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1 that were under the ownership or control of the federal government on April 1, 1984.  
2 "~~Fox River navigational~~ Navigational system" does not include dams on the Fox  
3 River.

4 \*~~1335/7.50~~\* SECTION 1338. 30.94 (1) (c) of the statutes is repealed.

5 \*~~1335/7.51~~\* SECTION 1339. 30.94 (2) to (8) of the statutes are repealed.

\*\*\*\*NOTE: This reconciles the repeal of s. 30.94 (2) to (8) in LRB-1335 with the amendment of s. 30.94 (5m) (c) in LRB-1891. This SECTION has been affected by drafts with the following LRB numbers: -1335 and -1891.

6 \*~~b0657/1.1~~\* SECTION 1340. 31.02 (4m) of the statutes is created to read:

7 31.02 (4m) The department may not impose the requirement under sub. (4) (c)  
8 on a dam that is owned by the city of Jefferson.

9 \*~~b0657/1.2~~\* SECTION 1345c. 31.385 (6) of the statutes is created to read:

10 31.385 (6) The department shall provide financial assistance to the city of  
11 Jefferson for a dam safety project for a dam that is owned by the city.

12 \*~~b0383/1.1~~\* SECTION 1349v. 36.11 (36) of the statutes is amended to read:

13 36.11 (36) AQUACULTURE DEMONSTRATION FACILITY. The board, in consultation  
14 with representatives of the aquaculture industry, shall operate the aquaculture  
15 demonstration facility authorized under 1999 Wisconsin Act 9, section 9107 (1) (i) 3.  
16 No person may introduce sturgeon reared in the aquaculture demonstration facility  
17 into any natural body of water in this state.

18 \*~~b0571/1.4~~\* SECTION 1349e. 36.09 (1) (j) of the statutes is amended to read:

19 36.09 (1) (j) Except where such matters are a subject of bargaining with a  
20 certified representative of a collective bargaining unit under s. 111.91, the board  
21 shall establish salaries for persons not in the classified staff prior to July 1 of each  
22 year for the next fiscal year, and shall designate the effective dates for payment of  
23 the new salaries. In the first year of the biennium, payments of the salaries



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1 established for the preceding year shall be continued until the biennial budget bill  
2 is enacted. If the budget is enacted after July 1, payments shall be made following  
3 enactment of the budget to satisfy the obligations incurred on the effective dates, as  
4 designated by the board, for the new salaries, subject only to the appropriation of  
5 funds by the legislature and s. 20.928 (3). This paragraph does not limit the  
6 authority of the board to establish salaries for new appointments. The board may  
7 not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and  
8 230.08 (2) (d) under this paragraph unless the salary increase conforms to the  
9 proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary  
10 increase to correct salary inequities under par. (h), to fund job reclassifications or  
11 promotions, or to recognize competitive factors. The board may not increase the  
12 salary of any position identified in s. 20.923 (4g) under this paragraph unless the  
13 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the  
14 board authorizes the salary increase to correct a salary inequity or to recognize  
15 competitive factors. The board may not increase the salary of any position identified  
16 in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the  
17 appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless  
18 the increase is approved by the department of employment relations. The granting  
19 of salary increases to recognize competitive factors does not obligate inclusion of the  
20 annualized amount of the increases in the appropriations under s. 20.285 (1) for  
21 subsequent fiscal bienniums. No later than October 1 of each year, the board shall  
22 report to the joint committee on finance and the departments of administration and  
23 employment relations concerning the amounts of any salary increases granted to  
24 recognize competitive factors, and the institutions at which they are granted, for the  
25 12-month period ending on the preceding June 30.

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1           **\*b0571/1.4\* SECTION 1349m.** 36.09 (2) of the statutes is renumbered 36.09 (2)

2 (a) and amended to read:

3           36.09 (2) (a) The president shall be president of all the faculties and shall be  
4 vested with the responsibility of administering the system under board policies and  
5 shall direct a central administration which shall assist the board and the president  
6 in establishing system-wide policies in monitoring, reviewing and evaluating these  
7 policies, in coordinating program development and operation among institutions, in  
8 planning the programmatic, financial and physical development of the system, in  
9 maintaining fiscal control and compiling and recommending educational programs,  
10 operating budgets and building programs for the board. ~~The Subject to par. (b), the~~  
11 president shall appoint each senior vice president, vice president, associate vice  
12 president and assistant vice president of the system. The president shall fix the term  
13 of office for each senior vice president, vice president, associate vice president and  
14 assistant vice president of the system.

15           **\*b0571/1.4\* SECTION 1349r.** 36.09 (2) (b) of the statutes is created to read:

16           36.09 (2) (b) The sum of the number of senior vice presidents and vice  
17 presidents of the system that the president may appoint under par. (a) may not  
18 exceed 4.

19  
20           **\*b0403/4.1\* SECTION 1351m.** 36.11 (45) of the statutes is created to read:

21           36.11 (45) DEVELOPMENT OF TRIBAL LOGO. (a) The board shall ensure that the  
22 Robert M. La Follette institute of public affairs at the University of  
23 Wisconsin-Madison, in consultation with the governing bodies of federally  
24 recognized American Indian tribes and bands in this state, develops all of the  
25 following:

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1           1. A tribal logo that is representative of federally recognized American Indian  
2 tribes and bands in this state and that would be appropriate for display on official  
3 state notifications of grants funded in whole or in part by Indian gaming receipts, as  
4 defined in s. 569.01 (1m).

5           2. A plan to implement the use of the logo, including ways to determine when  
6 the logo should be used, the cost of developing and using the logo, and how this cost  
7 would be funded.

8           (b) The board shall submit the logo and the plan under par. (a) to the joint  
9 committee on finance and to the governing body of each federally recognized  
10 American Indian tribe and band in this state. If the cochairpersons of the committee  
11 do not notify the board that the committee has scheduled a meeting to review the logo  
12 and the plan within 14 working days after the date of submission, use of the logo may,  
13 upon approval of the governing body of each tribe and band, be implemented as  
14 proposed in the plan. If, within 14 working days after the date of the submission, the  
15 cochairpersons of the committee notify the board that the committee has scheduled  
16 a meeting for the purpose of reviewing the logo and plan, use of the logo may be  
17 implemented only upon approval of the committee and the governing body of each  
18 tribe and band.

19           **\*b0483/2.4\* SECTION 1351m.** 36.11 (43) of the statutes is created to read:

20           **36.11 (43) PROGRAMMING AT UNIVERSITY OF WISCONSIN-GREEN BAY.** The board  
21 shall ensure that the University of Wisconsin-Green Bay implements programming  
22 that is jointly developed by the University of Wisconsin-Green Bay and the Oneida  
23 Tribe.

24           **\*b0573/3.1\* SECTION 1351r.** 36.11 (44) of the statutes is created to read:

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1           36.11 (44) REPORT ON COURSES. By October 31, 2001, and annually by October  
2           31 thereafter, the board shall submit a report to the cochairpersons of the joint  
3           committee on finance that contains the number and type of, and the number of  
4           students enrolled in, each course offered by the system for which the academic fees  
5           or tuition charged equals at least 100% of the cost of offering the course.

~~\*\*\*NOTE: This is reconciled s. 36.11 (41). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-1776 and LRB-0850.~~

6           \*~~0985/8.38~~\* **SECTION 1352.** 36.25 (5) (c) of the statutes is created to read:

7           36.25 (5) (c) At the request of the transitional board, as defined in s. 39.81 (7),  
8           the board of regents shall, at no charge to the transitional board, provide staff and  
9           legal, administrative, and technical assistance for the transitional board to carry out  
10          the duties under s. 39.82.

11          \*~~0985/8.39~~\* **SECTION 1353.** 36.25 (5) (d) of the statutes is created to read:

12          36.25 (5) (d) If the secretary of administration determines that the federal  
13          communications commission has approved the transfer of all broadcasting licenses,  
14          except licenses for student radio, held by the board of regents to the broadcasting  
15          corporation, as defined in s. 39.81 (2), this subsection does not apply on and after the  
16          effective date of the last license transferred as determined by the secretary of  
17          administration under s. 39.87 (2) (b).

18          \*~~0985/8.40~~\* **SECTION 1354.** 36.25 (5m) of the statutes is created to read:

19          36.25 (5m) PROVISION OF CERTAIN SERVICE FOR PUBLIC BROADCASTING. (a) In this  
20          subsection, "broadcasting corporation" has the meaning given in s. 39.81 (2).

21          (b) If the secretary of administration determines that the federal  
22          communications commission has approved the transfer of all broadcasting licenses,  
23          except licenses for student radio, held by the board of regents to the broadcasting

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1 corporation, on and after the effective date of the last license transferred, as  
2 determined by the secretary under s. 39.87 (2), all of the following shall occur:

3 1. The board of regents shall contract with the broadcasting corporation to  
4 provide to the broadcasting corporation the services of all of the employees of the  
5 board who provided public broadcasting services before the date determined by the  
6 secretary under s. 39.87 (2) (b). The board may not contract under this subdivision  
7 for the services of any employee who did not provide public broadcasting services  
8 before the date determined by the secretary under s. 39.87 (2) (b). Any contract  
9 entered into under this subdivision shall provide that the broadcasting corporation  
10 shall have supervision authority over the employees.

11 2. If any employee of the board of regents who provided public broadcasting  
12 services before the date determined by the secretary under s. 39.87 (2) (b) terminates  
13 employment with the board on or after that date, the board may not fill any position  
14 occupied by the employee and may not expend any money that would otherwise have  
15 been paid to, or on behalf of, the employee as salary or fringe benefits had the  
16 employee not terminated employment with the board.

17 \*b0382/2.3\* **SECTION 1356g.** 36.25 (17) of the statutes is created to read:

18 36.25 (17) LAND AND WATER EDUCATION GRANT PROGRAM. (a) The board shall  
19 administer a land and water education grant program through the extension to make  
20 grants for innovative educational or conservation practice assessment programs  
21 related to environmentally sound grazing practices or agricultural nutrient  
22 management. To be eligible for a grant under this subsection, a program must do all  
23 of the following:

- 24 1. Emphasize education in the area in which the program is conducted.  
25 2. Focus on county, regional, or statewide natural resource concerns.

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1           3. Promote at least one of the following goals:

2           a. Helping agricultural producers to identify and understand their natural  
3 resource and environmental conditions.

4           b. Helping agricultural producers to plan, design, implement, operate, or  
5 maintain conservation practices on agricultural land.

6           (b) The board shall accept applications for grants under this subsection from  
7 applicants, which may include state agencies that deal with agricultural and natural  
8 resource issues, the federal natural resource conservation service, institutions,  
9 college campuses, the extension, local governmental units, and nonprofit  
10 organizations. A person who will manage a program may submit more than one  
11 application, but the board may not award more than one grant to such a person in  
12 any grant selection cycle.

13           (c) The board shall award grants under this subsection on a competitive basis,  
14 giving preference to programs that focus education efforts on areas that are  
15 designated priority areas under the environmental quality initiatives program, 16  
16 USC 3839aa to 3839aa-7, and to programs that target traditionally underserved  
17 groups, such as agricultural producers who are Native American, African American,  
18 Asian American, Amish, or women, or who have low incomes. The board shall  
19 establish maximum grant amounts depending on the number and content of  
20 applications submitted.

21           \*~~1857/5.106~~\* **SECTION 1357.** 36.25 (38) (b) 6. of the statutes is amended to  
22 read:

23           36.25 (38) (b) 6. To pay the department of ~~administration~~ electronic  
24 government for telecommunications services provided under s. ~~16.973~~ 22.05 (1).

