

1 **SECTION 1009.** 40.05 (4) (ag) of the statutes is repealed and recreated to read:

2 40.05 (4) (ag) Beginning on January 1, 2004, except as otherwise provided in
3 accordance with a collective bargaining agreement under subch. I or V of ch. 111 or
4 s. 230.12 or 233.10 with respect to eligible employees specified in subd. 2., the
5 employer shall pay for its currently employed insured employees:

6 1. For insured part-time employees other than employees specified in s. 40.02
7 (25) (b) 2., including those in project positions as defined in s. 230.27 (1), who are
8 appointed to work less than 1,566 hours per year, an amount equal to 50% of the
9 employer contribution under subd. 2.

10 2. For eligible employees not specified in subd. 1., regardless of the plan
11 selected by the employee, not less than 80% of the average premium cost of plans
12 offered in the tier with the lowest employee premium cost under s. 40.51 (6).

13 **SECTION 1010.** 40.05 (4) (ar) of the statutes is amended to read:

14 40.05 (4) (ar) The employer shall pay under par. (a) for employees who are not
15 covered by a collective bargaining agreement under subch. I or V of ch. 111 and for
16 employees whose health insurance premium contribution rates are not determined
17 under s. 230.12 or 233.10 an amount equal to the amount specified in par. (ag) unless
18 a different amount is recommended by the ~~secretary of employment relations~~
19 director of the office of state human resources management and approved by the joint
20 committee on employment relations in the manner provided for approval of changes
21 in the compensation plan under s. 230.12 (3).

22 **SECTION 1011.** 40.05 (4) (b) of the statutes is amended to read:

23 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused
24 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch.
25 I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying

1 for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon
2 termination of creditable service and qualifying as an eligible employee under s.
3 40.02 (25) (b) 6. or 10., be converted, at the employee's current highest basic pay rate
4 he or she received while employed by the state, to credits for payment of health
5 insurance premiums on behalf of the employee or the employee's surviving insured
6 dependents. Any supplemental compensation that is paid to a state employee who
7 is classified under the state classified civil service as a teacher, teacher supervisor,
8 or education director for the employee's completion of educational courses that have
9 been approved by the employee's employer is considered as part of the employee's
10 basic pay for purposes of this paragraph. The full premium for any eligible employee
11 who is insured at the time of retirement, or for the surviving insured dependents of
12 an eligible employee who is deceased, shall be deducted from the credits until the
13 credits are exhausted and paid from the account under s. 40.04 (10), and then
14 deducted from annuity payments, if the annuity is sufficient. The department shall
15 provide for the direct payment of premiums by the insured to the insurer if the
16 premium to be withheld exceeds the annuity payment. Upon conversion of an
17 employee's unused sick leave to credits under this paragraph or par. (bf), the
18 employee or, if the employee is deceased, the employee's surviving insured
19 dependents may initiate deductions from those credits or may elect to delay
20 initiation of deductions from those credits, but only if the employee or surviving
21 insured dependents are covered by a comparable health insurance plan or policy
22 during the period beginning on the date of the conversion and ending on the date on
23 which the employee or surviving insured dependents later elect to initiate
24 deductions from those credits. If an employee or an employee's surviving insured
25 dependents elect to delay initiation of deductions from those credits, an employee or

1 the employee's surviving insured dependents may only later elect to initiate
2 deductions from those credits during the annual enrollment period under par. (be).
3 A health insurance plan or policy is considered comparable if it provides hospital and
4 medical benefits that are substantially equivalent to the standard health insurance
5 plan established under s. 40.52 (1).

6 **SECTION 1012.** 40.05 (4) (bc) of the statutes is amended to read:

7 40.05 (4) (bc) The accumulated unused sick leave of an eligible employee under
8 s. 40.02 (25) (b) 6e. or 6g. shall be converted to credits for the payment of health
9 insurance premiums on behalf of the employee on the date on which the department
10 receives the employee's application for a retirement annuity or for lump sum
11 payment under s. 40.25 (1). The employee's unused sick leave shall be converted at
12 the eligible employee's highest basic pay rate ~~immediately prior to termination of all~~
13 ~~creditable service~~ he or she received while employed by the state. The full premium
14 for the employee, or for the surviving insured dependents of the employee if the
15 employee later becomes deceased, shall be deducted from the credits until the credits
16 are exhausted and paid from the account under s. 40.04 (10), and then deducted from
17 annuity payments, if the annuity is sufficient. The department shall provide for the
18 direct payment of premiums by the insured to the insurer if the premium to be
19 withheld exceeds the annuity payment.

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

21 40.05 (4) (bf) Any eligible employee who was granted credit under s. 230.35 (1)
22 (gm) for service as a national guard technician, who, on December 31, 1965, had
23 accumulated unused sick leave that was based on service performed in this state as
24 a national guard technician before January 1, 1966, and who is a participating
25 employee or terminated all creditable service after June 30, 1972, or, if the eligible

1 employee is deceased, the surviving insured dependents of the eligible employee,
2 may have that accumulated unused sick leave converted to credits for the payment
3 of health insurance premiums on behalf of the eligible employee or the surviving
4 insured dependents if, not later than November 30, 1996, the eligible employee or the
5 surviving insured dependents submit to the department, on a form provided by the
6 department, an application for the conversion. The application shall include
7 evidence satisfactory to the department to establish the applicant's rights under this
8 paragraph and the amount of the accumulated unused sick leave that is eligible for
9 the conversion. The accumulated unused sick leave shall be converted under this
10 paragraph, at the eligible employee's highest basic pay rate ~~immediately prior to~~
11 ~~termination of all creditable service~~ he or she received while employed by the state,
12 on the date of conversion specified in par. (b) or on the last day of the 2nd month
13 beginning after the date on which the department receives the application under this
14 paragraph, whichever is later. Deductions from those credits, elections to delay
15 initiation of those deductions and premium payments shall be made as provided in
16 par. (b).

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

18 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick
19 leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee shall, upon
20 request of the employee at the time the employee is subject to layoff under s. 40.02
21 (40), be converted at the employee's ~~current~~ highest basic pay rate he or she received
22 while employed by the state to credits for payment of health insurance premiums on
23 behalf of the employee. Any supplemental compensation that is paid to a state
24 employee who is classified under the state classified civil service as a teacher, teacher
25 supervisor or education director for the employee's completion of educational courses

1 that have been approved by the employee's employer is considered as part of the
2 employee's basic pay for purposes of this paragraph. The full amount of the required
3 employee contribution for any eligible employee who is insured at the time of the
4 layoff shall be deducted from the credits until the credits are exhausted, the
5 employee is reemployed, or 5 years have elapsed from the date of layoff, whichever
6 occurs first.

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

8 40.05 (4g) (a) 4. Has received a military leave of absence under s. 230.32 (3) (a)
9 or 230.35 (3), under a collective bargaining agreement under subch. V of ch. 111 or
10 under rules promulgated by the ~~secretary of employment relations~~ director of the
11 office of state human resources management or is eligible for reemployment with the
12 state under s. 45.50 after completion of his or her service in the U.S. armed forces.

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

14 40.06 (1) (dm) Each determination by a department head regarding the
15 classification of a state employee as a protective occupation participant shall be
16 reviewed by the ~~department of employment relations~~ office of state human resources
17 management. A state employee's name may not be certified to the fund as a
18 protective occupation participant under par. (d) until the ~~department of employment~~
19 relations office of state human resources management approves the determination.

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

21 40.23 (2m) (em) 1. a. Any creditable service forfeited by a participating
22 employee before January 1, 2000, and which is subsequently reestablished by the
23 participating employee under s. ~~40.25 (6)~~ 40.285 (2) (a), shall be considered to have
24 been performed before January 1, 2000.

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

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

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

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

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

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

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

17 **40.285 Purchase of creditable service. (1) GENERAL REQUIREMENTS. (a)**
18 *Deadline for purchase of creditable service.* An application to purchase creditable
19 service must be received by the department, on a form provided by the department,
20 from an applicant who is a participating employee on the day that the department
21 receives the application.

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

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

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

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

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

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

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

23 c. The participating employee pays to the fund an amount equal to the
24 employee's statutory contribution on earnings under s. 40.05 (1) (a) for each year of
25 forfeited service to be purchased, based upon the participating employee's final

1 average earnings, determined as if the employee had retired on the first day of the
2 annual earnings period during which the department receives the application. The
3 amount payable shall be paid in a lump sum payment, except as provided in sub. (4)
4 (b), and no employer may pay any amount payable on behalf of a participating
5 employee.

6 d. Upon receipt by the fund of the total payment required under this
7 subdivision, the creditable service meeting the conditions and requirements of this
8 paragraph shall be credited to the account of the participating employee making the
9 payment.

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

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

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

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

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

19 (b) *Other governmental service.* 1. Each participating employee whose
20 creditable service terminates on or after May 1, 1992, and who has performed
21 service, other than military service, as an employee of the federal government or a
22 state or local governmental entity in the United States, other than a participating
23 employer, that is located within or outside of this state, or each participating
24 employee whose creditable service terminates on or after May 4, 1994, and who has
25 performed service as an employee for an employer who was not at the time a

1 participating employer but who subsequently became a participating employer, may
2 receive creditable service for such service if all of the following occur:

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

5 b. The number of years of creditable service applied for under this paragraph
6 does not exceed the number of years of creditable service that the participant has at
7 the date of application, excluding all creditable service purchased under this section
8 or s. 40.02 (17) (b), 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and
9 2001 stats., s. 40.02 (17) (e), 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001
10 stats., s. 40.02 (17) (i), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.02
11 (17) (k), 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., s. 40.25 (6), 1981, 1983,
12 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, and 2001 stats., or s. 40.25 (7), 1991,
13 1993, 1995, 1997, 1999, and 2001 stats., less the number of years of creditable service
14 previously purchased under this paragraph or s. 40.25 (7), 1991, 1993, 1995, 1997,
15 1999, and 2001 stats.

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

18 d. Except as provided in sub. (4) (b), at the time of application, the participant
19 pays to the department a lump sum equal to the present value of the creditable
20 service applied for under this paragraph, in accordance with rates actuarially
21 determined to be sufficient to fund the cost of the increased benefits that will result
22 from granting the creditable service under this paragraph. The department shall by
23 rule establish different rates for different categories of participants, based on factors
24 recommended by the actuary.

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

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

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

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

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

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

23 **(4) PAYMENT.** (a) *Required with application.* Except as provided in par. (b), the
24 department may not accept an application for the purchase of creditable service
25 without payment in full of the department's estimated cost of creditable service

1 accompanying the application. A participating employee may also do any of the
2 following:

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

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

9 (b) *Alternate payment options.* Notwithstanding par. (a), the department may
10 accept an application under this section without full payment if payment of at least
11 10% of the department's estimate of the cost of the creditable service is included with
12 the application, in the manner required under par. (a), and the remaining balance
13 is received by the department no later than 90 days after receipt of the application,
14 in the form of a plan-to-plan transfer under sub. (5) (b).

15 (c) *Final cost calculation for purchase of creditable service.* The department
16 may audit any transaction to purchase creditable service under this subsection and
17 make any necessary correction to the estimated cost of purchasing the creditable
18 service to reflect the amount due under sub. (2). Except as otherwise provided in sub.
19 (7), if the department determines that the final amount that is due is more than the
20 amount paid to the department, the department shall notify the participant of the
21 amount of the shortfall. If payment of the amount of the shortfall is not received by
22 the department within 30 calendar days after the date on which the department
23 sends notice to the participant, the department shall complete the creditable service
24 purchase transaction by prorating the amount of creditable service that is purchased
25 based on the payment amount actually received and shall notify the participant of

1 the amount and category of service that is credited. The department, by rule, shall
2 specify how a forfeited service purchase is prorated when the participant forfeited
3 service under more than one category of employment under s. 40.23 (2m) (e).

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

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

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

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

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

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

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

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

14 (6) REFUNDS. Except as provided in sub. (7), if the department determines that
15 the amount paid to the department to purchase creditable service, including any
16 amount in a plan-to-plan transfer, is greater than the amount that is required to
17 purchase the creditable service, as determined by the department, the department
18 shall refund the difference. The department shall pay any refund to the participant,
19 up to the amount received from the participant. Any remaining amount shall be
20 returned to the applicable account in the trust fund for transfers under sub. (5) (a)
21 or to the trustee of a plan which was the source of a plan-to-plan transfer under sub.
22 (5) (b). When more than one plan-to-plan transfer occurs, the department may
23 determine which transfer is to be refunded, in whole or part. No funds transferred
24 to the department by a plan-to-plan transfer may be refunded to a participant.

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

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

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

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

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

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

25 **40.53 Pharmacy benefits purchasing pool. (1)** In this section:

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

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

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

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

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

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

1 a meeting for the purpose of reviewing the proposed conditions, the conditions may
2 be implemented only upon approval of the committee.

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

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

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

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

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

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

20 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
21 appropriated for public library systems under s. 20.255 (3) (e) and (qm), as
22 determined by the department, equals at least 11.25% of the total operating
23 expenditures for public library services from local and county sources in the calendar
24 year ending in that fiscal year, the amount paid to each system shall be determined
25 by adding the result of each of the following calculations:

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

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

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

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

12 43.24 (3) Annually, the division shall review the reports and proposed service
13 plans submitted by the public library systems under s. 43.17 (5) for conformity with
14 this chapter and such rules and standards as are applicable. Upon approval, the
15 division shall certify to the department of administration an estimated amount to
16 which each system is entitled under this section. Annually on or before December
17 1 of the year immediately preceding the year for which aids are to be paid, the
18 department of administration shall pay each system 75% of the certified estimated
19 amount from the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm). The
20 division shall, on or before the following April 30, certify to the department of
21 administration the actual amount to which the system is entitled under this section.
22 On or before July 1, the department of administration shall pay each system the
23 difference between the amount paid on December 1 of the prior year and the certified
24 actual amount of aid to which the system is entitled from the ~~appropriation~~
25 appropriations under s. 20.255 (3) (e) and (qm). The division may reduce state aid

1 payments when any system or any participant thereof fails to meet the requirements
2 of sub. (2). Beginning September 1, 1991, the division may reduce state aid payments
3 to any system if the system or any participant in the system fails to meet the
4 requirements of s. 43.15 (4).

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

6 43.24 (3m) If the ~~appropriation~~ appropriations under s. 20.255 (3) (e) and (qm)
7 in any one year is are insufficient to pay the full amount under sub. (1), state aid
8 payments shall be prorated among the library systems entitled to such aid.

9 **SECTION 1033.** 43.70 (3) of the statutes is amended to read:

10 43.70 (3) Immediately upon making such apportionment, the state
11 superintendent shall certify to the department of administration the estimated
12 amount that each school district is entitled to receive under this section and shall
13 notify each school district administrator of the estimated amount so certified for his
14 or her school district. The department of administration shall ~~issue its warrants~~
15 ~~upon which the state treasurer shall~~ distribute each school district's aid entitlement
16 in one payment on or before May 1. The amount paid to each school district shall be
17 based upon the amount in the appropriation account under s. 20.255 (2) (s) on April
18 15. All moneys distributed under this section shall be expended for the purchase of
19 instructional materials from the state historical society for use in teaching Wisconsin
20 history and for the purchase of library books and other instructional materials for
21 school libraries, but not for public library facilities operated by school districts under
22 s. 43.52, in accordance with rules promulgated by the state superintendent.
23 Appropriate records of such purchases shall be kept and necessary reports thereon
24 shall be made to the state superintendent.

25 **SECTION 1034.** Chapter 44 (title) of the statutes is amended to read:

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

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

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

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

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

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

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

8 **SECTION 1053d.** 44.71 (2) (intro.) of the statutes is renumbered 16.993 (intro.)

9 and amended to read:

10 **16.993 Duties Technology for educational achievement in Wisconsin;**
11 **departmental duties.** (intro.) The ~~board~~ department shall do all of the following:

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

14 16.993 (1) In cooperation with school districts, cooperative educational service
15 agencies, the technical college system board, and the board of regents of the
16 University of Wisconsin System ~~and the department~~, promote the efficient,
17 cost-effective procurement, installation, and maintenance of educational technology
18 by school districts, cooperative educational service agencies, technical college
19 districts, and the University of Wisconsin System.

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

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

23 16.993 (3) ~~With the consent of the department, enter~~ Enter into cooperative
24 purchasing agreements under s. 16.73 (1) under which participating school districts

1 and cooperative educational service agencies may contract for their professional
2 employees to receive training concerning the effective use of educational technology.

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

5 16.993 (4) In cooperation with the board of regents of the University of
6 Wisconsin System, the technical college system board, ~~the department of public~~
7 ~~instruction~~ and other entities, support the development of courses for the instruction
8 of professional employees who are licensed by the state superintendent of public
9 instruction concerning the effective use of educational technology.

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

12 16.993 (5) ~~Subject to s. 44.73 (5), in cooperation with the department, provide~~
13 Provide telecommunications access to educational agencies under the program
14 established under s. 44.73 16.997.

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

17 16.993 (6) No later than October 1 of each even-numbered year, submit a
18 biennial report concerning the ~~board's~~ department's activities under this subchapter
19 to the governor, and to the appropriate standing committees of the legislature under
20 s. 13.172 (3).

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

23 16.993 (7) ~~Coordinate the purchasing of~~ Purchase educational technology
24 materials, supplies, equipment, and contractual services for school districts,
25 cooperative educational service agencies, technical college districts, and the board

1 of regents of the University of Wisconsin System ~~by the department~~ under s. 16.72
2 (8), and, ~~in cooperation with the department and subject to the approval of the~~
3 ~~department of electronic government~~, establish standards and specifications for
4 purchases of educational technology hardware and software by school districts,
5 cooperative educational service agencies, technical college districts, and the board
6 of regents of the University of Wisconsin System.

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

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

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

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

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

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

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

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

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

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

1 16.995 (1) FINANCIAL ASSISTANCE AUTHORIZED. The ~~board~~ department may
2 provide financial assistance under this subsection section to school districts and
3 ~~charter school sponsors~~ from the proceeds of public debt contracted under s. 20.866
4 (2) (zc) and to public library boards from the proceeds of public debt contracted under
5 s. 20.866 (2) (zcm). Financial assistance under this subsection section may be used
6 only for the purpose of upgrading the electrical wiring of school and library buildings
7 in existence on October 14, 1997, and installing and upgrading computer network
8 wiring. The department may not provide any financial assistance under this section
9 after the effective date of this subsection [revisor inserts date].

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

12 16.995 (2) FINANCIAL ASSISTANCE APPLICATIONS, TERMS, AND CONDITIONS. The
13 ~~board~~ department shall establish application procedures for, and the terms and
14 conditions of, financial assistance under this subsection, ~~including a condition~~
15 ~~requiring a charter school sponsor to use financial assistance under this subsection~~
16 ~~for wiring upgrading and installation that benefits pupils attending the charter~~
17 ~~school~~ section. The ~~board~~ department shall make a loan to a school district, ~~charter~~
18 ~~school sponsor,~~ or public library board, or to a municipality on behalf of a public
19 library board, in an amount equal to 50% of the total amount of financial assistance
20 for which the ~~board~~ department determines the school district or public library board
21 is eligible and provide a grant to the school district or public library board for the
22 remainder of the total. The terms and conditions of any financial assistance under
23 this subsection section may include the provision of professional building
24 construction services under s. 16.85 (15). The ~~board~~ department shall determine the
25 interest rate on loans under this subsection section. The interest rate shall be as low

1 as possible but shall be sufficient to fully pay all interest expenses incurred by the
2 state in making the loans and to provide reserves that are reasonably expected to be
3 required in the judgment of the ~~board~~ department to ensure against losses arising
4 from delinquency and default in the repayment of the loans. The term of a loan under
5 this ~~subsection~~ section may not exceed 10 years.

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

8 16.995 (3) REPAYMENT OF LOANS. The ~~board~~ department shall credit all moneys
9 received from school districts ~~and charter school sponsors~~ for repayment of loans
10 under this ~~subsection~~ section to the appropriation account under s. ~~20.275 (1) (h)~~
11 20.505 (4) (ha). The ~~board~~ department shall credit all moneys received from public
12 library boards or from municipalities on behalf of public library boards for
13 repayment of loans under this ~~subsection~~ section to the appropriation account under
14 s. ~~20.275 (1)~~ 20.505 (4) (hb).

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

17 16.995 (4) FUNDING FOR FINANCIAL ASSISTANCE. The ~~board, with the approval of~~
18 ~~the governor and~~ department, subject to the limits of s. 20.866 (2) (zc) and (zcm), may
19 request that the building commission contract public debt in accordance with ch. 18
20 to fund financial assistance under this ~~subsection~~ section.

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

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

24 16.997 (1) Except as provided in s. 196.218 (4t), the ~~board, in consultation with~~
25 ~~the department and subject to the approval of the department of electronic~~

1 government, department shall promulgate rules establishing an educational
2 telecommunications access program to provide educational agencies with access to
3 data lines and video links.

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

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

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

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

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

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

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

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

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

22 **SECTION 1083d.** 44.73 (2r) of the statutes is renumbered 16.997 (2r), and
23 16.997 (2r) (c), as renumbered, is amended to read:

1 16.997 (2r) (c) A public library board shall provide the technology for
2 educational achievement in Wisconsin board department with written notice within
3 30 days after entering into or modifying a shared service agreement under par. (a).

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

6 16.997 (3) The board shall submit an annual report to the department shall
7 prepare an annual report on the status of providing data lines and video links that
8 are requested under sub. (2) (a) and the impact on the universal service fund of any
9 payment under contracts under s. 16.974.

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

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

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

14 16.997 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.505 (4) (s) or (tm),
15 the board department may award an annual grant to a school district or private
16 school that had in effect on October 14, 1997, a contract for access to a data line or
17 video link, as documented by the board department. The board department shall
18 determine the amount of the grant, which shall be equal to the cost incurred by the
19 state to provide telecommunications access to a school district or private school
20 under a contract entered into under s. 16.974 (1) or (3) less the amount that the school
21 district or private school would be paying under sub. (2) (d) if the school district or
22 private school were participating in the program established under sub. (1), except
23 that the amount may not be greater than the cost that a school district or private
24 school incurs under the contract in effect on October 14, 1997. A school district or
25 private school receiving a grant under this subsection is not eligible to participate in

1 the program under sub. (1). No grant may be awarded under this subsection after
2 December 31, 2005.

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

5 16.997 (6) (b) Notwithstanding par. (a), the board department may award a
6 school district that operates more than one high school and that had in effect on
7 October 14, 1997, a contract for access to more than one data line or video link an
8 annual grant for each data line or video link serving each high school covered by that
9 contract.

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

11 **45.25 (title) Veterans' tuition and fee reimbursement program.**

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

14 **45.25 (1m) ADMINISTRATION.** The department shall administer a tuition and fee
15 reimbursement program for eligible veterans enrolling as undergraduates in any
16 institution of higher education, as defined in s. 45.396 (1) (a), in this state, enrolling
17 in a school that is approved under s. 45.35 (9m), enrolling in a proprietary school that
18 is approved under s. 45.54, or receiving a waiver of nonresident tuition under s.
19 39.47.

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

21 **45.25 (1g) DEFINITION.** In this section, "tuition," when referring to the
22 University of Wisconsin System, means "academic fees," as described in s. 36.27 (1),
23 and when referring to the technical colleges, means "program fees," as described in
24 s. 38.24 (1m) (a) and (b).

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

1 45.25 (2) ELIGIBILITY. (intro.) An individual is eligible for the tuition and fee
2 reimbursement program if he or she meets all of the following criteria:

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

4 45.25 (2) (c) The individual applies for the tuition and fee reimbursement
5 program for courses ~~completed~~ begun within 10 years after separation from the
6 service.

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

8 45.25 (2) (d) The individual is a resident at the time of application for the
9 tuition and fee reimbursement program and was a Wisconsin resident at the time of
10 entry or reentry into service or was a resident for any consecutive 12-month period
11 after entry or reentry into service and before the date of his or her application. If a
12 person applying for a benefit under this section meets the residency requirement of
13 12 consecutive months, the department may not require the person to reestablish
14 that he or she meets that residency requirement when he or she later applies for any
15 other benefit under this chapter that requires that residency.

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

17 45.25 (3) (a) Except as provided in par. (am), an individual who meets the
18 requirements under sub. (2), upon satisfactory completion of a full-time
19 undergraduate semester in any institution of higher education, as defined in s.
20 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any
21 proprietary school that is approved under s. 45.54, or any institution from which the
22 individual receives a waiver of nonresident tuition under s. 39.47, may be
23 reimbursed an amount not to exceed the total cost of the individual's tuition and fees
24 minus any grants or scholarships, including those made under s. 21.49, that the
25 individual receives specifically for the payment of the tuition ~~or fees~~, or 85% of the

1 standard cost of tuition for a state resident for an equivalent undergraduate course
2 semester at the University of Wisconsin–Madison per course, whichever is less.
3 Reimbursement is available only for tuition and fees that are is part of a curriculum
4 that is relevant to a degree in a particular course of study at the institution.

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

6 45.25 (3) (am) Any individual who is eligible to receive reimbursement under
7 par. (a) and received reimbursement under par. (a) or s. 45.25 (3) (am), 2001 stats.,
8 before the effective date of this paragraph [revisor inserts date], shall be
9 reimbursed an amount not to exceed the amount determined under par. (a) or the
10 amount determined under s. 45.25 (3) (a) or (am), 2001 stats., whichever is greater.

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

12 45.25 (3) (b) (intro.) An application for reimbursement of tuition and fees under
13 par. (a) ~~or (am)~~ shall meet all of the following requirements:

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

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

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

1 45.365 (7) The department may develop a program to provide stipends to
2 individuals to attend school and receive the necessary credentials to become
3 employed at the home or the southeastern facility. If the department does develop
4 a stipend program under this subsection, the department shall promulgate
5 administrative rules related to the program, including the application process,
6 eligibility criteria, stipend amount, repayment provisions, and other provisions that
7 the department determines are necessary to administer the program.

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

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

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

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

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

8 45.396 (1) (c) “Tuition” has the meaning given in s. 45.25 (1g).

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

10 45.396 (4) Enrolled part-time classroom study or direct correspondence
11 courses from a qualified educational institution may be authorized and the veteran
12 reimbursed in part by the department when such courses are related to one’s
13 occupational, professional or employment objectives, and to the extent that payment
14 or reimbursement is not available from any other sources, or, in cases where
15 reimbursement is not specifically for fees and tuition, to the extent that such
16 reimbursement is insufficient to cover all educational costs.

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

19 45.396 (5) (a) Except as provided in ~~sub. (9) par. (b)~~, the amount of the
20 reimbursement may not exceed ~~85%~~ of the total cost of the individual’s tuition and
21 fees or ~~85%~~ of the standard cost for a state resident for tuition and fees for an
22 equivalent undergraduate course at the University of Wisconsin–Madison per
23 course, whichever is less, and may not be provided to an individual more than 4 times
24 during any consecutive 12-month period.

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

1 45.396 (5) (b) Any individual who is eligible to receive reimbursement under
2 par. (a) and received reimbursement under par. (a) before the effective date of this
3 paragraph [revisor inserts date], shall be reimbursed an amount not to exceed the
4 amount determined under par. (a) or the amount determined under s. 45.396 (5) (a),
5 2001 stats., whichever is greater.

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

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

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

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

22 45.54 (10) (a) *Authority.* All proprietary schools shall be examined and
23 approved by the board before operating in this state. Approval shall be granted to
24 schools meeting the criteria established by the board for a period not to exceed one
25 year. No school may advertise in this state unless approved by the board. All

1 approved schools shall submit quarterly reports, including information on
2 enrollment, number of teachers and their qualifications, course offerings, number of
3 graduates, number of graduates successfully employed, and such other information
4 as the board deems necessary. If a school closure results in losses to students,
5 parents, or sponsors, the board may authorize the full or partial payment of those
6 losses from the appropriation under s. 20.485 (5) (gm).

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

8 45.54 (10) (c) 4. Specify a student protection fee.

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

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

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

14 46.03 (7) (h) Contract for the provision of a centralized unit for determining
15 whether the cost of providing care for a child is eligible for reimbursement under 42
16 USC 670 to 679a.

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

18 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
19 department of corrections shall transfer to the appropriation account under s. 20.435
20 (2) (kx) \$1,379,300 in fiscal year ~~2001–02~~ 2003–04 and \$1,379,300 in fiscal year
21 ~~2002–03~~ 2004–05 and, from the appropriation account under s. 20.410 (3) (hm), the
22 department of corrections shall transfer to the appropriation account under s. 20.435
23 (2) (kx) ~~\$2,489,300 in fiscal year 1999–2000 and \$2,489,900 in fiscal year 2000–01~~
24 \$2,086,700 in fiscal year 2003–04 and \$2,155,600 in fiscal year 2004–05 for services
25 for juveniles placed at the Mendota juvenile treatment center. The department of

1 health and family services may charge the department of corrections not more than
2 the actual cost of providing those services.

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

4 46.10 (16) The department shall delegate to county departments under ss.
5 51.42 and 51.437 or the local providers of care and services meeting the standards
6 established by the department under s. 46.036, the responsibilities vested in the
7 department under this section for collection of patient fees for services other than
8 those provided at state facilities or those provided to children that are reimbursed
9 under a waiver under s. 46.27 (11), 46.275, or 46.278 or a waiver requested under
10 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act ... (this act),
11 section 9124 (8c), if such the county departments or providers meet the conditions
12 deemed that the department determines are appropriate by the department. The
13 department may delegate to county departments under ss. 51.42 and 51.437 the
14 responsibilities vested in the department under this section for collection of patient
15 fees for services provided at the state facilities if the necessary conditions are met.

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

17 46.215 (1) (n) To collect and transmit information to the department of
18 administration so that a federal energy assistance payment may be made to an
19 eligible household; to collect and transmit information to the department of
20 administration so that weatherization services may be made available to an eligible
21 household; to receive applications from individuals seeking low-income energy
22 assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~ 16.26;
23 to provide information on the income eligibility for weatherization of a recipient of
24 low-income energy assistance to an entity with which the department of
25 administration contracts for provision of weatherization under s. ~~16.39~~ 16.26; and

1 to receive a request, determine a correct payment amount, if any, and provide
2 payment, if any, for emergency assistance under s. ~~16.385~~ 16.27 (8).

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

4 46.22 (1) (b) 4m. c. To receive applications from individuals seeking low-income
5 energy assistance under s. ~~16.385~~ 16.27 (4) or weatherization services under s. ~~16.39~~
6 16.26.

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

8 46.22 (1) (b) 4m. d. To provide information on the income eligibility for
9 weatherization of a recipient of low-income energy assistance to an entity with
10 which the department of administration contracts for provision of weatherization
11 under s. ~~16.39~~ 16.26.

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

13 46.22 (1) (b) 4m. e. To receive a request, determine a correct payment amount,
14 if any, and provide payment, if any, for emergency assistance under s. ~~16.385~~ 16.27
15 (8).

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

17 46.22 (1) (c) 8. f. Before July 1, 2005, the county department of social services
18 shall implement the statewide automated child welfare information system
19 established by the department under s. 46.03 (7) (g). After that system has been
20 implemented in a county, the department shall require that county to support 50%
21 of the nonfederal portion of the ongoing cost of that system. All moneys received by
22 the department under this subd. 8. f. shall be credited to the appropriation account
23 under s. 20.435 (3) (j).

24 **SECTION 1105.** 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 **SECTION 1106.** 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 **SECTION 1107.** 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 **SECTION 1108.** 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

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).

8 **SECTION 1109.** 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 **SECTION 1111.** 46.27 (9) (a) of the statutes is amended to read:

24 46.27 (9) (a) The department may select up to 5 counties that volunteer to
25 participate in a pilot project under which they will receive certain funds allocated for

1 long-term care. The department shall allocate a level of funds to these counties
2 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gp), or (w)
3 to nursing homes for providing care because of increased utilization of nursing home
4 services, as estimated by the department. In estimating these levels, the department
5 shall exclude any increased utilization of services provided by state centers for the
6 developmentally disabled. The department shall calculate these amounts on a
7 calendar year basis under sub. (10).

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

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

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

16 46.275 (5) (a) ~~Medical assistance~~ Assistance reimbursement for services a
17 county, or the department under sub. (3r), provides under this program is available
18 from the ~~appropriations~~ appropriation accounts under s. 20.435 (4) (b), (gp), (hm), (o),
19 and (w). If 2 or more counties jointly contract to provide services under this program
20 and the department approves the contract, ~~medical-assistance~~ Medical Assistance
21 reimbursement is also available for services provided jointly by these counties.

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

23 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gp), (hm), (o), and (w)
24 to counties and to the department under sub. (3r) for services provided under this
25 section may not exceed the amount approved by the federal department of health and

1 human services. A county may use funds received under this section only to provide
2 services to persons who meet the requirements under sub. (4) and may not use
3 unexpended funds received under this section to serve other developmentally
4 disabled persons residing in the county.

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

6 46.275 (5) (e) From the appropriation under s. 20.435 (2) (gL), the department
7 may provide moneys to a county to pay for one-time costs associated with the
8 relocation under this section of an individual from a state center for the
9 developmentally disabled.

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

11 46.277 (5) (g) The department may provide enhanced reimbursement for
12 services provided under this section to an individual who is relocated to the
13 community from a nursing home by a county department on or after the effective date
14 of this paragraph [revisor inserts date], if the nursing home bed that was used by
15 the individual is delicensed upon relocation of the individual. The department shall
16 develop and utilize a formula to determine the enhanced reimbursement rate.

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

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

19 **46.279 Restrictions on placements and admissions to intermediate**
20 **and nursing facilities. (1) DEFINITIONS.** In this section:

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

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

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

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

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

17 (3) PLACEMENTS AND ADMISSIONS TO NURSING FACILITIES. Except as provided in
18 sub. (5), if the department or an entity determines from a screening under s. 49.45
19 (6c) (b) that an individual requires active treatment for developmental disability, no
20 individual may be placed in a nursing facility, and no nursing facility may admit the
21 individual, unless it is determined from the screening that the individual’s need for
22 care cannot fully be met in an intermediate facility or under a plan under sub. (4).

23 (4) PLAN FOR HOME OR COMMUNITY-BASED CARE. Except as provided in a contract
24 specified in sub. (4m), a county department that participates in the program under
25 s. 46.278 shall develop a plan for providing home or community-based care in a

1 noninstitutional community setting to an individual who is a resident of that county,
2 under any of the following circumstances:

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

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

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

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

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

14 **(4m) CONTRACT FOR PLAN DEVELOPMENT.** The department shall contract with a
15 public or private agency to develop a plan under sub. (4), and the county department
16 is not required to develop such a plan, for an individual, as specified in the contract,
17 to whom all of the following apply:

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

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

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

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

4 46.2805 (2) “Eligible person” means a person who meets all eligibility criteria
5 under s. 46.286 (1) ~~or (1m)~~.

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

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

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

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

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

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

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

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

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

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

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

11 46.286 (3) (d) The department shall determine the date, which shall not be later
12 than January 1, 2004 2006, on which par. (a) shall first apply to persons who are not
13 eligible for medical assistance under ch. 49. Before the date determined by the
14 department, persons who are not eligible for medical assistance may receive the
15 family care benefit within the limits of state funds appropriated for this purpose and
16 available federal funds.

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

18 46.287 (2) (a) 1. a. Denial of eligibility under s. 46.286 (1) ~~or (1m).~~

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

20 46.29 (3) (d) ~~The secretary of employment relations~~ director of the office of state
21 human resources management.

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

23 46.295 (1) The department may, on the request of any hearing-impaired
24 person, city, village, town, or county or private agency, provide funds from the

1 appropriation under s. 20.435 (6) ~~(a) and (hs)~~ and (7) (d) to reimburse interpreters
2 for hearing-impaired persons for the provision of interpreter services.

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

4 46.40 (1) (d) If the department receives any federal moneys under 42 USC 1396
5 to 1396v in reimbursement of the cost of preventing out-of-home placements of
6 children, the department shall use those moneys as the first source of moneys used
7 to meet the amount of the allocation under sub. (2) that is budgeted from federal
8 funds.

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

10 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
11 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
12 more than ~~\$244,745,200 for fiscal year 2001-02 and \$244,703,400 for fiscal year~~
13 ~~2002-03~~ \$242,078,700 in each fiscal year.

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

15 46.40 (7) FAMILY SUPPORT ALLOCATION. For family support programs for the
16 families of disabled children under s. 46.985, the department shall distribute ~~not~~
17 ~~more than \$4,589,800 in fiscal year 2001-02 and not more than \$5,089,800 in fiscal~~
18 ~~year 2002-03 and in each fiscal year thereafter.~~

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

20 46.45 (2) (a) ~~If Subject to par. (am), if~~ on December 31 of any year there remains
21 unspent or unencumbered in the allocation under s. 46.40 (2) an amount that exceeds
22 the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in
23 that year, the department shall carry forward the excess moneys and distribute not
24 less than 50% of the excess moneys to counties having a population of less than
25 500,000 that are making a good faith effort, as determined by the department, to

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

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

16 46.45 (2) (am) If on December 31 of any year a county is not using the
17 centralized unit contracted for under s. 46.03 (7) (h) for determining whether the cost
18 of providing care for a child is eligible for reimbursement under 42 USC 670 to 679a,
19 the department shall reduce that county's distribution under par. (a) by 50%.

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

21 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal
22 governing body, or private nonprofit organization, the department shall carry
23 forward up to 3% of the total amount allocated to the county, tribal governing body,
24 or nonprofit organization for a calendar year, not including the amount allocated to
25 the county under s. 46.40 (7), which amount may be carried forward as provided in

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

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

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

12 46.45 (3) (c) At the request of a county, the department shall carry forward up
13 to 5% of the amount allocated to the county under s. 46.40 (7) for a calendar year.
14 All funds carried forward under this paragraph shall be used for the purpose for
15 which the funds were originally allocated, except that a county may not use any of
16 those funds for administrative or staff costs. All funds carried forward under this
17 paragraph that are not spent or encumbered by a county December 31 of the calendar
18 year to which those funds were carried forward shall lapse to the general fund on the
19 succeeding January 1. An allocation of carried-forward funding under this
20 paragraph does not affect a county's base allocation under s. 46.40 (7).

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

23 46.45 (6) (a) The department may carry forward 10% of any funds specified in
24 sub. (3) (a) that are not carried forward under sub. (3) (a) for emergencies, for
25 justifiable unit services costs above planned levels, and ~~to provide compensation for~~

1 increased costs due to population shifts. An allocation of carried-forward funding
2 under this paragraph does not affect a county's base allocations under s. 46.40 (2),
3 (2m), (8), and (9).

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

5 46.45 (6) (b) The department may carry forward any funds specified in sub. (3)
6 (c) that are not carried forward under sub. (3) (c) for emergencies, for justifiable unit
7 services costs above planned levels, and for increased costs due to population shifts.
8 An allocation of carried-forward funding under this paragraph does not affect a
9 county's base allocation under s. 46.40 (7).

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

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

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

22 46.46 (1) From the appropriation account under s. 20.435 (8) (mb), the
23 department shall support costs that are exclusively related to the ongoing and
24 recurring operational costs of augmenting the amount of moneys received under 42
25 USC 670 to 679a, 42 USC 1395 to 1395ddd, and 42 USC 1396 to 1396v, ~~to the~~

1 purposes specified in 2003 Wisconsin Act (this act), section 9124 (9e), and to any
2 other purpose provided for by the legislature by law or in budget determinations and
3 shall distribute moneys to counties as provided in sub. (1g). In addition, the
4 department may expend moneys from the appropriation account under s. 20.435 (8)
5 (mb) as provided in subs. sub. (1m) and (2).

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

7 46.46 (1g) The department shall distribute not less than 50% of the moneys
8 received under 42 USC 1396 to 1396v as a result of the augmentation activities
9 specified in sub. (1) and credited to the appropriation account under s. 20.435 (8) (mb)
10 to counties that are participating in those activities for community social, mental
11 health, developmental disabilities, and alcohol and other drug abuse services under
12 s. 46.40. The department may distribute any moneys received under 42 USC 1396
13 to 1396v as a result of the augmentation activities specified in sub. (1) and credited
14 to the appropriation account under s. 20.435 (8) (mb) that are not distributed under
15 this subsection to counties that are participating in those activities as provided in
16 sub. (2).

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

18 46.46 (1m) In addition to expending moneys from the appropriation account
19 under s. 20.435 (8) (mb) for the augmentation activities specified in sub. (1), the
20 department may expend moneys received under 42 USC 1396 to 1396v in
21 reimbursement of the cost of providing targeted case management services to
22 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and
23 credited to the appropriation account under s. 20.435 (8) (mb) to support the counties'
24 share of implementing the statewide automated child welfare information system

1 under s. 46.22 (1) (c) 8. f. and to provide services to children and families under s.
2 48.48 (17).

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

4 46.46 (2) If the department proposes to use any moneys from the appropriation
5 account under s. 20.435 (8) (mb) for any purpose other than the purpose purposes
6 specified in ~~sub.~~ subs. (1), (1g), and (1m), the department shall submit a plan for the
7 proposed use of those moneys to the secretary of administration by September 1 of
8 the fiscal year after the fiscal year in which those moneys were received. If the
9 secretary of administration approves the plan, he or she shall submit the plan to the
10 joint committee on finance by October 1 of the fiscal year after the fiscal year in which
11 those moneys were received. If the cochairpersons of the committee do not notify the
12 secretary of administration within 14 working days after the date of submittal of the
13 plan that the committee has scheduled a meeting for the purpose of reviewing the
14 plan, the department may implement the plan. If within 14 working days after the
15 date of the submittal by the secretary of administration the cochairpersons of the
16 committee notify him or her that the committee has scheduled a meeting for the
17 purpose of reviewing the plan, the department may implement the plan only with the
18 approval of the committee.

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

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

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

24 16.964 (9) (a) ~~The department shall distribute~~ A grant in the amount of \$80,000
25 in each fiscal year to the ~~career youth development center~~ Career Youth

1 Development Center in the city of Milwaukee for the operation of a minority youth
2 substance abuse treatment program.

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

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

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

7 16.964 (9) (b) ~~The department shall award A grant in the amount of \$5,000 in~~
8 each fiscal year as a grant to the Milwaukee police athletic league Police Athletic
9 League to purchase sports and recreational equipment for a gymnasium facility
10 located at 2449 N. 36th Street in the city of Milwaukee and for a gymnasium facility
11 located at 2544 N. 30th Street in the city of Milwaukee, and to contribute to the
12 operating expenses of those gymnasium facilities.

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

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

16 16.964 (9) (c) ~~The department shall distribute A grant in the amount of \$50,000~~
17 in each fiscal year as grants to court-appointed special advocate programs that are
18 recognized by a chief judge of a judicial administrative district under s. 48.07 (5) to
19 perform advocacy services in proceedings under s. 48.13.

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

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

23 16.964 (9) (d) ~~The department shall distribute A grant in the amount of \$50,000~~
24 in each fiscal year to the children's safe house child care program Children's Safe
25 House Child Care Program in Kenosha County for the operation of that program.

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

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

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

9 46.485 (2g) (b) (intro.) Any of the following applies to the county:

10 **SECTION 1168m.** 46.485 (2g) (b) of the statutes is renumbered 46.485 (2g) (b)

11 1.

12 **SECTION 1169.** 46.485 (2g) (b) 2. of the statutes is created to read:

13 46.485 (2g) (b) 2. The county provides service coordination, as defined in s.
14 46.56 (1) (L), on behalf of a child with a serious emotional disturbance and the child's
15 family in the county.

16 **SECTION 1170.** 46.485 (3g) of the statutes is amended to read:

17 46.485 (3g) The amount that the department may transfer under sub. (2g) for
18 ~~a county~~ counties may not exceed the estimated state share of payments under s.
19 49.45, 49.46 or 49.47 for mental health care and treatment that is provided in
20 inpatient facilities for children with a ~~severe emotional disturbance who reside in the~~
21 ~~county~~ severe emotional disturbances.

22 **SECTION 1171.** 46.485 (3r) of the statutes is amended to read:

23 46.485 (3r) Funds ~~that a county does not encumber~~ from the appropriation
24 under s. 20.435 (7) (kb) that the department does not distribute to a county before
25 24 months after June 30 of the fiscal year in which the department allocated the

1 funds were distributed to the county under sub. (2g) lapse to the appropriation under
2 s. 20.435 (4) (b). A county may at any time expend funds that the department
3 distributes to the county, consistent with the requirements under sub. (3m).

4 **SECTION 1172.** 46.85 (1) of the statutes is amended to read:

5 46.85 (1) The department may establish and operate a senior-companion
6 program Senior Companion Program modeled after the federal senior-companion
7 program Senior Companion Program under 42 USC 5011 (b), in effect on April 30,
8 1980. If operated, the program shall engage the services of low-income persons aged
9 60 or over to provide supportive person-to-person assistance in health, education,
10 recreation, welfare and related fields to persons aged 60 or over with special needs
11 who reside in their own homes, and it may engage other persons aged 60 or older,
12 regardless of income, as volunteers in similar activities. The department may also
13 establish and operate a ~~retired-senior-volunteers program~~ Retired Senior Volunteer
14 Program modeled after the federal ~~retired-senior-volunteers program~~ Retired Senior
15 Volunteer Program under 42 USC 5001, in effect on April 30, 1980, to provide
16 voluntary services in a community. If operated, the program shall engage persons
17 aged ~~60~~ 55 or ~~over~~ older as volunteers.

18 **SECTION 1173.** 46.85 (3) of the statutes is repealed.

19 **SECTION 1174.** 46.85 (3m) (a) of the statutes is amended to read:

20 46.85 (3m) (a) From the appropriation under s. 20.435 (7) (dh), the department
21 shall provide a state supplement to federally funded ~~senior-companion-and-retired~~
22 ~~senior-volunteer program~~ Senior Companion Program and Retired Senior Volunteer
23 Program units that were in operation on December 1, 1988, and administered by
24 qualified public and non-profit private agencies.

25 **SECTION 1176.** 46.90 (4) (b) 2. a. of the statutes is repealed.