



1 (h) The business provides matching funds at least equal to the amount of the  
2 grant. The board may waive the requirement under this paragraph if the board  
3 determines that the business is subject to extreme financial hardship.

4 (2) (a) The board may not award a business more than \$20,000 in grants under  
5 this section.

6 (b) Annually, each district board shall submit to the board a list of the types of  
7 businesses that the district board believes, based upon regional need, should be  
8 given preference in the granting of awards. The board shall give preference to those  
9 types of businesses designated by the district boards in awarding grants under this  
10 section.

11 (c) A grant under this section may not be used for any of the following:

12 1. To pay more than 80 percent of the cost of any skills training or other  
13 education related to the needs of the recipient business that is provided to the owner  
14 of the business, the owner's spouse, or a child of the owner.

15 2. To pay wages or compensate for lost revenue, if any, in connection with  
16 providing the training or other education, or otherwise.

17 (3) A business that receives a grant under this section shall submit to the  
18 board, within 6 months after spending the full amount of the grant proceeds, a report  
19 detailing how the grant proceeds were used.

20 (4) The board shall promulgate rules to implement and administer this section.

21 **SECTION 725g.** 38.50 (11) of the statutes is created to read:

22 38.50 (11) CLOSED SCHOOLS; PRESERVATION OF RECORDS. (a) In this subsection:

23 1. "Association" means the Wisconsin Association of Independent Colleges and  
24 Universities or a successor organization.

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

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

13           (b) 1. If a school operating in this state discontinues its operations, proposes to  
14 discontinue its operations, or is in imminent danger of discontinuing its operations  
15 as determined by the board, if the student records of the school are not taken into  
16 possession under subd. 2., and if the board determines that the student records of the  
17 school are in danger of being destroyed, secreted, mislaid, or otherwise made  
18 unavailable to the persons who are the subjects of those student records or the  
19 authorized representatives of those persons, the board may take possession of those  
20 student records.

21           2. If a school operating in this state that is a member of the association  
22 discontinues its operations, proposes to discontinue its operations, or is in imminent  
23 danger of discontinuing its operations as determined by the association and if the  
24 association determines that the student records of the school are in danger of being  
25 destroyed, secreted, mislaid, or otherwise made unavailable to the persons who are

1 the subjects of those student records or the authorized representatives of those  
2 persons, the association shall take possession of those student records.

3 (c) If necessary to protect student records from being destroyed, secreted,  
4 mislaid, or otherwise made unavailable to the persons who are the subjects of those  
5 student records or the authorized representatives of those persons, the board or  
6 association may seek a court order authorizing the board or association to take  
7 possession of those student records.

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

19 **SECTION 725m.** 39.374 (2) of the statutes is amended to read:

20 39.374 (2) ~~There is created a separate nonlapsible trust fund designated the~~  
21 ~~Wisconsin health education loan repayment fund consisting of all~~ All revenues  
22 received in repayment of loans funded under this section or loans financed from  
23 moneys made available under chapter 20, laws of 1981, section 2022 (1). ~~The board~~  
24 ~~may pledge revenues received or to be received by the fund to secure revenue~~  
25 ~~obligations issued under this section, and shall have all other powers necessary and~~

1 convenient to distribute the proceeds of the revenue obligations and loan repayments  
2 in accordance with subch. II of ch. 18, shall be deposited in the general fund.

3 **SECTION 727.** 39.435 (7) (a) 1. of the statutes is amended to read:

4 39.435 (7) (a) 1. For purposes of determining the appropriation calculating the  
5 amount to be appropriated under s. 20.235 (1) (fe) for fiscal year ~~2005–06~~ 2007–08,  
6 “base amount” means the amount shown in the schedule under s. 20.005 for that  
7 appropriation for fiscal year ~~2004–05~~ 2006–07.

8 **SECTION 728d.** 39.435 (7) (a) 2. of the statutes is amended to read:

9 39.435 (7) (a) 2. For purposes of determining the appropriation calculating the  
10 amount to be appropriated under s. 20.235 (1) (fe) for each fiscal year after fiscal year  
11 ~~2005–06~~ 2007–08, “base amount” means the maximum appropriation amount  
12 determined ~~calculated~~ under par. (b) for the previous fiscal year.

13 **SECTION 729d.** 39.435 (7) (b) (intro.) of the statutes is amended to read:

14 39.435 (7) (b) (intro.) ~~Annually~~ Biennially, beginning on February 1, ~~2005~~ 2007,  
15 the board shall ~~determine the appropriation~~ calculate the amounts to be  
16 appropriated under s. 20.235 (1) (fe) for the next ~~fiscal year~~ biennium as follows:

17 **SECTION 729f.** 39.435 (7) (b) 1. of the statutes is amended to read:

18 39.435 (7) (b) 1. The board shall determine the percentage by which the  
19 undergraduate academic fees that will be charged for the ~~current~~ next academic year  
20 at each institution within the University of Wisconsin System ~~has increased or~~  
21 decreased, as estimated by the board, will increase or decrease from the  
22 undergraduate academic fees charged for the ~~previous~~ current academic year.

23 **SECTION 729h.** 39.435 (7) (b) 1m. of the statutes is created to read:

24 39.435 (7) (b) 1m. The board shall determine the percentage by which the  
25 undergraduate academic fees that will be charged for the academic year after the

1 next academic year at each institution within the University of Wisconsin System,  
2 as estimated by the board, will increase or decrease from the estimated  
3 undergraduate academic fees that will be charged for the next academic year.

4 **SECTION 729j.** 39.435 (7) (b) 2. of the statutes is amended to read:

5 39.435 (7) (b) 2. The appropriation for the next first fiscal year of the next  
6 biennium shall be the result obtained by increasing, to the nearest \$100, the base  
7 amount by the highest average of the percentage increase increases determined  
8 under subd. 1., except that, if the undergraduate academic fees for the current next  
9 academic year ~~decreased or did~~ are estimated to decrease or not change from the  
10 undergraduate academic fees charged for the ~~previous~~ current academic year at each  
11 institution specified in subd. 1., the appropriation shall be the base amount.

12 **SECTION 729k.** 39.435 (7) (b) 2m. of the statutes is created to read:

13 39.435 (7) (b) 2m. The appropriation for the 2nd fiscal year of the next biennium  
14 shall be the result obtained by increasing, to the nearest \$100, the base amount by  
15 the average of the percentage increases determined under subd. 1m., except that, if  
16 the undergraduate academic fees for the academic year after the next academic year  
17 are estimated to decrease or not change from the estimated undergraduate academic  
18 fees charged for the next academic year at each institution specified in subd. 1m., the  
19 appropriation shall be the base amount.

20 **SECTION 730.** 39.435 (8) of the statutes is amended to read:

21 39.435 (8) The board shall award grants under this section to University of  
22 Wisconsin System students from the ~~appropriations~~ appropriation under s. 20.235  
23 (1) (fe) and (ke).

24 **SECTION 731.** 39.76 (1) of the statutes is amended to read:

1           **39.76 (1) STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES.**

2           There is created a 7–member delegation to represent the state of Wisconsin on the  
3           education commission of the states. The delegation shall consist of the governor, the  
4           state superintendent of public instruction, one senator and one representative to the  
5           assembly selected as are the members of standing committees in their respective  
6           houses, and 3 members appointed by the governor in compliance with s. 39.75 (3) (a)  
7           who shall serve at the pleasure of the governor. The chairperson of the delegation  
8           shall be designated by the governor from among its members. Members of the  
9           delegation shall serve without compensation but shall be reimbursed for actual and  
10          necessary expenses incurred in the performance of their duties from the  
11          appropriation in s. 20.505 ~~(4) (ba)~~ (1) (ka). Annual commission membership dues  
12          shall be paid from the appropriation in s. 20.505 ~~(4) (ba)~~ (1) (ka).

13           **SECTION 735b.** Subchapter V (title) of chapter 39 [precedes 39.90] of the  
14          statutes, as created by 2005 Wisconsin Act .... (Assembly Bill 210), is repealed.

15           **SECTION 735c.** 39.90 (title) of the statutes, as created by 2005 Wisconsin Act  
16          .... (Assembly Bill 210), is renumbered 38.50 (title).

17           **SECTION 735d.** 39.90 (1) (intro.) of the statutes, as created by 2005 Wisconsin  
18          Act .... (Assembly Bill 210), is renumbered 38.50 (1) (intro.).

19           **SECTION 735e.** 39.90 (1) (a) of the statutes, as created by 2005 Wisconsin Act  
20          .... (Assembly Bill 210), is renumbered 38.50 (1) (a) and amended to read:

21           38.50 (1) (a) “~~Board~~” Notwithstanding s. 38.01 (2), “board” means the  
22          educational approval board.

23           **SECTION 735f.** 39.90 (1) (b) of the statutes, as created by 2005 Wisconsin Act  
24          .... (Assembly Bill 210), is renumbered 38.50 (1) (b).

1           **SECTION 735g.** 39.90 (1) (c) of the statutes, as created by 2005 Wisconsin Act  
2     ... (Assembly Bill 210), is renumbered 38.50 (1) (c).

3           **SECTION 735h.** 39.90 (1) (d) of the statutes, as created by 2005 Wisconsin Act  
4     ... (Assembly Bill 210), is renumbered 38.50 (1) (d).

5           **SECTION 735i.** 39.90 (1) (e) of the statutes, as created by 2005 Wisconsin Act  
6     ... (Assembly Bill 210), is renumbered 38.50 (1) (e).

7           **SECTION 735j.** 39.90 (1) (f) of the statutes, as created by 2005 Wisconsin Act ...  
8     (Assembly Bill 210), is renumbered 38.50 (1) (f).

9           **SECTION 735k.** 39.90 (1) (g) of the statutes, as created by 2005 Wisconsin Act  
10    ... (Assembly Bill 210), is renumbered 38.50 (1) (g).

11          **SECTION 735km.** 39.90 (2) of the statutes, as created by 2005 Wisconsin Act ...  
12    (Assembly Bill 210), is renumbered 38.50 (2).

13           *e delete xtra space*  
14          **SECTION 735m.** 39.90 (3) of the statutes, as created by 2005 Wisconsin Act ...

15    (Assembly Bill 210), is renumbered 38.50 (3).

16          **SECTION 735n.** 39.90 (4) of the statutes, as created by 2005 Wisconsin Act ...  
17    (Assembly Bill 210), is renumbered 38.50 (5) and amended to read:

18           38.50 (5) EMPLOYEES, QUARTERS. The board shall employ a person to perform  
19    the duties of an executive secretary and any other persons under the classified  
20    service that may be necessary to carry out the board's responsibilities. The person  
21    performing the duties of the executive secretary shall be in charge of the  
22    administrative functions of the board. The board shall, to the maximum extent  
23    practicable, keep its office with the ~~department of veterans affairs~~ technical college  
24    system board.

1           **SECTION 735o.** 39.90 (5) of the statutes, as created by 2005 Wisconsin Act ...  
2 (Assembly Bill 210), is renumbered 38.50 (7).

3           **SECTION 735p.** 39.90 (6) of the statutes, as created by 2005 Wisconsin Act ...  
4 (Assembly Bill 210), is renumbered 38.50 (8), and 38.50 (8) (b) and (c) 5., as  
5 renumbered, are amended to read:

6           38.50 (8) (b) *Solicitor's permit.* The application for a solicitor's permit shall be  
7 made on a form furnished by the board and shall be accompanied by a fee and a surety  
8 bond acceptable to the board in the sum of \$2,000. The board shall, by rule, specify  
9 the amount of the fee for a solicitor's permit. The bond may be continuous and shall  
10 be conditioned to provide indemnification to any student suffering loss as the result  
11 of any fraud or misrepresentation used in procuring his or her enrollment or as a  
12 result of the failure of the school to perform faithfully the agreement the solicitor  
13 made with the student, and may be supplied by the solicitor or by the school itself  
14 either as a blanket bond covering each of its solicitors in the amount of \$2,000 or the  
15 surety bond under sub. ~~(5)~~ (7) (i). Upon approval of a permit, the board shall issue  
16 an identification card to the solicitor giving his or her name and address, the name  
17 and address of the employing school, and certifying that the person whose name  
18 appears on the card is authorized to solicit students for the school. A permit shall  
19 be valid for one year from the date issued. Liability under this paragraph of the  
20 surety on the bond for each solicitor covered by the bond shall not exceed the sum of  
21 \$2,000 as an aggregate for any and all students for all breaches of the conditions of  
22 the bond. The surety of a bond may cancel the bond upon giving 30 days' notice in  
23 writing to the board and shall be relieved of liability under this paragraph upon  
24 giving the notice for any breach of condition occurring after the effective date of the  
25 cancellation. An application for renewal shall be accompanied by a fee, a surety bond



1 acceptable to the board in the sum of \$2,000 if a continuous bond has not been  
2 furnished, and such information as the board requests of the applicant. The board  
3 shall, by rule, specify the amount of the fee for renewal of a solicitor's permit.

4 (c) 5. Failure of the school which the solicitor represents to meet requirements  
5 and standards established by and to comply with rules promulgated by the board  
6 under sub. (5) (7).

7 **SECTION 735q.** 39.90 (7) (title) of the statutes, as created by 2005 Wisconsin Act  
8 .... (Assembly Bill 210), is renumbered 38.50 (10) (title).

9 **SECTION 735r.** 39.90 (7) (a) of the statutes, as created by 2005 Wisconsin Act  
10 .... (Assembly Bill 210), is renumbered 38.50 (10) (a) and amended to read:

11 38.50 (10) (a) *Authority.* All proprietary schools shall be examined and  
12 approved by the board before operating in this state. Approval shall be granted to  
13 schools meeting the criteria established by the board for a period not to exceed one  
14 year. No school may advertise in this state unless approved by the board. All  
15 approved schools shall submit quarterly reports, including information on  
16 enrollment, number of teachers and their qualifications, course offerings, number of  
17 graduates, number of graduates successfully employed, and such other information  
18 as the board considers necessary. If a school closure results in losses to students,  
19 parents, or sponsors, the board may authorize the full or partial payment of those  
20 losses from the appropriation under s. ~~20.485 (5)~~ 20.292 (2) (gm).

21 **SECTION 735s.** 39.90 (7) (b) of the statutes, as created by 2005 Wisconsin Act  
22 .... (Assembly Bill 210), is renumbered 38.50 (10) (b).

23 **SECTION 735t.** 39.90 (7) (c) of the statutes, as created by 2005 Wisconsin Act  
24 .... (Assembly Bill 210), is renumbered 38.50 (10) (c).

1           **SECTION 735u.** 39.90 (7) (cm) of the statutes, as created by 2005 Wisconsin Act  
2     ... (Assembly Bill 210), is renumbered 38.50 (10) (cm).

3           **SECTION 735v.** 39.90 (7) (d) of the statutes, as created by 2005 Wisconsin Act  
4     ... (Assembly Bill 210), is renumbered 38.50 (10) (d).

5           **SECTION 735w.** 39.90 (7) (e) of the statutes, as created by 2005 Wisconsin Act  
6     ... (Assembly Bill 210), is renumbered 38.50 (10) (e).

7           **SECTION 735x.** 39.90 (7) (f) of the statutes, as created by 2005 Wisconsin Act  
8     ... (Assembly Bill 210), is renumbered 38.50 (10) (f).

9           **SECTION 737.** 40.03 (2) (b) of the statutes is amended to read:

10          40.03 (2) (b) Shall employ and select administrative, clerical or other  
11     employees as required for the administration of this chapter and establish the  
12     internal organization of the department, ~~but the department shall always maintain~~  
13     ~~an office in Milwaukee.~~ ✓

14          **SECTION 738p.** 40.05 (4) (bp) 3. c. of the statutes is repealed.

15          **SECTION 740m.** 41.11 (6) of the statutes is created to read:

16          41.11 (6) CERTAIN EXPENDITURES REQUIRED. From the appropriation under s.  
17     20.380 (1) (b), (kg), or (w), the department shall expend the following amounts for the  
18     following purposes:

19           (a) In each fiscal year, not less than \$125,000 to conduct or contract for  
20     marketing activities related to sporting activities and events.

21           (b) In each fiscal year, at least \$25,000 for state sponsorship of, and advertising  
22     during, media broadcasts of the Milwaukee symphony.

23           (c) In each biennium, at least \$50,000 for grants to America's Black Holocaust  
24     Museum in the city of Milwaukee.

1 (d) In each biennium, at least \$200,000 for grants to the Milwaukee Public  
2 Museum for Native American exhibits and activities.

3 SECTION 741. 41.17 (5) of the statutes is amended to read:

4 41.17 (5) FUNDING SOURCE. Subject to the 50% limitation under s. 20.380 (1) (b)  
5 and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg), the  
6 department shall expend, from the appropriations under s. 20.380 (1) (b) and, (kg),  
7 and (v), at least \$1,130,000 in the aggregate in each fiscal year in joint effort  
8 marketing funds under this section.

9 SECTION 743. 44.53 (1) (fm) of the statutes is created to read:

10 44.53 (1) (fm) Conduct a program identical to that described in par. (f), but only  
11 for American Indian individuals and groups. The program shall be funded from the  
12 appropriation under s. 20.215 ( 1) (km).

13 SECTION 744. 44.53 (2) (am) of the statutes is created to read:

14 44.53 (2) (am) Enter into contracts with American Indian individuals,  
15 organizations and institutions and American Indian tribal governments for services  
16 furthering the development of the arts and humanities.

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*e delete extra spaces*

24 SECTION 745b. 45.03 (5) (c) 1. a. of the statutes, as affected by 2005 Wisconsin  
25 Act .... (Assembly Bill 210), is amended to read:

1           45.03 (5) (c) 1. a. Without limitation by reason of any other provisions of the  
2 statutes except s. 16.848, unless otherwise required by law, the power to sell and to  
3 convey title in fee simple to a nonprofit corporation any land and any existing  
4 buildings owned by the state that are under the jurisdiction of the department for  
5 the consideration and upon the terms and conditions as in the judgment of the board  
6 are in the public interest.

7           **SECTION 745d.** 45.03 (13) (j) of the statutes is created to read:

8           45.03 (13) (j) Provide grants to eligible persons who administer a program to  
9 identify, train, and place volunteers at the community level who will assist national  
10 guard members, members of the U.S. armed forces or forces incorporated in the U.S.  
11 armed forces, and their spouses and dependents, who return to this state after  
12 serving on active duty. The department shall make available to the volunteers,  
13 veterans, and their spouses and dependents, a packet of information about the  
14 benefits that they may be eligible to receive from the state or federal government.  
15 This paragraph does not apply after June 30, 2007.

16           **SECTION 745f.** 45.03 (13) (k) of the statutes is created to read:

17           45.03 (13) (k) Provide \$117,300 in 2005–06 and \$117,300 in 2006–07 to a  
18 housing authority in a 1st class city in a county with a population of at least 500,000  
19 to supplement the housing costs of chronically homeless veterans and their families  
20 if the housing authority does all of the following:

21           1. Provides evidence that the money will be used to provide multi–family  
22 housing for individuals and families that contain at least one veteran who has been  
23 chronically homeless.

1           2. Uses at least 50 percent of the money for supplementing temporary privately  
2 owned rental housing costs and the remainder for subsidizing public rental housing  
3 costs.

4           3. In coordination with the department, submits reports to the legislature  
5 under s. 13.172 (2) and to the governor by August 15, 2006, and August 15, 2007, that  
6 contain the following information related to the money received in the previous fiscal  
7 year:

8           a. The number of veterans that received a housing supplement.

9           b. The size of the veterans' households.

10           c. The amount of the supplement and time that the supplement was provided  
11 to each veteran's household.

12           d. The housing status of the assisted veteran's household at the time the  
13 supplement ended.

14           e. Any other information that the department considers necessary to evaluate  
15 the program.

16           **SECTION 745h.** 45.03 (13) (L) of the statutes is created to read:

17           45.03 (13) (L) Provide verification to the educational institution of the  
18 information required under s. 36.27 (3p) (a) or 38.24 (8) (a).

19           **SECTION 745i.** 45.03 (13) (m) of the statutes is created to read:

20           45.03 (13) (m) Provide verification to the educational institution of the  
21 information required under s. 36.27 (3n) (a) or 38.24 (7) (a).

22           **SECTION 745j.** 45.03 (13) (n) of the statutes is created to read:

23           45.03 (13) (n) Provide verification to the department of revenue of the  
24 information required under s. 71.07 (6e) (a) 2. or 3.

1           **SECTION 746g.** 45.20 of the statutes, as affected by 2005 Wisconsin Act ...  
2 (Assembly Bill 210), is repealed and recreated to read:

3           **45.20 Tuition reimbursement.** (1) **DEFINITIONS.** In this section:

4           (a) “Institution of higher education” has the meaning given in 20 USC 1001 (a).

5           (c) “Part-time classroom study” means any of the following:

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

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

9           (d) “Tuition,” when referring to the University of Wisconsin System, means  
10 academic fees and segregated fees; when referring to the technical colleges, means  
11 “program fees” and “additional fees” as described in s. 38.24 (1m) and (1s); and when  
12 referring to a high school, a school that is approved under s. 45.03 (11), or a  
13 proprietary school that is approved under s. 38.50, means the charge for the courses  
14 for which a person is enrolled.

15           (2) **TUITION REIMBURSEMENT PROGRAM.** (a) *Administration.* 1. The department  
16 shall administer a tuition reimbursement program for eligible veterans enrolling as  
17 undergraduates in any institution of higher education in this state, enrolling in a  
18 school that is approved under s. 45.03 (11), enrolling in a proprietary school that is  
19 approved under s. 38.50, enrolling in a public or private high school, or receiving a  
20 waiver of nonresident tuition under s. 39.47.

21           2. A veteran who is a resident of this state and otherwise qualified to receive  
22 benefits under this subsection may receive the benefits under this subsection upon  
23 the completion of any correspondence courses or part-time classroom study from an  
24 institution of higher education located outside this state, from a school that is

1 approved under s. 45.03 (11), or from a proprietary school that is approved under s.  
2 38.50, if any of the following applies:

3 a. The part-time classroom study is not offered within 50 miles of the veteran's  
4 residence by any school or institution under this paragraph and the educational  
5 institution from which the study is offered is located not more than 50 miles from the  
6 boundary line of this state.

7 b. The correspondence course is not offered in this state.

8 (b) *Eligibility.* 1. A veteran is eligible for the tuition reimbursement program  
9 if he or she meets all of the following criteria:

10 a. The annual income of the veteran and his or her spouse does not exceed  
11 \$50,000 plus \$1,000 for each dependent in excess of 2 dependents.

12 b. The veteran applies for the program for courses begun within 10 years after  
13 separation from the service. This subd. 1. b. does not apply to a veteran who is  
14 applying for reimbursement for up to 60 credits of part-time classroom study  
15 courses.

16 c. The veteran is a resident at the time of application for the program and was  
17 a Wisconsin resident at the time of entry into service or was a resident for any  
18 consecutive 12-month period after entry into service and before the date of his or her  
19 application. If a person applying for a benefit under this subsection meets the  
20 residency requirement of 12 consecutive months, the department may not require  
21 the person to reestablish that he or she meets that residency requirement when he  
22 or she later applies for any other benefit under this chapter that requires that  
23 residency.

24 2. In determining eligibility under this subsection, the department shall verify  
25 all reported income amounts.

1           3. A veteran is not eligible under this program if the veteran has an  
2 undergraduate degree from any institution of higher education.

3           (c) *Program benefits.* 1. A veteran who meets the eligibility requirements  
4 under par. (b) 1. may be reimbursed upon satisfactory completion of an  
5 undergraduate semester in any institution of higher education in this state, or upon  
6 satisfactory completion of a course at any school that is approved under s. 45.03 (11),  
7 any proprietary school that is approved under s. 38.50, any public or private high  
8 school, or any institution from which the veteran receives a waiver of nonresident  
9 tuition under s. 39.47. Except as provided in par. (e), the amount of reimbursement  
10 may not exceed the total cost of the veteran's tuition minus any grants or  
11 scholarships that the veteran receives specifically for the payment of the tuition, or,  
12 if the tuition is for an undergraduate semester in any institution of higher education,  
13 the standard cost of tuition for a state resident for an equivalent undergraduate  
14 semester at the University of Wisconsin–Madison, whichever is less.

15           2. An application for reimbursement of tuition under this subsection shall meet  
16 all of the following requirements:

17           a. Be completed and received by the department no later than 60 days after the  
18 completion of the semester or course. The department may accept an application  
19 received more than 60 days after the completion of the semester or course if the  
20 applicant shows good cause for the delayed receipt.

21           b. Contain the information necessary to establish eligibility as determined by  
22 the department.

23           c. Be on the application form established by the department.



1           d. Contain the signatures of both the applicant and a representative of the  
2 institution or school certifying that the applicant has satisfactorily completed the  
3 semester.

4           3. Reimbursement provided under this subsection shall be paid from the  
5 appropriation under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the  
6 amount available under s. 20.485 (2) (tf), the department may reduce the  
7 reimbursement percentage, except to disabled veterans who are eligible for 100  
8 percent of tuition and fees under par. (e), or deny applications for reimbursement  
9 that would otherwise qualify under this subsection. In those cases, the department  
10 shall determine the reimbursement percentage, except to disabled veterans who are  
11 eligible for 100 percent of tuition and fees under par. (e), and eligibility on the basis  
12 of the dates on which applications for reimbursement were received.

13           4. Reimbursement of tuition and fees for a course may be provided at an  
14 institution or school under this paragraph other than the one from which the veteran  
15 is receiving his or her degree or certificate of graduation or course completion if all  
16 of the following apply:

17           a. The curriculum at the institution or school consists only of courses necessary  
18 to complete a degree in a particular course of study.

19           b. The course is accepted as transfer credits at the institution or school listed  
20 under this paragraph from which the veteran is receiving his or her degree but is not  
21 available at that institution or school.

22           (d) *Limitations.* 1. A veteran's eligibility for reimbursement under this  
23 subsection at any institution of higher education in this state, at a school that is  
24 approved under s. 45.03 (11), at a proprietary school that is approved under s. 38.50,

1 at a public or private high school, or at an institution where he or she is receiving a  
2 waiver of nonresident tuition under s. 39.47 is limited to the following:

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

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

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

15 2. The department may provide reimbursement under this subsection to a  
16 veteran who is delinquent in child support or maintenance payments or who owes  
17 past support, medical expenses or birth expenses, as established by appearance of  
18 the veteran's name on the statewide support lien docket under s. 49.854 (2) (b), only  
19 if the veteran provides the department with one of the following:

20 a. A repayment agreement that the veteran has entered into, that has been  
21 accepted by the county child support agency under s. 59.53 (5) and that has been kept  
22 current for the 6-month period immediately preceding the date of the application.

23 b. A statement that the veteran is not delinquent in child support or  
24 maintenance payments and does not owe past support, medical expenses or birth

1 expenses, signed by the department of workforce development or its designee within  
2 7 working days before the date of the application.

3 3. A veteran may not receive reimbursement under this subsection for any  
4 semester in which he or she is eligible for or received a grant under s. 21.49 or under  
5 10 USC 2007.

6 4. A veteran may not receive reimbursement under this subsection for any  
7 semester in which the veteran fails to receive at least a 2.0 grade point average or  
8 an average grade of “C”.

9 (e) *Disabled veteran eligibility.* A disabled veteran who meets the requirements  
10 under this subsection and whose disability is rated at 30% or more under 38 USC  
11 1114 or 1134 may be reimbursed for up to 100% of the cost of tuition and fees, but that  
12 reimbursement is limited to 100% of the standard cost for a state resident for tuition  
13 and fees for an equivalent undergraduate course at the University of  
14 Wisconsin–Madison per course if the tuition and fees are for an undergraduate  
15 semester in any institution of higher education.

16 (f) *Reporting requirements.* The department shall promulgate a rule that  
17 establishes the number of days after the commencement of an academic term that  
18 begins after December 31, 2005, by which a veteran who will be seeking  
19 reimbursement under this section must provide the department with all of the  
20 following information:

21 1. The veteran’s name.

22 2. The educational institution the veteran is attending.

23 3. Whether the veteran is enrolled full–time or part–time at the educational  
24 institution.

1           4. An estimate of the amount of tuition reimbursement that the veteran will  
2 claim at the end of the academic term.

3           **SECTION 746r.** 45.21 (2) (a) of the statutes, as affected by 2005 Wisconsin Act  
4 .... (Assembly Bill 210), is amended to read:

5           45.21 (2) (a) The veteran is enrolled in a training course in a technical college  
6 under ch. 38 or in a proprietary school in the state approved by the educational  
7 approval board under s. ~~39.90~~ 38.50, other than a proprietary school offering a  
8 4–year degree or 4–year program, or is engaged in a structured on–the–job training  
9 program that meets program requirements promulgated by the department by rule.

10           **SECTION 763p.** 45.31 (9) of the statutes, as affected by 2005 Wisconsin Act ....  
11 (Assembly Bill 210), is amended to read:

12           45.31 (9) “Home” means a building or portion of a building 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 used as a principal place of  
15 residence by the veteran, and the land, including existing improvements,  
16 appertaining to the building.

17           **SECTION 763q.** 45.31 (15) of the statutes is created to read:

18           45.31 (15) “Qualified veterans’ mortgage bonds” means federally tax–exempt  
19 bonds issued under the authority of 26 USC 143.

20           **SECTION 763r.** 45.33 (1) (d) of the statutes is created to read:

21           45.33 (1) (d) Any person who has completed 6 continuous years of service under  
22 honorable conditions in the army or air national guard or in any reserve component  
23 of the U.S. armed forces, and who is living in this state at the time of his or her  
24 application for benefits.

1           **SECTION 763s.** 45.34 (1) (c) of the statutes, as affected by 2005 Wisconsin Act  
2     ... (Assembly Bill 210), is amended to read:

3           45.34 (1) (c) A loan of ~~not more than \$25,000~~ to improve a home, including the  
4     construction of a garage or the removal or other alteration of existing improvements  
5     that were made to improve the accessibility of a home for a permanently and totally  
6     disabled individual.

7           **SECTION 763t.** 45.34 (1) (d) of the statutes, as affected by 2005 Wisconsin Act  
8     ... (Assembly Bill 210), is repealed and recreated to read:

9           45.34 (1) (d) Refinancing the balance due on an indebtedness that was incurred  
10    for a use designated in pars. (a) to (c).

11          **SECTION 763u.** 45.34 (2) (b) 1. of the statutes, as affected by 2005 Wisconsin Act  
12    ... (Assembly Bill 210), is amended to read:

13          45.34 (2) (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          **SECTION 763v.** 45.34 (3) of the statutes is created to read:

17          45.34 (3) **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          **SECTION 795c.** 45.40 of the statutes, as affected by 2005 Wisconsin Act ...  
23    (Assembly Bill 210), is repealed and recreated to read:

24          **45.40 Assistance to needy veterans.** (1) **SUBSISTENCE AID.** (a) The  
25    department may provide subsistence payments to a veteran on a month-to-month

1 basis or for a 3-month period. The department may pay subsistence aid for a  
2 3-month period if the veteran will be incapacitated for more than 3 months and if  
3 earned or unearned income or aid from sources other than those listed in the  
4 application will not be available in the 3-month period. The department may provide  
5 subsistence payments only to a veteran who has suffered a loss of income due to  
6 illness, injury, or natural disaster. The department may grant subsistence aid under  
7 this subsection to a veteran whose loss of income is the result of abuse of alcohol or  
8 other drugs only if the veteran is participating in an alcohol and other drug abuse  
9 treatment program that is approved by the department. No payment may be made  
10 under this subsection if the veteran has other assets or income available to meet  
11 basic subsistence needs or if the veteran is eligible to receive aid from other sources  
12 to meet those needs.

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

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

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

21 (c) The department may not provide health care aid under this subsection  
22 unless the aid recipient's health care provider agrees to accept, as full payment for  
23 the health care provided, the amount of the payment, the amount of the recipient's  
24 health insurance or other 3rd-party payments, if any, and the amount that the  
25 department determines the veteran is capable of paying. The department may not

1 pay health care aid under this subsection if the liquid assets of the veteran are in  
2 excess of \$1,000.

3 **(2m) DEPENDENTS ELIGIBILITY.** (a) The unremarried spouse and dependent  
4 children of a veteran who died on active duty, or in the line of duty while on active  
5 or inactive duty for training purposes, in the U.S. armed forces or forces incorporated  
6 in the U.S. armed forces are eligible to receive payments under subs. (1) and (2) if the  
7 household income of those persons does not exceed the income limitations  
8 established under sub. (3m).

9 (b) The spouse and dependent children of a member of the U.S. armed forces  
10 or of the Wisconsin national guard who has been activated or deployed to serve in the  
11 U.S. armed forces who are residents of this state, who have suffered a loss of income  
12 due to that activation or deployment, and who experience an economic emergency  
13 during the member's activation or deployment are eligible to receive assistance  
14 under subs. (1) and (2).

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

17 **(3m) RULES.** The department shall promulgate rules establishing eligibility  
18 criteria and household income limits for payments under subs. (1), (2), and (2m).

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

22 **(5) JOINT FINANCE SUPPLEMENTAL FUNDING.** The department may submit a  
23 request to the joint committee on finance for supplemental funds from the veterans  
24 trust fund to be credited to the appropriation account under s. 20.485 (2) (vm) to  
25 provide payments under this section. The joint committee on finance may, from the

1 appropriation under s. 20.865 (4) (u), supplement the appropriation under s. 20.485  
2 (2) (vm) in an amount equal to the amount that the department expects to expend  
3 under this section. If the cochairpersons of the committee do not notify the  
4 department that the committee has scheduled a meeting for the purpose of reviewing  
5 the request for a supplement within 14 working days after the date of the  
6 department's notification, the supplement to the appropriation is approved. If,  
7 within 14 working days after the date of the department's notification, the  
8 cochairpersons of the committee notify the department that the committee has  
9 scheduled a meeting for the purpose of reviewing the proposed supplement, the  
10 supplement may occur only upon approval of the committee.

11 *e delete extra space*

12 **SECTION 795d.** 45.42 (2) of the statutes, as affected by 2005 Wisconsin Act ...  
13 (Assembly Bill 210), is amended to read:

14 45.42 (2) The department may lend a veteran, a veteran's unremarried  
15 surviving spouse, or a deceased veteran's child not more than \$25,000, or a lesser  
16 amount established by the department under sub. (9). The department may  
17 prescribe loan conditions, but the term of the loan may not exceed 10 years, or a  
18 shorter term established by the department under sub. (12). The department shall  
19 ensure that the proceeds of any loan made under this section shall first be applied  
20 to pay any delinquent child support or maintenance payments owed by the person  
21 receiving the loan and then to pay any past support, medical expenses, or birth  
22 expenses owed by the person receiving the loan.

23 **SECTION 795e.** 45.42 (12) of the statutes is created to read:


24 45.42 (12) Subject to the limit established in sub. (2), the department may  
25 periodically adjust the maximum term limits for loans based upon financial market



1 conditions, funds available, needs of the veterans trust fund, or other factors that the  
2 department considers relevant.

3 **SECTION 795f.** 45.50 (6) (a) of the statutes, as affected by 2005 Wisconsin Act  
4 .... (Assembly Bill 210), is amended to read:

5 45.50 (6) (a) The department may enter into agreements for furnishing and  
6 charging for water and sewer service from facilities constructed at and for veterans  
7 homes to public and private properties lying in the immediate vicinity of veterans  
8 homes.

9  *delete xtra space*  
10 **SECTION 795g.** 45.51 (3) (b) of the statutes, as affected by 2005 Wisconsin Act  
11 ...(Assembly Bill 210), is amended to read:

12 45.51 (3) (b) Spouses, surviving spouses, and parents derive their eligibility  
13 from the eligibility of the person under sub. (2) (a) 1. or 2. Surviving spouses and  
14 parents of eligible persons under sub. (2) (a) 1. or 2. are shall not be eligible for  
15 admission only to a skilled nursing facility at a veterans home for admission to the  
16 Wisconsin Veterans Home at Union Grove or the Wisconsin Veterans Home at King  
17 unless a home's overall occupancy level is below an optimal level as determined by  
18 the board.

19 **SECTION 795h.** 45.51 (10) (b) of the statutes, as affected by 2005 Wisconsin Act  
20 .... (Assembly Bill 210), is amended to read:

21 45.51 (10) (b) The Except where a sale occurs under s. 16.848, the department  
22 may manage, sell, lease, or transfer property passing to the state pursuant to this  
23 section or conveyed to it by members, defend and prosecute all actions concerning it,  
24 pay all just claims against it, and do all other things necessary for the protection,  
25 preservation, and management of the property. All expenditures necessary for the

1 execution of functions under this paragraph or sub. (14) shall be made from the  
2 appropriation in s. 20.485 (1) (h).

3 **SECTION 816r.** 45.60 (2) of the statutes, as affected by 2005 Wisconsin Act ....  
4 (Assembly Bill 210), is repealed.

5 **SECTION 824m.** 45.82 (4) of the statutes, as affected by 2005 Wisconsin Act  
6 ...(Assembly Bill 210), is amended to read:

7 45.82 (4) The department shall provide grants to the governing bodies of  
8 federally recognized American Indian tribes and bands from the appropriation  
9 under s. 20.485 (2) ~~(vz)~~ (km) if that governing body enters into an agreement with  
10 the department regarding the creation, goals, and objectives of a tribal veterans  
11 service officer, appoints a veteran to act as a tribal veterans service officer, and gives  
12 that veteran duties similar to the duties described in s. 45.80 (5), except that the  
13 veteran shall report to the governing body of the tribe or band. The department may  
14 make annual grants of up to ~~\$2,500~~ \$8,500 under this subsection and shall  
15 promulgate rules to implement this subsection.

16 **SECTION 827.** 46.03 (30) (a) of the statutes is amended to read:

17 46.03 (30) (a) To provide for an orderly reduction of state institutional primary  
18 psychiatric services the department may approve the institutes entering into  
19 contracts with county departments under s. 51.42 for providing primary psychiatric  
20 care. If excess capacity exists at state operated mental health institutes, the  
21 department shall, subject to s. 16.848, explore whether the possible sale or lease of  
22 such excess facilities may be sold or leased to a county department under s. 51.42.

23 **SECTION 830.** 46.034 (3) of the statutes is amended to read:

24 46.034 (3) With the agreement of the affected county board of supervisors in  
25 a county with a single-county department or boards of supervisors in counties with

1 a multicounty department, effective for the contract period beginning January 1,  
2 1980, the department may approve a county with a single-county department or  
3 counties participating in a multicounty department to administer a single  
4 consolidated aid consisting of the state and federal financial aid available to that  
5 county or those counties from appropriations under s. 20.435 (3) ~~(a)~~ and (7) (b) and  
6 (o) for services provided and purchased by county departments under ss. 46.215,  
7 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of  
8 improved service coordination and effectiveness, the county board of supervisors in  
9 a county with a single-county department or county boards of supervisors in  
10 counties with a multicounty department may reallocate among county departments  
11 under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be  
12 specified for use by a single county department. The budget under s. 46.031 (1) shall  
13 be the vehicle for expressing the proposed use of the single consolidated fund by the  
14 county board of supervisors in a county with a single-county department or county  
15 boards of supervisors in counties with a multicounty department. Approval by the  
16 department of this use of the fund shall be in the contract under s. 46.031 (2g).  
17 Counties that were selected by the department to pilot test consolidated aids for  
18 contract periods beginning January 1, 1978, may continue or terminate  
19 consolidation with the agreement of the affected county board of supervisors in a  
20 county with a single-county department or county boards of supervisors in counties  
21 with a multicounty department.

22 **SECTION 831.** 46.035 (1) (a) of the statutes is amended to read:

23 46.035 (1) (a) The term “existing building” in relation to any conveyance, lease  
24 or sublease made under sub. (2) (a) ~~1., 2. and 3.,~~ (b), and (c) means all detention,  
25 treatment, administrative, recreational, infirmary, hospital, vocational and

1 academic buildings; all dormitories and cottages; all storage facilities, heating  
2 plants, sewage disposal plants, and such other buildings, structures, facilities and  
3 permanent improvements as in the judgment of the secretary are needed or useful  
4 for the purposes of the department, and all equipment therefor and all improvements  
5 and additions thereto which were erected, constructed or installed prior to the  
6 making of such conveyance, lease or sublease.

7 **SECTION 832.** 46.035 (1) (b) of the statutes is amended to read:

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

17 **SECTION 833.** 46.035 (2) (intro.) of the statutes is repealed.

18 **SECTION 834.** 46.035 (2) (a) of the statutes is renumbered 46.035 (2), and 46.035  
19 (2) (intro.), (a) and (c) to (j), as renumbered, are amended to read:

20 46.035 (2) (intro.) In order to provide new buildings and to enable the  
21 construction and financing thereof, to refinance indebtedness hereafter created by  
22 a nonprofit corporation for the purpose of providing a new building or buildings or  
23 additions or improvements thereto which are located on land owned by, or owned by  
24 the state and held for, the department or on lands of the institutions under the  
25 jurisdiction of the department or by the nonprofit corporation, or for any one or more

1 of said purposes, but for no other purpose unless authorized by law, the department  
2 has, subject to s. 16.848, the following powers and duties:

3 (a) Without limitation by reason of any other provisions of the statutes except  
4 s. 16.848, the power to sell and to convey title in fee simple to a nonprofit corporation  
5 any land and any existing buildings thereon owned by, or owned by the state and held  
6 for, the department or of any of the institutions under the jurisdiction of the  
7 department for such consideration and upon such terms and conditions as in the  
8 judgment of the secretary are in the public interest.

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

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

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

1 (f) The power to covenant and agree in any lease or sublease of such new  
2 buildings made under ~~subd. 3. par. (c)~~ to impose fees, rentals or other charges for the  
3 use and occupancy or other operation of such new buildings in an amount calculated  
4 to produce net revenues sufficient to pay the rentals due and to become due under  
5 such lease or sublease.

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

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

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

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

22 **SECTION 835.** 46.035 (2) (b) of the statutes is renumbered 46.035 (3) and  
23 amended to read:

24 46.035 (3) The state ~~shall be~~ is liable for accrued rentals and for any other  
25 default under any lease or sublease made under ~~par. (a) 3. sub. (2) (c)~~, and may be

1 sued therefor on contract as in other contract actions pursuant to ch. 775, except that  
2 it ~~shall not be~~ is not necessary for the lessor under any such lease or sublease or any  
3 assignee of such lessor or any person or other legal entity proceeding on behalf of such  
4 lessor to file any claim with the legislature prior to the commencement of any such  
5 action.

6 **SECTION 836.** 46.035 (2) (c) of the statutes is renumbered 46.035 (4).

7 **SECTION 837.** 46.035 (2) (d) of the statutes is repealed.

8 **SECTION 838.** 46.035 (2) (e) of the statutes is renumbered 46.035 (5) and  
9 amended to read:

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

13 **SECTION 839.** 46.057 (2) of the statutes is amended to read:

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

24 **SECTION 840.** 46.06 (intro.) of the statutes is created to read:

1           **46.06 Lands; condemnation, easements, leases, sales, purchases.**

2 (intro.) Subject to s. 16.848:

3           **SECTION 841m.** 46.07 of the statutes is amended to read:

4           **46.07 Property of patients or residents.** All money including wages and  
5 other property delivered to an officer or employee of any institution for the benefit  
6 of a patient or resident shall ~~forthwith~~ be delivered to the steward, who shall enter  
7 the same money upon the steward's books to the credit of the patient or resident. The  
8 property shall be used only under the direction and with the approval of the  
9 superintendent and for the crime victim and witness assistance surcharge under s.  
10 973.045 (4), the delinquency victim and witness assistance surcharge under s. 938.34  
11 (8d) (c), the deoxyribonucleic acid analysis surcharge under s. 973.046, the drug  
12 offender diversion surcharge under s. 973.043, or the benefit of the patient or  
13 resident. If the money remains uncalled for for one year after the patient's or  
14 resident's death or departure from the institution, the superintendent shall deposit  
15 the same money in the general fund. If any patient or resident leaves property, other  
16 than money, uncalled for at an institution for one year, the superintendent shall sell  
17 the property, and the proceeds shall be deposited in the general fund. If any person  
18 satisfies the department, within 5 years after the deposit, of his or her right to the  
19 deposit, the department shall direct the department of administration to draw its  
20 warrant in favor of the claimant and it shall charge the same to the appropriation  
21 made by s. 20.913 (3) (c).

22           **SECTION 842.** 46.09 (intro.) of the statutes is created to read:

23           **46.09 Purchases, bills, audits, payments.** (intro.) Subject to s. 16.848:

24           **SECTION 843.** 46.10 (14) (a) of the statutes is amended to read:



1           46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person  
2 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons  
3 under 18 years of age at community mental health centers, a county mental health  
4 complex under s. 51.08, the centers for the developmentally disabled, the Mendota  
5 Mental Health Institute, and the Winnebago Mental Health Institute or care and  
6 maintenance of persons under 18 years of age in residential, nonmedical facilities  
7 such as group homes, foster homes, treatment foster homes, ~~child-caring institutions,~~  
8 subsidized guardianship homes, residential care centers for children and youth, and  
9 juvenile correctional institutions is determined in accordance with the cost-based  
10 fee established under s. 46.03 (18). The department shall bill the liable person up  
11 to any amount of liability not paid by an insurer under s. 632.89 (2) or (2m) or by other  
12 3rd-party benefits, subject to rules that include formulas governing ability to pay  
13 promulgated by the department under s. 46.03 (18). Any liability of the patient not  
14 payable by any other person terminates when the patient reaches age 18, unless the  
15 liable person has prevented payment by any act or omission.

16           **SECTION 844.** 46.10 (14) (b) of the statutes is amended to read:

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

1           **SECTION 845.** 46.10 (16) of the statutes is amended to read:

2           **46.10 (16)** The department shall delegate to county departments under ss.  
3 51.42 and 51.437 or the local providers of care and services meeting the standards  
4 established by the department under s. 46.036, the responsibilities vested in the  
5 department under this section for collection of patient fees for services other than  
6 those provided at state facilities or those provided to children that are reimbursed  
7 under a waiver under s. 46.27 (11), 46.275, ~~or~~ 46.278, or 46.2785 or a waiver  
8 requested under 2001 Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act  
9 33, section 9124 (8c), if the county departments or providers meet the conditions that  
10 the department determines are appropriate. The department may delegate to  
11 county departments under ss. 51.42 and 51.437 the responsibilities vested in the  
12 department under this section for collection of patient fees for services provided at  
13 the state facilities if the necessary conditions are met.

14           **SECTION 849.** 46.215 (2) (c) 1. of the statutes is amended to read:

15           **46.215 (2) (c) 1.** A county department of social services shall develop, under the  
16 requirements of s. 46.036, plans and contracts for care and services to be purchased,  
17 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department  
18 of health and family services may review the contracts and approve them if they are  
19 consistent with s. 46.036 and if state or federal funds are available for such purposes.  
20 The joint committee on finance may require the department of health and family  
21 services to submit the contracts to the committee for review and approval. The  
22 department of health and family services may not make any payments to a county  
23 for programs included in a contract under review by the committee. The department  
24 of health and family services shall reimburse each county for the contracts from the

1 appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o), as appropriate, under s.  
2 46.495.

3 **SECTION 850.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

4 46.22 (1) (e) 3. a. A county department of social services shall develop, under  
5 the requirements of s. 46.036, plans and contracts for care and services, except under  
6 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and  
7 family services may review the contracts and approve them if they are consistent  
8 with s. 46.036 and to the extent that state or federal funds are available for such  
9 purposes. The joint committee on finance may require the department of health and  
10 family services to submit the contracts to the committee for review and approval.  
11 The department of health and family services may not make any payments to a  
12 county for programs included in the contract that is under review by the committee.  
13 The department of health and family services shall reimburse each county for the  
14 contracts from the appropriations under s. 20.435 ~~(3) (e)~~ and (7) (b) and (o) according  
15 to s. 46.495.

16 **SECTION 851.** 46.261 (1) (a) of the statutes is amended to read:

17 46.261 (1) (a) The child is living in a foster home or treatment foster home  
18 licensed under s. 48.62 if a license is required under that section, in a foster home  
19 or treatment foster home located within the boundaries of a federally recognized  
20 American Indian reservation in this state and licensed by the tribal governing body  
21 of the reservation, in a group home licensed under s. 48.625, in a subsidized  
22 guardianship home under s. 48.62 (5), or in a residential care center for children and  
23 youth licensed under s. 48.60, and has been placed in the foster home, treatment  
24 foster home, group home, subsidized guardianship home, or center by a county  
25 department under s. 46.215, 46.22, or 46.23, by the department, or by a federally

1 recognized American Indian tribal governing body in this state under an agreement  
2 with a county department under s. 46.215, 46.22, or 46.23.

3 **SECTION 852.** 46.261 (2) (a) 1. of the statutes is amended to read:

4 46.261 (2) (a) 1. A nonrelative who cares for the dependent child in a foster  
5 home or treatment foster home having a license under s. 48.62, in a foster home or  
6 treatment foster home located within the boundaries of a federally recognized  
7 American Indian reservation in this state and licensed by the tribal governing body  
8 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian  
9 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor  
10 custodial parent who cares for the dependent child, regardless of the cause or  
11 prospective period of dependency. The state shall reimburse counties pursuant to the  
12 procedure under s. 46.495 (2) and the percentage rate of participation set forth in s.  
13 46.495 (1) (d) for aid granted under this section except that if the child does not have  
14 legal settlement in the granting county, state reimbursement shall be at 100%. The  
15 county department under s. 46.215 or 46.22 or the department under s. 48.48 (17)  
16 shall determine the legal settlement of the child. A child under one year of age shall  
17 be eligible for aid under this subsection irrespective of any other residence  
18 requirement for eligibility within this section.

19 **SECTION 853.** 46.261 (2) (a) 3. of the statutes is amended to read:

20 46.261 (2) (a) 3. A county or, in a county having a population of 500,000 or more,  
21 the department, when the child is placed in a licensed foster home, treatment foster  
22 home, group home, or residential care center for children and youth or in a subsidized  
23 guardianship home by a licensed child welfare agency or by a federally recognized  
24 American Indian tribal governing body in this state or by its designee, if the child is  
25 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the

1 department under s. 48.48 (17) or if the child was removed from the home of a  
2 relative, as defined under s. 48.02 (15), as a result of a judicial determination that  
3 continuance in the home of the relative would be contrary to the child's welfare for  
4 any reason and the placement is made pursuant to an agreement with the county  
5 department or the department.

6 **SECTION 854.** 46.261 (2) (a) 4. of the statutes is amended to read:

7 46.261 (2) (a) 4. A licensed foster home, treatment foster home, group home,  
8 or residential care center for children and youth or a subsidized guardianship home  
9 when the child is in the custody or guardianship of the state, when the child is a ward  
10 of an American Indian tribal court in this state and the placement is made under an  
11 agreement between the department and the tribal governing body, or when the child  
12 was part of the state's direct service case load and was removed from the home of a  
13 relative, as defined under s. 48.02 (15), as a result of a judicial determination that  
14 continuance in the home of a relative would be contrary to the child's welfare for any  
15 reason and the child is placed by the department.

16 **SECTION 855.** 46.261 (2) (b) of the statutes is amended to read:

17 46.261 (2) (b) Notwithstanding par. (a), aid under this section may not be  
18 granted for placement of a child in a foster home or treatment foster home licensed  
19 by a federally recognized American Indian tribal governing body, for placement of a  
20 child in a foster home, treatment foster home, group home, subsidized guardianship  
21 home, or residential care center for children and youth by a tribal governing body or  
22 its designee, or for the placement of a child who is a ward of a tribal court if the tribal  
23 governing body is receiving or is eligible to receive funds from the federal government  
24 for that type of placement ~~or for placement of a child in a group home licensed under~~  
25 ~~s. 48.625.~~

1           **SECTION 856.** 46.27 (5) (i) of the statutes is amended to read:

2           46.27 (5) (i) In the instances in which an individual who is provided long-term  
3 community support services under par. (b) for which the individual receives direct  
4 funding, serve directly as a fiscal agent or contract with a fiscal intermediary to serve  
5 as a fiscal agent for that individual for the purposes of performing the responsibilities  
6 and protecting the interests of the individual under the unemployment insurance  
7 law. The county department or aging unit may elect to act as a fiscal agent or contract  
8 with a fiscal intermediary to serve as a fiscal agent for an individual who is provided  
9 long-term support services under s. 46.275, 46.277, 46.278, 46.2785, 46.495, 51.42,  
10 or 51.437. The fiscal agent under this paragraph is responsible for remitting any  
11 federal unemployment compensation taxes or state unemployment insurance  
12 contributions owed by the individual, including any interest and penalties which are  
13 owed by the individual; for serving as the representative of the individual in any  
14 investigation, meeting, hearing or appeal involving ch. 108 or the federal  
15 unemployment tax act (26 USC 3301 to 3311) in which the individual is a party; and  
16 for receiving, reviewing, completing and returning all forms, reports and other  
17 documents required under ch. 108 or the federal unemployment tax act on behalf of  
18 the individual. An individual may make an informed, knowing and voluntary  
19 election to waive the right to a fiscal agent. The waiver may be as to all or any portion  
20 of the fiscal agent's responsibilities. The waiver may be rescinded in whole or in part  
21 at any time.

22           **SECTION 857.** 46.27 (6r) (a) of the statutes is amended to read:

23           46.27 (6r) (a) A person who is initially eligible for services under sub. (7) (b),  
24 for whom home and community-based services are available under sub. (11) or s.  
25 46.275, 46.277 ~~or~~, 46.278, or 46.2785 that require less total expenditure of state funds

1 than do comparable services under sub. (7) (b) and who is eligible for and offered the  
2 home and community-based services under sub. (11) or s. 46.275, 46.277 ~~or~~, 46.278,  
3 or 46.2785, but who declines the offer, except that a county may use funds received  
4 under sub. (7) (b) to pay for long-term community support services for the person for  
5 a period of up to 90 days during which an application for services under sub. (11) or  
6 s. 46.275, 46.277 ~~or~~, 46.278, or 46.2785 for the person is processed.

7 **SECTION 862.** 46.27 (11) (a) of the statutes is repealed.

8 **SECTION 865m.** 46.275 (5) (b) 5. of the statutes is amended to read:

9 46.275 (5) (b) 5. Provide residential services in any community-based  
10 residential facility, as defined in s. 50.01 (1g), or group home, as defined in s. 48.02  
11 (7) that has more than ~~4~~ 8 beds, ~~unless the department approves the provision of~~  
12 ~~services in a community-based residential facility or group home that has 5 to 8 beds.~~

13 **SECTION 868.** 46.277 (1m) (ag) of the statutes is created to read:

14 46.277 (1m) (ag) “Delicensed” means deducted from the number of beds stated  
15 on a facility’s license, as specified under s. 50.03 (4) (e).

16 **SECTION 869.** 46.277 (5) (g) of the statutes is amended to read:

17 46.277 (5) (g) The department may provide enhanced reimbursement for  
18 services provided under this section to an individual who has resided in a nursing  
19 home for at least 100 consecutive days and who is relocated to the community from  
20 a nursing home by a county department on or after ~~July 26, 2003~~ the effective date  
21 of this paragraph .... [revisor inserts date], if the nursing home bed that was used by  
22 the individual is delicensed upon relocation of the individual number of individuals  
23 served under this paragraph does not exceed the number of nursing home beds that  
24 are delicensed as part of plans submitted by nursing homes and approved by the

1 department. The department shall develop and utilize a formula to determine the  
2 enhanced reimbursement rate.

3 **SECTION 872.** 46.2785 of the statutes is created to read:

4 **46.2785 Community Opportunities and Recovery Program. (1)**

5 DEFINITIONS. In this section:

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

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

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

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

19 (3) **CONTRACT FOR ADMINISTRATION.** If doing so is consistent with the waiver  
20 received by the department as specified in sub. (2), the department may contract with  
21 a county or a private agency to administer the waiver program. A private agency  
22 with which the department contracts shall have the powers and duties of a county  
23 under this section.

24 (4) **ELIGIBILITY.** Any medical assistance recipient who has a serious mental  
25 illness and meets the level of care requirements under s. 49.45 (6m) (i) for



1 reimbursement of nursing home care under the Medical Assistance program is  
2 eligible to participate in the waiver program.

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

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

11 **SECTION 872g.** 46.279 (4n) of the statutes is created to read:

12 46.279 (4n) CONTRACT FOR PLAN PAYMENT. The department and the county  
13 specified in sub. (4m) (a) shall negotiate a contract under which the department shall  
14 provide payment, from the appropriation account under s. 20.435 (4) (b), to  
15 implement a plan to provide care in a noninstitutional community setting to an  
16 individual who has established residence in the county in order to be admitted to an  
17 intermediate facility in the county. The contract may provide for the negotiation of  
18 a memorandum of understanding between the parties that identifies the relative  
19 functions and duties of the department and the county in implementing plans under  
20 sub. (4) for residents of intermediate facilities in the county.

21 **SECTION 872m.** 46.281 (1) (e) of the statutes is renumbered 46.281 (1) (e)  
22 (intro.) and amended to read:

23 46.281 (1) (e) (intro.) After June 30, 2001, if:

24 1. If the local long-term care council for the applicable area has developed the  
25 initial plan under s. 46.282 (3) (a) 1., contract with entities specified under par. (d)

1 and, only if specifically authorized by the legislature and if the legislature  
2 appropriates necessary funding, contract as so authorized with one or more entities  
3 in addition to those specified in par. (d) certified as meeting requirements under s.  
4 46.284 (3) for services of the entity as a care management organization and one or  
5 more entities for services specified under s. 46.283 (3) and (4).

6 **SECTION 872n.** 46.281 (1) (e) 2. of the statutes is created to read:

7 46.281 (1) (e) 2. Contract with entities specified under par. (d) and other  
8 entities for the provision of services under s. 46.283 (3) and (4), except that after the  
9 effective date of this subdivision .... [revisor inserts date], the department shall notify  
10 the joint committee on finance in writing of any proposed contract with an entity that  
11 did not have a contract to provide services under s. 46.283 (3) and (4) before the  
12 effective date of this subdivision .... [revisor inserts date]. If the cochairpersons of  
13 the committee do not notify the department within 14 working days after the date  
14 of the department's notification that the committee has scheduled a meeting for the  
15 purpose of reviewing the proposed contract, the department may enter into the  
16 proposed contract. If within 14 working days after the date of the department's  
17 notification the cochairpersons of the committee notify the department that the  
18 committee has scheduled a meeting for the purpose of reviewing the proposed  
19 contract, the department may enter into the proposed contract only upon approval  
20 of the committee.

21 **SECTION 872o.** 46.283 (1) (a) (intro.) of the statutes is amended to read:

22 46.283 (1) (a) (intro.) ~~After considering recommendations of the local~~  
23 ~~long-term care council under s. 46.282 (3) (a) 1., a~~ A county board of supervisors  
24 and, in a county with a county executive or a county administrator, the county  
25 executive or county administrator, may decide all of the following:

1           **SECTION 872p.** 46.283 (1) (b) of the statutes is amended to read:

2           46.283 (1) (b) ~~After considering recommendations of the local long-term care~~  
3 ~~council under s. 46.282 (3) (a) 1., the~~ The governing body of a tribe or band or of the  
4 Great Lakes Inter-Tribal Council, Inc., may decide whether to authorize a tribal  
5 agency to apply to the department for a contract to operate a resource center for tribal  
6 members and, if so, which client group to serve.

7           **SECTION 872q.** 46.283 (1) (c) of the statutes is amended to read:

8           46.283 (1) (c) ~~Under the requirements of par. (a), a~~ A county board of  
9 supervisors may decide to apply to the department for a contract to operate a  
10 multicounty resource center in conjunction with the county board or boards of one  
11 or more other counties or a county-tribal resource center in conjunction with the  
12 governing body of a tribe or band or the Great Lakes Inter-Tribal Council, Inc.

13           **SECTION 872r.** 46.283 (1) (d) of the statutes is amended to read:

14           46.283 (1) (d) ~~Under the requirements of par. (b), the~~ The governing body of a  
15 tribe or band may decide to apply to the department for a contract to operate a  
16 resource center in conjunction with the governing body or governing bodies of one or  
17 more other tribes or bands or the Great Lakes Inter-Tribal Council, Inc., or with a  
18 county board of supervisors.

19           **SECTION 872s.** 46.283 (2) (b) (intro.) of the statutes is amended to read:

20           46.283 (2) (b) (intro.) After June 30, 2001, the department shall contract with  
21 the entities specified under s. 46.281 (1) (d) 1. and may, if the applicable review  
22 conditions under s. 48.281 (1) (e) 2. are satisfied, in addition to contracting with these  
23 entities ~~and subject to approval of necessary funding~~, contract to operate a resource  
24 center with counties, family care districts, or the governing body of a tribe or band  
25 or the Great Lakes Inter-Tribal Council, Inc., under a joint application of any of

1 these, or with a private nonprofit organization if the department determines that the  
2 organization has no significant connection to an entity that operates a care  
3 management organization and if any of the following applies:

4 **SECTION 877.** 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~~ a 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 **SECTION 878.** 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 **SECTION 878m.** 46.2895 (1) (a) (intro.) of the statutes is amended to read:

17 46.2895 (1) (a) (intro.) ~~After considering recommendations of the local~~  
18 ~~long-term care council under s. 46.282 (3) (a) 1., a~~ A county board of supervisors may  
19 create a special purpose district that is termed a “family care district”, that is a local  
20 unit of government, that is separate and distinct from, and independent of, the state  
21 and the county, and that has the powers and duties specified in this section, if the  
22 county board does all of the following:

23 **SECTION 879.** 46.40 (1) (a) of the statutes is amended to read:

24 46.40 (1) (a) Within the limits of available federal funds and of the  
25 appropriations under s. 20.435 ~~(3) (o) and~~ (7) (b) and (o), the department shall

1 distribute funds for community social, mental health, developmental disabilities,  
2 and alcohol and other drug abuse services and for services under ss. 46.51, 46.87,  
3 46.985, and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and  
4 51.437 and to county aging units, as provided in subs. (2), (2m), and (7) to (9).

5 **SECTION 880.** 46.48 (11m) of the statutes is created to read:

6 **46.48 (11m) FEMALE OFFENDER REINTEGRATION PROGRAM.** (a) In this subsection:

- 7 1. “Offender” has the meaning given in s. 304.16 (2) (i).  
8 2. “Prisoner” has the meaning given in s. 301.01 (2).

9 (b) The department shall award not more than \$83,800 in fiscal year 2005–06  
10 and not more than \$106,400 in fiscal year 2006–07 as a grant to an organization or  
11 a group of organizations to provide services for female prisoners and offenders from  
12 Milwaukee County and their children, if the prisoners or offenders have been  
13 convicted of nonviolent crimes.

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

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

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

22 **SECTION 883.** 46.495 (1) (am) of the statutes is amended to read:

23 46.495 (1) (am) The department shall reimburse each county from the  
24 appropriations under s. 20.435 ~~(3)–(e)~~ and (7) (b) and (o) for social services as  
25 approved by the department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b)

1 1. d. and (e) 3. a. except that no reimbursement may be made for the administration  
2 of or aid granted under s. 49.02.

3 **SECTION 884.** 46.495 (1) (d) of the statutes is amended to read:

4 46.495 (1) (d) From the appropriations under s. 20.435 ~~(3) (a)~~ and (7) (b) and  
5 (o), the department shall distribute the funding for social services, including funding  
6 for foster care ~~or~~, treatment foster care, or subsidized guardianship care of a child on  
7 whose behalf aid is received under s. 46.261, to county departments under ss. 46.215,  
8 46.22, and 46.23 as provided under s. 46.40. County matching funds are required for  
9 the distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for  
10 the distribution under s. 46.40 (2) shall be specified in a schedule established  
11 annually by the department of health and family services. Each county's required  
12 match for the distribution under s. 46.40 (8) for a year equals 9.89% of the total of  
13 the county's distributions under s. 46.40 (8) for that year for which matching funds  
14 are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats.,  
15 to spend for juvenile delinquency-related services from its distribution for 1987.  
16 Each county's required match for the distribution under s. 46.40 (9) (b) for a year  
17 equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for that  
18 year. Matching funds may be from county tax levies, federal and state revenue  
19 sharing funds, or private donations to the county that meet the requirements  
20 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county  
21 match. If the county match is less than the amount required to generate the full  
22 amount of state and federal funds distributed for this period, the decrease in the  
23 amount of state and federal funds equals the difference between the required and the  
24 actual amount of county matching funds.

25 **SECTION 885.** 46.51 (4) of the statutes is amended to read:

1           46.51 (4) A county may use the funds distributed under this section to fund  
2 additional foster parents ~~and~~, treatment foster parents, and subsidized guardians  
3 or interim caretakers to care for abused and neglected children and to fund  
4 additional staff positions to provide services related to child abuse and neglect and  
5 to unborn child abuse.

6           **SECTION 889.** 46.515 (2) of the statutes is amended to read:

7           46.515 (2) FUNDS PROVIDED. If a county or Indian tribe applies and is selected  
8 by the department under sub. (5) to participate in the program under this section,  
9 the department shall award, from the appropriation under s. 20.435 ~~(3)-(de)~~ (5) (ab),  
10 a grant annually to be used only for the purposes specified in sub. (4) (a) and (am).  
11 The minimum amount of a grant is \$10,000. The department shall determine the  
12 amount of a grant awarded to a county, other than a county with a population of  
13 500,000 or more, or Indian tribe in excess of the minimum amount based on the  
14 number of births that are funded by medical assistance under subch. IV of ch. 49 in  
15 that county or the reservation of that Indian tribe in proportion to the number of  
16 births that are funded by medical assistance under subch. IV of ch. 49 in all of the  
17 counties and the reservations of all of the Indian tribes to which grants are awarded  
18 under this section. The department shall determine the amount of a grant awarded  
19 to a county with a population of 500,000 or more in excess of the minimum amount  
20 based on 60% of the number of births that are funded by medical assistance under  
21 subch. IV of ch. 49 in that county in proportion to the number of births that are  
22 funded by medical assistance under subch. IV of ch. 49 in all of the counties and the  
23 reservations of all of the Indian tribes to which grants are awarded under this  
24 section.

25           **SECTION 895.** 46.52 of the statutes is amended to read:

1           **46.52 Systems change grants.** From the appropriation under s. 20.435 (7)  
2 (md), the department shall distribute funds to each grant recipient under this section  
3 so as to permit initial phasing in of recovery-oriented system changes, prevention  
4 and early intervention strategies, and consumer and family involvement for  
5 individuals with mental illness. At least 10% of the funds distributed shall be for  
6 children with mental illness. ~~The department shall eliminate the funding for a~~  
7 ~~recipient at the end of a period of not more than 3 years in order to provide funding~~  
8 ~~to benefit another recipient. The department shall require that community services~~  
9 ~~that are developed under this section are continued, following termination of funding~~  
10 ~~under this section, by use of savings made available from incorporating recovery,~~  
11 ~~prevention and early intervention strategies, and consumer and family involvement~~  
12 ~~in the services.~~

13           **SECTION 896.** 46.75 (2) (a) of the statutes is amended to read:

14           **46.75 (2) (a)** From the appropriation under s. 20.435 ~~(3)~~ (5) (dn), the  
15 department shall award grants to agencies to operate food distribution programs  
16 that qualify for participation in the emergency food assistance program under P.L.  
17 98–8, as amended.

18           **SECTION 897.** 46.77 of the statutes is amended to read:

19           **46.77 Food distribution administration.** From the appropriation under s.  
20 20.435 ~~(3)~~ (5) (dn), the department shall allocate funds to eligible recipient agencies,  
21 as defined in the emergency food assistance act, P.L. 98–8, section 201A, as amended,  
22 for the storage, transportation and distribution of commodities provided under the  
23 hunger prevention act of 1988, P.L. 100–435, as amended.

24           **SECTION 897p.** 46.81 (2) of the statutes is amended to read:



1           46.81 (2) From the appropriation account under s. 20.435 (7) (dh), the  
2 department shall allocate \$2,298,400 in each fiscal year and from the appropriation  
3 account under s. 20.435 (7) (kz) the department shall allocate \$600,000 in fiscal year  
4 2006-07 to aging units to provide benefit specialist services for older individuals.  
5 The department shall ensure that each aging unit receives funds and shall take into  
6 account the proportion of the state's population of low-income older individuals who  
7 reside in a county.

8           **SECTION 897r.** 46.81 (2) of the statutes, as affected by 2005 Wisconsin Act ....  
9 (this act), is amended to read:

10           46.81 (2) From the appropriation account under s. 20.435 (7) (dh), the  
11 department shall allocate \$2,298,400 in each fiscal year ~~and from the appropriation~~  
12 ~~account under s. 20.435 (7) (kz) the department shall allocate \$600,000 in fiscal year~~  
13 ~~2006-07~~ to aging units to provide benefit specialist services for older individuals.  
14 The department shall ensure that each aging unit receives funds and shall take into  
15 account the proportion of the state's population of low-income older individuals who  
16 reside in a county.

17           **SECTION 898.** 46.95 (2) (a) of the statutes is amended to read:

18           46.95 (2) (a) The secretary shall make grants from the appropriations under  
19 s. 20.435 (3) (cd), and (hh) ~~and (km)~~ to organizations for the provision of any of the  
20 services specified in sub. (1) (d). Grants may be made to organizations which have  
21 provided those domestic abuse services in the past or to organizations which propose  
22 to provide those services in the future. No grant may be made to fund services for  
23 child or unborn child abuse or abuse of elderly persons.

24           **SECTION 898c.** 46.95 (2) (d) 1. of the statutes is repealed.

1           **SECTION 898e.** 46.95 (2) (d) 2. of the statutes is renumbered 46.95 (2) (d) and  
2 amended to read:

3           46.95 (2) (d) ~~Not more than 33 1/3% of the 30% of an organization's operating~~  
4 ~~budget not funded by grants under this section may consist of the value of An~~  
5 ~~organization that receives a grant under this section shall provide matching funds~~  
6 ~~or in-kind contributions that are equal to 25 percent of the amount of the grant.~~ The  
7 department shall establish guidelines regarding which contributions qualify as  
8 in-kind contributions.

9           **SECTION 899.** 46.95 (2) (f) (intro.) of the statutes is amended to read:

10           46.95 (2) (f) (intro.) From the appropriations under s. 20.435 (3) (cd), and (hh)  
11 ~~and (km)~~, the department shall do all of the following:

12           **SECTION 900.** 46.95 (2) (f) 7. of the statutes is amended to read:

13           46.95 (2) (f) 7. Award ~~a grant of \$25,000 grants~~ in each fiscal year to each of  
14 ~~30~~ organizations to enhance support services. Funding may be used for such  
15 purposes as case management; children's programming; assisting victims of  
16 domestic abuse to find employment; and training in and activities promoting  
17 self-sufficiency.

18           **SECTION 901.** 46.95 (2) (f) 8. of the statutes is amended to read:

19           46.95 (2) (f) 8. Award \$200,000 ~~in~~ grants in each fiscal year to organizations  
20 for domestic abuse services for individuals who are members of underserved  
21 populations, including racial minority group members and individuals with mental  
22 illness or developmental disabilities. ~~A grant to an organization may not exceed~~  
23 \$60,000.

24           **SECTION 902.** 46.95 (2) (f) 9. of the statutes is amended to read: