

1           **SECTION 1013.** 40.05 (4) (bf) of the statutes is amended to read:

2           40.05 (4) (bf) Any eligible employee who was granted credit under s. 230.35 (1)  
3 (gm) for service as a national guard technician, who, on December 31, 1965, had  
4 accumulated unused sick leave that was based on service performed in this state as  
5 a national guard technician before January 1, 1966, and who is a participating  
6 employee or terminated all creditable service after June 30, 1972, or, if the eligible  
7 employee is deceased, the surviving insured dependents of the eligible employee,  
8 may have that accumulated unused sick leave converted to credits for the payment  
9 of health insurance premiums on behalf of the eligible employee or the surviving  
10 insured dependents if, not later than November 30, 1996, the eligible employee or the  
11 surviving insured dependents submit to the department, on a form provided by the  
12 department, an application for the conversion. The application shall include  
13 evidence satisfactory to the department to establish the applicant's rights under this  
14 paragraph and the amount of the accumulated unused sick leave that is eligible for  
15 the conversion. The accumulated unused sick leave shall be converted under this  
16 paragraph, at the eligible employee's highest basic pay rate ~~immediately prior to~~  
17 ~~termination of all creditable service~~ he or she received while employed by the state,  
18 on the date of conversion specified in par. (b) or on the last day of the 2nd month  
19 beginning after the date on which the department receives the application under this  
20 paragraph, whichever is later. Deductions from those credits, elections to delay  
21 initiation of those deductions and premium payments shall be made as provided in  
22 par. (b).

23           **SECTION 1014.** 40.05 (4) (bm) of the statutes is amended to read:

24           40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick  
25 leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee shall, upon

1 request of the employee at the time the employee is subject to layoff under s. 40.02  
2 (40), be converted at the employee's ~~current~~ highest basic pay rate he or she received  
3 while employed by the state to credits for payment of health insurance premiums on  
4 behalf of the employee. Any supplemental compensation that is paid to a state  
5 employee who is classified under the state classified civil service as a teacher, teacher  
6 supervisor or education director for the employee's completion of educational courses  
7 that have been approved by the employee's employer is considered as part of the  
8 employee's basic pay for purposes of this paragraph. The full amount of the required  
9 employee contribution for any eligible employee who is insured at the time of the  
10 layoff shall be deducted from the credits until the credits are exhausted, the  
11 employee is reemployed, or 5 years have elapsed from the date of layoff, whichever  
12 occurs first.

13 **SECTION 1015.** 40.05 (4g) (a) 4. of the statutes is amended to read:

14 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)  
15 or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or  
16 under rules promulgated by the ~~secretary of employment relations~~ director of the  
17 office of state human resources management or is eligible for reemployment with the  
18 state under s. 45.50 after completion of his or her service in the U.S. armed forces.

19 **SECTION 1016.** 40.06 (1) (dm) of the statutes is amended to read:

20 40.06 (1) (dm) Each determination by a department head regarding the  
21 classification of a state employee as a protective occupation participant shall be  
22 reviewed by the ~~department of employment relations~~ office of state human resources  
23 management. A state employee's name may not be certified to the fund as a  
24 protective occupation participant under par. (d) until the ~~department of employment~~  
25 relations office of state human resources management approves the determination.

1           **SECTION 1019.** 40.23 (2m) (em) 1. a. of the statutes is amended to read:

2           40.23 **(2m)** (em) 1. a. Any creditable service forfeited by a participating  
3 employee before January 1, 2000, and which is subsequently reestablished by the  
4 participating employee under s. ~~40.25 (6)~~ 40.285 (2) (a), shall be considered to have  
5 been performed before January 1, 2000.

6           **SECTION 1020.** 40.23 (2m) (em) 1. b. of the statutes is amended to read:

7           40.23 **(2m)** (em) 1. b. Any creditable service received under s. ~~40.25 (7)~~ 40.285  
8 (2) (b), which is based on service performed before January 1, 2000, shall be  
9 considered to have been performed before January 1, 2000.

10          **SECTION 1022.** 40.25 (3) of the statutes is amended to read:

11          40.25 **(3)** Upon administrative approval of payment of an amount under either  
12 sub. (1) or (2), the participant's account shall be closed and there shall be no further  
13 right, interest or claim on the part of the former participant to any benefit from the  
14 Wisconsin retirement system except as provided by ~~subs.~~ sub. (5) and ~~(6)~~ s. 40.285  
15 (2) (a). Any former participant who is subsequently employed by any participating  
16 employer shall be treated as a new participating employee for all purposes of this  
17 chapter. New accumulations of contributions and credits and the computation of any  
18 future benefits shall bear no relationship to any accumulations and credits paid as  
19 single sums under sub. (1) or (2).

20          **SECTION 1023.** 40.25 (6) of the statutes is repealed.

21          **SECTION 1024.** 40.25 (7) of the statutes is repealed.

22          **SECTION 1025.** 40.285 of the statutes is created to read:

23          **40.285 Purchase of creditable service. (1) GENERAL REQUIREMENTS. (a)**  
24 *Deadline for purchase of creditable service.* An application to purchase creditable  
25 service must be received by the department, on a form provided by the department,

1 from an applicant who is a participating employee on the day that the department  
2 receives the application.

3 (b) *Calculation of creditable service.* Creditable service purchased under this  
4 section shall be calculated in an amount equal to the year and fractions of a year to  
5 the nearest one-hundredth of a year.

6 (c) *Use of creditable service.* Credit for service purchased under this section is  
7 added to a participant's total creditable service, but may not be treated as service for  
8 a particular annual earnings period and does not confer any other rights or benefits.

9 (d) *Applicability of Internal Revenue Code.* The crediting of service under this  
10 section is subject to any applicable limit or requirement under the Internal Revenue  
11 Code.

12 **(2) CONDITIONS FOR THE PURCHASE OF DIFFERENT TYPES OF CREDITABLE SERVICE.** (a)

13 *Forfeited service.* 1. A participating employee may purchase creditable service  
14 forfeited in the manner specified in subd. 2., subject to all of the following:

15 a. The participating employee must have at least 3 continuous years of  
16 creditable service at the time of application to purchase the creditable service.

17 b. The number of years that may be purchased may not be greater than the  
18 accumulated current creditable service of the participating employee at the date of  
19 application, excluding all creditable service purchased under this section or s. 40.02  
20 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats.,  
21 s. 40.02 (17) (e), 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02  
22 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02 (17) (k), 1989,  
23 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983, 1985, 1987,  
24 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. or 40.25 (7), 1991, 1993, 1995,  
25 1997, 1999, and 2001 stats., less the number of years of creditable service previously

1 purchased under this paragraph or s. 40.25 (6), 1981, 1983, 1985, 1987, 1989, 1991,  
2 1993, 1995, 1997, 1999, and 2001 stats.

3 c. The participating employee pays to the fund an amount equal to the  
4 employee's statutory contribution on earnings under s. 40.05 (1) (a) for each year of  
5 forfeited service to be purchased, based upon the participating employee's final  
6 average earnings, determined as if the employee had retired on the first day of the  
7 annual earnings period during which the department receives the application. The  
8 amount payable shall be paid in a lump sum payment, except as provided in sub. (4)  
9 (b), and no employer may pay any amount payable on behalf of a participating  
10 employee.

11 d. Upon receipt by the fund of the total payment required under this  
12 subdivision, the creditable service meeting the conditions and requirements of this  
13 paragraph shall be credited to the account of the participating employee making the  
14 payment.

15 2. Creditable service may be purchased under this paragraph if it was forfeited  
16 as a result of any of the following:

17 a. Payment of an amount under s. 40.25 (2).

18 b. The receipt of a separation or withdrawal benefit under the applicable laws  
19 and rules in effect prior to January 1, 1982.

20 c. Payment of an amount under s. 40.25 (2m), 1991, 1993, 1995, and 1997 stats.

21 3. Unless otherwise provided by the department by rule, a participating  
22 employee may not purchase creditable service under this paragraph more than 2  
23 times in any calendar year.

24 (b) *Other governmental service.* 1. Each participating employee whose  
25 creditable service terminates on or after May 1, 1992, and who has performed

1 service, other than military service, as an employee of the federal government or a  
2 state or local governmental entity in the United States, other than a participating  
3 employer, that is located within or outside of this state, or each participating  
4 employee whose creditable service terminates on or after May 4, 1994, and who has  
5 performed service as an employee for an employer who was not at the time a  
6 participating employer but who subsequently became a participating employer, may  
7 receive creditable service for such service if all of the following occur:

8 a. The participant has at least 3 continuous years of creditable service at the  
9 time of application.

10 b. The number of years of creditable service applied for under this paragraph  
11 does not exceed the number of years of creditable service that the participant has at  
12 the date of application, excluding all creditable service purchased under this section  
13 or s. 40.02 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and  
14 2001 stats., s. 40.02 (17) (e), 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001  
15 stats., s. 40.02 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02  
16 (17) (k), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983,  
17 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., or s. 40.25 (7), 1991,  
18 1993, 1995, 1997, 1999, and 2001 stats., less the number of years of creditable service  
19 previously purchased under this paragraph or s. 40.25 (7), 1991, 1993, 1995, 1997,  
20 1999, and 2001 stats.

21 c. At the time of application, the participant furnishes evidence of such service  
22 that is acceptable to the department.

23 d. Except as provided in sub. (4) (b), at the time of application, the participant  
24 pays to the department a lump sum equal to the present value of the creditable  
25 service applied for under this paragraph, in accordance with rates actuarially

1 determined to be sufficient to fund the cost of the increased benefits that will result  
2 from granting the creditable service under this paragraph. The department shall by  
3 rule establish different rates for different categories of participants, based on factors  
4 recommended by the actuary.

5 2. The creditable service granted under this paragraph shall be the same type  
6 of creditable service as the type that is granted to participants who are not executive  
7 participating employees, elected officials, or protective occupation participants.

8 3. A participating employee may apply to receive part or all of the creditable  
9 service that he or she is eligible to receive under this paragraph.

10 4. A participant may not receive creditable service under this paragraph for  
11 service that is used for the purpose of establishing entitlement to, or the amount of,  
12 any other benefit to be paid by any federal, state, or local government entity, except  
13 a disability or OASDHI benefit or a benefit paid for service in the national guard.

14 5. Unless otherwise provided by the department by rule, a participating  
15 employee may not purchase creditable service under this paragraph more than 2  
16 times in any calendar year.

17 (3) APPLICATION PROCESS. (a) *Provision of application forms and estimates.*  
18 Upon request, the department shall provide a participating employee an application  
19 form for the purchase of creditable service under sub. (2) and shall also provide to the  
20 participating employee an estimate of the cost of purchasing the creditable service.

21 (b) *Certification of plan-to-plan transfers.* Upon request, the department shall  
22 provide a participating employee a transfer certification form for payments made by  
23 a plan-to-plan transfer under sub. (5) (b). If the participating employee intends to  
24 make payments from more than one plan, the participating employee must submit

1 to the department a separate transfer certification form for each plan from which  
2 moneys will be transferred.

3 (4) PAYMENT. (a) *Required with application.* Except as provided in par. (b), the  
4 department may not accept an application for the purchase of creditable service  
5 without payment in full of the department's estimated cost of creditable service  
6 accompanying the application. A participating employee may also do any of the  
7 following:

8 1. Use his or her accumulated after-tax additional contributions that are made  
9 under s. 40.05 (1) (a) 5., including interest, to make payment.

10 2. Use his or her accumulated contributions, including interest, to a tax  
11 sheltered annuity under section 403 (b) of the Internal Revenue Code, to make  
12 payment, but only if the participating employee's plan under section 403 (b) of the  
13 Internal Revenue Code authorizes the transfer.

14 (b) *Alternate payment options.* Notwithstanding par. (a), the department may  
15 accept an application under this section without full payment if payment of at least  
16 10% of the department's estimate of the cost of the creditable service is included with  
17 the application, in the manner required under par. (a), and the remaining balance  
18 is received by the department no later than 90 days after receipt of the application,  
19 in the form of a plan-to-plan transfer under sub. (5) (b).

20 (c) *Final cost calculation for purchase of creditable service.* The department  
21 may audit any transaction to purchase creditable service under this subsection and  
22 make any necessary correction to the estimated cost of purchasing the creditable  
23 service to reflect the amount due under sub. (2). Except as otherwise provided in sub.  
24 (7), if the department determines that the final amount that is due is more than the  
25 amount paid to the department, the department shall notify the participant of the



1 amount of the shortfall. If payment of the amount of the shortfall is not received by  
2 the department within 30 calendar days after the date on which the department  
3 sends notice to the participant, the department shall complete the creditable service  
4 purchase transaction by prorating the amount of creditable service that is purchased  
5 based on the payment amount actually received and shall notify the participant of  
6 the amount and category of service that is credited. The department, by rule, shall  
7 specify how a forfeited service purchase is prorated when the participant forfeited  
8 service under more than one category of employment under s. 40.23 (2m) (e).

9 (d) *Treatment of amounts to purchase creditable service.* All amounts retained  
10 by the department for the purchase of creditable service under sub. (2) shall be  
11 credited and treated as employee required contributions for all purposes of the  
12 Wisconsin retirement system, except that amounts received for the purchase of  
13 creditable service under sub. (2) (b) may not be used for the purpose of making  
14 calculations under s. 40.23 (3) or 40.73 (1) (am).

15 (5) TRANSFER OF FUNDS; PLAN-TO-PLAN TRANSFERS. (a) *Transfer from certain*  
16 *benefit plans.* Subject to any applicable limitations under the Internal Revenue  
17 Code, a participating employee may elect to use part or all of any of the following to  
18 purchase creditable service under this section:

19 1. Accumulated after-tax additional contributions, including interest, made  
20 under s. 40.05 (1) (a) 5.

21 2. Accumulated contributions treated by the department as contributions to a  
22 tax sheltered annuity under section 403 (b) of the Internal Revenue Code, but only  
23 if the employer sponsoring the annuity plan authorizes the transfer.

24 (b) *Other plan-to-plan transfers.* The department may also accept a plan to  
25 plan transfer from any of the following:

1           1. Accumulated contributions under a state deferred compensation plan under  
2 subch. VII.

3           2. The trustee of any plan qualified under sections 401 (a) or (k), 403 (b), or 457  
4 of the Internal Revenue Code, but only if the purpose of the transfer is to purchase  
5 creditable service under this section.

6           (c) *Payment shortfall.* Except as otherwise provided in sub. (7), if the  
7 department determines that the amount paid to the department to purchase  
8 creditable service under this subsection, together with the amount transferred  
9 under a plan-to-plan transfer, is less than the amount that is required to purchase  
10 the creditable service, the department shall notify the participant of the amount of  
11 the shortfall. If payment of the amount of the shortfall is not received by the  
12 department within 30 calendar days after the date on which the department sends  
13 notice to the participant, the department shall complete the creditable service  
14 purchase transaction by prorating the amount of creditable service that is purchased  
15 based on the payment amount actually received and shall notify the participant of  
16 the amount and category of service that is credited. The department, by rule, shall  
17 specify how a forfeited service purchase is prorated when the participant forfeited  
18 service under more than one category of employment under s. 40.23 (2m) (e).

19           **(6) REFUNDS.** Except as provided in sub. (7), if the department determines that  
20 the amount paid to the department to purchase creditable service, including any  
21 amount in a plan-to-plan transfer, is greater than the amount that is required to  
22 purchase the creditable service, as determined by the department, the department  
23 shall refund the difference. The department shall pay any refund to the participant,  
24 up to the amount received from the participant. Any remaining amount shall be  
25 returned to the applicable account in the trust fund for transfers under sub. (5) (a)

1 or to the trustee of a plan which was the source of a plan-to-plan transfer under sub.  
2 (5) (b). When more than one plan-to-plan transfer occurs, the department may  
3 determine which transfer is to be refunded, in whole or part. No funds transferred  
4 to the department by a plan-to-plan transfer may be refunded to a participant.

5 (7) LIMIT ON PAYMENT OF CORRECTIONS. The department may not require a  
6 participant to pay any shortfall under sub. (4) (c) or (5) (c) that is \$25 or less. The  
7 department may not pay any refund under sub. (6) if the amount of the refund is \$25  
8 or less.

9 SECTION 1026. 40.51 (6) of the statutes is amended to read:

10 40.51 (6) This state shall offer to all of its employees at least 2 insured or  
11 uninsured health care coverage plans providing substantially equivalent hospital  
12 and medical benefits, including a health maintenance organization or a preferred  
13 provider plan, if those health care plans are determined by the group insurance  
14 board to be available in the area of the place of employment and are approved by the  
15 group insurance board. The group insurance board shall place each of the plans into  
16 one of 3 tiers established in accordance with standards adopted by the group  
17 insurance board. The tiers shall be separated according to the employee's share of  
18 premium costs.

19 SECTION 1026e. 40.51 (10m) of the statutes is amended to read:

20 40.51 (10m) Any eligible employee, as defined in s. 40.02 (25) (b) 6e. and 6g.,  
21 may become covered under any health care coverage plan offered under sub. (6),  
22 without furnishing evidence of insurability, by submitting to the department, on a  
23 form provided by the department and within 30 days after the date on which the  
24 department receives the employee's application for a retirement annuity or for a  
25 lump sum payment under s. 40.25 (1), an election to obtain the coverage, by obtaining

1 coverage subject to contractual waiting periods and by paying the cost of the required  
2 premiums, as provided in s. 40.05 (4) (ad).

3 **SECTION 1026r.** 40.53 of the statutes is created to read:

4 **40.53 Pharmacy benefits purchasing pool. (1)** In this section:

5 (a) “Brand name” has the meaning given in s. 450.12 (1) (a).

6 (b) “Eligible party” means an employer, other than the state, or a person doing  
7 business or operating an organization in this state, including a self-employed  
8 individual.

9 (c) “Generic name” has the meaning given in s. 450.12 (1) (b).

10 (d) “Prescription drug” has the meaning given in s. 450.01 (20).

11 **(2)** Beginning on January 1, 2005, the group insurance board shall develop a  
12 purchasing pool for pharmacy benefits that uses a preferred list of covered  
13 prescription drugs. The pool shall consist of the state and any eligible party that  
14 satisfies the conditions established under sub. (3) for joining the pool. The group  
15 insurance board shall seek to develop the preferred list of covered prescription drugs  
16 under an evidence-based analysis that first identifies the relative effectiveness of  
17 prescription drugs within therapeutic classes for particular diseases and conditions  
18 and next identifies the least costly prescription drugs, including prescription drugs  
19 with generic names that are alternatives to prescription drugs with brand names,  
20 among those found to be equally effective.

21 **(3)** The group insurance board shall propose conditions that an eligible party  
22 must satisfy to join the purchasing pool established under sub. (2) and shall submit  
23 the proposed conditions to the joint committee on finance. If the cochairpersons of  
24 the committee do not notify the group insurance board within 14 working days after  
25 the date of the group insurance board’s submittal that the committee has scheduled

1 a meeting for the purpose of reviewing the proposed conditions, the conditions may  
2 be implemented as proposed by the group insurance board. If, within 14 working  
3 days after the date of the group insurance board's submittal, the cochairpersons of  
4 the committee notify the group insurance board that the committee has scheduled  
5 a meeting for the purpose of reviewing the proposed conditions, the conditions may  
6 be implemented only upon approval of the committee.

7 **SECTION 1026t.** 40.95 (1) (a) (intro.) of the statutes is amended to read:

8 40.95 (1) (a) (intro.) Subject to sub. (2), the department shall administer a  
9 program that provides health insurance premium credits for the purchase of health  
10 insurance for a retired employee, or the retired employee's surviving insured  
11 dependents, and for an eligible employee under s. 40.02 (25) (b) 6e., or the eligible  
12 employee's surviving insured dependents, for the benefit of an eligible employee  
13 whose compensation includes such health insurance premium credits and who  
14 satisfies at least one of the following:

15 **SECTION 1027.** 40.98 (2) (h) of the statutes is amended to read:

16 40.98 (2) (h) The department may seek funding from any person for the  
17 payment of costs of designing, marketing, and contracting for or providing  
18 administrative services under the health care coverage program ~~and for lapsing to~~  
19 ~~the general fund any amount required under sub. (6m).~~ Any moneys received by the  
20 department under this paragraph shall be credited to the appropriation account  
21 under s. 20.515 (2) (g).

22 **SECTION 1028.** 40.98 (6m) of the statutes is repealed.

23 **SECTION 1029r.** 43.17 (9) (a) of the statutes is amended to read:

24 43.17 (9) (a) All contracts for public construction made by a federated public  
25 library system whose territory lies within 2 or more counties or by a federated public

1 library system whose territory lies within a single county with a population of at least  
2 500,000 shall be let by the public library system board to the lowest responsible  
3 bidder, and may be awarded to a minority business that is certified by the  
4 department of commerce under s. 560.036 (2), in accordance with s. 62.15 (1) to (11)  
5 and (14). For purposes of this section, the system board possesses the powers  
6 conferred by s. 62.15 on the board of public works and the common council. All  
7 contracts made under this section shall be made in the name of the federated public  
8 library system and shall be executed by the system board president and such other  
9 board officer as the system board designates.

10 **SECTION 1030.** 43.24 (1) (c) of the statutes is amended to read:

11 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid  
12 appropriated for public library systems under s. 20.255 (3) (e) and (qm), as  
13 determined by the department, equals at least 11.25% of the total operating  
14 expenditures for public library services from local and county sources in the calendar  
15 year ending in that fiscal year, the amount paid to each system shall be determined  
16 by adding the result of each of the following calculations:

17 1. Multiply the system's percentage of the state's population by the product of  
18 the amount appropriated under s. 20.255 (3) (e) and (qm) and 0.85.

19 2. Multiply the system's percentage of the state's geographical area by the  
20 product of the amount appropriated under s. 20.255 (3) (e) and (qm) and 0.075.

21 3. Divide the sum of the payments to the municipalities and counties in the  
22 system under subch. I of ch. 79 for the current fiscal year, as reflected in the  
23 statement of estimated payments under s. 79.015, by the total of all payments under  
24 subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated

1 payments under s. 79.015, and multiply the result by the product of the amount  
2 appropriated under s. 20.255 (3) (e) and (qm) and 0.075.

3 **SECTION 1031.** 43.24 (3) of the statutes is amended to read:

4 43.24 (3) Annually, the division shall review the reports and proposed service  
5 plans submitted by the public library systems under s. 43.17 (5) for conformity with  
6 this chapter and such rules and standards as are applicable. Upon approval, the  
7 division shall certify to the department of administration an estimated amount to  
8 which each system is entitled under this section. Annually on or before December  
9 1 of the year immediately preceding the year for which aids are to be paid, the  
10 department of administration shall pay each system 75% of the certified estimated  
11 amount from the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm). The  
12 division shall, on or before the following April 30, certify to the department of  
13 administration the actual amount to which the system is entitled under this section.  
14 On or before July 1, the department of administration shall pay each system the  
15 difference between the amount paid on December 1 of the prior year and the certified  
16 actual amount of aid to which the system is entitled from the ~~appropriation~~  
17 appropriations under s. 20.255 (3) (e) and (qm). The division may reduce state aid  
18 payments when any system or any participant thereof fails to meet the requirements  
19 of sub. (2). Beginning September 1, 1991, the division may reduce state aid payments  
20 to any system if the system or any participant in the system fails to meet the  
21 requirements of s. 43.15 (4).

22 **SECTION 1032.** 43.24 (3m) of the statutes is amended to read:

23 43.24 (3m) If the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm)  
24 in any one year is are insufficient to pay the full amount under sub. (1), state aid  
25 payments shall be prorated among the library systems entitled to such aid.





1           **SECTION 1035.** Subchapter IV (title) of chapter 44 [precedes 44.70] of the  
2 statutes is repealed.

3           **SECTION 1036d.** 44.70 (intro.) of the statutes is renumbered 16.99 (intro.).

4           **SECTION 1037.** 44.70 (1) of the statutes is repealed.

5           **SECTION 1038d.** 44.70 (1d) of the statutes is renumbered 16.99 (1d).

6           **SECTION 1039d.** 44.70 (1m) of the statutes is renumbered 16.99 (1m).

7           **SECTION 1040.** 44.70 (2) of the statutes is repealed.

8           **SECTION 1041d.** 44.70 (2g) of the statutes is renumbered 16.99 (2g) and  
9 amended to read:

10           16.99 (2g) “Educational agency” means a school district, charter school  
11 sponsor, secured correctional facility, private school, cooperative educational service  
12 agency, technical college district, private college, public library system, public library  
13 board, public museum, the Wisconsin Center for the Blind and Visually Impaired,  
14 or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing.

15           **SECTION 1042d.** 44.70 (3) of the statutes is renumbered 16.99 (3).

16           **SECTION 1043d.** 44.70 (3d) of the statutes is renumbered 16.99 (3d).

17           **SECTION 1044d.** 44.70 (3g) of the statutes is renumbered 16.99 (3g).

18           **SECTION 1045d.** 44.70 (3j) of the statutes is renumbered 16.99 (3j).

19           **SECTION 1046d.** 44.70 (3m) of the statutes is renumbered 16.99 (3m).

20           **SECTION 1047d.** 44.70 (3r) of the statutes is renumbered 16.99 (3r).

21           **SECTION 1048d.** 44.70 (4) of the statutes is renumbered 16.99 (4).

22           **SECTION 1049d.** 44.70 (5) of the statutes is renumbered 16.99 (5).

23           **SECTION 1050d.** 44.70 (6) of the statutes is renumbered 16.99 (6).

24           **SECTION 1051.** 44.71 (title) of the statutes is repealed.

25           **SECTION 1052.** 44.71 (1) of the statutes is repealed.

1           **SECTION 1053d.** 44.71 (2) (intro.) of the statutes is renumbered 16.993 (intro.)  
2 and amended to read:

3           **16.993 Duties Technology for educational achievement in Wisconsin;**  
4 **departmental duties.** (intro.) The board department shall do all of the following:

5           **SECTION 1054d.** 44.71 (2) (a) of the statutes is renumbered 16.993 (1) and  
6 amended to read:

7           16.993 (1) In cooperation with school districts, cooperative educational service  
8 agencies, the technical college system board, and the board of regents of the  
9 University of Wisconsin System ~~and the department~~, promote the efficient,  
10 cost-effective procurement, installation, and maintenance of educational technology  
11 by school districts, cooperative educational service agencies, technical college  
12 districts, and the University of Wisconsin System.

13           **SECTION 1055d.** 44.71 (2) (b) of the statutes is renumbered 16.993 (2).

14           **SECTION 1056d.** 44.71 (2) (c) of the statutes is renumbered 16.993 (3) and  
15 amended to read:

16           16.993 (3) ~~With the consent of the department, enter~~ Enter into cooperative  
17 purchasing agreements under s. 16.73 (1) under which participating school districts  
18 and cooperative educational service agencies may contract for their professional  
19 employees to receive training concerning the effective use of educational technology.

20           **SECTION 1057d.** 44.71 (2) (d) of the statutes is renumbered 16.993 (4) and  
21 amended to read:

22           16.993 (4) In cooperation with the board of regents of the University of  
23 Wisconsin System, the technical college system board, ~~the department of public~~  
24 ~~instruction~~ and other entities, support the development of courses for the instruction

1 of professional employees who are licensed by the state superintendent of public  
2 instruction concerning the effective use of educational technology.

3 **SECTION 1058d.** 44.71 (2) (e) of the statutes is renumbered 16.993 (5) and  
4 amended to read:

5 16.993 (5) ~~Subject to s. 44.73 (5), in cooperation with the department, provide~~  
6 Provide telecommunications access to educational agencies under the program  
7 established under s. 44.73 16.997.

8 **SECTION 1059d.** 44.71 (2) (f) of the statutes is renumbered 16.993 (6) and  
9 amended to read:

10 16.993 (6) No later than October 1 of each even-numbered year, submit a  
11 biennial report concerning the ~~board's~~ department's activities under this subchapter  
12 to the governor, and to the appropriate standing committees of the legislature under  
13 s. 13.172 (3).

14 **SECTION 1060d.** 44.71 (2) (g) of the statutes is renumbered 16.993 (7) and  
15 amended to read:

16 16.993 (7) ~~Coordinate the purchasing of~~ Purchase educational technology  
17 materials, supplies, equipment, and contractual services for school districts,  
18 cooperative educational service agencies, technical college districts, and the board  
19 of regents of the University of Wisconsin System ~~by the department~~ under s. 16.72  
20 (8), and, ~~in cooperation with the department and subject to the approval of the~~  
21 ~~department of electronic government,~~ establish standards and specifications for  
22 purchases of educational technology hardware and software by school districts,  
23 cooperative educational service agencies, technical college districts, and the board  
24 of regents of the University of Wisconsin System.

1           **SECTION 1061d.** 44.71 (2) (h) of the statutes is renumbered 16.993 (8) and  
2 amended to read:

3           16.993 (8) ~~With the approval of the department of electronic government,~~  
4 ~~purchase~~ Purchase educational technology equipment for use by school districts,  
5 cooperative educational service agencies, and public educational institutions in this  
6 state and permit the districts, agencies, and institutions to purchase or lease the  
7 equipment, with an option to purchase the equipment at a later date. ~~This paragraph~~  
8 ~~subsection~~ does not require the purchase or lease of any educational technology  
9 equipment from the board department.

10           **SECTION 1062d.** 44.71 (2) (i) of the statutes is renumbered 16.993 (9).

11           **SECTION 1063.** 44.71 (3) of the statutes is repealed.

12           **SECTION 1064.** 44.72 (title) of the statutes is repealed.

13           **SECTION 1065.** 44.72 (1) of the statutes is repealed.

14           **SECTION 1066.** 44.72 (2) of the statutes is repealed.

15           **SECTION 1067.** 44.72 (3) of the statutes is repealed.

16           **SECTION 1068d.** 44.72 (4) (title) of the statutes is renumbered 16.995 (title).

17           **SECTION 1069d.** 44.72 (4) (a) of the statutes is renumbered 16.995 (1) and  
18 amended to read:

19           16.995 (1) FINANCIAL ASSISTANCE AUTHORIZED. The board department may  
20 provide financial assistance under this ~~subsection~~ section to school districts and  
21 ~~charter school sponsors~~ from the proceeds of public debt contracted under s. 20.866  
22 (2) (zc) and to public library boards from the proceeds of public debt contracted under  
23 s. 20.866 (2) (zcm). Financial assistance under this ~~subsection~~ section may be used  
24 only for the purpose of upgrading the electrical wiring of school and library buildings  
25 in existence on October 14, 1997, and installing and upgrading computer network

1 wiring. The department may not provide any financial assistance under this section  
2 after the effective date of this subsection .... [revisor inserts date].

3 **SECTION 1070d.** 44.72 (4) (b) of the statutes is renumbered 16.995 (2) and  
4 amended to read:

5 16.995 (2) FINANCIAL ASSISTANCE APPLICATIONS, TERMS, AND CONDITIONS. The  
6 ~~board~~ department shall establish application procedures for, and the terms and  
7 conditions of, financial assistance under this ~~subsection, including a condition~~  
8 ~~requiring a charter school sponsor to use financial assistance under this subsection~~  
9 ~~for wiring upgrading and installation that benefits pupils attending the charter~~  
10 ~~school section.~~ The ~~board~~ department shall make a loan to a school district, ~~charter~~  
11 ~~school sponsor,~~ or public library board, or to a municipality on behalf of a public  
12 library board, in an amount equal to 50% of the total amount of financial assistance  
13 for which the ~~board~~ department determines the school district or public library board  
14 is eligible and provide a grant to the school district or public library board for the  
15 remainder of the total. The terms and conditions of any financial assistance under  
16 this ~~subsection~~ section may include the provision of professional building  
17 construction services under s. 16.85 (15). The ~~board~~ department shall determine the  
18 interest rate on loans under this ~~subsection~~ section. The interest rate shall be as low  
19 as possible but shall be sufficient to fully pay all interest expenses incurred by the  
20 state in making the loans and to provide reserves that are reasonably expected to be  
21 required in the judgment of the ~~board~~ department to ensure against losses arising  
22 from delinquency and default in the repayment of the loans. The term of a loan under  
23 this ~~subsection~~ section may not exceed 10 years.

24 **SECTION 1071d.** 44.72 (4) (c) of the statutes is renumbered 16.995 (3) and  
25 amended to read:

1           16.995 (3) REPAYMENT OF LOANS. The ~~board~~ department shall credit all moneys  
2 received from school districts ~~and charter school sponsors~~ for repayment of loans  
3 under this subsection section to the appropriation account under s. ~~20.275 (1) (h)~~  
4 20.505 (4) (ha). The ~~board~~ department shall credit all moneys received from public  
5 library boards or from municipalities on behalf of public library boards for  
6 repayment of loans under this subsection section to the appropriation account under  
7 s. ~~20.275 (1)~~ 20.505 (4) (hb).

8           **SECTION 1072d.** 44.72 (4) (d) of the statutes is renumbered 16.995 (4) and  
9 amended to read:

10           16.995 (4) FUNDING FOR FINANCIAL ASSISTANCE. The ~~board, with the approval of~~  
11 ~~the governor and~~ department, subject to the limits of s. 20.866 (2) (zc) and (zcm), may  
12 request that the building commission contract public debt in accordance with ch. 18  
13 to fund financial assistance under this subsection section.

14           **SECTION 1073d.** 44.73 (title) of the statutes is renumbered 16.997 (title).

15           **SECTION 1074d.** 44.73 (1) of the statutes is renumbered 16.997 (1) and  
16 amended to read:

17           16.997 (1) Except as provided in s. 196.218 (4t), the ~~board, in consultation with~~  
18 ~~the department and subject to the approval of the department of electronic~~  
19 ~~government,~~ department shall promulgate rules establishing an educational  
20 telecommunications access program to provide educational agencies with access to  
21 data lines and video links.

22           **SECTION 1075d.** 44.73 (2) (intro.) of the statutes is renumbered 16.997 (2)  
23 (intro.).

24           **SECTION 1076d.** 44.73 (2) (a) of the statutes is renumbered 16.997 (2) (a) and  
25 amended to read:

1           16.997 (2) (a) Allow an educational agency to make a request to the ~~board~~  
2           department for access to either one data line or one video link, except that any  
3           educational agency may request access to additional data lines if the agency shows  
4           to the satisfaction of the ~~board~~ department that the additional data lines are more  
5           cost-effective than a single data line and except that a school district that operates  
6           more than one high school or a public library board that operates more than one  
7           library facility may request access to both a data line and a video link and access to  
8           more than one data line or video link.

9           **SECTION 1077d.** 44.73 (2) (b) of the statutes is renumbered 16.997 (2) (b).

10          **SECTION 1078d.** 44.73 (2) (c) of the statutes is renumbered 16.997 (2) (c).

11          **SECTION 1079d.** 44.73 (2) (d) of the statutes is renumbered 16.997 (2) (d).

12          **SECTION 1080d.** 44.73 (2) (e) of the statutes is renumbered 16.997 (2) (e).

13          **SECTION 1081d.** 44.73 (2) (f) of the statutes is renumbered 16.997 (2) (f).

14          **SECTION 1082d.** 44.73 (2g) of the statutes is renumbered 16.997 (2g).

15          **SECTION 1083d.** 44.73 (2r) of the statutes is renumbered 16.997 (2r), and  
16          16.997 (2r) (c), as renumbered, is amended to read:

17               16.997 (2r) (c) A public library board shall provide the ~~technology for~~  
18               ~~educational achievement in Wisconsin~~ board department with written notice within  
19               30 days after entering into or modifying a shared service agreement under par. (a).

20          **SECTION 1084d.** 44.73 (3) of the statutes is renumbered 16.997 (3) and  
21          amended to read:

22               16.997 (3) The ~~board shall submit an annual report to the department~~ shall  
23               prepare an annual report on the status of providing data lines and video links that  
24               are requested under sub. (2) (a) and the impact on the universal service fund of any  
25               payment under contracts under s. 16.974.

1           **SECTION 1085d.** 44.73 (4) of the statutes is renumbered 16.997 (4).

2           **SECTION 1086.** 44.73 (5) of the statutes is repealed.

3           **SECTION 1087d.** 44.73 (6) (a) of the statutes is renumbered 16.997 (6) (a) and  
4 amended to read:

5           16.997 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.505 (4) (s) or (tm),  
6 the board department may award an annual grant to a school district or private  
7 school that had in effect on October 14, 1997, a contract for access to a data line or  
8 video link, as documented by the board department. The board department shall  
9 determine the amount of the grant, which shall be equal to the cost incurred by the  
10 state to provide telecommunications access to a school district or private school  
11 under a contract entered into under s. 16.974 (1) or (3) less the amount that the school  
12 district or private school would be paying under sub. (2) (d) if the school district or  
13 private school were participating in the program established under sub. (1), except  
14 that the amount may not be greater than the cost that a school district or private  
15 school incurs under the contract in effect on October 14, 1997. A school district or  
16 private school receiving a grant under this subsection is not eligible to participate in  
17 the program under sub. (1). No grant may be awarded under this subsection after  
18 December 31, 2005.

19           **SECTION 1088d.** 44.73 (6) (b) of the statutes is renumbered 16.997 (6) (b) and  
20 amended to read:

21           16.997 (6) (b) Notwithstanding par. (a), the board department may award a  
22 school district that operates more than one high school and that had in effect on  
23 October 14, 1997, a contract for access to more than one data line or video link an  
24 annual grant for each data line or video link serving each high school covered by that  
25 contract.



1           **SECTION 1088m.** 45.25 (title) of the statutes is amended to read:

2           **45.25 (title) Veterans' tuition and fee reimbursement program.**

3           **SECTION 1088p.** 45.25 (1) of the statutes is renumbered 45.25 (1m) and  
4 amended to read:

5           **45.25 (1m) ADMINISTRATION.** The department shall administer a tuition and fee  
6 reimbursement program for eligible veterans enrolling as undergraduates in any  
7 institution of higher education, as defined in s. 45.396 (1) (a), in this state, enrolling  
8 in a school that is approved under s. 45.35 (9m), enrolling in a proprietary school that  
9 is approved under s. 45.54, or receiving a waiver of nonresident tuition under s.  
10 39.47.

11           **SECTION 1088r.** 45.25 (1g) of the statutes is created to read:

12           **45.25 (1g) DEFINITION.** In this section, "tuition," when referring to the  
13 University of Wisconsin System, means "academic fees," as described in s. 36.27 (1),  
14 and when referring to the technical colleges, means "program fees," as described in  
15 s. 38.24 (1m) (a) and (b).

16           **SECTION 1088t.** 45.25 (2) (intro.) of the statutes is amended to read:

17           **45.25 (2) ELIGIBILITY.** (intro.) An individual is eligible for the tuition and fee  
18 reimbursement program if he or she meets all of the following criteria:

19           **SECTION 1089.** 45.25 (2) (c) of the statutes is amended to read:

20           **45.25 (2) (c)** The individual applies for the tuition and fee reimbursement  
21 program for courses ~~completed~~ begun within 10 years after separation from the  
22 service.

23           **SECTION 1089c.** 45.25 (2) (d) of the statutes is amended to read:

24           **45.25 (2) (d)** The individual is a resident at the time of application for the  
25 tuition and fee reimbursement program and was a Wisconsin resident at the time of

1 entry or reentry into service or was a resident for any consecutive 12-month period  
2 after entry or reentry into service and before the date of his or her application. If a  
3 person applying for a benefit under this section meets the residency requirement of  
4 12 consecutive months, the department may not require the person to reestablish  
5 that he or she meets that residency requirement when he or she later applies for any  
6 other benefit under this chapter that requires that residency.

7 **SECTION 1089e.** 45.25 (3) (a) of the statutes is amended to read:

8 45.25 (3) (a) Except as provided in par. (am), an individual who meets the  
9 requirements under sub. (2), upon satisfactory completion of a full-time  
10 undergraduate semester in any institution of higher education, as defined in s.  
11 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any  
12 proprietary school that is approved under s. 45.54, or any institution from which the  
13 individual receives a waiver of nonresident tuition under s. 39.47, may be  
14 reimbursed an amount not to exceed the total cost of the individual's tuition and fees  
15 minus any grants or scholarships, including those made under s. 21.49, that the  
16 individual receives specifically for the payment of the tuition or fees, or 85% of the  
17 standard cost of tuition for a state resident for an equivalent undergraduate ~~course~~  
18 semester at the University of Wisconsin–Madison ~~per course~~, whichever is less.  
19 Reimbursement is available only for tuition and fees that ~~are~~ is part of a curriculum  
20 that is relevant to a degree in a particular course of study at the institution.

21 **SECTION 1089g.** 45.25 (3) (am) of the statutes is repealed and recreated to read:

22 45.25 (3) (am) Any individual who is eligible to receive reimbursement under  
23 par. (a) and received reimbursement under par. (a) or s. 45.25 (3) (am), 2001 stats.,  
24 before the effective date of this paragraph .... [revisor inserts date], shall be

1 reimbursed an amount not to exceed the amount determined under par. (a) or the  
2 amount determined under s. 45.25 (3) (a) or (am), 2001 stats., whichever is greater.

3 **SECTION 1089j.** 45.25 (3) (b) (intro.) of the statutes is amended to read:

4 45.25 (3) (b) (intro.) An application for reimbursement of tuition and fees under  
5 par. (a) or ~~(am)~~ shall meet all of the following requirements:

6 **SECTION 1089m.** 45.35 (14) (h) of the statutes is amended to read:

7 45.35 (14) (h) To provide grants to the governing bodies of federally recognized  
8 American Indian tribes and bands from the appropriation under s. 20.485 (2) ~~(km)~~  
9 (vz) if that governing body enters into an agreement with the department regarding  
10 the creation, goals and objectives of a tribal veterans' service officer, appoints a  
11 veteran to act as a tribal veterans' service officer and gives that veteran duties  
12 similar to the duties described in s. 45.43 (5), except that the veteran shall report to  
13 the governing body of the tribe or band. The department may make annual grants  
14 of up to \$2,500 under this paragraph and shall promulgate rules to implement this  
15 paragraph.

16 **SECTION 1090.** 45.365 (7) of the statutes is created to read:

17 45.365 (7) The department may develop a program to provide stipends to  
18 individuals to attend school and receive the necessary credentials to become  
19 employed at the home or the southeastern facility. If the department does develop  
20 a stipend program under this subsection, the department shall promulgate  
21 administrative rules related to the program, including the application process,  
22 eligibility criteria, stipend amount, repayment provisions, and other provisions that  
23 the department determines are necessary to administer the program.

24 **SECTION 1091.** 45.37 (11) of the statutes is amended to read:

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

17           **SECTION 1092.** 45.37 (15) (c) of the statutes is amended to read:

18           45.37 (15) (c) Expenses incident to the burial at the home of a member shall  
19 be paid from the estate of the decedent, except that if there is no estate or the estate  
20 is insufficient, the expense of burial, or necessary part thereof, shall be paid from the  
21 appropriation under s. 20.485 (1) (gk) and the amount expended therefor shall not  
22 exceed the amount established for funeral and burial expenses under s. ~~49.30~~ 49.785  
23 (1) (b).

24           **SECTION 1092g.** 45.396 (1) (c) of the statutes is created to read:

25           45.396 (1) (c) "Tuition" has the meaning given in s. 45.25 (1g).

1           **SECTION 1092m.** 45.396 (4) of the statutes is amended to read:

2           45.396 (4) Enrolled part-time classroom study or direct correspondence  
3 courses from a qualified educational institution may be authorized and the veteran  
4 reimbursed in part by the department when such courses are related to one's  
5 occupational, professional or employment objectives, and to the extent that payment  
6 or reimbursement is not available from any other sources, or, in cases where  
7 reimbursement is not specifically for fees and tuition, to the extent that such  
8 reimbursement is insufficient to cover all educational costs.

9           **SECTION 1092p.** 45.396 (5) of the statutes is renumbered 45.396 (5) (a) and  
10 amended to read:

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

17           **SECTION 1092q.** 45.396 (5) (b) of the statutes is created to read:

18           45.396 (5) (b) Any individual who is eligible to receive reimbursement under  
19 par. (a) and received reimbursement under par. (a) before the effective date of this  
20 paragraph .... [revisor inserts date], shall be reimbursed an amount not to exceed the  
21 amount determined under par. (a) or the amount determined under s. 45.396 (5) (a),  
22 2001 stats., whichever is greater.

23           **SECTION 1092r.** 45.396 (9) of the statutes is repealed.

24           **SECTION 1093.** 45.43 (7) (b) of the statutes is amended to read:

1           45.43 (7) (b) The department shall award a grant annually to a county that  
2 meets the standards developed under this subsection and employs a county veterans'  
3 service officer who, if chosen after August 9, 1989, is chosen from a list of candidates  
4 who have taken a civil service examination for the position of county veterans' service  
5 officer developed and administered by the division of merit recruitment and selection  
6 in the ~~department of employment relations~~ office of state human resources  
7 management, or is appointed under a civil service competitive examination  
8 procedure under ch. 63 or s. 59.52 (8). The grant shall be \$8,500 for a county with  
9 a population of less than 20,000, \$10,000 for a county with a population of 20,000 to  
10 45,499, \$11,500 for a county with a population of 45,500 to 74,999, and \$13,000 for  
11 a county with a population of 75,000 or more. The department shall use the most  
12 recent Wisconsin official population estimates prepared by the demographic services  
13 center when making grants under this paragraph.

14           **SECTION 1094.** 45.54 (10) (a) of the statutes is amended to read:

15           45.54 (10) (a) *Authority.* All proprietary schools shall be examined and  
16 approved by the board before operating in this state. Approval shall be granted to  
17 schools meeting the criteria established by the board for a period not to exceed one  
18 year. No school may advertise in this state unless approved by the board. All  
19 approved schools shall submit quarterly reports, including information on  
20 enrollment, number of teachers and their qualifications, course offerings, number of  
21 graduates, number of graduates successfully employed, and such other information  
22 as the board deems necessary. If a school closure results in losses to students,  
23 parents, or sponsors, the board may authorize the full or partial payment of those  
24 losses from the appropriation under s. 20.485 (5) (gm).

25           **SECTION 1095.** 45.54 (10) (c) 4. of the statutes is created to read:

1           45.54 (10) (c) 4. Specify a student protection fee.

2           **SECTION 1095m.** 45.54 (10) (cm) of the statutes is created to read:

3           45.54 (10) (cm) *Limit on student protection fee.* The board shall discontinue  
4 collecting annual student protection fees under par. (c) 4. during the period that the  
5 balance in the fund created by those fees exceeds \$1,000,000.

6           **SECTION 1096.** 46.03 (7) (h) of the statutes is created to read:

7           46.03 (7) (h) Contract for the provision of a centralized unit for determining  
8 whether the cost of providing care for a child is eligible for reimbursement under 42  
9 USC 670 to 679a.

10          **SECTION 1098d.** 46.057 (2) of the statutes is amended to read:

11          46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the  
12 department of corrections shall transfer to the appropriation account under s. 20.435  
13 (2) (kx) \$1,379,300 in fiscal year ~~2001–02~~ 2003–04 and \$1,379,300 in fiscal year  
14 ~~2002–03~~ 2004–05 and, from the appropriation account under s. 20.410 (3) (hm), the  
15 department of corrections shall transfer to the appropriation account under s. 20.435  
16 (2) (kx) ~~\$2,489,300 in fiscal year 1999–2000 and \$2,489,900 in fiscal year 2000–01~~  
17 \$2,086,700 in fiscal year 2003–04 and \$2,155,600 in fiscal year 2004–05 for services  
18 for juveniles placed at the Mendota juvenile treatment center. The department of  
19 health and family services may charge the department of corrections not more than  
20 the actual cost of providing those services.

21          **SECTION 1100g.** 46.10 (16) of the statutes is amended to read:

22          46.10 (16) The department shall delegate to county departments under ss.  
23 51.42 and 51.437 or the local providers of care and services meeting the standards  
24 established by the department under s. 46.036, the responsibilities vested in the  
25 department under this section for collection of patient fees for services other than

1 those provided at state facilities or those provided to children that are reimbursed  
2 under a waiver under s. 46.27 (11), 46.275, or 46.278 or a waiver requested under  
3 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act .... (this act),  
4 section 9124 (8c), if such the county departments or providers meet the conditions  
5 deemed that the department determines are appropriate by the department. The  
6 department may delegate to county departments under ss. 51.42 and 51.437 the  
7 responsibilities vested in the department under this section for collection of patient  
8 fees for services provided at the state facilities if the necessary conditions are met.

9 **SECTION 1101.** 46.215 (1) (n) of the statutes is amended to read:

10 46.215 (1) (n) To collect and transmit information to the department of  
11 administration so that a federal energy assistance payment may be made to an  
12 eligible household; to collect and transmit information to the department of  
13 administration so that weatherization services may be made available to an eligible  
14 household; to receive applications from individuals seeking low-income energy  
15 assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~ 16.26;  
16 to provide information on the income eligibility for weatherization of a recipient of  
17 low-income energy assistance to an entity with which the department of  
18 administration contracts for provision of weatherization under s. ~~16.39~~ 16.26; and  
19 to receive a request, determine a correct payment amount, if any, and provide  
20 payment, if any, for emergency assistance under s. ~~16.385~~ 16.27 (8).

21 **SECTION 1102.** 46.22 (1) (b) 4m. c. of the statutes is amended to read:

22 46.22 (1) (b) 4m. c. To receive applications from individuals seeking low-income  
23 energy assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~  
24 16.26.

25 **SECTION 1103.** 46.22 (1) (b) 4m. d. of the statutes is amended to read:



1           46.22 (1) (b) 4m. d. To provide information on the income eligibility for  
2 weatherization of a recipient of low-income energy assistance to an entity with  
3 which the department of administration contracts for provision of weatherization  
4 under s. ~~16.39~~ 16.26.

5           **SECTION 1104.** 46.22 (1) (b) 4m. e. of the statutes is amended to read:

6           46.22 (1) (b) 4m. e. To receive a request, determine a correct payment amount,  
7 if any, and provide payment, if any, for emergency assistance under s. ~~16.385~~ 16.27  
8 (8).

9           **SECTION 1104m.** 46.22 (1) (c) 8. f. of the statutes is amended to read:

10           46.22 (1) (c) 8. f. Before July 1, 2005, the county department of social services  
11 shall implement the statewide automated child welfare information system  
12 established by the department under s. 46.03 (7) (g). After that system has been  
13 implemented in a county, the department shall require that county to support 50%  
14 of the nonfederal portion of the ongoing cost of that system. All moneys received by  
15 the department under this subd. 8. f. shall be credited to the appropriation account  
16 under s. 20.435 (3) (j).

17           **SECTION 1105.** 46.22 (1) (d) of the statutes is amended to read:

18           46.22 (1) (d) *Merit system; records.* The county department of social services  
19 is subject to s. ~~49.33~~ 49.78 (4) to (7). The county department of social services and  
20 all county officers and employees performing any duties in connection with the  
21 administration of aid to families with dependent children shall observe all rules  
22 promulgated by the department of workforce development under s. ~~49.33~~ 49.78 (4)  
23 and shall keep records and furnish reports as the department of workforce  
24 development requires in relation to their performance of such duties.

25           **SECTION 1106.** 46.22 (2) (b) of the statutes is amended to read:

1           46.22 (2) (b) Appoint the county social services director under sub. (3) subject  
2 to s. ~~49.33~~ 49.78 (4) to (7) and the rules promulgated thereunder and subject to the  
3 approval of the county board of supervisors in a county with a single-county  
4 department of social services or the county boards of supervisors in counties with a  
5 multicounty department of social services.

6           **SECTION 1107.** 46.22 (3m) (a) of the statutes is amended to read:

7           46.22 (3m) (a) In any county with a county executive or a county administrator  
8 ~~which~~ that has established a single-county department of social services, the county  
9 executive or county administrator, subject to s. ~~49.33~~ 49.78 (4) to (7) and the rules  
10 promulgated thereunder, shall appoint and supervise the county social services  
11 director. The appointment is subject to the confirmation of the county board of  
12 supervisors unless the county board of supervisors, by ordinance, elects to waive  
13 confirmation or unless the appointment is made under a civil service system  
14 competitive examination procedure established under s. 59.52 (8) or ch. 63.

15           **SECTION 1108.** 46.27 (7) (am) of the statutes is amended to read:

16           46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department  
17 shall allocate funds to each county or private nonprofit agency with which the  
18 department contracts to pay assessment and case plan costs under sub. (6) not  
19 otherwise paid by fee or under s. ~~49.33 (2)~~ or 49.45 or 49.78 (2). The department shall  
20 reimburse counties for the cost of assessing persons eligible for medical assistance  
21 under s. 49.46, 49.468, or 49.47 as part of the administrative services of medical  
22 assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated  
23 under this paragraph to pay the cost of long-term community support services and  
24 for a risk reserve under par. (fr).

25           **SECTION 1109.** 46.27 (7) (fm) of the statutes is amended to read:

1           46.27 (7) (fm) The department shall, at the request of a county, carry forward  
2 up to ~~10%~~ 5% of the amount allocated under this subsection to the county for a  
3 calendar year if up to ~~10%~~ 5% of the amount so allocated has not been spent or  
4 encumbered by the county by December 31 of that year, for use by the county in the  
5 following calendar year, except that the amount carried forward shall be reduced by  
6 the amount of funds that the county has notified the department that the county  
7 wishes to place in a risk reserve under par. (fr). The department may transfer funds  
8 within s. 20.435 (7) (bd) to accomplish this purpose. An allocation under this  
9 paragraph does not affect a county's base allocation under this subsection and shall  
10 lapse to the general fund unless expended within the calendar year to which the  
11 funds are carried forward. A county may not expend funds carried forward under  
12 this paragraph for administrative or staff costs, except administrative or staff costs  
13 that are associated with implementation of the waiver under sub. (11) and approved  
14 by the department.

15           **SECTION 1111.** 46.27 (9) (a) of the statutes is amended to read:

16           46.27 (9) (a) The department may select up to 5 counties that volunteer to  
17 participate in a pilot project under which they will receive certain funds allocated for  
18 long-term care. The department shall allocate a level of funds to these counties  
19 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), or (w)  
20 to nursing homes for providing care because of increased utilization of nursing home  
21 services, as estimated by the department. In estimating these levels, the department  
22 shall exclude any increased utilization of services provided by state centers for the  
23 developmentally disabled. The department shall calculate these amounts on a  
24 calendar year basis under sub. (10).

25           **SECTION 1112.** 46.27 (10) (a) 1. of the statutes is amended to read:

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

7           **SECTION 1113.** 46.275 (5) (a) of the statutes is amended to read:

8           46.275 (5) (a) Medical assistance Assistance reimbursement for services a  
9 county, or the department under sub. (3r), provides under this program is available  
10 from the ~~appropriations~~ appropriation accounts under s. 20.435 (4) (b), (gp), (hm), (o),  
11 and (w). If 2 or more counties jointly contract to provide services under this program  
12 and the department approves the contract, ~~medical assistance~~ Medical Assistance  
13 reimbursement is also available for services provided jointly by these counties.

14           **SECTION 1114.** 46.275 (5) (c) of the statutes is amended to read:

15           46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gp), (hm), (o), and (w)  
16 to counties and to the department under sub. (3r) for services provided under this  
17 section may not exceed the amount approved by the federal department of health and  
18 human services. A county may use funds received under this section only to provide  
19 services to persons who meet the requirements under sub. (4) and may not use  
20 unexpended funds received under this section to serve other developmentally  
21 disabled persons residing in the county.

22           **SECTION 1115.** 46.275 (5) (e) of the statutes is created to read:

23           46.275 (5) (e) From the appropriation under s. 20.435 (2) (gL), the department  
24 may provide moneys to a county to pay for one-time costs associated with the

1 relocation under this section of an individual from a state center for the  
2 developmentally disabled.

3 **SECTION 1123.** 46.277 (5) (g) of the statutes is created to read:

4 46.277 (5) (g) The department may provide enhanced reimbursement for  
5 services provided under this section to an individual who is relocated to the  
6 community from a nursing home by a county department on or after the effective date  
7 of this paragraph .... [revisor inserts date], if the nursing home bed that was used by  
8 the individual is delicensed upon relocation of the individual. The department shall  
9 develop and utilize a formula to determine the enhanced reimbursement rate.

10 **SECTION 1131.** 46.278 (6) (f) of the statutes is repealed.

11 **SECTION 1132.** 46.279 of the statutes is created to read:

12 **46.279 Restrictions on placements and admissions to intermediate**  
13 **and nursing facilities. (1) DEFINITIONS.** In this section:

14 (a) “Developmental disability” has the meaning given in s. 51.01 (5) (a).

15 (b) “Intermediate facility” means an intermediate care facility for the mentally  
16 retarded, as defined in 42 USC 1396d (d), other than a center for the developmentally  
17 disabled, as defined in s. 51.01 (3).

18 (bm) “Most integrated setting” means a setting that enables an individual to  
19 interact with persons without developmental disabilities to the fullest extent  
20 possible.

21 (c) “Nursing facility” has the meaning given under 42 USC 1369r (a).

22 **(2) PLACEMENTS AND ADMISSIONS TO INTERMEDIATE FACILITIES.** Except as provided  
23 in sub. (5), no person may place an individual with a developmental disability in an  
24 intermediate facility and no intermediate facility may admit such an individual  
25 unless, before the placement or admission and after having considered a plan

1 developed under sub. (4), a court under s. 55.06 (9) (a) or (10) (a) 2. finds that  
2 placement in the intermediate facility is the most integrated setting that is  
3 appropriate to the needs of the individual, taking into account information presented  
4 by all affected parties. An intermediate facility to which an individual who has a  
5 developmental disability applies for admission shall, within 5 days after receiving  
6 the application, notify the county department that is participating in the program  
7 under s. 46.278 of the county of residence of the individual who is seeking admission  
8 concerning the application.

9 (3) PLACEMENTS AND ADMISSIONS TO NURSING FACILITIES. Except as provided in  
10 sub. (5), if the department or an entity determines from a screening under s. 49.45  
11 (6c) (b) that an individual requires active treatment for developmental disability, no  
12 individual may be placed in a nursing facility, and no nursing facility may admit the  
13 individual, unless it is determined from the screening that the individual's need for  
14 care cannot fully be met in an intermediate facility or under a plan under sub. (4).

15 (4) PLAN FOR HOME OR COMMUNITY-BASED CARE. Except as provided in a contract  
16 specified in sub. (4m), a county department that participates in the program under  
17 s. 46.278 shall develop a plan for providing home or community-based care in a  
18 noninstitutional community setting to an individual who is a resident of that county,  
19 under any of the following circumstances:

20 (a) Within 120 days after any determination made under s. 49.45 (6c) (c) 3. that  
21 the level of care required by a resident that is provided by a facility could be provided  
22 in an intermediate facility or under a plan under this subsection.

23 (b) Within 120 days after receiving written notice under sub. (2) of an  
24 application.

1 (c) Within 120 days after a proposal is made under s. 55.06 (9) (a) to place the  
2 individual in an intermediate facility or a nursing facility.

3 (d) Within 120 days after receiving written notice under s. 55.06 (10) (a) 2. of  
4 the placement of the individual in a nursing facility or an intermediate facility.

5 (e) Within 90 days after extension of a temporary placement order by the court  
6 under s. 55.06 (11) (c).

7 **(4m) CONTRACT FOR PLAN DEVELOPMENT.** The department shall contract with a  
8 public or private agency to develop a plan under sub. (4), and the county department  
9 is not required to develop such a plan, for an individual, as specified in the contract,  
10 to whom all of the following apply:

11 (a) The individual resides in a county with a population of less than 100,000  
12 in which are located at least 2 intermediate facilities that have licenses issued to  
13 private nonprofit organizations that are exempt from federal income tax under  
14 section 501 (a) of the Internal Revenue Code.

15 (b) Placement for the individual is in, or proposed to be in, an intermediate  
16 facility specified under par. (a) that has agreed to reduce its licensed bed capacity to  
17 an extent and according to a schedule acceptable to the facility and the department.

18 **(5) EXCEPTIONS.** Subsections (2) and (3) do not apply to an emergency placement  
19 under s. 55.06 (11) (a) or to a temporary placement under s. 55.06 (11) (c) or (12).

20 **SECTION 1133.** 46.2805 (2) of the statutes is amended to read:

21 46.2805 (2) “Eligible person” means a person who meets all eligibility criteria  
22 under s. 46.286 (1) ~~or (1m)~~.

23 **SECTION 1134.** 46.283 (5) of the statutes is amended to read:

24 46.283 (5) **FUNDING.** From the appropriation accounts under s. 20.435 (4) (b),  
25 (bm), ~~(gp)~~, (pa), and (w) and (7) (b), (bd), and (md), the department may contract with

1 organizations that meet standards under sub. (3) for performance of the duties under  
2 sub. (4) and shall distribute funds for services provided by resource centers.

3 **SECTION 1135.** 46.284 (5) (a) of the statutes is amended to read:

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

11 **SECTION 1136.** 46.286 (1) (intro.) of the statutes is amended to read:

12 46.286 (1) ELIGIBILITY. (intro.) ~~Except as provided in sub. (1m), a~~ A person is  
13 eligible for, but not necessarily entitled to, the family care benefit if the person is at  
14 least 18 years of age; has a physical disability, as defined in s. 15.197 (4) (a) 2., a  
15 developmental disability, as defined in s. 51.01 (5) (a), or infirmities of aging, as  
16 defined in s. 55.01 (3); and meets all of the following criteria:

17 **SECTION 1137.** 46.286 (1m) of the statutes is repealed.

18 **SECTION 1138.** 46.286 (3) (a) (intro.) of the statutes is amended to read:

19 46.286 (3) (a) (intro.) Subject to pars. (c) and (d), a person is entitled to and may  
20 receive the family care benefit through enrollment in a care management  
21 organization if, ~~except as provided in subd. 5.,~~ he or she is at least 18 years of age,  
22 has a physical disability, as defined in s. 15.197 (4) (a) 2., a developmental disability,  
23 as defined in s. 51.01 (5) (a), or infirmities of aging, as defined in s. 55.01 (3), is  
24 financially eligible, fulfills any applicable cost-sharing requirements and meets any  
25 of the following criteria:



1           **SECTION 1139.** 46.286 (3) (a) 5. of the statutes is repealed.

2           **SECTION 1140.** 46.286 (3) (d) of the statutes is amended to read:

3           46.286 (3) (d) The department shall determine the date, which shall not be later  
4 than January 1, 2004 2006, on which par. (a) shall first apply to persons who are not  
5 eligible for medical assistance under ch. 49. Before the date determined by the  
6 department, persons who are not eligible for medical assistance may receive the  
7 family care benefit within the limits of state funds appropriated for this purpose and  
8 available federal funds.

9           **SECTION 1141.** 46.287 (2) (a) 1. a. of the statutes is amended to read:

10           46.287 (2) (a) 1. a. Denial of eligibility under s. 46.286 (1) ~~or (1m)~~.

11           **SECTION 1142.** 46.29 (3) (d) of the statutes is amended to read:

12           46.29 (3) (d) ~~The secretary of employment relations~~ director of the office of state  
13 human resources management.

14           **SECTION 1143.** 46.295 (1) of the statutes is amended to read:

15           46.295 (1) The department may, on the request of any hearing-impaired  
16 person, city, village, town, or county or private agency, provide funds from the  
17 appropriation under s. 20.435 (6) ~~(a) and (hs)~~ and (7) (d) to reimburse interpreters  
18 for hearing-impaired persons for the provision of interpreter services.

19           **SECTION 1144.** 46.40 (1) (d) of the statutes is created to read:

20           46.40 (1) (d) If the department receives any federal moneys under 42 USC 1396  
21 to 1396v in reimbursement of the cost of preventing out-of-home placements of  
22 children, the department shall use those moneys as the first source of moneys used  
23 to meet the amount of the allocation under sub. (2) that is budgeted from federal  
24 funds.

25           **SECTION 1145.** 46.40 (2) of the statutes is amended to read:

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 ~~\$244,745,200 for fiscal year 2001–02 and \$244,703,400 for fiscal year~~  
4           ~~2002–03~~ \$242,078,700 in each fiscal year.

5           **SECTION 1146.** 46.40 (7) of the statutes is amended to read:

6           46.40 (7) FAMILY SUPPORT ALLOCATION. For family support programs for the  
7           families of disabled children under s. 46.985, the department shall distribute ~~not~~  
8           ~~more than \$4,589,800 in fiscal year 2001–02 and not more than \$5,089,800 in fiscal~~  
9           ~~year 2002–03 and in each fiscal year thereafter.~~

10          **SECTION 1147.** 46.45 (2) (a) of the statutes is amended to read:

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

1 July 1, 2005, the department may recover any amounts distributed to that county  
2 under this paragraph after June 30, 2001, by billing the county or deducting from  
3 that county's allocation under s. 46.40 (2). All moneys received by the department  
4 under this paragraph shall be credited to the appropriation account under s. 20.435  
5 (3) (j).

6 **SECTION 1148.** 46.45 (2) (am) of the statutes is created to read:

7 46.45 (2) (am) If on December 31 of any year a county is not using the  
8 centralized unit contracted for under s. 46.03 (7) (h) for determining whether the cost  
9 of providing care for a child is eligible for reimbursement under 42 USC 670 to 679a,  
10 the department shall reduce that county's distribution under par. (a) by 50%.

11 **SECTION 1149.** 46.45 (3) (a) of the statutes is amended to read:

12 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal  
13 governing body, or private nonprofit organization, the department shall carry  
14 forward up to 3% of the total amount allocated to the county, tribal governing body,  
15 or nonprofit organization for a calendar year, not including the amount allocated to  
16 the county under s. 46.40 (7), which amount may be carried forward as provided in  
17 par. (c). All funds carried forward for a tribal governing body or nonprofit  
18 organization, all federal child welfare funds under 42 USC 620 to 626, and all funds  
19 allocated under s. 46.40 (2m) carried forward for a county shall be used for the  
20 purpose for which the funds were originally allocated. ~~Except as provided under par.~~  
21 ~~(am), other~~ Other funds carried forward under this paragraph may be used for any  
22 purpose under s. 20.435 (7) (b), except that a county may not use any funds carried  
23 forward under this paragraph for administrative or staff costs. An allocation of  
24 carried-forward funding under this paragraph does not affect a county's base  
25 allocations under s. 46.40 (2), (2m), (8), and (9).

1           **SECTION 1150.** 46.45 (3) (am) of the statutes is repealed.

2           **SECTION 1151.** 46.45 (3) (c) of the statutes is created to read:

3           46.45 (3) (c) At the request of a county, the department shall carry forward up  
4 to 5% of the amount allocated to the county under s. 46.40 (7) for a calendar year.  
5 All funds carried forward under this paragraph shall be used for the purpose for  
6 which the funds were originally allocated, except that a county may not use any of  
7 those funds for administrative or staff costs. All funds carried forward under this  
8 paragraph that are not spent or encumbered by a county December 31 of the calendar  
9 year to which those funds were carried forward shall lapse to the general fund on the  
10 succeeding January 1. An allocation of carried-forward funding under this  
11 paragraph does not affect a county's base allocation under s. 46.40 (7).

12           **SECTION 1152.** 46.45 (6) of the statutes is renumbered 46.45 (6) (a) and  
13 amended to read:

14           46.45 (6) (a) The department may carry forward 10% of any funds specified in  
15 sub. (3) (a) that are not carried forward under sub. (3) (a) for emergencies, for  
16 justifiable unit services costs above planned levels, and to provide compensation for  
17 increased costs due to population shifts. An allocation of carried-forward funding  
18 under this paragraph does not affect a county's base allocations under s. 46.40 (2),  
19 (2m), (8), and (9).

20           **SECTION 1153.** 46.45 (6) (b) of the statutes is created to read:

21           46.45 (6) (b) The department may carry forward any funds specified in sub. (3)  
22 (c) that are not carried forward under sub. (3) (c) for emergencies, for justifiable unit  
23 services costs above planned levels, and for increased costs due to population shifts.  
24 An allocation of carried-forward funding under this paragraph does not affect a  
25 county's base allocation under s. 46.40 (7).

1           **SECTION 1154d.** 46.46 (1) of the statutes is amended to read:

2           46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the  
3 department shall support costs that are exclusively related to the ongoing and  
4 recurring operational costs of augmenting the amount of moneys received under 42  
5 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v, to the  
6 purposes specified in 2003 Wisconsin Act .... (this act), section 9124 (9c), and to any  
7 other purpose provided for by the legislature by law or in budget determinations and  
8 shall distribute moneys to counties as provided in sub. (1g). In addition, the  
9 department may expend moneys from the appropriation account under s. 20.435 (8)  
10 (mb) as provided in ~~sub.~~ subs. (1m) and (2).

11           **SECTION 1154e.** 46.46 (1) of the statutes, as affected by 2003 Wisconsin Act ....  
12 (this act), is amended to read:

13           46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the  
14 department shall support costs that are exclusively related to the ongoing and  
15 recurring operational costs of augmenting the amount of moneys received under 42  
16 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v, ~~to the~~  
17 ~~purposes specified in 2003 Wisconsin Act .... (this act), section 9124 (9c), and to any~~  
18 other purpose provided for by the legislature by law or in budget determinations and  
19 shall distribute moneys to counties as provided in sub. (1g). In addition, the  
20 department may expend moneys from the appropriation account under s. 20.435 (8)  
21 (mb) as provided in ~~subs.~~ sub. (1m) and (2).

22           **SECTION 1155.** 46.46 (1g) of the statutes is created to read:

23           46.46 (1g) The department shall distribute not less than 50% of the moneys  
24 received under 42 USC 1396 to 1396v as a result of the augmentation activities  
25 specified in sub. (1) and credited to the appropriation account under s. 20.435 (8) (mb)

1 to counties that are participating in those activities for community social, mental  
2 health, developmental disabilities, and alcohol and other drug abuse services under  
3 s. 46.40. The department may distribute any moneys received under 42 USC 1396  
4 to 1396v as a result of the augmentation activities specified in sub. (1) and credited  
5 to the appropriation account under s. 20.435 (8) (mb) that are not distributed under  
6 this subsection to counties that are participating in those activities as provided in  
7 sub. (2).

8 **SECTION 1156d.** 46.46 (1m) of the statutes is amended to read:

9 46.46 (1m) In addition to expending moneys from the appropriation account  
10 under s. 20.435 (8) (mb) for the augmentation activities specified in sub. (1), the  
11 department may expend moneys received under 42 USC 1396 to 1396v in  
12 reimbursement of the cost of providing targeted case management services to  
13 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and  
14 credited to the appropriation account under s. 20.435 (8) (mb) to support the counties'  
15 share of implementing the statewide automated child welfare information system  
16 under s. 46.22 (1) (c) 8. f. and to provide services to children and families under s.  
17 48.48 (17).

18 **SECTION 1157.** 46.46 (2) of the statutes is amended to read:

19 46.46 (2) If the department proposes to use any moneys from the appropriation  
20 account under s. 20.435 (8) (mb) for any purpose other than the purpose purposes  
21 specified in sub. subs. (1), (1g), and (1m), the department shall submit a plan for the  
22 proposed use of those moneys to the secretary of administration by September 1 of  
23 the fiscal year after the fiscal year in which those moneys were received. If the  
24 secretary of administration approves the plan, he or she shall submit the plan to the  
25 joint committee on finance by October 1 of the fiscal year after the fiscal year in which

1 those moneys were received. If the cochairpersons of the committee do not notify the  
2 secretary of administration within 14 working days after the date of submittal of the  
3 plan that the committee has scheduled a meeting for the purpose of reviewing the  
4 plan, the department may implement the plan. If within 14 working days after the  
5 date of the submittal by the secretary of administration the cochairpersons of the  
6 committee notify him or her that the committee has scheduled a meeting for the  
7 purpose of reviewing the plan, the department may implement the plan only with the  
8 approval of the committee.

9 **SECTION 1157b.** 46.46 (2) of the statutes, as affected by 2003 Wisconsin Act ....  
10 (this act), is repealed.

11 **SECTION 1158.** 46.48 (6) (title) of the statutes is repealed.

12 **SECTION 1159.** 46.48 (6) of the statutes is renumbered 16.964 (9) (a) and  
13 amended to read:

14 16.964 (9) (a) ~~The department shall distribute~~ A grant in the amount of \$80,000  
15 in each fiscal year to the ~~career youth development center~~ Career Youth  
16 Development Center in the city of Milwaukee for the operation of a minority youth  
17 substance abuse treatment program.

18 **SECTION 1159c.** 46.48 (7) of the statutes is repealed.

19 **SECTION 1160.** 46.481 (2) (title) of the statutes is repealed.

20 **SECTION 1161.** 46.481 (2) of the statutes is renumbered 16.964 (9) (b) and  
21 amended to read:

22 16.964 (9) (b) ~~The department shall award~~ A grant in the amount of \$5,000 in  
23 each fiscal year ~~as a grant to the Milwaukee police athletic league~~ Police Athletic  
24 League to purchase sports and recreational equipment for a gymnasium facility  
25 located at 2449 N. 36th Street in the city of Milwaukee and for a gymnasium facility

1 located at 2544 N. 30th Street in the city of Milwaukee, and to contribute to the  
2 operating expenses of those gymnasium facilities.

3 **SECTION 1162.** 46.481 (4) (title) of the statutes is repealed.

4 **SECTION 1163.** 46.481 (4) of the statutes is renumbered 16.964 (9) (c) and  
5 amended to read:

6 16.964 (9) (c) ~~The department shall distribute A grant in the amount of \$50,000~~  
7 in each fiscal year as ~~grants~~ to court-appointed special advocate programs that are  
8 recognized by a chief judge of a judicial administrative district under s. 48.07 (5) to  
9 perform advocacy services in proceedings under s. 48.13.

10 **SECTION 1164.** 46.481 (6) (title) of the statutes is repealed.

11 **SECTION 1165.** 46.481 (6) of the statutes is renumbered 16.964 (9) (d) and  
12 amended to read:

13 16.964 (9) (d) ~~The department shall distribute A grant in the amount of \$50,000~~  
14 in each fiscal year to the children's safe house child care program Children's Safe  
15 House Child Care Program in Kenosha County for the operation of that program.

16 **SECTION 1166.** 46.485 (2g) (intro.) of the statutes is amended to read:

17 46.485 (2g) (intro.) From the appropriation accounts under s. 20.435 (4) (b) and  
18 (gp), the department may in each fiscal year transfer funds to the appropriation  
19 under s. 20.435 (7) (kb) for distribution under this section and from the appropriation  
20 under s. 20.435 (7) (mb) the department may not distribute more than \$1,330,500 in  
21 each fiscal year to applying counties in this state that meet all of the following  
22 requirements, as determined by the department:

23 **SECTION 1167m.** 46.485 (2g) (b) (intro.) of the statutes is created to read:

24 46.485 (2g) (b) (intro.) Any of the following applies to the county: