

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus 6-2257

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Addl. Drafters:

Subject: Children - child welfare

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN1528,

Topic:

Creation of Milwaukee child welfare district

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 06/17/2001	wjackson 06/18/2001		_____			
/1			pgreensl 06/18/2001	_____	lrb_docadmin 06/19/2001		

FE Sent For:

<END>

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See Attached

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1?	malaigm	11 Wj G/18	6/18 P9	<u>AD</u>			

FE Sent For:

<END>

Date: June 8, 2001

Re: Caucus Budget Request

Make changes related the state take-over of the Milwaukee Child Welfare program. (See attached for specifics).

CM1528

Gmm

Creation of Child Welfare Districts

This proposal would create a special purpose district in Milwaukee County for the purpose of providing child protection and child welfare services, foster care licensing and supervision, and adoption services. The district will be termed the Milwaukee County Child Welfare district, and will be separate and distinct from, and independent of, the state and Milwaukee County, if the Milwaukee County Board (or the Legislature): (a) adopts an enabling resolution (or legislation) that establishes the child welfare district and specifies the district's primary purpose, which is to operate under contract with DHFS to provide child protective and child welfare services, foster care licensing and supervision, and adoption services; and (b) files copies of the enabling resolution (or legislation) with DOA, DHFS and DOR. The legislation would specify that the jurisdiction of the Milwaukee County child welfare district would be Milwaukee County.

Board Members. Specify that the Milwaukee County Executive would appoint child welfare district board members. Specify that the child welfare district board would consist of 15 persons who are residents of the County. Require board members to reflect the ethnic and economic diversity of the child welfare district, and specify that at least one-quarter of the board members must be either representative of the client group(s) (e.g., foster parents, adoptive families) or family members or advocates for children and families who will be served by the district. Prohibit elected or appointed officials and employees of the county or counties that created the child welfare district from being board members and prohibit members from having a private, financial interest in any contract or other business of the child welfare district.

Specify that board members would serve five-year terms and could serve up to two consecutive terms. The initial board appointments would be staggered. Specify that board members could be removed for cause by the Executive. Specify that if a vacancy occurs in the position of any appointed member of the Milwaukee County child welfare district board, the Executive would appoint a person who meets applicable requirements to serve for the residue of the unexpired term. As soon as possible after the appointment of the initial members of the Milwaukee County child welfare district board, the board would organize for the transaction of business and elect a chairperson and other officers. The presence of a majority of board members would represent a quorum, and the board may act based on the affirmative vote of a majority of a quorum.

Powers. Provide the Milwaukee County child welfare district the powers necessary and convenient to carry out the operation of the child welfare district and authorize the district to: (a) adopt an official seal; (b) adopt bylaws and policies and procedures for the regulation of its affairs and the conduct of business that are consistent with state laws and regulations, (c) sue and be sued; (d) negotiate and enter into leases or contracts; (e) provide direct services to children

and families, in addition to contracted services; (f) acquire, construct, and maintain, facilities needed to operate the child welfare district; (g) hire and pay employees, fix and regulate compensation and provide employee benefits; (h) mortgage, pledge or otherwise encumber the districts property or funds; (i) buy, sell or lease property, including real estate; (j) invest funds in a financial institution in either an interest-bearing escrow account or a time deposit of two or fewer years or invest in bonds or securities guaranteed by the federal government or its agents; (k)-create a risk reserve or other special reserve, (l) accept aid, including loans, from any local, state, or federal governmental agency or accept gifts, loans, grants or bequests from individuals or entities; and (.m) make and execute other instruments necessary or convenient to exercise the powers of the child welfare district. Prohibit the child welfare district from issuing bonds or levying a tax or assessment.

Duties. Require the Milwaukee County child welfare district to: (a) appoint a director to hold office at the pleasure of the child welfare district board, (b) develop and implement a personnel structure and other employment policies for employees of the child welfare district; (c) assure compliance with the terms of any contract with DHFS; (d) establish a fiscal operating year and annually adopt a budget for the child welfare district; (e) contract for any legal services required for the child welfare district; and (f) procure liability insurance covering its officers, employees and agents, insurance against any loss in connection with its property and other assets and other necessary insurance; establish and administer a plan of self-insurance; or participate in a governmental plan of insurance or self-insurance. In order to fulfill these duties, the Milwaukee County child welfare district would enjoy the same authority and privileges, and would be subject to the same statutes and administrative rules as those governing county departments providing child welfare services.

Duties of Director. Require a director to: (a) manage the property and business of the Milwaukee County child welfare district, subject to the general control of the board; (b) comply with the bylaws and direct enforcement of all policies and procedures adopted by the board; (c) perform other duties prescribed by the board.

Employment and Employee Benefits of Certain Employees. Specify that if the Milwaukee County child welfare district offers employment to any person who was previously employed by Milwaukee County in a capacity substantially similar to the offered employment, the district would comply with the following requirements: (a) initially provide the same compensation and benefits that the employee received as a county employee; (b) recognize all years of service with the county for any benefit provided or program operated by the district for which years of service affect the benefit; and (c) for employees who were under a collective bargaining agreement at the starting date of employment with the child welfare district, abide by the terms of that agreement until it expires or the district adopts a collective bargaining agreement with its employees, whichever occurs first.

Specify that if a county has not established its own retirement systems the district must adopt a resolution to be part of the Wisconsin Retirement System. For counties with their own retirement system, require the county board to allow district employees to be part of the county's retirement system. Specify that, subject to terms of any applicable bargaining unit, child welfare district

Milwaukee
has
own
4002 (28) ?
(36) ?

employees are eligible to receive health care coverage under any county health insurance plan and participate in any deferred compensation or other benefit plan offered to county employees.

Treatment of the Milwaukee County Child Welfare District as a Special Purpose District.

Specify that the Milwaukee County child welfare district would be subjected to many of the same requirements covering other public entities, including open records laws, open meetings laws, requirements for the publication of legal notices, and auditing by the Legislative Audit Bureau and performance reviews by, the joint Legislative Audit Committee. Require the Milwaukee County child welfare district to comply with the same collective bargaining rules that would allow employees of the child welfare district to organize and seek to establish all terms of wages, hours and conditions of employment through collective bargaining.

Specify that the Milwaukee County child welfare district would be subject to regulations affecting both private and public entities. Require the child welfare district to comply with employer regulations, such as the family and medical leave laws, hours of work and overtime and worker's compensation laws. Include the child welfare district in the definition of "employer" for purposes of coverage for group and individual health benefits and for small employer health insurance. Include the child welfare district in the definition of "governmental bodies" as it relates to the state's open meeting law. Specify that the child welfare district would be subject to laws regulating buildings and safety.

Provide the Milwaukee County child welfare district a number of advantages shared by governmental entities by: (a) exempting the child welfare district from local property taxation and the state corporate income and franchise taxes, (b) authorizing the child welfare district to participate in the Wisconsin Retirement System, including disability coverage, local group health insurance, state deferred compensation program, state income continuation program and be included as a coverage group under social security; (c) authorizing the child welfare district to contract with other local units of government and with federally recognized American Indian tribes and bands in Wisconsin for the receipt or furnishing of services or the joint exercise of required or authorized powers or duties; and (d) permitting the child welfare district to copy vital records for internal use as long as the copies were marked "for administrative use."

Specify that the obligations and debts of the Milwaukee County child welfare district are not obligations or debts of Milwaukee County. Authorize Milwaukee County to appropriate monies to the district as a gift or loan. Authorize the Milwaukee County child welfare district to participate in the local government pooled investment fund.

Specify that the Milwaukee County child welfare district could be dissolved by the joint action of the district board and the County board, subject to the performance of contract obligations and DHFS approval. Provide that if the Milwaukee County child welfare district were dissolved, the property of the child welfare district would be transferred to Milwaukee County. Require that the disposition of any risk reserve be made under the terms of the child welfare district's contract with DHFS.

Malaise, Gordon

From: Hanaman, Cathlene
Sent: Tuesday, June 12, 2001 12:33 PM
To: Keckhaver, John
Cc: Malaise, Gordon
Subject: RE: information on CN 1528

John,

Gordon Malaise will be drafting CN 1528.

-Cathlene

-----Original Message-----

From: Keckhaver, John
Sent: Monday, June 11, 2001 10:01 AM
To: Hanaman, Cathlene
Subject: information on CN 1528

Cathlene,

If possible, I'd like to find out who the drafter will be on CN 1528. (As I write this, I realize you are going to be getting that in a few minutes, so when you get it and it's decided, please let me know.) Also, whoever it is can contact Cindy McGinnis in Senator Burke's office with questions about the proposed amendment.

