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1 SECTION 194. 46.037 of the statutes is renumbered 49.343 and amended to  
2 read:

3 **49.343 Rates for residential child care centers and group homes. (1)**

4 Subject to sub. (1m), each residential child care center for children and youth, as  
5 defined in s. 48.02 (15d), and each group home, as defined in s. 48.02 (7), that is  
6 ~~licensed under s. 48.625~~ and incorporated under ch. 180, 181, 185, or 193 shall  
7 establish a per client rate for its services and shall charge all purchasers the same  
8 rate.

9 (1m) Notwithstanding sub. (1), the department, a county department under  
10 s. 46.215, 46.22, 46.23, 51.42, or 51.437, a group of those county departments, or the  
11 department and one or more of those county departments, and a residential child  
12 care center for children and youth or group home, as described in sub. (1), may  
13 negotiate a per client rate for the services of that residential child care center for  
14 children and youth or group home, if the department, that county department, the  
15 county departments in that group of county departments, or the department and one  
16 or more of those county departments, agree to place 75% or more of the residents of  
17 that residential child care center for children and youth or group home during the  
18 period for which that rate is effective. A residential child care center for children and  
19 youth or group home that negotiates a per client rate under this subsection shall  
20 charge that rate to all purchasers of its services.

21 (2) A residential child care center for children and youth or a group home, as  
22 described in sub. (1) or (1m), shall submit to the department the rate it charges and  
23 any change in that rate before a charge is made to any purchaser. The department  
24 shall provide forms and instructions for the submission of rates and changes in rates  
25 under this subsection and a residential child care center for children and youth or

1 a group home that is required to submit a rate or a change in a rate under this  
2 subsection shall submit that rate or change in a rate using those forms and  
3 instructions.

4 (3) The department may require an audit of any residential ~~child~~ care center  
5 for children and youth or group home, as described in sub. (1) or (1m), for the purpose  
6 of collecting federal funds.

7 **SECTION 195.** 46.043 (1) of the statutes is amended to read:

8 46.043 (1) In addition to inpatient and outpatient services provided at mental  
9 health institutes under ss. 51.05 and 51.07, the department may authorize mental  
10 health institutes to offer services other than inpatient mental health services when  
11 the department determines that community services need to be supplemented.  
12 Services that may be offered under this section include mental health outpatient  
13 treatment and services, day programming, consultation and services in residential  
14 facilities, including group homes, ~~child caring institutions~~ residential care centers  
15 for children and youth and community-based residential facilities.

16 **SECTION 196.** 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~~ children and families  
24 under s. 49.22 (9) and by applying the percentage standard in the manner  
25 established by the department under ~~s. 46.247~~ par. (g).

1           **SECTION 197.** 46.10 (14) (g) of the statutes is created to read:

2           46.10 (14) (g) For purposes of determining child support under par. (b), the  
3 department shall promulgate rules related to the application of the standard  
4 established by the department of children and families under s. 49.22 (9) to a child  
5 support obligation for the care and maintenance of a child who is placed by a court  
6 order under s. 48.355 or 48.357 in a residential, nonmedical facility. The rules shall  
7 take into account the needs of any person, including dependent children other than  
8 the child, whom either parent is legally obligated to support.

9           **SECTION 198.** 46.16 (1) of the statutes is amended to read:

10           46.16 (1) **GENERALLY.** The department shall investigate and supervise all the  
11 charitable and curative institutions, including county infirmaries, of every county  
12 and municipality, except tuberculosis sanatoriums; ~~all shelter care facilities for~~  
13 ~~children and, and~~ all hospitals, asylums, and institutions, organized for the purpose  
14 set forth in s. 58.01, and familiarize itself with all the circumstances affecting their  
15 management and usefulness.

16           **SECTION 199.** 46.16 (2) of the statutes is repealed.

17           **SECTION 200.** 46.16 (2m) of the statutes is repealed.

18           **SECTION 201.** 46.16 (2s) of the statutes is repealed.

19           **SECTION 202.** 46.16 (3) of the statutes is amended to read:

20           46.16 (3) **COUNTY HOMES, POOR RELIEF.** ~~It~~ The department shall visit the county  
21 homes and ascertain the number of each sex and the number of mentally ill, mentally  
22 deficient, deaf, or blind persons, ~~and children~~ supported in each, at what cost and  
23 under what circumstances affecting their health, comfort, morals, and education;  
24 collect statistics of the cost of support, and other important facts, of the poor relieved  
25 at public expense outside of county homes; and collect information as to the adequacy

1 and efficiency of existing laws for the support and relief of the poor, and the causes  
2 of pauperism in the state.

3 **SECTION 203.** 46.16 (7) of the statutes is amended to read:

4 46.16 (7) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon  
5 request of the department, the attorney general or the district attorney of the proper  
6 county shall aid in any investigation, inspection, hearing, or trial had under the  
7 provisions of this chapter, ~~or those sections of ch. 48~~ relating to powers of the  
8 department, and shall institute and prosecute all necessary actions or proceedings  
9 for the enforcement of ~~such~~ those provisions and for the punishment of violations of  
10 ~~the same those provisions~~. The attorney general or district attorney so requested  
11 shall report or confer with the department regarding the request, within 30 days  
12 after the receipt of ~~such~~ the request.

13 **SECTION 204.** 46.17 (1) of the statutes is amended to read:

14 46.17 (1) The department shall fix reasonable standards and regulations for  
15 the design, construction, repair, and maintenance of county homes, county  
16 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities~~,  
17 with respect to their adequacy and fitness for the needs which they are to serve.

18 **SECTION 205.** 46.206 (1) (a) of the statutes is amended to read:

19 46.206 (1) (a) The department shall supervise the administration of social  
20 services, except as provided under ch. 48 and subch. III of ch. 49 and except for  
21 juvenile delinquency-related services. The department shall submit to the federal  
22 authorities state plans for the administration of social services, except as provided  
23 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related  
24 services, in such form and containing such information as the federal authorities

1 require, and shall comply with all requirements prescribed to ensure their  
2 correctness.

3 **SECTION 206.** 46.206 (2) of the statutes is amended to read:

4 46.206 (2) The county administration of all laws relating to social services,  
5 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to  
6 juvenile delinquency-related programs, shall be vested in the officers and agencies  
7 designated in the statutes.

8 **SECTION 207.** 46.21 (5) (b) of the statutes is amended to read:

9 46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the  
10 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

11 **SECTION 208.** 46.215 (1) (d) of the statutes is amended to read:

12 46.215 (1) (d) To make investigations that relate to services under subchs. II,  
13 IV, and V of ch. 49 upon request by the department of health and family services, to  
14 make investigations that relate to juvenile delinquency-related services at the  
15 request of the department of corrections, and to make investigations that relate to  
16 programs under ch. 48 and subch. III of ch. 49 upon request by the department of  
17 ~~workforce development~~ children and families.

18 **SECTION 209.** 46.215 (1) (j) of the statutes is amended to read:

19 46.215 (1) (j) To make payments in such manner as the department of  
20 ~~workforce development~~ children and families may determine for training of  
21 recipients, former recipients, and potential recipients of aid in programs established  
22 under s. 49.193, 1997 stats., and s. 49.26 (1).

23 **SECTION 210.** 46.215 (1p) of the statutes is amended to read:

24 46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE  
25 INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78

1 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
2 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
3 (2) (a), a county department under this section may enter the content of any record  
4 kept or information received by that county department into the statewide  
5 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

6 **SECTION 211.** 46.215 (2) (a) 2. of the statutes is amended to read:

7 46.215 (2) (a) 2. In order to ensure the availability of a full range of care and  
8 services, the county department of social services may contract, either directly or  
9 through the department of ~~workforce development~~ children and families, with public  
10 or voluntary agencies or others to purchase, in full or in part, care and services under  
11 ch. 48 and subch. III of ch. 49 which the county department of social services is  
12 authorized to furnish. This care and these services may be purchased from the  
13 department of ~~workforce development~~ children and families if the department of  
14 ~~workforce development~~ children and families has staff to furnish the services. If the  
15 county department of social services has adequate staff, it may sell the care and  
16 services directly to another county or state agency.

17 **SECTION 212.** 46.215 (2) (b) of the statutes is amended to read:

18 46.215 (2) (b) A county department of social services may purchase  
19 development and training services from the department of health and family  
20 services, from the department of ~~workforce development~~ children and families, from  
21 the department of corrections or from other county agencies when the services are  
22 available. A county department of social services may sell the development and staff  
23 training services to another county or state agency if the county department has  
24 adequate staff to provide the services.

25 **SECTION 213.** 46.215 (2) (c) 2. of the statutes is amended to read:

1           46.215 (2) (c) 2. A county department of social services shall develop, under the  
2 requirements of s. 49.34, plans and contracts for care and services to be purchased  
3 under ch. 48 and subch. III of ch. 49. The department of ~~workforce development~~  
4 children and families may review the contracts and approve them if they are  
5 consistent with s. 49.34 and if state or federal funds are available for such purposes.  
6 The joint committee on finance may require the department of ~~workforce~~  
7 ~~development~~ children and families to submit the contracts to the committee for  
8 review and approval. The department of ~~workforce development~~ children and  
9 families may not make any payments to a county for programs included in a contract  
10 under review by the committee.

11           **SECTION 214.** 46.215 (3) of the statutes is amended to read:

12           46.215 (3) PROGRAM BUDGETS. The county department of social services shall  
13 submit a final budget to the department of health and family services under s. 46.031  
14 (1), to the department of corrections under s. 301.031 (1), and to the department of  
15 ~~workforce development~~ children and families under s. 49.325 (1), for authorized  
16 services.

17           **SECTION 215.** 46.22 (1) (b) 1. b. of the statutes is amended to read:

18           46.22 (1) (b) 1. b. To make investigations which relate to welfare services,  
19 except as provided under ch. 48 and subch. III of ch. 49, upon request by the  
20 department of health and family services.

21           **SECTION 216.** 46.22 (1) (b) 1. f. of the statutes is renumbered 46.22 (1) (b) 2. fm.

22           **SECTION 217.** 46.22 (1) (b) 2. (intro.) of the statutes is amended to read:

23           46.22 (1) (b) 2. (intro.) A county department of social services shall have the  
24 following functions, duties, and powers in accordance with the rules promulgated by

1 the department of ~~workforce development~~ children and families and subject to the  
2 supervision of the department of ~~workforce development~~ children and families:

3 **SECTION 218.** 46.22 (1) (b) 2. c. of the statutes is amended to read:

4 46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.  
5 III of ch. 49 upon request by the department of ~~workforce development~~ children and  
6 families.

7 **SECTION 219.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

8 46.22 (1) (b) 2. e. To make payments in such manner as the department of  
9 ~~workforce development~~ children and families may determine for training of  
10 recipients, former recipients and potential recipients of aid in programs established  
11 under ss. 49.193, 1997 stats., and s. 49.26 (1).

12 **SECTION 220.** 46.22 (1) (b) 2. g. of the statutes is amended to read:

13 46.22 (1) (b) 2. g. To make certification or referral of eligibles for state or federal  
14 works or other assistance programs under ch. 48 and subch. III of ch. 49, eligibility  
15 for which is based on need.

16 **SECTION 221.** 46.22 (1) (b) 3. (intro.) of the statutes is amended to read:

17 46.22 (1) (b) 3. (intro.) A county department of social services shall have the  
18 following functions, duties, and powers in accordance with the rules promulgated  
19 and standards established by the department of health and family services and  
20 subject to the supervision of the department of ~~workforce development~~ children and  
21 families:

22 **SECTION 222.** 46.22 (1) (b) 3. d. of the statutes is amended to read:

23 46.22 (1) (b) 3. d. To submit a final budget to the department of ~~workforce~~  
24 ~~development~~ children and families in accordance with s. 49.325 for services  
25 authorized in this subdivision.



1           **SECTION 223.** 46.22 (1) (c) 8. f. of the statutes is amended to read:

2           46.22 (1) (c) 8. f. The county department of social services shall implement the  
3 statewide automated child welfare information system established by the  
4 department under s. ~~46.03~~ 48.47 (7g).

5           **SECTION 224.** 46.22 (1) (d) of the statutes is amended to read:

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

13           **SECTION 225.** 46.22 (1) (dp) of the statutes is amended to read:

14           46.22 (1) (dp) *Exchange of information; statewide automated child welfare*  
15 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)  
16 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
17 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
18 (2) (a), a county department under this section may enter the content of any record  
19 kept or information received by that county department into the statewide  
20 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

21           **SECTION 226.** 46.22 (1) (e) 1. of the statutes is amended to read:

22           46.22 (1) (e) 1. In order to ensure the availability of a full range of care and  
23 services, a county department of social services may contract, either directly or  
24 through the department of health and family services, the department of ~~workforce~~  
25 development children and families, or the department of corrections, with public or

1 voluntary agencies or others to purchase, in full or in part, care and services which  
2 the county department of social services is authorized by any statute to furnish in  
3 any manner. The services may be purchased from the department of health and  
4 family services, the department of ~~workforce development~~ children and families, or  
5 the department of corrections if the department of health and family services, the  
6 department of ~~workforce development~~ children and families, or the department of  
7 corrections has staff to furnish the services. The county department of social  
8 services, if it has adequate staff, may sell the care and services directly to another  
9 county or state agency.

10 **SECTION 227.** 46.22 (1) (e) 2. of the statutes is amended to read:

11 46.22 (1) (e) 2. A county department of social services may purchase  
12 development and training services from the department of health and family  
13 services, the department of ~~workforce development~~ children and families, or the  
14 department of corrections or from other county agencies if the services are available  
15 or sell the development and staff training services to another county or state agency  
16 if the county department of social services has adequate staff to provide the services.

17 **SECTION 228.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

18 46.22 (1) (e) 3. a. A county department of social services shall develop, under  
19 the requirements of s. 46.036, plans and contracts for care and services, except under  
20 ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of  
21 health and family services may review the contracts and approve them if they are  
22 consistent with s. 46.036 and to the extent that state or federal funds are available  
23 for such purposes. The joint committee on finance may require the department of  
24 health and family services to submit the contracts to the committee for review and  
25 approval. The department of health and family services may not make any payments

1 to a county for programs included in the contract that is under review by the  
2 committee. The department of health and family services shall reimburse each  
3 county for the contracts from the appropriations under s. 20.435 (7) (b) and (o)  
4 according to s. 46.495.

5 **SECTION 229.** 46.22 (1) (e) 3. b. of the statutes is amended to read:

6 46.22 (1) (e) 3. b. A county department of social services shall develop, under  
7 the requirements of s. 49.34, plans and contracts for care and services under ch. 48  
8 and subch. III of ch. 49 to be purchased. The department of ~~workforce development~~  
9 children and families may review the contracts and approve them if they are  
10 consistent with s. 49.34 and to the extent that state or federal funds are available for  
11 such purposes. The joint committee on finance may require the department of  
12 ~~workforce development~~ children and families to submit the contracts to the  
13 committee for review and approval. The department of ~~workforce development~~  
14 children and families may not make any payments to a county for programs included  
15 in the contract that is under review by the committee.

16 **SECTION 230.** 46.22 (2g) (d) of the statutes is amended to read:

17 46.22 (2g) (d) Prepare, with the assistance of the county social services director  
18 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or  
19 county administrator, a final budget for submission to the department of health and  
20 family services in accordance with s. 46.031 (1) for authorized services, except  
21 services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for  
22 submission to the department of ~~workforce development~~ children and families in  
23 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.  
24 49, and a final budget for submission to the department of corrections in accordance  
25 with s. 301.031 (1) for authorized juvenile delinquency-related services.

1           **SECTION 231.** 46.22 (3m) (b) 12. of the statutes is amended to read:

2           46.22 **(3m)** (b) 12. Establish priorities in addition to those mandated by the  
3 department of health and family services, by the department of workforce  
4 development children and families, or by the department of corrections.

5           **SECTION 232.** 46.22 (3m) (b) 17. b. of the statutes is amended to read:

6           46.22 **(3m)** (b) 17. b. Such other reports as are required by the secretary of  
7 health and family services, the secretary of ~~workforce development~~ children and  
8 families, the secretary of corrections, and the county board of supervisors.

9           **SECTION 233.** 46.23 (3) (a) of the statutes is amended to read:

10          46.23 **(3)** (a) *Creation.* Upon approval by the secretary of health and family  
11 services, by the secretary of corrections, and by the secretary of workforce  
12 development children and families of a feasibility study and a program  
13 implementation plan, the county board of supervisors of any county with a  
14 population of less than 500,000, or the county boards of supervisors of 2 or more  
15 contiguous counties, each of which has a population of less than 500,000, may  
16 establish by resolution a county department of human services on a single-county  
17 or multicounty basis to provide the services required under this section. The county  
18 department of human services shall consist of the county human services board, the  
19 county human services director and necessary personnel.

20          **SECTION 234.** 46.23 (3) (am) 4. of the statutes is amended to read:

21          46.23 **(3)** (am) 4. No funds may be allocated to any multicounty department of  
22 human services until the counties have drawn up a detailed contractual agreement,  
23 approved by the secretary of health and family services, by the secretary of  
24 corrections, and by the secretary of ~~workforce development~~ children and families,  
25 setting forth the plan for joint sponsorship.

1           **SECTION 235.** 46.23 (3) (ed) of the statutes is amended to read:

2           46.23 (3) (ed) *Exchange of information; statewide automated child welfare*  
3 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)  
4 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,  
5 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78  
6 (2) (a), a county department under this section may enter the content of any record  
7 kept or information received by that county department into the statewide  
8 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

9           **SECTION 236.** 46.23 (5) (a) 1. of the statutes is amended to read:

10           46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
11 provided under ch. 48 and subch. III of ch. 49 and except for juvenile  
12 delinquency-related policies, within limits established by the department of health  
13 and family services. Policy decisions, except as provided under ch. 48 and subch. III  
14 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute  
15 for the department of health and family services may be delegated by the secretary  
16 to the county human services board.

17           **SECTION 237.** 46.23 (5) (a) 2. of the statutes is amended to read:

18           46.23 (5) (a) 2. Shall determine administrative and program policies under ch.  
19 48 and subch. III of ch. 49 within limits established by the department of ~~workforce~~  
20 ~~development~~ children and families. Policy decisions under ch. 48 and subch. III of  
21 ch. 49 not reserved by statute for the department of ~~workforce-development~~ children  
22 and families may be delegated by the secretary of ~~workforce-development~~ children  
23 and families to the county human services board.

24           **SECTION 238.** 46.23 (5) (b) of the statutes is amended to read:

1           46.23 (5) (b) Shall establish priorities in addition to those mandated by the  
2 department of health and family services, the department of corrections, or the  
3 department of ~~workforce development~~ children and families.

4           **SECTION 239.** 46.23 (5) (c) 1. of the statutes is amended to read:

5           46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
6 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
7 services, are provided or purchased or contracted for with local providers, and  
8 monitor the performance of such contracts. Purchase of services contracts shall be  
9 subject to the conditions specified in s. 46.036.

10          **SECTION 240.** 46.23 (5) (c) 2. of the statutes is amended to read:

11          46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48  
12 and subch. III of ch. 49 are provided or purchased or contracted for with local  
13 providers, and monitor the performance of such contracts. Purchase of services  
14 contracts shall be subject to the conditions specified in s. 49.34.

15          **SECTION 241.** 46.23 (5) (n) 1. of the statutes is amended to read:

16          46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
17 authorized services, except for services under ch. 48 and subch. III of ch. 49 and  
18 juvenile delinquency-related services. Notwithstanding the categorization of or  
19 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval  
20 of the department of health and family services the county human services board  
21 may expend these funds consistent with any service provided under s. 46.495 or  
22 51.42.

23          **SECTION 242.** 46.23 (5) (n) 2. of the statutes is amended to read:

24          46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for  
25 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the

1 categorization of or limits specified for funds allocated under s. 48.569, with the  
2 approval of the department of children and families the county human services board  
3 may expend these funds consistent with any service provided under s. 48.569.

4 **SECTION 243.** 46.23 (5m) (c) of the statutes is amended to read:

5 46.23 **(5m)** (c) Prepare, with the assistance of the county human services  
6 director under sub. (6m) (e), a proposed budget for submission to the county executive  
7 or county administrator, a final budget for submission to the department of health  
8 and family services in accordance with s. 46.031 (1) for authorized services, except  
9 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related  
10 services, a final budget for submission to the department of ~~workforce-development~~  
11 children and families in accordance with s. 49.325 for authorized services under ch.  
12 48 and subch. III of ch. 49, and a final budget for submission to the department of  
13 corrections in accordance with s. 301.031 for authorized juvenile  
14 delinquency-related services.

15 **SECTION 244.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

16 46.23 **(6)** (a) (intro.) A county human services director appointed under sub. (5)  
17 (f) shall have all of the administrative and executive powers and duties of managing,  
18 operating, maintaining, and improving the programs of the county department of  
19 human services, subject to the rules promulgated by the department of health and  
20 family services for programs, except services or programs under ch. 48 and subch.  
21 III of ch. 49 and juvenile delinquency-related services or programs, subject to the  
22 rules promulgated by the department of ~~workforce-development~~ children and  
23 families for services or programs under ch. 48 and subch. III of ch. 49, and subject  
24 to the rules promulgated by the department of corrections for juvenile  
25 delinquency-related services or programs. In consultation with the county human

1 services board under sub. (5) and subject to its approval, the county human services  
2 director shall prepare:

3 **SECTION 245.** 46.23 (6) (a) 3. of the statutes is amended to read:

4 46.23 (6) (a) 3. Such other reports as are required by the secretary of health and  
5 family services, by the secretary of corrections, or by the secretary of workforce  
6 development children and families and the county board of supervisors in a county  
7 with a single-county department of human services or the county boards of  
8 supervisors in counties with a multicounty department of human services.

9 **SECTION 246.** 46.24 of the statutes is renumbered 48.375 (9) and amended to  
10 read:

11 48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.

12 If a minor who is contemplating an abortion requests assistance from a county  
13 department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's  
14 parent, guardian, or legal custodian, or in seeking the consent of an adult family  
15 member, as defined in s. 48.375 (2) (b), for the contemplated abortion or in seeking  
16 a waiver from the circuit court, the county department shall provide assistance,  
17 including, if so requested, accompanying the minor as appropriate.

18 **SECTION 247.** 46.247 of the statutes is renumbered 49.345 (14) (g) and amended  
19 to read:

20 49.345 (14) (g) ~~Application of child support standard for certain children.~~ For  
21 purposes of determining child support under s. ~~46.10 (14) par. (b)~~, the department  
22 shall promulgate rules related to the application of the standard established by the  
23 department of ~~workforce development~~ under s. 49.22 (9) to a child support obligation  
24 for the care and maintenance of a child who is placed by a court order under s. 48.355  
25 or 48.357 in a residential, nonmedical facility. The rules shall take into account the



1 needs of any person, including dependent children other than the child, whom either  
2 parent is legally obligated to support.

3 **SECTION 248.** 46.261 (title) of the statutes is renumbered 48.645 (title).

4 **SECTION 249.** 46.261 (1) of the statutes is renumbered 48.645 (1).

5 **SECTION 250.** 46.261 (2) (title) of the statutes is renumbered 48.645 (2) (title).

6 **SECTION 251.** 46.261 (2) (a) (intro.) of the statutes is renumbered 48.645 (2) (a)  
7 (intro.).

8 **SECTION 252.** 46.261 (2) (a) 1. of the statutes is renumbered 48.645 (2) (a) 1. and  
9 amended to read:

10 48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster  
11 home or treatment foster home having a license under s. 48.62, in a foster home or  
12 treatment foster home located within the boundaries of a federally recognized  
13 American Indian reservation in this state and licensed by the tribal governing body  
14 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian  
15 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor  
16 custodial parent who cares for the dependent child, regardless of the cause or  
17 prospective period of dependency. The state shall reimburse counties pursuant to the  
18 procedure under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set  
19 forth in s. ~~46.495~~ 48.569 (1) (d) for aid granted under this section except that if the  
20 child does not have legal settlement in the granting county, state reimbursement  
21 shall be at 100%. The county department under s. 46.215 ~~or~~, 46.22, or 46.23 or the  
22 department under s. 48.48 (17) shall determine the legal settlement of the child. A  
23 child under one year of age shall be eligible for aid under this subsection irrespective  
24 of any other residence requirement for eligibility within this section.

1           **SECTION 253.** 46.261 (2) (a) 2. of the statutes is renumbered 48.645 (2) (a) 2. and  
2 amended to read:

3           48.645 (2) (a) 2. A county or, in a county having a population of 500,000 or more,  
4 the department, on behalf of a child in the legal custody of a county department under  
5 s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child  
6 who was removed from the home of a relative, ~~as defined under s. 48.02 (15)~~, as a  
7 result of a judicial determination that continuance in the home of a relative would  
8 be contrary to the child's welfare for any reason when such the child is placed in a  
9 licensed ~~child caring institution~~ residential care center for children and youth by the  
10 county department or the department. Reimbursement shall be made by the state  
11 ~~pursuant to~~ as provided in subd. 1.

12           **SECTION 254.** 46.261 (2) (a) 3. of the statutes is renumbered 48.645 (2) (a) 3. and  
13 amended to read:

14           48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,  
15 the department, when the child is placed in a licensed foster home, treatment foster  
16 home, group home, or residential care center for children and youth or in a subsidized  
17 guardianship home by a licensed child welfare agency or by a federally recognized  
18 American Indian tribal governing body in this state or by its designee, if the child is  
19 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the  
20 department under s. 48.48 (17) or if the child was removed from the home of a  
21 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that  
22 continuance in the home of the relative would be contrary to the child's welfare for  
23 any reason and the placement is made ~~pursuant to~~ under an agreement with the  
24 county department or the department.

1           **SECTION 255.** 46.261 (2) (a) 4. of the statutes is renumbered 48.645 (2) (a) 4. and  
2 amended to read:

3           48.645 (2) (a) 4. A licensed foster home, treatment foster home, group home,  
4 or residential care center for children and youth or a subsidized guardianship home  
5 when the child is in the custody or guardianship of the state, when the child is a ward  
6 of an American Indian tribal court in this state and the placement is made under an  
7 agreement between the department and the tribal governing body, or when the child  
8 was part of the state's direct service case load and was removed from the home of a  
9 relative, as defined under s. ~~48.02 (15)~~, as a result of a judicial determination that  
10 continuance in the home of a relative would be contrary to the child's welfare for any  
11 reason and the child is placed by the department.

12           **SECTION 256.** 46.261 (2) (b) of the statutes is renumbered 48.645 (2) (b).

13           **SECTION 257.** 46.261 (3) of the statutes is renumbered 48.645 (3).

14           **SECTION 258.** 46.28 (1) (f) of the statutes is amended to read:

15           46.28 (1) (f) "Victim of domestic abuse" means an individual who has  
16 encountered domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a).

17           **SECTION 259.** 46.30 (title) of the statutes is renumbered 49.265 (title).

18           **SECTION 260.** 46.30 (1) of the statutes is renumbered 49.265 (1).

19           **SECTION 261.** 46.30 (2) of the statutes is renumbered 49.265 (2).

20           **SECTION 262.** 46.30 (3) (title) of the statutes is renumbered 49.265 (3) (title).

21           **SECTION 263.** 46.30 (3) (a) (intro.) of the statutes is renumbered 49.265 (3) (a)  
22 (intro.).

23           **SECTION 264.** 46.30 (3) (a) 1. of the statutes is renumbered 49.265 (3) (a) 1.

24           **SECTION 265.** 46.30 (3) (a) 2. of the statutes is renumbered 49.265 (3) (a) 2.

25           **SECTION 266.** 46.30 (3) (a) 3. of the statutes is renumbered 49.265 (3) (a) 3.

1           **SECTION 267.** 46.30 (3) (a) 4. of the statutes is renumbered 49.265 (3) (a) 4.

2           **SECTION 268.** 46.30 (3) (a) 5. of the statutes is renumbered 49.265 (3) (a) 5.

3           **SECTION 269.** 46.30 (3) (a) 6. of the statutes is renumbered 49.265 (3) (a) 6.

4           **SECTION 270.** 46.30 (3) (a) 7. of the statutes is renumbered 49.265 (3) (a) 7.

5           **SECTION 271.** 46.30 (3) (a) 8. of the statutes is renumbered 49.265 (3) (a) 8. and  
6 amended to read:

7           49.265 (3) (a) 8. Appoint a representative or representatives to the citizen  
8 advisory committee under s. ~~46.031~~ 49.325 (3) (a), in order to participate in  
9 developing and implementing programs designed to serve the poor.

10          **SECTION 272.** 46.30 (3) (b) of the statutes is renumbered 49.265 (3) (b).

11          **SECTION 273.** 46.30 (4) (title) of the statutes is renumbered 49.265 (4) (title).

12          **SECTION 274.** 46.30 (4) (a) of the statutes is renumbered 49.265 (4) (a) and  
13 amended to read:

14          49.265 (4) (a) The department shall distribute the federal community services  
15 block grant funds received under 42 USC 9903 and deposited in the appropriations  
16 under s. ~~20.435 (3)~~ 20.437 (1) (mc) and (md).

17          **SECTION 275.** 46.30 (4) (b) of the statutes is renumbered 49.265 (4) (b).

18          **SECTION 276.** 46.30 (4) (c) of the statutes is renumbered 49.265 (4) (c).

19          **SECTION 277.** 46.30 (4) (d) of the statutes is renumbered 49.265 (4) (d).

20          **SECTION 278.** 46.30 (5) of the statutes is renumbered 49.265 (5).

21          **SECTION 279.** 46.40 (1) (a) of the statutes is amended to read:

22          46.40 (1) (a) Within the limits of available federal funds and of the  
23 appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds  
24 for community social, mental health, developmental disabilities, and alcohol and  
25 other drug abuse services and for services under ss. ~~46.51~~, 46.87, 46.985, and 51.421

1 to county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 and to  
2 county aging units, as provided in subs. (2), (2m), and (7) to (9).

3 **SECTION 280.** 46.40 (1) (b) of the statutes is renumbered 48.563 (1) (b) and  
4 amended to read:

5 48.563 (1) (b) Notwithstanding s. ~~46.49~~ 48.568, if the department receives any  
6 federal moneys under 42 USC 670 to 679a in reimbursement of moneys allocated  
7 under par. (a) for the provision of foster care, the department shall distribute those  
8 federal moneys for services and projects to assist children and families and for the  
9 purposes specified in s. ~~46.46~~ 48.567.

10 **SECTION 281.** 46.40 (1) (c) of the statutes is renumbered 48.563 (1) (c) and  
11 amended to read:

12 48.563 (1) (c) The Milwaukee County department of social services shall report  
13 to the department in a manner specified by the department on all children under the  
14 supervision of the Milwaukee County department of social services who are placed  
15 in foster homes and whose foster parents receive funding for child care from the  
16 amounts distributed under par. (a) so that the department may claim federal foster  
17 care and adoption assistance reimbursement under 42 USC 670 to 679a for the  
18 amounts expended by the Milwaukee County department of social services for the  
19 provision of child care for those children. Notwithstanding s. ~~46.49~~ 48.568, if the  
20 department receives any federal moneys under 42 USC 670 to 679a in  
21 reimbursement of the amounts expended by the Milwaukee County department of  
22 social services for the provision of child care for children in foster care in 1996 and  
23 1997, the department shall distribute those federal moneys to the Milwaukee County  
24 department of social services for the provision of child care for children in foster care.

25 **SECTION 282.** 46.40 (1) (d) of the statutes is amended to read:

handwritten

LPS: Please init. cap + (CS) all/refs. to "SECTION."

1 (4), 46.03 (7g), 46.03 (7m), 46.037, 46.24, 46.247, 46.261 (2) (a) 1., 46.261 (2) (a) 2.,  
 2 46.261 (2) (a) 3., 46.261 (2) (a) 4., 46.30 (3) (a) 8., 46.30 (4) (a), 46.40 (1) (b), 46.40 (1)  
 3 (c), 46.40 (3), 46.40 (7m), 46.45 (2) (a), 46.45 (2) (am), 46.45 (2) (c), 46.46 (1m), 46.481  
 4 (intro.), 46.481 (1) (a), 46.51 (1), ~~46.513~~, 46.515 (1) (b) 1. c., 46.515 (2), 46.515 (5),  
 5 46.515 (6) (d) 2., 46.515 (6m), 46.75 (2) (a), 46.77, 46.95 (2) (a), 46.95 (2) (f) (intro.),  
 6 46.99 (2) (a) (intro.), 46.995 (1m), 46.997 (2) (a), 46.997 (2) (b), 46.997 (4), 49.32 (11),  
 7 49.852 (1), 49.858 (1), 49.86, 253.06 (2) and 253.06 (5) (e) of the statutes, and the  
 8 amendment of sections 6.47 (1) (ag), 7.08 (10), 13.101 (6) (a), 13.63 (1) (am), 13.63 (1)  
 9 (b), 13.64 (2), 13.64 (2m), 13.83 (3) (f) (intro.), 14.18, 15.155 (5), 16.54 (12) (b), 16.54  
 10 (12) (d), ~~16.75 (6) (bm)~~, 16.957 (3) (a), 16.964 (12) (c) 10., 16.964 (12) (e) 1., 19.55 (2)  
 11 (b), 19.55 (2) (d), 20.001 (2) (e), 20.001 (5), 20.410 (3) (ko), 20.435 (7) (b), 20.435 (7)  
 12 (bc), 20.435 (7) (o), 20.435 (8) (mb), 20.435 (8) (mm), 20.505 (4) (kp), 20.835 (2) (kf),  
 13 20.907 (5) (e) 6., 20.921 (2) (a), 20.923 (6) (bd), 20.9275 (2) (intro.), 25.68 (1), 25.68 (3),  
 14 29.024 (2g) (am), 29.024 (2g) (c), 29.024 (2g) (d) 1., 29.024 (2r) (am), 29.229 (5m) (a),  
 15 29.229 (5m) (b), 29.229 (5m) (c), 35.86 (1), 38.04 (21) (intro.), 45.20 (2) (d) 2. b., 45.33  
 16 (2) (b) 1. b., 45.42 (6) (b), 46.001, 46.011 (intro.), 46.016, 46.02, 46.03 (4) (b), 46.03 (7)  
 17 (a), 46.03 (7) (bm), 46.03 (18) (a), 46.03 (18) (am), 46.03 (20) (a), 46.03 (22) (title),  
 18 46.03 (22) (a), 46.03 (22) (b), 46.03 (22) (c), 46.03 (22) (d), 46.03 (22) (e), 46.031 (3) (a),  
 19 46.034 (1), 46.036 (1), 46.036 (4) (a), 46.036 (4) (c), 46.043 (1), 46.10 (14) (b), 46.16 (1),  
 20 46.16 (3), 46.16 (7), 46.17 (1), 46.206 (1) (a), 46.206 (2), 46.21 (5) (b), 46.215 (1) (d),  
 21 46.215 (1) (j), 46.215 (1p), 46.215 (2) (a) 2., 46.215 (2) (b), 46.215 (2) (c) 2., 46.215 (3),  
 22 46.22 (1) (b) 1. b., 46.22 (1) (b) 2. (intro.), 46.22 (1) (b) 2. c., 46.22 (1) (b) 2. e., 46.22  
 23 (1) (b) 2. g., 46.22 (1) (b) 3. (intro.), 46.22 (1) (b) 3. d., 46.22 (1) (c) 8. f., 46.22 (1) (d),  
 24 46.22 (1) (dp), 46.22 (1) (e) 1., 46.22 (1) (e) 2., 46.22 (1) (e) 3. a., 46.22 (1) (e) 3. b., 46.22  
 25 (2g) (d), 46.22 (3m) (b) 12., 46.22 (3m) (b) 17. b., 46.23 (3) (a), 46.23 (3) (am) 4., 46.23

by SECTION 3) amending 37

~~13.63 (1) (am)~~  
~~13.64 (2)~~  
~~16.54 (12) (b)~~  
~~16.54 (12) (d)~~

(by SECTION \* AR A)

~~16.964 (12) (c) 10.~~  
~~16.964 (12) (e) 1.~~

(by SECTION \* AR B)

(by SECTION \* AR C)

(by SECTION \* AR H)

(by SECTION \* AR I)

Handwritten notes at the top of the page:

- strike (circled)
- plan
- score
- \$ 242,421,500 (with arrows pointing to the numbers)
- \$ 176,255,400 (underlined)

1           46.40 (1) (d) If the department of health and family services receives any  
 2 federal moneys under 42 USC 1396 to 1396v in reimbursement of the cost of  
 3 preventing out-of-home placements of children, the department of health and  
 4 family services shall transfer those moneys to the department of children and  
 5 families, and the department of children and families shall use those moneys as the  
 6 first source of moneys used to meet the amount of the allocation under sub. s. 48.563  
 7 (2) that is budgeted from federal funds.

Handwritten note: as affected by 2007 Wisconsin Act (this act),

8           **SECTION 283.** 46.40 (2) of the statutes is amended to read:

AR J (circled)

9           46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under  
 10 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
 11 more than ~~\$242,078,700~~ ~~\$176,152,900~~ in each fiscal year.

12           **SECTION 284.** 46.40 (3) of the statutes is renumbered 48.563 (3) and amended  
 13 to read:

14           48.563 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the  
 15 department shall distribute not more than \$412,800 in each fiscal year from the  
 16 appropriation account under s. ~~20.435 (7)~~ 20.437 (1) (b) to federally recognized  
 17 American Indian tribes or bands. A tribe or band that receives funding under this  
 18 subsection shall use that funding to provide child care for an eligible child, as defined  
 19 in 42 USC 9858n (4).

20           **SECTION 285.** 46.40 (7m) of the statutes is renumbered 48.563 (7m) and  
 21 amended to read:

22           48.563 (7m) USE BY COUNTY OF ~~COMMUNITY~~ CHILDREN AND FAMILY AIDS FUNDS TO  
 23 PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE. Upon  
 24 application by a county department under s. 46.215, 46.22, or 46.23 to the  
 25 department for permission to use funds allocated to that county department under

note: recon. XXXX NOTE: This is renumbered so 46.40 (2) This section has been affected by drafts with the following LRB #'s: 12610 and 12610

1 sub. (2) to employ private counsel for the purposes specified in this subsection and  
2 a determination by the department that use of funds for those purposes does not  
3 affect any federal grants or federal funding allocated under this section, the  
4 department and the county department shall execute a contract authorizing the  
5 county department to expend, as agreed upon in the contract, funds allocated to that  
6 county department under sub. (2) to permit the county department to employ private  
7 counsel to represent the interests of the state or county in proceedings under ~~ch. 48~~  
8 ~~this chapter~~ relating to child abuse or neglect cases, unborn child abuse cases,  
9 ~~proceedings to terminate, termination of~~ parental rights, and any ~~ch. 48 cases or~~  
10 ~~proceedings involving the Indian child welfare act~~ Child Welfare Act, 25 USC 1901  
11 to 1963.

12 ~~SECTION 286. 46.40 (14m) of the statutes is repealed.~~

13 SECTION 287. 46.45 (2) (a) of the statutes is renumbered 48.565 (2) (a) and  
14 amended to read:

15 48.565 (2) (a) Subject to par. (am), if on December 31 of any year there remains  
16 unspent or unencumbered in the allocation under s. ~~46.40~~ 48.563 (2) an amount that  
17 exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40  
18 48.563 (2) in that year, the department shall carry forward the excess moneys and  
19 distribute not less than 50% of the excess moneys to counties having a population of  
20 less than 500,000 that are making a good faith effort, as determined by the  
21 department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist  
22 children and families, notwithstanding the percentage limit specified in sub. (3) (a).  
23 A county shall use not less than 50% of the moneys distributed to the county under  
24 this subsection for services for children who are at risk of abuse or neglect to prevent  
25 the need for child abuse and neglect intervention services, except that in the calendar



1 year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2  
2 calendar years after that calendar year the county may use 100% of the moneys  
3 distributed under this paragraph to reimburse the department for the costs of  
4 achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before  
5 July 1, 2005, the department may recover any amounts distributed to that county  
6 under this paragraph after June 30, 2001, by billing the county or deducting from  
7 that county's allocation under s. ~~46.40~~ 48.563 (2). All moneys received by the  
8 department under this paragraph shall be credited to the appropriation account  
9 under s. ~~20.435 (3)~~ 20.437 (1) (j).

10 **SECTION 288.** 46.45 (2) (am) of the statutes is renumbered 48.565 (2) (am) and  
11 amended to read:

12 48.565 (2) (am) If on December 31 of any year a county is not using the  
13 centralized unit contracted for under s. ~~46.03~~ 48.47 (7) (h) for determining whether  
14 the cost of providing care for a child is eligible for reimbursement under 42 USC 670  
15 to 679a, the department shall reduce that county's distribution under par. (a) by 50%.

16 **SECTION 289.** 46.45 (2) (b) of the statutes is renumbered 48.565 (2) (b).

17 **SECTION 290.** 46.45 (2) (c) of the statutes is renumbered 48.565 (2) (c) and  
18 amended to read:

19 48.565 (2) (c) The department shall credit to the appropriation account under  
20 s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) any moneys carried forward under par. (a), but not  
21 distributed to counties, and may expend those moneys as provided in s. ~~46.46~~ 48.567.

22 **SECTION 291.** 46.45 (3) (a) of the statutes is amended to read:

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

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

12 **SECTION 292.** 46.46 (1) of the statutes is amended to read:

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

21 **SECTION 293.** 46.46 (1m) of the statutes is renumbered 48.567 (1m) and  
22 amended to read:

23 48.567 (1m) In addition to expending moneys from the appropriation account  
24 under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) for the augmentation activities specified in  
25 sub. (1), the department may expend moneys received under 42 USC 1396 to 1396v

1 in reimbursement of the cost of providing targeted case management services to  
2 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and  
3 credited to the appropriation account under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) to  
4 support the counties' share of implementing the statewide automated child welfare  
5 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and  
6 families under s. 48.48 (17).

7 **SECTION 294.** 46.46 (2) of the statutes is amended to read:

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

23 **SECTION 295.** 46.481 (intro.) of the statutes is renumbered 48.481 (intro.) and  
24 amended to read:

1           **48.481 Grants for children's community programs.** (intro.) From the  
2 appropriation under s. ~~20.435 (3)~~ 20.437 (1) (bc), the department shall distribute the  
3 following grants for children's community programs:

4           **SECTION 296.** 46.481 (1) (title) of the statutes is renumbered 48.481 (1) (title).

5           **SECTION 297.** 46.481 (1) (a) of the statutes is renumbered 48.481 (1) (a) and  
6 amended to read:

7           **48.481 (1) (a)** The department shall distribute \$497,200 in each fiscal year to  
8 counties for the purpose of supplementing payments for the care of an individual who  
9 attains age 18 after 1986 and who resided in a foster home, as defined in s. ~~48.02 (6)~~,  
10 or a treatment foster home, as defined in s. ~~48.02 (17q)~~, for at least 2 years  
11 immediately prior to attaining age 18 and, for at least 2 years, received exceptional  
12 foster care or treatment foster care payments in order to avoid institutionalization,  
13 as provided under rules promulgated by the department, so that the individual may  
14 live in a family home or other noninstitutional situation after attaining age 18. No  
15 county may use funds provided under this paragraph to replace funds previously  
16 used by the county for this purpose.

17           **SECTION 298.** 46.481 (1) (b) of the statutes is renumbered 48.481 (1) (b).

18           **SECTION 299.** 46.481 (3) of the statutes is renumbered 48.481 (3).

19           **SECTION 300.** 46.49 (title) of the statutes is amended to read:

20           **46.49 (title) Allocation of federal funds for community aids and child**  
21 **welfare.**

22           **SECTION 301.** 46.49 (1) of the statutes is amended to read:

23           **46.49 (1)** ~~Subject to s. 46.40 (1) (b) and (c), if~~ If the department receives  
24 unanticipated federal community mental health services block grant funds under 42  
25 USC 300x to 300x-9, or federal prevention and treatment of substance abuse block

1 grant funds under 42 USC 300x-21 to 300x-35, ~~or foster care and adoption~~  
2 ~~assistance payments under 42 USC 670 to 679a~~ and ~~it~~ if the department proposes to  
3 allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded,  
4 the department shall submit a plan for the proposed allocation to the secretary of  
5 administration. If the secretary of administration approves the plan, he or she shall  
6 submit it to the joint committee on finance. If the cochairpersons of the committee  
7 do not notify the secretary of administration that the committee has scheduled a  
8 meeting for the purpose of reviewing the plan within 14 working days after the date  
9 of his or her submittal, the department may implement the plan, notwithstanding  
10 any allocation limits under s. 46.40. If within 14 working days after the date of the  
11 submittal by the secretary of administration the cochairpersons of the committee  
12 notify him or her that the committee has scheduled a meeting for the purpose of  
13 reviewing the plan, the department may implement the plan, notwithstanding s.  
14 46.40, only with the approval of the committee.

15 **SECTION 302.** 46.495 (1) (d) of the statutes is amended to read:

16 46.495 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the  
17 department shall distribute the funding for social services, ~~including funding for~~  
18 ~~foster care, treatment foster care, or subsidized guardianship care of a child on whose~~  
19 ~~behalf aid is received under s. 46.261,~~ to county departments under ss. 46.215, 46.22,  
20 and 46.23 as provided under s. 46.40. County matching funds are required for the  
21 distributions under s. 46.40 (2), (8), and (9) (b). Each county's required match for the  
22 distribution under s. 46.40 (2) shall be specified in a schedule established annually  
23 by the department of ~~health and family services~~. Each county's required match for  
24 the distribution under s. 46.40 (8) for a year equals 9.89% of the total of the county's  
25 distributions under s. 46.40 (8) for that year for which matching funds are required

1 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for  
2 juvenile delinquency-related services from its distribution for 1987. Each county's  
3 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of  
4 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching  
5 funds may be from county tax levies, federal and state revenue sharing funds, or  
6 private donations to the county that meet the requirements specified in s. 51.423 (5).  
7 Private donations may not exceed 25% of the total county match. If the county match  
8 is less than the amount required to generate the full amount of state and federal  
9 funds distributed for this period, the decrease in the amount of state and federal  
10 funds equals the difference between the required and the actual amount of county  
11 matching funds.

12 **SECTION 303.** 46.51 (title) of the statutes is renumbered 48.986 (title).

13 **SECTION 304.** 46.51 (1) of the statutes is renumbered 48.986 (1) and amended  
14 to read:

15 48.986 (1) From the amounts distributed under s. 46.40 ~~48.563~~ (1) for services  
16 for children and families, the department shall distribute funds to eligible counties  
17 for services related to child abuse and neglect and to unborn child abuse, including  
18 child abuse and neglect and unborn child abuse prevention, investigation, and  
19 treatment.

20 **SECTION 305.** 46.51 (3) of the statutes is renumbered 48.986 (3).

21 **SECTION 306.** 46.51 (4) of the statutes is renumbered 48.986 (4).

22 **SECTION 307.** 46.51 (5) of the statutes is renumbered 48.986 (5).

23 **SECTION 308.** ~~46.513 of the statutes is renumbered 48.543 and amended to~~  
24 read:

1           **48.543 Services for children and families.** From the appropriation under  
2 s. ~~20.435 (3)~~ 20.437 (1) (bm), the department shall distribute grants to counties in  
3 each fiscal year to fund services for children and families. The department shall  
4 determine the amount of a county's grant under this section based on the county's  
5 proportion of the state's population as last estimated by the department of  
6 administration under s. ~~16.96~~. The department of ~~health and family services~~ shall  
7 distribute the grants under this section in the calendar year after the calendar year  
8 in which the amount available for those grants is certified by the department of  
9 revenue under s. 77.63 (2).

10           **SECTION 309.** 46.515 (title) of the statutes is renumbered 48.983 (title).

11           **SECTION 310.** 46.515 (1) (intro.) of the statutes is renumbered 48.983 (1)  
12 (intro.).

13           **SECTION 311.** 46.515 (1) (a) of the statutes is repealed.

14           **SECTION 312.** 46.515 (1) (b) (intro.) of the statutes is renumbered 48.983 (1) (b)  
15 (intro.).

16           **SECTION 313.** 46.515 (1) (b) 1. (intro.) of the statutes is renumbered 48.983 (1)  
17 (b) 1. (intro.).

18           **SECTION 314.** 46.515 (1) (b) 1. a. of the statutes is renumbered 48.983 (1) (b) 1.  
19 a.

20           **SECTION 315.** 46.515 (1) (b) 1. b. of the statutes is renumbered 48.983 (1) (b) 1.  
21 b.

22           **SECTION 316.** 46.515 (1) (b) 1. c. of the statutes is renumbered 48.983 (1) (b) 1.  
23 c. and amended to read:

24           48.983 (1) (b) 1. c. A family that includes a person who has contacted a county  
25 department, as defined in s. ~~48.02 (2g)~~, or an Indian tribe that has been awarded a

**SECTION 316**

1 grant under this section or, in a county having a population of 500,000 or more that  
2 has been awarded a grant under this section, the department or a licensed child  
3 welfare agency under contract with the department requesting assistance to prevent  
4 abuse or neglect of a child in the person's family and with respect to which an  
5 individual responding to the request has determined that all of the conditions in  
6 subd. 2. exist.

7 **SECTION 317.** 46.515 (1) (b) 2. of the statutes is renumbered 48.983 (1) (b) 2.

8 **SECTION 318.** 46.515 (1) (c) of the statutes is repealed.

9 **SECTION 319.** 46.515 (1) (cm) of the statutes is renumbered 48.983 (1) (cm).

10 **SECTION 320.** 46.515 (1) (d) of the statutes is renumbered 48.983 (1) (d).

11 **SECTION 321.** 46.515 (1) (e) of the statutes is renumbered 48.983 (1) (e).

12 **SECTION 322.** 46.515 (1) (f) of the statutes is renumbered 48.983 (1) (f).

13 **SECTION 323.** 46.515 (1) (g) of the statutes is renumbered 48.983 (1) (g).

14 **SECTION 324.** 46.515 (1) (h) of the statutes is renumbered 48.983 (1) (h).

15 **SECTION 325.** 46.515 (1) (i) of the statutes is repealed. *renumbered 48.983 (1)(i)*

16 **SECTION 326.** 46.515 (1) (j) of the statutes is repealed. *renumbered 48.983 (1)(j)*

17 **SECTION 327.** 46.515 (2) of the statutes is renumbered 48.983 (2) and amended

18 to read:

19 **48.983 (2) FUNDS PROVIDED.** If a county or Indian tribe applies and is selected  
20 by the department under sub. (5) to participate in the program under this section,  
21 the department shall award, from the appropriation under s. ~~20.435 (5)~~ 20.437 (2)  
22 (ab), a grant annually to be used only for the purposes specified in sub. (4) (a) and  
23 (am). The minimum amount of a grant is \$10,000. The department shall determine  
24 the amount of a grant awarded to a county, other than a county with a population of  
25 500,000 or more, or Indian tribe in excess of the minimum amount based on the



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

12 ~~SECTION 328. 46.515 (3) (title) of the statutes is repealed.~~

13 ~~SECTION 329. 46.515 (3) (a) of the statutes is repealed.~~

14 SECTION 330. 46.515 (3) (b) of the statutes is renumbered 48.983 (3).

15 SECTION 331. 46.515 (4) of the statutes is renumbered 48.983 (4).

16 SECTION 332. 46.515 (5) of the statutes is renumbered 48.983 (5) and amended

17 to read:

18 48.983 (5) SELECTION OF COUNTIES AND INDIAN TRIBES. The department shall  
19 provide competitive application procedures for selecting counties and Indian tribes  
20 for participation in the program under this section. The department shall establish  
21 a method for ranking applicants for selection based on the quality of their  
22 applications. In ranking the applications submitted by counties, the department  
23 shall give favorable consideration to a county that has indicated under sub. (6) (d)  
24 2. that it is willing to use a portion of any moneys distributed to the county under s.  
25 46.45 48.565 (2) (a) to provide case management services to a medical assistance

1 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family  
2 that is a case and that has explained under sub. (6) (d) 2. how the county plans to use  
3 that portion of those moneys to promote the provision of those services for the case  
4 by using a wraparound process so as to provide those services in a flexible,  
5 comprehensive and individualized manner in order to reduce the necessity for  
6 court-ordered services. The department shall also provide application requirements  
7 and procedures for the renewal of a grant awarded under this section. The  
8 application procedures and the renewal application requirements and procedures  
9 shall be clear and understandable to the applicants. The department need not  
10 promulgate as rules under ch. 227 the application procedures, the renewal  
11 application requirements or procedures or the method for ranking applicants  
12 established under this subsection.

13 **SECTION 333.** 46.515 (6) (intro.) of the statutes is renumbered 48.983 (6)  
14 (intro.).

15 **SECTION 334.** 46.515 (6) (a) of the statutes is renumbered 48.983 (6) (a).

16 **SECTION 335.** 46.515 (6) (b) of the statutes is renumbered 48.983 (6) (b).

17 **SECTION 336.** 46.515 (6) (c) of the statutes is renumbered 48.983 (6) (c).

18 **SECTION 337.** 46.515 (6) (d) (title) of the statutes is renumbered 48.983 (6) (d)  
19 (title).

20 **SECTION 338.** 46.515 (6) (d) 1. of the statutes is renumbered 48.983 (6) (d) 1.

21 **SECTION 339.** 46.515 (6) (d) 2. of the statutes is renumbered 48.983 (6) (d) 2. and  
22 amended to read:

23 48.983 (6) (d) 2. The applicant indicates in the grant application whether the  
24 applicant is willing to use a portion of any moneys distributed to the applicant under  
25 s. 46.45 48.565 (2) (a) to provide case management services to a medical assistance

1 beneficiary under s. 49.45 (25) (am) 9. who is a case or who is a member of a family  
2 that is a case. If the applicant is so willing, the applicant shall explain how the  
3 applicant plans to use that portion of those moneys to promote the provision of those  
4 services for the case by using a wraparound process so as to provide those services  
5 in a flexible, comprehensive and individualized manner in order to reduce the  
6 necessity for court-ordered services.

7 **SECTION 340.** 46.515 (6) (e) of the statutes is renumbered 48.983 (6) (e).

8 **SECTION 341.** 46.515 (6g) of the statutes is renumbered 48.983 (6g).

9 **SECTION 342.** 46.515 (6m) of the statutes is renumbered 48.983 (6m) and  
10 amended to read:

11 48.983 (6m) NOTIFICATION OF PARENT PRIOR TO MAKING ABUSE OR NEGLECT REPORT.

12 If a person who is providing services under a home visitation program under sub. (4)  
13 (b) 1. determines that he or she is required or permitted to make a report under s.  
14 48.981 (2) about a child in a family to which the person is providing those services,  
15 the person shall, prior to making the report under s. 48.981 (2), make a reasonable  
16 effort to notify the child's parent that a report under s. 48.981 (2) will be made and  
17 to encourage the parent to contact a county department ~~under s. 46.22 or 46.23~~ to  
18 request assistance. The notification requirements under this subsection do not affect  
19 the reporting requirements under s. 48.981 (2).

20 **SECTION 343.** 46.515 (6r) of the statutes is renumbered 48.983 (6r).

21 **SECTION 344.** 46.515 (7) of the statutes is renumbered 48.983 (7).

22 **SECTION 345.** 46.515 (8) of the statutes is renumbered 48.983 (8).

23 **SECTION 346.** 46.75 (title) of the statutes is renumbered 49.171 (title).

24 **SECTION 347.** 46.75 (1) of the statutes is renumbered 49.171 (1).

25 **SECTION 348.** 46.75 (2) (title) of the statutes is renumbered 49.171 (2) (title).

SECTION 349

1 SECTION 349. 46.75 (2) (a) of the statutes is renumbered 49.171 (2) (a) and  
2 amended to read:

3 49.171 (2) (a) From the appropriation under s. ~~20.435 (5)~~ 20.437 (2) (dn), the  
4 department shall award grants to agencies to operate food distribution programs  
5 that qualify for participation in the emergency food assistance program under P.L.  
6 98-8, as amended.

7 SECTION 350. 46.75 (2) (b) of the statutes is renumbered 49.171 (2) (b).

8 SECTION 351. 46.75 (3) of the statutes is renumbered 49.171 (3).

9 SECTION 352. 46.76<sup>(intro)</sup> of the statutes is renumbered 49.172<sup>(intro)</sup>.

10 SECTION 353. 46.766 of the statutes is repealed.

11 SECTION 354. 46.77 of the statutes is renumbered 49.1715 and amended to  
12 read:

13 **49.1715 Food distribution administration.** From the appropriation under  
14 s. ~~20.435 (5)~~ 20.437 (2) (dn), the department shall allocate funds to eligible recipient  
15 agencies, as defined in the emergency food assistance act, P.L. 98-8, section 201A,  
16 as amended, for the storage, transportation, and distribution of commodities  
17 provided under the hunger prevention act of 1988, P.L. 100-435, as amended.

18 SECTION 355. 46.95 (title) of the statutes is renumbered 49.165 (title).

19 SECTION 356. 46.95 (1) of the statutes is renumbered 49.165 (1).

20 SECTION 357. 46.95 (2) (title) of the statutes is renumbered 49.165 (2) (title).

21 SECTION 358. 46.95 (2) (a) of the statutes is renumbered 49.165 (2) (a) and  
22 amended to read:

23 49.165 (2) (a) The secretary shall make grants from the ~~appropriations~~  
24 s. ~~20.435 (3)~~ 20.437 (1) (cd) and (hh) to organizations for the provision of any of the  
25 services specified in sub. (1) (d). Grants may be made to organizations which have

<sup>(score)</sup>  
appropriation accounts

Insert 86-9 ✓

and in each fiscal year \$1,000,000  
from the appropriation account under s.  
~~20.435 (3)~~ 20.437 (1) (cd)

Note: Recon.

XXXX REFE: This is reconciled to 46.95 (2)(a)  
This section has been affected by drafts with the  
following LRBs #s: ~~LRB - 1261~~ and ~~LRB - 1508~~

1 provided those domestic abuse services in the past or to organizations which propose  
2 to provide those services in the future. No grant may be made to fund services for  
3 child or unborn child abuse or abuse of elderly persons.

4 SECTION 359. 46.95 (2) (b) of the statutes is renumbered 49.165 (2) (b).

5 SECTION 360. 46.95 (2) (c) of the statutes is renumbered 49.165 (2) (c).

6 SECTION 361. 46.95 (2) (d) of the statutes is renumbered 49.165 (2) (d).

7 SECTION 362. 46.95 (2) (e) of the statutes is renumbered 49.165 (2) (e).

8 SECTION 363. 46.95 (2) (f) (intro.) of the statutes is renumbered 49.165 (2) (f)

9 (intro.) and amended to read:

10 49.165 (2) (f) (intro.) From the appropriations under s. 20.435 (3) 20.437 (1) (cd)

11 and (hh), the department shall do all of the following:

12 SECTION 364. 46.95 (2) (f) 1. of the statutes is renumbered 49.165 (2) (f) 1.

13 SECTION 365. 46.95 (2) (f) 5. of the statutes is renumbered 49.165 (2) (f) 5.

14 SECTION 366. 46.95 (2) (f) 6. of the statutes is renumbered 49.165 (2) (f) 6.

15 SECTION 367. 46.95 (2) (f) 7. of the statutes is renumbered 49.165 (2) (f) 7.

16 SECTION 368. 46.95 (2) (f) 8. of the statutes is renumbered 49.165 (2) (f) 8.

17 SECTION 369. 46.95 (2) (f) 9. of the statutes is renumbered 49.165 (2) (f) 9.

18 SECTION 370. 46.95 (2) (f) 10. of the statutes is renumbered 49.165 (2) (f) 10.

19 SECTION 371. 46.95 (2m) of the statutes is renumbered 49.165 (2m).

20 SECTION 372. 46.95 (3) of the statutes is renumbered 49.165 (3).

21 SECTION 373. 46.95 (4) of the statutes is renumbered 49.165 (4).

22 SECTION 374. 46.99 (title) of the statutes is renumbered 48.545 (title).

23 SECTION 375. 46.99 (1) of the statutes is renumbered 48.545 (1).

24 SECTION 376. 46.99 (2) (title) of the statutes is renumbered 48.545 (2) (title).

1           **SECTION 377.** 46.99 (2) (a) (intro.) of the statutes is renumbered 48.545 (2) (a)  
2 (intro.) and amended to read:

3           48.545 **(2)** (a) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1) (eg)  
4 and (nL), the department shall distribute \$2,125,200 in each fiscal year to applying  
5 nonprofit corporations and public agencies operating in a county having a population  
6 of 500,000 or more and \$1,199,300 in each fiscal year to applying county departments  
7 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county  
8 having a population of 500,000 or more to provide programs to accomplish all of the  
9 following:

10           **SECTION 378.** 46.99 (2) (a) 1. of the statutes is renumbered 48.545 (2) (a) 1.

11           **SECTION 379.** 46.99 (2) (a) 2. of the statutes is renumbered 48.545 (2) (a) 2.

12           **SECTION 380.** 46.99 (2) (a) 3. of the statutes is renumbered 48.545 (2) (a) 3.

13           **SECTION 381.** 46.99 (2) (a) 4. of the statutes is renumbered 48.545 (2) (a) 4.

14           **SECTION 382.** 46.99 (2) (a) 5. of the statutes is renumbered 48.545 (2) (a) 5.

15           **SECTION 383.** 46.99 (2) (b) of the statutes is renumbered 48.545 (2) (b).

16           **SECTION 384.** 46.99 (3) of the statutes is renumbered 48.545 (3).

17           **SECTION 385.** 46.995 (title) of the statutes is renumbered 48.487 (title).

18           **SECTION 386.** 46.995 (1m) of the statutes is renumbered 48.487 (1m) and  
19 amended to read:

20           48.487 **(1m)** TRIBAL ADOLESCENT SERVICES ALLOCATION. From the appropriation  
21 account under s. ~~20.435 (3)~~ 20.437 (1) (eg), the department may allocate \$210,000 in  
22 each fiscal year to provide the grants specified in subs. (2), (3) (b), and (4m) (b).

23           **SECTION 387.** 46.995 (2) of the statutes is renumbered 48.487 (2).

24           **SECTION 388.** 46.995 (3) of the statutes is renumbered 48.487 (3).

25           **SECTION 389.** 46.995 (4m) of the statutes is renumbered 48.487 (4m).

1           **SECTION 390.** 46.997 (title) of the statutes is renumbered 48.647 (title).

2           **SECTION 391.** 46.997 (1) of the statutes is renumbered 48.647 (1).

3           **SECTION 392.** 46.997 (2) (title) of the statutes is renumbered 48.647 (2) (title).

4           **SECTION 393.** 46.997 (2) (a) of the statutes is renumbered 48.647 (2) (a) and  
5 amended to read:

6           48.647 (2) (a) From the appropriation under s. ~~20.435 (3)~~ 20.437 (1) (f), the  
7 department shall distribute not more than \$0 in each fiscal year as grants to private  
8 agencies to provide 2nd-chance homes and related services to eligible persons who  
9 are placed under s. 48.63 (5) in 2nd-chance homes operated by those private  
10 agencies. A private agency that is awarded a grant under this paragraph may use  
11 the amount awarded under the grant to provide care and maintenance to eligible  
12 persons who are placed under s. 48.63 (5) in a 2nd-chance home operated by the  
13 private agency; provide services, including the services specified in sub. (3), to  
14 eligible persons who currently are or formerly were placed under s. 48.63 (5) in the  
15 2nd-chance home, to the children and families of those eligible persons, and to the  
16 noncustodial parents of the children of those eligible persons; and, in the first year  
17 of the grant period, pay for the start-up costs, other than capital costs, of the private  
18 agency's program funded under this paragraph.

19           **SECTION 394.** 46.997 (2) (b) of the statutes is renumbered 48.647 (2) (b) and  
20 amended to read:

21           48.647 (2) (b) The department of ~~health and family services~~ shall award the  
22 grants under par. (a) on a competitive basis and according to request-for-proposal  
23 procedures that the department of ~~health and family services~~ shall prescribe in  
24 consultation with the ~~department of workforce development~~, local health  
25 departments, as defined in s. 250.01 (4), and other providers of services to eligible

1 persons. Those request-for-proposal procedures shall include a requirement that  
2 a private agency that applies for a grant under par. (a) include in its grant application  
3 proof that the private agency has the cultural competency to provide services under  
4 the grant to persons and families in the various cultures in the private agency's  
5 target population and that cultural competency is incorporated in the private  
6 agency's policies, administration, and practices. In awarding the grants under par.  
7 (a), the department of ~~health and family services~~ shall consider the need for those  
8 grants to be distributed both on a statewide basis and in the areas of the state with  
9 the greatest need for 2nd-chance homes and the need to provide placements for  
10 children who are voluntarily placed in a 2nd-chance home as well as for children who  
11 are placed in a 2nd-chance home by court order.

12 **SECTION 395.** 46.997 (2) (c) of the statutes is renumbered 48.647 (2) (c).

13 **SECTION 396.** 46.997 (2) (d) of the statutes is renumbered 48.647 (2) (d).

14 **SECTION 397.** 46.997 (2) (e) of the statutes is renumbered 48.647 (2) (e).

15 **SECTION 398.** 46.997 (3) of the statutes is renumbered 48.647 (3).

16 **SECTION 399.** 46.997 (4) of the statutes is renumbered 48.647 (4) and amended  
17 to read:

18 **48.647 (4) EVALUATION.** From the appropriation under s. ~~20.435 (3)~~ 20.437 (1)  
19 (f), the department shall conduct or shall select an evaluator to conduct an evaluation  
20 of the grant program under this section and, by June 1 of the 3rd calendar year  
21 beginning after the year in which the first grant under this section is awarded, shall  
22 submit a report on that evaluation to the governor and to the appropriate standing  
23 committees under s. 13.172 (3). The evaluation shall measure the economic  
24 self-sufficiency, parenting skills, independent living skills, and life choice  
25 decision-making skills of the eligible persons who received services under the



1 program and any other criteria that the department determines to be appropriate for  
2 evaluation.

3 **SECTION 400.** 48.01 (1) (h) of the statutes is created to read:

4 48.01 (1) (h) To provide a just and humane program of services to nonmarital  
5 children, children and unborn children in need of protection or services, and the  
6 expectant mothers of those unborn children; to avoid duplication and waste of effort  
7 and money on the part of public and private agencies; and to coordinate and integrate  
8 a program of services to children and families.

9 **SECTION 401.** 48.02 (4) of the statutes is amended to read:

10 48.02 (4) "Department" means the department of ~~health and family services~~  
11 children and families.

12 **SECTION 402.** 48.02 (16) of the statutes is created to read:

13 48.02 (16) "Secretary" means the secretary of children and families.

14 **SECTION 403.** 48.06 (4) of the statutes is amended to read:

15 48.06 (4) STATE AID. State aid to any county for court services under this section  
16 shall be at the same net effective rate that each county is reimbursed for county  
17 administration under s. ~~46.495~~ 48.569. Counties having a population of less than  
18 500,000 may use funds received under s. ~~46.495~~ 48.569 (1) (d), including county or  
19 federal revenue sharing funds allocated to match funds received under s. ~~46.495~~  
20 48.569 (1) (d), for the cost of providing court attached intake services in amounts not  
21 to exceed 50% of the cost of providing court attached intake services or \$30,000 per  
22 county per calendar year, whichever is less.

23 **SECTION 404.** 48.275 (2) (d) 2. of the statutes is amended to read:

24 48.275 (2) (d) 2. In a county having a population of 500,000 or more,  
25 reimbursement payments shall be made to the clerk of courts of the county where the

1 proceedings took place. Each payment shall be transmitted to the secretary of  
2 administration, who shall deposit the amount paid in the general fund and credit  
3 25% of the amount paid to the appropriation account under s. ~~20.435 (3)~~ 20.437 (1)  
4 (gx) and the remainder to the appropriation account under s. 20.550 (1) (L).

5 **SECTION 405.** 48.30 (6) (b) of the statutes is amended to read:

6 48.30 (6) (b) If it appears to the court that disposition of the case may include  
7 placement of the child outside the child's home, the court shall order the child's  
8 parent to provide a statement of income, assets, debts, and living expenses to the  
9 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled  
10 date of the dispositional hearing or as otherwise ordered by the court. The clerk of  
11 court shall provide, without charge, to any parent ordered to provide a statement of  
12 income, assets, debts, and living expenses a document setting forth the percentage  
13 standard established by the department of ~~workforce development~~ under s. 49.22 (9)  
14 and the manner of its application established by the department of ~~health and family~~  
15 ~~services~~ under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may  
16 consider under s. ~~46.10~~ 49.345 (14) (c).

17 **SECTION 406.** 48.31 (7) (b) of the statutes is amended to read:

18 48.31 (7) (b) If it appears to the court that disposition of the case may include  
19 placement of the child outside the child's home, the court shall order the child's  
20 parent to provide a statement of income, assets, debts, and living expenses to the  
21 court or the designated agency under s. 48.33 (1) at least 5 days before the scheduled  
22 date of the dispositional hearing or as otherwise ordered by the court. The clerk of  
23 court shall provide, without charge, to any parent ordered to provide a statement of  
24 income, assets, debts, and living expenses a document setting forth the percentage  
25 standard established by the department of ~~workforce development~~ under s. 49.22 (9)

1 and the manner of its application established by the department of health and family  
2 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may  
3 consider under s. ~~46.10~~ 49.345 (14) (c).

4 **SECTION 407.** 48.33 (4m) (intro.) of the statutes is amended to read:

5 48.33 (4m) SUPPORT RECOMMENDATIONS; INFORMATION TO PARENTS. (intro.) In  
6 making a recommendation for an amount of child support under sub. (4), the agency  
7 shall consider the factors that the court considers under s. ~~46.10~~ 49.345 (14) (c) for  
8 deviation from the percentage standard. Prior to the dispositional hearing under s.  
9 48.335, the agency shall provide the child's parent with all of the following:

10 **SECTION 408.** 48.33 (4m) (b) of the statutes is amended to read:

11 48.33 (4m) (b) A written explanation of how the parent may request that the  
12 court modify the amount of child support under s. ~~46.10~~ 49.345 (14) (c).

13 **SECTION 409.** 48.357 (5m) (a) of the statutes is amended to read:

14 48.357 (5m) (a) If a proposed change in placement changes a child's placement  
15 from a placement in the child's home to a placement outside the child's home, the  
16 court shall order the child's parent to provide a statement of income, assets, debts  
17 and living expenses to the court or the person or agency primarily responsible for  
18 implementing the dispositional order by a date specified by the court. The clerk of  
19 court shall provide, without charge, to any parent ordered to provide a statement of  
20 income, assets, debts, and living expenses a document setting forth the percentage  
21 standard established by the department of ~~workforce development~~ under s. 49.22 (9)  
22 and the manner of its application established by the department of health and family  
23 services under s. ~~46.247~~ 49.345 (14) (g) and listing the factors that a court may  
24 consider under s. ~~46.10~~ 49.345 (14) (c). If the child is placed outside the child's home,

1 the court shall determine the liability of the parent in the manner provided in s. 46.10  
2 49.345 (14).

3 **SECTION 410.** 48.36 (1) (a) of the statutes is amended to read:

4 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the  
5 court otherwise designates an alternative placement for the child by a disposition  
6 made under s. 48.345 or by a change in placement under s. 48.357, the duty of the  
7 parent or guardian or, in the case of a transfer of guardianship and custody under  
8 s. 48.839 (4), the duty of the former guardian to provide support shall continue even  
9 though the legal custodian or the placement designee may provide the support. A  
10 copy of the order transferring custody or designating alternative placement for the  
11 child shall be submitted to the agency or person receiving custody or placement and  
12 the agency or person may apply to the court for an order to compel the parent or  
13 guardian to provide the support. Support payments for residential services, when  
14 purchased or otherwise funded or provided by the department or a county  
15 department under s. 46.22, 46.23, 51.42 or 51.437, shall be determined under s. 46.10  
16 49.345 (14). Support payments for residential services, when purchased or otherwise  
17 funded by the department of health and family services or a county department  
18 under s. 51.42 or 51.437, shall be determined under s. 46.10 (14).

19 **SECTION 411.** 48.36 (1) (b) of the statutes is amended to read:

20 48.36 (1) (b) In determining the amount of support under par. (a), the court may  
21 consider all relevant financial information or other information relevant to the  
22 parent's earning capacity, including information reported under s. 49.22 (2m) to the  
23 department of ~~workforce development~~ or the county child support agency under s.  
24 59.53 (5). If the court has insufficient information with which to determine the  
25 amount of support, the court shall order the child's parent to furnish a statement of

1 income, assets, debts, and living expenses, if the parent has not already done so, to  
2 the court within 10 days after the court's order transferring custody or designating  
3 an alternative placement is entered or at such other time as ordered by the court.

4 **SECTION 412.** 48.36 (2) of the statutes is amended to read:

5 48.36 (2) If an expectant mother or a child whose legal custody has not been  
6 taken from a parent or guardian is given educational and social services, or medical,  
7 psychological or psychiatric treatment by order of the court, the cost of those services  
8 or that treatment, if ordered by the court, shall be a charge upon the county in a  
9 county having a population of less than 500,000 or the department in a county having  
10 a population of 500,000 or more. This section does not prevent recovery of reasonable  
11 contribution toward the costs from the parent or guardian of the child or from an  
12 adult expectant mother as the court may order based on the ability of the parent,  
13 guardian or adult expectant mother to pay. This subsection shall be subject to s.  
14 ~~46.03 (18)~~ 49.32 (1).

15 **SECTION 413.** 48.361 (2) (c) of the statutes is amended to read:

16 48.361 (2) (c) Payment for alcohol and other drug abuse services by a county  
17 department under this section does not prohibit the county department from  
18 contracting with another county department or approved treatment facility for the  
19 provision of alcohol and other drug abuse services. Payment by the county under this  
20 section does not prevent recovery of reasonable contribution toward the costs of the  
21 court-ordered alcohol and other drug abuse services from the parent or adult  
22 expectant mother which is based upon the ability of the parent or adult expectant  
23 mother to pay. This subsection is subject to s. ~~46.03 (18)~~ 49.32 (1).

24 **SECTION 414.** 48.362 (4) (c) of the statutes is amended to read:

1           48.362 (4) (c) A county department that pays for court-ordered special  
2 treatment or care under par. (a) may recover from the parent or adult expectant  
3 mother, based on the ability of the parent or adult expectant mother to pay, a  
4 reasonable contribution toward the costs of the court-ordered special treatment or  
5 care. This paragraph is subject to s. ~~46.03 (18)~~ 49.32 (1).

6           **SECTION 415.** 48.363 (1) (c) of the statutes is amended to read:

7           48.363 (1) (c) If the proposed revision is for a change in the amount of child  
8 support to be paid by a parent, the court shall order the child's parent to provide a  
9 statement of income, assets, debts and living expenses to the court and the person  
10 or agency primarily responsible for implementing the dispositional order by a date  
11 specified by the court. The clerk of court shall provide, without charge, to any parent  
12 ordered to provide a statement of income, assets, debts, and living expenses a  
13 document setting forth the percentage standard established by the department of  
14 ~~workforce development~~ under s. 49.22 (9) and the manner of its application  
15 established by the department of ~~health and family services~~ under s. ~~46.247~~ 49.345  
16 (14) (g) and listing the factors that a court may consider under s. ~~46.10~~ 49.345 (14)  
17 (c).

18           **SECTION 416.** 48.363 (2) of the statutes is amended to read:

19           48.363 (2) If the court revises a dispositional order with respect to the amount  
20 of child support to be paid by a parent for the care and maintenance of the parent's  
21 minor child who has been placed by a court order under this chapter in a residential,  
22 nonmedical facility, the court shall determine the liability of the parent in the  
23 manner provided in s. ~~46.10~~ 49.345 (14).

24           **SECTION 417.** Subchapter XI (title) of chapter 48 [precedes 48.47] of the  
25 statutes is amended to read:



1 including the authority to accept grants of money or property from federal, state, or  
2 private sources, and enlist the cooperation of other appropriate agencies and state  
3 departments.

4 **SECTION 424.** 48.48 (12) (a) of the statutes is amended to read:

5 48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child  
6 after legal adoption when the department has determined that such assistance is  
7 necessary to assure the child's adoption. Agreements under this paragraph shall be  
8 made in accordance with s. 48.975. Payments shall be made from the appropriation  
9 under s. ~~20.435 (3)~~ 20.437 (1) (dd).

10 **SECTION 425.** 48.48 (17) (am) of the statutes is created to read:

11 48.48 (17) (am) The requirement of statewide uniformity with respect to the  
12 organization and governance of human services does not apply to the administration  
13 of child welfare services under par. (a).

14 **SECTION 426.** 48.48 (17) (c) (intro.) of the statutes is amended to read:

15 48.48 (17) (c) (intro.) From the appropriations under s. ~~20.435 (3)~~ 20.437 (1)  
16 (cx), (gx), (kw), and (mx), the department may provide funding for the maintenance  
17 of any child who meets all of the following criteria:

18 **SECTION 427.** 48.48 (17) (c) 3. of the statutes is amended to read:

19 48.48 (17) (c) 3. Received funding under s. 20.437 (1) (cx) or 48.569 (1) (d) or  
20 under s. 20.435 (3) (cx), 2005 stats., or 46.495 (1) (d), 2005 stats., immediately prior  
21 to his or her 18th birthday.

22 **SECTION 428.** 48.48 (17) (d) of the statutes is amended to read:

23 48.48 (17) (d) The funding provided for the maintenance of a child under par.  
24 (c) shall be in an amount equal to that which the child would receive under s. ~~20.435~~



1     ~~(3)~~ 20.437 (1) (cx), (gx), (kw), and (mx) or ~~46.495~~ 48.569 (1) (d) if the child were 17  
2     years of age.

3             **SECTION 429.** 48.48 (18) of the statutes is created to read:

4             48.48 (18) To contract with public or voluntary agencies or others for the  
5     following purposes:

6             (a) To purchase in full or in part care and services that the department is  
7     authorized by any statute to provide as an alternative to providing that care and  
8     those services itself.

9             (b) To purchase or provide in full or in part the care and services that county  
10    agencies may provide or purchase under any statute and to sell to county agencies  
11    such portions of that care and those services as the county agency may desire to  
12    purchase.

13            (d) To sell services, under contract, that the department is authorized to  
14    provide by statute, to any federally recognized tribal governing body.

15            **SECTION 430.** 48.547 (2) of the statutes is amended to read:

16            48.547 (2) DEPARTMENT RESPONSIBILITIES. Within the availability of funding  
17    under s. ~~20.435 (7)~~ 20.437 (1) (mb) that is available for the program, the department  
18    shall select counties to participate in the program. Unless a county department of  
19    human services has been established under s. 46.23 in the county that is seeking to  
20    implement a program, the application submitted to the department shall be a joint  
21    application by the county department that provides social services and the county  
22    department established under s. 51.42 or 51.437. The department shall select  
23    counties in accordance with the request for proposal procedures established by the  
24    department. The department shall give a preference to county applications that  
25    include a plan for case management.

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