

1 *–1510/2.7* SECTION 710. 38.50 (11) of the statutes is created to read:

2 38.50 (11) CLOSED SCHOOLS; PRESERVATION OF RECORDS. (a) In this subsection:

3 1. Notwithstanding sub. (1) (e), “school” has the meaning given in sub. (1) (e)
4 (intro.) and also includes a school described in sub. (1) (e) 1., 6., 7., or 8.

5 2. “Student record” means, in the case of a school, as defined in sub. (1) (e)
6 (intro.), a transcript for a student or former student of a school showing the name of
7 the student, the title of the program in which the student was or is enrolled, the total
8 number of credits or hours of instruction completed by the student, the dates of
9 enrollment, the grade for each course, lesson, or unit of instruction completed by the
10 student, the student’s cumulative grade for the program, and an explanation of the
11 school’s credit and grading system. In the case of a school described in sub. (1) (e) 1.,
12 6., 7., or 8., “student record” means a transcript for a student or former student of the
13 school showing such information about the academic work completed by the student
14 or former student as is customarily maintained by the school.

15 (b) If a school operating in this state discontinues its operations, proposes to
16 discontinue its operations, or is in imminent danger of discontinuing its operations
17 as determined by the board and if the board determines that the student records of
18 the school are in danger of being destroyed, secreted, mislaid, or otherwise made
19 unavailable to the persons who are the subjects of those student records or the
20 authorized representatives of those persons, the board may take possession of those
21 student records. If necessary to protect student records from being destroyed,
22 secreted, mislaid, or otherwise made unavailable to the persons who are the subjects
23 of those student records or the authorized representatives of those persons, the board
24 may seek a court order authorizing the board to take possession of those student
25 records.

1 (c) The board shall preserve a student record that comes into the possession of
2 the board under par. (b) and shall keep the student record confidential as provided
3 under 20 USC 1232g and 34 CFR Part 99. A student record in the possession of the
4 board is not open to public inspection or copying under s. 19.35 (1). Upon request of
5 the person who is the subject of a student record or an authorized representative of
6 that person, the board shall provide a copy of the student record to the requester. The
7 board may charge a fee for providing a copy of a student record. The fee shall be based
8 on the administrative cost of taking possession of, preserving, and providing the copy
9 of the student record. All fees collected under this paragraph shall be credited to the
10 appropriation account under s. 20.292 (2) (i).

11 ***-1789/1.1* SECTION 711.** 39.435 (3) of the statutes is amended to read:

12 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
13 academic year, unless the joint committee on finance approves an adjustment in the
14 amount of the minimum grant. Grants under sub. (1) shall not exceed ~~\$2,500~~ \$3,000
15 during any one academic year. The board shall, by rule, establish a reporting system
16 to periodically provide student economic data and shall promulgate other rules the
17 board deems necessary to assure uniform administration of the program.

18 ***-1803/1.2* SECTION 712.** 39.435 (7) (a) 1. of the statutes is amended to read:

19 39.435 (7) (a) 1. For purposes of ~~determining the appropriation~~ calculating the
20 amount to be appropriated under s. 20.235 (1) (fe) for fiscal year ~~2005-06~~ 2007-08,
21 "base amount" means the amount shown in the schedule under s. 20.005 for that
22 appropriation for fiscal year ~~2004-05~~ 2006-07.

23 ***-1803/1.3* SECTION 713.** 39.435 (7) (a) 2. of the statutes is amended to read:

24 39.435 (7) (a) 2. For purposes of ~~determining the appropriation~~ calculating the
25 amount to be appropriated under s. 20.235 (1) (fe) for each fiscal year after fiscal year

1 2005–06 ~~2007–08~~, “base amount” means the maximum appropriation amount
2 determined calculated under par. (b) for the previous fiscal year.

3 *~~1803/1.4~~* SECTION 714. 39.435 (7) (b) (intro.) of the statutes is amended to
4 read:

5 39.435 (7) (b) (intro.) Annually, beginning on February 1, ~~2005~~ 2007, the board
6 shall ~~determine the appropriation~~ calculate the amount to be appropriated under s.
7 20.235 (1) (fe) for the next fiscal year as follows:

8 *~~1861/2.3~~* SECTION 715. 39.435 (8) of the statutes is amended to read:

9 39.435 (8) The board shall award grants under this section to University of
10 Wisconsin System students from the ~~appropriations~~ appropriation under s. 20.235
11 (1) (fe) and ~~(ke)~~.

12 *~~0752/2.10~~* SECTION 716. 39.76 (1) of the statutes is amended to read:

13 39.76 (1) STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES.
14 There is created a 7–member delegation to represent the state of Wisconsin on the
15 education commission of the states. The delegation shall consist of the governor, the
16 state superintendent of public instruction, one senator and one representative to the
17 assembly selected as are the members of standing committees in their respective
18 houses, and 3 members appointed by the governor in compliance with s. 39.75 (3) (a)
19 who shall serve at the pleasure of the governor. The chairperson of the delegation
20 shall be designated by the governor from among its members. ~~Members~~ Except as
21 provided in sub. (1m), members of the delegation shall serve without compensation
22 but shall be reimbursed for actual and necessary expenses incurred in the
23 performance of their duties from the appropriation in s. 20.505 (4) (ba). ~~Annual~~
24 Except as provided in sub. (1m), annual commission membership dues shall be paid
25 from the appropriation in s. 20.505 (4) (ba).

1 ***-0752/2.11*** **SECTION 717.** 39.76 (1m) of the statutes is created to read:

2 39.76 (1m) Payments under sub. (1) may be reduced or eliminated if funding
3 for the payments is reduced or eliminated under s. 20.505 (4) (ba).

4 ***-0280/1.2*** **SECTION 718.** 40.03 (2) (b) of the statutes is amended to read:

5 40.03 (2) (b) Shall employ and select administrative, clerical or other
6 employees as required for the administration of this chapter and establish the
7 internal organization of the department, ~~but the department shall always maintain~~
8 ~~an office in Milwaukee.~~

9 ***-0279/2.2*** **SECTION 719.** 40.04 (2) (d) of the statutes is amended to read:

10 40.04 (2) (d) The costs of investing the assets of the benefit plans and
11 retirement systems, including all costs due to s. 40.03 (1) (n), and the costs of legal
12 counsel employed or selected under s. 40.03 (1) (c) shall be paid from the
13 appropriation under s. 20.515 (1) (r) and charged directly against the appropriate
14 investment income or reserve accounts of the benefit plan or retirement system
15 receiving the services.

16 ***-1260/2.2*** **SECTION 720.** 40.51 (1) of the statutes is amended to read:

17 40.51 (1) The procedures and provisions pertaining to enrollment, premium
18 transmitted and coverage of eligible employees and employees eligible for health
19 care coverage under s. 40.515 for health care benefits shall be established by contract
20 or rule except as otherwise specifically provided by this chapter.

21 ***-1260/2.3*** **SECTION 721.** 40.515 of the statutes is created to read:

22 **40.515 Health care coverage for employees of the Wisconsin Historical**
23 **Foundation, Inc.** If the historical society has entered into a contract with the
24 Wisconsin Historical Foundation, Inc., for any of the purposes specified in s. 44.015
25 (7), any employee of the Wisconsin Historical Foundation, Inc., who was previously

1 employed by the historical society is eligible to receive health care coverage under
2 a plan offered to state employees under s. 40.51 (6), subject to enrolling in the plan
3 during any applicable enrollment period and to any conditions established by
4 contract or by rule under s. 40.51 (1).

5 *~~1227/1.3~~* SECTION 722. 41.17 (5) of the statutes is amended to read:

6 41.17 (5) FUNDING SOURCE. Subject to the 50% limitation under s. 20.380 (1) (b)
7 and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg), the
8 department shall expend, from the appropriations under s. 20.380 (1) (b) ~~and~~, (kg),
9 and (v), at least \$1,130,000 in the aggregate in each fiscal year in joint effort
10 marketing funds under this section.

11 *~~1260/2.4~~* SECTION 723. 44.015 (7) of the statutes is amended to read:

12 44.015 (7) Contract with the Wisconsin Historical Foundation, Inc., or any
13 other nonstock, nonprofit corporation under ch. 181 for the purposes of
14 administering the historical society's membership program, soliciting and accepting
15 contributions, gifts, grants, and bequests for the historical society, marketing the
16 historical society's goods and services, providing support for the operation,
17 management, and development of the historical society's programs, and performing
18 other functions approved by the board of curators. If the Wisconsin Historical
19 Foundation, Inc., enters into a contract with the historical society for any purpose
20 under this subsection, the Wisconsin Historical Foundation, Inc. shall provide health
21 care coverage under s. 40.515 to its employees who were previously employed by the
22 historical society.

23 *~~1648/2.14~~* SECTION 724. 44.53 (1) (fm) of the statutes is created to read:

1 44.53 (1) (fm) Conduct a program identical to that described in par. (f), but only
2 for American Indian individuals and groups. The program shall be funded from the
3 appropriation under s. 20.215 (1) (km).

4 *~~1648/2.15~~* SECTION 725. 44.53 (2) (am) of the statutes is created to read:

5 44.53 (2) (am) Enter into contracts with American Indian individuals,
6 organizations and institutions and American Indian tribal governments for services
7 furthering the development of the arts and humanities.

8 *~~0328/4.4~~* SECTION 726. 45.16 of the statutes is amended to read:

9 **45.16 Burial allowance.** Each county veterans' service officer shall cause to
10 be interred in a decent and respectable manner in any cemetery in this state, other
11 than those used exclusively for the burial of paupers, the body of any person who was
12 living in the county at the time of death, meets the definition of a "veteran" under
13 s. ~~45.35 (5)~~ 45.001 (4) and who dies not leaving sufficient means to defray the
14 necessary expenses of a decent burial, or under financial circumstances that would
15 distress the person's family to pay the expenses of the burial, and the body of a spouse
16 or surviving spouse of the person who dies not leaving such means or under the same
17 financial circumstances and who was living in the county at the time of death, at an
18 expense to the county of not more than \$300 in addition to the burial allowance
19 payable under laws administered by the U.S. department of veterans affairs.

20 *~~0325/1.2~~* SECTION 727. 45.19 (1) of the statutes is amended to read:

21 45.19 (1) The department shall administer a program to coordinate the
22 provision of military honors funerals to deceased veterans by local units of member
23 organizations of the council on veterans programs and by members of the Wisconsin
24 national guard activated under s. 21.11 (3). ~~From the appropriation under s. 20.485~~
25 (2) (q), the department shall reimburse a local unit of a member organization of the

1 ~~council on veterans programs for the costs of providing a military honors funeral to~~
2 ~~a deceased veteran. The reimbursement may not exceed \$50 for each military honors~~
3 ~~funeral.~~

4 *~~0328/4.5~~* SECTION 728. 45.25 (1) of the statutes is created to read:

5 45.25 (1) DEFINITIONS. In this section:

6 (a) "Institution of higher education" has the meaning given in 20 USC 1001 (a).

7 (b) "Median household income" means the median family income for the state,
8 as determined annually by the U.S. department of housing and urban development.

9 (c) "Part-time classroom study" means any of the following:

10 1. Enrollment in courses for which no more than 11 semester or the equivalent
11 trimester or quarter credits will be given upon satisfactory completion.

12 2. Enrollment in courses during a summer semester or session.

13 (d) "Tuition," when referring to the University of Wisconsin System, means
14 "academic fees," as described in s. 36.27 (1), and when referring to the technical
15 colleges, means "program fees," as described in s. 38.24 (1m) (a) and (b).

16 *~~0328/4.6~~* SECTION 729. 45.25 (1g) of the statutes is repealed.

17 *~~0328/4.7~~* SECTION 730. 45.25 (1m) of the statutes is renumbered 45.25 (1m)

18 (a) and amended to read:

19 45.25 (1m) (a) The department shall administer a tuition reimbursement
20 program for eligible veterans enrolling as undergraduates in any institution of
21 higher education, ~~as defined in s. 45.396 (1) (a),~~ in this state, enrolling in a school that
22 is approved under s. 45.35 (9m), enrolling in a proprietary school that is approved
23 under s. 45.54, 38.50, enrolling in a public or private high school, or receiving a
24 waiver of nonresident tuition under s. 39.47.

****NOTE: This is reconciled s. 45.25 (1m) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0328, LRB-1510.

1 ***-0328/4.8*** SECTION 731. 45.25 (2) (intro.) (except 45.25 (2) (title)) of the
2 statutes is renumbered 45.25 (2) (a) (intro.).

3 ***-0328/4.9*** SECTION 732. 45.25 (2) (a) of the statutes is renumbered 45.25 (2)
4 (a) 1. and amended to read:

5 45.25 (2) (a) 1. The annual income of the veteran and his or her spouse does not
6 exceed the amount under s. 45.396 (7) (a) median household income for the state.

7 ***-0328/4.10*** SECTION 733. 45.25 (2) (c) of the statutes is renumbered 45.25 (2)
8 (a) 2. and amended to read:

9 45.25 (2) (a) 2. The veteran applies for the tuition reimbursement program for
10 courses begun within 10 years after separation from the service. This subdivision
11 does not apply to a veteran who is applying for reimbursement for up to 60 credits
12 of part-time classroom study courses.

13 ***-0328/4.11*** SECTION 734. 45.25 (2) (cm) of the statutes is created to read:

14 45.25 (2) (cm) A veteran is not eligible under this program if the veteran has
15 an undergraduate degree from any institution of higher education.

16 ***-0328/4.12*** SECTION 735. 45.25 (2) (d) of the statutes is renumbered 45.25 (2)
17 (a) 3.

18 ***-0328/4.13*** SECTION 736. 45.25 (2) (e) of the statutes is repealed.

19 ***-0328/4.14*** SECTION 737. 45.25 (3) (a) of the statutes is amended to read:

20 45.25 (3) (a) ~~Except as provided in par. (am), a~~ A veteran who meets the
21 eligibility requirements under sub. (2), may be reimbursed upon satisfactory
22 completion of ~~a full-time~~ an undergraduate semester in any institution of higher
23 education, as defined in s. 45.396 (1) (a), in this state, or upon satisfactory completion

1 of a course at any school that is approved under s. 45.35 (9m), any proprietary school
2 that is approved under s. ~~45.54, 38.50, any public or private high school~~, or any
3 institution from which the veteran receives a waiver of nonresident tuition under s.
4 ~~39.47, may be reimbursed an amount. Except as provided in sub. (5), the amount of~~
5 reimbursement may not to exceed the total cost of the veteran's tuition minus any
6 grants or scholarships that the veteran receives specifically for the payment of the
7 tuition, or, if the tuition is for an undergraduate semester in any institution of higher
8 education, the standard cost of tuition for a state resident for an equivalent
9 undergraduate semester at the University of Wisconsin–Madison, whichever is less.
10 ~~Reimbursement is available only for tuition that is part of a curriculum that is~~
11 ~~relevant to a degree in a particular course of study at the institution.~~

****NOTE: This is reconciled s. 45.25 (3) (a). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0328, LRB-1510.

12 ~~*-0328/4.15*~~ SECTION 738. 45.25 (3) (am) of the statutes is repealed.

13 ~~*-0328/4.16*~~ SECTION 739. 45.25 (3) (b) 1. of the statutes is amended to read:

14 45.25 (3) (b) 1. Be completed and received by the department no later than 60
15 days after the completion of the semester or course. The department may accept an
16 application received more than 60 days after the completion of the semester or course
17 if the applicant shows good cause for the delayed receipt.

18 ~~*-0328/4.17*~~ SECTION 740. 45.25 (3) (c) of the statutes is amended to read:

19 45.25 (3) (c) Reimbursement provided under this section shall be paid from the
20 appropriation under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the
21 amount available under s. 20.485 (2) (tf), the department may reduce the
22 reimbursement percentage, except to disabled veterans who are eligible for 100
23 percent of tuition and fees under sub. (5), or deny applications for reimbursement

1 that would otherwise qualify under this section. In those cases, the department shall
2 determine the reimbursement percentage, except to disabled veterans who are
3 eligible for 100 percent of tuition and fees under sub. (5), and eligibility on the basis
4 of the dates on which applications for reimbursement were received.

5 ***-0328/4.18*** SECTION 741. 45.25 (3) (d) (intro.) of the statutes is amended to
6 read:

7 45.25 (3) (d) (intro.) Reimbursement of tuition and fees for a course may be
8 provided at an institution or school under par. (a) other than the one from which the
9 veteran is receiving his or her degree or certificate of graduation or course completion
10 if all of the following apply:

11 ***-0328/4.19*** SECTION 742. 45.25 (4) (a) of the statutes is renumbered 45.25 (4)
12 (a) (intro.) and amended to read:

13 45.25 (4) (a) (intro.) A ~~veteran is not eligible~~ veteran's eligibility for
14 reimbursement under sub. (2) ~~for more than 120 credits or 8 full semesters of~~
15 ~~full-time study~~ at any institution of higher education, as defined in s. 45.396 (1) (a),
16 in this state, ~~60 credits or 4 full semesters of full-time study at any institution of~~
17 ~~higher education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon~~
18 ~~completion of 60 credits, or an equivalent amount of credits~~ at a school that is
19 approved under s. 45.35 (9m), at a proprietary school that is approved under s. 45.54,
20 38.50, at a public or private high school, or at an institution where he or she is
21 receiving a waiver of nonresident tuition under s. 39.47- is limited to the following:

***NOTE: This is reconciled s. 45.25 (4) (a) (intro.). This SECTION has been affected
by drafts with the following LRB numbers: LRB-0328, LRB-1510.

22 ***-0328/4.20*** SECTION 743. 45.25 (4) (a) 1. to 3. of the statutes are created to
23 read:

1 45.25 (4) (a) 1. If the veteran served on active duty, except service on active duty
2 for training purposes, for 90 to 180 days, the veteran may be reimbursed for a
3 maximum of 30 credits or 2 semesters, or an equivalent amount of credits or
4 semesters if at a school other than an institution of higher education.

5 2. If the veteran served on active duty, except service on active duty for training
6 purposes, for 181 to 730 days, the veteran may be reimbursed for a maximum of 60
7 credits or 4 semesters, or an equivalent amount of credits or semesters if at a school
8 other than an institution of higher education.

9 3. If the veteran served on active duty, except service on active duty for training
10 purposes, for more than 730 days, the veteran may be reimbursed for a maximum
11 of 120 credits or 8 semesters, or an equivalent amount of credits or semesters if at
12 a school other than an institution of higher education.

13 ***-0328/4.21*** SECTION 744. 45.25 (4) (c) of the statutes is amended to read:

14 45.25 (4) (c) A veteran may not receive reimbursement under sub. (2) for any
15 semester in which he or she is eligible for or received a grant under s. 21.49 or ~~45.396~~
16 under 10 USC 2007.

17 ***-0329/3.3*** SECTION 745. 45.348 (title) and (1) (intro.) of the statutes are
18 amended to read:

19 **45.348 (title) Dependent and child care defined for ss. 45.35, 45.351, and**
20 **45.356. (1) (intro.)** In this section and ss. 45.35, ~~45.351,~~ and 45.356 unless otherwise
21 modified, “child” means any natural child, any legally adopted child, any stepchild
22 or child if a member of the veteran’s household, or any nonmarital child if the veteran
23 acknowledges paternity or paternity has been otherwise established.

24 ***-0329/3.4*** SECTION 746. 45.348 (2) (a) (intro.) of the statutes is amended to
25 read:

1 45.348 (2) (a) (intro.) In ss. s. 45.35 and 45.351, "dependent" includes any of the
2 following:

3 *-0328/4.22* SECTION 747. 45.35 (4) (a) of the statutes is amended to read:

4 45.35 (4) (a) The secretary shall appoint under the classified service such
5 persons as are necessary to carry out the policy of the board and for the proper
6 conduct of the Wisconsin Veterans Museum. All persons appointed by the
7 department shall, if possible, be veterans as defined in sub. (5) 45.001 (4) and
8 preference shall be given to disabled veterans.

9 *-0328/4.23* SECTION 748. 45.35 (5) of the statutes is repealed.

10 *-0328/4.24* SECTION 749. 45.35 (8) (b) 4. of the statutes is repealed.

11 *-0322/1.1* SECTION 750. 45.35 (14) (h) of the statutes is amended to read:

12 45.35 (14) (h) To provide grants to the governing bodies of federally recognized
13 American Indian tribes and bands from the appropriation under s. 20.485 (2) ~~(vz)~~ ^(km) if
14 that governing body enters into an agreement with the department regarding the
15 creation, goals and objectives of a tribal veterans' service officer, appoints a veteran
16 to act as a tribal veterans' service officer and gives that veteran duties similar to the
17 duties described in s. 45.43 (5), except that the veteran shall report to the governing
18 body of the tribe or band. The department may make annual grants of up to \$2,500
19 \$10,000 under this paragraph and shall promulgate rules to implement this
20 paragraph.

21 *-0329/3.5* SECTION 751. 45.35 (17) (c) 1m. (intro.) of the statutes is amended
22 to read:

23 45.35 (17) (c) 1m. (intro.) The department shall declare immediately due and
24 payable any loan made after July 29, 1979 under a program administered by the

1 department under ~~s. 45.351~~ or subch. II, if it finds that the loan was granted to an
2 ineligible person due to any of the following circumstances:

3 ***-0329/3.6* SECTION 752.** 45.35 (17) (c) 2. (intro.) of the statutes is amended
4 to read:

5 45.35 (17) (c) 2. (intro.) Loan application forms processed by the department
6 for programs administered under ~~s. 45.351~~ or subch. II shall:

7 ***-0329/3.7* SECTION 753.** 45.35 (17) (c) 3. of the statutes is amended to read:

8 45.35 (17) (c) 3. The department shall incorporate the payment acceleration
9 requirements of subd. 1m. in all loan documents for programs administered by the
10 department under ~~s. 45.351~~ or subch. II.

11 ***-0329/3.8* SECTION 754.** 45.351 of the statutes is repealed and recreated to
12 read:

13 **45.351 Assistance to needy veterans.** (1) SUBSISTENCE AID. (a) The
14 department may provide subsistence payments to a veteran on a month-to-month
15 basis or for a 3-month period. The department may pay subsistence aid for a
16 3-month period if the veteran will be incapacitated for more than 3 months and if
17 earned or unearned income or aid from sources other than those listed in the
18 application will not be available in the 3-month period. The department may grant
19 subsistence aid under this subsection to a veteran whose incapacitation is the result
20 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and
21 other drug abuse treatment program that is approved by the department.

22 (b) The maximum amount that any veteran may receive under this subsection
23 per occurrence during a consecutive 12-month period may not exceed \$2,000.

1 (2) HEALTH CARE. (a) The department may provide health care aid to a veteran
2 for dental care, including dentures; vision care, including eyeglass frames and
3 lenses; and hearing care, including hearing aids.

4 (b) The maximum amount that may be paid under this subsection for any
5 consecutive 12-month period may not exceed \$2,500 for dental care, \$500 for vision
6 care, and \$1,500^{per ear} for hearing care.

7 (c) The department may not provide health care aid under this subsection
8 unless the aid recipient's health care provider agrees to accept, as full payment for
9 the health care provided, the amount of the payment, the amount of the recipient's
10 health insurance or other 3rd-party payments, if any, and the amount that the
11 department determines the veteran is capable of paying. The department may not
12 pay health care aid under this subsection if the liquid assets of the veteran are in
13 excess of \$1,000.

14 (3) LIMITATIONS. The total cumulative amount that any veteran may receive
15 under this section may not exceed \$5,000.

16 (4) APPROPRIATIONS. The department may make payments under this section
17 from the appropriation in s. 20.485 (2) (vm). Nothing in this section empowers the
18 department to incur any state debt.

19 (5) JOINT FINANCE SUPPLEMENTAL FUNDING. The department may submit a
20 request to the joint committee on finance for supplemental funds from the veterans
21 trust fund to be credited to the appropriation account under s. 20.485 (2) (vm) to
22 provide payments under this section. The joint committee on finance may, from the
23 appropriation under s. 20.865 (4) (u), supplement the appropriation under s. 20.485
24 (2) (vm) in an amount equal to the amount that the department expects to expend

1 under this section. Notwithstanding s. 13.101 (3) (a), the committee is not required
2 to find that an emergency exists.

3 ***-0324/3.1* SECTION 755.** 45.356 (2) of the statutes is amended to read:

4 45.356 (2) The department may lend a veteran, a veteran's unremarried
5 surviving spouse, or a deceased veteran's child not more than \$25,000 or a lesser
6 amount established by the department under sub. (10). The department may
7 prescribe loan conditions, but the term of the loan may not exceed 10 years, or a
8 shorter term established by the department under sub. (13). The department shall
9 ensure that the proceeds of any loan made under this section shall first be applied
10 to pay any delinquent child support or maintenance payments and then to pay any
11 past support, medical expenses, or birth expenses.

12 ***-0324/3.2* SECTION 756.** 45.356 (13) of the statutes is created to read:

13 45.356 (13) Subject to the limit established in sub. (2), the department may
14 periodically adjust the maximum term limits for loans based upon financial market
15 conditions, funds available, needs of the veterans trust fund, or other factors that the
16 department considers relevant.

17 ***-0326/1.1* SECTION 757.** 45.37 (4) (b) of the statutes is amended to read:

18 45.37 (4) (b) *Basis for eligibility of nonveterans.* Spouses, surviving spouses
19 and parents derive their eligibility from the eligibility of the veteran upon whose
20 service it is based. Surviving spouses and parents of eligible veterans shall not be
21 eligible for admission at a southeastern facility unless the facility's overall occupancy
22 level is below an optimal level as determined by the board. Surviving spouses and
23 parents of eligible veterans shall not be eligible for admission at the home except for
24 those admitted to the home prior to May 5, 1976, or unless the home's overall
25 occupancy level is below an optimal level as determined by the board.

1 *~~0326/1.2~~* SECTION 758. 45.37 (4) (c) 1m. c. of the statutes is amended to read:

2 45.37 (4) (c) 1m. c. Surviving spouses of eligible veterans shall be given 3rd
3 priority ~~for admission to the home.~~

4 *~~0326/1.3~~* SECTION 759. 45.37 (4) (c) 1m. d. of the statutes is amended to read:

5 45.37 (4) (c) 1m. d. Parents of eligible veterans shall be given 4th priority ~~for~~
6 admission to the home.

7 *~~1513/4.6~~* SECTION 760. 45.37 (10) (c) of the statutes is amended to read:

8 45.37 (10) (c) The Except where a sale occurs under s. 16.848, the department
9 may manage, sell, lease or transfer property descending to the state pursuant to this
10 section or conveyed to it by members, defend and prosecute all actions concerning it,
11 pay all just claims against it, and do all other things necessary for the protection,
12 preservation and management of such property. All expenditures necessary for the
13 execution of functions under this paragraph or sub. (11) shall be made from the
14 appropriation in s. 20.485 (1) (h).

15 *~~1513/4.7~~* SECTION 761. 45.38 (2) (a) 1. of the statutes is amended to read:

16 45.38 (2) (a) 1. Without limitation by reason of any other provisions of the
17 statutes except s. 16.848, the power to sell and to convey title in fee simple to a
18 nonprofit corporation any land and any existing buildings thereon owned by, or
19 owned by the state and held for, the department or of any of the institutions under
20 the jurisdiction of the department for such consideration and upon such terms and
21 conditions as in the judgment of the board are in the public interest.

22 *~~0328/4.25~~* SECTION 762. 45.396 (title) of the statutes is repealed.

23 *~~0328/4.26~~* SECTION 763. 45.396 (1) of the statutes is repealed.

24 *~~0328/4.27~~* SECTION 764. 45.396 (2) of the statutes is repealed.

1 *~~0328/4.28~~* SECTION 765. 45.396 (3) of the statutes is renumbered 45.25 (1m)
2 (b), and 45.25 (1m) (b) (intro.) and 1., as renumbered, are amended to read:

3 45.25 (1m) (b) (intro.) A veteran who is a resident of this state and otherwise
4 qualified to receive benefits under this section may receive the benefits under this
5 section upon the completion of any correspondence courses or part-time classroom
6 study from an institution of higher education located outside this state, from a school
7 that is approved under s. 45.35 (9m), or from a proprietary school that is approved
8 under s. ~~45.54~~ 38.50, if any of the following applies:

 ****NOTE: This is reconciled s. 45.25 (1m) (b) (intro.). This SECTION has been
affected by drafts with the following LRB numbers: LRB-0328, LRB-1510.

9 1. The part-time classroom study is not offered within 50 miles of the veteran's
10 residence by any school or institution under ~~sub. (2)~~ par. (a) and the educational
11 institution from which the study is offered is located not more than 50 miles from the
12 boundary line of this state.

13 *~~0328/4.29~~* SECTION 766. 45.396 (4) of the statutes is repealed.

14 *~~0328/4.30~~* SECTION 767. 45.396 (5) of the statutes is repealed.

15 *~~0328/4.31~~* SECTION 768. 45.396 (5m) of the statutes is repealed.

16 *~~0328/4.32~~* SECTION 769. 45.396 (6) of the statutes is repealed.

17 *~~0328/4.33~~* SECTION 770. 45.396 (7) (a) of the statutes is repealed.

18 *~~0328/4.34~~* SECTION 771. 45.396 (7) (b) of the statutes is renumbered 45.25
19 (2) (bm).

20 *~~0328/4.35~~* SECTION 772. 45.396 (8) of the statutes is repealed.

21 *~~0328/4.36~~* SECTION 773. 45.396 (9) of the statutes is renumbered 45.25 (5)
22 and amended to read:

1 45.25 (5) DISABLED VETERAN ELIGIBILITY. A disabled veteran who meets the
2 requirements under this section and whose disability is rated at 30% or more under
3 38 USC 1114 or 1134 may be reimbursed for up to 100% of the cost of tuition and fees,
4 but that reimbursement is limited to 100% of the standard cost for a state resident
5 for tuition and fees for an equivalent undergraduate course at the University of
6 Wisconsin-Madison per course and may not be provided to an individual more than
7 4 times during any consecutive 12-month period if the tuition and fees are for an
8 undergraduate semester in any institution of higher education.

9 *~~1510/2.8~~* SECTION 774. 45.397 (2) (a) of the statutes is amended to read:

10 45.397 (2) (a) The veteran is enrolled in a training course in a technical college
11 under ch. 38 or in a proprietary school in the state approved by the educational
12 approval board under s. ~~45.54~~ 38.50, other than a proprietary school offering a
13 4-year degree or 4-year program, or is engaged in a structured on-the-job training
14 program that meets program requirements promulgated by the department by rule.

15 *~~0328/4.37~~* SECTION 775. 45.397 (2) (cm) of the statutes is amended to read:

16 45.397 (2) (cm) The veteran requesting a grant has not received
17 reimbursement under s. 45.25 ~~or 45.396~~ for courses completed during the same
18 semester for which a grant would be received under this section.

19 *~~0328/4.38~~* SECTION 776. 45.43 (1) (am) of the statutes is amended to read:

20 45.43 (1) (am) Except as provided under par. (b), the county board may appoint
21 assistant county veterans' service officers who shall be Wisconsin residents who
22 served on active duty, other than active duty for training, under honorable conditions
23 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and
24 who meet at least one of the conditions listed in s. ~~45.35 (5) (a) 1. a. to d.~~ 45.001 (4)

1 (a) 1. a. to d. and at least one of the conditions listed in s. ~~45.35 (5) (a) 2. a. to e.~~ 45.001

2 (4) (a) 1. a. to d.

3 *~~1510/2.9~~* SECTION 777. 45.54 (title) of the statutes is renumbered 38.50
4 (title).

5 *~~1510/2.10~~* SECTION 778. 45.54 (1) (intro.) of the statutes is renumbered
6 38.50 (1) (intro.).

7 *~~1510/2.11~~* SECTION 779. 45.54 (1) (a) of the statutes is renumbered 38.50 (1)
8 (a) and amended to read:

9 38.50 (1) (a) “Board” Notwithstanding s. 38.01 (2), “board” means the
10 educational approval board.

11 *~~1510/2.12~~* SECTION 780. 45.54 (1) (b) of the statutes is renumbered 38.50 (1)
12 (b).

13 *~~1510/2.13~~* SECTION 781. 45.54 (1) (c) of the statutes is renumbered 38.50 (1)
14 (c).

15 *~~1510/2.14~~* SECTION 782. 45.54 (1) (d) of the statutes is renumbered 38.50 (1)
16 (d).

17 *~~1510/2.15~~* SECTION 783. 45.54 (1) (e) of the statutes is renumbered 38.50 (1)
18 (e).

19 *~~1510/2.16~~* SECTION 784. 45.54 (1) (f) of the statutes is renumbered 38.50 (1)
20 (f).

21 *~~1510/2.17~~* SECTION 785. 45.54 (1) (g) of the statutes is renumbered 38.50 (1)
22 (g).

23 *~~1510/2.18~~* SECTION 786. 45.54 (2) of the statutes is renumbered 38.50 (2).

24 *~~1510/2.19~~* SECTION 787. 45.54 (3) of the statutes is renumbered 38.50 (3).

1 ***-1510/2.20*** SECTION 788. 45.54 (5) of the statutes is renumbered 38.50 (5)
2 and amended to read:

3 38.50 (5) EMPLOYEES, QUARTERS. The board shall employ a person to perform
4 the duties of an executive secretary and any other persons under the classified
5 service that may be necessary to carry out the board's purpose. The person
6 performing the duties of the executive secretary shall be in charge of the
7 administrative functions of the board. The board shall, to the maximum extent
8 practicable, keep its office with the ~~department~~ technical college system board.

9 ***-1510/2.21*** SECTION 789. 45.54 (7) of the statutes is renumbered 38.50 (7).

10 ***-1510/2.22*** SECTION 790. 45.54 (8) of the statutes is renumbered 38.50 (8).

11 ***-1510/2.23*** SECTION 791. 45.54 (10) (title) of the statutes is renumbered
12 38.50 (10) (title).

13 ***-1510/2.24*** SECTION 792. 45.54 (10) (a) of the statutes is renumbered 38.50
14 (10) (a) and amended to read:

15 38.50 (10) (a) *Authority*. All proprietary schools shall be examined and
16 approved by the board before operating in this state. Approval shall be granted to
17 schools meeting the criteria established by the board for a period not to exceed one
18 year. No school may advertise in this state unless approved by the board. All
19 approved schools shall submit quarterly reports, including information on
20 enrollment, number of teachers and their qualifications, course offerings, number of
21 graduates, number of graduates successfully employed, and such other information
22 as the board deems necessary. If a school closure results in losses to students,
23 parents, or sponsors, the board may authorize the full or partial payment of those
24 losses from the appropriation under s. ~~20.485 (5)~~ 20.292 (2) (gm).

1 *~~1510/2.25~~* SECTION 793. 45.54 (10) (b) of the statutes is renumbered 38.50
2 (10) (b).

3 *~~1510/2.26~~* SECTION 794. 45.54 (10) (c) of the statutes is renumbered 38.50
4 (10) (c).

5 *~~1510/2.27~~* SECTION 795. 45.54 (10) (cm) of the statutes is renumbered 38.50
6 (10) (cm).

7 *~~1510/2.28~~* SECTION 796. 45.54 (10) (d) of the statutes is renumbered 38.50
8 (10) (d).

9 *~~1510/2.29~~* SECTION 797. 45.54 (10) (e) of the statutes is renumbered 38.50
10 (10) (e).

11 *~~0321/2.1~~* SECTION 798. 45.71 (8) of the statutes is amended to read:

12 45.71 (8) “Home” means a building or portion thereof used as ~~the veteran’s~~
13 ~~principal place of by the veteran as a~~ residence, and includes condominiums and
14 income-producing property, a portion of which is so occupied by the veteran, and the
15 land, including existing improvements, appertaining to such a building.

16 *~~0321/2.2~~* SECTION 799. 45.71 (12) (a) of the statutes is amended to read:

17 45.71 (12) (a) Is used as ~~the veteran’s principal place of by the veteran as a~~
18 residence; and

19 *~~0321/2.3~~* SECTION 800. 45.71 (15) of the statutes is created to read:

20 45.71 (15) “Qualified veterans’ mortgage bonds” means federally tax-exempt
21 bonds issued under the authority of 26 USC 143.

22 *~~0321/2.4~~* SECTION 801. 45.71 (16) (d) of the statutes is created to read:

23 45.71 (16) (d) Any person who has completed 6 continuous years of service
24 under honorable conditions in the army or air national guard or in any reserve

1 component of the U.S. armed forces, and who is living in this state at the time of his
2 or her application for benefits, shall be considered a veteran under this subchapter.

3 *~~0321/2.5~~* SECTION 802. 45.76 (1) (c) of the statutes is amended to read:

4 45.76 (1) (c) *Home improvements.* A loan ~~of not more than \$25,000~~ to improve
5 a home, including the construction of a garage or the removal or other alteration of
6 existing improvements that were made to improve the accessibility of a home for a
7 disabled individual.

8 *~~0321/2.6~~* SECTION 803. 45.76 (1) (d) of the statutes is repealed and recreated
9 to read:

10 45.76 (1) (d) *Refinancing.* Refinancing the balance due on an indebtedness that
11 was incurred for a use designated in pars. (a) to (c).

12 *~~0321/2.7~~* SECTION 804. 45.76 (3) (b) 1. of the statutes is amended to read:

13 45.76 (3) (b) 1. The ~~residence~~ property to be purchased, constructed, improved
14 or refinanced with financial assistance under this subchapter will be used ~~as the~~
15 ~~person's principal~~ by the person as a residence.

16 *~~0321/2.8~~* SECTION 805. 45.76 (4) of the statutes is created to read:

17 45.76 (4) *QUALIFIED VETERANS' MORTGAGE BONDS.* If the source of the funding for
18 a loan under this subchapter is the proceeds of a qualified veterans' mortgage bond,
19 the department shall apply any applicable requirements of the Internal Revenue
20 Code in determining a person's eligibility for a loan to assure that the bonds are
21 exempt from federal tax.

22 *~~0404/4.7~~* SECTION 806. 46.03 (7) (c) of the statutes is repealed.

23 *~~0404/4.8~~* SECTION 807. 46.03 (7) (cm) of the statutes is repealed.

24 *~~1513/4.8~~* SECTION 808. 46.03 (30) (a) of the statutes is amended to read:

1 46.03 (30) (a) To provide for an orderly reduction of state institutional primary
2 psychiatric services the department may approve the institutes entering into
3 contracts with county departments under s. 51.42 for providing primary psychiatric
4 care. If excess capacity exists at state operated mental health institutes, the
5 department shall, subject to s. 16.848, explore whether the possible sale or lease of
6 such excess facilities may be sold or leased to a county department under s. 51.42.

7 ***-1648/2.16*** SECTION 809. 46.03 (43) of the statutes is amended to read:

8 46.03 (43) COMPULSIVE GAMBLING AWARENESS CAMPAIGNS. From the
9 appropriation ~~account~~ accounts under s. 20.435 (7) (kg) and (kh), provide grants to
10 one or more individuals or organizations in the private sector to conduct compulsive
11 gambling awareness campaigns.

12 ***-1707/3.1*** SECTION 810. 46.033 of the statutes is created to read:

13 **46.033 Personal care services quality improvement.** (1) In this section,
14 "personal care services" means medically oriented activities related to assisting a
15 person with activities of daily living necessary to maintain the person in his or her
16 place of residence in the community.

17 (2) Upon the request of a county board, the department may provide assistance
18 in recruiting and training individuals to provide personal care services.

19 ***-0295/2.2*** SECTION 811. 46.034 (3) of the statutes is amended to read:

20 46.034 (3) With the agreement of the affected county board of supervisors in
21 a county with a single-county department or boards of supervisors in counties with
22 a multicounty department, effective for the contract period beginning January 1,
23 1980, the department may approve a county with a single-county department or
24 counties participating in a multicounty department to administer a single
25 consolidated aid consisting of the state and federal financial aid available to that

1 county or those counties from appropriations under s. 20.435 (3) ~~(a)~~ and (7) (b) and
2 (o) for services provided and purchased by county departments under ss. 46.215,
3 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of
4 improved service coordination and effectiveness, the county board of supervisors in
5 a county with a single-county department or county boards of supervisors in
6 counties with a multicounty department may reallocate among county departments
7 under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be
8 specified for use by a single county department. The budget under s. 46.031 (1) shall
9 be the vehicle for expressing the proposed use of the single consolidated fund by the
10 county board of supervisors in a county with a single-county department or county
11 boards of supervisors in counties with a multicounty department. Approval by the
12 department of this use of the fund shall be in the contract under s. 46.031 (2g).
13 Counties that were selected by the department to pilot test consolidated aids for
14 contract periods beginning January 1, 1978, may continue or terminate
15 consolidation with the agreement of the affected county board of supervisors in a
16 county with a single-county department or county boards of supervisors in counties
17 with a multicounty department.

18 *~~1513/4.9~~* SECTION 812. 46.035 (1) (a) of the statutes is amended to read:

19 46.035 (1) (a) The term "existing building" in relation to any conveyance, lease
20 or sublease made under sub. (2) (a) ~~1., 2. and 3.,~~ (b), and (c) means all detention,
21 treatment, administrative, recreational, infirmary, hospital, vocational and
22 academic buildings; all dormitories and cottages; all storage facilities, heating
23 plants, sewage disposal plants, and such other buildings, structures, facilities and
24 permanent improvements as in the judgment of the secretary are needed or useful
25 for the purposes of the department, and all equipment therefor and all improvements

1 and additions thereto which were erected, constructed or installed prior to the
2 making of such conveyance, lease or sublease.

3 ***-1513/4.10* SECTION 813.** 46.035 (1) (b) of the statutes is amended to read:

4 46.035 (1) (b) The term "new building" in relation to any conveyance, lease or
5 sublease made under sub. (2) (a) ~~1., 2. and 3.,~~ (b), and (c) means all detention,
6 treatment, administrative, recreational, infirmary, hospital, vocational and
7 academic buildings; all dormitories and cottages; all storage facilities, heating
8 plants, sewage disposal plants, and such other buildings, structures, facilities and
9 permanent improvements as in the judgment of the secretary are needed or useful
10 for the purposes of the department, and all equipment therefor and all improvements
11 and additions thereto which are erected, constructed or installed after the making
12 of such conveyance, lease or sublease.

13 ***-1513/4.11* SECTION 814.** 46.035 (2) (intro.) of the statutes is repealed.

14 ***-1513/4.12* SECTION 815.** 46.035 (2) (a) of the statutes is renumbered 46.035
15 (2), and 46.035 (2) (intro.), (a) and (c) to (j), as renumbered, are amended to read:

16 46.035 (2) (intro.) In order to provide new buildings and to enable the
17 construction and financing thereof, to refinance indebtedness hereafter created by
18 a nonprofit corporation for the purpose of providing a new building or buildings or
19 additions or improvements thereto which are located on land owned by, or owned by
20 the state and held for, the department or on lands of the institutions under the
21 jurisdiction of the department or by the nonprofit corporation, or for any one or more
22 of said purposes, but for no other purpose unless authorized by law, the department
23 has, subject to s. 16.848, the following powers and duties:

24 (a) Without limitation by reason of any other provisions of the statutes except
25 s. 16.848, the power to sell and to convey title in fee simple to a nonprofit corporation

1 any land and any existing buildings thereon owned by, or owned by the state and held
2 for, the department or of any of the institutions under the jurisdiction of the
3 department for such consideration and upon such terms and conditions as in the
4 judgment of the secretary are in the public interest.

5 (c) The power to lease or sublease from such nonprofit corporation, and to make
6 available for public use, any such land and existing buildings conveyed or leased to
7 such nonprofit corporation under ~~subds. 1. and 2.~~ pars. (a) and (b), and any new
8 buildings erected upon such land or upon any other land owned by such nonprofit
9 corporation, upon such terms, conditions and rentals, subject to available
10 appropriations, as in the judgment of the secretary are in the public interest. With
11 respect to any property conveyed to such nonprofit corporation under ~~subd. 1.~~ par.
12 (a), such lease from such nonprofit corporation may be subject or subordinated to one
13 or more mortgages of such property granted by such nonprofit corporation.

14 (d) The duty to submit the plans and specifications for all such new buildings
15 and all conveyances, leases and subleases made under this ~~section~~ subsection to the
16 department of administration and the governor for written approval before they are
17 finally adopted, executed and delivered.

18 (e) The power to pledge and assign all or any part of the revenues derived from
19 the operation of such new buildings as security for the payment of rentals due and
20 to become due under any lease or sublease of such new buildings under ~~subd. 3~~ par.
21 (c).

22 (f) The power to covenant and agree in any lease or sublease of such new
23 buildings made under ~~subd. 3.~~ par. (c) to impose fees, rentals or other charges for the
24 use and occupancy or other operation of such new buildings in an amount calculated

1 to produce net revenues sufficient to pay the rentals due and to become due under
2 such lease or sublease.

3 (g) The power to apply all or any part of the revenues derived from the operation
4 of existing buildings to the payment of rentals due and to become due under any lease
5 or sublease made under ~~subd. 3~~ par. (c).

6 (h) The power to pledge and assign all or any part of the revenues derived from
7 the operation of existing buildings to the payment of rentals due and to become due
8 under any lease or sublease made under ~~subd. 3~~ par. (c).

9 (i) The power to covenant and agree in any lease or sublease made under ~~subd.~~
10 ~~3.~~ par. (c) to impose fees, rentals or other charges for the use and occupancy or other
11 operation of existing buildings in an amount calculated to produce net revenues
12 sufficient to pay the rentals due and to become due under such lease or sublease.

13 (j) The power and duty, upon receipt of notice of any assignment by any such
14 nonprofit corporation of any lease or sublease made under ~~subd. 3.~~ par. (c), or of any
15 of its rights under any such sublease, to recognize and give effect to such assignment,
16 and to pay to the assignee thereof rentals or other payments then due or which may
17 become due under any such lease or sublease which has been so assigned by such
18 nonprofit corporation.

19 ***-1513/4.13* SECTION 816.** 46.035 (2) (b) of the statutes is renumbered 46.035
20 (3) and amended to read:

21 46.035 (3) The state ~~shall be~~ is liable for accrued rentals and for any other
22 default under any lease or sublease made under ~~par. (a) 3.~~ sub. (2) (c), and may be
23 sued therefor on contract as in other contract actions pursuant to ch. 775, except that
24 it ~~shall not be~~ is not necessary for the lessor under any such lease or sublease or any
25 assignee of such lessor or any person or other legal entity proceeding on behalf of such

1 lessor to file any claim with the legislature prior to the commencement of any such
2 action.

3 ***-1513/4.14* SECTION 817.** 46.035 (2) (c) of the statutes is renumbered 46.035
4 (4).

5 ***-1513/4.15* SECTION 818.** 46.035 (2) (d) of the statutes is repealed.

6 ***-1513/4.16* SECTION 819.** 46.035 (2) (e) of the statutes is renumbered 46.035
7 (5) and amended to read:

8 46.035 (5) All laws, except s. 16.848 and ch. 150, ~~conflicting~~ that conflict with
9 any provisions of this section, are, insofar as they conflict with this section and no
10 further, superseded by this section.

11 ***-0248/1.1* SECTION 820.** 46.057 (2) of the statutes is amended to read:

12 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
13 department of corrections shall transfer to the appropriation account under s. 20.435
14 (2) (kx) \$1,379,300 in fiscal year ~~2003-04~~ 2005-06 and \$1,379,300 in fiscal year
15 ~~2004-05~~ 2006-07 and, from the appropriation account under s. 20.410 (3) (hm), the
16 department of corrections shall transfer to the appropriation account under s. 20.435
17 (2) (kx) ~~\$2,086,700~~ \$2,271,200 in fiscal year ~~2003-04~~ 2005-06 and ~~\$2,155,600~~
18 \$2,390,600 in fiscal year ~~2004-05~~ 2006-07 for services for juveniles placed at the
19 Mendota juvenile treatment center. The department of health and family services
20 may charge the department of corrections not more than the actual cost of providing
21 those services.

22 ***-1513/4.17* SECTION 821.** 46.06 (intro.) of the statutes is created to read:

23 **46.06 Lands; condemnation, easements, leases, sales, purchases.**
24 (intro.) Subject to s. 16.848:

25 ***-1417/P4.3* SECTION 822.** 46.07 of the statutes is amended to read:

1 **46.07 Property of patients or residents.** All money including wages and
2 other property delivered to an officer or employee of any institution for the benefit
3 of a patient or resident shall ~~forthwith~~ be delivered to the steward, who shall enter
4 the ~~same money~~ upon the steward's books to the credit of the patient or resident. The
5 property shall be used only under the direction and with the approval of the
6 superintendent and for the crime victim and witness assistance surcharge under s.
7 973.045 (4), the delinquency victim and witness assistance surcharge under s. 938.34
8 (8d) (c), the child abuse prevention and child mental health surcharge under s.
9 973.044 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046 or the
10 benefit of the patient or resident. If the money remains uncalled for for one year after
11 the patient's or resident's death or departure from the institution, the
12 superintendent shall deposit the ~~same money~~ in the general fund. If any patient or
13 resident leaves property, other than money, uncalled for at an institution for one year,
14 the superintendent shall sell the property, and the proceeds shall be deposited in the
15 general fund. If any person satisfies the department, within 5 years after the deposit,
16 of his or her right to the deposit, the department shall direct the department of
17 administration to draw its warrant in favor of the claimant and it shall charge the
18 same to the appropriation made by s. 20.913 (3) (c).

19 *~~1513/4.18~~* **SECTION 823.** 46.09 (intro.) of the statutes is created to read:

20 **46.09 Purchases, bills, audits, payments.** (intro.) Subject to s. 16.848:

21 *~~0084/3.2~~* **SECTION 824.** 46.10 (14) (a) of the statutes is amended to read:

22 46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person
23 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons
24 under 18 years of age at community mental health centers, a county mental health
25 complex under s. 51.08, the centers for the developmentally disabled, the Mendota

1 Mental Health Institute, and the Winnebago Mental Health Institute or care and
2 maintenance of persons under 18 years of age in residential, nonmedical facilities
3 such as group homes, foster homes, treatment foster homes, ~~child caring institutions,~~
4 subsidized guardianship homes, residential care centers for children and youth, and
5 juvenile correctional institutions is determined in accordance with the cost-based
6 fee established under s. 46.03 (18). The department shall bill the liable person up
7 to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m) or by other
8 3rd-party benefits, subject to rules that include formulas governing ability to pay
9 promulgated by the department under s. 46.03 (18). Any liability of the patient not
10 payable by any other person terminates when the patient reaches age 18, unless the
11 liable person has prevented payment by any act or omission.

12 ***-0084/3.3* SECTION 825.** 46.10 (14) (b) of the statutes is amended to read:

13 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
14 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
15 parent's minor child who has been placed by a court order under s. 48.355 or 48.357
16 in a residential, nonmedical facility such as a group home, foster home, treatment
17 foster home, subsidized guardianship home, or residential care center for children
18 and youth shall be determined by the court by using the percentage standard
19 established by the department of workforce development under s. 49.22 (9) and by
20 applying the percentage standard in the manner established by the department
21 under s. 46.247.

22 ***-0311/3.1* SECTION 826.** 46.10 (16) of the statutes is amended to read:

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

1 department under this section for collection of patient fees for services other than
2 those provided at state facilities or those provided to children that are reimbursed
3 under a waiver under s. 46.27 (11), 46.275, ~~or~~, 46.278, or 46.2785 or a waiver
4 requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act
5 33, section 9124 (8c), if the county departments or providers meet the conditions that
6 the department determines are appropriate. The department may delegate to
7 county departments under ss. 51.42 and 51.437 the responsibilities vested in the
8 department under this section for collection of patient fees for services provided at
9 the state facilities if the necessary conditions are met.

10 *~~0404/4.9~~* SECTION 827. 46.16 (2) of the statutes is amended to read:

11 46.16 (2) CHILD WELFARE AGENCIES; FOSTER HOMES; TREATMENT FOSTER HOMES;
12 ~~CHILD CARE CENTERS; DAY NURSERIES; NURSERY SCHOOLS.~~ It. The department may
13 license and revoke licenses of and exercise supervision over all child welfare agencies
14 and the placement of children in foster homes and treatment foster homes, and grant
15 permits licenses to foster homes, and treatment foster homes, ~~child care centers, day~~
16 ~~nurseries and nursery schools.~~ In the discharge of this duty it the department may
17 inspect the records of child welfare agencies, ~~child care centers, day nurseries,~~
18 ~~nursery schools~~ and visit all institutions ~~conducted by them~~ operated by child
19 welfare agencies and all foster homes and treatment foster homes in which children
20 are placed.

21 *~~0404/4.10~~* SECTION 828. 46.16 (2m) of the statutes is repealed.

22 *~~0404/4.11~~* SECTION 829. 46.16 (2s) of the statutes is repealed.

23 *~~0295/2.3~~* SECTION 830. 46.215 (2) (c) 1. of the statutes is amended to read:

24 46.215 (2) (c) 1. A county department of social services shall develop, under the
25 requirements of s. 46.036, plans and contracts for care and services to be purchased,

1 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
2 of health and family services may review the contracts and approve them if they are
3 consistent with s. 46.036 and if state or federal funds are available for such purposes.
4 The joint committee on finance may require the department of health and family
5 services to submit the contracts to the committee for review and approval. The
6 department of health and family services may not make any payments to a county
7 for programs included in a contract under review by the committee. The department
8 of health and family services shall reimburse each county for the contracts from the
9 appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o), as appropriate, under s.
10 46.495.

11 *~~0295/2.4~~* SECTION 831. 46.22 (1) (e) 3. a. of the statutes is amended to read:

12 46.22 (1) (e) 3. a. A county department of social services shall develop, under
13 the requirements of s. 46.036, plans and contracts for care and services, except under
14 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
15 family services may review the contracts and approve them if they are consistent
16 with s. 46.036 and to the extent that state or federal funds are available for such
17 purposes. The joint committee on finance may require the department of health and
18 family services to submit the contracts to the committee for review and approval.
19 The department of health and family services may not make any payments to a
20 county for programs included in the contract that is under review by the committee.
21 The department of health and family services shall reimburse each county for the
22 contracts from the appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o) according
23 to s. 46.495.

24 *~~0084/3.4~~* SECTION 832. 46.261 (1) (a) of the statutes is amended to read:

1 46.261 (1) (a) The child is living in a foster home or treatment foster home
2 licensed under s. 48.62 if a license is required under that section, in a foster home
3 or treatment foster home located within the boundaries of a federally recognized
4 American Indian reservation in this state and licensed by the tribal governing body
5 of the reservation, in a group home licensed under s. 48.625, in a subsidized
6 guardianship home under s. 48.62 (5), or in a residential care center for children and
7 youth licensed under s. 48.60, and has been placed in the foster home, treatment
8 foster home, group home, subsidized guardianship home, or center by a county
9 department under s. 46.215, 46.22, or 46.23, by the department, or by a federally
10 recognized American Indian tribal governing body in this state under an agreement
11 with a county department under s. 46.215, 46.22, or 46.23.

12 *~~0084/3.5~~* SECTION 833. 46.261 (2) (a) 1. of the statutes is amended to read:

13 46.261 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
14 home or treatment foster home having a license under s. 48.62, in a foster home or
15 treatment foster home located within the boundaries of a federally recognized
16 American Indian reservation in this state and licensed by the tribal governing body
17 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian
18 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor
19 custodial parent who cares for the dependent child, regardless of the cause or
20 prospective period of dependency. The state shall reimburse counties pursuant to the
21 procedure under s. 46.495 (2) and the percentage rate of participation set forth in s.
22 46.495 (1) (d) for aid granted under this section except that if the child does not have
23 legal settlement in the granting county, state reimbursement shall be at 100%. The
24 county department under s. 46.215 or 46.22 or the department under s. 48.48 (17)
25 shall determine the legal settlement of the child. A child under one year of age shall

1 be eligible for aid under this subsection irrespective of any other residence
2 requirement for eligibility within this section.

3 ***-0084/3.6* SECTION 834.** 46.261 (2) (a) 3. of the statutes is amended to read:

4 46.261 (2) (a) 3. A county or, in a county having a population of 500,000 or more,
5 the department, when the child is placed in a licensed foster home, treatment foster
6 home, group home, or residential care center for children and youth or in a subsidized
7 guardianship home by a licensed child welfare agency or by a federally recognized
8 American Indian tribal governing body in this state or by its designee, if the child is
9 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
10 department under s. 48.48 (17) or if the child was removed from the home of a
11 relative, as defined under s. 48.02 (15), as a result of a judicial determination that
12 continuance in the home of the relative would be contrary to the child's welfare for
13 any reason and the placement is made pursuant to an agreement with the county
14 department or the department.

15 ***-0084/3.7* SECTION 835.** 46.261 (2) (a) 4. of the statutes is amended to read:

16 46.261 (2) (a) 4. A licensed foster home, treatment foster home, group home,
17 or residential care center for children and youth or a subsidized guardianship home
18 when the child is in the custody or guardianship of the state, when the child is a ward
19 of an American Indian tribal court in this state and the placement is made under an
20 agreement between the department and the tribal governing body, or when the child
21 was part of the state's direct service case load and was removed from the home of a
22 relative, as defined under s. 48.02 (15), as a result of a judicial determination that
23 continuance in the home of a relative would be contrary to the child's welfare for any
24 reason and the child is placed by the department.

25 ***-0084/3.8* SECTION 836.** 46.261 (2) (b) of the statutes is amended to read:

1 46.261 (2) (b) Notwithstanding par. (a), aid under this section may not be
2 granted for placement of a child in a foster home or treatment foster home licensed
3 by a federally recognized American Indian tribal governing body, for placement of a
4 child in a foster home, treatment foster home, group home, subsidized guardianship
5 home, or residential care center for children and youth by a tribal governing body or
6 its designee, or for the placement of a child who is a ward of a tribal court if the tribal
7 governing body is receiving or is eligible to receive funds from the federal government
8 for that type of placement ~~or for placement of a child in a group home licensed under~~
9 ~~s. 48.625.~~

10 *~~0311/3.2~~* **SECTION 837.** 46.27 (5) (i) of the statutes is amended to read:

11 46.27 (5) (i) In the instances in which an individual who is provided long-term
12 community support services under par. (b) for which the individual receives direct
13 funding, serve directly as a fiscal agent or contract with a fiscal intermediary to serve
14 as a fiscal agent for that individual for the purposes of performing the responsibilities
15 and protecting the interests of the individual under the unemployment insurance
16 law. The county department or aging unit may elect to act as a fiscal agent or contract
17 with a fiscal intermediary to serve as a fiscal agent for an individual who is provided
18 long-term support services under s. 46.275, 46.277, 46.278, 46.2785, 46.495, 51.42,
19 or 51.437. The fiscal agent under this paragraph is responsible for remitting any
20 federal unemployment compensation taxes or state unemployment insurance
21 contributions owed by the individual, including any interest and penalties which are
22 owed by the individual; for serving as the representative of the individual in any
23 investigation, meeting, hearing or appeal involving ch. 108 or the federal
24 unemployment tax act (26 USC 3301 to 3311) in which the individual is a party; and
25 for receiving, reviewing, completing and returning all forms, reports and other

1 documents required under ch. 108 or the federal unemployment tax act on behalf of
2 the individual. An individual may make an informed, knowing and voluntary
3 election to waive the right to a fiscal agent. The waiver may be as to all or any portion
4 of the fiscal agent's responsibilities. The waiver may be rescinded in whole or in part
5 at any time.

6 *~~0311/3.3~~* SECTION 838. 46.27 (6r) (a) of the statutes is amended to read:

7 46.27 (6r) (a) A person who is initially eligible for services under sub. (7) (b),
8 for whom home and community-based services are available under sub. (11) or s.
9 46.275, 46.277 ~~or~~, 46.278, or 46.2785 that require less total expenditure of state funds
10 than do comparable services under sub. (7) (b) and who is eligible for and offered the
11 home and community-based services under sub. (11) or s. 46.275, 46.277 ~~or~~, 46.278,
12 or 46.2785, but who declines the offer, except that a county may use funds received
13 under sub. (7) (b) to pay for long-term community support services for the person for
14 a period of up to 90 days during which an application for services under sub. (11) or
15 s. 46.275, 46.277 ~~or~~, 46.278, or 46.2785 for the person is processed.

16 *~~1649/6.27~~* SECTION 839. 46.27 (9) (a) of the statutes is amended to read:

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

INSERT 236-25 DAK

1 *-1649/6.28* SECTION 840. 46.27 (10) (a) 1. of the statutes is amended to read:

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

INSERT 237-7 DAK

8 *-0311/3.4* SECTION 841. 46.27 (11) (a) of the statutes is repealed.

9 *-1649/6.29* SECTION 842. 46.275 (5) (a) of the statutes is amended to read:

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

INSERT 237-15 DAK

16 *-1649/6.30* SECTION 843. 46.275 (5) (c) of the statutes is amended to read:

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

INSERT 237-23 DAK

24 *-1649/6.31* SECTION 844. 46.278 (6) (d) of the statutes is amended to read:

INSERT 237-23 B

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 46.277 (1m) (ag) of the statutes is created to read:

2 46.277 (1m) (ag) "Delicensed" means deducted from the number of beds stated
3 on a facility's license, as specified under s. 50.03 (4) (e).

4 SECTION 2. 46.277 (5) (g) of the statutes is amended to read:

5 46.277 (5) (g) The department may provide enhanced reimbursement for
6 services provided under this section to an individual who is relocated to the
7 community from a nursing home by a county department on or after July 26, 2003
8 the effective date of this paragraph ... [revisor inserts date], if the nursing home bed
9 that was used by the individual is delicensed upon relocation of the individual
10 number of individuals served under this ~~section~~ does not exceed the number of
11 nursing home beds that are delicensed as part of plans submitted by nursing homes
12 and approved by the department. The department shall develop and utilize a
13 formula to determine the enhanced reimbursement rate.

(END)

paragraph

dots

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

INSET 238-6 DAK

7 *-0311/3.5* SECTION 845. 46.2785 of the statutes is created to read:

8 **46.2785 Community Opportunities and Recovery Program. (1)**

9 DEFINITIONS. In this section:

10 (a) “Nursing facility” has the meaning given in 42 USC 1396r (a).

11 (b) “Serious mental illness” has the meaning given in 42 CFR 483.102 (b) (1).

12 (c) “Waiver program” means the Community Opportunities and Recovery
13 Program for which a waiver has been requested under sub. (2) and granted under 42
14 USC 1396n (c).

15 (2) WAIVER REQUEST. The department may request a waiver from the secretary
16 of the U.S. department of health and human services, under 42 USC 1396n (c),
17 authorizing the department to serve in their communities medical assistance
18 recipients who meet eligibility requirements specified in sub. (4) by providing them
19 home or community-based services as part of the Medical Assistance program. If the
20 department requests the waiver, it shall include all the assurances required under
21 42 USC 1396n (c) (2) in the request. If the department receives the waiver, it may
22 request an extension of the waiver under 42 USC 1396n (c).

23 (3) CONTRACT FOR ADMINISTRATION. If doing so is consistent with the waiver
24 received by the department as specified in sub. (2), the department may contract with
25 a county or a private agency to administer the waiver program. A private agency

1 with which the department contracts shall have the powers and duties of a county
2 under this section.

3 (4) ELIGIBILITY. Any medical assistance recipient who has a serious mental
4 illness and meets the level of care requirements under s. 49.45 (6m) (i) for
5 reimbursement of nursing home care under the Medical Assistance program is
6 eligible to participate in the waiver program.

7 (5) FUNDING. (a) Medical assistance reimbursement for services a county or
8 private agency contracts for or provides under the waiver program shall be made
9 from the appropriation accounts under s. 20.435 (4) (b) and (o).

10 (b) The department may, from the appropriation account under s. 20.435 (4) (o),
11 reimburse a county for providing, or contracting to provide, services that cost more
12 than the average annual per person rate established by the department, but less
13 than the average amount approved by the federal government for the waiver
14 program.

15 *-1649/6.32* SECTION 846. 46.283 (5) of the statutes is amended to read:

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

20 *-1649/6.33* SECTION 847. 46.284 (5) (a) of the statutes is amended to read:

21 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gp),
22 (im), (o), (r), and (w) and (7) (b) and (bd), the department shall provide funding on a
23 capitated payment basis for the provision of services under this section.

24 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
25 under contract with the department may expend the funds, consistent with this

INSERT 239-19 DAK

(rg), ✓

1 section, including providing payment, on a capitated basis, to providers of services
2 under the family care benefit.

3 ~~INSERT 240-27A~~
4 *-0311/3.6* SECTION 848. 46.286 (1) (a) 2. b. of the statutes is amended to read:

5 46.286 (1) (a) 2. b. Home and community-based waiver programs under 42
6 USC 1396n (c), including ~~community integration program~~ Community Integration
7 Program under s. 46.275, 46.277, or 46.278 and the Community Opportunities and
8 Recovery Program under s. 46.2785.

9 *-0312/2.1* SECTION 849. 46.286 (3) (d) of the statutes is amended to read:

10 46.286 (3) (d) The department shall determine the date, which shall not be later
11 than January 1, 2006 2008, on which par. (a) shall first apply to persons who are not
12 eligible for medical assistance under ch. 49. Before the date determined by the
13 department, persons who are not eligible for medical assistance may receive the
14 family care benefit within the limits of state funds appropriated for this purpose and
15 available federal funds.

16 *-0295/2.5* SECTION 850. 46.40 (1) (a) of the statutes is amended to read:

17 46.40 (1) (a) Within the limits of available federal funds and of the
18 appropriations under s. 20.435 (3) ~~(o)~~ and (7) (b) and (o), the department shall
19 distribute funds for community social, mental health, developmental disabilities,
20 and alcohol and other drug abuse services and for services under ss. 46.51, 46.87,
21 46.985, and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and
22 51.437 and to county aging units, as provided in subs. (2), (2m), and (7) to (9).

23 *-0349/5.1* SECTION 851. 46.48 (11m) of the statutes is created to read:

24 46.48 (11m) FEMALE OFFENDER REINTEGRATION PROGRAM. (a) In this subsection:

25 1. "Offender" has the meaning given in s. 304.16 (2) (i).

2. "Prisoner" has the meaning given in s. 301.01 (2).

1 (b) The department shall award not more than \$139,100 in fiscal year 2005-06
2 and not more than \$140,000 in fiscal year 2006-07 as a grant to an organization or
3 a group of organizations to provide services for female prisoners and offenders from
4 Milwaukee County and their children, if the prisoners or offenders have been
5 convicted of nonviolent crimes.

6 (c) The grant awardee under par. (b) shall provide at least all of the following
7 for up to 6 months before a prisoner's release from prison and up to 2 years after
8 release:

9 1. Screening, assessment, and treatment, including mental health and
10 permanency services, for the prisoners or offenders to assist in their reintegration
11 into the community.

12 2. At-risk assessments for all dependent children of female prisoners or
13 offenders who receive services under subd. 1., and comprehensive support services.

14 *~~0349/5.2~~ SECTION 852. 46.481 of the statutes is renumbered 46.481 (1m).

15 *~~0349/5.3~~ SECTION 853. 46.481 (2m) of the statutes is created to read:

16 46.481 (2m) From the appropriation under s. 20.435 (6) (gb), the department
17 shall award not more than \$57,500 in fiscal year 2005-06 and not more than
18 \$229,800 in fiscal year 2006-07 as grants for up to 3 years to counties with
19 populations of less than 500,000 and to tribal governing bodies to demonstrate
20 collaboration between a county department under s. 46.23 and a tribal agency in a
21 county or among county departments under ss. 46.22 and 51.42 and tribal agencies
22 in a county for intervention for the mental health and substance abuse screening,
23 assessment, and treatment of children who have been abused or neglected and their
24 parents for whom the county departments and tribal agencies determine there is a
25 need to provide services.

1 *~~0295/2.6~~* SECTION 854. 46.495 (1) (am) of the statutes is amended to read:

2 46.495 (1) (am) The department shall reimburse each county from the
3 appropriations under s. 20.435 ~~(3) (a)~~ and (7) (b) and (o) for social services as
4 approved by the department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b)
5 1. d. and (e) 3. a. except that no reimbursement may be made for the administration
6 of or aid granted under s. 49.02.

7 *~~0084/3.9~~* SECTION 855. 46.495 (1) (d) of the statutes is amended to read:

8 46.495 (1) (d) From the appropriations under s. 20.435 ~~(3) (a)~~ and (7) (b) and
9 (o), the department shall distribute the funding for social services, including funding
10 for foster care ~~or, treatment foster care, or subsidized guardianship care~~ of a child on
11 whose behalf aid is received under s. 46.261, to county departments under ss. 46.215,
12 46.22, and 46.23 as provided under s. 46.40. County matching funds are required for
13 the distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for
14 the distribution under s. 46.40 (2) shall be specified in a schedule established
15 annually by the department of health and family services. Each county's required
16 match for the distribution under s. 46.40 (8) for a year equals 9.89% of the total of
17 the county's distributions under s. 46.40 (8) for that year for which matching funds
18 are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats.,
19 to spend for juvenile delinquency-related services from its distribution for 1987.
20 Each county's required match for the distribution under s. 46.40 (9) (b) for a year
21 equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that
22 year. Matching funds may be from county tax levies, federal and state revenue
23 sharing funds, or private donations to the county that meet the requirements
24 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
25 match. If the county match is less than the amount required to generate the full

1 amount of state and federal funds distributed for this period, the decrease in the
2 amount of state and federal funds equals the difference between the required and the
3 actual amount of county matching funds.

****NOTE: This is reconciled s. 46.495 (1) (d). This SECTION has been affected by
drafts with the following LRB #s: LRB-0084/2, LRB-0295/1, and LRB-0746/3.

4 ***-0084/3.10* SECTION 856.** 46.51 (4) of the statutes is amended to read:

5 46.51 (4) A county may use the funds distributed under this section to fund
6 additional foster parents and, treatment foster parents, and subsidized guardians
7 or interim caretakers to care for abused and neglected children and to fund
8 additional staff positions to provide services related to child abuse and neglect and
9 to unborn child abuse.

10 ***-0303/4.2* SECTION 857.** 46.513 of the statutes is repealed.

11 ***-0292/5.4* SECTION 858.** 46.515 (1) (i) of the statutes is repealed.

12 ***-0292/5.5* SECTION 859.** 46.515 (1) (j) of the statutes is repealed.

13 ***-0292/5.6* SECTION 860.** 46.515 (2) of the statutes is amended to read:

14 46.515 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected
15 by the department under sub. (5) to participate in the program under this section,
16 the department shall award, from the appropriation under s. 20.435 ~~(2) (de)~~ ^{(2) (de)} (5) (ab),
17 a grant annually to be used only for the purposes specified in sub. (4) (a) and (am).
18 The minimum amount of a grant is \$10,000. The department shall determine the
19 amount of a grant awarded to a county, other than a county with a population of
20 500,000 or more, or Indian tribe in excess of the minimum amount based on the
21 number of births that are funded by medical assistance under subch. IV of ch. 49 in
22 that county or the reservation of that Indian tribe in proportion to the number of
23 births that are funded by medical assistance under subch. IV of ch. 49 in all of the

1 counties and the reservations of all of the Indian tribes to which grants are awarded
2 under this section. The department shall determine the amount of a grant awarded
3 to a county with a population of 500,000 or more in excess of the minimum amount
4 based on 60% of the number of births that are funded by medical assistance under
5 subch. IV of ch. 49 in that county in proportion to the number of births that are
6 funded by medical assistance under subch. IV of ch. 49 in all of the counties and the
7 reservations of all of the Indian tribes to which grants are awarded under this
8 section.

9 *~~0292/5.7~~ SECTION 861. 46.515 (2) of the statutes, as affected by 2005
10 Wisconsin Act (this act), is amended to read:

11 46.515 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected
12 by the department under sub. (5) to participate in the program under this section,
13 the department shall award, from the appropriation under s. 20.435 (5) (ab), a grant
14 annually to be used only for the purposes specified in sub. (4) (a) and (am). The
15 minimum amount of a grant is \$10,000. The department shall determine the amount
16 of a grant awarded to a county, ~~other than a county with a population of 500,000 or~~
17 ~~more,~~ or Indian tribe in excess of the minimum amount based on the number of births
18 that are funded by medical assistance under subch. IV of ch. 49 in that county or the
19 reservation of that Indian tribe in proportion to the number of births that are funded
20 by ~~medical assistance under subch. IV of ch. 49 in all of the counties and the~~
21 ~~reservations of all of the Indian tribes to which grants are awarded under this~~
22 ~~section. The department shall determine the amount of a grant awarded to a county~~
23 ~~with a population of 500,000 or more in excess of the minimum amount based on 60%~~
24 ~~of the number of births that are funded by medical assistance under subch. IV of ch.~~
25 ~~49 in that county in proportion to the number of births that are funded by medical~~

1 ~~assistance under subch. IV of ch. 49 in all of the counties and the reservations of all~~
2 ~~of the Indian tribes to which grants are awarded under this section.~~

3 *~~0292/5.8~~* SECTION 862. 46.515 (3) (title) of the statutes is repealed.

4 *~~0292/5.9~~* SECTION 863. 46.515 (3) (a) of the statutes is repealed.

5 *~~0292/5.10~~* SECTION 864. 46.515 (3) (b) of the statutes is renumbered 46.515
6 (3) and amended to read:

7 46.515 (3) JOINT APPLICATION PERMITTED. Two or more counties and Indian tribes
8 may submit a joint application to the department. ~~Each county or Indian tribe in a~~
9 ~~joint application shall be counted as a separate county or Indian tribe for the purpose~~
10 ~~of limiting the number of counties and Indian tribes selected in each state fiscal~~
11 ~~biennium.~~

12 *~~0292/5.11~~* SECTION 865. 46.516 of the statutes is created to read:

13 **46.516 Universal home visitation services.** (1) DEFINITIONS. In this
14 section:

15 (a) “County department” means a county department of human services or
16 social services under s. 46.215, 46.22, or 46.23.

17 (b) “Indian tribe” means a federally recognized American Indian tribe or band
18 in this state.

19 (c) “Local health department” has the meaning given in s. 250.01 (4).

20 (d) “Local partnership” means any combination of 2 or more county
21 departments, local health departments, Indian tribes, and private nonprofit
22 agencies that have agreed to implement jointly a program of universal home
23 visitation services under this section.

24 (e) “Organization” means a county department, local health department,
25 Indian tribe, private nonprofit agency, or local partnership.

1 (f) "Private nonprofit agency" means a nonstock corporation organized under
2 ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

3 (2) AWARDING OF GRANTS. From the appropriation account under s. 20.435 (5)
4 (ab), the department shall award grants to applying organizations for the provision
5 of the home visitation services specified in sub. (3) (a). The department shall
6 determine the amount of a grant awarded to an organization based on the number
7 of first-time births in the community served by the organization. The department
8 shall provide competitive application procedures for selecting organizations to
9 receive grants under this subsection and shall establish a method for ranking
10 applicants based on the quality of their applications. The department shall require
11 a grant recipient to provide matching funds or in-kind contributions as determined
12 by the department and shall ensure that a grant recipient does not use any grant
13 moneys awarded to supplant any other moneys used by the grant recipient at the
14 time of the awarding of the grant to provide home visitation services.

15 (3) PURPOSES OF GRANTS. (a) *Universal home visitation services.* An
16 organization that receives a grant under sub. (2) shall use the grant moneys awarded
17 to provide a one-time visit to all first-time parents in the community served by the
18 organization for the purposes of providing those parents with basic information
19 regarding infant health and nutrition, the care, safety, and development of infants,
20 and emergency services for infants; identifying the needs of those parents; and
21 providing those parents with referrals to programs, services, and other resources
22 that may meet those needs. An organization may visit a first-time parent only if the
23 parent or, if the parent is a child, his or her parent, guardian, or legal custodian
24 consents to the visit. No person who is required or permitted to report suspected or

1 threatened abuse or neglect under s. 48.981 (2) may make or threaten to make such
2 a report based on a refusal of a person to receive a home visit under this paragraph.

3 (b) *Start-up costs and capacity building.* In the first year in which a grant
4 under sub. (2) is awarded to an organization, the organization may use a portion of
5 the grant to pay for start-up costs and capacity building related to the provision of
6 home visitation services by the organization. The department shall determine the
7 maximum amount of a grant that an organization may use to pay for those start-up
8 costs and that capacity building.

9 (4) CONFIDENTIALITY. (a) *Nondisclosure of information; exceptions.* No person
10 may use or disclose any information concerning an individual who is offered home
11 visitation services under sub. (3) (a), including an individual who declines to receive
12 those services, or concerning an individual who is provided with a referral under sub.
13 (3) (a), including an individual who declines the referral, unless disclosure of the
14 information is required or permitted under s. 48.981 (2), the use or disclosure of the
15 information is connected to the administration of the program under this section, or
16 the individual has given his or her written informed consent to the use or disclosure
17 of the information.

18 (b) *Explanation of confidentiality requirements.* An organization that receives
19 a grant under sub. (2) shall provide or shall designate an individual or entity to
20 provide an explanation of the confidentiality requirements under par. (a) to each
21 individual who is offered home visitation services under sub. (3) (a) by the
22 organization.

23 (5) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT. If a
24 person who is providing home visitation services under sub. (3) (a) determines that
25 he or she is required or permitted to make a report under s. 48.981 (2) about a child

1 in a family to which the person is providing those services, the person shall, prior to
2 making the report under s. 48.981 (2), make a reasonable effort to notify the child's
3 parent that a report under s. 48.981 (2) will be made and to encourage the parent to
4 contact a county department under s. 46.22 or 46.23 or, in a county having a
5 population of 500,000 or more, the department to request assistance. The
6 notification requirements under this subsection do not affect the reporting
7 requirements under s. 48.981 (2).

8 (6) INFORMATIONAL MATERIALS. Any informational materials about the home
9 visitation services provided under sub. (3) (a) that are distributed to a person who
10 is offered or who is receiving those services shall state the sources of funding for the
11 services.

12 *-0041/2.1* SECTION 866. 46.52 of the statutes is amended to read:

13 **46.52 Systems change grants.** From the appropriation under s. 20.435 (7)
14 (md), the department shall distribute funds to each grant recipient under this section
15 so as to permit initial phasing in of recovery-oriented system changes, prevention
16 and early intervention strategies, and consumer and family involvement for
17 individuals with mental illness. At least 10% of the funds distributed shall be for
18 children with mental illness. ~~The department shall eliminate the funding for a~~
19 ~~recipient at the end of a period of not more than 3 years in order to provide funding~~
20 ~~to benefit another recipient. The department shall require that community services~~
21 ~~that are developed under this section are continued, following termination of funding~~
22 ~~under this section, by use of savings made available from incorporating recovery,~~
23 ~~prevention and early intervention strategies, and consumer and family involvement~~
24 ~~in the services.~~

25 *-0313/1.2* SECTION 867. 46.75 (2) (a) of the statutes is amended to read:

1 46.75 (2) (a) From the appropriation under s. 20.435 (3) (5) (dn), the
2 department shall award grants to agencies to operate food distribution programs
3 that qualify for participation in the emergency food assistance program under P.L.
4 98-8, as amended.

5 *~~0313/1.3~~* SECTION 868. 46.77 of the statutes is amended to read:

6 **46.77 Food distribution administration.** From the appropriation under s.
7 20.435 (3) (5) (dn), the department shall allocate funds to eligible recipient agencies,
8 as defined in the emergency food assistance act, P.L. 98-8, section 201A, as amended,
9 for the storage, transportation and distribution of commodities provided under the
10 hunger prevention act of 1988, P.L. 100-435, as amended.

11 *~~1635/3.2~~* SECTION 869. 46.95 (2) (a) of the statutes is amended to read:

12 46.95 (2) (a) The secretary shall make grants from the appropriations under
13 s. 20.435 (3) (cd), and (hh) ~~and (km)~~ to organizations for the provision of any of the
14 services specified in sub. (1) (d). Grants may be made to organizations which have
15 provided those domestic abuse services in the past or to organizations which propose
16 to provide those services in the future. No grant may be made to fund services for
17 child or unborn child abuse or abuse of elderly persons.

18 *~~1635/3.3~~* SECTION 870. 46.95 (2) (f) (intro.) of the statutes is amended to
19 read:

20 46.95 (2) (f) (intro.) From the appropriations under s. 20.435 (3) (cd), and (hh)
21 ~~and (km)~~, the department shall do all of the following:

22 *~~0284/2.1~~* SECTION 871. 46.95 (2) (f) 7. of the statutes is amended to read:

23 46.95 (2) (f) 7. Award ~~a grant of \$25,000~~ grants in each fiscal year to each of
24 30 organizations to enhance support services. Funding may be used for such
25 purposes as case management; children's programming; assisting victims of

1 domestic abuse to find employment; and training in and activities promoting
2 self-sufficiency.

3 *~~0284/2.2~~* SECTION 872. 46.95 (2) (f) 8. of the statutes is amended to read:

4 46.95 (2) (f) 8. Award \$200,000 in grants in each fiscal year to organizations
5 for domestic abuse services for individuals who are members of underserved
6 populations, including racial minority group members and individuals with mental
7 illness or developmental disabilities. ~~A grant to an organization may not exceed~~
8 \$60,000.

9 *~~0284/2.3~~* SECTION 873. 46.95 (2) (f) 9. of the statutes is amended to read:

10 46.95 (2) (f) 9. Award a grant of \$25,000 in fiscal year 1999–2000 and a grant
11 of \$50,000 in each fiscal year thereafter to the Wisconsin Coalition Against Domestic
12 Violence for toward the cost of a staff person to provide assistance in obtaining legal
13 services to domestic abuse victims.

14 *~~1635/3.4~~* SECTION 874. 46.95 (2) (f) 10. of the statutes is created to read:

15 46.95 (2) (f) 10. Award a grant of \$563,500 in each fiscal year to the Refugee
16 Family Strengthening Project for providing domestic abuse services to the refugee
17 population. Funding may be used to hire bilingual staff persons, especially those
18 who speak Hmong.

19 *~~1635/3.5~~* SECTION 875. 46.95 (2) (g) of the statutes is repealed.

20 *~~0976/2.3~~* SECTION 876. 46.972 (title) of the statutes is amended to read:

21 46.972 (title) **Services Primary health for homeless individuals.**

22 *~~0976/2.4~~* SECTION 877. 46.972 (2) (title) of the statutes is repealed.

23 *~~0976/2.5~~* SECTION 878. 46.972 (2) of the statutes is renumbered 46.972.

24 *~~0976/2.6~~* SECTION 879. 46.972 (3) of the statutes is renumbered 560.9811

25 and amended to read: