

1 ***-1757/4.3*** SECTION 1026. 40.51 (6) of the statutes is amended to read:

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

11 ***b0390/1.2*** SECTION 1026e. 40.51 (10m) of the statutes is amended to read:

12 40.51 (10m) Any eligible employee, as defined in s. 40.02 (25) (b) 6e. and 6g.,
13 may become covered under any health care coverage plan offered under sub. (6),
14 without furnishing evidence of insurability, by submitting to the department, on a
15 form provided by the department and within 30 days after the date on which the
16 department receives the employee's application for a retirement annuity or for a
17 lump sum payment under s. 40.25 (1), an election to obtain the coverage, by obtaining
18 coverage subject to contractual waiting periods and by paying the cost of the required
19 premiums, as provided in s. 40.05 (4) (ad).

20 ***b0329/1.1*** SECTION 1026r. 40.53 of the statutes is created to read:

21 **40.53 Pharmacy benefits purchasing pool. (1)** In this section:

22 (a) "Brand name" has the meaning given in s. 450.12 (1) (a).

23 (b) "Eligible party" means an employer, other than the state, or a person doing
24 business or operating an organization in this state, including a self-employed
25 individual.

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

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

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

13 (3) The group insurance board shall propose conditions that an eligible party
14 must satisfy to join the purchasing pool established under sub. (2) and shall submit
15 the proposed conditions to the joint committee on finance. If the cochairpersons of
16 the committee do not notify the group insurance board within 14 working days after
17 the date of the group insurance board’s submittal that the committee has scheduled
18 a meeting for the purpose of reviewing the proposed conditions, the conditions may
19 be implemented as proposed by the group insurance board. If, within 14 working
20 days after the date of the group insurance board’s submittal, the cochairpersons of
21 the committee notify the group insurance board that the committee has scheduled
22 a meeting for the purpose of reviewing the proposed conditions, the conditions may
23 be implemented only upon approval of the committee.

24 *b0390/1.2* SECTION 1026t. 40.95 (1) (a) (intro.) of the statutes is amended to
25 read:

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

8 *~~1876/1.3~~* SECTION 1027. 40.98 (2) (h) of the statutes is amended to read:

9 40.98 (2) (h) The department may seek funding from any person for the
10 payment of costs of designing, marketing, and contracting for or providing
11 administrative services under the health care coverage program ~~and for lapsing to~~
12 ~~the general fund any amount required under sub. (6m)~~. Any moneys received by the
13 department under this paragraph shall be credited to the appropriation account
14 under s. 20.515 (2) (g).

15 *~~1876/1.4~~* SECTION 1028. 40.98 (6m) of the statutes is repealed.

16 *b0503/2.5* SECTION 1029r. 43.17 (9) (a) of the statutes is amended to read:

17 43.17 (9) (a) All contracts for public construction made by a federated public
18 library system whose territory lies within 2 or more counties or by a federated public
19 library system whose territory lies within a single county with a population of at least
20 500,000 shall be let by the public library system board to the lowest responsible
21 bidder, and may be awarded to a minority business that is certified by the
22 department of commerce under s. 560.036 (2), in accordance with s. 62.15 (1) to (11)
23 and (14). For purposes of this section, the system board possesses the powers
24 conferred by s. 62.15 on the board of public works and the common council. All
25 contracts made under this section shall be made in the name of the federated public

1 library system and shall be executed by the system board president and such other
2 board officer as the system board designates.

3 ***-1281/2.2* SECTION 1030.** 43.24 (1) (c) of the statutes is amended to read:

4 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
5 appropriated for public library systems under s. 20.255 (3) (e) and (qm), as
6 determined by the department, equals at least 11.25% of the total operating
7 expenditures for public library services from local and county sources in the calendar
8 year ending in that fiscal year, the amount paid to each system shall be determined
9 by adding the result of each of the following calculations:

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

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

14 3. Divide the sum of the payments to the municipalities and counties in the
15 system under subch. I of ch. 79 for the current fiscal year, as reflected in the
16 statement of estimated payments under s. 79.015, by the total of all payments under
17 subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated
18 payments under s. 79.015, and multiply the result by the product of the amount
19 appropriated under s. 20.255 (3) (e) and (qm) and 0.075.

20 ***-1281/2.3* SECTION 1031.** 43.24 (3) of the statutes is amended to read:

21 43.24 (3) Annually, the division shall review the reports and proposed service
22 plans submitted by the public library systems under s. 43.17 (5) for conformity with
23 this chapter and such rules and standards as are applicable. Upon approval, the
24 division shall certify to the department of administration an estimated amount to
25 which each system is entitled under this section. Annually on or before December

1 of the year immediately preceding the year for which aids are to be paid, the
2 department of administration shall pay each system 75% of the certified estimated
3 amount from the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm). The
4 division shall, on or before the following April 30, certify to the department of
5 administration the actual amount to which the system is entitled under this section.
6 On or before July 1, the department of administration shall pay each system the
7 difference between the amount paid on December 1 of the prior year and the certified
8 actual amount of aid to which the system is entitled from the ~~appropriation~~
9 appropriations under s. 20.255 (3) (e) and (qm). The division may reduce state aid
10 payments when any system or any participant thereof fails to meet the requirements
11 of sub. (2). Beginning September 1, 1991, the division may reduce state aid payments
12 to any system if the system or any participant in the system fails to meet the
13 requirements of s. 43.15 (4).

14 ***-1281/2.4* SECTION 1032.** 43.24 (3m) of the statutes is amended to read:

15 43.24 (3m) If the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm)
16 in any one year is are insufficient to pay the full amount under sub. (1), state aid
17 payments shall be prorated among the library systems entitled to such aid.

18 ***-0529/4.94* SECTION 1033.** 43.70 (3) of the statutes is amended to read:

19 43.70 (3) Immediately upon making such apportionment, the state
20 superintendent shall certify to the department of administration the estimated
21 amount that each school district is entitled to receive under this section and shall
22 notify each school district administrator of the estimated amount so certified for his
23 or her school district. The department of administration shall ~~issue its warrants~~
24 ~~upon which the state treasurer shall~~ distribute each school district's aid entitlement
25 in one payment on or before May 1. The amount paid to each school district shall be

1 based upon the amount in the appropriation account under s. 20.255 (2) (s) on April
2 15. All moneys distributed under this section shall be expended for the purchase of
3 instructional materials from the state historical society for use in teaching Wisconsin
4 history and for the purchase of library books and other instructional materials for
5 school libraries, but not for public library facilities operated by school districts under
6 s. 43.52, in accordance with rules promulgated by the state superintendent.
7 Appropriate records of such purchases shall be kept and necessary reports thereon
8 shall be made to the state superintendent.

9 ***-0666/9.40*** SECTION 1034. Chapter 44 (title) of the statutes is amended to
10 read:

11 **CHAPTER 44**

12 **HISTORICAL SOCIETIES, AND ARTS**

13 **BOARD AND ~~TECHNOLOGY~~ FOR**

14 **EDUCATIONAL ACHIEVEMENT IN**

15 **~~WISCONSIN BOARD~~**

16 ***b0327/1.3*** SECTION 1034s. 44.53 (1) (fm) of the statutes is repealed.

17 ***b0327/1.3*** SECTION 1034t. 44.53 (2) (am) of the statutes is repealed.

18 ***-0666/9.41*** SECTION 1035. Subchapter IV (title) of chapter 44 [precedes
19 44.70] of the statutes is repealed.

20 ***b0306/4.32*** SECTION 1036d. 44.70 (intro.) of the statutes is renumbered
21 16.99 (intro.).

22 ***-0666/9.43*** SECTION 1037. 44.70 (1) of the statutes is repealed.

23 ***b0306/4.33*** SECTION 1038d. 44.70 (1d) of the statutes is renumbered 16.99
24 (1d).

1 ***b0306/4.33* SECTION 1039d.** 44.70 (1m) of the statutes is renumbered 16.99
2 (1m).

3 ***-0666/9.46* SECTION 1040.** 44.70 (2) of the statutes is repealed.

4 ***b0306/4.35* SECTION 1041d.** 44.70 (2g) of the statutes is renumbered 16.99
5 (2g) and amended to read:

6 16.99 (2g) “Educational agency” means a school district, charter school
7 sponsor, secured correctional facility, private school, cooperative educational service
8 agency, technical college district, private college, public library system, public library
9 board, public museum, the Wisconsin Center for the Blind and Visually Impaired,
10 or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing.

11 ***b0306/4.35* SECTION 1042d.** 44.70 (3) of the statutes is renumbered 16.99 (3).

12 ***b0306/4.35* SECTION 1043d.** 44.70 (3d) of the statutes is renumbered 16.99
13 (3d).

14 ***b0306/4.35* SECTION 1044d.** 44.70 (3g) of the statutes is renumbered 16.99
15 (3g).

16 ***b0306/4.35* SECTION 1045d.** 44.70 (3j) of the statutes is renumbered 16.99
17 (3j).

18 ***b0306/4.35* SECTION 1046d.** 44.70 (3m) of the statutes is renumbered 16.99
19 (3m).

20 ***b0306/4.35* SECTION 1047d.** 44.70 (3r) of the statutes is renumbered 16.99
21 (3r).

22 ***b0306/4.35* SECTION 1048d.** 44.70 (4) of the statutes is renumbered 16.99 (4).

23 ***b0306/4.35* SECTION 1049d.** 44.70 (5) of the statutes is renumbered 16.99 (5).

24 ***b0306/4.35* SECTION 1050d.** 44.70 (6) of the statutes is renumbered 16.99 (6).

25 ***-0666/9.57* SECTION 1051.** 44.71 (title) of the statutes is repealed.

1 *~~0666/9.58~~* SECTION 1052. 44.71 (1) of the statutes is repealed.

2 ***b0306/4.38*** SECTION 1053d. 44.71 (2) (intro.) of the statutes is renumbered
3 16.993 (intro.) and amended to read:

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

6 ***b0306/4.38*** SECTION 1054d. 44.71 (2) (a) of the statutes is renumbered 16.993
7 (1) and amended to read:

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

14 ***b0306/4.38*** SECTION 1055d. 44.71 (2) (b) of the statutes is renumbered
15 16.993 (2).

16 ***b0306/4.38*** SECTION 1056d. 44.71 (2) (c) of the statutes is renumbered
17 16.993 (3) and amended to read:

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

22 ***b0306/4.38*** SECTION 1057d. 44.71 (2) (d) of the statutes is renumbered
23 16.993 (4) and amended to read:

24 16.993 (4) In cooperation with the board of regents of the University of
25 Wisconsin System, the technical college system board, ~~the department of public~~

1 ~~instruction~~ and other entities, support the development of courses for the instruction
2 of professional employees who are licensed by the state superintendent of public
3 instruction concerning the effective use of educational technology.

4 ***b0306/4.38* SECTION 1058d.** 44.71 (2) (e) of the statutes is renumbered
5 16.993 (5) and amended to read:

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

9 ***b0306/4.38* SECTION 1059d.** 44.71 (2) (f) of the statutes is renumbered 16.993
10 (6) and amended to read:

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

15 ***b0306/4.38* SECTION 1060d.** 44.71 (2) (g) of the statutes is renumbered
16 16.993 (7) and amended to read:

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

1 ***b0306/4.38* SECTION 1061d.** 44.71 (2) (h) of the statutes is renumbered
2 16.993 (8) and 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 ***b0306/4.38* SECTION 1062d.** 44.71 (2) (i) of the statutes is renumbered 16.993
11 (9).

12 ***-0666/9.69* SECTION 1063.** 44.71 (3) of the statutes is repealed.

13 ***-0666/9.70* SECTION 1064.** 44.72 (title) of the statutes is repealed.

14 ***-0666/9.71* SECTION 1065.** 44.72 (1) of the statutes is repealed.

15 ***-0666/9.72* SECTION 1066.** 44.72 (2) of the statutes is repealed.

16 ***-0666/9.73* SECTION 1067.** 44.72 (3) of the statutes is repealed.

17 ***b0306/4.42* SECTION 1068d.** 44.72 (4) (title) of the statutes is renumbered
18 16.995 (title).

19 ***b0306/4.42* SECTION 1069d.** 44.72 (4) (a) of the statutes is renumbered
20 16.995 (1) and amended to read:

21 16.995 (1) FINANCIAL ASSISTANCE AUTHORIZED. The ~~board~~ department may
22 provide financial assistance under this ~~subsection~~ section to school districts and
23 ~~charter school sponsors~~ from the proceeds of public debt contracted under s. 20.866
24 (2) (zc) and to public library boards from the proceeds of public debt contracted under
25 s. 20.866 (2) (zcm). Financial assistance under this ~~subsection~~ section may be used

1 only for the purpose of upgrading the electrical wiring of school and library buildings
2 in existence on October 14, 1997, and installing and upgrading computer network
3 wiring. The department may not provide any financial assistance under this section
4 after the effective date of this subsection [revisor inserts date].

5 *b0306/4.42* SECTION 1070d. 44.72 (4) (b) of the statutes is renumbered
6 16.995 (2) and amended to read:

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

1 ***b0306/4.42* SECTION 1071d.** 44.72 (4) (c) of the statutes is renumbered
2 16.995 (3) and amended to read:

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

10 ***b0306/4.42* SECTION 1072d.** 44.72 (4) (d) of the statutes is renumbered
11 16.995 (4) and amended to read:

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

16 ***b0306/4.42* SECTION 1073d.** 44.73 (title) of the statutes is renumbered
17 16.997 (title).

18 ***b0306/4.42* SECTION 1074d.** 44.73 (1) of the statutes is renumbered 16.997
19 (1) and amended to read:

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

1 ***b0306/4.42* SECTION 1075d.** 44.73 (2) (intro.) of the statutes is renumbered
2 16.997 (2) (intro.).

3 ***b0306/4.42* SECTION 1076d.** 44.73 (2) (a) of the statutes is renumbered
4 16.997 (2) (a) and amended to read:

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

13 ***b0306/4.42* SECTION 1077d.** 44.73 (2) (b) of the statutes is renumbered
14 16.997 (2) (b).

15 ***b0306/4.42* SECTION 1078d.** 44.73 (2) (c) of the statutes is renumbered
16 16.997 (2) (c).

17 ***b0306/4.42* SECTION 1079d.** 44.73 (2) (d) of the statutes is renumbered
18 16.997 (2) (d).

19 ***b0306/4.42* SECTION 1080d.** 44.73 (2) (e) of the statutes is renumbered
20 16.997 (2) (e).

21 ***b0306/4.42* SECTION 1081d.** 44.73 (2) (f) of the statutes is renumbered 16.997
22 (2) (f).

23 ***b0306/4.42* SECTION 1082d.** 44.73 (2g) of the statutes is renumbered 16.997
24 (2g).

1 ***b0306/4.42* SECTION 1083d.** 44.73 (2r) of the statutes is renumbered 16.997
2 (2r), and 16.997 (2r) (c), as renumbered, is amended to read:

3 16.997 (2r) (c) A public library board shall provide the ~~technology for~~
4 ~~educational achievement in Wisconsin board~~ department with written notice within
5 30 days after entering into or modifying a shared service agreement under par. (a).

6 ***b0306/4.42* SECTION 1084d.** 44.73 (3) of the statutes is renumbered 16.997
7 (3) and amended to read:

8 16.997 (3) ~~The board shall submit an annual report to the department shall~~
9 prepare an annual report on the status of providing data lines and video links that
10 are requested under sub. (2) (a) and the impact on the universal service fund of any
11 payment under contracts under s. 16.974.

12 ***b0306/4.42* SECTION 1085d.** 44.73 (4) of the statutes is renumbered 16.997
13 (4).

14 ***-0666/9.92* SECTION 1086.** 44.73 (5) of the statutes is repealed.

15 ***b0306/4.43* SECTION 1087d.** 44.73 (6) (a) of the statutes is renumbered
16 16.997 (6) (a) and amended to read:

17 16.997 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.505 (4) (s) or (tm),
18 the ~~board~~ department may award an annual grant to a school district or private
19 school that had in effect on October 14, 1997, a contract for access to a data line or
20 video link, as documented by the ~~board~~ department. The ~~board~~ department shall
21 determine the amount of the grant, which shall be equal to the cost incurred by the
22 state to provide telecommunications access to a school district or private school
23 under a contract entered into under s. 16.974 (1) or (3) less the amount that the school
24 district or private school would be paying under sub. (2) (d) if the school district or
25 private school were participating in the program established under sub. (1), except

1 that the amount may not be greater than the cost that a school district or private
2 school incurs under the contract in effect on October 14, 1997. A school district or
3 private school receiving a grant under this subsection is not eligible to participate in
4 the program under sub. (1). No grant may be awarded under this subsection after
5 December 31, 2005.

6 ***b0306/4.43* SECTION 1088d.** 44.73 (6) (b) of the statutes is renumbered
7 16.997 (6) (b) and amended to read:

8 16.997 (6) (b) Notwithstanding par. (a), the ~~board~~ department may award a
9 school district that operates more than one high school and that had in effect on
10 October 14, 1997, a contract for access to more than one data line or video link an
11 annual grant for each data line or video link serving each high school covered by that
12 contract.

13 ***b0153/3.2* SECTION 1088m.** 45.25 (title) of the statutes is amended to read:
14 **45.25 (title) Veterans' tuition and fee reimbursement program.**

15 ***b0153/3.2* SECTION 1088p.** 45.25 (1) of the statutes is renumbered 45.25 (1m)
16 and amended to read:

17 45.25 (1m) ADMINISTRATION. The department shall administer a tuition and fee
18 reimbursement program for eligible veterans enrolling as undergraduates in any
19 institution of higher education, as defined in s. 45.396 (1) (a), in this state, enrolling
20 in a school that is approved under s. 45.35 (9m), enrolling in a proprietary school that
21 is approved under s. 45.54, or receiving a waiver of nonresident tuition under s.
22 39.47.

23 ***b0153/3.2* SECTION 1088r.** 45.25 (1g) of the statutes is created to read:

24 45.25 (1g) DEFINITION. In this section, "tuition," when referring to the
25 University of Wisconsin System, means "academic fees," as described in s. 36.27 (1),

1 and when referring to the technical colleges, means “program fees,” as described in
2 s. 38.24 (1m) (a) and (b).

3 ***b0153/3.2* SECTION 1088t.** 45.25 (2) (intro.) of the statutes is amended to
4 read:

5 45.25 (2) ELIGIBILITY. (intro.) An individual is eligible for the tuition and fee
6 reimbursement program if he or she meets all of the following criteria:

7 ***-1780/1.1* SECTION 1089.** 45.25 (2) (c) of the statutes is amended to read:

8 45.25 (2) (c) The individual applies for the tuition and fee reimbursement
9 program for courses completed begun within 10 years after separation from the
10 service.

11 ***b0153/3.4* SECTION 1089c.** 45.25 (2) (d) of the statutes is amended to read:

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

20 ***b0153/3.4* SECTION 1089e.** 45.25 (3) (a) of the statutes is amended to read:

21 45.25 (3) (a) Except as provided in par. (am), an individual who meets the
22 requirements under sub. (2), upon satisfactory completion of a full-time
23 undergraduate semester in any institution of higher education, as defined in s.
24 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
25 proprietary school that is approved under s. 45.54, or any institution from which the

1 individual receives a waiver of nonresident tuition under s. 39.47, may be
2 reimbursed an amount not to exceed the total cost of the individual's tuition and fees
3 minus any grants or scholarships, including those made under s. 21.49, that the
4 individual receives specifically for the payment of the tuition or fees, or 85% of the
5 standard cost of tuition for a state resident for an equivalent undergraduate course
6 semester at the University of Wisconsin–Madison per course, whichever is less.
7 Reimbursement is available only for tuition and fees that are is part of a curriculum
8 that is relevant to a degree in a particular course of study at the institution.

9 *b0153/3.4* SECTION 1089g. 45.25 (3) (am) of the statutes is repealed and
10 recreated to read:

11 45.25 (3) (am) Any individual who is eligible to receive reimbursement under
12 par. (a) and received reimbursement under par. (a) or s. 45.25 (3) (am), 2001 stats.,
13 before the effective date of this paragraph [revisor inserts date], shall be
14 reimbursed an amount not to exceed the amount determined under par. (a) or the
15 amount determined under s. 45.25 (3) (a) or (am), 2001 stats., whichever is greater.

16 *b0153/3.4* SECTION 1089j. 45.25 (3) (b) (intro.) of the statutes is amended to
17 read:

18 45.25 (3) (b) (intro.) An application for reimbursement of tuition and fees under
19 par. (a) or (am) shall meet all of the following requirements:

20 *b0319/2.4* SECTION 1089m. 45.35 (14) (h) of the statutes is amended to read:

21 45.35 (14) (h) To provide grants to the governing bodies of federally recognized
22 American Indian tribes and bands from the appropriation under s. 20.485 (2) (km)
23 (vz) if that governing body enters into an agreement with the department regarding
24 the creation, goals and objectives of a tribal veterans' service officer, appoints a
25 veteran to act as a tribal veterans' service officer and gives that veteran duties

1 similar to the duties described in s. 45.43 (5), except that the veteran shall report to
2 the governing body of the tribe or band. The department may make annual grants
3 of up to \$2,500 under this paragraph and shall promulgate rules to implement this
4 paragraph.

5 ***-0324/1.2* SECTION 1090.** 45.365 (7) of the statutes is created to read:

6 45.365 (7) The department may develop a program to provide stipends to
7 individuals to attend school and receive the necessary credentials to become
8 employed at the home or the southeastern facility. If the department does develop
9 a stipend program under this subsection, the department shall promulgate
10 administrative rules related to the program, including the application process,
11 eligibility criteria, stipend amount, repayment provisions, and other provisions that
12 the department determines are necessary to administer the program.

13 ***-0529/4.95* SECTION 1091.** 45.37 (11) of the statutes is amended to read:

14 45.37 (11) DISPOSITION OF PROPERTY DESCENDING TO STATE. If a member dies
15 without a relative that is entitled to an interest in the property of the member under
16 the rules of intestate succession and without leaving a will the existence of which is
17 made known to the commandant of the home within 60 days of the member's death,
18 the member's property shall be converted to cash and turned over by the
19 commandant of the home to the ~~state treasurer~~ secretary of administration to be paid
20 into the appropriation under s. 20.485 (1) (h), without administration. The amount
21 is subject to refund within 6 years to the estate of a veteran if it is subsequently
22 discovered that the veteran left a will or a relative that is entitled to an interest in
23 the property of the member under the rules of intestate succession or to any creditor
24 of the veteran who establishes right to the fund or property or any portion thereof.
25 The department, upon being satisfied that a claim out of such funds or property is

1 legal and valid, shall pay the same out of such funds or property, except that payment
2 of claims for a member's funeral and burial expenses may not exceed a total of \$1,500
3 including any amount allowed by the United States for the member's funeral and
4 burial and the right for burial and interment provided in sub. (15) (a).

5 ***-0190/7.4* SECTION 1092.** 45.37 (15) (c) of the statutes is amended to read:

6 45.37 (15) (c) Expenses incident to the burial at the home of a member shall
7 be paid from the estate of the decedent, except that if there is no estate or the estate
8 is insufficient, the expense of burial, or necessary part thereof, shall be paid from the
9 appropriation under s. 20.485 (1) (gk) and the amount expended therefor shall not
10 exceed the amount established for funeral and burial expenses under s. ~~49.30~~ 49.785
11 (1) (b).

12 ***b0153/3.5* SECTION 1092g.** 45.396 (1) (c) of the statutes is created to read:

13 45.396 (1) (c) "Tuition" has the meaning given in s. 45.25 (1g).

14 ***b0153/3.5* SECTION 1092m.** 45.396 (4) of the statutes is amended to read:

15 45.396 (4) Enrolled part-time classroom study or direct correspondence
16 courses from a qualified educational institution may be authorized and the veteran
17 reimbursed in part by the department when such courses are related to one's
18 occupational, professional or employment objectives, and to the extent that payment
19 or reimbursement is not available from any other sources, or, in cases where
20 reimbursement is not specifically for fees and tuition, to the extent that such
21 reimbursement is insufficient to cover all educational costs.

22 ***b0153/3.5* SECTION 1092p.** 45.396 (5) of the statutes is renumbered 45.396

23 (5) (a) and amended to read:

24 45.396 (5) (a) Except as provided in ~~sub. (9) par. (b)~~, the amount of the
25 reimbursement may not exceed ~~85%~~ of the total cost of the individual's tuition and

1 fees or ~~85%~~ of the standard cost for a state resident for tuition and fees for an
2 equivalent undergraduate course at the University of Wisconsin-Madison per
3 course, whichever is less, and may not be provided to an individual more than 4 times
4 during any consecutive 12-month period.

5 ***b0153/3.5* SECTION 1092q.** 45.396 (5) (b) of the statutes is created to read:

6 45.396 (5) (b) Any individual who is eligible to receive reimbursement under
7 par. (a) and received reimbursement under par. (a) before the effective date of this
8 paragraph [revisor inserts date], shall be reimbursed an amount not to exceed the
9 amount determined under par. (a) or the amount determined under s. 45.396 (5) (a),
10 2001 stats., whichever is greater.

11 ***b0153/3.5* SECTION 1092r.** 45.396 (9) of the statutes is repealed.

12 ***-0576/8.61* SECTION 1093.** 45.43 (7) (b) of the statutes is amended to read:

13 45.43 (7) (b) The department shall award a grant annually to a county that
14 meets the standards developed under this subsection and employs a county veterans'
15 service officer who, if chosen after August 9, 1989, is chosen from a list of candidates
16 who have taken a civil service examination for the position of county veterans' service
17 officer developed and administered by the division of merit recruitment and selection
18 in the ~~department of employment relations~~ office of state human resources
19 management, or is appointed under a civil service competitive examination
20 procedure under ch. 63 or s. 59.52 (8). The grant shall be \$8,500 for a county with
21 a population of less than 20,000, \$10,000 for a county with a population of 20,000 to
22 45,499, \$11,500 for a county with a population of 45,500 to 74,999, and \$13,000 for
23 a county with a population of 75,000 or more. The department shall use the most
24 recent Wisconsin official population estimates prepared by the demographic services
25 center when making grants under this paragraph.

1 ***-0344/1.2*** SECTION 1094. 45.54 (10) (a) of the statutes is amended to read:

2 45.54 (10) (a) *Authority*. All proprietary schools shall be examined and
3 approved by the board before operating in this state. Approval shall be granted to
4 schools meeting the criteria established by the board for a period not to exceed one
5 year. No school may advertise in this state unless approved by the board. All
6 approved schools shall submit quarterly reports, including information on
7 enrollment, number of teachers and their qualifications, course offerings, number of
8 graduates, number of graduates successfully employed, and such other information
9 as the board deems necessary. If a school closure results in losses to students,
10 parents, or sponsors, the board may authorize the full or partial payment of those
11 losses from the appropriation under s. 20.485 (5) (gm).

12 ***-0344/1.3*** SECTION 1095. 45.54 (10) (c) 4. of the statutes is created to read:

13 45.54 (10) (c) 4. Specify a student protection fee.

14 ***b0154/1.1*** SECTION 1095m. 45.54 (10) (cm) of the statutes is created to read:

15 45.54 (10) (cm) *Limit on student protection fee*. The board shall discontinue
16 collecting annual student protection fees under par. (c) 4. during the period that the
17 balance in the fund created by those fees exceeds \$1,000,000.

18 ***-0115/1.1*** SECTION 1096. 46.03 (7) (h) of the statutes is created to read:

19 46.03 (7) (h) Contract for the provision of a centralized unit for determining
20 whether the cost of providing care for a child is eligible for reimbursement under 42
21 USC 670 to 679a.

22 ***b0202/1.2*** SECTION 1098d. 46.057 (2) of the statutes is amended to read:

23 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
24 department of corrections shall transfer to the appropriation account under s. 20.435
25 (2) (kx) \$1,379,300 in fiscal year 2001–02 2003–04 and \$1,379,300 in fiscal year

1 ~~2002–03~~ 2004–05 and, from the appropriation account under s. 20.410 (3) (hm), the
2 department of corrections shall transfer to the appropriation account under s. 20.435
3 (2) (kx) ~~\$2,489,300 in fiscal year 1999–2000 and \$2,489,900 in fiscal year 2000–01~~
4 \$2,086,700 in fiscal year 2003–04 and \$2,155,600 in fiscal year 2004–05 for services
5 for juveniles placed at the Mendota juvenile treatment center. The department of
6 health and family services may charge the department of corrections not more than
7 the actual cost of providing those services.

8 ***b0285/3.3* SECTION 1100g.** 46.10 (16) of the statutes is amended to read:

9 46.10 (16) The department shall delegate to county departments under ss.
10 51.42 and 51.437 or the local providers of care and services meeting the standards
11 established by the department under s. 46.036, the responsibilities vested in the
12 department under this section for collection of patient fees for services other than
13 those provided at state facilities or those provided to children that are reimbursed
14 under a waiver under s. 46.27 (11), 46.275, or 46.278 or a waiver requested under
15 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act ... (this act),
16 section 9124 (8c), if such the county departments or providers meet the conditions
17 deemed that the department determines are appropriate by ~~the department~~. The
18 department may delegate to county departments under ss. 51.42 and 51.437 the
19 responsibilities vested in the department under this section for collection of patient
20 fees for services provided at the state facilities if the necessary conditions are met.

21 ***-1634/7.42* SECTION 1101.** 46.215 (1) (n) of the statutes is amended to read:

22 46.215 (1) (n) To collect and transmit information to the department of
23 administration so that a federal energy assistance payment may be made to an
24 eligible household; to collect and transmit information to the department of
25 administration so that weatherization services may be made available to an eligible

1 household; to receive applications from individuals seeking low-income energy
2 assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~ 16.26;
3 to provide information on the income eligibility for weatherization of a recipient of
4 low-income energy assistance to an entity with which the department of
5 administration contracts for provision of weatherization under s. ~~16.39~~ 16.26; and
6 to receive a request, determine a correct payment amount, if any, and provide
7 payment, if any, for emergency assistance under s. ~~16.385~~ 16.27 (8).

8 *~~1634/7.43~~* SECTION 1102. 46.22 (1) (b) 4m. c. of the statutes is amended to
9 read:

10 46.22 (1) (b) 4m. c. To receive applications from individuals seeking low-income
11 energy assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~
12 16.26.

13 *~~1634/7.44~~* SECTION 1103. 46.22 (1) (b) 4m. d. of the statutes is amended to
14 read:

15 46.22 (1) (b) 4m. d. To provide information on the income eligibility for
16 weatherization of a recipient of low-income energy assistance to an entity with
17 which the department of administration contracts for provision of weatherization
18 under s. ~~16.39~~ 16.26.

19 *~~1634/7.45~~* SECTION 1104. 46.22 (1) (b) 4m. e. of the statutes is amended to
20 read:

21 46.22 (1) (b) 4m. e. To receive a request, determine a correct payment amount,
22 if any, and provide payment, if any, for emergency assistance under s. ~~16.385~~ 16.27
23 (8).

24 *~~b0165/3.2~~* SECTION 1104m. 46.22 (1) (c) 8. f. of the statutes is amended to
25 read:

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

8 *~~0190/7.5~~* SECTION 1105. 46.22 (1) (d) of the statutes is amended to read:

9 46.22 (1) (d) *Merit system; records.* The county department of social services
10 is subject to s. ~~49.33~~ 49.78 (4) to (7). The county department of social services and
11 all county officers and employees performing any duties in connection with the
12 administration of aid to families with dependent children shall observe all rules
13 promulgated by the department of workforce development under s. ~~49.33~~ 49.78 (4)
14 and shall keep records and furnish reports as the department of workforce
15 development requires in relation to their performance of such duties.

16 *~~0190/7.6~~* SECTION 1106. 46.22 (2) (b) of the statutes is amended to read:

17 46.22 (2) (b) Appoint the county social services director under sub. (3) subject
18 to s. ~~49.33~~ 49.78 (4) to (7) and the rules promulgated thereunder and subject to the
19 approval of the county board of supervisors in a county with a single-county
20 department of social services or the county boards of supervisors in counties with a
21 multicounty department of social services.

22 *~~0190/7.7~~* SECTION 1107. 46.22 (3m) (a) of the statutes is amended to read:

23 46.22 (3m) (a) In any county with a county executive or a county administrator
24 ~~which that~~ that has established a single-county department of social services, the county
25 executive or county administrator, subject to s. ~~49.33~~ 49.78 (4) to (7) and the rules

1 promulgated thereunder, shall appoint and supervise the county social services
2 director. The appointment is subject to the confirmation of the county board of
3 supervisors unless the county board of supervisors, by ordinance, elects to waive
4 confirmation or unless the appointment is made under a civil service system
5 competitive examination procedure established under s. 59.52 (8) or ch. 63.

6 ***-0190/7.8* SECTION 1108.** 46.27 (7) (am) of the statutes is amended to read:

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

16 ***-0092/P1.1* SECTION 1109.** 46.27 (7) (fm) of the statutes is amended to read:

17 46.27 (7) (fm) The department shall, at the request of a county, carry forward
18 up to ~~10%~~ 5% of the amount allocated under this subsection to the county for a
19 calendar year if up to ~~10%~~ 5% of the amount so allocated has not been spent or
20 encumbered by the county by December 31 of that year, for use by the county in the
21 following calendar year, except that the amount carried forward shall be reduced by
22 the amount of funds that the county has notified the department that the county
23 wishes to place in a risk reserve under par. (fr). The department may transfer funds
24 within s. 20.435 (7) (bd) to accomplish this purpose. An allocation under this
25 paragraph does not affect a county's base allocation under this subsection and shall

1 lapse to the general fund unless expended within the calendar year to which the
2 funds are carried forward. A county may not expend funds carried forward under
3 this paragraph for administrative or staff costs, except administrative or staff costs
4 that are associated with implementation of the waiver under sub. (11) and approved
5 by the department.

6 ***-1760/2.2* SECTION 1111.** 46.27 (9) (a) of the statutes is amended to read:

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

16 ***-1760/2.3* SECTION 1112.** 46.27 (10) (a) 1. of the statutes is amended to read:

17 46.27 (10) (a) 1. The department shall determine for each county participating
18 in the pilot project under sub. (9) a funding level of state medical assistance
19 expenditures to be received by the county. This level shall equal the amount that the
20 department determines would otherwise be paid under s. 20.435 (4) (b), (gp), or (w)
21 because of increased utilization of nursing home services, as estimated by the
22 department.

23 ***-0194/9.8* SECTION 1113.** 46.275 (5) (a) of the statutes is amended to read:

24 46.275 (5) (a) Medical assistanee Assistance reimbursement for services a
25 county, or the department under sub. (3r), provides under this program is available

1 from the ~~appropriations~~ appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, ~~(hm)~~, (o),
2 and (w). If 2 or more counties jointly contract to provide services under this program
3 and the department approves the contract, ~~medical assistance~~ Medical Assistance
4 reimbursement is also available for services provided jointly by these counties.

5 ***-0194/9.9* SECTION 1114.** 46.275 (5) (c) of the statutes is amended to read:

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

13 ***-0211/5.2* SECTION 1115.** 46.275 (5) (e) of the statutes is created to read:

14 46.275 (5) (e) From the appropriation under s. 20.435 (2) (gL), the department
15 may provide moneys to a county to pay for one-time costs associated with the
16 relocation under this section of an individual from a state center for the
17 developmentally disabled.

18 ***-0090/P1.1* SECTION 1123.** 46.277 (5) (g) of the statutes is created to read:

19 46.277 (5) (g) The department may provide enhanced reimbursement for
20 services provided under this section to an individual who is relocated to the
21 community from a nursing home by a county department on or after the effective date
22 of this paragraph [revisor inserts date], if the nursing home bed that was used by
23 the individual is delicensed upon relocation of the individual. The department shall
24 develop and utilize a formula to determine the enhanced reimbursement rate.

25 ***-0208/2.15* SECTION 1131.** 46.278 (6) (f) of the statutes is repealed.

1 ***-0209/2.1*** SECTION 1132. 46.279 of the statutes is created to read:

2 **46.279 Restrictions on placements and admissions to intermediate**
3 **and nursing facilities. (1) DEFINITIONS.** In this section:

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

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

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

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

12 **(2) PLACEMENTS AND ADMISSIONS TO INTERMEDIATE FACILITIES.** Except as provided
13 in sub. (5), no person may place an individual with a developmental disability in an
14 intermediate facility and no intermediate facility may admit such an individual
15 unless, before the placement or admission and after having considered a plan
16 developed under sub. (4), a court under s. 55.06 (9) (a) or (10) (a) 2. finds that
17 placement in the intermediate facility is the most integrated setting that is
18 appropriate to the needs of the individual, taking into account information presented
19 by all affected parties. An intermediate facility to which an individual who has a
20 developmental disability applies for admission shall, within 5 days after receiving
21 the application, notify the county department that is participating in the program
22 under s. 46.278 of the county of residence of the individual who is seeking admission
23 concerning the application.

24 **(3) PLACEMENTS AND ADMISSIONS TO NURSING FACILITIES.** Except as provided in
25 sub. (5), if the department or an entity determines from a screening under s. 49.45

1 (6c) (b) that an individual requires active treatment for developmental disability, no
2 individual may be placed in a nursing facility, and no nursing facility may admit the
3 individual, unless it is determined from the screening that the individual's need for
4 care cannot fully be met in an intermediate facility or under a plan under sub. (4).

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

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

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

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

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

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

21 (4m) CONTRACT FOR PLAN DEVELOPMENT. The department shall contract with a
22 public or private agency to develop a plan under sub. (4), and the county department
23 is not required to develop such a plan, for an individual, as specified in the contract,
24 to whom all of the following apply:

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

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

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

10 ***-1610/2.1* SECTION 1133.** 46.2805 (2) of the statutes is amended to read:

11 46.2805 (2) “Eligible person” means a person who meets all eligibility criteria
12 under s. 46.286 (1) ~~or (1m)~~.

13 ***-1760/2.4* SECTION 1134.** 46.283 (5) of the statutes is amended to read:

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

18 ***-1760/2.5* SECTION 1135.** 46.284 (5) (a) of the statutes is amended to read:

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

1 ***-1610/2.2*** SECTION 1136. 46.286 (1) (intro.) of the statutes is amended to
2 read:

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

8 ***-1610/2.3*** SECTION 1137. 46.286 (1m) of the statutes is repealed.

9 ***-1610/2.4*** SECTION 1138. 46.286 (3) (a) (intro.) of the statutes is amended to
10 read:

11 46.286 (3) (a) (intro.) Subject to pars. (c) and (d), a person is entitled to and may
12 receive the family care benefit through enrollment in a care management
13 organization if, ~~except as provided in subd. 5,~~ he or she is at least 18 years of age,
14 has a physical disability, as defined in s. 15.197 (4) (a) 2., a developmental disability,
15 as defined in s. 51.01 (5) (a), or infirmities of aging, as defined in s. 55.01 (3), is
16 financially eligible, fulfills any applicable cost-sharing requirements and meets any
17 of the following criteria:

18 ***-1610/2.5*** SECTION 1139. 46.286 (3) (a) 5. of the statutes is repealed.

19 ***-0093/P2.1*** SECTION 1140. 46.286 (3) (d) of the statutes is amended to read:

20 46.286 (3) (d) The department shall determine the date, which shall not be later
21 than January 1, ~~2004~~ 2006, on which par. (a) shall first apply to persons who are not
22 eligible for medical assistance under ch. 49. Before the date determined by the
23 department, persons who are not eligible for medical assistance may receive the
24 family care benefit within the limits of state funds appropriated for this purpose and
25 available federal funds.

1 *~~-1610/2.6~~* SECTION 1141. 46.287 (2) (a) 1. a. of the statutes is amended to
2 read:

3 46.287 (2) (a) 1. a. Denial of eligibility under s. 46.286 (1) ~~or (1m)~~.

4 *~~-0576/8.62~~* SECTION 1142. 46.29 (3) (d) of the statutes is amended to read:
5 46.29 (3) (d) ~~The secretary of employment relations~~ director of the office of state
6 human resources management.

7 *~~-0202/P1.2~~* SECTION 1143. 46.295 (1) of the statutes is amended to read:

8 46.295 (1) The department may, on the request of any hearing-impaired
9 person, city, village, town, or county or private agency, provide funds from the
10 appropriation under s. 20.435 (6) (a) ~~and (hs)~~ and (7) (d) to reimburse interpreters
11 for hearing-impaired persons for the provision of interpreter services.

12 *~~-0116/2.2~~* SECTION 1144. 46.40 (1) (d) of the statutes is created to read:

13 46.40 (1) (d) If the department receives any federal moneys under 42 USC 1396
14 to 1396v in reimbursement of the cost of preventing out-of-home placements of
15 children, the department shall use those moneys as the first source of moneys used
16 to meet the amount of the allocation under sub. (2) that is budgeted from federal
17 funds.

18 *~~-0117/2.1~~* SECTION 1145. 46.40 (2) of the statutes is amended to read:

19 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
20 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
21 more than ~~\$244,745,200 for fiscal year 2001-02 and \$244,703,400 for fiscal year~~
22 ~~2002-03~~ \$242,078,700 in each fiscal year.

23 *~~-0117/2.2~~* SECTION 1146. 46.40 (7) of the statutes is amended to read:

24 46.40 (7) FAMILY SUPPORT ALLOCATION. For family support programs for the
25 families of disabled children under s. 46.985, the department shall distribute ~~not~~

1 ~~more than \$4,589,800 in fiscal year 2001-02 and not more than \$5,089,800 in fiscal~~
2 ~~year 2002-03 and in each fiscal year thereafter.~~

3 ***-0115/1.2* SECTION 1147.** 46.45 (2) (a) of the statutes is amended to read:

4 46.45 (2) (a) If Subject to par. (am), if on December 31 of any year there remains
5 unspent or unencumbered in the allocation under s. 46.40 (2) an amount that exceeds
6 the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in
7 that year, the department shall carry forward the excess moneys and distribute not
8 less than 50% of the excess moneys to counties having a population of less than
9 500,000 that are making a good faith effort, as determined by the department, to
10 comply with s. 46.22 (1) (c) 8. f. for services and projects to assist children and
11 families, notwithstanding the percentage limit specified in sub. (3) (a). A county
12 shall use not less than 50% of the moneys distributed to the county under this
13 subsection for services for children who are at risk of abuse or neglect to prevent the
14 need for child abuse and neglect intervention services, except that in the calendar
15 year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2
16 calendar years after that calendar year the county may use 100% of the moneys
17 distributed under this paragraph to reimburse the department for the costs of
18 achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before
19 July 1, 2005, the department may recover any amounts distributed to that county
20 under this paragraph after June 30, 2001, by billing the county or deducting from
21 that county's allocation under s. 46.40 (2). All moneys received by the department
22 under this paragraph shall be credited to the appropriation account under s. 20.435
23 (3) (j).

24 ***-0115/1.3* SECTION 1148.** 46.45 (2) (am) of the statutes is created to read:

1 46.45 (2) (am) If on December 31 of any year a county is not using the
2 centralized unit contracted for under s. 46.03 (7) (h) for determining whether the cost
3 of providing care for a child is eligible for reimbursement under 42 USC 670 to 679a,
4 the department shall reduce that county's distribution under par. (a) by 50%.

5 ***-0205/1.1*** SECTION 1149. 46.45 (3) (a) of the statutes is amended to read:

6 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal
7 governing body, or private nonprofit organization, the department shall carry
8 forward up to 3% of the total amount allocated to the county, tribal governing body,
9 or nonprofit organization for a calendar year, not including the amount allocated to
10 the county under s. 46.40 (7), which amount may be carried forward as provided in
11 par. (c). All funds carried forward for a tribal governing body or nonprofit
12 organization, all federal child welfare funds under 42 USC 620 to 626, and all funds
13 allocated under s. 46.40 (2m) carried forward for a county shall be used for the
14 purpose for which the funds were originally allocated. ~~Except as provided under par.~~
15 ~~(am), other~~ Other funds carried forward under this paragraph may be used for any
16 purpose under s. 20.435 (7) (b), except that a county may not use any funds carried
17 forward under this paragraph for administrative or staff costs. An allocation of
18 carried-forward funding under this paragraph does not affect a county's base
19 allocations under s. 46.40 (2), (2m), (8), and (9).

20 ***-0205/1.2*** SECTION 1150. 46.45 (3) (am) of the statutes is repealed.

21 ***-0205/1.3*** SECTION 1151. 46.45 (3) (c) of the statutes is created to read:

22 46.45 (3) (c) At the request of a county, the department shall carry forward up
23 to 5% of the amount allocated to the county under s. 46.40 (7) for a calendar year.
24 All funds carried forward under this paragraph shall be used for the purpose for
25 which the funds were originally allocated, except that a county may not use any of

1 those funds for administrative or staff costs. All funds carried forward under this
2 paragraph that are not spent or encumbered by a county December 31 of the calendar
3 year to which those funds were carried forward shall lapse to the general fund on the
4 succeeding January 1. An allocation of carried-forward funding under this
5 paragraph does not affect a county's base allocation under s. 46.40 (7).

6 ***-0205/1.4*** SECTION 1152. 46.45 (6) of the statutes is renumbered 46.45 (6) (a)
7 and amended to read:

8 46.45 (6) (a) The department may carry forward 10% of any funds specified in
9 sub. (3) (a) that are not carried forward under sub. (3) (a) for emergencies, for
10 justifiable unit services costs above planned levels, and to provide compensation for
11 increased costs due to population shifts. An allocation of carried-forward funding
12 under this paragraph does not affect a county's base allocations under s. 46.40 (2),
13 (2m), (8), and (9).

14 ***-0205/1.5*** SECTION 1153. 46.45 (6) (b) of the statutes is created to read:

15 46.45 (6) (b) The department may carry forward any funds specified in sub. (3)
16 (c) that are not carried forward under sub. (3) (c) for emergencies, for justifiable unit
17 services costs above planned levels, and for increased costs due to population shifts.
18 An allocation of carried-forward funding under this paragraph does not affect a
19 county's base allocation under s. 46.40 (7).

20 ***b0098/4.1*** SECTION 1154d. 46.46 (1) of the statutes is amended to read:

21 46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the
22 department shall support costs that are exclusively related to the ongoing and
23 recurring operational costs of augmenting the amount of moneys received under 42
24 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v, to the
25 purposes specified in 2003 Wisconsin Act ... (this act), section 9124 (9c), and to any

1 other purpose provided for by the legislature by law or in budget determinations and
2 shall distribute moneys to counties as provided in sub. (1g). In addition, the
3 department may expend moneys from the appropriation account under s. 20.435 (8)
4 (mb) as provided in ~~sub.~~ subs. (1m) and (2).

5 *b0098/4.1* SECTION 1154e. 46.46 (1) of the statutes, as affected by 2003
6 Wisconsin Act (this act), is amended to read:

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

16 *-0195/2.2* SECTION 1155. 46.46 (1g) of the statutes is created to read:

17 46.46 (1g) The department shall distribute not less than 50% of the moneys
18 received under 42 USC 1396 to 1396v as a result of the augmentation activities
19 specified in sub. (1) and credited to the appropriation account under s. 20.435 (8) (mb)
20 to counties that are participating in those activities for community social, mental
21 health, developmental disabilities, and alcohol and other drug abuse services under
22 s. 46.40. The department may distribute any moneys received under 42 USC 1396
23 to 1396v as a result of the augmentation activities specified in sub. (1) and credited
24 to the appropriation account under s. 20.435 (8) (mb) that are not distributed under

1 this subsection to counties that are participating in those activities as provided in
2 sub. (2).

3 *b0098/4.3* SECTION 1156d. 46.46 (1m) of the statutes is amended to read:

4 46.46 (1m) In addition to expending moneys from the appropriation account
5 under s. 20.435 (8) (mb) for the augmentation activities specified in sub. (1), the
6 department may expend moneys received under 42 USC 1396 to 1396v in
7 reimbursement of the cost of providing targeted case management services to
8 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and
9 credited to the appropriation account under s. 20.435 (8) (mb) to support the counties'
10 share of implementing the statewide automated child welfare information system
11 under s. 46.22 (1) (c) 8. f. and to provide services to children and families under s.
12 48.48 (17).

13 *-0195/2.4* SECTION 1157. 46.46 (2) of the statutes is amended to read:

14 46.46 (2) If the department proposes to use any moneys from the appropriation
15 account under s. 20.435 (8) (mb) for any purpose other than the purpose purposes
16 specified in sub. subs. (1), (1g), and (1m), the department shall submit a plan for the
17 proposed use of those moneys to the secretary of administration by September 1 of
18 the fiscal year after the fiscal year in which those moneys were received. If the
19 secretary of administration approves the plan, he or she shall submit the plan to the
20 joint committee on finance by October 1 of the fiscal year after the fiscal year in which
21 those moneys were received. If the cochairpersons of the committee do not notify the
22 secretary of administration within 14 working days after the date of submittal of the
23 plan that the committee has scheduled a meeting for the purpose of reviewing the
24 plan, the department may implement the plan. If within 14 working days after the
25 date of the submittal by the secretary of administration the cochairpersons of the

1 committee notify him or her that the committee has scheduled a meeting for the
2 purpose of reviewing the plan, the department may implement the plan only with the
3 approval of the committee.

4 *b0098/4.4* SECTION 1157b. 46.46 (2) of the statutes, as affected by 2003
5 Wisconsin Act (this act), is repealed.

6 *-1559/2.2* SECTION 1158. 46.48 (6) (title) of the statutes is repealed.

7 *-1559/2.3* SECTION 1159. 46.48 (6) of the statutes is renumbered 16.964 (9)

8 (a) and amended to read:

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

13 *b0284/2.8* SECTION 1159c. 46.48 (7) of the statutes is repealed.

14 *-1560/3.1* SECTION 1160. 46.481 (2) (title) of the statutes is repealed.

15 *-1560/3.2* SECTION 1161. 46.481 (2) of the statutes is renumbered 16.964 (9)

16 (b) and amended to read:

17 16.964 (9) (b) ~~The department shall award~~ A grant in the amount of \$5,000 in
18 each fiscal year as ~~a grant~~ to the Milwaukee police athletic league Police Athletic
19 League to purchase sports and recreational equipment for a gymnasium facility
20 located at 2449 N. 36th Street in the city of Milwaukee and for a gymnasium facility
21 located at 2544 N. 30th Street in the city of Milwaukee, and to contribute to the
22 operating expenses of those gymnasium facilities.

23 *-1561/3.1* SECTION 1162. 46.481 (4) (title) of the statutes is repealed.

24 *-1561/3.2* SECTION 1163. 46.481 (4) of the statutes is renumbered 16.964 (9)

25 (c) and amended to read:

1 16.964 (9) (c) ~~The department shall distribute A grant in the amount of \$50,000~~
2 in each fiscal year as grants to court-appointed special advocate programs that are
3 recognized by a chief judge of a judicial administrative district under s. 48.07 (5) to
4 perform advocacy services in proceedings under s. 48.13.

5 *~~1562/3.1~~* SECTION 1164. 46.481 (6) (title) of the statutes is repealed.

6 *~~1562/3.2~~* SECTION 1165. 46.481 (6) of the statutes is renumbered 16.964 (9)
7 (d) and amended to read:

8 16.964 (9) (d) ~~The department shall distribute A grant in the amount of \$50,000~~
9 in each fiscal year to the children's safe house child care program Children's Safe
10 House Child Care Program in Kenosha County for the operation of that program.

11 *~~1760/2.6~~* SECTION 1166. 46.485 (2g) (intro.) of the statutes is amended to
12 read:

13 46.485 (2g) (intro.) From the appropriation accounts under s. 20.435 (4) (b) and
14 (gp), the department may in each fiscal year transfer funds to the appropriation
15 under s. 20.435 (7) (kb) for distribution under this section and from the appropriation
16 under s. 20.435 (7) (mb) the department may not distribute more than \$1,330,500 in
17 each fiscal year to applying counties in this state that meet all of the following
18 requirements, as determined by the department:

19 *~~0200/1.1~~* SECTION 1167m. 46.485 (2g) (b) (intro.) of the statutes is created
20 to read:

21 46.485 (2g) (b) (intro.) Any of the following applies to the county:

22 *~~0200/1.2~~* SECTION 1168m. 46.485 (2g) (b) of the statutes is renumbered
23 46.485 (2g) (b) 1.

24 *~~0200/1.3~~* SECTION 1169. 46.485 (2g) (b) 2. of the statutes is created to read:

1 46.485 (2g) (b) 2. The county provides service coordination, as defined in s.
2 46.56 (1) (L), on behalf of a child with a serious emotional disturbance and the child's
3 family in the county.

4 *~~0200/1.4~~* SECTION 1170. 46.485 (3g) of the statutes is amended to read:

5 46.485 (3g) The amount that the department may transfer under sub. (2g) for
6 a ~~county~~ counties may not exceed the estimated state share of payments under s.
7 49.45, 49.46 or 49.47 for mental health care and treatment that is provided in
8 inpatient facilities for children with a ~~severe emotional disturbance who reside in the~~
9 county severe emotional disturbances.

10 *~~0200/1.5~~* SECTION 1171. 46.485 (3r) of the statutes is amended to read:

11 46.485 (3r) Funds ~~that a county does not encumber~~ from the appropriation
12 under s. 20.435 (7) (kb) that the department does not distribute to a county before
13 24 months after June 30 of the fiscal year in which the department allocated the
14 funds were distributed to the county under sub. (2g) lapse to the appropriation under
15 s. 20.435 (4) (b). A county may at any time expend funds that the department
16 distributes to the county, consistent with the requirements under sub. (3m).

17 *~~1507/1.1~~* SECTION 1172. 46.85 (1) of the statutes is amended to read:

18 46.85 (1) The department may establish and operate a ~~senior companion~~
19 ~~program~~ Senior Companion Program modeled after the federal ~~senior companion~~
20 ~~program~~ Senior Companion Program under 42 USC 5011 (b), in effect on April 30,
21 1980. If operated, the program shall engage the services of low-income persons aged
22 60 or over to provide supportive person-to-person assistance in health, education,
23 recreation, welfare and related fields to persons aged 60 or over with special needs
24 who reside in their own homes, and it may engage other persons aged 60 or older,
25 regardless of income, as volunteers in similar activities. The department may also

1 establish and operate a ~~retired senior volunteers program~~ Retired Senior Volunteer
2 Program modeled after the federal ~~retired senior volunteers program~~ Retired Senior
3 Volunteer Program under 42 USC 5001, in effect on April 30, 1980, to provide
4 voluntary services in a community. If operated, the program shall engage persons
5 aged ~~60~~ 55 or ~~over~~ older as volunteers.

6 *~~-1507/1.2~~* SECTION 1173. 46.85 (3) of the statutes is repealed.

7 *~~-1507/1.3~~* SECTION 1174. 46.85 (3m) (a) of the statutes is amended to read:

8 46.85 (3m) (a) From the appropriation under s. 20.435 (7) (dh), the department
9 shall provide a state supplement to federally funded ~~senior companion and retired~~
10 ~~senior volunteer program~~ Senior Companion Program and Retired Senior Volunteer
11 Program units that were in operation on December 1, 1988, and administered by
12 qualified public and non-profit private agencies.

13 *~~-1295/2.15~~* SECTION 1176. 46.90 (4) (b) 2. a. of the statutes is repealed.

14 *~~-1295/2.16~~* SECTION 1177. 46.90 (4) (b) 2. b. of the statutes is amended to
15 read:

16 46.90 (4) (b) 2. b. Any employee ~~of an employer not described in subd. 2. a.~~ who
17 is discharged or otherwise discriminated against may file a complaint with the
18 department of workforce development under s. 106.54 (5).

19 *~~-1295/2.17~~* SECTION 1178. 46.90 (4) (b) 2. c. of the statutes is amended to
20 read:

21 46.90 (4) (b) 2. c. Any person not described in ~~this subd. 2. a. or b.~~ who is
22 retaliated or discriminated against in violation of subd. 1. may commence an action
23 in circuit court for damages incurred as a result of the violation.

24 *~~-1607/P3.6~~* SECTION 1179. 46.93 of the statutes is repealed.

25 *~~-0529/4.96~~* SECTION 1180. 46.973 (3) of the statutes is amended to read:

1 46.973 (3) The department may accept, receive, administer, and expend any
2 money, material, or other gifts or grants of any description for purposes related to
3 those set forth in this section. Moneys and grants received under this section shall
4 be deposited with the ~~state treasurer~~ secretary of administration and shall be
5 credited to the department under s. 20.435 (2) (i) and expended by the department
6 or the state council on alcohol and other drug abuse for the purposes specified.

7 *~~1607/P3.7~~* SECTION 1183. 46.997 (2) (b) of the statutes is amended to read:

8 46.997 (2) (b) The department of health and family services shall award the
9 grants under par. (a) on a competitive basis and according to request-for-proposal
10 procedures that the department of health and family services shall prescribe in
11 consultation with the department of workforce development, ~~the adolescent~~
12 ~~pregnancy prevention and pregnancy services board~~, local health departments, as
13 defined in s. 250.01 (4), and other providers of services to eligible persons. Those
14 request-for-proposal procedures shall include a requirement that a private agency
15 that applies for a grant under par. (a) include in its grant application proof that the
16 private agency has the cultural competency to provide services under the grant to
17 persons and families in the various cultures in the private agency's target population
18 and that cultural competency is incorporated in the private agency's policies,
19 administration, and practices. In awarding the grants under par. (a), the
20 department of health and family services shall consider the need for those grants to
21 be distributed both on a statewide basis and in the areas of the state with the greatest
22 need for 2nd-chance homes and the need to provide placements for children who are
23 voluntarily placed in a 2nd-chance home as well as for children who are placed in
24 a 2nd-chance home by court order.

25 *~~1759/2.9~~* SECTION 1184. 47.02 (6) (a) of the statutes is amended to read:

1 47.02 (6) (a) From the appropriation under s. 20.445 (5) ~~(bm)~~ (a), provide
2 financial aid to any person with a disability who is receiving vocational
3 rehabilitation training and who has no other source of aid.

4 *~~1759/2.10~~* SECTION 1185. 47.03 (4) (b) of the statutes is amended to read:

5 47.03 (4) (b) The department may charge a portion of the expenses of its
6 supervised business enterprise program to the net proceeds of each business
7 operating under the program. The department shall establish the procedure for
8 setting these charges by rule, with the participation of a committee of blind vendors
9 established under 20 USC 107b–1. The department shall deposit the moneys from
10 the charges made under this paragraph in the ~~appropriations~~ appropriation
11 accounts under ~~ss. 20.435 (7) (kd) and s. 20.445 (5) (h) and (he)~~.

12 *~~1759/2.11~~* SECTION 1186. 47.03 (7) of the statutes is amended to read:

13 47.03 (7) If the department decides that a business under sub. (4) would not
14 be feasible and profitable in any state building, the department may contract with
15 vending machine operators to install vending machines in the building, giving
16 preference to blind operators of vending machines. The department may, under the
17 procedures established as required under sub. (4) (b), charge the net proceeds of each
18 business operating under this subsection. The department shall deposit the moneys
19 from the charges made under this subsection in the ~~appropriations~~ appropriation
20 account under s. 20.445 (5) (h) ~~and (hd)~~ and shall disburse the proceeds to provide
21 services to blind persons under sub. (4) in accordance with 20 USC 107 to 107f.

22 *~~1759/2.12~~* SECTION 1187. 47.03 (11) (e) of the statutes is amended to read:

23 47.03 (11) (e) The department shall distribute at least \$218,600 from the
24 appropriations in s. 20.445 (5) ~~(bm)~~ (a) and ~~(na)~~ (n) in each fiscal year for homecraft

1 services relating to the marketing and distribution of homecraft products for each
2 client who participates in the homecraft program.

3 ***-0529/4.97* SECTION 1188.** 48.275 (2) (d) of the statutes is amended to read:

4 48.275 (2) (d) 1. In a county having a population of less than 500,000,
5 reimbursement payments shall be made to the clerk of courts of the county where the
6 proceedings took place. Each payment shall be transmitted to the county treasurer,
7 who shall deposit 25% of the amount paid for state–provided counsel in the county
8 treasury and transmit the remainder to the ~~state treasurer~~ secretary of
9 administration. Payments transmitted to the ~~state treasurer~~ secretary of
10 administration shall be deposited in the general fund and credited to the
11 appropriation account under s. 20.550 (1) (L). The county treasurer shall deposit
12 100% of the amount paid for county–provided counsel in the county treasury.

13 2. In a county having a population of 500,000 or more, reimbursement
14 payments shall be made to the clerk of courts of the county where the proceedings
15 took place. Each payment shall be transmitted to the ~~state treasurer~~ secretary of
16 administration, who shall deposit the amount paid in the general fund and credit
17 25% of the amount paid to the appropriation account under s. 20.435 (3) (gx) and the
18 remainder to the appropriation account under s. 20.550 (1) (L).

19 ***-0529/4.98* SECTION 1189.** 48.715 (3) (a) 3. of the statutes is amended to read:

20 48.715 (3) (a) 3. A person against whom the department has assessed a
21 forfeiture shall pay that forfeiture to the department within 10 days after receipt of
22 notice of the assessment or, if that person contests that assessment under s. 48.72,
23 within 10 days after receipt of the final decision after exhaustion of administrative
24 review or, if that person petitions for judicial review under ch. 227, within 10 days
25 after receipt of the final decision after exhaustion of judicial review. The department

1 shall remit all forfeitures paid under this subdivision to the ~~state treasurer~~ secretary
2 of administration for deposit in the school fund.

3 *b0244/1.2* SECTION 1189g. 48.981 (1) (b) of the statutes is amended to read:

4 48.981 (1) (b) “Community placement” means probation; extended supervision;
5 parole; aftercare; conditional transfer into the community under s. 51.35 (1);
6 conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 child
7 caring institution or a Type 2 secured correctional facility authorized under s.
8 938.539 (5); conditional release under s. 971.17; supervised release under s. 980.06
9 or 980.08; participation in the community residential confinement program under
10 s. 301.046, the halfway house program under s. 301.0465, the intensive sanctions
11 program under s. 301.048, the corrective sanctions program under s. 938.533, the
12 intensive supervision program under s. 938.534 or the serious juvenile offender
13 program under s. 938.538; or any other placement of an adult or juvenile offender in
14 the community under the custody or supervision of the department of corrections, the
15 department of health and family services, a county department under s. 46.215,
16 46.22, 46.23, 51.42 or 51.437 or any other person under contract with the department
17 of corrections, the department of health and family services or a county department
18 under s. 46.215, 46.22, 46.23, 51.42 or 51.437 to exercise custody or supervision over
19 the offender.

20 *b0244/1.2* SECTION 1189r. 48.981 (1) (b) of the statutes, as affected by 2003
21 Wisconsin Act (this act), is amended to read:

22 48.981 (1) (b) “Community placement” means probation; extended supervision;
23 parole; aftercare; conditional transfer into the community under s. 51.35 (1);
24 conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 child
25 caring institution or a Type 2 secured correctional facility authorized under s.

1 938.539 (5); conditional release under s. 971.17; supervised release under s. 980.06
2 or 980.08; participation in the community residential confinement program under
3 s. 301.046, ~~the halfway house program under s. 301.0465~~, the intensive sanctions
4 program under s. 301.048, the corrective sanctions program under s. 938.533, the
5 intensive supervision program under s. 938.534 or the serious juvenile offender
6 program under s. 938.538; or any other placement of an adult or juvenile offender in
7 the community under the custody or supervision of the department of corrections, the
8 department of health and family services, a county department under s. 46.215,
9 46.22, 46.23, 51.42 or 51.437 or any other person under contract with the department
10 of corrections, the department of health and family services or a county department
11 under s. 46.215, 46.22, 46.23, 51.42 or 51.437 to exercise custody or supervision over
12 the offender.

13 ***-0117/2.3* SECTION 1190.** 48.985 (2) of the statutes is amended to read:

14 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
15 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
16 ~~\$3,964,400~~ \$3,809,600 in each fiscal year of the moneys received under 42 USC 620
17 to 626 to county departments under ss. 46.215, 46.22, and 46.23 for the provision or
18 purchase of child welfare projects and services, for services to children and families,
19 for services to the expectant mothers of unborn children, and for family-based child
20 welfare services.

21 ***-1243/1.28* SECTION 1194.** 49.138 (1m) (intro.) of the statutes is amended to
22 read:

23 49.138 (1m) (intro.) The department shall implement a program of emergency
24 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
25 impending homelessness, or energy crisis. The department shall establish the

1 maximum amount of aid to be granted, except for cases of energy crisis, per family
2 member based on the funding available under s. 20.445 (3) ~~(de)~~ (dz) and (md). The
3 department need not establish the maximum amount by rule under ch. 227. The
4 department shall publish the maximum amount and annual changes to it in the
5 Wisconsin administrative register. Emergency assistance provided to needy persons
6 under this section in cases of fire, flood, natural disaster, or energy crisis may only
7 be provided to a needy person once in a 12-month period. Emergency assistance
8 provided to needy persons under this section in cases of homelessness or impending
9 homelessness may be used only to obtain or retain a permanent living
10 accommodation and, except as provided in sub. (2), may only be provided to a needy
11 person once in a 36-month period. For the purposes of this section, a family is
12 considered to be homeless, or to be facing impending homelessness, if any of the
13 following applies:

14 *b0258/1.4* SECTION 1223m. 49.147 (1m) of the statutes is renumbered 49.147
15 (1m) (b) and amended to read:

16 49.147 (1m) (b) ~~Upon determining~~ If the Wisconsin Works agency determines
17 that the appropriate placement for an individual is in unsubsidized employment or
18 a trial job, ~~the Wisconsin works agency shall conduct an educational needs~~
19 ~~assessment of the individual.~~ If the Wisconsin works agency determines and that the
20 individual needs and wishes to pursue basic education, including a course of study
21 meeting the standards established under s. 115.29 (4) (a) for the granting of a
22 declaration of equivalency of high school graduation, ~~and if the individual wishes to~~
23 ~~pursue basic education,~~ the Wisconsin works agency shall include basic education in
24 ~~an employability plan developed for the individual.~~ The Wisconsin works Works

1 agency shall pay for the basic education services identified in the employability plan
2 developed for the individual.

3 *b0258/1.4* SECTION 1223p. 49.147 (1m) (a) of the statutes is created to read:

4 49.147 (1m) (a) A Wisconsin Works agency shall conduct an educational needs
5 assessment of each individual who applies for a Wisconsin Works employment
6 position. If the individual and the Wisconsin Works agency determine that the
7 individual needs, or would benefit from, education or training activities, including
8 a course of study meeting the standards established under s. 115.29 (4) (a) for the
9 granting of a declaration of equivalency of high school graduation, and if the
10 Wisconsin Works agency determines that the individual is eligible for a Wisconsin
11 Works employment position, the Wisconsin Works agency shall include education or
12 training activities in any employability plan developed for the individual.

13 *-1243/1.29* SECTION 1224. 49.147 (6) (c) of the statutes is amended to read:

14 49.147 (6) (c) *Distribution and administration.* From the appropriations under
15 s. 20.445 (3) (e) (~~dz~~), (jL), and (md), the department shall distribute funds for job
16 access loans to a Wisconsin works Works agency, which shall administer the loans
17 in accordance with rules promulgated by the department.

18 *-0229/2.2* SECTION 1225. 49.147 (6) (cm) of the statutes is created to read:

19 49.147 (6) (cm) *Collection of delinquent repayments.* 1. The department of
20 workforce development may, in the manner provided in s. 49.85, collect job access
21 loan repayments that are delinquent under the terms of a repayment agreement.
22 The department of workforce development shall credit all delinquent repayments
23 collected by the department of revenue as a setoff under s. 71.93 to the appropriation
24 account under s. 20.445 (3) (jL). Use of the process under s. 49.85 does not preclude

1 the department of workforce development from collecting delinquent repayments
2 through other legal means.

3 2. Subdivision 1. applies to delinquent repayments existing on or after the
4 effective date of this subdivision [revisor inserts date], regardless of when the loan
5 was made or when the delinquency accrued.

6 *~~1751/P2.1~~ SECTION 1242. 49.155 (1g) (b) of the statutes is amended to read:

7 49.155 (1g) (b) From the appropriation under s. 20.445 (3) (mc), distribute
8 ~~\$44,955,200~~ \$7,593,500 in fiscal year ~~2001-02~~ 2003-04 and ~~\$27,977,500~~ \$7,597,300
9 in fiscal year ~~2002-03~~ for the purposes of providing technical assistance for child care
10 providers, 2004-05 for administering the child care program under this section and
11 for grants under s. 49.136 (2) for the start-up and expansion of child day care
12 services, for child day care start-up and expansion planning, for grants under s.
13 49.134 (2) for child day care resource and referral services, for grants under s. 49.137
14 (3) to assist child care providers in meeting the quality of care standards established
15 under sub. (1d), for a system of rates or a program of grants, as provided under sub.
16 (1d), for reimbursement of child care providers that meet those quality of care
17 standards, for grants under s. 49.137 (2) and (4m), for a child care scholarship and
18 bonus program, for safe child care activities, and for administration of the
19 department's office of child care, and for contracts under s. 49.137 (4) to improve the
20 quality of child day care services in this state.

21 *~~1751/P2.2~~ SECTION 1243. 49.155 (1g) (c) of the statutes is amended to read:

22 49.155 (1g) (c) From the appropriation account under s. 20.445 (3) (mc),
23 transfer ~~\$4,549,500~~ \$4,440,600 in fiscal year ~~2001-02~~ 2003-04 and ~~\$4,733,700~~
24 \$4,507,900 in fiscal year ~~2002-03~~ 2004-05 to the appropriation account under s.
25 20.435 (3) (kx).

1 *–1751/P2.3* SECTION 1244. 49.155 (1g) (d) of the statutes is repealed.

2 *–1256/5.53* SECTION 1247. 49.1635 (1) of the statutes is amended to read:

3 49.1635 (1) To the extent permitted under federal law and subject to sub. (2),
4 from the appropriation under s. 20.445 (3) (md) the department shall may distribute
5 funds to the Wisconsin Trust Account Foundation in an amount equal up to the
6 amount received by the foundation from private donations, but not to exceed
7 \$100,000 in ~~each~~ a fiscal year. Except as provided in sub. (4), funds distributed under
8 this subsection may be used only for the provision of legal services to individuals who
9 are eligible for temporary assistance for needy families under 42 USC 601 et seq. and
10 whose incomes are at or below 200% of the poverty line.

11 *–1752/3.9* SECTION 1248. 49.167 (1) (intro.) of the statutes is amended to
12 read:

13 49.167 (1) (intro.) The department shall may award grants to counties, tribal
14 governing bodies, and private entities to provide community-based alcohol and
15 other drug abuse treatment programs that are targeted at individuals who have a
16 family income of not more than 200% of the poverty line and who are eligible for
17 temporary assistance for needy families under 42 USC 601 et seq. and that do all of
18 the following:

19 *–1752/3.10* SECTION 1249. 49.167 (2) (intro.) of the statutes is amended to
20 read:

21 49.167 (2) (intro.) The department shall do all of the following with respect to
22 ~~the~~ any grants awarded under par. (a):

23 *–1752/3.11* SECTION 1250. 49.169 (2) of the statutes is amended to read:

1 49.169 (2) The department shall may award ~~not more than \$1,404,100 in~~
2 grants to qualified applicants for the provision of literacy training to individuals who
3 are eligible for temporary assistance for needy families under 42 USC 601 ~~et. et seq.~~

4 *~~1752/3.12~~* SECTION 1251. 49.169 (4) of the statutes is amended to read:

5 49.169 (4) The department, in consultation with the technical college system
6 board, the department of public instruction, and the governor's office, shall develop
7 written criteria to be used to evaluate the any grant proposals and to allocate the any
8 grants under this section among the successful grant applicants.

9 *~~b0249/3.12~~* SECTION 1251m. 49.173 of the statutes is repealed.

10 *~~1243/1.30~~* SECTION 1252. 49.175 (1) (intro.) of the statutes is amended to
11 read:

12 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
13 the limits of the appropriations under s. 20.445 (3) (a), (cm), (~~de~~), (dz), (e), (jL), (k),
14 (~~kx~~), (L), (mc), (md), (nL), (~~pm~~), and (~~ps~~) (s), the department shall allocate the
15 following amounts for the following purposes:

16 *~~1752/3.13~~* SECTION 1253. 49.175 (1) (a) of the statutes is amended to read:

17 49.175 (1) (a) *Wisconsin works* Works *benefits*. For Wisconsin ~~works~~ Works
18 benefits provided under contracts having a term that begins on January 1, 2000
19 2002, and ends on December 31, ~~2001~~ 2003, ~~\$24,654,800~~ \$33,219,700 in fiscal year
20 ~~2001-02~~ 2003-04; and for Wisconsin ~~works~~ Works benefits provided under contracts
21 having a term that begins on January 1, ~~2002~~ 2004, and ends on December 31, 2003
22 2005, ~~\$24,654,800~~ \$33,219,700 in fiscal year ~~2001-02~~ 2003-04 and ~~\$49,309,600~~
23 \$66,439,400 in fiscal year ~~2002-03~~ 2004-05.

24 *~~1752/3.14~~* SECTION 1254. 49.175 (1) (b) of the statutes is amended to read:

1 49.175 (1) (b) *Wisconsin works* Works administration and ancillary services.

2 For administration of Wisconsin works and program services under Wisconsin works
3 Works performed under contracts under s. 49.143 having a term that begins on
4 January 1, 2000 2002, and ends on December 31, 2001, ~~\$63,269,900~~ 2003,
5 \$10,582,800 in fiscal year ~~2001–02~~ 2003–04; and for administration of Wisconsin
6 ~~works and program services under Wisconsin works~~ Works performed under
7 contracts under s. 49.143 having a term that begins on January 1, 2002 2004, and
8 ends on December 31, 2003, ~~\$49,610,800~~ 2005, \$10,582,900 in fiscal year ~~2001–02~~
9 2003–04 and ~~\$99,221,600~~ \$21,165,700 in fiscal year ~~2002–03~~ 2004–05.

10 *~~1752/3.15~~* SECTION 1255. 49.175 (1) (c) of the statutes is amended to read:

11 49.175 (1) (c) *Performance bonuses.* For the payment of performance bonuses
12 to Wisconsin works Works agencies that have entered into contracts under s. 49.143
13 having a term that begins on January 1, 2000 2002, and that ends on
14 December 31, 2001, ~~\$12,820,800~~ 2003, \$0 in fiscal year ~~2001–02~~ 2003–04.

15 *~~1752/3.16~~* SECTION 1256. 49.175 (1) (d) of the statutes is repealed.

16 *~~1752/3.17~~* SECTION 1257. 49.175 (1) (e) of the statutes is repealed.

17 *~~1752/3.18~~* SECTION 1258. 49.175 (1) (f) of the statutes is created to read:

18 49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under
19 Wisconsin Works, including transportation assistance for individuals who are
20 eligible to receive temporary assistance for needy families under 42 USC 601 et seq.,
21 provided under contracts under s. 49.143 having a term that begins on January 1,
22 2002, and ends on December 31, 2003, \$27,803,300 in fiscal year 2003–04; and for
23 program services under Wisconsin Works, including transportation assistance for
24 individuals who are eligible to receive temporary assistance for needy families under
25 42 USC 601 et seq., education and training, mentoring, and other services provided

1 under contracts under s. 49.143 having a term that begins on January 1, 2004, and
2 ends on December 31, 2005, \$27,803,300 in fiscal year 2003–04 and \$55,606,600 in
3 fiscal year 2004–05.

4 ***-1752/3.19* SECTION 1259.** 49.175 (1) (g) of the statutes is amended to read:

5 49.175 (1) (g) *State administration of public assistance programs.* For state
6 administration of public assistance programs, ~~\$24,680,700 in fiscal year 2001–02~~
7 ~~and \$24,693,200~~ \$18,484,600 in each fiscal year 2002–03.

8 ***-1752/3.20* SECTION 1260.** 49.175 (1) (h) of the statutes is repealed.

9 ***-1752/3.21* SECTION 1261.** 49.175 (1) (i) of the statutes is amended to read:

10 49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138,
11 ~~\$3,300,000~~ \$4,500,000 in each fiscal year.

12 ***-1752/3.22* SECTION 1262.** 49.175 (1) (j) of the statutes is repealed.

13 ***-1752/3.23* SECTION 1263.** 49.175 (1) (n) of the statutes is amended to read:

14 49.175 (1) (n) *Job access loans.* For job access loans under s. 49.147 (6),
15 ~~\$600,000~~ \$200,000 in each fiscal year.

16 ***-1752/3.24* SECTION 1265.** 49.175 (1) (p) of the statutes is amended to read:

17 49.175 (1) (p) *Direct child care services.* For direct child care services under s.
18 49.155, ~~\$274,500,000~~ \$298,640,600 in fiscal year ~~2001–02~~ 2003–04 and
19 ~~\$305,550,000~~ \$308,040,600 in fiscal year ~~2002–03~~ 2004–05.

20 ***-1752/3.26* SECTION 1266.** 49.175 (1) (q) of the statutes is amended to read:

21 49.175 (1) (q) *Indirect child care services.* For indirect child care services under
22 s. 49.155 (1g), ~~\$24,293,900~~ \$9,559,400 in fiscal year ~~2001–02~~ 2003–04 and
23 ~~\$15,458,000~~ \$9,626,700 in fiscal year ~~2002–03~~ 2004–05.

24 ***-1752/3.27* SECTION 1267.** 49.175 (1) (qm) of the statutes is amended to read:

1 49.175 (1) (qm) *Local pass-through grant program*. For the local pass-through
2 grant program under s. 49.137 (4m), ~~\$25,210,800~~ \$2,475,100 in fiscal year 2001–02
3 2003–04 and ~~\$17,253,200~~ \$2,478,500 in fiscal year ~~2002–03~~ 2004–05.

4 *~~1752/3.28~~* **SECTION 1268**. 49.175 (1) (r) of the statutes is amended to read:

5 49.175 (1) (r) *Early childhood excellence initiative*. For grants under s. 49.1375,
6 ~~\$11,395,900~~ in fiscal year 2001–02 and ~~\$2,750,000~~ \$2,500,000 in each fiscal year
7 2002–03.

8 *~~b0249/3.28~~* **SECTION 1269c**. 49.175 (1) (u) of the statutes is repealed.

9 *~~1752/3.30~~* **SECTION 1270**. 49.175 (1) (v) of the statutes is repealed.

10 *~~1752/3.31~~* **SECTION 1271**. 49.175 (1) (y) of the statutes is repealed.

11 *~~1752/3.32~~* **SECTION 1272**. 49.175 (1) (z) of the statutes is amended to read:

12 49.175 (1) (z) *Community youth grant Grants to the Boys and Girls Clubs of*
13 *America*. For a competitive grant program administered by the department grants
14 to the Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs
15 that improve social, academic, and employment skills of youth who are eligible to
16 receive temporary assistance for needy families under 42 USC 601 et seq.,
17 ~~\$7,829,700~~ in fiscal year 2001–02 and ~~\$300,000~~ in each fiscal year 2002–03.

18 *~~b0509/2.2~~* **SECTION 1272g**. 49.175 (1) (zc) of the statutes is created to read:

19 49.175 (1) (zc) *Southeast Asian recreation programs*. For grants to an
20 organization that provides summer and after-school recreation programs for
21 children and families of Southeast Asian origin, \$100,000 in each fiscal year.

22 *~~1752/3.33~~* **SECTION 1273**. 49.175 (1) (zd) of the statutes is repealed.

23 *~~1752/3.34~~* **SECTION 1274**. 49.175 (1) (ze) 1. of the statutes is amended to
24 read:

1 49.175 (1) (ze) 1. ‘Kinship care and long–term kinship care assistance.’ For the
2 kinship care and long–term kinship care programs under s. 48.57 (3m), (3n), and
3 (3p), \$24,852,600 \$24,122,200 in each fiscal year.

4 *–1752/3.35* SECTION 1275. 49.175 (1) (ze) 2. of the statutes is amended to
5 read:

6 49.175 (1) (ze) 2. ‘Children of recipients of supplemental security income.’ For
7 payments made under s. 49.775 for the support of the dependent children of
8 recipients of supplemental security income, \$20,145,000 \$26,397,200 in fiscal year
9 2001–02 2003–04 and \$19,796,000 \$29,175,100 in fiscal year 2002–03 2004–05.

10 *–1752/3.36* SECTION 1276. 49.175 (1) (ze) 6. of the statutes is repealed.

11 *b0249/3.33* SECTION 1277c. 49.175 (1) (ze) 7. of the statutes is amended to
12 read:

13 49.175 (1) (ze) 7. ‘Adolescent Brighter Futures and tribal adolescent services
14 and pregnancy prevention programs.’ For adolescent services substance abuse and
15 pregnancy prevention programs under ss. 46.93, 46.99, and 46.995, \$1,816,500
16 \$1,367,100 in each fiscal year.

17 *–1752/3.38* SECTION 1278. 49.175 (1) (ze) 8. of the statutes is amended to
18 read:

19 49.175 (1) (ze) 8. ‘Domestic abuse services grants.’ For the domestic abuse
20 services grants under s. 46.95 (2), \$1,000,000 \$750,000 in each fiscal year.

21 *–1752/3.39* SECTION 1279. 49.175 (1) (ze) 9. of the statutes is repealed.

22 *b0249/3.34* SECTION 1279f. 49.175 (1) (ze) 10m. of the statutes is amended
23 to read:

24 49.175 (1) (ze) 10m. ‘Safety services.’ For services provided in counties having
25 a population of 500,000 or more to ensure the safety of children who the department

1 of health and family services determines may remain at home if appropriate services
2 are provided, ~~\$7,094,100~~ \$7,045,500 in each fiscal year.

3 ***-1752/3.40* SECTION 1280.** 49.175 (1) (ze) 12. of the statutes is created to read:

4 49.175 (1) (ze) 12. 'Milwaukee and statewide child welfare administration.' For
5 the costs associated with the Milwaukee child welfare information system and the
6 Wisconsin statewide automated child welfare information system, \$1,695,700 in
7 fiscal year 2003–04 and \$1,741,300 in fiscal year 2004–05.

8 ***-1752/3.41* SECTION 1281.** 49.175 (1) (zf) of the statutes is repealed.

9 ***-1752/3.42* SECTION 1282.** 49.175 (1) (zg) of the statutes is repealed.

10 ***-1752/3.43* SECTION 1283.** 49.175 (1) (zh) of the statutes is amended to read:

11 49.175 (1) (zh) *Taxable years 1999 and thereafter.* For the transfer of moneys
12 from the appropriation account under s. 20.445 (3) (md) to the appropriation account
13 under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$51,244,500~~ \$57,892,000 in
14 fiscal year ~~2001–02~~ 2003–04 and ~~\$55,160,000~~ \$59,532,000 in fiscal year ~~2002–03~~
15 2004–05.

16 ***-1752/3.44* SECTION 1284.** 49.175 (1) (zj) of the statutes is amended to read:

17 49.175 (1) (zj) *Head start* Start. For the transfer of moneys to the department
18 of public instruction for ~~head start~~ Head Start agencies, ~~\$3,712,500~~ \$3,500,000 in
19 each fiscal year.

20 ***-1752/3.45* SECTION 1285.** 49.175 (1) (zk) of the statutes is repealed.

21 ***-1752/3.46* SECTION 1286.** 49.179 of the statutes is repealed.

22 ***-0529/4.99* SECTION 1287.** 49.19 (3) (b) of the statutes is amended to read:

23 49.19 (3) (b) If the county department under s. 46.215 or 46.22 finds a person
24 eligible for aid under this section, that county department shall, on a form to be
25 prescribed by the department, direct the payment of such aid by order upon the state

1 ~~treasurer~~ secretary of administration. Payment of aid shall be made monthly, based
2 on a calendar month or fiscal month as defined by the department; except that the
3 director of the county department may, in his or her discretion for the purpose of
4 protecting the public, direct that the monthly allowance be paid in accordance with
5 sub. (5) (c).

6 *~~0190/7.9~~* SECTION 1288. 49.19 (5) (d) of the statutes is amended to read:

7 49.19 (5) (d) The department shall reimburse the county for the funeral, burial,
8 and cemetery expenses of a dependent child or the child's parents as provided in s.
9 ~~49.30~~ 49.785.

10 *~~0529/4.100~~* SECTION 1289. 49.19 (14) (b) of the statutes is amended to read:

11 49.19 (14) (b) If the ~~state treasurer~~ secretary of administration is unable to
12 issue a replacement check or draft requested under par. (a) because the original has
13 been paid, the department shall promptly authorize the issuance of a replacement
14 check or draft. If the ~~state treasurer~~ secretary of administration recovers the amount
15 of the original check or draft that amount shall be returned to the department. If the
16 ~~state treasurer~~ secretary of administration is unable to obtain recovery, the
17 department may pursue recovery.

18 *~~0279/1.2~~* SECTION 1294. 49.22 (7m) of the statutes is amended to read:

19 49.22 (7m) The department may contract with or employ a collection agency
20 or other person to enforce a support obligation of a parent who is delinquent in
21 making support payments and may contract with or employ an attorney to appear
22 in an action in state or federal court to enforce such an obligation. To pay for the
23 department's administrative costs of implementing this subsection, the department
24 may charge a fee to counties, ~~retain up to 50% of any incentive payment made to this~~
25 ~~state under 42 USC 658 for a collection under this subsection, and retain use federal~~

1 matching funds or funds retained by the department under s. 49.24 (2) (c), or use up
2 to 30% of this state's share of a collection made under this subsection on behalf of a
3 recipient of aid to families with dependent children or a recipient of kinship care
4 payments under s. 48.57 (3m) or long-term kinship care payments under s. 48.57
5 (3n).

6 *b0178/3.4* SECTION 1296c. 49.24 (2) (b) of the statutes is repealed and
7 recreated to read:

8 49.24 (2) (b) Subject to the incentive payments limit specified in par. (a), the
9 department shall distribute to counties, in accordance with the formula established
10 under par. (a), all of the following:

11 1. Of the amount of federal child support incentive payments awarded to the
12 state for federal fiscal year 2002, the amount awarded if that amount is less than
13 \$12,340,000, or \$12,340,000 plus 50% of the amount awarded that exceeds
14 \$12,340,000.

15 2. Of the amount of federal child support incentive payments awarded to the
16 state for each federal fiscal year after federal fiscal year 2002, the amount awarded
17 if that amount is less than \$12,340,000, or \$12,340,000 plus 30% of the amount
18 awarded that exceeds \$12,340,000.

19 3. All federal matching funds associated with the amounts distributed under
20 subs. 1. and 2.

21 *b0178/3.4* SECTION 1296e. 49.24 (2) (c) of the statutes is created to read:

22 49.24 (2) (c) The department may retain 50% of the amount of federal child
23 support incentive payments awarded to the state for federal fiscal year 2002 that
24 exceeds \$12,340,000, and may retain 70% of the amount of federal child support
25 incentive payments awarded to the state for each federal fiscal year after federal

1 fiscal year 2002 that exceeds \$12,340,000, to be used to pay the costs of the
2 department's activities under ss. 49.22 and 49.227 and costs related to receiving and
3 disbursing support and support-related payments.

4 ***b0178/3.4* SECTION 1296g.** 49.24 (2) (d) of the statutes is created to read:

5 49.24 (2) (d) If the amount of federal child support incentive payments awarded
6 to the state for a federal fiscal year is less than \$12,340,000, the total of payments
7 distributed to counties under par. (b) and sub. (1) for that federal fiscal year may not
8 exceed \$12,340,000.

9 ***-0279/1.5* SECTION 1298.** 49.24 (3) of the statutes is amended to read:

10 49.24 (3) A county that receives any state child support incentive payment
11 under sub. (1) or any federal child support incentive payment under sub. (2) may use
12 the funds only to pay costs under its child support program under s. 49.22.

13 ***-0190/7.10* SECTION 1302.** 49.30 of the statutes is renumbered 49.785, and
14 49.785 (2), as renumbered, is amended to read:

15 49.785 (2) From the ~~appropriations under s. 20.445 (3) (dz) and (md)~~
16 appropriation under s. 20.435 (4) (bn), the department shall reimburse a county or
17 applicable tribal governing body or organization for any amount that the county or
18 applicable tribal governing body or organization is required to pay under sub. (1).
19 From the ~~appropriations under s. 20.445 (3) (dz) and (md)~~ appropriation under s.
20 20.435 (4) (bn), the department shall reimburse a county or applicable tribal
21 governing body or organization for cemetery expenses or for funeral and burial
22 expenses for persons described under sub. (1) that the county or applicable tribal
23 governing body or organization is not required to pay under subs. (1) and (1m) only
24 if the department approves the reimbursement due to unusual circumstances.

25 ***-0190/7.11* SECTION 1303.** 49.32 (2) (d) of the statutes is repealed.

1 *~~0190/7.12~~* SECTION 1308. 49.33 of the statutes is renumbered 49.78, and
2 49.78 (1) (b), (2), (4), (7), (8) (a) and (10), as renumbered, are amended to read:

3 49.78 (1) (b) “Income maintenance program” means the ~~medical assistance~~
4 Medical Assistance program under subch. IV of ch. 49, the ~~badger care~~ Badger Care
5 health care program under s. 49.665, ~~or~~ the food stamp program under 7 USC 2011
6 to 2036, or the cemetery, funeral, and burial expenses program under s. 49.785.

7 (2) CONTRACTS. Annually, the department ~~of health and family services~~ shall
8 contract with county departments under ss. 46.215, 46.22, and 46.23, and may
9 contract with tribal governing bodies, to reimburse the county departments and
10 tribal governing bodies for the reasonable cost of administering income maintenance
11 programs.

12 (4) RULES; MERIT SYSTEM. The department of workforce development shall
13 promulgate rules for the efficient administration of aid to families with dependent
14 children in agreement with the requirement for federal aid, including the
15 establishment and maintenance of personnel standards on a merit basis. The
16 provisions of this section relating to personnel standards on a merit basis supersede
17 any inconsistent provisions of any law relating to county personnel. This subsection
18 shall not be construed to invalidate the provisions of s. 46.22 (1) (d).

19 (7) COUNTY PERSONNEL SYSTEMS. Pursuant to rules promulgated under sub. (4),
20 the department of workforce development where requested by the county shall
21 delegate to that county, without restriction because of enumeration, any or all of the
22 department’s department of workforce development’s authority under sub. (4) to
23 establish and maintain personnel standards including salary levels.

24 (8) (a) From the appropriation accounts under s. 20.435 (4) (bn) and (nn) and
25 subject to par. (b), the department ~~of health and family services~~ shall reimburse each

1 county and tribal governing body that contracts with the department under sub. (2)
2 for reasonable costs of administering the income maintenance programs. The
3 amount of each reimbursement paid under this paragraph shall be calculated using
4 a formula based on workload within the limits of available state and federal funds
5 under s. 20.435 (4) (bn) and (nn) by contract under s. 49.33 sub. (2). The amount of
6 reimbursement calculated under this paragraph and par. (b) is in addition to any
7 reimbursement provided to a county or tribal governing body for fraud and error
8 reduction under s. 49.197 (1m) and (4).

9 (10) COUNTY CERTIFICATION. (a) Each county treasurer and director of a county
10 department under s. 46.215, 46.22, or 46.23 and each tribal governing body shall
11 certify monthly under oath to the department of ~~health and family services~~ in such
12 manner as the department of ~~health and family services~~ prescribes the claim of the
13 county for state reimbursement under sub. (8) (a). The department of ~~health and~~
14 ~~family services~~ shall review each claim of reimbursement and, if the department of
15 ~~health and family services~~ approves the claim, the department of ~~health and family~~
16 ~~services~~ shall certify to the department of administration for reimbursement to the
17 county for amounts due under sub. (8) (a) and payment claimed to be made to the
18 counties monthly. The department of ~~health and family services~~ may make advance
19 payments prior to the beginning of each month equal to one-twelfth of the contracted
20 amount.

21 (b) To facilitate prompt reimbursement the certificate of the department of
22 ~~health and family services~~ may be based on the certified statements of the county
23 officers or tribal governing body executives filed under par. (a). Funds recovered
24 from audit adjustments from a prior fiscal year may be included in subsequent
25 certifications only to pay counties owed funds as a result of any audit adjustment.

1 By September 30 annually, the department of ~~health and family services~~ shall
2 submit a report to the appropriate standing committees under s. 13.172 (3) on funds
3 recovered and paid out during the previous calendar year as a result of audit
4 adjustments.

5 ***-0190/7.13* SECTION 1310.** 49.45 (2) (a) 3. of the statutes is amended to read:

6 49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,
7 rehabilitative, and social services under ss. 49.46, 49.468, and 49.47 and rules and
8 policies adopted by the department and shall may, under a contract under s. ~~49.33~~
9 ~~49.78~~ (2), designate delegate all, or any portion, of this function to the county
10 department under s. 46.215, 46.22, or 46.23 or a tribal governing body.

11 ***-1760/2.7* SECTION 1311.** 49.45 (2) (a) 17. of the statutes is amended to read:

12 49.45 (2) (a) 17. Notify the governor, the joint committee on legislative
13 organization, the joint committee on finance and appropriate standing committees,
14 as determined by the presiding officer of each house, if the appropriation accounts
15 under s. 20.435 (4) (b) is and (gp) are insufficient to provide the state share of medical
16 assistance.

17 ***b0286/2.1* SECTION 1312n.** 49.45 (2) (a) 26. of the statutes is created to read:

18 49.45 (2) (a) 26. For recipients of Medical Assistance who are eligible for the
19 Supplemental Security Income Program under 42 USC 1382 to 1383f, who are not
20 eligible under s. 49.468, who are not minors, and who are required to be enrolled in
21 managed care plans, annually do all of the following:

22 a. Consult with advocacy groups and managed care organizations in
23 determining the types of services required by the recipients, particularly those with
24 problems related to mental illness or alcohol or other drug abuse; and in determining

1 the capitation rates for managed care plan contracts, so as to ensure that the services
2 required are available to the recipients.

3 b. Submit the proposed contracts for managed care plans for the recipients to
4 the appropriate standing committees of the legislature for review before offering the
5 contracts to managed care organizations for bidding.

6 *~~0190/7.14~~* SECTION 1313. 49.45 (3) (a) of the statutes is amended to read:

7 49.45 (3) (a) Reimbursement shall be made to each county department under
8 ss. 46.215, 46.22, and 46.23 for the any administrative services performed in the
9 ~~medical assistance~~ Medical Assistance program on the basis of s. ~~49.33~~ 49.78 (8). For
10 purposes of reimbursement under this paragraph, assessments completed under s.
11 46.27 (6) (a) are administrative services performed in the ~~medical assistance~~ Medical
12 Assistance program.

13 *~~0094/P1.1~~* SECTION 1314. 49.45 (3) (am) of the statutes is repealed.

14 *~~0190/7.15~~* SECTION 1315. 49.45 (5) (b) 1. (intro.) of the statutes is amended
15 to read:

16 49.45 (5) (b) 1. (intro.) Upon receipt of a timely petition under par. (a) the
17 department shall give the applicant or recipient reasonable notice and opportunity
18 for a fair hearing. The department may make such additional investigation as it
19 considers necessary. Notice of the hearing shall be given to the applicant or recipient
20 and ~~to the county clerk or, if a Wisconsin works agency, if a county department under~~
21 s. 46.215, 46.22, or 46.23 is responsible for making the medical assistance
22 determination, ~~the Wisconsin works agency~~ to the county clerk of the county. The
23 county ~~or the Wisconsin works agency~~ may be represented at such hearing. The
24 department shall render its decision as soon as possible after the hearing and shall
25 send a certified copy of its decision to the applicant or recipient, to the county clerk,

1 and to the any county officer ~~or the Wisconsin works agency~~ charged with
2 administration of the ~~medical assistance~~ Medical Assistance program. The decision
3 of the department shall have the same effect as an order of the a county officer ~~or the~~
4 ~~Wisconsin works agency~~ charged with the administration of the ~~medical assistance~~
5 Medical Assistance program. The decision shall be final, but may be revoked or
6 modified as altered conditions may require. The department shall deny a petition
7 for a hearing or shall refuse to grant relief if:

8 ***-0190/7.16* SECTION 1316.** 49.45 (5) (b) 2. (intro.) of the statutes is amended
9 to read:

10 49.45 (5) (b) 2. (intro.) If a recipient requests a hearing within the timely notice
11 period specified in 42 CFR 431.231 (c), medical assistance coverage shall not be
12 suspended, reduced, or discontinued until a decision is rendered after the hearing
13 but medical assistance payments made pending the hearing decision may be
14 recovered by the department if the contested decision or failure to act is upheld. ~~The~~
15 ~~department shall promptly notify the county department or, if a Wisconsin works~~
16 ~~agency~~ If a county department is responsible for making the medical assistance
17 determination, the ~~Wisconsin works agency~~ department shall notify the county
18 department of the county in which the recipient resides that the recipient has
19 requested a hearing. Medical assistance coverage shall be suspended, reduced, or
20 discontinued if:

21 ***-1253/8.2* SECTION 1318.** 49.45 (5m) (am) of the statutes is amended to read:

22 49.45 (5m) (am) Notwithstanding sub. (3) (e), from the ~~appropriations~~
23 appropriation accounts under s. 20.435 (4) (b), (gp), (o), and (w), the department shall
24 distribute not more than \$2,256,000 in each fiscal year, to provide supplemental
25 funds to rural hospitals that, as determined by the department, have high utilization

1 of inpatient services by patients whose care is provided from governmental sources,
2 and to provide supplemental funds to critical access hospitals, except that the
3 department may not distribute funds to a rural hospital or to a critical access hospital
4 to the extent that the distribution would exceed any limitation under 42 USC 1396b
5 (i) (3).

6 *~~0206/1.1~~* SECTION 1320. 49.45 (6b) of the statutes is amended to read:

7 49.45 (6b) CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the
8 appropriation under s. 20.435 (2) (gk), the department may reimburse the cost of
9 services provided by the centers for the developmentally disabled. Reimbursement
10 to the centers for the developmentally disabled shall be reduced following each
11 placement made under s. 46.275 that involves a relocation from a center for the
12 developmentally disabled, by ~~\$200 per day, beginning in fiscal year 2001–02, and by~~
13 \$225 per day, beginning in fiscal year 2002–03, and by \$325 per day, beginning in
14 fiscal year 2004–05.

15 *~~0209/2.2~~* SECTION 1321. 49.45 (6c) (a) 6m. of the statutes is created to read:

16 49.45 (6c) (a) 6m. “Intermediate facility” has the meaning given in s. 46.279
17 (1) (a).

18 *~~0209/2.3~~* SECTION 1322. 49.45 (6c) (b) of the statutes is amended to read:

19 49.45 (6c) (b) *Preadmission screening.* Except as provided in par. (e), ~~beginning~~
20 ~~on August 9, 1989,~~ every individual who applies for admission to a facility or to an
21 institution for mental diseases shall be screened to determine if the individual has
22 developmental disability or mental illness. ~~Beginning on August 9, 1989, the~~ The
23 department or an entity to which the department has delegated authority shall
24 screen every individual who has been identified as having a developmental disability
25 or mental illness to determine if the individual needs facility care. If the individual

1 is determined to need facility care, the department or an entity to which the
2 department has delegated authority shall also assess the individual to determine if
3 he or she requires active treatment for developmental disability or active treatment
4 for mental illness. If the department or entity determines that the individual
5 requires active treatment for developmental disability, the department or entity
6 shall determine whether the level of care required by the individual that is provided
7 by a facility could be provided safely in an intermediate facility or under a plan that
8 is developed under s. 46.279 (4).

9 *–0209/2.4* SECTION 1323. 49.45 (6c) (c) (intro.) of the statutes is amended to
10 read:

11 49.45 (6c) (c) *Resident review.* (intro.) Except as provided in par. (e), the
12 department or an entity to which the department has delegated authority shall
13 review every resident of a facility or institution for mental diseases who has a
14 developmental disability or mental illness and who has experienced a significant
15 change in his or her physical or mental condition to determine if ~~any~~ all of the
16 following applies:

17 *–0209/2.5* SECTION 1324. 49.45 (6c) (c) 1. of the statutes is amended to read:

18 49.45 (6c) (c) 1. ~~The~~ Whether the resident needs facility care.

19 *–0209/2.6* SECTION 1325. 49.45 (6c) (c) 2. of the statutes is amended to read:

20 49.45 (6c) (c) 2. ~~The~~ Whether the resident requires active treatment for
21 developmental disability or active treatment for mental illness.

22 *–0209/2.7* SECTION 1326. 49.45 (6c) (c) 3. of the statutes is created to read:

23 49.45 (6c) (c) 3. If the department or entity determines under subd. 1. that the
24 resident needs facility care and under subd. 2. that the resident requires active
25 treatment for developmental disability, whether the level of care required by the

1 resident that is provided by a facility could be provided safely in an intermediate
2 facility or under a plan that is developed under s. 46.279 (4).

3 ***-0210/4.1* SECTION 1327.** 49.45 (6m) (a) 4. of the statutes is repealed.

4 ***-1760/2.8* SECTION 1328.** 49.45 (6m) (ag) (intro.) of the statutes is amended
5 to read:

6 49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this
7 subsection made under s. 20.435 (4) (b), (gp), (pa), (o), (w), or (wm) shall, except as
8 provided in pars. (bg), (bm), and (br), be determined according to a prospective
9 payment system updated annually by the department. The payment system shall
10 implement standards that are necessary and proper for providing patient care and
11 that meet quality and safety standards established under subch. II of ch. 50 and ch.
12 150. The payment system shall reflect all of the following:

13 ***-0210/4.2* SECTION 1329.** 49.45 (6m) (ag) 2. of the statutes is amended to
14 read:

15 49.45 (6m) (ag) 2. Standards Except as provided in subd. 3r., standards
16 established by the department that shall be based upon allowable costs incurred by
17 facilities in the state as available from information submitted under par. (c) 3. and
18 compiled by the department.

19 ***-0210/4.3* SECTION 1330.** 49.45 (6m) (ag) 3m. of the statutes is amended to
20 read:

21 49.45 (6m) (ag) 3m. For each state fiscal year ~~1999–2000~~, rates that shall be
22 set by the department based on information from cost reports for the ~~1998~~ most
23 recently completed fiscal year of the facility ~~and for state fiscal year 2000–01~~, rates
24 ~~that shall be set by the department based on information from cost reports for the~~
25 ~~1999~~ fiscal year of the facility.

1 ***-0210/4.4*** SECTION 1331. 49.45 (6m) (ag) 3m. of the statutes, as affected by
2 2003 Wisconsin Act (this act), is amended to read:

3 49.45 (6m) (ag) 3m. For each state fiscal year, rates that shall be set by the
4 department based on information from cost reports for costs specified under par. (am)
5 1. bm., 4., 5m., and 6. for the most recently completed fiscal year of the facility.

6 ***-0210/4.5*** SECTION 1332. 49.45 (6m) (ag) 3r. of the statutes is created to read:
7 49.45 (6m) (ag) 3r. Flat-rate payment, as determined by the department, for
8 costs specified under par. (am) 1. a. and 2.

9 ***-0210/4.6*** SECTION 1333. 49.45 (6m) (ag) 3r. of the statutes, as created by
10 2003 Wisconsin Act (this act), is amended to read:

11 49.45 (6m) (ag) 3r. Flat-rate payment, ~~as determined by the department,~~ for
12 all costs specified under par. (am) 1. a. and 2.

13 ***b0282/3.1*** SECTION 1333d. 49.45 (6m) (ag) 8. of the statutes is created to
14 read:

15 49.45 (6m) (ag) 8. Maintenance of the identical proportion of payment for direct
16 care costs, as specified in par. (am) 1., to total payment for all costs specified in par.
17 (am) as that made in state fiscal year 2002–03.

18 ***-0210/4.7*** SECTION 1334. 49.45 (6m) (am) 1. a. of the statutes is amended to
19 read:

20 49.45 (6m) (am) 1. a. Personal comfort supplies; medical supplies;
21 over-the-counter drugs; and nonbillable services of a ward clerk, activity person,
22 recreation person, social worker, volunteer coordinator, teacher for residents aged 22
23 and older, vocational counselor for residents aged 22 and older, religious person,
24 therapy aide, therapy assistant, and counselor on resident living.

25 ***-0210/4.8*** SECTION 1335. 49.45 (6m) (am) 1. b. of the statutes is repealed.