Thanks a lot.

John

Kennedy, Debora

From: Kennedy, Debora
Sent: Friday, January 22, 1999 2:57 PM
To: Fossum, Gretchen
Subject: Family care

There are many statutes, that, by virtue of the definition of "local governmental unit" or "special purpose district" apply to a family care district if no amendment excluding a family care district is made. Many of these statutes appear to be irrelevant to the purpose of a family care district and I have exercised a judgment call in excluding them from consideration. The following, however, are statutes that appear to be more important and that, therefore, need review to ensure that you wish them to affect a family care district:

- ✓ 1. State energy policy under s. 1.12 applies under definition of "local governmental unit" in s. 1.12 (1) (a).
- ✓ 2. Public records requirements apply under s. 16.162 under definition of "local governmental unit" in s. 16.612 (1).
- ✓ 3. Information technology provisions under subch. VII of ch. 16, apply, by virtue of definition of "local governmental unit" in s. 16.97 (7), which includes special purpose districts.
- ✓ 4. Code of ethics for public officials and employes (subc. III, ch. 19) applies, through definition of "local governmental unit" in s. 19.42 (7u); also applies to board of directors through definition of "local public office" in s. 19.42 (7w) (c).
- ✓ 5. Provisions on withdrawal or disbursement from the local treasury under s. 66.042 (7) apply, by virtue of "special purpose district" in that subsection.
6. Interest on late payments provisions (s. 66.285) applies under definition of "local governmental unit" in s. 66.285 (1) (c).
7. Provisions on contractor's failure to comply with municipal wage scale (s. 66.293) apply under definition of "local governmental unit" in s. 66.293 (1) (d).
8. Local governmental purchasing provisions under s. 66.299 apply under definition of "local governmental unit" in s. 66.299 (1) (a).
9. Energy savings performance contracting under s. 66.949 applies under definition of "local governmental unit" in s. 66.949 (1) (b).
10. Municipal administrative procedures concerning constitutionally-protected rights under ch. 68 apply by virtue of definition of "municipality" in s. 68.04, which includes special purpose districts.
11. Restrictions on employe testing for the presence of HIV under s. 103.15, by virtue of definition of "employer" under s. 103.15 (1) (a).
12. Mandates of the governor's council on workforce development do not apply, under s. 106.115 (3), under the definition of "local governmental unit".
13. Exemption from treble damages for operating as a monopoly, under s. 133.18 (1) (b), applies, by virtue of existence as a "local governmental unit".
14. Limits on liabilities to a bank for money borrowed apply, under s. 221.0320 (3), by virtue of being a "local governmental unit" under definition in s. 16.97 (7), which includes special purpose districts.
15. Employe development and training programs may be provided by DER, under certain conditions, under s. 230.046 (10) (b) 1., by virtue of definition of "local governmental unit" in s. 230.046 (10) (a), which includes special purpose districts.
16. Trespass to land prohibitions under s. 943.13 apply under definition of "local governmental unit" in 943.13 (1e) (c).

Statutes to which "local governmental unit" or "special purpose district" do not apply (and, therefore, that would have to be amended if a policy decision is made to have them affect a family care district) and that are significant are the following:

- ✓ 1. 13.94 (4) (a), (b)--Auditing by legislative audit bureau and review of performance by joint legislative audit committee
- ✗ 2. 19.21--Destruction of obsolete records - *unnecessary to amend*
- ✓ 3. 19.32 (1)--Open records laws
- ✓ 4. 19.82 (1)--Open meetings laws
- ✓ 5. 20.927--Prohibition on public funding for abortion
- ✓ 6. 20.9275--Prohibition on public funding for abortion-related activities
- ✗ 7. 23.09 (19) (a) 2.--Aids for acquisition of urban green space - *unnecessary*
- ✓ 8. 25.50 (1) (d)--Local government pooled-investment fund
- ✗ 9. Subch. II, Ch. 44--Historic preservation - *unnecessary*
- ✓ 10. 66.04 (1m)--Restrictions on payments for abortions and abortion-related activities
- wo ✗ 11. 66.04 (2) (a) Investments in time deposits, bonds, etc.
- ✓ 12. 66.30--Intergovernmental cooperation
- ✓ 13. 70.11 (2)--Exemption from property tax
- ✓ 14. 71.26 (1) (b)--Exemption from income tax
- wo ✗ 15. 77.25--Exemption from real estate transfer fee -
- ✗ 16. 77.54 (9a)--Exemption from sales tax - *not neces. to amend bec. of 77.54(9a)(=)?*
- ✓ 17. ch. 101--Public employe occupational safety and health laws
- ✗ 18. 605.01 (1)--Local governmental property insurance fund - *def. includes feds*

I have yet to perform searches on "employer", "governmental body" and "University of Wisconsin Hospitals and Clinics Authority", but at this stage do not expect to find many additional applicable laws.

Rick Champagne is working on the provisions relating to worker's compensation, unemployment compensation, state minimum wage and hour and family and medical leave laws, retirement, health insurance, deferred compensation, income continuation insurance, disability insurance and others.

To 2e list add

- ✓ 1. 111.70 (1) (j) - Definition of "municipal employer" for purposes of Subch. IV of ch. 111. (municipal collective bargaining laws)
- ✓ 2. 101.01 (4) - Regulation of ~~industrial~~ bldgs + safety
~~BE FOR 101.01 (4) Public Employer Occupational Safety and Health~~
- ✓ 3. 102.01 (2) (d), 102.04 (1) (a) - "Municipality" + "employer" - worker's compensation
- ✓ 4. 103.001 (6) - "Employer" - family or medical leave, child labor, minimum wage
- ✓ 5. 40.02 (28), (36) - retirement, health ins., deferred comp
- ✓ 6. 632.745 (6) (a) - "Employer" for coverage for group and individual health benefits and 2 for small employer health insurance
- ✓ 7. 985.01 (3) - publication of legal notices



Please fix request sheet

SDC:.....Keckhaver - CN1528, Creation of Milwaukee Child Welfare District

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55

LPS: Please, after typing,
Would you do a search
for "Milwaukee County
Child Welfare District" to
make sure that the
last three words are le?
Thanks.

substitute amendment

1 At the locations indicated, amend the bill as follows:

2 1. Page 18, line 8: delete lines 8 to ~~13~~²³ and substitute:

3 "SECTION 114h. 13.94 (4) (a) 1. of the statutes is amended to read:

4 13.94 (4) (a) 1. Every state department, board, examining board, affiliated

5 credentialing board, commission, independent agency, council or office in the

6 executive branch of state government; all bodies created by the legislature in the

7 legislative or judicial branch of state government; any public body corporate and

8 politic created by the legislature including specifically the Fox River Navigational

9 System Authority, a professional baseball park district, a local professional football

10 stadium district, a local cultural arts district and, a family care district created under

STET

1 s. 46.2895, and the Milwaukee County ~~Child Welfare District~~ ~~created~~ under s.
 2 48.562; every Wisconsin works agency under subch. III of ch. 49; every provider of
 3 medical assistance under subch. IV of ch. 49; technical college district boards;
 4 development zones designated under s. 560.71; every county department under s.
 5 51.42 or 51.437; every nonprofit corporation or cooperative to which moneys are
 6 specifically appropriated by state law; and every corporation, institution, association ⁵
 7 or other organization ^{that} which receives more than 50% of its annual budget from
 8 appropriations made by state law, including subgrantee or subcontractor recipients
 9 of such funds.

NOTE: NOTE: Subd. 1. is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93(2) (c). The bracketed language was inserted by 1999 Wis. Act 167 without being underscored. No change was intended. Corrective legislation is pending. NOTE:

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252; 1999 a. 9, 65, 105, 167, 197; s. 13.93 (2) (c).

10 SECTION 114i. 13.94 (4) (b) of the statutes is amended to read:

11 13.94 (4) (b) In performing audits of family care districts under s. 46.2895, the
 12 Milwaukee County Child Welfare District under s. 48.562, Wisconsin works agencies
 13 under subch. III of ch. 49, providers of medical assistance under subch. IV of ch. 49,
 14 corporations, institutions, associations, or other organizations, and their
 15 subgrantees or subcontractors, the legislative audit bureau shall audit only the
 16 records and operations of such providers and organizations which pertain to the
 17 receipt, disbursement, or other handling of appropriations made by state law.”

History: 1971 c. 270 s. 104; 1971 c. 307; 1973 c. 334; 1975 c. 39, 199, 224, 421; 1977 c. 26, 29; 1977 c. 196 s. 131; 1977 c. 418; 1979 c. 34, 314, 324; 1981 c. 20, 335; 1983 a. 27, 36, 96, 381; 1985 a. 29, 57, 120, 176; 1987 a. 27, 119, 186, 320, 328, 354, 399, 403; 1989 a. 31, 122; 1991 a. 39, 269, 316; 1993 a. 16, 27, 107, 263, 399, 491; 1995 a. 27 ss. 43g to 47n, 9116 (5); 1995 a. 56, 216, 225, 274, 289; 1997 a. 27, 252; 1999 a. 9, 65, 105, 167, 197; s. 13.93 (2) (c).

18 2. Page 90; line 6: after that line insert:

19 “SECTION 380s. 17.13 (intro.) of the statutes is amended to read:

20 17.13 Removal of village, town, town sanitary district, school district,
 21 technical college and, family care district, and Milwaukee County Child
 22 Welfare District officers. (intro.) Officers of towns, town sanitary districts,

1 villages, school districts, technical college districts and, family care districts, and the
2 Milwaukee County Child Welfare District may be removed as follows:

History: 1971 c. 154; 1977 c. 449; 1983 a. 532; 1993 a. 399; 1995 a. 34, 225; 1999 a. 9.

3 **SECTION 380t.** 17.13 (5) of the statutes is created to read:

4 17.13 (5) APPOINTIVE OFFICERS OF THE MILWAUKEE COUNTY CHILD WELFARE
5 DISTRICT. Any member of the Milwaukee County Child Welfare District board
6 appointed under s. 48.562 (3) (a), by the appointing authority for cause

LPS: please invert

History: 1971 c. 154; 1977 c. 449; 1983 a. 532; 1993 a. 399; 1995 a. 34, 225; 1999 a. 9.

7 **3.** Page 90, line 8: after that line insert:

8 "SECTION 382c. 17.27 (3p) of the statutes is created to read:

9 17.27 (3p) Milwaukee County Child Welfare DISTRICT BOARD. If a vacancy
10 occurs in the position of any appointed member of the Milwaukee County Child
11 Welfare District board, the appointing authority shall appoint to serve for the
12 residue of the unexpired term a person who meets the applicable requirements under
13 s. 48.562 (3) (b)

LPS: please invert

(C)+(B)
SECTION

History: 1977 c. 29; 1979 c. 221; 1983 a. 192; 1989 a. 324; 1991 a. 39; 1993 a. 399; Sup. Ct. Order No. 96-08, 207 Wis. 2d xv (1997); 1999 a. 9; 1999 a. 150 s. 672.

14 **4.** Page 90, line 9: delete "382b" and substitute "382d".

15 **5.** Page 93, line 3: after that line insert:

16 "SECTION 382x. 19.32 (1) of the statutes is amended to read:

17 19.32 (1) "Authority" means any of the following having custody of a record: a
18 state or local office, elected official, agency, board, commission, committee, council,
19 department or public body corporate and politic created by constitution, law,
20 ordinance, rule or order; a governmental or quasi-governmental corporation except
21 for the Bradley center sports and entertainment corporation; a local exposition
22 district under subch. II of ch. 229; a family care district under s. 46.2895; the
23 Milwaukee County Child Welfare District under s. 48.562; any court of law; the

1 assembly or senate; a nonprofit corporation ~~which~~^{that} receives more than 50% of its
 2 funds from a county or a municipality, as defined in s. 59.001 (3), and ~~which~~^{that} provides
 3 services related to public health or safety to the county or municipality; a nonprofit
 4 corporation operating the Olympic ice training center under s. 42.11 (3); or a formally
 5 constituted subunit of any of the foregoing.”

History: 1981 c. 335; 1985 a. 26, 29, 332; 1987 a. 305; 1991 a. 39, 1991 a. 269 ss. 26pd, 33b; 1993 a. 215, 263, 491; 1995 a. 158; 1997 a. 79, 94; 1999 a. 9.

6 6. Page 93, line 21: after that line insert:

7 “SECTION 389t. 19.82 (1) of the statutes is amended to read:

8 19.82 (1) “Governmental body” means a state or local agency, board,
 9 commission, committee, council, department, or public body corporate and politic
 10 created by constitution, statute, ordinance, rule, or order; a governmental or
 11 quasi-governmental corporation except for the Bradley center sports and
 12 entertainment corporation; a local exposition district under subch. II of ch. 229; a
 13 family care district under s. 46.2895; the Milwaukee County Child Welfare District
 14 under s. 48.562; a nonprofit corporation operating the Olympic ice training center
 15 under s. 42.11 (3); or a formally constituted subunit of any of the foregoing, but
 16 excludes any such body or committee or subunit of such body ~~which~~^{that} is formed for or
 17 meeting for the purpose of collective bargaining under subch. I, IV or V of ch. 111.”

History: 1975 c. 426; 1977 c. 364, 447; 1985 a. 26, 29, 332; 1987 a. 305; 1993 a. 215, 263, 456, 491; 1995 a. 27, 185; 1997 a. 79; 1999 a. 9.

18 7. Page 473, line 10: after that line insert:

19 “SECTION 1129n. 25.50 (1) (d) of the statutes is amended to read:

20 25.50 (1) (d) “Local government” means any county, town, village, city, power
 21 district, sewerage district, drainage district, town sanitary district, public inland
 22 lake protection and rehabilitation district, local professional baseball park district
 23 created under subch. III of ch. 229, family care district under s. 46.2895, local
 24 professional football stadium district created under subch. IV of ch. 229, local

1 cultural arts district created under subch. V of ch. 229, public library system, school
 2 district, or technical college district in this state, the Milwaukee County Child
 3 Welfare District under s. 48.562, any commission, committee, board, or officer of any
 4 governmental subdivision of this state, any court of this state, other than the court
 5 of appeals or the supreme court, or any authority created under s. 231.02, 233.02, or
 6 234.02.”.

~~NOTE: NOTE: Par. (d) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c) NOTE:~~

History: 1975 c. 164; 1977 c. 29, 187; 1979 c. 34 s. 2102 (46) (a); 1979 c. 175 s. 53; 1981 c. 20, 93; 1983 a. 27 s. 2202 (45), (49); 1985 a. 29 s. 3202 (46); 1987 a. 27; 1989 a. 31, 159, 336; 1991 a. 33, 39; 1993 a. 16, 399; 1995 a. 27, 56, 274; 1999 a. 9, 65, 83, 167; s. 13.93 (2) (c).

7 8. Page 533, line 2: after that line insert: *as affected by 1999 Wisconsin Act 65,*

8 “SECTION 1389e. 40.02 (28) of the statutes *is* amended to read: *Section 11,*

9 40.02 (28) “Employer” means the state, including each state agency, any
 10 county, city, village, town, school district, other governmental unit, or
 11 instrumentality of 2 or more units of government now existing or hereafter created
 12 within the state, any federated public library system established under s. 43.19
 13 whose territory lies within a single county with a population of 500,000 or more, a
 14 local exposition district created under subch. II of ch. 229 ~~and~~, a family care district
 15 created under s. 46.2895, and the Milwaukee County Child Welfare District created
 16 under s. 48.562, except as provided under ss. 40.51 (7) and 40.61 (3) and subch. X.
 17 “Employer” does not include a local cultural arts district created under subch. V of
 18 ch. 229. Each employer shall be a separate legal jurisdiction for OASDHI purposes.

~~NOTE: NOTE: Sub. (28) is amended eff. 1-1-10 by 1999 Wis. Act 65 to read: NOTE:~~

19 SECTION 1389f. 40.02 (28) of the statutes, as affected by *(this act)* is repealed
 20 and recreated to read:

21 40.02 (28) “Employer” means the state, including each state agency, any county,
 22 city, village, town, school district, other governmental unit or instrumentality of 2 or
 23 more units of government now existing or hereafter created within the state, any

1999 Wisconsin Act 65, section 12, and 2001
 Wisconsin Act.....

1 federated public library system established under s. 43.19 whose territory lies within
 2 a single county with a population of 500,000 or more, a local exposition district
 3 created under subch. II of ch. 229, a family care district created under s. 46.2895, and
 4 the Milwaukee County ~~Child Welfare~~ District created under s. 48.562, except as
 5 provided under ss. 40.51 (7) and 40.61 (3). "Employer" does not include a local
 6 cultural arts district created under subch. V of ch. 229. Each employer shall be a
 7 separate legal jurisdiction for OASDHI purposes.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83.

8 **SECTION 1389p.** 40.02 (36) of the statutes is amended to read:

9 40.02 (36) "Governing body" means the legislature or the head of each state
 10 agency with respect to employees of that agency for the state, the common council
 11 in cities, the village board in villages, the town board in towns, the county board in
 12 counties, the school board in school districts, or the board, commission, or other
 13 governing body having the final authority for any other unit of government, for any
 14 agency or instrumentality of 2 or more units of government, for any federated public
 15 library system established under s. 43.19 whose territory lies within a single county
 16 with a population of 500,000 or more, for a local exposition district created under
 17 subch. II of ch. 229 ~~or~~, for a family care district created under s. 46.2895, or for the
 18 Milwaukee County ~~Child Welfare~~ district created under s. 48.562, but does not
 19 include a local cultural arts district created under subch. V of ch. 229."

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83.

20 **9.** Page 576, line 21: after that line insert:

21 **SECTION 1577n.** 48.069 (2) of the statutes is amended to read:

1 48.069 (2) Except in a county having a population of 500,000 or more, licensed
 2 child welfare agencies and the department shall provide services under this section
 3 only upon the approval of the agency from whom services are requested. In a county
 4 having a population of 500,000 or more, the department or, with the approval of the
 5 department, a licensed child welfare agency or the Milwaukee County Child Welfare
 6 District shall provide services under this section.”

History: 1977 c. 354; 1979 c. 300; 1985 a. 176; 1989 a. 31, 107; 1993 a. 98, 385; 1995 a. 27 ss. 2428m, 2428p, 9126 (19); 1995 a. 77; 1997 a. 27, 292.

7 **10.** Page 578, line 6: after that line insert:

8 “SECTION 1617c. 48.48 (17) (a) 3. of the statutes is amended to read:

9 48.48 (17) (a) 3. Provide appropriate protection and services for children and
 10 the expectant mothers of unborn children in its care, including providing services for
 11 those children and their families and for those expectant mothers in their own
 12 homes, placing the children in licensed foster homes, treatment foster homes or
 13 group homes in this state or another state within a reasonable proximity to the
 14 agency with legal custody or contracting for services for those children by licensed
 15 child welfare agencies or by the Milwaukee County Child Welfare District, except
 16 that the department may not purchase the educational component of private day
 17 treatment programs unless the department, the school board as defined in s. 115.001
 18 (7), and the state superintendent of public instruction all determine that an
 19 appropriate public education program is not available. Disputes between the
 20 department and the school district shall be resolved by the state superintendent of
 21 public instruction.

History: 1973 c. 90, 333; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 354, 418, 447, 449; 1979 c. 34 ss. 833m, 834, 2102 (20) (a); 1979 c. 221, 300; 1983 a. 27 s. 2202 (20); 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 135, 176; 1985 a. 332 s. 251 (3); 1987 a. 339; 1989 a. 31, 107, 359; 1991 a. 316; 1993 a. 16, 375, 385, 446, 491; 1995 a. 27 ss. 2526 to 2534m, 9126 (19), 9145 (1); 1995 a. 77-1997 a. 27, 35, 80, 105, 292; 1999 a. 9.

22 SECTION 1716s. 48.48 (17) (a) 11. of the statutes is amended to read:

1617 ↗

1 48.48 (17) (a) 11. Contract with the county department under s. 46.215, 51.42,
 2 or 51.437 ~~or~~, with a licensed child welfare agency, or with the Milwaukee County
 3 Child Welfare District to provide any of the services that the department is
 4 authorized to provide under this chapter.”.

History: 1973 c. 90, 333; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 354, 418, 447, 449; 1979 c. 34 ss. 833m, 834, 2102 (20) (a); 1979 c. 221, 300; 1983 a. 27 s. 2202 (20); 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 135, 176; 1985 a. 332 s. 251 (3); 1987 a. 339; 1989 a. 31, 107, 359; 1991 a. 316; 1993 a. 16, 375, 385, 446, 491; 1995 a. 27 ss. 2526 to 2534m, 9126 (19), 9145 (1); 1995 a. 77; 1997 a. 27, 35, 80, 105, 292; 1999 a. 9.

5 **11.** Page 580, line 10: after that line insert:

6 “SECTION 1624g. 48.562 of the statutes is created to read:

7 **48.562 Milwaukee County Child Welfare District.** (1) CREATION. The
 8 county board of supervisors of a county having a population of 500,000 or more may
 9 create a special purpose district that is termed the “Milwaukee County Child Welfare
 10 District,” that is a local unit of government, that is separate and distinct from, and
 11 independent of, the state and the county, and that has the powers and duties
 12 specified in this section, if the county board does all of the following:

13 (a) Adopts an enabling resolution that does all of the following:

14 1. Establishes the Milwaukee County Child Welfare District.

15 2. Specifies the district’s primary purpose, which shall be to provide, under
 16 contract with the department, child welfare services under this ~~chapter~~ ^{stat} ~~subchapter~~

17 (b) Files copies of the enabling resolution with the secretary of administration,
 18 the secretary of health and family services, and the secretary of revenue.

19 (2) JURISDICTION. The Milwaukee County Child Welfare District’s jurisdiction
 20 is the geographical area of the county of the county board of supervisors that created
 21 the district.

22 (3) MILWAUKEE COUNTY CHILD WELFARE DISTRICT BOARD. (a) The county
 23 executive of a county having a population of 500,000 or more shall appoint the

1) members of the Milwaukee County ~~C~~hild ~~W~~elfare ~~D~~istrict board, which is the
2) governing board of the Milwaukee County ~~C~~hild ~~W~~elfare ~~D~~istrict.

3) (b) 1. The Milwaukee County ~~C~~hild ~~W~~elfare ~~D~~istrict board shall consist of 15
4) persons who are residents of the area of jurisdiction of the district. At least
5) one-fourth of the members shall be representative of the client groups whom it is the
6) district's primary purpose to serve or the family members, guardians, or other
7) advocates of the children and families that are served by the district.

8) 2. Membership of the Milwaukee County ~~C~~hild ~~W~~elfare ~~D~~istrict board shall
9) reflect the ethnic and economic diversity of the area of jurisdiction of the district. No
10) member of the board may be an elected or appointed official or employee of the county
11) that created the district. No member of the board may have a private financial
12) interest in or profit directly or indirectly from any contract or other business of the
13) district.

14) (c) The members of the Milwaukee County ~~C~~hild ~~W~~elfare ~~D~~istrict board shall
15) serve 5-year terms. No member may serve more than 2 consecutive terms. Of the
16) members first appointed, 5 shall be appointed for 3 years; 5 shall be appointed for
17) 4 years; and 5 shall be appointed for 5 years. A member shall serve until his or her
18) successor is appointed, unless removed for cause under s. 17.13.[✓]

19) (d) As soon as possible after the appointment of the initial members of the
20) Milwaukee County ~~C~~hild ~~W~~elfare ~~D~~istrict board, the board shall organize for the
21) transaction of business and elect a chairperson and other necessary officers. Each
22) chairperson shall be elected by the board from time to time for the term of that
23) chairperson's office as a member of the board or for the term of 3 years, whichever
24) is shorter, and shall be eligible for reelection. A majority of the board shall constitute
25) a quorum. The board may act based on the affirmative vote of a majority of a quorum.

1 (4) POWERS. The Milwaukee County Child Welfare District has all the powers
 2 necessary or convenient to carry out the purposes specified in sub. (1) (a) 2., including
 3 all the powers relating to the provision of child welfare services of a county
 4 department providing child welfare services. In addition to those powers, the district
 5 may do all of the following:

6 (a) Adopt and alter, at pleasure, an official seal.

7 (b) Adopt bylaws, ~~and~~ policies and procedures for the regulation of its affairs
 8 and the conduct of its business. The bylaws, policies, and procedures shall comply
 9 with all state laws, rules, policies, and procedures governing the provision of child
 10 welfare services by a county department and with the terms of the district's contract
 11 with the department under par. (d).[✓]

12 (c) Sue and be sued.

13 (d) Negotiate and enter into leases or contracts, including a contract with the
 14 department to provide child welfare services under this ~~chapter~~ ^{stat} ~~subchapter~~

15 (e) Provide services to children and families, in addition to the services funded
 16 under the contract with the department under par. (d).[✓]

17 (f) Acquire, construct, equip, maintain, improve, and manage facilities
 18 necessary for the provision of child welfare services under this ~~chapter~~ ^{stat}

19 (g) Subject to sub. (8), employ any agent, employee, or special adviser that the
 20 district finds necessary; [^] fix and regulate his or her compensation; [^] and provide, either
 21 directly or subject to an agreement under s. 66.0301 as a participant in a benefit plan
 22 of another governmental entity, any employee benefits, including an employee
 23 pension plan.

NOTE: NOTE. The bracketed language indicates the correct cross-reference. Corrective legislation is pending. NOTE.

24 (h) Mortgage, pledge, or otherwise encumber the district's property or funds.

1 (i) Buy, sell, or lease property, including real estate, and maintain or dispose
2 of the property.

3 (j) Invest any funds not required for immediate disbursement in any of the
4 following:

5 1. An interest-bearing escrow account with a financial institution, as defined
6 in s. 69.30 (1) (b).[↓]

7 2. Time deposits in any financial institution, as defined in s. 69.30 (1) (b),[↓] if the
8 time deposits mature in not more than 2 years.

9 3. Bonds or securities issued or guaranteed as to principal and interest by the
10 federal government or by a commission, board or other instrumentality of the federal
11 government.

12 (k) Create a risk reserve or other special reserve as the district board desires
13 or as the department requires under the district's contract with the department
14 under par. (d).[↓]

15 (L) Accept aid, including loans, to accomplish the purpose of the district from
16 any local, state, or federal governmental agency or accept gifts, loans, grants, or
17 bequests from individuals or entities, if the conditions under which the aid, loan, gift,
18 grant, or bequest is furnished are not in conflict with this section.

19 (m) Make and execute other instruments necessary or convenient to exercise
20 the powers of the district.

21 (5) LIMITATION ON POWERS. The Milwaukee County ~~Child Welfare~~ District may
22 not issue bonds or levy a tax or assessment.

23 (6) DUTIES. The Milwaukee County ~~Child Welfare~~ District board shall do all
24 of the following:

25 (a) Appoint a director, who shall hold office at the pleasure of the board.

1 (b) Subject to sub. (8),[↓] develop and implement a personnel structure and other
2 employment policies for employees of the district.

3 (c) Assure compliance with the terms of any contract with the department
4 under sub. (4) (d).[↓]

5 (d) Establish a fiscal operating year and annually adopt a budget for the
6 district.

7 (e) Contract for any legal services required for the district.

8 (f) Subject to sub. (8), procure liability insurance covering its officers,
9 employees, and agents, insurance against any loss in connection with its property
10 and other assets, and other necessary insurance; establish and administer a plan of
11 self-insurance; or, subject to an agreement under s. 66.0301,[↓] participate in a
12 governmental plan of insurance or self-insurance.

13 (7) DIRECTOR; DUTIES. The director appointed under sub. (6) (a)[↓] shall do all of
14 the following:

15 (a) Manage the property and business of the district and manage the employees
16 of the district, subject to the general control of the board.

17 (b) Comply with the bylaws and direct enforcement of all policies and
18 procedures adopted by the board.

19 (c) Perform duties in addition to those specified in pars. (a)[↓] and (b)[↓] as are
20 prescribed by the board.

21 (8) EMPLOYMENT AND EMPLOYEE BENEFITS OF CERTAIN EMPLOYEES. (a) The
22 Milwaukee County Child Welfare District board shall do all of the following:

23 1. If the district offers employment to any individual who was previously
24 employed by the county, who while employed by the county performed duties relating
25 to the same or a substantially similar function for which the individual is offered

1 employment by the district, and whose wages, hours, and conditions of employment
2 were established in a collective bargaining agreement with the county under subch.
3 IV of ch. 111 that is in effect on the date on which the individual commences
4 employment with the district, with respect to that individual, abide by the terms of
5 the collective bargaining agreement concerning the individual's compensation and
6 benefits until the time of the expiration of that collective bargaining agreement or
7 adoption of a collective bargaining agreement with the district under subch. IV of ch.
8 111 covering the individual as an employee of the district, whichever occurs first.

9 2. If the district offers employment to any individual who was previously
10 employed by the county and who while employed by the county performed duties
11 relating to the same or a substantially similar function for which the individual is
12 offered employment by the district, but whose wages, hours, and conditions of
13 employment were not established in a collective bargaining agreement with the
14 county under subch. IV of ch. 111 that is in effect on the date on which the individual
15 commences employment with the district, with respect to that individual, initially
16 provide that individual the same compensation and benefits that he or she received
17 while employed by the county.

18 3. If the district offers employment to any individual who was previously
19 employed by the county and who while employed by the county performed duties
20 relating to the same or a substantially similar function for which the individual is
21 offered employment by the district, with respect to that individual, recognize all
22 years of service with the county for any benefit provided or program operated by the
23 district for which an employee's years of service may affect the provision of the
24 benefit or the operation of the program.

1 4. If the county has not established its own retirement system for county
 2 employees, adopt a resolution that the family care district be included within the
 3 provisions of the Wisconsin retirement system under s. 40.21 (1).[✓] In this resolution,
 4 the ~~family care district~~ ^{Milwaukee County Child Welfare district} shall agree to recognize 100% of the prior creditable service
 5 of its employees earned by the employees while employed by the district.

6 (b) The county board of supervisors of the area of jurisdiction of the district
 7 shall do all of the following:

History: 1999 a. 9, 185.

8 1. If the county has established its own retirement system for county
 9 employees, provide that district employees are eligible to participate in the county
 10 retirement system.

11 2. Provide that, subject to the terms of any applicable collective bargaining
 12 agreement as provided in par. (a) 1.,[✓] district employees are eligible to receive health
 13 care coverage under any county health insurance plan that is offered to county
 14 employees.

15 3. Provide that, subject to the terms of any applicable collective bargaining
 16 agreement as provided in par. (a) 1.,[✓] district employees are eligible to participate in
 17 any deferred compensation or other benefit plan offered by the county to county
 18 employees, including disability and long-term care insurance coverage and income
 19 continuation insurance coverage. ^{County}

20 (9) CONFIDENTIALITY OF RECORDS. No record, as defined in s. 19.32 (2),[✓] of the
 21 Milwaukee ~~Child Welfare District~~ ^{County} that contains personally identifiable information,
 22 as defined in s. 19.62 (5), concerning an individual who receives services from the
 23 district may be disclosed by the district without the individual's informed consent,

1) except as ~~required to comply with s. 16.009 (2) (p) or 49.45 (4) or 48~~ permitted under
2 s. 48.78. (2).¹

3 (10) OBLIGATIONS AND DEBTS NOT THOSE OF COUNTY. The obligations and debts
4) of the Milwaukee County Child Welfare District are not the obligations or debts of
5 the county that created the district.

6) (11) ASSISTANCE TO MILWAUKEE COUNTY CHILD WELFARE DISTRICT. From moneys
7 in the county treasury that are not appropriated to some other purpose, the county
8 board of supervisors of the county that created the district may appropriate moneys
9) to the Milwaukee County Child Welfare District as a gift or may lend moneys to the
10 district.

11 (12) DISSOLUTION. Subject to the performance of its contractual obligations and
12) to prior approval by the secretary of the department, the Milwaukee County Child
13) Welfare District may be dissolved by the joint action of the district board and county
14 board of supervisors of the county that created the district. If the district is dissolved,
15 the property of the district shall be transferred to the county board of supervisors of
16 the county that created the district except that if the district has funds in a risk
17 reserve, disposition of those funds shall be made under the terms of the district's
18 contract with the department."

19 History: 1999 § 9, 185.

12. Page 583, line 2: after that line insert:

20 "SECTION 1636n. 48.75 (1b)¹ of the statutes is amended to read:

21 48.75 (1b) In this section, "public licensing agency" means a county
22 department or, in a county having a population of 500,000 or more, the department

① or, with the approval of the department, the Milwaukee County Child Welfare
② District.

History: 1985 a. 176; 1985 a. 332 s. 251 (1); 1989 a. 336; 1993 a. 395, 446; 1995 a. 225; 1997 a. 27, 237; 1999 a. 9, 103.

3 SECTION 1636p. 48.78 (1) of the statutes is amended to read:

4 48.78 (1) In this section, unless otherwise qualified, "agency" means the
5 department, a county department, a licensed child welfare agency, the Milwaukee
⑥ County Child Welfare District, a licensed day care center or a licensed maternity
7 hospital.

History: 1979 c. 34; 1981 c. 359; 1983 a. 471 s. 7; 1985 a. 29 s. 3202 (23); 1985 a. 176, 292, 332; 1987 a. 332; 1989 a. 31, 107, 336; 1991 a. 17, 39; 1993 a. 16, 92, 95, 218, 227, 377, 385, 395, 479, 491; 1995 a. 27 ss. 2610 to 2614p, 9126 (19); 1995 a. 77, 230, 352; 1997 a. 205, 207, 283, 292.

8 SECTION 1651h. 48.981 (1) (ag) of the statutes is amended to read:

9 48.981 (1) (ag) "Agency" means a county department, the department in a
10 county having a population of 500,000 or more ~~or~~, a licensed child welfare agency
11 under contract with a county department ~~or the department in a county having a~~
12 ~~population of 500,000 or more to perform investigations under this section, or, if~~
13 contracted by the department to perform investigations under this section in a
14 county having a population of 500,000 or more, a licensed child welfare agency or the
⑤ Milwaukee County Child Welfare District."

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

16 ✓ 13. Page 583, line 6: delete "a licensed child"
STRT ↑

17 ✓ 14. Page 583, line 7: delete "welfare" and substitute "a licensed child welfare".

18 ✓ 15. Page 583, line 13: delete "a licensed child welfare" and substitute "a
19 licensed child welfare".

20 ✓ 16. Page 583, line 15: delete "licensed child welfare" and substitute "licensed
21 child welfare".

② ✓ 17. Page 583, line 17: delete "a licensed child welfare".

underscore,
not strike out

1 ↓ **18.** Page 583, line 22: delete “a licensed child welfare” and substitute “a
2 ~~licensed child welfare~~”.

3 ↓ **19.** Page 584, line 13: delete “licensed child welfare”.

4 ↓ **20.** Page 584, line 13: delete lines 13 to 25.

5 ↓ **21.** Page 585, line 1: delete lines 1 to 9 and substitute:

6 “SECTION 1651**tb.** 48.981 (3) (c) 2. a. of the statutes is amended to read:

7 48.981 (3) (c) 2. a. If the person making the investigation is an employee of the
8 county department or, in a county having a population of 500,000 or more, the
9 department or a ~~licensed child welfare~~ agency under contract with the department
10 and he or she determines that it is consistent with the child’s best interest in terms
11 of physical safety and physical health to remove the child from his or her home for
12 immediate protection, he or she shall take the child into custody under s. 48.08 (2)
13 or 48.19 (1) (c) and deliver the child to the intake worker under s. 48.20.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

14 **SECTION 1651**td.** 48.981 (3) (c) 2m. a.** of the statutes is amended to read:

15 48.981 (3) (c) 2m. a. If the person making the investigation is an employee of
16 the county department or, in a county having a population of 500,000 or more, the
17 department or a ~~licensed child welfare~~ agency under contract with the department
18 and he or she determines that it is consistent with the best interest of the unborn
19 child in terms of physical safety and physical health to take the expectant mother
20 into custody for the immediate protection of the unborn child, he or she shall take the
21 expectant mother into custody under s. 48.08 (2), 48.19 (1) (c) or 48.193 (1) (c) and
22 deliver the expectant mother to the intake worker under s. 48.20 or 48.203.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

1 **SECTION 1651tf.** 48.981 (3) (c) 3. of the statutes is amended to read:

2 48.981 (3) (c) 3. If the county department or, in a county having a population
3 of 500,000 or more, the department or a licensed child welfare agency under contract
4 with the department determines that a child, any member of the child's family, or the
5 child's guardian or legal custodian is in need of services or that the expectant mother
6 of an unborn child is in need of services, the county department, ^{or} department or
7 licensed child welfare agency shall offer to provide appropriate services or to make
8 arrangements for the provision of services. If the child's parent, guardian, or legal
9 custodian or the expectant mother refuses to accept the services, the county
10 department, ^{or} department, ^{or} licensed child welfare agency may request that a
11 petition be filed under s. 48.13 alleging that the child who is the subject of the report
12 or any other child in the home is in need of protection or services or that a petition
13 be filed under s. 48.133 alleging that the unborn child who is the subject of the report
14 is in need of protection or services.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

15 **SECTION 1651th.** 48.981 (3) (c) 4. of the statutes is amended to read:

16 48.981 (3) (c) 4. The county department or, in a county having a population of
17 500,000 or more, the department or a licensed child welfare agency under contract
18 with the department shall determine, within 60 days after receipt of a report,
19 whether abuse or neglect has occurred or is likely to occur. The determination shall
20 be based on a preponderance of the evidence produced by the investigation. A
21 determination that abuse or neglect has occurred may not be based solely on the fact
22 that the child's parent, guardian, or legal custodian in good faith selects and relies
23 on prayer or other religious means for treatment of disease or for remedial care of the
24 child. In making a determination that emotional damage has occurred, the county

1 department or, in a county having a population of 500,000 or more, the department
 2 or a licensed child welfare agency under contract with the department shall give due
 3 regard to the culture of the subjects. This subdivision does not prohibit a court from
 4 ordering medical services for the child if the child's health requires it.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

5 **SECTION 1651tj.** 48.981 (3) (c) 5m. of the statutes is amended to read:

6 48.981 (3) (c) 5m. If the county department or, in a county having a population
 7 of 500,000 or more, the department or a licensed child welfare agency under contract
 8 with the department determines under subd. 4. that a specific person has abused or
 9 neglected a child, the county department, ^{or} department or licensed child welfare
 10 agency, within 15 days after the date of the determination, shall notify the person in
 11 writing of the determination, the person's right to appeal the determination, and the
 12 procedure by which the person may appeal the determination, and the person may
 13 appeal the determination in accordance with the procedures established by the
 14 department under this subdivision. The department shall promulgate rules
 15 establishing procedures for conducting an appeal under this subdivision. Those
 16 procedures shall include a procedure permitting an appeal under this subdivision to
 17 be held in abeyance pending the outcome of any criminal proceedings or any
 18 proceedings under s. 48.13 based on the alleged abuse or neglect or the outcome of
 19 any investigation that may lead to the filing of a criminal complaint or a petition
 20 under s. 48.13 based on the alleged abuse or neglect.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

21 **SECTION 1651tk.** 48.981 (3) (c) 7. of the statutes is amended to read:

1 48.981 (3) (c) 7. The county department or, in a county having a population of
 2 500,000 or more, the department or a ~~licensed child welfare~~ agency under contract
 3 with the department shall cooperate with law enforcement officials, courts of
 4 competent jurisdiction, tribal governments, and other human services agencies to
 5 prevent, identify, and treat child abuse and neglect and unborn child abuse. The
 6 county department or, in a county having a population of 500,000 or more, the
 7 department or a ~~licensed child welfare~~ agency under contract with the department
 8 shall coordinate the development and provision of services to abused and neglected
 9 children, to abused unborn children to families in which child abuse or neglect has
 10 occurred, to expectant mothers who have abused their unborn children, to children
 11 and families when circumstances justify a belief that abuse or neglect will occur^g and
 12 to the expectant mothers of unborn children when circumstances justify a belief that
 13 unborn child abuse will occur.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 392, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

14 **SECTION 1651tm.** 48.981 (3) (c) 8. of the statutes is amended to read:

15 48.981 (3) (c) 8. Using the format prescribed by the department, each county
 16 department shall provide the department with information about each report that
 17 the county department receives or that is received by ~~a licensed child welfare~~ agency^(plan)
 18 that is under contract with the county department and about each investigation that
 19 the county department or ~~a licensed child welfare~~ agency^{plan} under contract with the
 20 county department conducts. Using the format prescribed by the department, a
 21 ~~licensed child welfare~~ an agency under contract with the department shall provide
 22 the department with information about each report that the ~~child welfare~~ agency
 23 receives and about each investigation that the ~~child welfare~~ agency conducts. This
 24 information shall be used by the department to monitor services provided by county

1 departments or ~~licensed child welfare~~ agencies under contract with county
2 departments or the department. The department shall use nonidentifying
3 information to maintain statewide statistics on child abuse and neglect and on
4 unborn child abuse, and for planning and policy development purposes.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

5 **SECTION 1651tn. 48.981 (3) (cm)** of the statutes is amended to read:

6 48.981 (3) (cm) ~~Contract with licensed child welfare agencies.~~ Contract with
7 agencies. A county department may contract with a licensed child welfare agency to
8 fulfill the county department's duties specified under par. (c) 1., 2. b., 2m. b., 5., 6.,
9 6m. and 8. The department may contract with a licensed child welfare agency or with
10 the Milwaukee County Child Welfare District to fulfill the department's duties
11 specified under par. (c) 1., 2. a., 2m. b., 3., 4., 5., 5m., 6., 6m., 7., 8. and 9. in a county
12 having a population of 500,000 or more. The confidentiality provisions specified in
13 sub. (7) shall apply to any licensed child welfare agency with which a county
14 department or the department contracts and to the Milwaukee County Child Welfare
15 District, if the department contracts with the district.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

16 **SECTION 1651to. 48.981 (3) (d)** of the statutes is amended to read:

17 48.981 (3) (d) *Independent investigation.* 1. In this paragraph, "agent"
18 includes, but is not limited to, a foster parent, treatment foster parent, or other
19 person given custody of a child or a human services professional employed by a
20 county department under s. 51.42 or 51.437 or by ~~a child welfare~~ an agency who is
21 working with a child or an expectant mother of an unborn child under contract with
22 or under the supervision of the department in a county having a population of
23 500,000 or more or a county department under s. 46.22.

1 2. If an agent or employee of an agency required to investigate under this
 2 subsection is the subject of a report, or if the agency determines that, because of the
 3 relationship between the agency and the subject of a report, there is a substantial
 4 probability that the agency would not conduct an unbiased investigation, the agency
 5 shall, after taking any action necessary to protect the child or unborn child, notify
 6 the department. Upon receipt of the notice, the department, in a county having a
 7 population of less than 500,000, or a ~~county department or child welfare~~ an agency
 8 designated by the department in any county shall conduct an independent
 9 investigation. If the department designates a county department under s. 46.22,
 10 46.23, 51.42² or 51.437, that county department shall conduct the independent
 11 ~~investigation.~~ If a licensed child welfare agency or the Milwaukee County Child
 12 Welfare District agrees to conduct the independent investigation, the department
 13 may designate the child welfare agency or district to do so. The powers and duties
 14 of the department ~~or designated county department or child welfare~~ agency making
 15 an independent investigation are those given to county departments under par. (c).

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

16 **SECTION 1651tp. 48.981 (5)** of the statutes is amended to read:

17 **48.981 (5) CORONER'S REPORT.** Any person or official required to report cases of
 18 suspected child abuse or neglect who has reasonable cause to suspect that a child
 19 died as a result of child abuse or neglect shall report the fact to the appropriate
 20 medical examiner or coroner. The medical examiner or coroner shall accept the
 21 report for investigation and shall report the findings to the appropriate district
 22 attorney; to the department or, in a county having a population of 500,000 or more,
 23 to a ~~licensed child welfare~~ an agency under contract with the department; to the

1 county department; and, if the institution making the report initially is a hospital,
2 to the hospital.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

3 **SECTION 1651tr.** 48.981 (7) (a) 5. of the statutes is amended to read:

4 48.981 (7) (a) 5. A professional employee of a county department under s. 51.42
5 or 51.437 who is working with the child or the expectant mother of the unborn child
6 under contract with or under the supervision of the county department under s. 46.22
7 or, in a county having a population of 500,000 or more, the department or a licensed
8 child-welfare agency under contract with the department.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

9 **SECTION 1651tt.** 48.981 (7) (a) 6. of the statutes is amended to read:

10 48.981 (7) (a) 6. A multidisciplinary child abuse and neglect or unborn child
11 abuse team recognized by the county department or, in a county having a population
12 of 500,000 or more, the department or a licensed child-welfare agency under contract
13 with the department.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

14 **SECTION 1651tv.** 48.981 (7) (a) 6m. of the statutes is amended to read:

15 48.981 (7) (a) 6m. A person employed by a child advocacy center recognized by
16 the county board, the county department or, in a county having a population of
17 500,000 or more, the department or a licensed child-welfare agency under contract
18 with the department, to the extent necessary to perform the services for which the
19 center is recognized by the county board, the county department, the department or
20 the licensed child-welfare agency.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

21 **SECTION 1651tx.** 48.981 (7) (a) 15. of the statutes is amended to read:

1 48.981 (7) (a) 15. A child fatality review team recognized by the county
2 department or, in a county having a population of 500,000 or more, the department
3 or a licensed child welfare agency under contract with the department.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

4 **SECTION 1651w.** 48.981 (8) (a) of the statutes is amended to read:

5 48.981 (8) (a) The department, the county departments and a licensed child
6 welfare an agency under contract with the department in a county having a
7 population of 500,000 or more to the extent feasible shall conduct continuing
8 education and training programs for staff of the department, the county
9 departments, a licensed child welfare agency the agencies under contract with the
10 department or a county department, law enforcement agencies, and the tribal social
11 services departments, persons and officials required to report, the general public,
12 and others as appropriate. The programs shall be designed to encourage reporting
13 of child abuse and neglect and of unborn child abuse, to encourage self-reporting and
14 voluntary acceptance of services, and to improve communication, cooperation, and
15 coordination in the identification, prevention, and treatment of child abuse and
16 neglect and of unborn child abuse. Programs provided for staff of the department,
17 county departments, and licensed child welfare agencies under contract with county
18 departments or, in a county having a population of 500,000 or more, the department
19 whose responsibilities include the investigation or treatment of child abuse or
20 neglect shall also be designed to provide information on means of recognizing and
21 appropriately responding to domestic abuse, as defined in s. 46.95 (1) (a). The
22 department, the county departments, and a licensed child welfare an agency under
23 contract with the department in a county having a population of 500,000 or more

1 shall develop public information programs about child abuse and neglect and about
2 unborn child abuse.

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

3 **SECTION 1651x. 48.981 (8) (c)** of the statutes is amended to read:

4 48.981 (8) (c) In meeting its responsibilities under par. (a) or (b), the
5 department, a county department, or a ~~licensed child welfare~~ an agency under
6 contract with the department in a county having a population of 500,000 or more may
7 contract with any public or private organization ~~which~~ ^{that} meets the standards set by
8 the department. In entering into the contracts the department, county department,
9 or ~~licensed child welfare~~ agency shall give priority to parental organizations
10 combating child abuse and neglect or unborn child abuse.”

History: Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985 a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318, 395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; s. 13.93 (2) (c).

11 **22.** Page 680, line ~~6~~ after that line insert: 5

12 “**SECTION 2019l. 66.0301 (1) (a)** of the statutes is amended to read:

13 66.0301 (1) (a) In this section “municipality” means the state or any
14 department or agency thereof, ~~or~~ any city, village, town, county, school district, public
15 library system, public inland lake protection and rehabilitation district, sanitary
16 district, farm drainage district, metropolitan sewerage district, sewer utility district,
17 solid waste management system created under s. 59.70 (2), local exposition district
18 created under subch. II of ch. 229, local professional baseball park district created
19 under subch. III of ch. 229, local professional football stadium district created under
20 subch. IV of ch. 229, a local cultural arts district created under subch. V of ch. 229,
21 family care district under s. 46.2895, water utility district, mosquito control district,
22 municipal electric company, county or city transit commission, commission created

1 by contract under this section, taxation district, or regional planning commission, or
2 the Milwaukee County Child Welfare District under s. 48.562.”

3 ~~NOTE: NOTE: NOTE: Par. (a) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c). NOTE:~~

History: 1999 a. 150 ss. 348, 349, 352, 353; 1999 a. 167 s. 38; s. 13.93 (2) (c).

4 **23.** Page 700, line 10: after that line insert:

5 “SECTION 2101e. 69.30 (1) (bg) of the statutes is created to read:

6 69.30 (1) (bg) “Milwaukee County Child Welfare District” means the
7 Milwaukee County Child Welfare District created under s. 48.562.”

History: 1989 a. 313; 1991 a. 221, 269, 315; 1995 a. 27; 1997 a. 27; 1999 a. 9.

8 **SECTION 2101f.** 69.30 (2) of the statutes is amended to read:

9 69.30 (2) A financial institution, state agency, county department, Wisconsin
10 works agency, service office or, family care district, or the Milwaukee County Child
11 Welfare District or an employee of a financial institution, state agency, county
12 department, Wisconsin works agency, service office or, family care district, or the
13 Milwaukee County Child Welfare District is not subject to s. 69.24 (1) (a) for copying
14 a certified copy of a vital record for use by the financial institution, state agency,
15 county department, Wisconsin works agency, service office or, family care district, or
16 the Milwaukee County Child Welfare District, including use under s. 45.36 (4m), if
17 the copy is marked “FOR ADMINISTRATIVE USE”.

History: 1989 a. 313; 1991 a. 221, 269, 315; 1995 a. 27; 1997 a. 27; 1999 a. 9.

18 **SECTION 2102c.** 70.11 (2) of the statutes is amended to read:

19 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.
20 Property owned by any county, city, village, town, school district, technical college
21 district, public inland lake protection and rehabilitation district, metropolitan
22 sewerage district, municipal water district created under s. 198.22, joint local water
23 authority created under s. 66.0823, family care district under s. 46.2895, or town
24 sanitary district; property owned by the Milwaukee County Child Welfare District

1 under s. 48.562; lands belonging to cities of any other state used for public parks; land
 2 tax-deeded to any county or city before January 2; but any residence located upon
 3 property owned by the county for park purposes that is rented out by the county for
 4 a nonpark purpose shall not be exempt from taxation. Except as to land acquired
 5 under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after
 6 August 17, 1961, to any such governmental unit or for its benefit while the grantor
 7 or others for his or her benefit are permitted to occupy the land or part thereof in
 8 consideration for the conveyance. Leasing the property exempt under this
 9 subsection, regardless of the lessee and the use of the leasehold income, does not
 10 render that property taxable. (c) LPG: Please invert

History: 1971 c. 152, 154, 312; 1973 c. 90; 1973 c. 333 s. 201m; 1973 c. 335 s. 13; 1975 c. 39; 1975 c. 94 s. 91 (10); 1975 c. 199; 1977 c. 29 ss. 745m, 1646 (3), 1647 (5), (7); 1977 c. 83 s. 26; 1977 c. 273, 282, 391, 418, 441; 1979 c. 34 s. 2102 (39) (g); 1979 c. 221, 225; 1979 c. 310 s. 12; 1981 c. 20; 1983 a. 27 ss. 1177, 1178, 1179f; 1983 a. 189 s. 329 (16); 1983 a. 201, 327; 1985 a. 26, 29, 316, 332; 1987 a. 10, 27, 395, 399; 1987 a. 403 s. 256; 1989 a. 25, 31, 307; 1991 a. 37, 39, 269; 1993 a. 263, 307, 399, 490; 1995 a. 27 ss. 3344 to 3348m, 9126 (19); 1995 a. 201, 227, 247, 366; 1997 a. 27, 35, 134, 147, 164, 184, 237; 1999 a. 9, 32, 63, 65; 1999 a. 150 ss. 624, 672; 1999 a. 167, 185; s. 13.93 (1) (b).

11 **24.** Page 768, line 16: after that line insert:

12 "SECTION 2173x. 71.26 (1) (b) of the statutes is amended to read:

13 71.26 (1) (b) *Political units.* Income received by the United States, the state,
 14 the Milwaukee County Child Welfare District under s. 48.562, and all counties,
 15 cities, villages, towns, school districts, technical college districts, joint local water
 16 authorities created under s. 66.0823, family care districts under s. 46.2895, or other
 17 political units of this state. (c) LPG: Please invert

History: 1987 a. 312; 1987 a. 411 ss. 22, 124 to 129; 1989 a. 31, 336; 1991 a. 37, 39, 221, 269; 1993 a. 16, 112, 246, 263, 399, 437, 491; 1995 a. 27, 56, 351, 371, 380, 428; 1997 a. 27, 37, 184, 237; 1999 a. 9, 65; 1999 a. 150 s. 672; 1999 a. 167, 194; s. 13.93 (2) (c).

18 **25.** Page 890, line 25: after that line insert:

19 "SECTION 2446q. 101.01 (4) of the statutes is amended to read:

20 101.01 (4) "Employer" means any person, firm, corporation, state, county,
 21 town, city, village, school district, sewer district, drainage district, or family care
 22 district and, the Milwaukee County Child Welfare District, or any other public or

1 quasi-public ~~corporations~~ corporation as well as any agent, manager,
2 representative, or other person having control or custody of any employment, place
3 of employment, or of any employee.”

County

History: 1971 c. 185 ss. 1, 5; 1971 c. 228 ss. 15, 44; 1975 c. 413, 421; 1977 c. 29; 1983 a. 189 ss. 142, 143, 329 (4); 1985 a. 135 s. 83 (3); 1987 a. 161; 1993 a. 27, 184, 327; 1995 a. 27 ss. 3611 to 3629, 9116 (5); 1997 a. 237; 1999 a. 9.

4 **26.** Page 902, line 16: after that line insert:

5 “SECTION 2543p. 102.01 (2) (d) of the statutes is amended to read:

6 102.01 (2) (d) “Municipality” includes a county, city, town, village, school
7 district, sewer district, drainage district ~~and, or~~ family care district ~~and, the~~
8 Milwaukee Child Welfare District, or any other public or quasi-public corporations
9 corporation.

History: 1975 c. 147 ss. 7 to 13, 54; 1975 c. 200; 1979 c. 89, 278; 1981 c. 92; 1983 a. 98, 189; 1985 a. 83; 1987 a. 179; 1989 a. 64; 1995 a. 27 ss. 3737 to 3741, 9130 (4); 1995 a. 117, 417; 1997 a. 3; 1999 a. 9, 14.

10 **SECTION 2543q.** 102.04 (1) (a) of the statutes is amended to read:

11 102.04 (1) (a) The state, each county, city, town, village, school district, sewer
12 district, drainage district, or family care district ~~and, the Milwaukee County Child~~
13 Welfare District, or any other public or quasi-public corporations corporation
14 therein.”.

History: 1975 c. 199; 1983 a. 98; 1989 a. 64; 1993 a. 112; 1997 a. 38; 1999 a. 9.

15 **27.** Page 903, line 17: after that line insert:

16 “SECTION 2556n. 103.001 (6) of the statutes is amended to read:

17 103.001 (6) “Employer” means any person, firm, corporation, state, county,
18 town, city, village, school district, sewer district, drainage district, or family care
19 district ~~and, the Milwaukee County Child Welfare District, or any other public or~~
20 quasi-public corporations corporation as well as any agent, manager,
21 representative, or other person having control or custody of any employment, place
22 of employment, or of any employee.”.

History: 1995 a. 27 ss. 3612, 3613, 3746, 9130 (4); 1997 a. 3; 1999 a. 9.

1 √**28.** Page 912, line 20: after that line insert:

2 “SECTION 2607e. 111.70 (1) (j) of the statutes is amended to read:

3 111.70 (1) (j) “Municipal employer” means any city, county, village, town,
4 metropolitan sewerage district, school district, or family care district, the Milwaukee
5 County Child Welfare District, or any other political subdivision of the state that
6 engages the services of an employee and includes any person acting on behalf of a
7 municipal employer within the scope of the person’s authority, express or implied,
8 but specifically does not include a local cultural arts district created under subch. V
9 of ch. 229.”.

History: 1971 c. 124, 246, 247, 307, 336; 1973 c. 64, 65; 1977 c. 178, 186, 272, 442, 449; 1979 c. 32 s. 92 (15); 1981 c. 20, 112, 187; 1983 a. 189, 192; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 318; 1987 a. 153, 399; 1991 a. 136; 1993 a. 16, 429, 492; 1995 a. 27, 225, 289; 1997 a. 27, 237; 1999 a. 9, 65; 1999 a. 150 s. 672.

10 √**29.** Page 1181, line 3: after that line insert:

11 “SECTION 3759g. 632.745 (6) (a) 2p. of the statutes is created to read:

12 632.745 (6) (a) 2p. The Milwaukee County Child Welfare district under s.
13 48.562.”.

History: 1995 a. 289, 453; 1997 a. 27; 1999 a. 9.

14 √**30.** Page 1280, line 22: after that line insert:

15 “SECTION 4034yr. 985.01 (1g) of the statutes is amended to read:

16 985.01 (1g) “Governing body” has the meaning given in s. 345.05 (1) (b) and
17 includes a family care district board under s. 46.2895 and the Milwaukee County
18 Child Welfare District board under s. 48.562.

History: 1981 c. 372; 1983 a. 189 ss. 327, 328, 329 (31); 1993 a. 486; 1999 a. 9, 85.

19 SECTION 4034yt. 985.01 (3) of the statutes is amended to read:

20 985.01 (3) “Municipality” has the meaning in s. 345.05 (1) (c) and includes a
21 family care district under s. 46.2895 and the Milwaukee County Child Welfare
22 District under s. 48.562.”.

History: 1981 c. 372; 1983 a. 189 ss. 327, 328, 329 (31); 1993 a. 486; 1999 a. 9, 85.

23 **31.** Page 1418, line 14: after that line insert:

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2
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(2~~a~~)^x MILWAUKEE ⁽⁶⁹⁾COUNTY CHILD WELFARE DISTRICT. The repeal and recreation of sections
40.02 (28) of the statutes takes effect on January 1, 2010.”

(END)