

1 (b) *Certification of plan-to-plan transfers.* Upon request, the department shall
2 provide a participating employee a transfer certification form for payments made by
3 a plan-to-plan transfer under sub. (5) (b). If the participating employee intends to
4 make payments from more than one plan, the participating employee must submit
5 to the department a separate transfer certification form for each plan from which
6 moneys will be transferred.

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

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

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

18 (b) *Alternate payment options.* Notwithstanding par. (a), the department may
19 accept an application under this section without full payment if payment of at least
20 10% of the department's estimate of the cost of the creditable service is included with
21 the application, in the manner required under par. (a), and the remaining balance
22 is received by the department no later than 90 days after receipt of the application,
23 in the form of a plan-to-plan transfer under sub. (5) (b).

24 (c) *Final cost calculation for purchase of creditable service.* The department
25 may audit any transaction to purchase creditable service under this subsection and

SECTION 1024

1 make any necessary correction to the estimated cost of purchasing the creditable
2 service to reflect the amount due under sub. (2). Except as otherwise provided in sub.
3 (7), if the department determines that the final amount that is due is more than the
4 amount paid to the department, the department shall notify the participant of the
5 amount of the shortfall. If payment of the amount of the shortfall is not received by
6 the department within 30 calendar days after the date on which the department
7 sends notice to the participant, the department shall complete the creditable service
8 purchase transaction by prorating the amount of creditable service that is purchased
9 based on the payment amount actually received and shall notify the participant of
10 the amount and category of service that is credited. The department, by rule, shall
11 specify how a forfeited service purchase is prorated when the participant forfeited
12 service under more than one category of employment under s. 40.23 (2m) (e).

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

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

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

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

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

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

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

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

24 (6) REFUNDS. Except as provided in sub. (7), if the department determines that
25 the amount paid to the department to purchase creditable service, including any

SECTION 1024

1 amount in a plan-to-plan transfer, is greater than the amount that is required to
2 purchase the creditable service, as determined by the department, the department
3 shall refund the difference. The department shall pay any refund to the participant,
4 up to the amount received from the participant. Any remaining amount shall be
5 returned to the applicable account in the trust fund for transfers under sub. (5) (a)
6 or to the trustee of a plan which was the source of a plan-to-plan transfer under sub.
7 (5) (b). When more than one plan-to-plan transfer occurs, the department may
8 determine which transfer is to be refunded, in whole or part. No funds transferred
9 to the department by a plan-to-plan transfer may be refunded to a participant.

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

14 *~~1757/4.3~~* SECTION 1025. 40.51 (6) of the statutes is amended to read:

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

24 *~~1876/1.3~~* SECTION 1026. 40.98 (2) (h) of the statutes is amended to read:

1 40.98 (2) (h) The department may seek funding from any person for the
2 payment of costs of designing, marketing, and contracting for or providing
3 administrative services under the health care coverage program ~~and for lapsing to~~
4 ~~the general fund any amount required under sub. (6m)~~. Any moneys received by the
5 department under this paragraph shall be credited to the appropriation account
6 under s. 20.515 (2) (g).

7 *~~1876/1.4~~* SECTION 1027. 40.98 (6m) of the statutes is repealed.

8 *~~1373/8.12~~* SECTION 1028. 42.035 of the statutes is amended to read:

9 **42.035 Treatment of certain state fair park board employees.**

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

23 *~~1281/2.2~~* SECTION 1029. 43.24 (1) (c) of the statutes is amended to read:

24 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
25 appropriated for public library systems under s. 20.255 (3) (e) and (qm), as

1 determined by the department, equals at least 11.25% of the total operating
2 expenditures for public library services from local and county sources in the calendar
3 year ending in that fiscal year, the amount paid to each system shall be determined
4 by adding the result of each of the following calculations:

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

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

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

15 ***-1281/2.3* SECTION 1030.** 43.24 (3) of the statutes is amended to read:

16 43.24 (3) Annually, the division shall review the reports and proposed service
17 plans submitted by the public library systems under s. 43.17 (5) for conformity with
18 this chapter and such rules and standards as are applicable. Upon approval, the
19 division shall certify to the department of administration an estimated amount to
20 which each system is entitled under this section. Annually on or before December
21 1 of the year immediately preceding the year for which aids are to be paid, the
22 department of administration shall pay each system 75% of the certified estimated
23 amount from the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm). The
24 division shall, on or before the following April 30, certify to the department of
25 administration the actual amount to which the system is entitled under this section.

1 On or before July 1, the department of administration shall pay each system the
2 difference between the amount paid on December 1 of the prior year and the certified
3 actual amount of aid to which the system is entitled from the ~~appropriation~~
4 appropriations under s. 20.255 (3) (e) and (qm). The division may reduce state aid
5 payments when any system or any participant thereof fails to meet the requirements
6 of sub. (2). Beginning September 1, 1991, the division may reduce state aid payments
7 to any system if the system or any participant in the system fails to meet the
8 requirements of s. 43.15 (4).

9 *~~1281/2.4~~* SECTION 1031. 43.24 (3m) of the statutes is amended to read:

10 43.24 (3m) If the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm)
11 in any one year ~~is~~ are insufficient to pay the full amount under sub. (1), state aid
12 payments shall be prorated among the library systems entitled to such aid.

13 *~~0529/4.94~~* SECTION 1032. 43.70 (3) of the statutes is amended to read:

14 43.70 (3) Immediately upon making such apportionment, the state
15 superintendent shall certify to the department of administration the estimated
16 amount that each school district is entitled to receive under this section and shall
17 notify each school district administrator of the estimated amount so certified for his
18 or her school district. The department of administration shall ~~issue its warrants~~
19 ~~upon which the state treasurer shall~~ distribute each school district's aid entitlement
20 in one payment on or before May 1. The amount paid to each school district shall be
21 based upon the amount in the appropriation account under s. 20.255 (2) (s) on April
22 15. All moneys distributed under this section shall be expended for the purchase of
23 instructional materials from the state historical society for use in teaching Wisconsin
24 history and for the purchase of library books and other instructional materials for
25 school libraries, but not for public library facilities operated by school districts under

1 s. 43.52, in accordance with rules promulgated by the state superintendent.
2 Appropriate records of such purchases shall be kept and necessary reports thereon
3 shall be made to the state superintendent.

4 ***-0666/9.40*** SECTION 1033. Chapter 44 (title) of the statutes is amended to
5 read:

6 **CHAPTER 44**
7 **HISTORICAL SOCIETIES, AND ARTS**
8 **BOARD AND TECHNOLOGY FOR**
9 **EDUCATIONAL ACHIEVEMENT IN**
10 **WISCONSIN BOARD**

11 ***-0666/9.41*** SECTION 1034. Subchapter IV (title) of chapter 44 [precedes
12 44.70] of the statutes is repealed.

13 ***-0666/9.42*** SECTION 1035. 44.70 (intro.) of the statutes is renumbered
14 115.997 (intro.).

15 ***-0666/9.43*** SECTION 1036. 44.70 (1) of the statutes is repealed.

16 ***-0666/9.44*** SECTION 1037. 44.70 (1d) of the statutes is renumbered 115.997
17 (1d).

18 ***-0666/9.45*** SECTION 1038. 44.70 (1m) of the statutes is renumbered 115.997
19 (1m).

20 ***-0666/9.46*** SECTION 1039. 44.70 (2) of the statutes is repealed.

21 ***-0666/9.47*** SECTION 1040. 44.70 (2g) of the statutes is renumbered 115.997
22 (2g) and amended to read:

23 115.997 (2g) "Educational agency" means a school district, charter school
24 sponsor, secured correctional facility, private school, cooperative educational service
25 agency, technical college district, private college, public library system, public library

1 board, public museum, the Wisconsin Center for the Blind and Visually Impaired,
2 or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing.

****NOTE: This is reconciled s. 44.70 (2g). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0392/2 and LRB-0666/8.

3 ***-0666/9.48* SECTION 1041.** 44.70 (3) of the statutes is renumbered 115.997
4 (3).

5 ***-0666/9.49* SECTION 1042.** 44.70 (3d) of the statutes is renumbered 115.997
6 (3d).

7 ***-0666/9.50* SECTION 1043.** 44.70 (3g) of the statutes is renumbered 115.997
8 (3g).

9 ***-0666/9.51* SECTION 1044.** 44.70 (3j) of the statutes is renumbered 115.997
10 (3j).

11 ***-0666/9.52* SECTION 1045.** 44.70 (3m) of the statutes is renumbered 115.997
12 (3m).

13 ***-0666/9.53* SECTION 1046.** 44.70 (3r) of the statutes is renumbered 115.997
14 (3r).

15 ***-0666/9.54* SECTION 1047.** 44.70 (4) of the statutes is renumbered 115.997
16 (4).

17 ***-0666/9.55* SECTION 1048.** 44.70 (5) of the statutes is renumbered 115.997
18 (5).

19 ***-0666/9.56* SECTION 1049.** 44.70 (6) of the statutes is renumbered 115.997
20 (6).

21 ***-0666/9.57* SECTION 1050.** 44.71 (title) of the statutes is repealed.

22 ***-0666/9.58* SECTION 1051.** 44.71 (1) of the statutes is repealed.

1 ***-0666/9.59*** **SECTION 1052.** 44.71 (2) (intro.) of the statutes is renumbered
2 115.998 (intro.) and amended to read:

3 **115.998 Duties Technology for educational achievement in Wisconsin;**
4 **departmental duties.** (intro.) The ~~board~~ department shall do all of the following:

5 ***-0666/9.60*** **SECTION 1053.** 44.71 (2) (a) of the statutes is renumbered 115.998
6 (1) and amended to read:

7 115.998 (1) In cooperation with school districts, cooperative educational
8 service agencies, the technical college system board, the board of regents of the
9 University of Wisconsin System, and the department of administration, promote the
10 efficient, cost-effective procurement, installation, and maintenance of educational
11 technology by school districts, cooperative educational service agencies, technical
12 college districts, and the University of Wisconsin System.

13 ***-0666/9.61*** **SECTION 1054.** 44.71 (2) (b) of the statutes is renumbered 115.998
14 (2).

15 ***-0666/9.62*** **SECTION 1055.** 44.71 (2) (c) of the statutes is renumbered 115.998
16 (3) and amended to read:

17 115.998 (3) With the consent of the department of administration, enter into
18 cooperative purchasing agreements under s. 16.73 (1) under which participating
19 school districts and cooperative educational service agencies may contract for their
20 professional employees to receive training concerning the effective use of educational
21 technology.

22 ***-0666/9.63*** **SECTION 1056.** 44.71 (2) (d) of the statutes is renumbered 115.998
23 (4) and amended to read:

24 115.998 (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 *~~0666/9.64~~* SECTION 1057. 44.71 (2) (e) of the statutes is renumbered 115.998
5 (5) and amended to read:

6 115.998 (5) ~~Subject to s. 44.73 (5), in~~ In cooperation with the department of
7 administration, provide telecommunications access to educational agencies under
8 the program established under s. ~~44.73~~ 115.9995.

9 *~~0666/9.65~~* SECTION 1058. 44.71 (2) (f) of the statutes is renumbered 115.998
10 (6) and amended to read:

11 115.998 (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 *~~0666/9.66~~* SECTION 1059. 44.71 (2) (g) of the statutes is renumbered 115.998
16 (7) and amended to read:

17 115.998 (7) Coordinate the purchasing of educational technology materials,
18 supplies, equipment, and contractual services for school districts, cooperative
19 educational service agencies, technical college districts, and the board of regents of
20 the University of Wisconsin System by the department of administration under s.
21 16.72 (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.

SECTION 1060

1 *~~0666/9.67~~* SECTION 1060. 44.71 (2) (h) of the statutes is renumbered 115.998
2 (8) and amended to read:

3 115.998 (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 *~~0666/9.68~~* SECTION 1061. 44.71 (2) (i) of the statutes is renumbered 115.998
11 (9).

12 *~~0666/9.69~~* SECTION 1062. 44.71 (3) of the statutes is repealed.

13 *~~0666/9.70~~* SECTION 1063. 44.72 (title) of the statutes is repealed.

14 *~~0666/9.71~~* SECTION 1064. 44.72 (1) of the statutes is repealed.

15 *~~0666/9.72~~* SECTION 1065. 44.72 (2) of the statutes is repealed.

16 *~~0666/9.73~~* SECTION 1066. 44.72 (3) of the statutes is repealed.

17 *~~0666/9.74~~* SECTION 1067. 44.72 (4) (title) of the statutes is renumbered
18 115.999 (title).

19 *~~0666/9.75~~* SECTION 1068. 44.72 (4) (a) of the statutes is renumbered 115.999
20 (1) and amended to read:

21 115.999 (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. Except as provided in sub. (3m), the department may not provide any
4 financial assistance under this section after the effective date of this subsection
5 [revisor inserts date].

6 *~~0666/9.76~~* SECTION 1069. 44.72 (4) (b) of the statutes is renumbered 115.999
7 (2) and amended to read:

8 115.999 (2) FINANCIAL ASSISTANCE APPLICATIONS, TERMS, AND CONDITIONS. The
9 board department shall establish application procedures for, and the terms and
10 conditions of, financial assistance under this subsection, ~~including a condition~~
11 ~~requiring a charter school sponsor to use financial assistance under this subsection~~
12 ~~for wiring upgrading and installation that benefits pupils attending the charter~~
13 ~~school section.~~ The board department shall make a loan to a school district, ~~charter~~
14 ~~school sponsor,~~ or public library board, or to a municipality on behalf of a public
15 library board, in an amount equal to 50% of the total amount of financial assistance
16 for which the board department determines the school district or public library board
17 is eligible and provide a grant to the school district or public library board for the
18 remainder of the total. The terms and conditions of any financial assistance under
19 this subsection section may include the provision of professional building
20 construction services under s. 16.85 (15). The board department shall determine the
21 interest rate on loans under this ~~subsection~~ section. The interest rate shall be as low
22 as possible but shall be sufficient to fully pay all interest expenses incurred by the
23 state in making the loans and to provide reserves that are reasonably expected to be
24 required in the judgment of the board department to ensure against losses arising

1 from delinquency and default in the repayment of the loans. The term of a loan under
2 this ~~subsection~~ section may not exceed 10 years.

3 *~~0666/9.77~~* SECTION 1070. 44.72 (4) (c) of the statutes is renumbered 115.999
4 (3) and amended to read:

5 115.999 (3) REPAYMENT OF LOANS. The ~~board~~ department shall credit all moneys
6 received from school districts and ~~charter school sponsors~~ for repayment of loans
7 under this ~~subsection~~ section to the appropriation account under s. ~~20.275 (1)~~ 20.255
8 (4) (h). The ~~board~~ department shall credit all moneys received from public library
9 boards or from municipalities on behalf of public library boards for repayment of
10 loans under this ~~subsection~~ section to the appropriation account under s. ~~20.275 (1)~~
11 20.255 (4) (hb).

12 *~~0666/9.78~~* SECTION 1071. 44.72 (4) (d) of the statutes is renumbered 115.999
13 (4) and amended to read:

14 115.999 (4) FUNDING FOR FINANCIAL ASSISTANCE. The ~~board, with the approval~~
15 ~~of the governor and~~ department, subject to the limits of s. 20.866 (2) (zc) and (zcm),
16 may request that the building commission contract public debt in accordance with
17 ch. 18 to fund financial assistance under this ~~subsection~~ section.

18 *~~0666/9.79~~* SECTION 1072. 44.73 (title) of the statutes is renumbered
19 115.9995 (title).

20 *~~0666/9.80~~* SECTION 1073. 44.73 (1) of the statutes is renumbered 115.9995
21 (1) and amended to read:

22 115.9995 (1) Except as provided in s. 196.218 (4t), the ~~board~~ department of
23 public instruction, in consultation with the department and ~~subject to the approval~~
24 ~~of the department of electronic government~~ of administration, shall promulgate

1 rules establishing an educational telecommunications access program to provide
2 educational agencies with access to data lines and video links.

3 ***-0666/9.81* SECTION 1074.** 44.73 (2) (intro.) of the statutes is renumbered
4 115.9995 (2) (intro.).

5 ***-0666/9.82* SECTION 1075.** 44.73 (2) (a) of the statutes is renumbered
6 115.9995 (2) (a) and amended to read:

7 115.9995 (2) (a) Allow an educational agency to make a request to the board
8 department for access to either one data line or one video link, except that any
9 educational agency may request access to additional data lines if the agency shows
10 to the satisfaction of the board department that the additional data lines are more
11 cost-effective than a single data line and except that a school district that operates
12 more than one high school or a public library board that operates more than one
13 library facility may request access to both a data line and a video link and access to
14 more than one data line or video link.

15 ***-0666/9.83* SECTION 1076.** 44.73 (2) (b) of the statutes is renumbered
16 115.9995 (2) (b).

17 ***-0666/9.84* SECTION 1077.** 44.73 (2) (c) of the statutes is renumbered
18 115.9995 (2) (c).

19 ***-0666/9.85* SECTION 1078.** 44.73 (2) (d) of the statutes is renumbered
20 115.9995 (2) (d) and amended to read:

21 115.9995 (2) (d) Require an educational agency to pay the department of
22 administration not more than \$250 per month for each data line or video link that
23 is provided to the educational agency under the program established under sub. (1),
24 except that the charge may not exceed \$100 per month for each data line or video link

1 that relies on a transport medium that operates at a speed of 1.544 megabits per
2 second.

3 ***-0666/9.86* SECTION 1079.** 44.73 (2) (e) of the statutes is renumbered
4 115.9995 (2) (e).

5 ***-0666/9.87* SECTION 1080.** 44.73 (2) (f) of the statutes is renumbered
6 115.9995 (2) (f).

7 ***-0666/9.88* SECTION 1081.** 44.73 (2g) of the statutes is renumbered 115.9995
8 (2g).

9 ***-0666/9.89* SECTION 1082.** 44.73 (2r) of the statutes is renumbered 115.9995
10 (2r), and 115.9995 (2r) (c), as renumbered, is amended to read:

11 115.9995 (2r) (c) A public library board shall provide the ~~technology for~~
12 ~~educational achievement in Wisconsin board~~ department with written notice within
13 30 days after entering into or modifying a shared service agreement under par. (a).

14 ***-0666/9.90* SECTION 1083.** 44.73 (3) of the statutes is renumbered 115.9995
15 (3) and amended to read:

16 115.9995 (3) The ~~board~~ department of public instruction shall submit an
17 annual report to the department of administration on the status of providing data
18 lines and video links that are requested under sub. (2) (a) and the impact on the
19 universal service fund of any payment under contracts under s. 16.974.

20 ***-0666/9.91* SECTION 1084.** 44.73 (4) of the statutes is renumbered 115.9995
21 (4).

22 ***-0666/9.92* SECTION 1085.** 44.73 (5) of the statutes is repealed.

23 ***-0666/9.93* SECTION 1086.** 44.73 (6) (a) of the statutes is renumbered
24 115.9995 (6) (a) and amended to read:

1 115.9995 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (s) or
2 (tm), the ~~board~~ department may award an annual grant to a school district or private
3 school that had in effect on October 14, 1997, a contract for access to a data line or
4 video link, as documented by the ~~board~~ department. The ~~board~~ department shall
5 determine the amount of the grant, which shall be equal to the cost incurred by the
6 state to provide telecommunications access to a school district or private school
7 under a contract entered into under s. 16.974 (1) or (3) less the amount that the school
8 district or private school would be paying under sub. (2) (d) if the school district or
9 private school were participating in the program established under sub. (1), except
10 that the amount may not be greater than the cost that a school district or private
11 school incurs under the contract in effect on October 14, 1997. A school district or
12 private school receiving a grant under this subsection is not eligible to participate in
13 the program under sub. (1). No grant may be awarded under this subsection after
14 December 31, 2005.

15 *~~-0666/9.94~~* SECTION 1087. 44.73 (6) (b) of the statutes is renumbered
16 115.9995 (6) (b) and amended to read:

17 115.9995 (6) (b) Notwithstanding par. (a), the ~~board~~ department may award a
18 school district that operates more than one high school and that had in effect on
19 October 14, 1997, a contract for access to more than one data line or video link an
20 annual grant for each data line or video link serving each high school covered by that
21 contract.

22 *~~-1780/1.1~~* SECTION 1088. 45.25 (2) (c) of the statutes is amended to read:

23 45.25 (2) (c) The individual applies for the tuition and fee reimbursement
24 program for courses ~~completed~~ begun within 10 years after separation from the
25 service.

1 ***-0324/1.2*** SECTION 1089. 45.365 (7) of the statutes is created to read:

2 45.365 (7) The department may develop a program to provide stipends to
3 individuals to attend school and receive the necessary credentials to become
4 employed at the home or the southeastern facility. If the department does develop
5 a stipend program under this subsection, the department shall promulgate
6 administrative rules related to the program, including the application process,
7 eligibility criteria, stipend amount, repayment provisions, and other provisions that
8 the department determines are necessary to administer the program.

9 ***-0529/4.95*** SECTION 1090. 45.37 (11) of the statutes is amended to read:

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

1 *~~0190/7.4~~* SECTION 1091. 45.37 (15) (c) of the statutes is amended to read:

2 45.37 (15) (c) Expenses incident to the burial at the home of a member shall
3 be paid from the estate of the decedent, except that if there is no estate or the estate
4 is insufficient, the expense of burial, or necessary part thereof, shall be paid from the
5 appropriation under s. 20.485 (1) (gk) and the amount expended therefor shall not
6 exceed the amount established for funeral and burial expenses under s. ~~49.30~~ 49.785
7 (1) (b).

8 *~~0576/8.61~~* SECTION 1092. 45.43 (7) (b) of the statutes is amended to read:

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

22 *~~0344/1.2~~* SECTION 1093. 45.54 (10) (a) of the statutes is amended to read:

23 45.54 (10) (a) *Authority.* All proprietary schools shall be examined and
24 approved by the board before operating in this state. Approval shall be granted to
25 schools meeting the criteria established by the board for a period not to exceed one

1 year. No school may advertise in this state unless approved by the board. All
2 approved schools shall submit quarterly reports, including information on
3 enrollment, number of teachers and their qualifications, course offerings, number of
4 graduates, number of graduates successfully employed, and such other information
5 as the board deems necessary. If a school closure results in losses to students,
6 parents, or sponsors, the board may authorize the full or partial payment of those
7 losses from the appropriation under s. 20.485 (5) (gm).

8 ***-0344/1.3*** SECTION 1094. 45.54 (10) (c) 4. of the statutes is created to read:
9 45.54 (10) (c) 4. Specify a student protection fee.

10 ***-0115/1.1*** SECTION 1095. 46.03 (7) (h) of the statutes is created to read:
11 46.03 (7) (h) Contract for the provision of a centralized unit for determining
12 whether the cost of providing care for a child is eligible for reimbursement under 42
13 USC 670 to 679a.

14 ***-1824/6.10*** SECTION 1096. 46.03 (18) (d) of the statutes is amended to read:
15 46.03 (18) (d) The department may compromise or waive all or part of the
16 liability for services received. The sworn statement of ~~the~~ any collection and
17 deportation counsel ~~appointed~~ retained under s. 46.10 (7), the department's legal
18 counsel, or the department secretary, shall be evidence of the services provided and
19 the fees charged for such services.

20 ***-0361/2.1*** SECTION 1097. 46.057 (2) of the statutes is amended to read:
21 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
22 department of corrections shall transfer to the appropriation account under s. 20.435
23 (2) (kx) \$1,379,300 in fiscal year ~~2001-02~~ 2003-04 and \$1,379,300 in fiscal year
24 ~~2002-03~~ 2004-05 and, from the appropriation account under s. 20.410 (3) (hm), the
25 department of corrections shall transfer to the appropriation account under s. 20.435

1 (2) (kx) ~~\$2,489,300 in fiscal year 1999–2000 and \$2,489,900 in fiscal year 2000–01~~
2 \$1,940,200 in fiscal year 2003–04 and \$2,001,700 in fiscal year 2004–05 for services
3 for juveniles placed at the Mendota juvenile treatment center. The department of
4 health and family services may charge the department of corrections not more than
5 the actual cost of providing those services.

6 *~~1824/6.11~~* SECTION 1098. 46.10 (6) of the statutes is amended to read:

7 46.10 (6) The sworn statement of ~~the~~ any collection and deportation counsel
8 retained under sub. (7), the department's legal counsel, or of the secretary, shall be
9 evidence of the fee and of the care and services received by the patient.

10 *~~1824/6.12~~* SECTION 1099. 46.10 (7) of the statutes is amended to read:

11 46.10 (7) The department shall administer and enforce this section. ~~It shall~~
12 ~~appoint~~ With the advice and consent of the attorney general, the department may
13 retain an attorney to be designated “collection and deportation counsel”~~and.”~~ The
14 department may appoint other necessary assistants. The department may delegate
15 to the collection and deportation counsel such other powers and duties as it considers
16 advisable. The collection and deportation counsel or any of the assistants may
17 administer oaths, take affidavits and testimony, examine public records, subpoena
18 witnesses and the production of books, papers, records, and documents material to
19 any matter of proceeding relating to payments for the cost of maintenance. The
20 department shall encourage agreements or settlements with the liable person,
21 having due regard to ability to pay and the present needs of lawful dependents.

22 *~~1634/7.42~~* SECTION 1100. 46.215 (1) (n) of the statutes is amended to read:

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

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

9 ***-1634/7.43* SECTION 1101.** 46.22 (1) (b) 4m. c. of the statutes is amended to
10 read:

11 46.22 (1) (b) 4m. c. To receive applications from individuals seeking low-income
12 energy assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~
13 16.26.

14 ***-1634/7.44* SECTION 1102.** 46.22 (1) (b) 4m. d. of the statutes is amended to
15 read:

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

20 ***-1634/7.45* SECTION 1103.** 46.22 (1) (b) 4m. e. of the statutes is amended to
21 read:

22 46.22 (1) (b) 4m. e. To receive a request, determine a correct payment amount,
23 if any, and provide payment, if any, for emergency assistance under s. ~~16.385~~ 16.27
24 (8).

25 ***-0190/7.5* SECTION 1104.** 46.22 (1) (d) of the statutes is amended to read:

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

8 ***-0190/7.6*** SECTION 1105. 46.22 (2) (b) of the statutes is amended to read:

9 46.22 (2) (b) Appoint the county social services director under sub. (3) subject
10 to s. ~~49.33~~ 49.78 (4) to (7) and the rules promulgated thereunder and subject to the
11 approval of the county board of supervisors in a county with a single-county
12 department of social services or the county boards of supervisors in counties with a
13 multicounty department of social services.

14 ***-0190/7.7*** SECTION 1106. 46.22 (3m) (a) of the statutes is amended to read:

15 46.22 (3m) (a) In any county with a county executive or a county administrator
16 ~~which that~~ has established a single-county department of social services, the county
17 executive or county administrator, subject to s. ~~49.33~~ 49.78 (4) to (7) and the rules
18 promulgated thereunder, shall appoint and supervise the county social services
19 director. The appointment is subject to the confirmation of the county board of
20 supervisors unless the county board of supervisors, by ordinance, elects to waive
21 confirmation or unless the appointment is made under a civil service system
22 competitive examination procedure established under s. 59.52 (8) or ch. 63.

23 ***-0190/7.8*** SECTION 1107. 46.27 (7) (am) of the statutes is amended to read:

24 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department
25 shall allocate funds to each county or private nonprofit agency with which the

SECTION 1107

1 department contracts to pay assessment and case plan costs under sub. (6) not
2 otherwise paid by fee or under s. ~~49.33 (2)~~ or 49.45 or 49.78 (2). The department shall
3 reimburse counties for the cost of assessing persons eligible for medical assistance
4 under s. 49.46, 49.468, or 49.47 as part of the administrative services of medical
5 assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated
6 under this paragraph to pay the cost of long-term community support services and
7 for a risk reserve under par. (fr).

****NOTE: The repeal of s. 49.175 (1) (j) is removed from this draft. That section is
also repealed in LRB-1752.

8 ***-0092/P1.1* SECTION 1108.** 46.27 (7) (fm) of the statutes is amended to read:
9 46.27 (7) (fm) The department shall, at the request of a county, carry forward
10 up to ~~10%~~ 5% of the amount allocated under this subsection to the county for a
11 calendar year if up to ~~10%~~ 5% of the amount so allocated has not been spent or
12 encumbered by the county by December 31 of that year, for use by the county in the
13 following calendar year, except that the amount carried forward shall be reduced by
14 the amount of funds that the county has notified the department that the county
15 wishes to place in a risk reserve under par. (fr). The department may transfer funds
16 within s. 20.435 (7) (bd) to accomplish this purpose. An allocation under this
17 paragraph does not affect a county's base allocation under this subsection and shall
18 lapse to the general fund unless expended within the calendar year to which the
19 funds are carried forward. A county may not expend funds carried forward under
20 this paragraph for administrative or staff costs, except administrative or staff costs
21 that are associated with implementation of the waiver under sub. (11) and approved
22 by the department.

23 ***-1824/6.13* SECTION 1109.** 46.27 (7g) (h) of the statutes is amended to read:

1 46.27 (7g) (h) The department, with the advice and consent of the attorney
2 general, may contract with or employ retain an attorney to probate estates to recover
3 under this subsection the costs of care.

4 ***-1760/2.2*** SECTION 1110. 46.27 (9) (a) of the statutes is amended to read:

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

****NOTE: This is reconciled s. 46.27 (9) (a). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

14 ***-1760/2.3*** SECTION 1111. 46.27 (10) (a) 1. of the statutes is amended to read:

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

****NOTE: This is reconciled s. 46.27 (10) (a) 1. This SECTION has been affected by
drafts with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

21 ***-0194/9.8*** SECTION 1112. 46.275 (5) (a) of the statutes is amended to read:

1 46.275 (5) (a) ~~Medical assistance~~ Assistance reimbursement for services a
2 county, or the department under sub. (3r), provides under this program is available
3 from the ~~appropriations~~ appropriation accounts under s. 20.435 (4) (b), (gp), (hm), (o),
4 (r), and (w). If 2 or more counties jointly contract to provide services under this
5 program and the department approves the contract, ~~medical assistance~~ Medical
6 Assistance reimbursement is also available for services provided jointly by these
7 counties.

 ****NOTE: This is reconciled s. 46.275 (5) (a). This SECTION has been affected by
drafts with the following LRB numbers: -0194/8, -1755/P2, and -1760/1.

8 ***-0194/9.9*** SECTION 1113. 46.275 (5) (c) of the statutes is amended to read:

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

 ****NOTE: This is reconciled s. 46.275 (5) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0194/8, -1755/P2, and -1760/1.

16 ***-0211/5.2*** SECTION 1114. 46.275 (5) (e) of the statutes is created to read:

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

21 ***-0208/2.2*** SECTION 1115. 46.277 (1m) (ak) of the statutes is created to read:

1 46.277 (1m) (ak) “Nursing home” means a nursing home, as defined in s. 50.01
2 (3), that is certified as a provider of medical assistance, other than an intermediate
3 care facility for the mentally retarded, as defined in s. 46.278 (1m) (am).

4 *–0208/2.3* SECTION 1116. 46.277 (2) (b) of the statutes is amended to read:

5 46.277 (2) (b) ~~Fund~~ Except as provided in subs. (3r) and (5) (bm), fund home
6 or community-based services provided by any county that meet the requirements of
7 this section.

8 *–0208/2.4* SECTION 1117. 46.277 (3) (c) of the statutes is amended to read:

9 46.277 (3) (c) Beginning on January 1, 1996, from the annual allocation to the
10 county for the provision of long-term community support services under sub. (5),
11 except as provided in subs. (3r) and (5) (bm), a county department participating in
12 the program shall annually establish a maximum total amount that may be
13 encumbered in a calendar year for services for eligible individuals in
14 community-based residential facilities.

15 *–0208/2.5* SECTION 1118. 46.277 (3r) of the statutes is created to read:

16 46.277 (3r) RELOCATION OF NURSING HOME RESIDENTS. (a) In a county that is
17 participating in the program, for each nursing home resident who has applied for
18 participation and has been found eligible under sub. (4), but is not participating in
19 the program and who indicates that he or she prefers to receive services in the
20 community, rather than in the nursing home, the participating county department
21 shall initiate a needs and costs-based assessment before the resident has resided in
22 the nursing home for 90 continuous days or before the cost of the resident’s nursing
23 home care has been paid under Medical Assistance for 30 days, whichever is longer.
24 The county department shall complete the needs and costs-based assessment within
25 90 days after initiating it.

1 (b) After completion of the needs and costs-based assessment, the county
2 department shall contact the department regarding available funding.

3 (c) If the department determines that costs for home or community-based
4 services for the nursing home resident, as determined under the needs and
5 costs-based assessment, are equal to or less than the amount specified under sub.
6 (5) (bm) 1., the county department shall offer and, if accepted, provide home or
7 community-based services under this section to the nursing home resident, if the
8 cost of the resident's nursing home care has been paid under Medical Assistance for
9 at least 30 days.

10 (d) If the department determines that costs for home or community-based
11 services for the nursing home resident, as determined under the needs and
12 costs-based assessment, exceed the amount specified under sub. (5) (bm) 1., the
13 department may ascertain whether additional funding, as specified under sub. (5)
14 (bm) 2., is available. If additional funding is available and if the cost of the resident's
15 nursing home care has been paid under Medical Assistance for at least 30 days, the
16 county department shall offer and, if accepted, provide home or community-based
17 services under this section to the nursing home resident.

18 ***-0208/2.6* SECTION 1119.** 46.277 (5) (am) of the statutes is created to read:
19 46.277 (5) (am) From the appropriation under s. 20.435 (4) (w), the department
20 may provide reimbursement to a county for administrative activities by the county
21 to relocate a nursing home resident under sub. (3r).

22 ***-0208/2.7* SECTION 1120.** 46.277 (5) (b) of the statutes is amended to read:
23 46.277 (5) (b) ~~Total~~ Except as provided in subs. (3r) and (5) (bm), funding to
24 counties under the program may not exceed the amount approved in the waiver
25 received under sub. (2).

1 ***-0208/2.8*** SECTION 1121. 46.277 (5) (bm) of the statutes is created to read:

2 46.277 (5) (bm) 1. Funding to a county for an individual who is relocated from
3 a nursing home under sub. (3r) shall be no more than the per-person, per-day
4 payment rate at the individual's level-of-care requirement for the nursing home
5 under s. 49.45 (6m), indexed annually by the percentage of any annual nursing home
6 average rate increase under s. 49.45 (6m), minus the amount that is obtained by
7 subtracting the average annual costs for allowable charges under s. 49.46 (2) (a) and
8 (b) payable on behalf of individuals in nursing homes from the average annual costs
9 per medical assistance recipient for the allowable charges payable on behalf of
10 individuals who are relocated into communities from nursing homes.

11 2. Notwithstanding the limitation on payment to a county under subd. 1.,
12 funding to a county for an individual who is relocated from a nursing home under
13 sub. (3r) may include, in addition to the amount specified in subd. 1., an amount not
14 to exceed the sum obtained by subtracting the total of all payments made for home
15 or community-based services for nursing home residents relocated under sub. (3r)
16 (c) from the amount available under subd. 1.

17 3. If a county department fails to complete a needs and costs-based assessment
18 and offer home or community-based services under this section to a nursing home
19 resident within the time period specified in sub. (3r) (a), the county shall pay the
20 nonfederal share of Medical Assistance for his or her nursing home care unless the
21 nursing home resident refused participation or the needs and costs-based
22 assessment determined that participation was not feasible.

23 4. Funding to a county is available under subd. 1. or 2. only during the period
24 in which a relocated individual continues to receive home or community-based care.

25 ***-0090/P1.1*** SECTION 1122. 46.277 (5) (g) of the statutes is created to read:

SECTION 1122

1 46.277 (5) (g) The department may provide enhanced reimbursement for
2 services provided under this section to an individual who is relocated to the
3 community from a nursing home by a county department on or after the effective date
4 of this paragraph [revisor inserts date], if the nursing home bed that was used by
5 the individual is delicensed upon relocation of the individual. The department shall
6 develop and utilize a formula to determine the enhanced reimbursement rate.

7 *~~0208/2.9~~* **SECTION 1123.** 46.278 (1m) (bg) of the statutes is created to read:

8 46.278 (1m) (bg) “Nursing home” means a nursing home, as defined in s. 50.01
9 (3), that is certified as a provider of medical assistance, other than an intermediate
10 care facility for the mentally retarded.

11 *~~0208/2.10~~* **SECTION 1124.** 46.278 (3) (b) of the statutes is amended to read:

12 46.278 (3) (b) ~~Fund~~ Except as provided in subs. (4g) and (6) (bm), fund home
13 or community-based services provided by any county that meet the requirements of
14 this section.

15 *~~0208/2.11~~* **SECTION 1125.** 46.278 (4g) of the statutes is created to read:

16 46.278 (4g) **RELOCATION OF NURSING HOME RESIDENTS.** (a) In a county that is
17 participating in the program, for each nursing home resident who has applied for
18 participation and has been found eligible under sub. (5), but is not participating in
19 the program and who indicates that he or she prefers to receive services in the
20 community, rather than in the nursing home, the participating county department
21 shall initiate a needs and costs-based assessment before the resident has resided in
22 the nursing home for 90 continuous days or before the cost of the resident’s nursing
23 home care has been paid under Medical Assistance for 30 days, whichever is longer.
24 The county department shall complete the needs and costs-based assessment within
25 90 days after initiating the assessment.

1 (b) After completion of the needs and costs-based assessment, the county
2 department shall contact the department regarding available funding.

3 (c) If the department determines that costs for home or community-based
4 services for the nursing home resident, as determined under the needs and
5 costs-based assessment, are equal to or less than the amount specified under sub.
6 (6) (bm) 1., the county department shall offer and, if accepted, provide home or
7 community-based services under this section to the nursing home resident, if the
8 cost of the resident's nursing home care has been paid under Medical Assistance for
9 at least 30 days.

10 (d) If the department determines that costs for home or community-based
11 services for the nursing home resident, as determined under the needs and
12 costs-based assessment, exceed the amount specified under sub. (6) (bm) 1., the
13 department may ascertain whether additional funding, as specified under sub. (6)
14 (bm) 2., is available. If additional funding is available and if the cost of the resident's
15 nursing home care has been paid under Medical Assistance for at least 30 days, the
16 county department shall offer and, if accepted, provide home or community-based
17 services under this section to the nursing home resident.

18 ***-0208/2.12* SECTION 1126.** 46.278 (6) (am) of the statutes is created to read:
19 46.278 (6) (am) From the appropriation under s. 20.435 (4) (w), the department
20 may provide reimbursement to a county for administrative activities by the county
21 to relocate a nursing home resident under sub. (4g).

22 ***-0208/2.13* SECTION 1127.** 46.278 (6) (b) of the statutes is amended to read:
23 46.278 (6) (b) ~~Total~~ Except as provided in subs. (4g) and (6) (bm), total funding
24 to counties for relocating each person under a program may not exceed the amount
25 approved in the waiver received under sub. (3).

1 ***-0208/2.14*** SECTION 1128. 46.278 (6) (bm) of the statutes is created to read:

2 46.278 (6) (bm) 1. Funding to a county for an individual who is relocated from
3 a nursing home under sub. (4g) shall be no more than the per-person, per-day
4 payment rate at the individual's level-of-care requirement for the nursing home
5 under s. 49.45 (6m), indexed annually by the percentage of any annual nursing home
6 average rate increase under s. 49.45 (6m), minus the amount that is obtained by
7 subtracting the average annual costs for allowable charges under s. 49.46 (2) (a) and
8 (b) payable on behalf of individuals in nursing homes from the average annual costs
9 for the allowable charges payable on behalf of individuals who are relocated into
10 communities from nursing homes.

11 2. Notwithstanding the limitation on payment to a county under subd. 1.,
12 funding to a county for an individual who is relocated from a nursing home under
13 sub. (4g) may include, in addition to the amount specified in subd. 1., an amount not
14 to exceed the sum obtained by subtracting the total of all payments made for home
15 or community-based services for nursing home residents relocated under sub. (4g)
16 (c) from the amount available under subd. 1.

17 3. If a county department fails to complete a needs and costs-based assessment
18 and offer home or community-based services under this section to a nursing home
19 resident within the time period specified in sub. (4g) (a), the county shall pay the
20 nonfederal share of Medical Assistance for his or her nursing home care unless the
21 nursing home resident refused participation or the needs and costs-based
22 assessment determined that participation was not feasible.

23 4. Funding to a county is available under subd. 1. or 2. only during the period
24 in which a relocated individual continues to receive home or community-based care.

25 ***-1755/3.7*** SECTION 1129. 46.278 (6) (d) of the statutes is amended to read:

1 46.278 (6) (d) If a county makes available nonfederal funds equal to the state
2 share of service costs under a waiver received under sub. (3), the department may,
3 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services
4 that the county provides under this section to persons who are in addition to those
5 who may be served under this section with funds from the appropriation under s.
6 20.435 (4) (b), (r), or (w).

7 ***-0208/2.15*** SECTION 1130. 46.278 (6) (f) of the statutes is repealed.

8 ***-0209/2.1*** SECTION 1131. 46.279 of the statutes is created to read:

9 **46.279 Restrictions on placements and admissions to intermediate**
10 **and nursing facilities. (1) DEFINITIONS.** In this section:

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

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

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

16 **(2) PLACEMENTS AND ADMISSIONS TO INTERMEDIATE FACILITIES.** Except as provided
17 in sub. (5), no person may place an individual with a developmental disability in an
18 intermediate facility and no intermediate facility may admit such an individual
19 unless, before the placement or admission, a court under s. 55.06 (9) (a) or (10) (a)
20 2. finds that placement under a plan that was developed under sub. (4) is not in the
21 individual’s best interests. An intermediate facility to which an individual who has
22 a developmental disability applies for admission shall, within 5 days after receiving
23 the application, notify the county department that is participating in the program
24 under s. 46.278 of the county of residence of the individual who is seeking admission
25 concerning the application.

SECTION 1131

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

7 **(4) PLAN FOR HOME OR COMMUNITY-BASED CARE.** A county department that
8 participates in the program under s. 46.278 shall develop a plan for providing home
9 or community-based care to an individual in a noninstitutional community setting
10 under any of the following circumstances:

11 (a) Within 90 days after any determination made under s. 49.45 (6c) (c) 3. that
12 the level of care required by a resident that is provided by a facility could be provided
13 in an intermediate facility or under a plan under this subsection.

14 (b) Within 90 days after receiving written notice under sub. (2) of an
15 application.

16 (c) Within 90 days after a proposal is made under s. 55.06 (9) (a) to place the
17 individual in an intermediate facility or a nursing facility.

18 (d) Within 90 days after receiving written notice under s. 55.06 (10) (a) 2. of the
19 placement of the individual in a nursing facility or an intermediate facility.

20 (e) Within 60 days after extension of a temporary placement order by the court
21 under s. 55.06 (11) (c).

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

24 ***-1610/2.1*** **SECTION 1132.** 46.2805 (2) of the statutes is amended to read:

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

3 ***-1760/2.4* SECTION 1133.** 46.283 (5) of the statutes is amended to read:

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

****NOTE: This is reconciled s. 46.283 (5). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

8 ***-1760/2.5* SECTION 1134.** 46.284 (5) (a) of the statutes is amended to read:

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

****NOTE: This is reconciled s. 46.284 (5) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1755/P2 and LRB-1760/1.

16 ***-1610/2.2* SECTION 1135.** 46.286 (1) (intro.) of the statutes is amended to
17 read:

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

1 *~~1610/2.3~~* SECTION 1136. 46.286 (1m) of the statutes is repealed.

2 *~~1610/2.4~~* SECTION 1137. 46.286 (3) (a) (intro.) of the statutes is amended to
3 read:

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

11 *~~1610/2.5~~* SECTION 1138. 46.286 (3) (a) 5. of the statutes is repealed.

12 *~~0093/P2.1~~* SECTION 1139. 46.286 (3) (d) of the statutes is amended to read:

13 46.286 (3) (d) The department shall determine the date, which shall not be later
14 than January 1, ~~2004~~ 2006, on which par. (a) shall first apply to persons who are not
15 eligible for medical assistance under ch. 49. Before the date determined by the
16 department, persons who are not eligible for medical assistance may receive the
17 family care benefit within the limits of state funds appropriated for this purpose and
18 available federal funds.

19 *~~1610/2.6~~* SECTION 1140. 46.287 (2) (a) 1. a. of the statutes is amended to
20 read:

21 46.287 (2) (a) 1. a. Denial of eligibility under s. 46.286 (1) ~~or (1m)~~.

22 *~~0576/8.62~~* SECTION 1141. 46.29 (3) (d) of the statutes is amended to read:

23 46.29 (3) (d) The secretary of ~~employment relations~~ administration.

24 *~~0202/P1.2~~* SECTION 1142. 46.295 (1) of the statutes is amended to read:

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

5 *~~0116/2.2~~* SECTION 1143. 46.40 (1) (d) of the statutes is created to read:

6 46.40 (1) (d) If the department receives any federal moneys under 42 USC 1396
7 to 1396v in reimbursement of the cost of preventing out-of-home placements of
8 children, the department shall use those moneys as the first source of moneys used
9 to meet the amount of the allocation under sub. (2) that is budgeted from federal
10 funds.

11 *~~0117/2.1~~* SECTION 1144. 46.40 (2) of the statutes is amended to read:

12 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
13 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
14 more than ~~\$244,745,200 for fiscal year 2001-02 and \$244,703,400 for fiscal year~~
15 ~~2002-03~~ \$242,078,700 in each fiscal year.

16 *~~0117/2.2~~* SECTION 1145. 46.40 (7) of the statutes is amended to read:

17 46.40 (7) FAMILY SUPPORT ALLOCATION. For family support programs for the
18 families of disabled children under s. 46.985, the department shall distribute ~~not~~
19 ~~more than \$4,589,800 in fiscal year 2001-02 and not more than \$5,089,800 in fiscal~~
20 ~~year 2002-03 and in each fiscal year thereafter.~~

21 *~~0115/1.2~~* SECTION 1146. 46.45 (2) (a) of the statutes is amended to read:

22 46.45 (2) (a) If Subject to par. (am), if on December 31 of any year there remains
23 unspent or unencumbered in the allocation under s. 46.40 (2) an amount that exceeds
24 the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in
25 that year, the department shall carry forward the excess moneys and distribute not

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

17 ***-0115/1.3* SECTION 1147.** 46.45 (2) (am) of the statutes is created to read:

18 46.45 (2) (am) If on December 31 of any year a county is not using the
19 centralized unit contracted for under s. 46.03 (7) (h) for determining whether the cost
20 of providing care for a child is eligible for reimbursement under 42 USC 670 to 679a,
21 the department shall reduce that county's distribution under par. (a) by 50%.

22 ***-0205/1.1* SECTION 1148.** 46.45 (3) (a) of the statutes is amended to read:

23 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal
24 governing body, or private nonprofit organization, the department shall carry
25 forward up to 3% of the total amount allocated to the county, tribal governing body,

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

12 *~~0205/1.2~~* SECTION 1149. 46.45 (3) (am) of the statutes is repealed.

13 *~~0205/1.3~~* SECTION 1150. 46.45 (3) (c) of the statutes is created to read:

14 46.45 (3) (c) At the request of a county, the department shall carry forward up
15 to 5% of the amount allocated to the county under s. 46.40 (7) for a calendar year.
16 All funds carried forward under this paragraph shall be used for the purpose for
17 which the funds were originally allocated, except that a county may not use any of
18 those funds for administrative or staff costs. All funds carried forward under this
19 paragraph that are not spent or encumbered by a county December 31 of the calendar
20 year to which those funds were carried forward shall lapse to the general fund on the
21 succeeding January 1. An allocation of carried-forward funding under this
22 paragraph does not affect a county's base allocation under s. 46.40 (7).

23 *~~0205/1.4~~* SECTION 1151. 46.45 (6) of the statutes is renumbered 46.45 (6) (a)
24 and amended to read:

SECTION 1151

1 46.45 (6) (a) The department may carry forward 10% of any funds specified in
2 sub. (3) (a) that are not carried forward under sub. (3) (a) for emergencies, for
3 justifiable unit services costs above planned levels, and ~~to provide compensation for~~
4 increased costs due to population shifts. An allocation of carried-forward funding
5 under this paragraph does not affect a county's base allocations under s. 46.40 (2),
6 (2m), (8), and (9).

7 ***-0205/1.5*** **SECTION 1152.** 46.45 (6) (b) of the statutes is created to read:

8 46.45 (6) (b) The department may carry forward any funds specified in sub. (3)
9 (c) that are not carried forward under sub. (3) (c) for emergencies, for justifiable unit
10 services costs above planned levels, and for increased costs due to population shifts.
11 An allocation of carried-forward funding under this paragraph does not affect a
12 county's base allocation under s. 46.40 (7).

13 ***-0195/2.1*** **SECTION 1153.** 46.46 (1) of the statutes is amended to read:

14 46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the
15 department shall support costs that are exclusively related to the operational costs
16 of augmenting the amount of moneys received under 42 USC 670 to 679a, 42 USC
17 1395 to 1395ddd, and 42 USC 1396 to 1396v and shall distribute moneys to counties
18 as provided in sub. (1g). In addition, the department may expend moneys from the
19 appropriation account under s. 20.435 (8) (mb) as provided in ~~sub.~~ subs. (1m) and (2).

20 ***-0195/2.2*** **SECTION 1154.** 46.46 (1g) of the statutes is created to read:

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

1 s. 46.40. The department may distribute any moneys received under 42 USC 1396
2 to 1396v as a result of the augmentation activities specified in sub. (1) and credited
3 to the appropriation account under s. 20.435 (8) (mb) that are not distributed under
4 this subsection to counties that are participating in those activities as provided in
5 sub. (2).

6 *~~0195/2.3~~* SECTION 1155. 46.46 (1m) of the statutes is amended to read:

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

15 *~~0195/2.4~~* SECTION 1156. 46.46 (2) of the statutes is amended to read:

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

1 plan, the department may implement the plan. If within 14 working days after the
2 date of the submittal by the secretary of administration the cochairpersons of the
3 committee notify him or her that the committee has scheduled a meeting for the
4 purpose of reviewing the plan, the department may implement the plan only with the
5 approval of the committee.

6 ***-1559/2.2* SECTION 1157.** 46.48 (6) (title) of the statutes is repealed.

7 ***-1559/2.3* SECTION 1158.** 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 ***-1560/3.1* SECTION 1159.** 46.481 (2) (title) of the statutes is repealed.

14 ***-1560/3.2* SECTION 1160.** 46.481 (2) of the statutes is renumbered 16.964 (9)
15 (b) and amended to read:

16 16.964 (9) (b) ~~The department shall award~~ A grant in the amount of \$5,000 in
17 each fiscal year as ~~a grant~~ to the Milwaukee ~~police athletic league~~ Police Athletic
18 League to purchase sports and recreational equipment for a gymnasium facility
19 located at 2449 N. 36th Street in the city of Milwaukee and for a gymnasium facility
20 located at 2544 N. 30th Street in the city of Milwaukee, and to contribute to the
21 operating expenses of those gymnasium facilities.

22 ***-1561/3.1* SECTION 1161.** 46.481 (4) (title) of the statutes is repealed.

23 ***-1561/3.2* SECTION 1162.** 46.481 (4) of the statutes is renumbered 16.964 (9)
24 (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 1163. 46.481 (6) (title) of the statutes is repealed.

6 *~~1562/3.2~~* SECTION 1164. 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 1165. 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 *~~0200/1.2~~* SECTION 1166. 46.485 (2g) (b) of the statutes is renumbered 46.485
20 (2g) (b) 1.

21 *~~0200/1.1~~* SECTION 1167. 46.485 (2g) (b) (intro.) of the statutes is created to
22 read:

23 46.485 (2g) (b) (intro.) Any of the following applies to the county:

24 *~~0200/1.3~~* SECTION 1168. 46.485 (2g) (b) 2. of the statutes is created to read:

SECTION 1168

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 1169. 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 1170. 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 1171. 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 modeled after the federal~~
2 ~~retired senior volunteers program under 42 USC 5001, in effect on April 30, 1980 to~~
3 ~~provide voluntary services in a community. If operated, the program shall engage~~
4 ~~persons aged 60 or over as volunteers.~~

5 *~~1507/1.2~~* SECTION 1172. 46.85 (3) of the statutes is repealed.

6 *~~1507/1.3~~* SECTION 1173. 46.85 (3m) (a) of the statutes is amended to read:

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

12 *~~1507/1.4~~* SECTION 1174. 46.85 (3m) (b) 1. of the statutes is amended to read:

13 46.85 (3m) (b) 1. Federally and nonfederally funded ~~senior companion and~~
14 ~~retired senior volunteer programs~~ senior companion programs.

15 *~~1295/2.15~~* SECTION 1175. 46.90 (4) (b) 2. a. of the statutes is repealed.

16 *~~1295/2.16~~* SECTION 1176. 46.90 (4) (b) 2. b. of the statutes is amended to
17 read:

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

21 *~~1295/2.17~~* SECTION 1177. 46.90 (4) (b) 2. c. of the statutes is amended to

22 read:

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

1 *~~-1607/P3.6~~* SECTION 1178. 46.93 of the statutes is repealed.

2 *~~-0529/4.96~~* SECTION 1179. 46.973 (3) of the statutes is amended to read:

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

9 *~~-1752/3.7~~* SECTION 1180. 46.99 (2) (a) (intro.) of the statutes is amended to
10 read:

11 46.99 (2) (a) (intro.) From the appropriations under s. 20.435 (3) (eg), ~~(4m)~~ and
12 (nL), the department shall distribute \$2,125,200 in each fiscal year to applying
13 nonprofit corporations and public agencies operating in a county having a population
14 of 500,000 or more and \$1,199,300 in each fiscal year to applying county departments
15 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county
16 having a population of 500,000 or more to provide programs to accomplish all of the
17 following:

18 *~~-1752/3.8~~* SECTION 1181. 46.995 (1m) of the statutes is amended to read:

19 46.995 (1m) TRIBAL ADOLESCENT SERVICES ALLOCATIONS. From the appropriation
20 account under s. 20.435 (3) (km), the department may allocate ~~\$195,000~~ in each fiscal
21 year and, from the appropriation account under s. 20.435 (3) (eg), the department
22 may allocate ~~\$15,000~~ \$210,000 in each fiscal year to provide the grants specified in
23 subs. (2), (3) (b), and (4m) (b).

24 *~~-1607/P3.7~~* SECTION 1182. 46.997 (2) (b) of the statutes is amended to read:

1 46.997 (2) (b) The department of health and family services shall award the
2 grants under par. (a) on a competitive basis and according to request-for-proposal
3 procedures that the department of health and family services shall prescribe in
4 consultation with the department of workforce development, ~~the adolescent~~
5 ~~pregnancy prevention and pregnancy services board~~, local health departments, as
6 defined in s. 250.01 (4), and other providers of services to eligible persons. Those
7 request-for-proposal procedures shall include a requirement that a private agency
8 that applies for a grant under par. (a) include in its grant application proof that the
9 private agency has the cultural competency to provide services under the grant to
10 persons and families in the various cultures in the private agency's target population
11 and that cultural competency is incorporated in the private agency's policies,
12 administration, and practices. In awarding the grants under par. (a), the
13 department of health and family services shall consider the need for those grants to
14 be distributed both on a statewide basis and in the areas of the state with the greatest
15 need for 2nd-chance homes and the need to provide placements for children who are
16 voluntarily placed in a 2nd-chance home as well as for children who are placed in
17 a 2nd-chance home by court order.

18 *~~1759/2.9~~* SECTION 1183. 47.02 (6) (a) of the statutes is amended to read:

19 47.02 (6) (a) From the appropriation under s. 20.445 (5) ~~(bm)~~ (a), provide
20 financial aid to any person with a disability who is receiving vocational
21 rehabilitation training and who has no other source of aid.

22 *~~1759/2.10~~* SECTION 1184. 47.03 (4) (b) of the statutes is amended to read:

23 47.03 (4) (b) The department may charge a portion of the expenses of its
24 supervised business enterprise program to the net proceeds of each business
25 operating under the program. The department shall establish the procedure for

1 setting these charges by rule, with the participation of a committee of blind vendors
2 established under 20 USC 107b-1. The department shall deposit the moneys from
3 the charges made under this paragraph in the ~~appropriations~~ appropriation
4 accounts under ~~ss. 20.435 (7) (kd) and s. 20.445 (5) (h) and (he).~~

5 *~~1759/2.11~~* SECTION 1185. 47.03 (7) of the statutes is amended to read:

6 47.03 (7) If the department decides that a business under sub. (4) would not
7 be feasible and profitable in any state building, the department may contract with
8 vending machine operators to install vending machines in the building, giving
9 preference to blind operators of vending machines. The department may, under the
10 procedures established as required under sub. (4) (b), charge the net proceeds of each
11 business operating under this subsection. The department shall deposit the moneys
12 from the charges made under this subsection in the ~~appropriations~~ appropriation
13 account under s. 20.445 (5) (h) and ~~(hd)~~ and shall disburse the proceeds to provide
14 services to blind persons under sub. (4) in accordance with 20 USC 107 to 107f.

15 *~~1759/2.12~~* SECTION 1186. 47.03 (11) (e) of the statutes is amended to read:

16 47.03 (11) (e) The department shall distribute at least \$218,600 from the
17 appropriations in s. 20.445 (5) ~~(bm)~~ (a) and ~~(na)~~ (n) in each fiscal year for homecraft
18 services relating to the marketing and distribution of homecraft products for each
19 client who participates in the homecraft program.

20 *~~0529/4.97~~* SECTION 1187. 48.275 (2) (d) of the statutes is amended to read:

21 48.275 (2) (d) 1. In a county having a population of less than 500,000,
22 reimbursement payments shall be made to the clerk of courts of the county where the
23 proceedings took place. Each payment shall be transmitted to the county treasurer,
24 who shall deposit 25% of the amount paid for state-provided counsel in the county
25 treasury and transmit the remainder to the ~~state treasurer~~ secretary of

1 administration. Payments transmitted to the ~~state treasurer~~ secretary of
2 administration shall be deposited in the general fund and credited to the
3 appropriation account under s. 20.550 (1) (L). The county treasurer shall deposit
4 100% of the amount paid for county-provided counsel in the county treasury.

5 2. In a county having a population of 500,000 or more, reimbursement
6 payments shall be made to the clerk of courts of the county where the proceedings
7 took place. Each payment shall be transmitted to the ~~state treasurer~~ secretary of
8 administration, who shall deposit the amount paid in the general fund and credit
9 25% of the amount paid to the appropriation account under s. 20.435 (3) (gx) and the
10 remainder to the appropriation account under s. 20.550 (1) (L).

11 ***-0529/4.98* SECTION 1188.** 48.715 (3) (a) 3. of the statutes is amended to read:

12 48.715 (3) (a) 3. A person against whom the department has assessed a
13 forfeiture shall pay that forfeiture to the department within 10 days after receipt of
14 notice of the assessment or, if that person contests that assessment under s. 48.72,
15 within 10 days after receipt of the final decision after exhaustion of administrative
16 review or, if that person petitions for judicial review under ch. 227, within 10 days
17 after receipt of the final decision after exhaustion of judicial review. The department
18 shall remit all forfeitures paid under this subdivision to the ~~state treasurer~~ secretary
19 of administration for deposit in the school fund.

20 ***-0117/2.3* SECTION 1189.** 48.985 (2) of the statutes is amended to read:

21 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
22 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
23 ~~\$3,964,400~~ \$3,809,600 in each fiscal year of the moneys received under 42 USC 620
24 to 626 to county departments under ss. 46.215, 46.22, and 46.23 for the provision or
25 purchase of child welfare projects and services, for services to children and families,

1 for services to the expectant mothers of unborn children, and for family-based child
2 welfare services.

3 *~~1243/1.28~~* SECTION 1190. 49.138 (1m) (intro.) of the statutes is amended to
4 read:

INS ✓
350-
2
PJK

5 49.138 (1m) (intro.) The department shall implement a program of emergency
6 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
7 impending homelessness, or energy crisis. The department shall establish the
8 maximum amount of aid to be granted, except for cases of energy crisis, per family
9 member based on the funding available under s. 20.445 (3) ~~(de)~~ (dz) and (md). The
10 department need not establish the maximum amount by rule under ch. 227. The
11 department shall publish the maximum amount and annual changes to it in the
12 Wisconsin administrative register. Emergency assistance provided to needy persons
13 under this section in cases of fire, flood, natural disaster, or energy crisis may only
14 be provided to a needy person once in a 12-month period. Emergency assistance
15 provided to needy persons under this section in cases of homelessness or impending
16 homelessness may be used only to obtain or retain a permanent living
17 accommodation and, except as provided in sub. (2), may only be provided to a needy
18 person once in a 36-month period. For the purposes of this section, a family is
19 considered to be homeless, or to be facing impending homelessness, if any of the
20 following applies:

↓ STET ↓

INS 350-
20
PJK

21 ~~21. Please
22. For
Component~~ *~~1243/1.29~~* SECTION 1191. 49.147 (6) ~~(c)~~ (3) of the statutes is amended to read:
23 49.147 ~~(6)~~ (3) ~~(c)~~ (3) [Distribution and administration.] From the appropriations under
24 s. 20.445 (3) ~~(e)~~ (dz), (jL), and (md), the department shall distribute funds for job
25 access loans to a Wisconsin works Works agency, which shall administer the loans
in accordance with rules promulgated by the department.

MOVE TO 18-3 OF INSERT 350-20 PJK (05-2026)