 46.281 (3) (c) of the statutes is created to read:

2 46.281 (3) (c) Review and approve or disapprove the creation by a county board
3 of supervisors of a family care district under s. 46.2895 (1) (a).

4 *–0205/3.4* **SECTION 1516.** 46.282 (2) (a) 2. of the statutes is amended to read:

5 46.282 (2) (a) 2. A county board of supervisors or, in a county with a county
6 executive or a county administrator, the county executive or county administrator
7 shall appoint members of the local long–term care council who are required to be
8 older persons or persons with physical or developmental disabilities or their
9 immediate family members or other representatives from nominations that are
10 submitted to the county board of supervisors or the county executive or county
11 administrator by older persons or persons with physical or developmental
12 disabilities or their immediate family members or other representatives and by local
13 organizations that represent older persons or persons with physical or
14 developmental disabilities.

15 *–0205/3.5* **SECTION 1517.** 46.282 (2) (b) 1. of the statutes is amended to read:

16 46.282 (2) (b) 1. A local long–term care council that serves a single–county area
17 shall consist of 17 members, at least 9 of whom are older persons or persons with
18 physical or developmental disabilities or their immediate family members or other
19 representatives. The age or disability represented by these 9 members shall
20 correspond to the proportion of numbers of persons, as determined by the
21 department, receiving long–term care in this state who are aged 65 or older or have
22 a physical or developmental disability. The total remaining 8 members shall consist
23 of providers of long–term care services, persons residing in the county with
24 recognized ability and demonstrated interest in long–term care and up to 3 members
25 of the county board of supervisors or other elected officials.

SENATE BILL 55

1 ***-0205/3.6*** SECTION 1518. 46.282 (2) (b) 2. (intro.) of the statutes is amended
2 to read:

3 46.282 (2) (b) 2. (intro.) A local long-term care council that serves an area of
4 2 or more contiguous counties shall consist of 23 members, at least 12 of whom are
5 older persons or persons with physical or developmental disabilities or their
6 immediate family members or other representatives. The age or disability
7 represented by these 12 members shall correspond to the proportion of numbers of
8 persons, as determined by the department, receiving long-term care in this state
9 who are aged 65 or older or have a physical or developmental disability. The total
10 remaining 11 members shall consist of all of the following:

11 ***-0203/2.4*** SECTION 1519. 46.282 (3) (a) 1. b. of the statutes is amended to
12 read:

13 46.282 (3) (a) 1. b. Whether the county should create a family care district to
14 operate a resource center or under a care management organization.

15 ***-0203/2.5*** SECTION 1520. 46.282 (3) (a) 1m. of the statutes is created to read:

16 46.282 (3) (a) 1m. Review the list of proposed initial members of the family care
17 district board under s. 46.2895 (1) (a) 2. b. and recommend to the secretary approval
18 or disapproval of the proposed membership.

19 ***-0200/2.1*** SECTION 1521. 46.282 (3) (a) 16. of the statutes is created to read:

20 46.282 (3) (a) 16. Review a tentative plan under s. 46.283 (4) (j) and provide to
21 a resource center any nonbinding recommendations for ensuring cooperation and
22 coordination between the resource center and hospitals serving the geographic area
23 served by the resource center.

24 ***-0205/3.7*** SECTION 1522. 46.283 (3m) (intro.) of the statutes is created to
25 read:

SENATE BILL 55**SECTION 1522**

1 46.283 (3m) SPECIAL OUTREACH. The department shall assure that all of the
2 following are available for persons within the area of a resource center:

3 *~~0205/3.8~~* **SECTION 1523.** 46.283 (4) (e) of the statutes is renumbered 46.283
4 (3m) (a) and amended to read:

5 46.283 (3m) (a) Within 6 months after the family care benefit is available to
6 all eligible persons in the area of the resource center, ~~provide~~ provide provision of information
7 about the services of the resource center, including the services specified in sub. (3)
8 (d), about assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c)
9 and about the family care benefit to ~~all older persons and persons with a physical~~
10 ~~disability~~ who are residents of nursing homes, community-based residential
11 facilities, adult family homes and residential care apartment complexes in the area
12 of the resource center ~~and are members of a target population served by a care~~
13 management organization that operates in the county.

14 *~~0205/3.9~~* **SECTION 1524.** 46.283 (4) (f) of the statutes is renumbered 46.283
15 (3m) (b) and amended to read:

16 46.283 (3m) (b) ~~Provide~~ Provide Provision of a functional screening and ~~financial~~
17 ~~screen a financial eligibility and cost-sharing screening~~ to any resident, as specified
18 in par. (e) (a), who requests a ~~screen~~ screening, and ~~assist~~ assistance in enrolling in
19 a care management organization to any such resident who is eligible and chooses to
20 ~~enroll in a care management organization to do so.~~

21 *~~0205/3.10~~* **SECTION 1525.** 46.283 (4) (g) of the statutes is renumbered 46.283
22 (3m) (c) and amended to read:

23 46.283 (3m) (c) ~~Provide a functional and financial screen~~ The offer to provide
24 and, if the offer is accepted, the provision of a functional screening and a financial
25 eligibility and cost-sharing screening to any person seeking admission to a nursing

SENATE BILL 55**SECTION 1525**

1 home, community-based residential facility, residential care apartment complex or
2 adult family home if the secretary has certified that the resource center is available
3 to the person and the facility and the person is determined by the resource center to
4 have a condition that is expected to last at least 90 days that would require care,
5 assistance or supervision. ~~A resource center~~ The department may not require a
6 financial ~~screen~~ eligibility and cost-sharing screening for a person seeking
7 admission or about to be admitted on a private pay basis who waives the requirement
8 for a financial ~~screen~~ eligibility and cost-sharing screening under this paragraph,
9 unless the person is expected to become eligible for medical assistance within 6
10 months. ~~A resource center~~ The department need not provide a functional ~~screen~~
11 screening for a person seeking admission or about to be admitted who has received
12 a ~~screen~~ screening for functional eligibility under s. 46.286 (1) (a) within the previous
13 6 months.

14 ***-0205/3.11* SECTION 1526.** 46.283 (4) (h) of the statutes is renumbered 46.283
15 (3m) (d) and amended to read:

16 46.283 (3m) (d) ~~Provide~~ The provision of access to services under s. 46.90 and
17 ch. 55 to a person who is eligible for the services, through cooperation with the county
18 agency or agencies that provide the services.

19 ***-0200/2.2* SECTION 1527.** 46.283 (4) (j) of the statutes is created to read:

20 46.283 (4) (j) Annually develop a tentative plan for coordinating appropriate
21 referrals of individuals who are discharged from hospitals serving the geographic
22 area served by the resource center and who are likely to be eligible for and to benefit
23 from the family care benefit. After considering any recommendations of the local
24 long-term care council under s. 46.282 (3) (a) 16. and in cooperation with those
25 hospitals, develop in final form and implement the plan.

SENATE BILL 55**SECTION 1528**

1 ***-1627/4.10*** **SECTION 1528.** 46.283 (5) of the statutes is amended to read:

2 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
3 (bm) ~~and~~, (pa), and (w) and (7) (b), (bd), and (md), the department may contract with
4 organizations that meet standards under sub. (3) for performance of the duties under
5 sub. (4) and shall distribute funds for services provided by resource centers.

6 ***-0205/3.12*** **SECTION 1529.** 46.284 (2) (b) (intro.) of the statutes is amended
7 to read:

8 46.284 (2) (b) (intro.) Within each county, the department shall initially
9 contract to operate a care management organization with the county or a family care
10 district if the county elects to operate, or creates a family care district to operate, a
11 care management organization and the care management organization meets the
12 requirements of sub. (3) and performance standards prescribed by the department.
13 A county or family care district that contracts under this paragraph may operate the
14 care management organization for all of the target groups or for a selected group or
15 groups. With respect to contracts exclusively with counties or family care districts
16 to operate a care management organization, all of the following apply:

17 ***-0205/3.13*** **SECTION 1530.** 46.284 (2) (b) 1. (intro.) of the statutes is amended
18 to read:

19 46.284 (2) (b) 1. (intro.) Before January 1, 2003, the department may not
20 contract with an organization other than the county or a family care district to
21 operate a care management organization in the county unless any of the following
22 applies:

23 ***-0205/3.14*** **SECTION 1531.** 46.284 (2) (b) 1. a. of the statutes is amended to
24 read:

SENATE BILL 55**SECTION 1531**

1 46.284 (2) (b) 1. a. The county or any family care district in the county that is
2 contracted to operate a care management organization and the local long-term care
3 council agree in writing that at least one additional care management organization
4 is necessary or desirable.

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

6 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g) ~~and,~~
7 (im), (o), and (w) and (7) (b) and (bd), the department shall provide funding on a
8 capitated payment basis for the provision of services under this section.
9 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
10 under contract with the department may expend the funds, consistent with this
11 section, including providing payment, on a capitated basis, to providers of services
12 under the family care benefit.

 ****Note: This is reconciled s. 46.284 (5) (a). This SECTION has been affected by
 drafts with the following LRB numbers: LRB-0201/1 and LRB-1627/3.

13 ***-0205/3.15*** SECTION 1533. 46.285 (1) (intro.) of the statutes is amended to
14 read:

15 46.285 (1) (intro.) In order to meet state and federal requirements and assure
16 federal financial participation in funding of the family care benefit, a county, a tribe
17 or band, a family care district or an organization, including a private, nonprofit
18 corporation, may not directly operate both a resource center and a care management
19 organization, except as follows:

20 ***-0196/2.1*** SECTION 1534. 46.286 (1) (a) 2. (intro.) of the statutes is amended
21 to read:

22 46.286 (1) (a) 2. (intro.) The person has a condition that is expected to last at
23 least 90 days or result in death within 12 months after the date of application but that

SENATE BILL 55**SECTION 1534**

1 does not meet the level specified under subd. 1. a. or b.; the person first applies for
2 eligibility for the family care benefit within 36 months after the date on which the
3 family care benefit is initially available in the person's county residence; and, on the
4 date that the family care benefit became available in the person's county of residence,
5 the person was a resident in a nursing home or had been receiving for at least 60 days,
6 under a written plan of care, long-term care services, as specified by the department,
7 that were funded under any of the following:

8 ***-0196/2.2* SECTION 1535.** 46.286 (1m) of the statutes is amended to read:

9 46.286 (1m) ELIGIBILITY EXCEPTION. A person whose primary disabling
10 condition is developmental disability is eligible for the family care benefit if the
11 person is a resident of a county or is a member of a tribe or band that has operated,
12 before July 1, 2001 ~~2003~~, a care management organization under s. 46.281 (1) (d), is
13 at least 18 years of age and meets all other eligibility criteria under this subsection
14 sub. (1) (a) and (b).

15 ***-0196/2.3* SECTION 1536.** 46.286 (3) (a) (intro.) of the statutes is amended to
16 read:

17 46.286 (3) (a) (intro.) Subject to pars. (c) and (d), a person is entitled to and may
18 receive the family care benefit through enrollment in a care management
19 organization if, except as provided in subd. 5., he or she meets the requirements of
20 sub. (1) (intro.) is at least 18 years of age, has a physical disability, as defined in s.
21 15.197 (4) (a) 2., or infirmities of aging, as defined in s. 55.01 (3), is financially
22 eligible, fulfills any applicable cost-sharing requirements and meets any of the
23 following criteria:

24 ***-0196/2.4* SECTION 1537.** 46.286 (3) (a) 6. of the statutes is created to read:

SENATE BILL 55**SECTION 1537**

1 46.286 (3) (a) 6. Is functionally eligible at the intermediate level and meets all
2 of the following criteria:

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

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

10 ***-0198/2.1*** **SECTION 1538.** 46.286 (3) (d) of the statutes is amended to read:

11 46.286 (3) (d) The department shall determine the date, which shall not be later
12 than ~~July 1, 2000~~ January 1, 2004, on which par. (a) shall first apply to persons who
13 are not eligible for medical assistance under ch. 49. Before the date determined by
14 the department, persons who are not eligible for medical assistance may receive the
15 family care benefit within the limits of state funds appropriated for this purpose and
16 available federal funds.

17 ***-0465/3.1*** **SECTION 1539.** 46.286 (7) of the statutes is amended to read:

18 46.286 (7) **RECOVERY OF FAMILY CARE BENEFIT PAYMENTS; RULES.** The department
19 shall promulgate rules relating to the recovery from persons who receive the family
20 care benefit, including by liens and from estates, of correctly and incorrectly paid
21 family care benefits, that are substantially similar to applicable provisions under ss.
22 49.496 and 49.497. This subsection does not apply to the recovery of a family care
23 benefit that is provided under medical assistance and is recoverable under s. 49.496
24 (3).

SENATE BILL 55**SECTION 1540**

1 ***-0202/P1.1*** **SECTION 1540.** 46.287 (2) (a) 1. (intro.) of the statutes is amended
2 to read:

3 46.287 (2) (a) 1. (intro.) Except as provided in subd. 2., a client may contest any
4 of the following applicable matters by filing, within 45 days of the failure of a resource
5 ~~center or care management organization to act on the contested matter within the~~
6 ~~time frames specified by rule by the department or within 45 days after receipt of~~
7 ~~notice of a decision in a contested matter~~ after the effective date of the matter, a
8 written request for a hearing under s. 227.44 to the division of hearings and appeals
9 created under s. 15.103 (1):

10 ***-0205/3.16*** **SECTION 1541.** 46.287 (2) (a) 1. f. of the statutes is amended to
11 read:

12 46.287 (2) (a) 1. f. Development of a plan of care that is unacceptable because
13 the plan of care requires the enrollee to live in a place type of residence that is
14 unacceptable to the enrollee or the plan of care provides care, treatment or support
15 items that are insufficient to meet the enrollee's needs, are unnecessarily restrictive
16 or are unwanted by the enrollee.

17 ***-0202/P1.2*** **SECTION 1542.** 46.287 (2) (a) 1. k. of the statutes is repealed.

18 ***-0205/3.17*** **SECTION 1543.** 46.287 (2) (c) of the statutes is amended to read:

19 46.287 (2) (c) Information regarding the availability of advocacy services and
20 notice of adverse actions taken and appeal rights shall be provided to a client by the
21 resource center or care management organization in a form and manner that is
22 prescribed by the department by rule or by contract.

23 ***-0203/2.6*** **SECTION 1544.** 46.2895 (1) (a) (intro.) of the statutes is amended
24 to read:

SENATE BILL 55

1 46.2895 (1) (a) (intro.) After considering recommendations of the local
2 long-term care council under s. 46.282 (3) (a) 1., and with approval of the secretary,
3 a county board of supervisors may create a special purpose district that is termed a
4 “family care district”, that is a local unit of government, that is separate and distinct
5 from, and independent of, the state and the county, and that has the powers and
6 duties specified in this section, if the county board does all of the following:

7 ***-0203/2.7*** SECTION 1545. 46.2895 (1) (a) 2. of the statutes is renumbered
8 46.2895 (1) (a) 2. (intro.) and amended to read:

9 46.2895 (1) (a) 2. (intro.) ~~Files copies of the enabling resolution~~ with the
10 secretary of administration, the secretary of health and family services, and the
11 secretary of revenue. copies of all of the following:

12 ***-0203/2.8*** SECTION 1546. 46.2895 (1) (a) 2. a. to c. of the statutes are created
13 to read:

14 46.2895 (1) (a) 2. a. The enabling resolution under subd. 1.

15 b. A list of the names and addresses of the proposed initial members of the
16 family care district board under sub. (3).

17 c. Recommendations of the local long-term care council under s. 46.282 (3) (a)
18 1m.

19 ***-0203/2.9*** SECTION 1547. 46.2895 (1) (b) of the statutes is amended to read:

20 46.2895 (1) (b) The county boards of supervisors of 2 or more counties may
21 together, with the approval of the secretary, create a family care district with the
22 attributes specified in par. (a) (intro.) on a multicounty basis within the counties if
23 the county boards of supervisors comply with the requirements of par. (a) 1. and 2.

24 ***-0203/2.10*** SECTION 1548. 46.2895 (3) (a) 1. of the statutes is amended to
25 read:

SENATE BILL 55**SECTION 1548**

1 46.2895 (3) (a) 1. The county board of supervisors of a county or, in a county
2 with a county administrator or county executive, the county administrator or county
3 executive shall with the approval of the secretary, appoint the initial members of the
4 family care district board, which is the governing board of a family care district under
5 sub. (1) (a).

6 ***-0203/2.11*** SECTION 1549. 46.2895 (3) (a) 2. of the statutes is amended to
7 read:

8 46.2895 (3) (a) 2. The county boards of supervisors of 2 or more counties shall,
9 with the approval of the secretary, appoint the initial members of the family care
10 district board, which is the governing board of the family care district under sub. (1)
11 (b). Each county board shall appoint members in the same proportion that the
12 county's population represents to the total population of all of the counties that
13 constitute the jurisdiction of the family care district.

14 ***-0203/2.12*** SECTION 1550. 46.2895 (3) (b) 3. of the statutes is amended to
15 read:

16 46.2895 (3) (b) 3. Membership of the family care district board under subd. 1.
17 or 2. shall reflect the ethnic and economic diversity of the area of jurisdiction of the
18 family care district. ~~Up to~~ Less than one-fourth of the members of the board may
19 be elected or appointed officials or employees of the county or counties that created
20 the family care district. No member of the board may have a private financial
21 interest in or profit directly or indirectly from any contract or other business of the
22 family care district.

23 ***-0203/2.13*** SECTION 1551. 46.2895 (3) (c) of the statutes is amended to read:

24 46.2895 (3) (c) The initial members of the family care district board appointed
25 under par. (a) shall serve 3-year terms. No member may serve more than 2

SENATE BILL 55**SECTION 1551**

1 consecutive terms. Of the members first appointed, 5 shall be appointed for ~~3~~ years
2 one year; 5 shall be appointed for ~~4~~ 2 years; and 5 or, in the case of a board appointed
3 under par. (b) 2., the remainder, shall be appointed for ~~5~~ 3 years. A member shall
4 serve until his or her successor is appointed, unless removed for cause under s. 17.13.

5 ***-0203/2.14* SECTION 1552.** 46.2895 (3) (e) of the statutes is created to read:

6 46.2895 (3) (e) The family care district board shall appoint a successor to a
7 member of the family care district board, including an initial member appointed
8 under par. (a), when a member's term expires or if a member is removed for cause
9 under s. 17.13.

10 ***-1712/2.1* SECTION 1553.** 46.29 (1) (f) of the statutes is renumbered 46.29 (2)
11 (d) and amended to read:

12 46.29 (2) (d) Submit annually to the chief clerk of each house of the legislature,
13 for distribution to the legislature under s. 13.172 (2), a report concerning the council's
14 recommendations under ~~par. sub. (1)~~ (c).

15 ***-0442/6.2* SECTION 1554.** 46.40 (2) of the statutes is amended to read:

16 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
17 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
18 more than \$284,978,800 \$245,706,500 for fiscal year ~~1999-2000~~ 2001-02 and
19 ~~\$285,511,800~~ \$245,706,500 for fiscal year ~~2000-01~~ 2002-03.

****NOTE: This is reconciled s. 46.40 (2). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0442/5 and LRB-0443/2.

20 ***-0442/6.3* SECTION 1555.** 46.40 (2m) (a) of the statutes is amended to read:

21 46.40 (2m) (a) *Prevention and treatment of substance abuse.* For prevention
22 and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the

SENATE BILL 55**SECTION 1555**

1 department shall distribute not more than ~~\$11,318,700~~ \$9,735,700 in each fiscal
2 year.

3 ***-0443/3.1* SECTION 1556.** 46.40 (8) of the statutes is amended to read:

4 46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. Subject to
5 sub. (9), for services to persons with Alzheimer's disease and their caregivers under
6 s. 46.87, the department shall distribute not more than ~~\$1,993,400 for fiscal year~~
7 ~~1999–2000 and \$2,226,300 for fiscal year 2000–01~~ \$2,342,800 in each fiscal year.

8 ***-0439/3.2* SECTION 1557.** 46.45 (2) (a) of the statutes, as affected by 1999
9 Wisconsin Act 9, is amended to read:

10 46.45 (2) (a) If on December 31 of any year there remains unspent or
11 unencumbered in the allocation under s. 46.40 (2) an amount that exceeds the
12 amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in that
13 year, the department shall carry forward the excess moneys and distribute not less
14 than 50% of the excess moneys to counties having a population of less than 500,000
15 that are making a good faith effort, as determined by the department, to comply with
16 s. 46.22 (1) (c) 8. f. for services and projects to assist children and families,
17 notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not
18 less than 50% of the moneys distributed to the county under this subsection for
19 services for children who are at risk of abuse or neglect to prevent the need for child
20 abuse and neglect intervention services, except that in the calendar year in which
21 a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2 calendar years after
22 that calendar year the county may use 100% of the moneys distributed under this
23 paragraph to reimburse the department for the costs of achieving that compliance.

24 If a county does not comply with s. 46.22 (1) (c) 8. f. before July 1, 2005, the
25 department may recover any amounts distributed to that county under this

SENATE BILL 55

1 paragraph after June 30, 2001, by billing the county or deducting from that county's
2 allocation under s. 46.40 (2). All moneys received by the department under this
3 paragraph shall be credited to the appropriation account under s. 20.435 (3) (j).

4 ***-0310/1.2* SECTION 1558.** 46.48 (10) of the statutes is repealed.

5 ***-1709/4.2* SECTION 1559.** 46.48 (30) (a) of the statutes is amended to read:

6 46.48 (30) (a) From the appropriation under s. 20.435 (7) (bc), the department
7 shall distribute grants on a competitive basis to county departments of social services
8 and to private nonprofit organizations, as defined in s. 103.21 (2), for the provision
9 of alcohol and other drug abuse treatment services ~~in counties with a population of~~
10 ~~500,000 or more.~~ Grants distributed under this subsection may be used only to
11 provide treatment for alcohol and other drug abuse to individuals who are eligible
12 for federal temporary assistance for needy families under 42 USC 601 et. seq. and
13 who have a family income of not more than 200% of the poverty line, as defined in
14 s. 49.001 (5).

15 ***-0441/6.10* SECTION 1560.** 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, or subsidized guardianship care of
19 a child on whose behalf aid is received under s. 46.261, to county departments under
20 ss. 46.215, 46.22, and 46.23 as provided under s. 46.40. County matching funds are
21 required for the distributions under s. 46.40 (2), (8), and (9) (b). Each county's
22 required match for the distributions under s. 46.40 (2) and (8) for a year equals 9.89%
23 of the total of the county's distributions under s. 46.40 (2) and (8) for that year for
24 which matching funds are required plus the amount the county was required by s.
25 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its

SENATE BILL 55**SECTION 1560**

1 distribution for 1987. Each county's required match for the distribution under s.
2 46.40 (9) (b) for a year equals 9.89% of that county's amounts described in s. 46.40
3 (9) (a) (intro.) for that year. Matching funds may be from county tax levies, federal
4 and state revenue sharing funds, or private donations to the county that meet the
5 requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the
6 total county match. If the county match is less than the amount required to generate
7 the full amount of state and federal funds distributed for this period, the decrease
8 in the amount of state and federal funds equals the difference between the required
9 and the actual amount of county matching funds.

10 *–0441/6.11* **SECTION 1561.** 46.51 (4) of the statutes is amended to read:

11 46.51 (4) A county may use the funds distributed under this section to fund
12 additional foster parents and, treatment foster parents, and subsidized guardians
13 to care for abused and neglected children and to fund additional staff positions to
14 provide services related to child abuse and neglect and to unborn child abuse.

15 *–0195/1.1* **SECTION 1562.** 46.52 of the statutes is amended to read:

16 **46.52 Systems change grants.** From the appropriation under s. 20.435 (7)
17 (md), ~~the department may not distribute more than \$350,000 in each fiscal year to~~
18 ~~counties to assist in relocating individuals with mental illness from institutional or~~
19 ~~residential care to less restrictive and more cost-effective community settings and~~
20 ~~services. The department shall distribute funds to each grant recipient under this~~
21 ~~section so as to permit initial phasing in of community services recovery-oriented~~
22 ~~system changes, prevention and early intervention strategies, and consumer and~~
23 ~~family involvement for individuals with mental illness ~~who are relocated or diverted~~~~
24 ~~from institutional or residential care and. The department shall eliminate the~~
25 ~~funding for a recipient at the end of a period of not more than 5 3 years in order to~~

SENATE BILL 55

1 provide funding to benefit another county recipient. The department shall require
2 that ~~the~~ community services that are developed under this section are continued,
3 following termination of a ~~county's~~ funding under this section, by use of ~~funding~~
4 savings made available to the county from reduced institutional and residential care
5 utilization from incorporating recovery, prevention and early intervention
6 strategies, and consumer and family involvement in the services.

7 ***-0310/1.3* SECTION 1563.** 46.58 of the statutes is created to read:

8 **46.58 Competency examinations.** From the appropriation under s. 20.435
9 (2) (bj), the department shall distribute funds to provide competency examinations
10 under s. 971.14 (2) in a county with a population of 500,000 or more.

11 ***-1712/2.2* SECTION 1564.** 46.76 (intro.) of the statutes is renumbered 46.76
12 (1m) (intro.).

13 ***-1712/2.3* SECTION 1565.** 46.76 (1) of the statutes is renumbered 46.76 (1m)
14 (a).

15 ***-1712/2.4* SECTION 1566.** 46.76 (2) of the statutes is renumbered 46.76 (1m)
16 (b).

17 ***-1712/2.5* SECTION 1567.** 46.76 (4) of the statutes is renumbered 46.76 (2m)
18 (a) and amended to read:

19 46.76 (2m) (a) ~~Develop~~ The department may develop an annual plan that
20 documents areas of hunger and populations experiencing hunger within this state
21 and that recommends strategies and state and federal policy changes to address
22 hunger in these areas and populations.

23 ***-1712/2.6* SECTION 1568.** 46.76 (5) of the statutes is renumbered 46.76 (2m)
24 (b) and amended to read:

SENATE BILL 55**SECTION 1568**

1 46.76 (2m) (b) ~~Submit, by December 31 annually, the~~ The department may
2 submit a plan developed under sub. (4) par. (a) to the governor, superintendent of
3 public instruction and the appropriate standing committees of the legislature under
4 s. 13.172 (3).

5 ***-0515/4.4*** **SECTION 1569.** 46.93 (1m) (b) of the statutes is amended to read:

6 46.93 (1m) (b) “Board” means the adolescent pregnancy prevention and
7 pregnancy services board ~~under s. 15.195 (5).~~

8 ***-0515/4.5*** **SECTION 1570.** 46.93 (2) (intro.) of the statutes is amended to read:

9 46.93 (2) PURPOSE; ALLOCATION. (intro.) ~~From the appropriation~~ appropriations
10 under s. 20.434 (1) (b) and (ky), the board shall award not more than \$439,300 in each
11 fiscal year for grants to organizations to provide adolescent pregnancy prevention
12 programs or pregnancy services that include health care, education, counseling, and
13 vocational training. Types of services and programs that are eligible for grants
14 include all of the following:

15 ***-0515/4.6*** **SECTION 1571.** 46.93 (2m) (a) of the statutes is amended to read:

16 46.93 (2m) (a) Each organization that receives a grant under this section shall
17 provide matching funds equal to 20% of the grant amount awarded. The match may
18 be in the form of money or in-kind services or both, but any moneys used by an
19 organization toward a match may not include moneys received from the state or
20 federal government.

21 ***-0515/4.7*** **SECTION 1572.** 46.93 (3) of the statutes is amended to read:

22 46.93 (3) STAFF AND SALARIES. The salaries of the board staff and all actual and
23 necessary operating expenses of the board shall be paid from the ~~appropriation~~
24 appropriations under s. 20.434 (1) (a) and (kp).

25 ***-0489/5.1*** **SECTION 1573.** 46.95 (2) (f) 9. of the statutes is amended to read:

SENATE BILL 55**SECTION 1573**

1 46.95 (2) (f) 9. Award ~~a grant of \$25,000 in fiscal year 1999–2000~~ and a grant
2 of \$50,000 in each fiscal year thereafter to the Wisconsin Coalition Against Domestic
3 Violence for the cost of a staff person to provide assistance in obtaining legal services
4 to domestic abuse victims.

5 *~~1712/2.7~~* **SECTION 1574.** 46.972 (4) of the statutes is amended to read:

6 46.972 (4) REPORTING. ~~On June 30 annually, the~~ The department shall may
7 submit annually a copy of the report required under 42 USC 290cc–28 concerning the
8 expenditure of funds under sub. (3) and a report on the allocation and expenditure
9 of funds under sub. (2) to the legislature for distribution under s. 13.172 (2).

10 *~~0262/1.1~~* **SECTION 1575.** 46.99 (2) (a) (intro.) of the statutes is amended to
11 read:

12 46.99 (2) (a) (intro.) From the appropriations under s. 20.435 (3) (eg), (km) and
13 (nL), the department, ~~beginning on January 1, 2001,~~ shall distribute \$2,125,200 in
14 each fiscal year to applying nonprofit corporations and public agencies operating in
15 a county having a population of 500,000 or more and ~~\$1,229,300~~ \$1,199,300 in each
16 fiscal year to applying county departments under s. 46.22, 46.23, 51.42 or 51.437
17 operating in counties other than a county having a population of 500,000 or more to
18 provide programs to accomplish all of the following:

19 *~~0262/1.2~~* **SECTION 1576.** 46.995 (1m) of the statutes is amended to read:

20 46.995 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATIONS. From the appropriation
21 account under s. 20.435 (3) (km), the department may allocate ~~\$172,500~~ \$195,000 in
22 each fiscal year and, from the appropriation account under s. 20.435 (3) (eg), the
23 department may allocate ~~\$7,500~~ \$15,000 in each fiscal year to provide the grants
24 specified in subs. (2), (3) (b) and (4m) (b).

SENATE BILL 55**SECTION 1577**

1 ***-0262/1.3*** **SECTION 1577.** 46.995 (4m) (b) (intro.) of the statutes is amended
2 to read:

3 46.995 (4m) (b) (intro.) From the allocations under sub. (1m), the department
4 may provide a grant annually in the amount of ~~\$30,000~~ \$60,000 to the elected
5 governing body of a federally recognized American Indian tribe or band for the
6 provision of information to members of the tribe or band in order to increase
7 community knowledge about problems of adolescents and information to and
8 activities for adolescents, particularly female adolescents, in order to enable the
9 adolescents to develop skills with respect to all of the following:

10 ***-0440/3.1*** **SECTION 1578.** 48.21 (5) (b) of the statutes is renumbered 48.21 (5)
11 (b) (intro.) and amended to read:

12 48.21 (5) (b) (intro.) An order relating to a child held in custody outside of his
13 or her home shall also ~~describe~~ include all of the following:

14 1. A description of any efforts that were made to permit the child to remain
15 safely at home and the services that are needed to ensure the child's well-being, to
16 enable the child to return safely to his or her home, and to involve the parents in
17 planning for the child.

18 ***-0440/3.2*** **SECTION 1579.** 48.21 (5) (b) 2. of the statutes is created to read:

19 48.21 (5) (b) 2. If the child is held in custody outside the home in a placement
20 recommended by the intake worker, a statement that the court approves the
21 placement recommended by the intake worker or, if the child is placed outside the
22 home in a placement other than a placement recommended by the intake worker, a
23 statement that the court has given bona fide consideration to the recommendations
24 made by the intake worker and all parties relating to the placement of the child.

25 ***-0094/5.1*** **SECTION 1580.** 48.315 (1) (h) of the statutes is created to read:

SENATE BILL 55**SECTION 1580**

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

3 *~~0441/6.12~~* **SECTION 1581.** 48.33 (4) (intro.) of the statutes is amended to
4 read:

5 48.33 (4) **OTHER OUT-OF-HOME PLACEMENTS.** (intro.) A report recommending
6 placement of an adult expectant mother outside of her home shall be in writing. A
7 report recommending placement of a child in a foster home, treatment foster home,
8 group home, or child caring institution or in the home of the child's guardian under
9 s. 48.977 (2) shall be in writing and shall include all of the following:

10 *~~0441/6.13~~* **SECTION 1582.** 48.345 (3) (c) of the statutes is amended to read:

11 48.345 (3) (c) A foster home or treatment foster home licensed under s. 48.62
12 ~~or~~, a group home licensed under s. 48.625, or in the home of the child's guardian under
13 s. 48.977 (2).

14 *~~0440/3.3~~* **SECTION 1583.** 48.355 (2) (b) 6m. of the statutes is created to read:

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

21 *~~0440/3.4~~* **SECTION 1584.** 48.357 (2v) of the statutes is created to read:

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

SENATE BILL 55**SECTION 1584**

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

5 ***-0447/3.1* SECTION 1585.** 48.366 (8) of the statutes is amended to read:

6 48.366 (8) TRANSFER TO OR BETWEEN FACILITIES. The department of corrections
7 may transfer a person subject to an order between secured correctional facilities.
8 After the person attains the age of 17 years, the department of corrections may place
9 the person in a state prison named in s. 302.01. ~~If the person is 15 years of age or~~
10 ~~over, the department of corrections may transfer the person to the Racine youthful~~
11 ~~offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d).~~ If
12 the department of corrections places a person subject to an order under this section
13 in a state prison, that department shall provide services for that person from the
14 appropriate appropriation under s. 20.410 (1). The department of corrections may
15 transfer a person placed in a state prison under this subsection to or between state
16 prisons named in s. 302.01 without petitioning for revision of the order under sub.
17 (5) (a).

18 ***-1394/2.27* SECTION 1586.** 48.37 (2) of the statutes is amended to read:

19 48.37 (2) Notwithstanding sub. (1), no costs, penalty assessments, law
20 enforcement training fund assessments, or jail assessments may be assessed against
21 any child in a circuit court exercising jurisdiction under s. 48.16.

22 ***-0094/5.2* SECTION 1587.** 48.375 (7) (d) 1m. of the statutes is amended to
23 read:

24 48.375 (7) (d) 1m. Except as provided under s. 48.315 (1) (b), (c) and, (f), and
25 (h), if the court fails to comply with the time limits specified under subd. 1. without