25           \*~~b0294/2.3~~\* **SECTION 1357k.** 36.25 (43) of the statutes is created to read:

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1           36.25 (43) PEST MANAGEMENT FOR SCHOOLS. The board shall provide, through  
2 the extension, programs to train employees of school districts and other persons  
3 about using integrated pest management, as defined in s. 94.715 (1) (cm), and about  
4 developing and implementing pest management plans to prevent unacceptable  
5 levels of pest activity and damage in schools and on school grounds while minimizing  
6 hazards to persons, property, and the environment, consistent with the requirements  
7 of s. 94.715.

8           **\*b0315/1.3\* SECTION 1357m.** 36.25 (45) of the statutes is repealed.

9           **\*b0582/1.1\* SECTION 1359m.** 36.27 (2) (b) 3. of the statutes is created to read:

10           36.27 (2) (b) 3. Nonresident persons who served in active duty in the U.S. armed  
11 forces for at least 10 years, who were honorably discharged from such service within  
12 3 years before registering at an institution, and who filed state income tax returns  
13 for at least 8 of the last 10 years of active duty in the U.S. armed forces, and their  
14 spouses and children are entitled to the exemption under par. (a).

15           **\*-1595/1.1\* SECTION 1361.** 36.27 (4) (a) of the statutes is amended to read:

16           36.27 (4) (a) ~~In the 1993-94 to 2000-01 academic years, the~~ The board may  
17 annually exempt from nonresident tuition, but not from incidental or other fees, up  
18 to 200 students enrolled at the University of Wisconsin-Parkside as juniors or  
19 seniors in programs identified by that institution as having surplus capacity and up  
20 to 150 students enrolled at the University of Wisconsin-Superior in programs  
21 identified by that institution as having surplus capacity.

22           **\*-1694/11.9\* SECTION 1369.** 38.04 (30) of the statutes is created to read:

23           38.04 (30) INTERNET COURSES. The board shall do all of the following:



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1 (a) Promulgate rules that allow a student enrolled in one district to take a  
2 course offered by another district over the Internet without paying additional fees  
3 to the district board offering the course.

4 (b) Establish an Internet site that provides information on all courses offered  
5 over the Internet by all district boards.

6 (c) Assist district boards to develop Internet courses.

7 **\*b0330/1.1\* SECTION 1369m.** 38.08 (1g) of the statutes is amended to read:

8 38.08 (1g) The appointment committee for a district board that governs a  
9 district encompassing a 1st class city shall include 4 additional members ~~designated~~  
10 by of the board of school directors in charge of the public schools of the 1st class city  
11 designated by the board of school directors. The additional members shall be  
12 appointed so as to reflect, to the extent possible, the distribution of women and  
13 minorities within the 1st class city.

14 **\*b0336/2.2\* SECTION 1369m.** 38.04 (31) of the statutes is created to read:

15 38.04 (31) TRUCK DRIVER TRAINING. From the appropriation under s. 20.292 (1)  
16 (hm), subject to 2001 Wisconsin Act .... (this act), section 9148 (1f), the board shall  
17 award grants to the district boards governing Chippewa Valley Technical College,  
18 Fox Valley Technical College, and Waukesha County Technical College for truck  
19 driver training.

20 **\*-0985/8.41\* SECTION 1371.** 38.125 of the statutes is amended to read:

21 **38.125 Public broadcasting stations.** If the district board governing the  
22 Milwaukee area technical college determines to relinquish its public broadcasting  
23 licenses, it shall, subject to the approval of the federal communications commission,  
24 offer to assign the licenses to the educational communications board, ~~subject to~~  
25 approval of the federal communications commission or, if all broadcasting licenses

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1 held by the educational board have been transferred to the broadcasting corporation  
2 as defined in s. 39.81 (2), to the corporation.

3 \*b0332/1.1\* **SECTION 1371g.** 38.15 (1) of the statutes is amended to read:

4 38.15 (1) Subject to sub. (3), if the district board intends to make a capital  
5 expenditure in excess of ~~\$500,000~~ \$1,000,000, excluding moneys received from gifts,  
6 grants or federal funds, for the acquisition of sites, purchase or construction of  
7 buildings, the lease/purchase of buildings if costs exceed ~~\$500,000~~ \$1,000,000 for the  
8 lifetime of the lease, building additions or enlargements or the purchase of fixed  
9 equipment relating to any such activity, it shall adopt a resolution stating its  
10 intention to do so and identifying the anticipated source of revenue for each project  
11 and shall submit the resolution to the electors of the district for approval. The  
12 referendum shall be noticed, called and conducted as provided in s. 67.05 (3) insofar  
13 as applicable. For the purposes of this section, all projects located on a single campus  
14 site within one district which are bid concurrently or which are approved by the  
15 board under s. 38.04 (10) within a 2-year period shall be considered as one capital  
16 expenditure project.

17 \*b0332/1.1\* **SECTION 1371r.** 38.15 (2) of the statutes is amended to read:

18 38.15 (2) No more than ~~\$500,000~~ \$1,000,000 in reserve funds, consisting of  
19 property tax revenues and investment earnings on those revenues, may be utilized  
20 by the district board to finance capital expenditures in excess of ~~\$500,000~~ \$1,000,000  
21 for the purposes under sub. (1).

22 \*~~1728/1.3~~\* **SECTION 1375.** 38.28 (1m) (a) 1. of the statutes is amended to read:

23 38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a  
24 technical college district, including debt service charges for district bonds and  
25 promissory notes for building programs or capital equipment, but excluding all

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1 expenditures relating to auxiliary enterprises and community service programs, all  
2 expenditures funded by or reimbursed with federal revenues, all receipts under sub.  
3 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and 146.55 (5), all  
4 receipts from grants awarded under ss. ~~16.004 (14)~~, 38.04 (8), <sup>within space</sup> (19) ~~and~~, (20), ~~and~~ (31),  
5 38.14 (11), 38.26, 38.27, 38.305, 38.31, 38.33 and 38.38, all fees collected under s.  
6 38.24, and driver education and chauffeur training aids.

7 \*b0331/1.1\* SECTION 1375m. 38.305 (1) (a) of the statutes is amended to read:

8 38.305 (1) (a) The student enrolled in a district college within 3 years of  
9 graduating from a high school in this state or within 3 years of receiving a certificate  
10 of general educational development from the state superintendent of public  
11 instruction under s. 115.29 (4).

12 \*-0985/8.42\* SECTION 1376. 39.10 of the statutes is created to read:

13 **39.10 Definitions.** In this subchapter:

14 (1) "Broadcasting corporation" has the meaning given in s. 39.81 (2).

15 (2) "Fund-raising corporation" means the corporation organized under s. 39.12  
16 (1).

17 (3) "Transitional board" has the meaning given in s. 39.81 (7).

18 \*-0985/8.43\* SECTION 1377. 39.11 (22) of the statutes is created to read:

19 39.11 (22) Provide staff and legal, administrative, and technical assistance for  
20 the transitional board to carry out the duties under s. 39.82 at no charge to the  
21 transitional board.

22 \*-0985/8.45\* SECTION 1379. 39.145 of the statutes is created to read:

23 **39.145 Applicability.** If the secretary of administration determines that the  
24 federal communications commission has approved the transfer of all broadcasting  
25 licenses held by the educational communications board to the broadcasting

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1 corporation as defined in s. 39.81 (2), this subchapter does not apply on and after the  
2 effective date of the last license transferred as determined by the secretary under s.  
3 39.87 (2) (a).

4 **\*b0472/2.2\* SECTION 1379m.** 39.15 (1m) of the statutes is created to read:

5 39.15 (1m) The Medical College of Wisconsin, inc., may not encumber funds  
6 appropriated in s. 20.250 (1) (b) if doing so would reduce the number of the college's  
7 available family medicine residency positions below the number of available family  
8 medicine residency positions in the 2000–01 fiscal year.

9 **\*b0321/4.1\* SECTION 1380m.** 39.30 (3m) (a) of the statutes is amended to read:

10 39.30 (3m) (a) ~~No grant awarded under this section may exceed \$1,150 per~~  
11 ~~semester or a prorated amount in the case of a quarter or trimester institution, or~~  
12 ~~\$2,300 per academic year. The board shall establish the maximum amount of a grant~~  
13 ~~awarded under this subsection. The board may not establish a maximum amount~~  
14 ~~that exceeds the maximum amount in the previous academic year unless the board~~  
15 ~~determines, to the best of its ability, that in doing so the board will award grants~~  
16 ~~under this paragraph in the current academic year to at least as many students as~~  
17 ~~the board awarded grants to under this paragraph in the previous academic year.~~  
18 Grants under this section may not be less than \$250 during any one academic year.

19 **\*-1954/1.2\* SECTION 1381.** 39.41 (title) of the statutes is repealed and  
20 recreated to read:

21 **39.41 (title) Governor Thompson scholarship program.**

22 **\*b0320/2.1\* SECTION 1381m.** 39.41 (1m) (bm) of the statutes is created to read:

23 39.41 (1m) (bm) The school board of a school district operating one or more high  
24 schools and the governing body of each private high school may, in lieu of designating  
25 a scholar who meets the criteria under par. (a) or nominating a scholar who meets

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1 the criteria under par. (b), designate the senior with the highest grade point average  
2 in the International Baccalaureate Degree Program as a scholar.

3 **\*-1954/1.3\* SECTION 1382.** 39.41 (9) of the statutes is created to read:

4 39.41 (9) In any printed material or other information disseminated or  
5 otherwise distributed by the board, the scholarship program under this section shall  
6 be referred to as the Governor Thompson scholarship program, and scholars shall be  
7 referred to as Governor Thompson scholars.

8 **\*-1950/1.1\* SECTION 1383.** 39.44 (5) of the statutes is created to read:

9 39.44 (5) By November 1, 2001, and annually thereafter, the board shall report  
10 to the department of administration on the effectiveness of the program under this  
11 section.

12 **\*-1552/5.61\* SECTION 1385.** 39.76 (1) of the statutes is amended to read:

13 39.76 (1) STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES.  
14 There is created a 7-member delegation to represent the state of Wisconsin on the  
15 education commission of the states. The delegation shall consist of the governor, the  
16 state superintendent of public instruction, one senator and one representative to the  
17 assembly selected as are the members of standing committees in their respective  
18 houses, and 3 members appointed by the governor in compliance with s. 39.75 (3) (a)  
19 who shall serve at the pleasure of the governor. The chairperson of the delegation  
20 shall be designated by the governor from among its members. Members of the  
21 delegation shall serve without compensation but shall be reimbursed for actual and  
22 necessary expenses incurred in the performance of their duties from the  
23 appropriation in s. 20.505 (3) (a) (4) (ba). Annual commission membership dues shall  
24 be paid from the appropriation in s. 20.505 (3) (a) (4) (ba).

**SENATE BILL 55****SECTION 1386**

1           \***-0985/8.46**\* **SECTION 1386.** Subchapter V of chapter 39 [precedes 39.81] of the  
2 statutes is created to read:

3                                               **CHAPTER 39**

4                                               **SUBCHAPTER V**

5                                               **PUBLIC BROADCASTING**

6           **39.81 Definitions.** In this subchapter:

7           (1) "Association" means the Wisconsin Public Radio Association.

8           (2) "Broadcasting corporation" means the corporation specified in s. 39.82 (1).

9           (3) "Corporate board" means the board of directors of the broadcasting  
10 corporation.

11           (4) "Foundation" means the Wisconsin Public Broadcasting Foundation.

12           (5) "Friends group" means a nonstock, nonprofit corporation described under  
13 section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation  
14 under section 501 (a) of the Internal Revenue Code that is organized to raise funds  
15 for a public broadcasting television station in this state.

16           (6) "Secretary" means the secretary of administration.

17           (7) "Transitional board" means the public broadcasting transitional board.

18           **39.82 Transitional board duties.** The transitional board shall do all of the  
19 following:

20           (1) Draft and file articles of incorporation for a nonstock corporation under ch.  
21 181 and take all actions necessary to exempt the corporation from federal taxation  
22 under section 501 (c) (3) of the Internal Revenue Code.

23           (2) Provide in the articles of incorporation filed under sub. (1) that the initial  
24 directors of the corporate board are the members of the transitional board.

25           (3) Draft bylaws for adoption by the corporate board under s. 181.0206 (2).

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1           (4) Prepare an application for submission by the corporate board to the federal  
2           communications commission to transfer all broadcasting licenses held by the  
3           educational communications board and the board of regents of the University of  
4           Wisconsin System, except licenses held by the board of regents for student radio, to  
5           the broadcasting corporation.

6           (5) Negotiate an agreement with the association for the transfer to the  
7           broadcasting corporation of funds raised by the association.

8           (6) Negotiate an agreement with each friends group in this state for the  
9           transfer to the broadcasting corporation of funds raised by the friends group.

10           **39.83 Duties of broadcasting corporation.** The broadcasting corporation  
11           shall do each of the following as a condition for receiving state aid under s. 20.218  
12           (1):

13           (1) Maintain a state system of radio broadcasting for presenting educational,  
14           informational, and public service programs; formulate policies regulating the  
15           operation of that state system; and coordinate the public radio activities of the  
16           various educational and informational agencies, civic groups, and citizens that  
17           contribute to the public interest and welfare.

18           (2) Maintain educational television channels reserved for this state and take  
19           such action as is necessary to preserve such channels in this state for educational  
20           use.

21           (3) Maintain a comprehensive state plan for the orderly operation of a  
22           statewide television system for presenting noncommercial instructional programs  
23           that will best serve the interests of the state.

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1           (4) Work with the educational agencies and institutions of the state as  
2 reviewer, adviser, and coordinator of their joint efforts to meet the educational needs  
3 of the state through radio and television.

4           (5) Furnish leadership in securing adequate funding for statewide joint use of  
5 radio and television for educational and cultural purposes, including funding for  
6 media programming for broadcast over the state networks.

7           (6) Lease, purchase, or construct radio and television facilities for joint use  
8 with state and local agencies, including facilities such as broadcast network and  
9 production facilities, network interconnection or relay equipment, mobile units, and  
10 other equipment available for statewide use.

11           (7) Maintain radio and television transmission equipment in order to provide  
12 broadcast service to all areas of this state.

13           (8) Establish and maintain a continuing evaluation of the effectiveness of the  
14 joint efforts of all participating educational institutions in terms of jointly  
15 established goals in the area of educational radio and television.

16           (9) Act as an information source for educational radio and television activities  
17 in this state and provide such information to legislators, government offices,  
18 educational institutions, and the general public.

19           (10) Provide educational programming for elementary and secondary schools  
20 in this state and transmit public radio and television to remote and underserved  
21 areas of the state.

22           (11) Enter into a contract with board of regents of the University of Wisconsin  
23 System under s. 36.25 (5m) (b).

24           (12) Make the most effective use of its digital broadcasting spectrum.



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1           **39.84 State aid. (1)** The broadcasting corporation may receive state aid under  
2 s. 20.218 (1) if all of the following are satisfied:

3           (a) The articles of incorporation state that the purpose of the broadcasting  
4 corporation is to provide public broadcasting to this state and that, if the  
5 broadcasting corporation dissolves or discontinues public broadcasting in this state,  
6 the broadcasting corporation shall, in good faith, take all reasonable measures to  
7 transfer or assign the broadcasting corporation's assets, licenses, and rights to an  
8 entity whose purpose is to advance public broadcasting in this state.

9           (b) The broadcasting corporation initially adopts the bylaws drafted by the  
10 transitional board under s. 39.82 (3).

11           (c) The broadcasting corporation permits public inspection and copying of any  
12 record of the corporation, as defined in s. 19.32 (1), to the same extent as required  
13 of, and subject to the same terms and enforcement provisions that apply to, an  
14 authority under subch. II of ch. 19.

15           (d) The broadcasting corporation provides public access to its meetings to the  
16 same extent as is required of, and subject to the same terms and enforcement  
17 provisions that apply to, a governmental body under subch. V of ch. 19.

18           (e) The broadcasting corporation provides the secretary of administration, the  
19 legislative audit bureau, and the legislative fiscal bureau access to all of the  
20 broadcasting corporation's records, as defined in s. 19.32 (2), except records  
21 identifying the names of private donors.

22           (f) 1. If the broadcast licenses of the educational communications board are  
23 transferred to the broadcasting corporation, the broadcasting corporation carries out  
24 any obligation of the educational communications board under any contract entered  
25 into by the educational communications board that relates to the provision of public

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1 broadcasting in this state until the contract is modified or rescinded by the  
2 broadcasting corporation to the extent allowed under the contract and the  
3 broadcasting corporation pays any outstanding state debt related to the state office  
4 building as defined under s. 39.86 (1).

5 2. If the broadcast licenses of the board of regents of the University of Wisconsin  
6 System, other than licenses for student radio, are transferred to the broadcasting  
7 corporation, the broadcasting corporation carries out any obligation of the board of  
8 regents of the University of Wisconsin System under any contract entered into by the  
9 board of regents of the University of Wisconsin System that relates to the provision  
10 of public broadcasting in this state until the contract is modified or rescinded by the  
11 broadcasting corporation to the extent allowed under the contract.

12 (2) The secretary of administration shall pay aid under s. 20.218 (1) to the  
13 broadcasting corporation in instalments, as determined by the secretary.

14 **39.86 Transfer provisions.** (1) In this section, “state office building” means  
15 the state office building located at 3319 West Beltline Highway in Dane County.

16 (2) (a) If the secretary of administration determines that the federal  
17 communications commission has approved the transfer of all broadcasting licenses  
18 held by the educational communications board to the broadcasting corporation, each  
19 of the following applies:

20 1. Any asset of the state, other than the state office building and the assets  
21 specified in subd. 3., that is used by the educational communications board and that,  
22 as determined by the secretary of administration, is not a shared asset, as defined  
23 in s. 16.26 (1) (b), is transferred to the broadcasting corporation. A transfer under  
24 this subdivision takes effect on on the effective date of the last license transferred,  
25 as determined by the secretary of administration under s. 39.87 (2) (a).

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1           2. The secretary of administration shall transfer title to the state office building  
2 from the state to the broadcasting corporation if the broadcasting corporation pays  
3 \$476,228 to the foundation or the foundation waives such payment.

4           3. The assets of the state that, as determined by the secretary of  
5 administration, are used by the educational communications board for the operation  
6 of an emergency weather warning system are transferred to the department of  
7 administration.

8           (b) Any asset transferred under par. (a) 1. or 2. shall revert to the state if the  
9 asset is not used for the purpose of providing public broadcasting.

10           **(2m)** (a) If the secretary of administration determines that the federal  
11 communications commission has approved the transfer of all broadcasting licenses,  
12 except licenses for student radio, held by the board of regents of the University of  
13 Wisconsin System to the broadcasting corporation, any asset of the state, other than  
14 the state office building and the assets specified in sub. (2) (a) 3., that is used by the  
15 board of regents of the University of Wisconsin System and that, as determined by  
16 the secretary of administration, is not a shared asset, as defined in s. 16.26 (1) (b),  
17 is transferred to the broadcasting corporation. A transfer under this paragraph shall  
18 take effect on on the effective date of the last license transferred as determined by  
19 the secretary of administration under s. 39.87 (2) (b).

20           (b) Any asset transferred under par. (a) 1. or 2. shall revert to the state if the  
21 asset is not used for the purpose of providing public broadcasting.

22           **(3)** If the secretary of administration determines that the federal  
23 communications commission has approved the transfer of all broadcasting licenses  
24 held by the educational communications board to the broadcasting corporation, each

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1 of the following applies on the effective date of the last license transferred as  
2 determined by the secretary of administration under s. 39.87 (2) (a):

3 (a) To the appropriation account under s. 20.218 (1), there is transferred the  
4 unencumbered balance of the appropriation accounts under s. 20.225 (1) (a), (b), (d),  
5 (eg), (er), and (f), except for the unencumbered balance of the appropriation accounts  
6 that are otherwise transferred under sub. (4).

7 (b) To the appropriation account under s. 20.505 (9) (a), there is transferred the  
8 unencumbered balance of the appropriation account under s. 20.225 (1) (kb) and the  
9 amounts in the schedule for the appropriation account under s. 20.505 (9) (a) are  
10 increased by the amount transferred from the appropriation account under s. 20.225  
11 (1) (kb).

12 (c) To the appropriation account under s. 20.505 (9) (k), there is transferred the  
13 unencumbered balance of the appropriation accounts under s. 20.225 (1) (g), (h), (k),  
14 and (m), and, to the extent allowed under federal law, the secretary of administration  
15 shall pay the broadcasting corporation a grant equal to the amount of the  
16 unencumbered balance of the appropriation account under s. 20.505 (9) (k).

17 (4) If the secretary of administration determines that the federal  
18 communications commission has approved the transfer of all broadcasting licenses  
19 held by the educational communications board to the broadcasting corporation, all  
20 positions authorized for the educational communications board and the incumbent  
21 employees holding the positions are transferred to the department of  
22 administration. Employees transferred under this subsection have all rights and the  
23 same status under subch. V of ch. 111 and ch. 230 that they enjoyed in the educational  
24 communications board. Notwithstanding s. 230.28 (4), no employee so transferred

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1 who has attained permanent status in class may be required to serve a probationary  
2 period.

3 (5) All employees transferred to the department of administration under sub.  
4 (4) shall provide broadcasting services to the broadcasting corporation under a  
5 contract between the department of administration and the broadcasting  
6 corporation for such services. The contract shall provide that the employees who are  
7 providing services are supervised solely by the broadcasting corporation.

8 **39.87 License transfer determination.** The secretary shall determine each  
9 of the following:

10 (1) Whether the federal communications commission has approved the  
11 transfer of all broadcasting licenses held by the educational communications board  
12 and the board of regents of the University of Wisconsin System, except licenses held  
13 by the board of regents for student radio, to the broadcasting corporation.

14 (2) (a) If the secretary determines that the federal communications commission  
15 has approved the transfer of all the broadcasting licences held by the educational  
16 communications board to the broadcasting corporation, the effective date of the  
17 transfer of the last license transferred to the broadcasting corporation.

18 (b) If the secretary determines that the federal communications commission  
19 has approved the transfer of all the broadcasting licences, except licenses for student  
20 radio, held by the board of regents of the University of Wisconsin System to the  
21 broadcasting corporation, the effective date of the transfer of the last license  
22 transferred to the broadcasting corporation.

23 **\*-0522/2.1\* SECTION 1388.** 40.02 (26g) of the statutes is renumbered 40.02  
24 (26g) (intro.) and amended to read:

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1 40.02 (26g) (intro.) "Employee-funded reimbursement account plan" means  
2 a- any of the following:

3 (a) A plan in accordance with section 125 of the ~~internal revenue code~~ Internal  
4 Revenue Code under which an employee may direct an employer to place part of the  
5 employee's gross compensation in an account to pay for certain future expenses of the  
6 employee under section 125 of the ~~internal revenue code~~ Internal Revenue Code.

7 \*-0522/2.2\* SECTION 1389. 40.02 (26g) (b) of the statutes is created to read:

8 40.02 (26g) (b) A plan in accordance with section 132 of the Internal Revenue  
9 Code under which an employee may direct an employer to place part of the  
10 employee's gross compensation in an account to pay for certain future expenses of the  
11 employee under section 132 of the Internal Revenue Code.

12

13 \*-1335/7.52\* SECTION 1391. 40.02 (54) (i) of the statutes is created to read:

14 40.02 (54) (i) The Fox River Navigational System Authority.

15 \*-0169/3.1\* SECTION 1392. 40.03 (2) (v) of the statutes is created to read:

16 40.03 (2) (v) May settle any dispute in an appeal of a determination made by  
17 the department that is subject to review under sub. (1) (j), (6) (i), (7) (f), or (8) (f), or  
18 s. 40.80 (2g), but only with the approval of the board having the authority to accept  
19 the appeal. In deciding whether to settle such a dispute, the secretary shall consider  
20 the cost of litigation, the likelihood of success on the merits, the cost of delay in  
21 resolving the dispute, the actuarial impact on the trust fund, and any other relevant  
22 factor the secretary considers appropriate. Any moneys paid by the department to  
23 settle a dispute under this paragraph shall be paid from the appropriation account  
24 under s. 20.515 (1) (r).

25 \*-0169/3.2\* SECTION 1393. 40.03 (2) (w) of the statutes is created to read:

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1           40.03 (2) (w) If the secretary determines that an otherwise eligible participant  
2 has unintentionally forfeited or otherwise involuntarily ceased to be eligible for any  
3 benefit provided under this chapter principally because of an error in administration  
4 by the department, may order the correction of the error to prevent inequity. A  
5 decision under this paragraph is not subject to review. The secretary shall submit  
6 a quarterly report to the employee trust funds board on decisions made under this  
7 paragraph.

8           \***-0522/2.3\*** **SECTION 1396.** 40.04 (9m) (a) of the statutes is amended to read:  
9           40.04 (9m) (a) Maintain a separate account in the fund for the each  
10 employee-funded reimbursement account plan authorized under subch. VIII.

11           \***-0522/2.4\*** **SECTION 1397.** 40.04 (9m) (b) of the statutes is amended to read:  
12           40.04 (9m) (b) Credit to the ~~account~~ appropriate accounts established under  
13 par. (a) money received from employees in connection with the each  
14 employee-funded reimbursement account plan and income from investment of the  
15 reserves in the account.

16           \***-0522/2.5\*** **SECTION 1398.** 40.04 (9m) (c) of the statutes is amended to read:  
17           40.04 (9m) (c) Charge to the ~~account~~ appropriate accounts established under  
18 par. (a) payments made to reimburse employee-funded reimbursement account plan  
19 providers for payments made to employees under the each employee-funded  
20 reimbursement account plan under subch. VIII.

21           \***b0219/1.2\*** **SECTION 1398m.** 40.04 (10) of the statutes is amended to read:  
22           40.04 (10) An accumulated sick leave conversion account shall be maintained  
23 within the fund, to which shall be credited all money received under s. 40.05 (4) (b),  
24 (bc), (bf), (bm), (br), and (bw) for health insurance premiums, as dividends or  
25 premium credits arising from the operation of health insurance plans and from

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## SECTION 1398m

1 investment income on any reserves established in the fund for health insurance  
2 purposes for retired employees and their surviving dependents. Premium payments  
3 to health insurers authorized in s. 40.05 (4) (b), (bc), (bf), (bm), and (bw) shall be  
4 charged to this account. ~~The department shall separately account for premium~~  
5 ~~payments authorized under s. 40.05 (4) (bf) for purposes of reimbursement from the~~  
6 ~~appropriation under s. 20.515 (1) (b).~~ This subsection does not prohibit the direct  
7 payment of premiums to insurers when appropriate administrative procedures have  
8 been established for direct payments.

9 **\*-0522/2.6\* SECTION 1399.** 40.85 (2) (g) of the statutes is amended to read:

10 40.85 (2) (g) Deposit into the ~~account~~ appropriate accounts established under  
11 s. 40.04 (9m) (a) that part of an employee's gross compensation that the employee  
12 wants placed in an each employee-funded reimbursement account.

13 **\*-0522/2.7\* SECTION 1400.** 40.86 (4) of the statutes is created to read:

14 40.86 (4) Transportation expenses authorized under section 132 of the Internal  
15 Revenue Code.

16 **\*b0198/2.1\* SECTION 1400r.** 41.17 (6) of the statutes is created to read:

17 41.17 (6) FUNDING FOR STATE HISTORICAL SOCIETY. The state historical society  
18 shall be eligible for funds under this section for any project related to a historic site  
19 listed in s. 44.20 (1), regardless of whether program revenues under s. 20.245 are also  
20 used for the project.

21

22 **\*b0200/1.2\* SECTION 1403m.** 41.19 of the statutes is repealed.

23 **\*b0578/1.2\* SECTION 1404f.** 41.41 (13) of the statutes is created to read:

24 41.41 (13) REPORT ON GENERATING REVENUE AND RESUBMITTING BUILDING PLANS.

25 After consulting with the department of natural resources and any tribal



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1 government with whom the Kickapoo reserve management board or the Lower  
2 Wisconsin State Riverway board has entered into a memorandum of understanding,  
3 the Kickapoo reserve management board, in conjunction with the Lower Wisconsin  
4 State Riverway board, shall prepare and submit to the building commission and to  
5 the joint committee on finance a report that includes all of the following:

6 (a) Recommendations on how revenue may be generated to cover the  
7 operational costs of the 2 boards through hunting, camping, or parking or other fees.

8 (b) Resubmission of plans for building facilities that, given their close  
9 proximity, have their own individual emphases.

10 \***-0695/2.1\*** SECTION 1405. 42.035 of the statutes is amended to read:

11 **42.035 Treatment of certain state fair park board employees.**

12 Notwithstanding s. 230.08 (2) (pm), those employees holding positions in the  
13 classified service at the state fair park board on October 29, 1999, who have achieved  
14 permanent status in class before that date, shall retain, while serving in the  
15 unclassified service at the state fair park board, those protections afforded  
16 employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating  
17 to demotion, suspension, discharge, layoff or reduction in base pay. Such employees  
18 shall also be eligible for transfer under s. 230.29 and shall have reinstatement  
19 privileges to the classified service under s. 230.33 (1m). Those employees of the state  
20 fair park board on October 29, 1999, who have not achieved permanent status in class  
21 in any position at the state fair park board on that date are eligible to receive the  
22 protections, privileges and rights preserved under this section if they successfully  
23 complete service equivalent to the probationary period required in the classified  
24 service for the position that they hold on that date.

25 \***b0593/6.28\*** SECTION 1405m. 42.09 (3) (a) of the statutes is amended to read:

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1           42.09 (3) (a) The Subject to approval of the building commission when required  
2 under s. 13.48 (12), the state fair park board may permit a private person to construct  
3 a building, structure or facility in the state fair park under a lease agreement with  
4 the board.

5           \*~~1723/2.1~~\* **SECTION 1408.** 43.70 (2) of the statutes is amended to read:

6           43.70 (2) ~~Annually, within 40 days after December 1 by January 10,~~ the state  
7 superintendent shall apportion the amount that is estimated to be appropriated  
8 under s. 20.255 (2) (s) in the current school year to the school districts in proportion  
9 to the number of persons resident therein, as shown by the report certified under sub.  
10 (1).

11           \*~~1723/2.2~~\* **SECTION 1409.** 43.70 (3) of the statutes is amended to read:

12           43.70 (3) Immediately upon making such apportionment, the state  
13 superintendent shall certify to the department of administration the ~~total~~ estimated  
14 amount that each school district is entitled to receive under this section and shall  
15 notify each school district administrator of the estimated amount so certified for his  
16 or her school district. ~~Within 15 days after receiving such certification, the~~ The  
17 department of administration shall issue its warrants upon which the state  
18 treasurer shall ~~pay to each school district 50% of its total aid entitlement on or before~~  
19 ~~January 31 and the balance on or before June 30, except that, beginning in the~~  
20 ~~1999-2000 school year, the state treasurer shall distribute each school district's aid~~  
21 ~~entitlement in one payment on or before June 30~~ May 1. The amount paid to each  
22 school district shall be based upon the amount in the appropriation account under  
23 s. 20.255 (2) (s) on April 15. All moneys distributed under this section shall be  
24 expended for the purchase of instructional materials from the state historical society  
25 for use in teaching Wisconsin history and for the purchase of library books and other

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1 instructional materials for school libraries, but not for public library facilities  
2 operated by school districts under s. 43.52, in accordance with rules promulgated by  
3 the state superintendent. Appropriate records of such purchases shall be kept and  
4 necessary reports thereon shall be made to the state superintendent.

5 **\*-1464/2.61\* SECTION 1410.** 44.02 (28) of the statutes is repealed.

6 **\*b0348/1.6\* SECTION 1411m.** 44.025 of the statutes is repealed.

7 **\*-1464/2.64\* SECTION 1413.** 44.15 (4) of the statutes is amended to read:

8 44.15 (4) STATE-FUNDED MARKERS. The historical society may identify and  
9 authorize construction of individual markers or plaques, or any series of markers or  
10 plaques, to be funded from the appropriation under s. 20.245 ~~(3) (d)~~ (1) (a). No  
11 matching funds are required for a marker or plaque that is constructed under this  
12 subsection. Funds under this subsection may be used for the purchase of plaques to  
13 be installed on historical properties and for the construction of markers or plaques  
14 in other states or countries.

15 **\*-1464/2.65\* SECTION 1414.** 44.34 (13) of the statutes is repealed.

16 **\*b0690/2.7\* SECTION 1414m.** 44.62 (2) of the statutes is amended to read:

17 44.62 (2) Subject to sub. (3), the board shall award grants under the Wisconsin  
18 regranting program to local arts agencies and municipalities. Grants shall be  
19 awarded from the ~~appropriation~~ appropriations under s. 20.215 (1) (f) and (j).

20 **\*-0684/2.4\* SECTION 1415.** 44.70 (1d) of the statutes is created to read:

21 44.70 (1d) "Charter school sponsor" means an entity described under s. 118.40  
22 (2r) (b) that is sponsoring a charter school.

\*\*\*\*NOTE: This revision to SECTION 1415 of this bill will carry out your intent only  
if LRB-0957/2 is included in the compiled bill.

23 **\*-0684/2.5\* SECTION 1416.** 44.70 (2g) of the statutes is amended to read:

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1           44.70 (2g) “Educational agency” means a school district, charter school  
2 sponsor, secured correctional facility, private school, cooperative educational service  
3 agency, technical college district, private college, public library system, public library  
4 board, the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin  
5 School for the Deaf.

      \*\*\*NOTE: This is reconciled s. 44.70 (2g). This SECTION has been affected by drafts  
with the following LRB #: LRB-0445.

6           \***-0705/3.6**\* SECTION 1417. 44.70 (3d) of the statutes is created to read:

7           44.70 (3d) “Political subdivision” means any city, village, town, or county.

8           \***-0445/3.3**\* SECTION 1418. 44.70 (3r) of the statutes is created to read:

9           44.70 (3r) “Secured correctional facility” means the Southern Oaks Girls  
10 School, the Ethan Allen School, the Youth Leadership Training Center, and the  
11 Lincoln Hills School.

      \*\*\*NOTE: This is reconciled s. 44.70 (3r). This SECTION has been affected by drafts  
with the following LRB numbers: LRB-2174.

12           \***-1857/5.107**\* SECTION 1419. 44.70 (4) of the statutes is amended to read:

13           44.70 (4) “Telecommunications” has the meaning given in s. ~~16.99 (1)~~ 22.01  
14 (10).

15           \***-1694/11.10**\* SECTION 1420. 44.71 (2) (a) of the statutes is renumbered 44.71  
16 (2), and 44.71 (2) (g) and (h), as renumbered, are amended to read:

17           44.71 (2) (g) Coordinate the purchasing of educational technology materials,  
18 supplies, equipment, and contractual services for school districts, cooperative  
19 educational service agencies, technical college districts, and the board of regents of  
20 the University of Wisconsin System by the department under s. 16.72 (8), and, in  
21 cooperation with the department and subject to the approval of the department of  
22 electronic government, establish standards and specifications for purchases of

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1 educational technology hardware and software by school districts, cooperative  
2 educational service agencies, technical college districts, and the board of regents of  
3 the University of Wisconsin System.

4 (h) Purchase With the approval of the department of electronic government,  
5 purchase educational technology equipment for use by school districts, cooperative  
6 educational service agencies, and public educational institutions in this state and  
7 permit the districts, agencies, and institutions to purchase or lease the equipment,  
8 with an option to purchase the equipment at a later date. This subdivision  
9 paragraph does not require the purchase or lease of any educational technology  
10 equipment from the board.

11 **\*b0662/3.3\* SECTION 1420m.** 44.71 (2) (i) of the statutes is created to read:

12 44.71 (2) (i) Administer, modify, or rescind any grant or award made by the  
13 Wisconsin Advanced Telecommunications Foundation to fund a project described in  
14 s. 14.28 (3) (a) 1. to 5., 1999 stats., to the extent allowed under a contract for making  
15 the grant or award.

\*\*\*NOTE: This is reconciled s. 44.71 (2) (g) and (h). This SECTION has been affected  
by drafts with the following LRB numbers: -1857/4 and 1694/10.

16 **\*-0684/2.6\* SECTION 1422.** 44.72 (1) (intro.) of the statutes is amended to read:

17 44.72 (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE GRANTS.  
18 (intro.) From the appropriation under s. 20.275 (1) (et), the board shall award grants  
19 to cooperative educational service agencies and to consortia consisting of 2 or more  
20 school districts, charter school sponsors, secured correctional facilities, or  
21 cooperative educational service agencies, or one or more school districts, charter  
22 school sponsors, secured correctional facilities, or cooperative educational service  
23 agencies and one or more public library boards, to provide technical assistance and

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SECTION 1422

1 training in the use of educational technology. An applicant for a grant shall submit  
2 to the board a plan that specifies the school districts, charter school sponsors, secured  
3 correctional facilities, and public library boards that will participate in the program  
4 and describes how the funds will be allocated. The board shall do all of the following:

\*\*\*\*NOTE: This is reconciled s. 44.72 (1) (intro.). This SECTION has been affected by  
drafts with the following LRB #: LRB-0445.

5 \*-0684/2.8\* SECTION 1424. 44.72 (2) (b) 2. of the statutes is amended to read:

6 44.72 (2) (b) 2. From the appropriation under s. 20.275 (1) (f), annually the  
7 board shall pay \$5,000 to each eligible school district and \$5,000 to the department  
8 of corrections for each eligible correctional facility. The department of corrections  
9 shall allocate funds received under this subsection among the eligible secured  
10 correctional facilities as it deems appropriate. The board shall distribute the balance  
11 in the appropriation to eligible school districts and to charter school sponsors in  
12 proportion to the weighted membership of each school district, which and in  
13 proportion to the number of pupils attending each charter school on the 3rd Friday  
14 of September. The weighted membership for a school district shall be determined by  
15 dividing the statewide average equalized valuation per member by the school  
16 district's equalized valuation per member and multiplying the result by the school  
17 district's membership, as defined in s. 121.004 (5).

*this should be plain text*

*plan*  
*should be secured text! sorry!*

\*\*\*\*NOTE: This is reconciled s. 44.72 (2) (b) 2. This SECTION has been affected by  
drafts with the following LRB #: LRB-0445.

18 \*-0445/3.4\* SECTION 1425. 44.72 (2) (c) of the statutes is amended to read:

19 44.72 (2) (c) A school district is eligible for a grant under par. (b) 2. only if the  
20 annual meeting in a common school district, or the school board in a unified school  
21 district or in a school district operating under ch. 119, adopts a resolution requesting  
22 the grant. A secured correctional facility is eligible for a grant under par. (b) 2. only

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1 if the secretary of corrections submits a written request to the board. A charter school  
2 sponsor is eligible for a grant under par. (b) 2. only if it submits a written request to  
3 the board. A grant under this subsection may not be used to replace funding  
4 available from other sources.

5 \***-0684/2.9\*** SECTION 1426. 44.72 (2) (d) of the statutes is amended to read:

6 44.72 (2) (d) A school district or secured correctional facility receiving a grant  
7 under par. (b) shall deposit the moneys in a separate fund. The moneys may be used  
8 for any purpose related to educational technology, except that a school district or  
9 secured correctional facility may not use the moneys to pay the salary or benefits of  
10 any school district or secured correctional facility employee. A charter school sponsor  
11 that receives a grant under par. (b) may use the moneys for any purpose related to  
12 educational technology that benefits the pupils attending the charter school, except  
13 that a charter school sponsor may not use the moneys to pay the salary or benefits  
14 of any charter school employee.

\*\*\*NOTE: This is reconciled s. 44.72 (2) (d). This SECTION has been affected by  
drafts with the following LRB #s: LRB-0445.

15

\***b0243/2.10\*** SECTION 1428b. 44.72 (4) (a) of the statutes is amended to read:

16 44.72 (4) (a) *Financial assistance authorized.* The board may provide financial  
17 assistance under this subsection to school districts and charter school sponsors from  
18 the proceeds of public debt contracted under s. 20.866 (2) (zc) and to public library  
19 boards from the proceeds of public debt contracted under s. 20.866 (2) (zcm).  
20 Financial assistance under this subsection may be used only for the purpose of  
21 upgrading the electrical wiring of school and library buildings in existence on  
22 October 14, 1997, and installing and upgrading computer network wiring.  
23

**SENATE BILL 55****SECTION 1430b**

1           **\*b0243/2.10\* SECTION 1430b.** 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, including a condition requiring a charter  
5 school sponsor to use financial assistance under this subsection for wiring upgrading  
6 and installation that benefits pupils attending the charter school. The board shall  
7 make a loan to a school district, charter school sponsor, or public library board in an  
8 amount equal to 50% of the total amount of financial assistance for which the board  
9 determines the school district or public library board is eligible and provide a grant  
10 to the school district or public library board for the remainder of the total. The terms  
11 and conditions of any financial assistance under this subsection may include  
12 provision of professional building construction services under s. 16.85 (15). The  
13 board shall determine the interest rate on loans under this subsection. The interest  
14 rate shall be as low as possible but shall be sufficient to fully pay all interest expenses  
15 incurred by the state in making the loans and to provide reserves that are reasonably  
16 expected to be required in the judgment of the board to ensure against losses arising  
17 from delinquency and default in the repayment of the loans. The term of a loan under  
18 this subsection may not exceed 10 years.

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

19           **\*-0684/2.10\* SECTION 1431.** 44.72 (4) (c) of the statutes is amended to read:

20           44.72 (4) (c) *Repayment of loans.* The board shall credit all moneys received  
21 from school districts and charter school sponsors for repayment of loans under this  
22 subsection to the appropriation account under s. 20.275 (1) (h). The board shall credit



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1 all moneys received from public library boards for repayment of loans under this  
2 subsection to the appropriation account under s. 20.275 (1) (hb).

3 **\*-1857/5.108\* SECTION 1433.** 44.73 (1) of the statutes is amended to read:

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

9 **\*-0705/3.11\* SECTION 1434.** 44.73 (2) (a) of the statutes is amended to read:

10 44.73 (2) (a) Allow an educational agency to make a request to the board for  
11 access to either one data line or one video link, except that any educational agency  
12 may request access to additional data lines if the agency shows to the satisfaction of  
13 the board that the additional data lines are more cost-effective than a single data  
14 line and except that a school district that operates more than one high school or a  
15 public library board that operates more than one library facility may request access  
16 to both a data line and a video link and access to more than one data line or video link.

17 **\*-0684/2.11\* SECTION 1435.** 44.73 (2) (b) of the statutes is amended to read:

18 44.73 (2) (b) Establish eligibility requirements for an educational agency to  
19 participate in the program established under sub. (1), including a requirement that  
20 a charter school sponsor use data lines and video links to benefit pupils attending the  
21 charter school and a requirement that Internet access to material that is harmful to  
22 children, as defined in s. 948.11 (1) (b), is blocked on the computers of secured  
23 correctional facilities that are served by data links and video links subsidized under  
24 this section.

25 **\*-0445/3.5\* SECTION 1436.** 44.73 (2) (f) of the statutes is created to read:

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1           44.73 (2) (f) Ensure that secured correctional facilities that receive access  
2 under this section to data lines and video links use them only for educational  
3 purposes.

4           \*~~0705/3.12~~\* **SECTION 1437.** 44.73 (2g) of the statutes is created to read:

5           44.73 (2g) An educational agency that is provided access to a data line under  
6 the program established under sub. (1) may not do any of the following:

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

8 (5).

9           (b) Request access to an additional data line for purposes of providing access  
10 to bandwidth to a political subdivision under a shared service agreement under sub.  
11 (2r) (a).

12           \*~~0705/3.13~~\* **SECTION 1438.** 44.73 (2r) of the statutes is created to read:

13           44.73 (2r) (a) A public library board that is provided access to a data line under  
14 the program established under sub. (1) may enter into a shared service agreement  
15 with a political subdivision that provides the political subdivision with access to any  
16 excess bandwidth on the data line that is not used by the public library board, except  
17 that a public library board may not sell, resell, or transfer in consideration for money  
18 or anything of value to a political subdivision access to any excess bandwidth. A  
19 shared service agreement under this paragraph is not valid unless the agreement  
20 allows the public library board to cancel the agreement at any time after providing  
21 notice to the political subdivision.

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

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

4 **\*-1857/5.109\* SECTION 1439.** 44.73 (3) of the statutes is amended to read:

5 44.73 (3) The board shall submit an annual report to the department on the  
6 status of providing data lines and video links that are requested under sub. (2) (a)  
7 and the impact on the universal service fund of any payment under contracts under  
8 s. 16.974 (7).

9 **\*b0261/2.1\* SECTION 1440b.** 44.73 (6) of the statutes is renumbered 44.73 (6)  
10 (a) and amended to read:

11 44.73 (6) (a) From the appropriation under s. 20.275 (1) (s) or (tm), the board  
12 may award an annual grant to a school district or private school that had in effect  
13 on October 14, 1997, a contract for access to a data line or video link, as documented  
14 by the board. The board shall determine the amount of the grant, which shall be  
15 equal to the cost incurred by the state to provide telecommunications access to a  
16 school district or private school under a contract entered into under s. 16.974 (7) (a)  
17 ~~or (e) (1) or (3)~~ less the amount that the school district or private school would be  
18 paying under sub. (2) (d) if the school district or private school were participating in  
19 the program established under sub. (1), except that the amount may not be greater  
20 than the cost that a school district or private school incurs under the contract in effect  
21 on October 14, 1997. A school district or private school receiving a grant under this  
22 subsection is not eligible to participate in the program under sub. (1). No grant may  
23 be awarded under this subsection after ~~June 30, 2002~~ December 31, 2005.

24 **\*b0261/2.3\* SECTION 1440c.** 44.73 (6) (b) of the statutes is created to read:

**SENATE BILL 55****SECTION 1440c**

1           44.73 (6) (b) Notwithstanding par. (a), the board may award a school district  
2 that operates more than one high school and that had in effect on October 14, 1997,  
3 a contract for access to more than one data line or video link an annual grant for each  
4 data line or video link serving each high school covered by that contract.

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:

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1           45.25 (3) (a) Except as provided in par. (am), 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 85% of  
11 the 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           \*~~-0724/2.5~~\* SECTION 1447. 45.25 (4) (a) of the statutes is amended to read:  
19           45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for  
20 more than 120 credits or 8 full semesters of full-time study at any institution of  
21 higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits or 4 full  
22 semesters of full-time study at any institution of higher education, as defined in s.  
23 45.396 (1) (a), in this state that offers a degree upon completion of 60 credits, or an

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1 equivalent amount of credits at a school that is approved under s. 45.35 (9m), at a  
2 proprietary school that is approved under s. 45.54, or at an institution where he or  
3 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.

4 **\*-0734/1.7\* SECTION 1448.** 45.35 (2) of the statutes is renumbered 45.012 and  
5 amended to read:

6 **45.012 Definition.** In this chapter ~~chapter~~ subchapter, “board” means the board of  
7 veterans affairs.

8 **\*-0734/1.8\* SECTION 1449.** 45.35 (2g) of the statutes is created to read:

9 45.35 (2g) DEFINITION. In this section, “department” means the department of  
10 veterans affairs.

11 **\*-0734/1.9\* SECTION 1450.** 45.35 (3d) (a) of the statutes is amended to read:

12 45.35 (3d) (a) The council on veterans programs created under s. 15.497 shall  
13 advise the board ~~of veterans affairs~~ and the department ~~of veterans affairs~~ on  
14 solutions and policy alternatives relating to the problems of veterans.

15 **\*-0734/1.10\* SECTION 1451.** 45.35 (3d) (b) of the statutes is amended to read:

16 45.35 (3d) (b) The council on veterans programs and the department ~~of~~  
17 ~~veterans affairs~~, jointly or separately, shall submit a report regarding the council on  
18 veterans programs to the chief clerk of each house of the legislature for distribution  
19 to the legislature under s. 13.172 (2) by November 1, 1989, and by September 30 of  
20 every odd-numbered year thereafter. The report shall include a general summary  
21 of the activities and membership over the past 2 years of the council and each  
22 organization on the council.

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1           **\*b0561/2.1\* SECTION 1451m.** 45.35 (4) of the statutes is renumbered 45.35 (4)

2 (a) and amended to read:

3           45.35 (4) (a) The Except as provided in pars. (b) to (d), the secretary shall  
4 appoint under the classified service such persons as are necessary to carry out the  
5 policy of the board and for the proper conduct of the Wisconsin veterans museum.  
6 All persons appointed by the department shall, if possible, be veterans as defined in  
7 sub. (5) and preference shall be given to disabled veterans.

8           **\*b0561/2.1\* SECTION 1451n.** 45.35 (4) (b) of the statutes is created to read:

9           45.35 (4) (b) The department shall employ not more than 5 regional  
10 coordinators. The duties of a regional coordinator shall include providing claims and  
11 benefit application assistance to veterans. The regional coordinators shall  
12 coordinate claims and benefit application assistance with the appropriate county  
13 veterans' service officers under s. 45.43 to maximize the level of assistance and  
14 benefits provided to veterans.

15           **\*b0561/2.1\* SECTION 1451p.** 45.35 (4) (c) of the statutes is created to read:

16           45.35 (4) (c) The department shall employ no more than 7 claims officers. The  
17 claims officers shall provide federal claims and benefit assistance to veterans and  
18 shall be based in the department's regional office in Milwaukee County.

19           **\*b0561/2.1\* SECTION 1451r.** 45.35 (4) (d) of the statutes is created to read:

20           45.35 (4) (d) The department shall employ no more than 2 mobile claims officers  
21 in the department's southeast region and shall employ no more than one mobile  
22 claims officer in each of the department's other 3 regions. The mobile claims officers  
23 shall provide claim and benefit assistance to veterans. The mobile claims officers  
24 shall coordinate that claim and benefit assistance with the appropriate county

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1 veterans' service officers under s. 45.43 to maximize the level of assistance and  
2 benefits provided to veterans.

3 **\*-0725/2.2\* SECTION 1452.** 45.35 (5) (a) 2. c. of the statutes is amended to read:

4 45.35 (5) (a) 2. c. Has been a resident of this state for any consecutive ~~5-year~~  
5 12-month period after entry or reentry into service and before the date of his or her  
6 application or death. If a person applying for a benefit under this subchapter meets  
7 ~~that 5-consecutive-year~~ that residency requirement of 12 consecutive months, the  
8 department may not require the person to reestablish that he or she meets ~~the~~  
9 ~~5-consecutive-year~~ that residency requirement when he or she later applies for any  
10 other benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

11 **\*-0734/1.11\* SECTION 1453.** 45.35 (5) (e) 8. of the statutes is amended to read:

12 45.35 (5) (e) 8. Persian Gulf war: Between August 1, 1990, and the ending date  
13 of Operation Desert Shield or the ending date of Operation Desert Storm as  
14 established by the department ~~of veterans affairs~~ by rule.

15 **\*-0727/1.1\* SECTION 1454.** 45.351 (1) of the statutes is amended to read:

16 45.351 (1) SUBSISTENCE GRANTS. The department may grant subsistence aid to  
17 any incapacitated individual who is a veteran or to any a dependent of a veteran in  
18 an amount that the department determines is advisable to prevent want or distress.  
19 The department may grant subsistence aid under this subsection to an individual  
20 whose incapacitation is the result of the individual's abuse of alcohol or other drugs  
21 if the individual is participating in an alcohol and other drug abuse treatment  
22 program that is approved by the department. The department may grant  
23 subsistence aid on a month-to-month basis or for a 3-month period. The  
24 department may grant subsistence aid for a 3-month period if the veteran or  
25 dependent whose incapacity is the basis for the aid will be incapacitated for more



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

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

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

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

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

4 45.353 (3m) From the appropriation under s. 20.485 (2) (s), the department  
5 shall annually provide a grant of \$100,000 to the Wisconsin department of the  
6 Disabled American Veterans for the provision of transportation services to veterans.

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

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

13 **\*-0725/2.3\* SECTION 1462.** 45.37 (3) of the statutes is amended to read:

14 45.37 (3) EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS. A veteran who  
15 was not a resident of this state at the time of enlistment or induction into service but  
16 who is otherwise qualified for membership may be admitted if the veteran has been  
17 a resident of this state for any consecutive ~~5-year~~ 12-month period after enlistment  
18 or induction into service and before the date of his or her application. If a person  
19 applying for a benefit under this subchapter meets ~~that 5-consecutive-year~~ the  
20 residency requirement of 12 consecutive months, the department may not require  
21 the person to reestablish that he or she meets ~~the 5-consecutive-year~~ that residency  
22 requirement when he or she later applies for any other benefit under this chapter  
23 that requires ~~a 5-consecutive-year~~ residency.

24 **\*-0725/2.4\* SECTION 1463.** 45.37 (6) (f) of the statutes is amended to read:

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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).

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\*\*\*\*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 (3) (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) Except as provided in sub. (9), the amount of the reimbursement  
11 may not exceed 65%<sup>plain spau</sup> 85% of the total cost of the individual's tuition and fees and shall  
12 also be limited to a maximum of 65% of or 85% of the standard cost for a state resident  
13 for tuition and fees for an equivalent undergraduate course at the University of  
14 Wisconsin-Madison per course, whichever is less, and may not be provided to an  
15 individual more than 4 times during any consecutive 12-month period.

16           \***-0906/1.1\*** SECTION 1470. 45.397 (1) of the statutes is amended to read:

17           45.397 (1) GRANT AMOUNT AND APPLICATION. The department may grant a  
18 veteran not more than \$3,000 for retraining to enable the veteran to obtain gainful  
19 employment. The department shall determine the amount of the grant based on the  
20 veteran's financial need. A veteran may apply for a grant to the county veterans'  
21 service officer of the county in which the veteran is living. The department may, on

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

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

6 45.43 (7) (title) GRANTS TO COUNTIES FOR IMPROVEMENT OF SERVICES.

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

8 45.43 (7m) TRANSPORTATION SERVICES GRANTS TO COUNTIES. (a) Annually, from  
9 the appropriation under s. 20.485 (2) (s), the department shall award grants to  
10 counties that are served by transportation services provided by the Wisconsin  
11 department of Disabled American Veterans to develop, maintain, and expand  
12 transportation services for disabled veterans. No grant awarded under this  
13 paragraph may exceed \$1,000.

14 (b) Annually, from the appropriation under s. 20.485 (2) (s), the department  
15 shall award grants to counties that are not served by transportation services  
16 provided by the Wisconsin department of Disabled American Veterans to develop,  
17 maintain, and expand transportation services for disabled veterans. The grants may  
18 be used to support multi-county cooperative transportation services.

19 (c) The department shall promulgate rules specifying the application  
20 procedures and eligibility criteria for grants under this subsection.

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

24 \*-0734/1.12\* SECTION 1471. 45.54 (2) of the statutes is amended to read:

**SENATE BILL 55****SECTION 1471**

1           45.54 (2) PURPOSE. The purpose of the board is to ~~approve schools and courses~~  
2 ~~of instruction for the training of veterans of the armed forces and war orphans~~  
3 ~~receiving assistance from the federal government~~, protect the general public by  
4 inspecting and approving private trade, correspondence, business, and technical  
5 schools doing business within this state whether located within or outside this state,  
6 changes of ownership or control of these schools, teaching locations used by these  
7 schools, and courses of instruction offered by these schools and to regulate the  
8 soliciting of students for correspondence or classroom courses and courses of  
9 instruction offered by these schools.

10           \*~~0734/1.13~~\* **SECTION 1472.** 45.54 (6) of the statutes is renumbered 45.35 (9m),  
11 and 45.35 (9m) (a), as renumbered, is amended to read:

12           45.35 (9m) (a) Except as provided in par. (b), the ~~board~~ department shall be the  
13 state approval agency for the education and training of veterans and war orphans.  
14 ~~It~~ The department shall approve and supervise schools and courses of instruction for  
15 ~~their~~ the training of veterans and war orphans under Title 38, USC, and may enter  
16 into and receive money under contracts with the U.S. department of veterans affairs  
17 or other appropriate federal agencies.

18           \*~~0725/2.6~~\* **SECTION 1473.** 45.71 (16) (a) 2m. a. of the statutes is amended to  
19 read:

20           45.71 (16) (a) 2m. a. Has been a resident of this state for any consecutive ~~5-year~~  
21 12-month period after enlistment or induction into service and before the date of his  
22 or her application or death. If a person applying for a benefit under this subchapter  
23 meets ~~that 5-consecutive-year~~ the residency requirement of 12 consecutive months,  
24 the department may not require the person to reestablish that he or she meets ~~the~~

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1 ~~5-consecutive-year~~ that residency requirement when he or she applies for any other  
2 benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

3 \*~~0736/1.1~~\* SECTION 1474. 45.76 (1) (c) of the statutes is amended to read:

4 45.76 (1) (c) *Home improvements.* A loan of not more than \$25,000 to improve  
5 a home, including the construction of a garage or the removal or other alteration of  
6 existing improvements that were made to improve the accessibility of a home for a  
7 disabled individual.

8 \*~~0726/5.4~~\* SECTION 1475. 45.79 (3) (b) of the statutes is amended to read:

9 45.79 (3) (b) *Casualty insurance coverage.* Mortgages given to secure loans  
10 under this section shall provide for adequate fire and extended coverage insurance.  
11 Policies providing such insurance coverage shall name the authorized lender  
12 involved or the department as an insured.

13 \*~~0726/5.5~~\* SECTION 1476. 45.79 (5) (a) 6. of the statutes is amended to read:

14 45.79 (5) (a) 6. Require borrowers to make monthly escrow payments to be held  
15 by the authorized lender or the department for real estate taxes and casualty  
16 insurance premiums ~~which.~~ The authorized lender or, if the department holds the  
17 payments in escrow, the department shall be paid by the authorized lender where  
18 due to the extent of the amounts owing thereon or to the extent escrowed, whichever  
19 is less pay all of the amounts due for real estate taxes and casualty insurance  
20 premiums, even if the amount held in escrow is insufficient to cover the amounts due.  
21 If the amount held in escrow is insufficient to cover the amounts due, the authorized  
22 lender or, if the department holds the payments in escrow, the department shall  
23 recover from the borrower, after paying the amounts due under this subdivision, an  
24 amount equal to the difference between the amounts paid and the amount held in  
25 escrow. If the amount held in escrow is more than the amounts due, the authorized

**SENATE BILL 55****SECTION 1476**

1 lender or, if the department holds the payments in escrow, the department shall  
2 refund to the borrower, after paying the amounts due under this subdivision, an  
3 amount equal to the difference between the amount held in escrow and the amounts  
4 paid by the authorized lender or the department.

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

6 45.79 (5) (a) 10. Service loans made under this section and purchase from  
7 authorized lenders the servicing rights for loans made by authorized lenders under  
8 this section.

9 \***-0737/1.2\*** SECTION 1478. 45.79 (5) (b) of the statutes is amended to read:

10 45.79 (5) (b) 1. Persons Veterans receiving loans under this section shall pay  
11 at the time of closing an origination fee to the authorized lender participating in the  
12 loan, except that the department shall pay, on behalf of a veteran who receives a loan  
13 under this section and who has at least a 30% service connected disability rating for  
14 purposes of 38 USC 1114 or 1134, the origination fee to the authorized lender. The  
15 origination fee charged to ~~borrowers~~ under this section paragraph shall be  
16 negotiated between the department and the authorized lender but may not exceed  
17 that which the authorized lender would charge other borrowers in the ordinary  
18 course of business under the same or similar circumstances.

19 \***-0726/5.7\*** SECTION 1479. 45.79 (7) (a) (intro.) of the statutes is amended to  
20 read:

21 45.79 (7) (a) (intro.) There is created the veterans mortgage loan repayment  
22 fund. All moneys received by the department for the repayment of loans funded  
23 under sub. (6) (a) except for servicing fees required to be paid to authorized lenders,  
24 net proceeds from the sale of mortgaged properties, any repayment to the  
25 department of moneys paid to authorized lenders, gifts, grants, other



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1 appropriations, and interest earnings accruing thereon, any repayment of moneys  
2 borrowed under s. 45.356 (9) (a), all moneys received under sub. (5) (a) 6., and any  
3 moneys deposited or transferred under s. 18.04 (6) (b) or (d) shall be promptly  
4 deposited into the veterans mortgage loan repayment fund. The board shall  
5 establish by resolution a system of accounts providing for the maintenance and  
6 disbursement of moneys of the veterans mortgage loan repayment fund to fund loans  
7 under sub. (6) (a) or to fund, refund, or acquire public debt as provided in s. 18.04 (5).  
8 The system of accounts shall record and provide moneys for all of the following  
9 purposes:

10 \*~~0726/5.8~~\* **SECTION 1480.** 45.79 (7) (a) 4. of the statutes is amended to read:

11 45.79 (7) (a) 4. Payment of all costs incurred by the department in processing  
12 and servicing loans, purchasing servicing rights for loans under this section, and  
13 accounting for and administering the program under this section, including a portion  
14 of grants made to county veterans' service officers under s. 45.43 (7).

15 \*~~0737/1.3~~\* **SECTION 1481.** 45.79 (7) (a) 10. of the statutes is created to read:

16 45.79 (7) (a) 10. Payment of origination fees, on behalf of veterans who have  
17 at least a 30% service connected disability rating for purposes of 38 USC 1114 or 1134,  
18 to authorized lenders under sub. (5) (b).

19 \*~~0726/5.9~~\* **SECTION 1482.** 45.79 (7) (a) 11. of the statutes is created to read:

20 45.79 (7) (a) 11. To make payments required of the department under sub. (5)  
21 (a) 6.

22 \*~~0426/4.1~~\* **SECTION 1483.** 46.03 (34) of the statutes is amended to read:

23 46.03 (34) **FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS.** The  
24 department shall acquire, without cost if possible, pamphlets that describe the  
25 causes and effects of fetal alcohol syndrome and the dangers to a fetus of the mother's

**SENATE BILL 55****SECTION 1483**

1 use of cocaine or other drugs during pregnancy and shall distribute the pamphlets  
2 free of charge to each county clerk in sufficient quantities so that each county clerk  
3 may provide pamphlets to marriage license applicants under s. 765.12 (1) (a).

4 **\*b0378/1.4\* SECTION 1483g.** 46.03 (43) of the statutes is repealed.

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

6 46.034 (3) With the agreement of the affected county board of supervisors in  
7 a county with a single-county department or boards of supervisors in counties with  
8 a multicounty department, effective for the contract period beginning January 1,  
9 1980, the department may approve a county with a single-county department or  
10 counties participating in a multicounty department to administer a single  
11 consolidated aid consisting of the state and federal financial aid available to that  
12 county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b), ~~(kw)~~  
13 and (o) for services provided and purchased by county departments under ss. 46.215,  
14 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of  
15 improved service coordination and effectiveness, the county board of supervisors in  
16 a county with a single-county department or county boards of supervisors in  
17 counties with a multicounty department may reallocate among county departments  
18 under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be  
19 specified for use by a single county department. The budget under s. 46.031 (1) shall  
20 be the vehicle for expressing the proposed use of the single consolidated fund by the  
21 county board of supervisors in a county with a single-county department or county  
22 boards of supervisors in counties with a multicounty department. Approval by the  
23 department of this use of the fund shall be in the contract under s. 46.031 (2g).  
24 Counties that were selected by the department to pilot test consolidated aids for  
25 contract periods beginning January 1, 1978, may continue or terminate

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1 consolidation with the agreement of the affected county board of supervisors in a  
2 county with a single-county department or county boards of supervisors in counties  
3 with a multicounty department.

4 **\*-0263/2.1\* SECTION 1485.** 46.036 (5m) (a) 1. of the statutes is amended to  
5 read:

6 46.036 (5m) (a) 1. “Provider” means a nonstock corporation organized under  
7 ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), and that  
8 contracts under this section to provide client services on the basis of a unit rate per  
9 client service or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437  
10 that contracts under this section to provide client services on the basis of a unit rate  
11 per client service.

12 **\*-0263/2.2\* SECTION 1486.** 46.036 (5m) (b) 1. of the statutes is amended to  
13 read:

14 46.036 (5m) (b) 1. Subject to subd. 2. and pars. (e) and (em), if revenue under  
15 a contract for the provision of a rate-based service exceeds allowable costs incurred  
16 in the contract period, the provider may retain from the surplus generated by that  
17 rate-based service up to 5% of the revenue received under the contract. A provider  
18 that retains a surplus under this subdivision shall use that retained surplus to cover  
19 a deficit between revenue and allowable costs incurred in any preceding or future  
20 contract period for the same rate-based service that generated the surplus or to  
21 address the programmatic needs of clients served by the same rate-based service  
22 that generated the surplus.

23 **\*-0263/2.3\* SECTION 1487.** 46.036 (5m) (b) 2. of the statutes is amended to  
24 read:

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1           46.036 (5m) (b) 2. ~~A Subject to pars. (e) and (em), a~~ provider may accumulate  
2 funds from more than one contract period under this paragraph, except that, if at the  
3 end of a contract period the amount accumulated from all contract periods for a  
4 rate-based service exceeds 10% of the revenue received under all current contracts  
5 for that rate-based service, the provider shall, at the request of a purchaser, return  
6 to that purchaser the purchaser's proportional share of that excess and use any of  
7 that excess that is not returned to a purchaser to reduce the provider's unit rate per  
8 client for that rate-based service in the next contract period. If a provider has held  
9 for 4 consecutive contract periods an accumulated reserve for a rate-based service  
10 that is equal to or exceeds 10% of the revenue received under all current contracts  
11 for that rate-based service, the provider shall apply 50% of that accumulated  
12 amount to reducing its unit rate per client for that rate-based service in the next  
13 contract period.

14           \*~~0263/2.4~~\* **SECTION 1488.** 46.036 (5m) (e) of the statutes is amended to read:

15           46.036 (5m) (e) Notwithstanding ~~this subsection~~ par. (b) 1. and 2., the  
16 department or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437  
17 that purchases care and services from an inpatient alcohol and other drug abuse  
18 treatment program that is not affiliated with a hospital and that is licensed as a  
19 community-based residential facility, may allocate to the program an amount that  
20 is equal to the amount of revenues received by the program that are in excess of the  
21 allowable costs incurred in the period of a contract between the program and the  
22 department or the county department for purchase of care and services under this  
23 section. The department or the county department may make the allocation under  
24 this paragraph only if the funds so allocated do not reduce any amount of

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1 unencumbered state aid to the department or the county department that otherwise  
2 would lapse to the general fund.

3 **\*-0263/2.5\* SECTION 1489.** 46.036 (5m) (em) of the statutes is created to read:

4 46.036 (5m) (em) Notwithstanding pars. (b) 1. and 2. and (e), a county  
5 department under s. 46.215, 51.42, or 51.437 providing client services in a county  
6 having a population of 500,000 or more or a nonstock, nonprofit corporation  
7 providing client services in such a county may not retain a surplus under par. (b) 1.,  
8 accumulate funds under par. (b) 2., or allocate an amount under par. (e) from  
9 revenues that are used to meet the maintenance-of-effort requirement under the  
10 federal temporary assistance for needy families program under 42 USC 601 to 619.

11 **\*-0424/5.3\* SECTION 1490.** 46.043 (2) of the statutes is amended to read:

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

22 **\*-0437/3.1\* SECTION 1491.** 46.057 (2) of the statutes is amended to read:

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

**SENATE BILL 55****SECTION 1491**

1 fiscal year ~~2000-01~~ 2002-03 and, from the appropriation account under s. 20.410 (3)  
2 (hm), the department of corrections shall transfer to the appropriation account under  
3 s. 20.435 (2) (kx) ~~\$2,489,300~~ \$2,694,400 in fiscal year ~~1999-2000~~ 2001-02 and  
4 ~~\$2,489,900~~ \$2,947,200 in fiscal year ~~2000-01~~ 2002-03 for services for juveniles  
5 placed at the Mendota juvenile treatment center. The department of health and  
6 family services may charge the department of corrections not more than the actual  
7 cost of providing those services.

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

12 \*~~b0323/3.5~~\* **SECTION 1494r.** 46.215 (2) (c) 1. of the statutes is amended to read:  
13 46.215 (2) (c) 1. A county department of social services shall develop, under the  
14 requirements of s. 46.036, plans and contracts for care and services to be purchased,  
15 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department  
16 of health and family services may review the contracts and approve them if they are  
17 consistent with s. 46.036 and if state or federal funds are available for such purposes.  
18 The joint committee on finance may require the department of health and family  
19 services to submit the contracts to the committee for review and approval. The  
20 department of health and family services may not make any payments to a county  
21 for programs included in a contract under review by the committee. The department  
22 of health and family services shall reimburse each county for the contracts from the  
23 appropriations under s. 20.435 (3) (o) and (7) (b), (~~kw~~) and (o), as appropriate, under  
24 s. 46.495.

25 \*~~b0429/2.1~~\* **SECTION 1494m.** 46.215 (1) (k) of the statutes is amended to read:

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1           46.215 (1) (k) ~~Except as provided under sub. (1g), certify~~ Certify eligibility for  
2 and issue food coupons to needy households in conformity with the federal food stamp  
3 act of 1964 as amended, and, in addition, the county department of social services  
4 may certify eligibility for and distribute surplus commodities and food stuffs.

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

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

8           46.22 (1) (b) 2. d. ~~Except as provided in sub. (1g), to~~ To certify eligibility for and  
9 issue food coupons to needy households in conformity with 7 USC 2011 to 2029.

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

12          46.22 (1) (e) 3. a. A county department of social services shall develop, under  
13 the requirements of s. 46.036, plans and contracts for care and services, except under  
14 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and  
15 family services may review the contracts and approve them if they are consistent  
16 with s. 46.036 and to the extent that state or federal funds are available for such  
17 purposes. The joint committee on finance may require the department of health and  
18 family services to submit the contracts to the committee for review and approval.  
19 The department of health and family services may not make any payments to a  
20 county for programs included in the contract that is under review by the committee.  
21 The department of health and family services shall reimburse each county for the  
22 contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), ~~(4w)~~ and (o)  
23 according to s. 46.495.

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

25          **\*-1627/4.5\* SECTION 1503.** 46.27 (9) (a) of the statutes is amended to read:

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1           46.27 (9) (a) The department may select up to 5 counties that volunteer to  
2 participate in a pilot project under which they will receive certain funds allocated for  
3 long-term care. The department shall allocate a level of funds to these counties  
4 equal to the amount that would otherwise be paid under s. 20.435 (4) (b) or (w) to  
5 nursing homes for providing care because of increased utilization of nursing home  
6 services, as estimated by the department. In estimating these levels, the department  
7 shall exclude any increased utilization of services provided by state centers for the  
8 developmentally disabled. The department shall calculate these amounts on a  
9 calendar year basis under sub. (10).

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

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

16           \*~~0427/1.1~~\* **SECTION 1505.** 46.27 (11) (c) 6. a. of the statutes is amended to  
17 read:

18           46.27 (11) (c) 6. a. The department approves the provision of services in a  
19 ~~community-based residential facility or group home that has 5 to 8 beds~~ or in a  
20 community-based residential facility that has 5 to 20 beds.

21           \*~~1627/4.7~~\* **SECTION 1506.** 46.275 (5) (a) of the statutes is amended to read:

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



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1 contract, medical assistance reimbursement is also available for services provided  
2 jointly by these counties.

3 **\*-1627/4.8\* SECTION 1507.** 46.275 (5) (c) of the statutes is amended to read:

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

11 **\*-0427/1.2\* SECTION 1508.** 46.277 (5) (d) 2. a. of the statutes is amended to  
12 read:

13 46.277 (5) (d) 2. a. The department approves the provision of services in a  
14 ~~community-based residential facility or group home that has 5 to 8 beds or in a~~  
15 community-based residential facility that has 5 to 20 beds.

16 **\*-1627/4.9\* SECTION 1509.** 46.278 (6) (d) of the statutes is amended to read:

17 46.278 (6) (d) If a county makes available nonfederal funds equal to the state  
18 share of service costs under the waiver received under sub. (3), the department may,  
19 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services  
20 that the county provides under this section to persons who are in addition to those  
21 who may be served under this section with funds from the appropriation under s.  
22 20.435 (4) (b) or (w).

23 **\*b0073/2.1\* SECTION 1513b.** 46.281 (3) of the statutes is amended to read:

24 46.281 (3) ~~DUTY OF THE SECRETARY.~~ The secretary shall certify to each county,  
25 hospital, nursing home, ~~community-based residential facility,~~ adult family home

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**SECTION 1513b**

1 and residential care apartment complex the date on which a resource center that  
 2 serves the area of the county, hospital, nursing home community-based residential  
 3 facility, adult family home ~~or residential care apartment complex~~ is first available  
 4 to provide a functional <sup>of adequate source</sup> and financial screen. ~~To facilitate phase-in of services of~~ <sup>This should be all plain</sup>  
 5 resource centers, the secretary may certify that the resource center is available for  
 6 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.

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

9 46.282 (3) (a) 2. a. ~~In the years 2000 and 2001~~ Before July 1, 2003, under  
 10 criteria that the department prescribes, after consulting with the council on  
 11 long-term care, evaluate the performance of the care management organization or  
 12 organizations in the area of the local long-term care council and determine whether  
 13 additional care management organizations are needed in the area and, if so,  
 14 recommend this to the department.

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

17 46.282 (3) (a) 2. b. ~~In the year 2002 and thereafter~~ After June 30, 2003, under  
 18 criteria that the department prescribes, evaluate the performance of the care  
 19 management organization or organizations in the area of the local long-term care  
 20 council and determine whether additional care management organizations are  
 21 needed in the area and, if so recommend this to the department.

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

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1           46.282 (3) (a) 15. Annually report to the department and, before July 1, 2001  
2           2003, to the council on long-term care council concerning significant achievements  
3           and problems in the local long-term care system.

4  
5           \***-1627/4.10\*** SECTION 1528. 46.283 (5) of the statutes is amended to read:  
6           46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),  
7           (bm) and, (pa), and (w) and (7) (b), (bd), and (md), the department may contract with  
8           organizations that meet standards under sub. (3) for performance of the duties under  
9           sub. (4) and shall distribute funds for services provided by resource centers.

10  
11           \***-0201/3.4\*** SECTION 1532. 46.284 (5) (a) of the statutes is amended to read:  
12           46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g) and,  
13           (im), (o), and (w) and (7) (b) and (bd), the department shall provide funding on a  
14           capitated payment basis for the provision of services under this section.  
15           Notwithstanding s. 46.036 (3) and (5m), a care management organization that is  
16           under contract with the department may expend the funds, consistent with this  
17           section, including providing payment, on a capitated basis, to providers of services  
18           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.

19           \***-0196/2.1\*** SECTION 1534. 46.286 (1) (a) 2. (intro.) of the statutes is amended  
20           to read:  
21           46.286 (1) (a) 2. (intro.) The person has a condition that is expected to last at  
22           least 90 days or result in death within 12 months after the date of application but that  
23           does not meet the level specified under subd. 1. a. or b.; the person first applies for

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1 eligibility for the family care benefit within 36 months after the date on which the  
2 family care benefit is initially available in the person's county residence; and, on the  
3 date that the family care benefit became available in the person's county of residence,  
4 the person was a resident in a nursing home or had been receiving for at least 60 days,  
5 under a written plan of care, long-term care services, as specified by the department,  
6 that were funded under any of the following:

7 \***-0196/2.2\*** SECTION 1535. 46.286 (1m) of the statutes is amended to read:

8 46.286 (1m) ELIGIBILITY EXCEPTION. A person whose primary disabling  
9 condition is developmental disability is eligible for the family care benefit if the  
10 person is a resident of a county or is a member of a tribe or band that has operated,  
11 before July 1, ~~2001~~ 2003, a care management organization under s. 46.281 (1) (d), is  
12 at least 18 years of age and meets all other eligibility criteria under this subsection  
13 sub. (1) (a) and (b).

14 \***-0196/2.3\*** SECTION 1536. 46.286 (3) (a) (intro.) of the statutes is amended to  
15 read:

16 46.286 (3) (a) (intro.) Subject to pars. (c) and (d), a person is entitled to and may  
17 receive the family care benefit through enrollment in a care management  
18 organization if, except as provided in subd. 5., he or she meets the requirements of  
19 sub. (1) (intro.) is at least 18 years of age, has a physical disability, as defined in s.  
20 15.197 (4) (a) 2., or infirmities of aging, as defined in s. 55.01 (3), is financially  
21 eligible, fulfills any applicable cost-sharing requirements and meets any of the  
22 following criteria:

23 \***-0196/2.4\*** SECTION 1537. 46.286 (3) (a) 6. of the statutes is created to read:

24 46.286 (3) (a) 6. Is functionally eligible at the intermediate level and meets all  
25 of the following criteria:

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

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

8 \***-0198/2.1\*** SECTION 1538. 46.286 (3) (d) of the statutes is amended to read:  
9 46.286 (3) (d) The department shall determine the date, which shall not be later  
10 than July 1, 2000 January 1, 2004, on which par. (a) shall first apply to persons who  
11 are not eligible for medical assistance under ch. 49. Before the date determined by  
12 the department, persons who are not eligible for medical assistance may receive the  
13 family care benefit within the limits of state funds appropriated for this purpose and  
14 available federal funds.

15

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

17 \***b0323/3.7\*** SECTION 1553t. 46.40 (1) (a) of the statutes is amended to read:  
18 46.40 (1) (a) Within the limits of available federal funds and of the  
19 appropriations under s. 20.435 (3) (o) and (7) (b), ~~(kw)~~ and (o), the department shall  
20 distribute funds for community social, mental health, developmental disabilities,  
21 and alcohol and other drug abuse services and for services under ss. 46.51, 46.87,  
22 46.985, and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and  
23 51.437 and to county aging units, as provided in subs. (2), (2m), and (7) to (9).

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

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## SECTION 1554d

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

5           \*~~0442/6.3~~\* SECTION 1555. 46.40 (2m) (a) of the statutes is amended to read:  
6           46.40 (2m) (a) *Prevention and treatment of substance abuse*. For prevention  
7 and treatment of substance abuse under 42 USC 300x-21 to 300x-35, the  
8 department shall distribute not more than ~~\$11,318,700~~ \$9,735,700 in each fiscal  
9 year.

10          \*b0328/3.1\* SECTION 1555w. 46.40 (7) of the statutes is amended to read:  
11          46.40 (7) FAMILY SUPPORT ALLOCATION. For family support programs for the  
12 families of disabled children under s. 46.985, the department shall distribute not  
13 more than ~~\$4,339,800~~ \$4,589,800 in each fiscal year 2001-02 and not more than  
14 \$5,089,800 in fiscal year 2002-03 and in each fiscal year thereafter.

15          \*~~0443/3.1~~\* SECTION 1556. 46.40 (8) of the statutes is amended to read:  
16          46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. Subject to  
17 sub. (9), for services to persons with Alzheimer's disease and their caregivers under  
18 s. 46.87, the department shall distribute not more than ~~\$1,993,400~~ for fiscal year  
19 ~~1999-2000~~ and ~~\$2,226,300~~ for fiscal year ~~2000-01~~ \$2,342,800 in each fiscal year.

20  
21          \*b0345/2.2\* SECTION 1557j. 46.46 (1) of the statutes is renumbered 46.46 and  
22 amended to read: