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1 **SECTION 158.** 29.229 (5m) (a) of the statutes is amended to read:

2 29.229 (5m) (a) The band is requested to enter into a memorandum of
3 understanding with the department of ~~workforce development~~ children and families
4 under s. 49.857.

5 **SECTION 159.** 29.229 (5m) (b) of the statutes is amended to read:

6 29.229 (5m) (b) The band is requested to enact tribal laws or ordinances that
7 require each person who has a social security number, as a condition of being issued
8 an approval under this section, to provide to the band his or her social security
9 number, tribal laws or ordinances that require each person who does not have a social
10 security number, as a condition of being issued an approval under this section, to
11 provide to the band a statement made or subscribed under oath or affirmation on a
12 form prescribed by the department of ~~workforce development~~ children and families
13 that the person does not have a social security number, and tribal laws or ordinances
14 that prohibit the disclosure of that number by the band to any other person except
15 to the department of ~~workforce development~~ children and families for the purpose
16 of administering s. 49.22.

17 **SECTION 160.** 29.229 (5m) (c) of the statutes is amended to read:

18 29.229 (5m) (c) The band is requested to enact tribal laws or ordinances that
19 deny an application to issue or renew, suspend if already issued or otherwise
20 withhold or restrict an approval issued under this section if the applicant for or the
21 holder of the approval fails to provide the information required under tribal laws or
22 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a
23 subpoena or warrant issued by the department of ~~workforce development~~ children
24 and families or a county child support agency under s. 59.53 (5) and related to
25 paternity or child support proceedings or if the department of ~~workforce~~

1 ~~development~~ children and families certifies that the applicant for or the holder of the
2 approval has failed to pay court-ordered payments of child or family support,
3 maintenance, birth expenses, medical expenses or other expenses related to the
4 support of a child or former spouse. The band is also requested to enact tribal laws
5 or ordinances that invalidate an approval issued under this subsection if issued in
6 reliance upon a statement made or subscribed under oath or affirmation under tribal
7 laws or ordinances enacted under par. (b) that is false.

8 **SECTION 161.** 35.86 (1) of the statutes is amended to read:

9 35.86 (1) The director of the historical society may procure the exchange of
10 public documents produced by federal, state, county, local, and other agencies as may
11 be desirable to maintain or enlarge its historical, literary, and statistical collections,
12 and may make such distributions of public documents, with or without exchange, as
13 may accord with interstate or international comity. The state law librarian shall
14 procure so many of such exchanges as the state law librarian is authorized by law
15 to make, and the department of health and family services, department of children
16 and families, commission of banking, department of public instruction, legislative
17 reference bureau, and the legislative council staff, may procure by exchange such
18 documents from other states and countries as may be needed for use in their
19 respective offices. Any other state agency wishing to initiate a formal exchange
20 program in accordance with this section may do so by submitting a formal application
21 to the department and by otherwise complying with this section.

22 **SECTION 162.** 38.04 (21) (intro.) of the statutes is amended to read:

23 38.04 (21) (intro.) PUPILS ATTENDING TECHNICAL COLLEGES; BOARD REPORT.
24 Annually by the 3rd Monday in February the board shall submit a report to the
25 department of administration, department of children and families, department of

1 public instruction, and department of workforce development, and to the legislature
2 under s. 13.172 (2). The report shall specify all of the following by school district:

3 **SECTION 163.** 45.20 (2) (d) 2. b. of the statutes is amended to read:

4 45.20 (2) (d) 2. b. A statement that the veteran is not delinquent in child
5 support or maintenance payments and does not owe past support, medical expenses
6 or birth expenses, signed by the department of ~~workforce development~~ children and
7 families or its designee within 7 working days before the date of the application.

8 **SECTION 164.** 45.33 (2) (b) 1. b. of the statutes is amended to read:

9 45.33 (2) (b) 1. b. A statement that the person is not delinquent in child support
10 or maintenance payments and does not owe past support, medical expenses, or birth
11 expenses, signed by the department of ~~workforce development~~ children and families
12 or its designee within 7 working days before the date of the application.

13 **SECTION 165.** 45.42 (6) (b) of the statutes is amended to read:

14 45.42 (6) (b) Provides to the department a statement that the applicant is not
15 delinquent in child support or maintenance payments and does not owe past support,
16 medical expenses, or birth expenses, signed by the department of ~~workforce~~
17 ~~development~~ children and families or its designee within 7 working days before the
18 date of the application.

19 **SECTION 166.** 46.001 of the statutes is amended to read:

20 **46.001 Purposes of chapter.** The purposes of this chapter are to conserve
21 human resources in Wisconsin; ~~to provide a just and humane program of services to~~
22 ~~children and unborn children in need of protection or services, nonmarital children~~
23 ~~and the expectant mothers of those unborn children;~~ to prevent dependency, mental
24 illness, developmental disability, mental infirmity, and other forms of social
25 maladjustment by a continuous attack on causes; to provide effective aid and services

1 to all persons in need ~~thereof of that aid and those services~~ and to assist those persons
2 to achieve or regain self-dependence at the earliest possible date; to avoid
3 duplication and waste of effort and money on the part of public and private agencies;
4 and to coordinate and integrate a social welfare program.

5 **SECTION 167.** 46.011 (intro.) of the statutes is amended to read:

6 **46.011 Definitions.** (intro.) In chs. 46, ~~48~~, 50, 51, 54, 55, and 58:

7 **SECTION 168.** 46.014 (4) of the statutes is renumbered 49.265 (6) and amended
8 to read:

9 49.265 (6) REPORTS. At least annually, the secretary shall submit a report to
10 the chief clerk of each house of the legislature, for distribution to the appropriate
11 standing committees under s. 13.172 (3), concerning activities of community action
12 agencies under ~~s. 46.30~~ this section and their effectiveness in promoting social and
13 economic opportunities for poor persons.

14 **SECTION 169.** 46.016 of the statutes is amended to read:

15 **46.016 Cooperation with federal government.** The department may
16 cooperate with the federal government in carrying out federal acts concerning public
17 assistance, social security, ~~child welfare and youth services~~, mental hygiene, services
18 for the blind, and in other matters of mutual concern pertaining to public welfare.

19 **SECTION 170.** 46.02 of the statutes is amended to read:

20 **46.02 Agency powers and duties.** Any institution which that is subject to
21 chs. 46, 48 ~~49~~ to 51, 55, and 58 and to regulation under ch. 150 shall, in cases of
22 conflict between chs. 46, 48 ~~49~~ to 51, 55, and 58 and ch. 150, be governed by ch. 150.
23 The department shall promulgate rules and establish procedures for resolving any
24 such ~~controversy~~ a conflict.

25 **SECTION 171.** 46.023 of the statutes is renumbered 48.562.

1 **SECTION 172.** 46.03 (4) (b) of the statutes is amended to read:

2 46.03 (4) (b) In order to discharge more effectively its responsibilities under
3 this chapter ~~and ch. 48~~ and other relevant provisions of the statutes, be authorized
4 to study causes and methods of prevention and treatment of mental illness, mental
5 deficiency, mental infirmity, and related social problems, including establishment of
6 demonstration projects to apply and evaluate such methods in actual cases. The
7 department is directed and authorized to utilize all powers provided by the statutes,
8 including the authority under sub. (2a), to accept grants of money or property from
9 federal, state, or private sources, and to enlist the cooperation of other appropriate
10 agencies and state departments. The department may enter into agreements with
11 local government subdivisions, departments, and agencies for the joint conduct of
12 these projects, and it may purchase services when deemed considered appropriate.

13 **SECTION 173.** 46.03 (7) (a) of the statutes is amended to read:

14 46.03 (7) (a) Promote the enforcement of laws for the protection of
15 developmentally disabled children, ~~children and unborn children in need of~~
16 ~~protection or services and nonmarital children~~; and to this end cooperate with courts
17 assigned to exercise jurisdiction under chs. 48 and 938, licensed child welfare
18 agencies, and public and private institutions and take the initiative in all matters
19 involving the interests of those children ~~and unborn children~~ when adequate
20 provision for those interests has not already been made, including the establishment
21 and enforcement of standards for services provided under ss. 48.345 and 48.347.

22 **SECTION 174.** 46.03 (7) (bm) of the statutes is amended to read:

23 46.03 (7) (bm) Maintain a file containing records of artificial inseminations
24 under s. 891.40, ~~declarations of paternal interest under s. 48.025~~, and statements
25 acknowledging paternity under s. 69.15 (3) (b). The department may release those

1 records, ~~declarations~~, and statements only upon an order of the court except that the
2 department may use nonidentifying information concerning artificial inseminations
3 for the purpose of compiling statistics, ~~declarations of paternal interest shall be~~
4 ~~released as provided in s. 48.025 (3) (b) and (e)~~, and statements acknowledging
5 paternity shall be released without a court order to the department of ~~workforce~~
6 development children and families or a county child support agency under s. 59.53
7 (5) upon the request of that department or county child support agency pursuant to
8 the program responsibilities under s. 49.22 or to any other person with a direct and
9 tangible interest in the statement.

10 **SECTION 175.** 46.03 (7) (c) of the statutes is repealed.

11 **SECTION 176.** 46.03 (7) (cm) of the statutes is renumbered 48.47 (7) (cm).

12 **SECTION 177.** 46.03 (7) (d) of the statutes is renumbered 48.47 (7) (d).

13 **SECTION 178.** 46.03 (7) (e) of the statutes is repealed.

14 **SECTION 179.** 46.03 (7) (f) of the statutes is renumbered 48.47 (7) (f).

15 **SECTION 180.** 46.03 (7) (h) of the statutes is renumbered 48.47 (7) (h).

16 **SECTION 181.** 46.03 (7g) of the statutes is renumbered 48.47 (7g) and amended
17 to read:

18 **48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM.** Establish
19 a statewide automated child welfare information system. Notwithstanding ss.
20 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,
21 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396~~
22 ~~(1) and (2) (a)~~ 938.396 (1) and (2), and 938.78 (2) (a), the department may enter the
23 content of any record kept or information received by the department into the
24 statewide automated child welfare information system, and a county department
25 under s. 46.215, 46.22, or 46.23, the department, or any other organization that has

1 entered into an information sharing and access agreement with the department or
2 any of those county departments and that has been approved for access to the
3 statewide automated child welfare information system by the department may have
4 access to information that is maintained in that system, if necessary to enable the
5 county department, department, or organization to perform its duties under this
6 chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to 679b to or to coordinate the
7 delivery of services under this chapter, ch. 48, 46, 51, 55, or 938, or 42 USC 670 to
8 679b.

9 **SECTION 182.** 46.03 (7m) of the statutes is renumbered 48.62 (7) and amended
10 to read:

11 48.62 (7) ~~FOSTER CARE~~. In each federal fiscal year, the department shall ensure
12 that there are no more than 2,200 children in foster care and treatment foster care
13 placements for more than 24 months, consistent with the best interests of each child.
14 Services provided in connection with this requirement shall comply with the
15 requirements under P.L. 96-272.

16 **SECTION 183.** 46.03 (18) (a) of the statutes, as affected by 2007 Wisconsin Act
17 (this act), is amended to read:

18 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of
19 ~~health and family services~~ shall establish a uniform system of fees for services
20 provided or purchased by the department of ~~health and family services~~, or a county
21 department under s. 46.215, 46.22, 51.42, or 51.437, except for services provided
22 under ch. 48 and subch. III of ch. 49; ~~services relating to adoption~~; services provided
23 to courts; outreach, information and referral services; or ~~where~~ when, as determined
24 by the department of ~~health and family services~~, a fee is administratively unfeasible
25 or would significantly prevent accomplishing the purpose of the service. A county

1 department under s. 46.215, 46.22, 51.42, or 51.437 shall apply the fees ~~which that~~
2 it collects under this program to cover the cost of ~~such~~ those services.

***NOTE: This is reconciled s. 46.03 (18) (a). This SECTION has been affected by
drafts with the following LRB numbers: -0242 and -1261.

3 **SECTION 184.** 46.03 (18) (am) of the statutes is amended to read:

4 46.03 (18) (am) Paragraph (a) ~~does not prevent the department from charging~~
5 ~~and collecting the cost of adoptive placement investigations and child care as~~
6 ~~authorized under s. 48.837 (7).~~ Paragraph (a) also does not prevent a county
7 department under s. 51.42 or 51.437 from charging and collecting the cost of an
8 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).

9 **SECTION 185.** 46.03 (20) (a) of the statutes is amended to read:

10 46.03 (20) (a) Except for payments provided under ch. 48 or subch. III of ch. 49,
11 the department may make payments directly to recipients of public assistance or to
12 such persons authorized to receive such payments in accordance with law and rules
13 of the department on behalf of the counties. Except for payments provided under ch.
14 48 or subch. III of ch. 49, the department may charge the counties for the cost of
15 operating public assistance systems which make such payments.

16 **SECTION 186.** 46.03 (22) (title) of the statutes is amended to read:

17 46.03 (22) (title) COMMUNITY LIVING ARRANGEMENTS FOR ADULTS.

18 **SECTION 187.** 46.03 (22) (a) of the statutes is amended to read:

19 46.03 (22) (a) ~~“Community~~ In this subsection, “community living arrangement
20 for adults” means any of the following facilities licensed or operated, or permitted
21 under the authority of the department: residential care centers for children and
22 youth, as defined in s. 48.02 (15d), operated by child welfare agencies licensed under
23 s. 48.60, group homes for children, as defined in s. 48.02 (7), and community-based

1 ~~residential facilities~~ a community-based residential facility, as defined in s. 50.01
2 (1g); ~~but does not include adult family homes, as defined in s. 50.01 (1), day care~~
3 ~~centers, nursing homes, general hospitals, special hospitals, prisons, and jails.~~

4 **SECTION 188.** 46.03 (22) (b) of the statutes is amended to read:

5 46.03 (22) (b) Community living arrangements for adults shall be subject to the
6 same building and housing ordinances, codes, and regulations of the municipality or
7 county as similar residences located in the area in which the facility is located.

8 **SECTION 189.** 46.03 (22) (c) of the statutes is amended to read:

9 46.03 (22) (c) The department shall designate a subunit to keep records and
10 supply information on community living arrangements for adults under ss. 59.69
11 (15) (f), 60.63 (7), and 62.23 (7) (i) 6. The subunit shall be responsible for receiving
12 all complaints regarding community living arrangements for adults and for
13 coordinating all necessary investigatory and disciplinary actions under the laws of
14 this state and under the rules of the department relating to the licensing of
15 community living arrangements for adults.

16 **SECTION 190.** 46.03 (22) (d) of the statutes is amended to read:

17 46.03 (22) (d) A community living arrangement for adults with a capacity for
18 8 or fewer persons shall be a permissible use for purposes of any deed covenant which
19 limits use of property to single-family or 2-family residences. A community living
20 arrangement for adults with a capacity for 15 or fewer persons shall be a permissible
21 use for purposes of any deed covenant which limits use of property to more than
22 2-family residences. Covenants in deeds which expressly prohibit use of property
23 for community living arrangements for adults are void as against public policy.

24 **SECTION 191.** 46.03 (22) (e) of the statutes is amended to read:

SECTION 191

1 46.03 (22) (e) If a community living arrangement for adults is required to
2 obtain special zoning permission, as defined in s. 59.69 (15) (g), the department shall,
3 at the request of the unit of government responsible for granting the special zoning
4 permission, inspect the proposed facility and review the program proposed for the
5 facility. After such inspection and review, the department shall transmit to the unit
6 of government responsible for granting the special zoning permission a statement
7 that the proposed facility and its proposed program have been examined and are
8 either approved or disapproved by the department.

9 **SECTION 192.** 46.03 (29) of the statutes is repealed.

10 **SECTION 193.** 46.03 (39) of the statutes is renumbered 48.47 (39).

11 **SECTION 194.** 46.031 (3) (a) of the statutes is amended to read:

12 46.031 (3) (a) *Citizen advisory committee.* Except as provided in par. (b), the
13 county board of supervisors of each county or the county boards of supervisors of 2
14 or more counties jointly shall establish a citizen advisory committee to the county
15 departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. The citizen advisory
16 committee shall advise in the formulation of the budget under sub. (1). Membership
17 on the committee shall be determined by the county board of supervisors in a county
18 with a single-county committee or by the county boards of supervisors in counties
19 with a multicounty committee and shall include representatives of those persons
20 receiving services, providers of service and citizens. A majority of the members of the
21 committee shall be citizen and service consumers. ~~At least one member of the~~
22 ~~committee shall be chosen from the governing or administrative board of the~~
23 ~~community action agency serving the county or counties under s. 46.30, if any.~~ The
24 committee's membership may not consist of more than 25% county supervisors, nor
25 of more than 20% service providers. The chairperson of the committee shall be

1 appointed by the county board of supervisors establishing it. In the case of a
2 multicounty committee, the chairperson shall be nominated by the committee and
3 approved by the county boards of supervisors establishing it. The county board of
4 supervisors in a county with a single-county committee or the county boards of
5 supervisors in counties with a multicounty committee may designate an agent to
6 determine the membership of the committee and to appoint the committee
7 chairperson or approve the nominee.

8 **SECTION 195.** 46.034 (1) of the statutes is amended to read:

9 46.034 (1) The department, in order to discharge more effectively its
10 responsibilities under this chapter and chs. 48, 51, 250, and 251 and other relevant
11 provisions of the statutes, may establish community human services pilot programs
12 for the study, implementation, and evaluation of improved human services delivery
13 systems. In the implementation of such those pilot programs, the requirement of
14 statewide uniformity with respect to the organization and governance of human
15 services shall not apply. The department and local governmental bodies may
16 establish such departments, boards, committees, organizational structures, and
17 procedures as may be needed to implement the pilot programs. The departments,
18 boards, committees, and organizational structures may assume responsibilities
19 currently assigned by statute to the departments, boards, committees, or
20 organizational structures that are replaced.

21 **SECTION 196.** 46.036 (1) of the statutes is amended to read:

22 46.036 (1) All care and services purchased by the department or by a county
23 department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, except as provided under
24 subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the
25 standards established under this section. The department may require the county

1 departments to submit the contracts to the department for review and approval. For
2 purchases of \$10,000 or less the requirement for a written contract may be waived
3 by the department. ~~No contract is required for care provided by foster homes or~~
4 ~~treatment foster homes that are required to be licensed under s. 48.62.~~ When the
5 department directly contracts for services, it shall follow the procedures in this
6 section in addition to meeting purchasing requirements established in s. 16.75.

7 **SECTION 197.** 46.036 (4) (a) of the statutes is amended to read:

8 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double
9 entry accounting system and a management information system which are
10 compatible with cost accounting and control systems prescribed by the department.
11 ~~The department shall establish a simplified double entry bookkeeping system for use~~
12 ~~by family-operated group homes. Each purchaser shall determine whether a~~
13 ~~family-operated group home from which it purchases services shall use the double~~
14 ~~entry accounting system or the simplified system and shall include this~~
15 ~~determination in the purchase of service contract. In this paragraph,~~
16 ~~“family-operated group home” means a group home licensed under s. 48.66 (1) (a) for~~
17 ~~which the licensee is one or more individuals who operate not more than one group~~
18 ~~home.~~

19 **SECTION 198.** 46.036 (4) (c) of the statutes, as affected by 2007 Wisconsin Act
20 (this act), is amended to read:

21 46.036 (4) (c) Unless waived by the department, biennially, or annually if
22 required under federal law, provide the purchaser with a certified financial and
23 compliance audit report if the care and services purchased exceed \$100,000 or any
24 higher threshold amount determined by the department. The audit shall follow
25 standards that the department prescribes. ~~A purchaser may waive the requirements~~

1 of this paragraph for any family-operated group home, as defined under par. (a),
2 from which it purchases services.

****NOTE: This is reconciled s. 41.036 (4) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0243 and -1261.

3 **SECTION 199.** 46.037 of the statutes is renumbered 49.343 and amended to
4 read:

5 **49.343 Rates for residential child care centers and group homes. (1)**

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

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

1 (2) A residential ~~child~~ care center for children and youth or a group home, as
2 described in sub. (1) or (1m), shall submit to the department the rate it charges and
3 any change in that rate before a charge is made to any purchaser. The department
4 shall provide forms and instructions for the submission of rates and changes in rates
5 under this subsection and a residential ~~child~~ care center for children and youth or
6 a group home that is required to submit a rate or a change in a rate under this
7 subsection shall submit that rate or change in a rate using those forms and
8 instructions.

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

12 **SECTION 200.** 46.043 (1) of the statutes is amended to read:

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

21 **SECTION 201.** 46.10 (14) (b) of the statutes is amended to read:

22 46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
23 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the
24 parent's minor child who has been placed by a court order under s. 48.355 or 48.357
25 in a residential, nonmedical facility such as a group home, foster home, treatment

1 foster home, subsidized guardianship home, or residential care center for children
2 and youth shall be determined by the court by using the percentage standard
3 established by the department of ~~workforce development~~ children and families
4 under s. 49.22 (9) and by applying the percentage standard in the manner
5 established by the department under s. ~~46.247~~ par. (g).

6 **SECTION 202.** 46.10 (14) (g) of the statutes is created to read:

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

14 **SECTION 203.** 46.16 (1) of the statutes is amended to read:

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

21 **SECTION 204.** 46.16 (2) of the statutes is repealed.

22 **SECTION 205.** 46.16 (2m) of the statutes is repealed.

23 **SECTION 206.** 46.16 (2s) of the statutes is repealed.

24 **SECTION 207.** 46.16 (3) of the statutes is amended to read:

1 46.16 (3) COUNTY HOMES, POOR RELIEF. ~~It~~ The department shall visit the county
2 homes and ascertain the number of each sex and the number of mentally ill, mentally
3 deficient, deaf, or blind persons, ~~and children~~ supported in each, at what cost and
4 under what circumstances affecting their health, comfort, morals, and education;
5 collect statistics of the cost of support, and other important facts, of the poor relieved
6 at public expense outside of county homes; and collect information as to the adequacy
7 and efficiency of existing laws for the support and relief of the poor, and the causes
8 of pauperism in the state.

9 **SECTION 208.** 46.16 (7) of the statutes is amended to read:

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

19 **SECTION 209.** 46.17 (1) of the statutes is amended to read:

20 46.17 (1) The department shall fix reasonable standards and regulations for
21 the design, construction, repair, and maintenance of county homes, county
22 infirmaries, county hospitals, and mental health facilities ~~and shelter care facilities~~,
23 with respect to their adequacy and fitness for the needs which they are to serve.

24 **SECTION 210.** 46.206 (1) (a) of the statutes is amended to read:

1 46.206 (1) (a) The department shall supervise the administration of social
2 services, except as provided under ch. 48 and subch. III of ch. 49 and except for
3 juvenile delinquency-related services. The department shall submit to the federal
4 authorities state plans for the administration of social services, except as provided
5 under ch. 48 and subch. III of ch. 49 and except for juvenile delinquency-related
6 services, in such form and containing such information as the federal authorities
7 require, and shall comply with all requirements prescribed to ensure their
8 correctness.

9 **SECTION 211.** 46.206 (2) of the statutes is amended to read:

10 46.206 (2) The county administration of all laws relating to social services,
11 except with respect to the programs under ch. 48 and subch. III of ch. 49 and to
12 juvenile delinquency-related programs, shall be vested in the officers and agencies
13 designated in the statutes.

14 **SECTION 212.** 46.21 (5) (b) of the statutes is amended to read:

15 46.21 (5) (b) Sections 46.10, 49.08, 49.345, 49.90, and 301.12 govern the
16 support and maintenance of persons in any of the institutions specified in sub. (2) (a).

17 **SECTION 213.** 46.215 (1) (d) of the statutes is amended to read:

18 46.215 (1) (d) To make investigations that relate to services under subchs. II,
19 IV, and V of ch. 49 upon request by the department of health and family services, to
20 make investigations that relate to juvenile delinquency-related services at the
21 request of the department of corrections, and to make investigations that relate to
22 programs under ch. 48 and subch. III of ch. 49 upon request by the department of
23 workforce development children and families.

24 **SECTION 214.** 46.215 (1) (j) of the statutes is amended to read:

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

5 **SECTION 215.** 46.215 (1p) of the statutes is amended to read:

6 46.215 (1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE
7 INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78
8 (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,
9 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
10 (2) (a), a county department under this section may enter the content of any record
11 kept or information received by that county department into the statewide
12 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

13 **SECTION 216.** 46.215 (2) (a) 2. of the statutes is amended to read:

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

24 **SECTION 217.** 46.215 (2) (b) of the statutes is amended to read:

1 46.215 (2) (b) A county department of social services may purchase
2 development and training services from the department of health and family
3 services, from the department of ~~workforce development~~ children and families, from
4 the department of corrections or from other county agencies when the services are
5 available. A county department of social services may sell the development and staff
6 training services to another county or state agency if the county department has
7 adequate staff to provide the services.

8 **SECTION 218.** 46.215 (2) (c) 2. of the statutes is amended to read:

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

19 **SECTION 219.** 46.215 (3) of the statutes is amended to read:

20 46.215 (3) PROGRAM BUDGETS. The county department of social services shall
21 submit a final budget to the department of health and family services under s. 46.031
22 (1), to the department of corrections under s. 301.031 (1), and to the department of
23 ~~workforce development~~ children and families under s. 49.325 (1), for authorized
24 services.

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

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

4 **SECTION 221.** 46.22 (1) (b) 1. f. of the statutes is renumbered 46.22 (1) (b) 2. fm.

5 **SECTION 222.** 46.22 (1) (b) 2. (intro.) of the statutes is amended to read:

6 46.22 (1) (b) 2. (intro.) A county department of social services shall have the
7 following functions, duties, and powers in accordance with the rules promulgated by
8 the department of ~~workforce development~~ children and families and subject to the
9 supervision of the department of ~~workforce development~~ children and families:

10 **SECTION 223.** 46.22 (1) (b) 2. c. of the statutes is amended to read:

11 46.22 (1) (b) 2. c. To make investigations as provided under ch. 48 and subch.
12 III of ch. 49 upon request by the department of ~~workforce development~~ children and
13 families.

14 **SECTION 224.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

15 46.22 (1) (b) 2. e. To make payments in such manner as the department of
16 ~~workforce development~~ children and families may determine for training of
17 recipients, former recipients and potential recipients of aid in programs established
18 under ss. 49.193, 1997 stats., and s. 49.26 (1).

19 **SECTION 225.** 46.22 (1) (b) 2. g. of the statutes is amended to read:

20 46.22 (1) (b) 2. g. To make certification or referral of eligibles for state or federal
21 works or other assistance programs under ch. 48 and subch. III of ch. 49, eligibility
22 for which is based on need.

23 **SECTION 226.** 46.22 (1) (b) 3. (intro.) of the statutes is amended to read:

24 46.22 (1) (b) 3. (intro.) A county department of social services shall have the
25 following functions, duties, and powers in accordance with the rules promulgated

1 and standards established by the department of health and family services and
2 subject to the supervision of the department of ~~workforce development~~ children and
3 families:

4 **SECTION 227.** 46.22 (1) (b) 3. d. of the statutes is amended to read:

5 46.22 (1) (b) 3. d. To submit a final budget to the department of ~~workforce~~
6 ~~development~~ children and families in accordance with s. 49.325 for services
7 authorized in this subdivision.

8 **SECTION 228.** 46.22 (1) (c) 8. f. of the statutes is amended to read:

9 46.22 (1) (c) 8. f. The county department of social services shall implement the
10 statewide automated child welfare information system established ~~by the~~
11 ~~department~~ under s. ~~46.03~~ 48.47 (7g).

12 **SECTION 229.** 46.22 (1) (d) of the statutes is amended to read:

13 46.22 (1) (d) *Merit system; records.* The county department of social services
14 is subject to s. 49.78 (4) to (7). The county department of social services and all county
15 officers and employees performing any duties in connection with the administration
16 of aid to families with dependent children shall observe all rules promulgated by the
17 department of ~~workforce development~~ children and families under s. 49.78 (4) and
18 shall keep records and furnish reports as the department of ~~workforce development~~
19 children and families requires in relation to their performance of such duties.

20 **SECTION 230.** 46.22 (1) (dp) of the statutes is amended to read:

21 46.22 (1) (dp) *Exchange of information; statewide automated child welfare*
22 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
23 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
24 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
25 (2) (a), a county department under this section may enter the content of any record

1 kept or information received by that county department into the statewide
2 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

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

4 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and
5 services, a county department of social services may contract, either directly or
6 through the department of health and family services, the department of ~~workforce~~
7 ~~development~~ children and families, or the department of corrections, with public or
8 voluntary agencies or others to purchase, in full or in part, care and services which
9 the county department of social services is authorized by any statute to furnish in
10 any manner. The services may be purchased from the department of health and
11 family services, the department of ~~workforce development~~ children and families, or
12 the department of corrections if the department of health and family services, the
13 department of ~~workforce development~~ children and families, or the department of
14 corrections has staff to furnish the services. The county department of social
15 services, if it has adequate staff, may sell the care and services directly to another
16 county or state agency.

17 **SECTION 232.** 46.22 (1) (e) 2. of the statutes is amended to read:

18 46.22 (1) (e) 2. A county department of social services may purchase
19 development and training services from the department of health and family
20 services, the department of ~~workforce development~~ children and families, or the
21 department of corrections or from other county agencies if the services are available
22 or sell the development and staff training services to another county or state agency
23 if the county department of social services has adequate staff to provide the services.

24 **SECTION 233.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

1 46.22 (1) (e) 3. a. A county department of social services shall develop, under
2 the requirements of s. 46.036, plans and contracts for care and services, except under
3 ch. 48, subch. III of ch. 49, and s. 301.08 (2), to be purchased. The department of
4 health and family services may review the contracts and approve them if they are
5 consistent with s. 46.036 and to the extent that state or federal funds are available
6 for such purposes. The joint committee on finance may require the department of
7 health and family services to submit the contracts to the committee for review and
8 approval. The department of health and family services may not make any payments
9 to a county for programs included in the contract that is under review by the
10 committee. The department of health and family services shall reimburse each
11 county for the contracts from the appropriations under s. 20.435 (7) (b) and (o)
12 according to s. 46.495.

13 **SECTION 234.** 46.22 (1) (e) 3. b. of the statutes is amended to read:

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

24 **SECTION 235.** 46.22 (2g) (d) of the statutes is amended to read:

1 46.22 (2g) (d) Prepare, with the assistance of the county social services director
2 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or
3 county administrator, a final budget for submission to the department of health and
4 family services in accordance with s. 46.031 (1) for authorized services, except
5 services under ch. 48, subch. III of ch. 49, or s. 301.08 (2), a final budget for
6 submission to the department of ~~workforce development~~ children and families in
7 accordance with s. 49.325 for authorized services under ch. 48 and subch. III of ch.
8 49, and a final budget for submission to the department of corrections in accordance
9 with s. 301.031 (1) for authorized juvenile delinquency-related services.

10 **SECTION 236.** 46.22 (3m) (b) 12. of the statutes is amended to read:

11 46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the
12 department of health and family services, by the department of ~~workforce~~
13 ~~development~~ children and families, or by the department of corrections.

14 **SECTION 237.** 46.22 (3m) (b) 17. b. of the statutes is amended to read:

15 46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of
16 health and family services, the secretary of ~~workforce development~~ children and
17 families, the secretary of corrections, and the county board of supervisors.

18 **SECTION 238.** 46.23 (3) (a) of the statutes is amended to read:

19 46.23 (3) (a) *Creation.* Upon approval by the secretary of health and family
20 services, by the secretary of corrections, and by the secretary of ~~workforce~~
21 ~~development~~ children and families of a feasibility study and a program
22 implementation plan, the county board of supervisors of any county with a
23 population of less than 500,000, or the county boards of supervisors of 2 or more
24 contiguous counties, each of which has a population of less than 500,000, may
25 establish by resolution a county department of human services on a single-county

1 or multicounty basis to provide the services required under this section. The county
2 department of human services shall consist of the county human services board, the
3 county human services director and necessary personnel.

4 **SECTION 239.** 46.23 (3) (am) 4. of the statutes is amended to read:

5 46.23 (3) (am) 4. No funds may be allocated to any multicounty department of
6 human services until the counties have drawn up a detailed contractual agreement,
7 approved by the secretary of health and family services, by the secretary of
8 corrections, and by the secretary of ~~workforce development~~ children and families,
9 setting forth the plan for joint sponsorship.

10 **SECTION 240.** 46.23 (3) (ed) of the statutes is amended to read:

11 46.23 (3) (ed) *Exchange of information; statewide automated child welfare*
12 *information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2)
13 (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), ~~55.06 (17) (e)~~ 55.22 (3), 146.82,
14 252.11 (7), 252.15, 253.07 (3) (c), ~~938.396 (1) and (2) (a)~~ 938.396 (1) and (2), and 938.78
15 (2) (a), a county department under this section may enter the content of any record
16 kept or information received by that county department into the statewide
17 automated child welfare information system established under s. ~~46.03~~ 48.47 (7g).

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

19 46.23 (5) (a) 1. Shall determine administrative and program policies, except as
20 provided under ch. 48 and subch. III of ch. 49 and except for juvenile
21 delinquency-related policies, within limits established by the department of health
22 and family services. Policy decisions, except as provided under ch. 48 and subch. III
23 of ch. 49 and except for juvenile delinquency-related policies, not reserved by statute
24 for the department of health and family services may be delegated by the secretary
25 to the county human services board.

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

2 46.23 (5) (a) 2. Shall determine administrative and program policies under ch.
3 48 and subch. III of ch. 49 within limits established by the department of ~~workforce~~
4 ~~development~~ children and families. Policy decisions under ch. 48 and subch. III of
5 ch. 49 not reserved by statute for the department of ~~workforce development~~ children
6 and families may be delegated by the secretary of ~~workforce development~~ children
7 and families to the county human services board.

8 **SECTION 243.** 46.23 (5) (b) of the statutes is amended to read:

9 46.23 (5) (b) Shall establish priorities in addition to those mandated by the
10 department of health and family services, the department of corrections, or the
11 department of ~~workforce development~~ children and families.

12 **SECTION 244.** 46.23 (5) (c) 1. of the statutes is amended to read:

13 46.23 (5) (c) 1. Shall determine whether state mandated services, except for
14 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related
15 services, are provided or purchased or contracted for with local providers, and
16 monitor the performance of such contracts. Purchase of services contracts shall be
17 subject to the conditions specified in s. 46.036.

18 **SECTION 245.** 46.23 (5) (c) 2. of the statutes is amended to read:

19 46.23 (5) (c) 2. Shall determine whether state mandated services under ch. 48
20 and subch. III of ch. 49 are provided or purchased or contracted for with local
21 providers, and monitor the performance of such contracts. Purchase of services
22 contracts shall be subject to the conditions specified in s. 49.34.

23 **SECTION 246.** 46.23 (5) (n) 1. of the statutes is amended to read:

24 46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for
25 authorized services, except for services under ch. 48 and subch. III of ch. 49 and

1 juvenile delinquency-related services. Notwithstanding the categorization of or
2 limits specified for funds allocated under s. 46.495 or 51.423 (2), with the approval
3 of the department of health and family services the county human services board
4 may expend these funds consistent with any service provided under s. 46.495 or
5 51.42.

6 **SECTION 247.** 46.23 (5) (n) 2. of the statutes is amended to read:

7 46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for
8 authorized services under ch. 48 and subch. III of ch. 49. Notwithstanding the
9 categorization of or limits specified for funds allocated under s. 48.569, with the
10 approval of the department of children and families the county human services board
11 may expend these funds consistent with any service provided under s. 48.569.

12 **SECTION 248.** 46.23 (5m) (c) of the statutes is amended to read:

13 46.23 (5m) (c) Prepare, with the assistance of the county human services
14 director under sub. (6m) (e), a proposed budget for submission to the county executive
15 or county administrator, a final budget for submission to the department of health
16 and family services in accordance with s. 46.031 (1) for authorized services, except
17 services under ch. 48 and subch. III of ch. 49 and juvenile delinquency-related
18 services, a final budget for submission to the department of workforce development
19 children and families in accordance with s. 49.325 for authorized services under ch.
20 48 and subch. III of ch. 49, and a final budget for submission to the department of
21 corrections in accordance with s. 301.031 for authorized juvenile
22 delinquency-related services.

23 **SECTION 249.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

24 46.23 (6) (a) (intro.) A county human services director appointed under sub. (5)
25 (f) shall have all of the administrative and executive powers and duties of managing,

1 operating, maintaining, and improving the programs of the county department of
2 human services, subject to the rules promulgated by the department of health and
3 family services for programs, except services or programs under ch. 48 and subch.
4 III of ch. 49 and juvenile delinquency-related services or programs, subject to the
5 rules promulgated by the department of ~~workforce development~~ children and
6 families for services or programs under ch. 48 and subch. III of ch. 49, and subject
7 to the rules promulgated by the department of corrections for juvenile
8 delinquency-related services or programs. In consultation with the county human
9 services board under sub. (5) and subject to its approval, the county human services
10 director shall prepare:

11 **SECTION 250.** 46.23 (6) (a) 3. of the statutes is amended to read:

12 46.23 (6) (a) 3. Such other reports as are required by the secretary of health and
13 family services, by the secretary of corrections, or by the secretary of ~~workforce~~
14 ~~development~~ children and families and the county board of supervisors in a county
15 with a single-county department of human services or the county boards of
16 supervisors in counties with a multicounty department of human services.

17 **SECTION 251.** 46.24 of the statutes is renumbered 48.375 (9) and amended to
18 read:

19 48.375 (9) ASSISTANCE TO MINORS CONCERNING PARENTAL CONSENT FOR ABORTION.
20 If a minor who is contemplating an abortion requests assistance from a county
21 department under s. 46.215, 46.22 or 46.23 in seeking the consent of the minor's
22 parent, guardian, or legal custodian, or in seeking the consent of an adult family
23 member, ~~as defined in s. 48.375 (2) (b)~~, for the contemplated abortion or in seeking
24 a waiver from the circuit court, the county department shall provide assistance,
25 including, if so requested, accompanying the minor as appropriate.

1 **SECTION 252.** 46.247 of the statutes is renumbered 49.345 (14) (g) and amended
2 to read:

3 49.345 (14) (g) *Application of child support standard for certain children.* For
4 purposes of determining child support under ~~s. 46.10 (14) par.~~ (b), the department
5 shall promulgate rules related to the application of the standard established by the
6 department of workforce development under s. 49.22 (9) to a child support obligation
7 for the care and maintenance of a child who is placed by a court order under s. 48.355
8 or 48.357 in a residential, nonmedical facility. The rules shall take into account the
9 needs of any person, including dependent children other than the child, whom either
10 parent is legally obligated to support.

11 **SECTION 253.** 46.261 (title) of the statutes is renumbered 48.645 (title).

12 **SECTION 254.** 46.261 (1) of the statutes is renumbered 48.645 (1).

13 **SECTION 255.** 46.261 (2) (title) of the statutes is renumbered 48.645 (2) (title).

14 **SECTION 256.** 46.261 (2) (a) (intro.) of the statutes is renumbered 48.645 (2) (a)
15 (intro.).

16 **SECTION 257.** 46.261 (2) (a) 1. of the statutes is renumbered 48.645 (2) (a) 1. and
17 amended to read:

18 48.645 (2) (a) 1. A nonrelative who cares for the dependent child in a foster
19 home or treatment foster home having a license under s. 48.62, in a foster home or
20 treatment foster home located within the boundaries of a federally recognized
21 American Indian reservation in this state and licensed by the tribal governing body
22 of the reservation or in a group home licensed under s. 48.625, a subsidized guardian
23 or interim caretaker under s. 48.62 (5) who cares for the dependent child, or a minor
24 custodial parent who cares for the dependent child, regardless of the cause or
25 prospective period of dependency. The state shall reimburse counties pursuant to the

SECTION 257

1 procedure under s. ~~46.495~~ 48.569 (2) and the percentage rate of participation set
2 forth in s. ~~46.495~~ 48.569 (1) (d) for aid granted under this section except that if the
3 child does not have legal settlement in the granting county, state reimbursement
4 shall be at 100%. The county department under s. 46.215 ~~or~~, 46.22, or 46.23 or the
5 department under s. 48.48 (17) shall determine the legal settlement of the child. A
6 child under one year of age shall be eligible for aid under this subsection irrespective
7 of any other residence requirement for eligibility within this section.

8 **SECTION 258.** 46.261 (2) (a) 2. of the statutes is renumbered 48.645 (2) (a) 2. and
9 amended to read:

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

19 **SECTION 259.** 46.261 (2) (a) 3. of the statutes is renumbered 48.645 (2) (a) 3. and
20 amended to read:

21 48.645 (2) (a) 3. A county or, in a county having a population of 500,000 or more,
22 the department, when the child is placed in a licensed foster home, treatment foster
23 home, group home, or residential care center for children and youth or in a subsidized
24 guardianship home by a licensed child welfare agency or by a federally recognized
25 American Indian tribal governing body in this state or by its designee, if the child is

1 in the legal custody of the county department under s. 46.215, 46.22, or 46.23 or the
2 department under s. 48.48 (17) or if the child was removed from the home of a
3 relative, ~~as defined under s. 48.02 (15)~~, as a result of a judicial determination that
4 continuance in the home of the relative would be contrary to the child's welfare for
5 any reason and the placement is made pursuant to under an agreement with the
6 county department or the department.

7 **SECTION 260.** 46.261 (2) (a) 4. of the statutes is renumbered 48.645 (2) (a) 4. and
8 amended to read:

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

18 **SECTION 261.** 46.261 (2) (b) of the statutes is renumbered 48.645 (2) (b).

19 **SECTION 262.** 46.261 (3) of the statutes is renumbered 48.645 (3).

20 **SECTION 263.** 46.28 (1) (f) of the statutes is amended to read:

21 46.28 (1) (f) "Victim of domestic abuse" means an individual who has
22 encountered domestic abuse, as defined in s. ~~46.95~~ 49.165 (1) (a).

23 **SECTION 264.** 46.30 (title) of the statutes is renumbered 49.265 (title).

24 **SECTION 265.** 46.30 (1) of the statutes is renumbered 49.265 (1).

25 **SECTION 266.** 46.30 (2) of the statutes is renumbered 49.265 (2).

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

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

4 **SECTION 269.** 46.30 (3) (a) 1. of the statutes is renumbered 49.265 (3) (a) 1.

5 **SECTION 270.** 46.30 (3) (a) 2. of the statutes is renumbered 49.265 (3) (a) 2.

6 **SECTION 271.** 46.30 (3) (a) 3. of the statutes is renumbered 49.265 (3) (a) 3.

7 **SECTION 272.** 46.30 (3) (a) 4. of the statutes is renumbered 49.265 (3) (a) 4.

8 **SECTION 273.** 46.30 (3) (a) 5. of the statutes is renumbered 49.265 (3) (a) 5.

9 **SECTION 274.** 46.30 (3) (a) 6. of the statutes is renumbered 49.265 (3) (a) 6.

10 **SECTION 275.** 46.30 (3) (a) 7. of the statutes is renumbered 49.265 (3) (a) 7.

11 **SECTION 276.** 46.30 (3) (a) 8. of the statutes is renumbered 49.265 (3) (a) 8. and
12 amended to read:

13 49.265 (3) (a) 8. Appoint a representative or representatives to the citizen
14 advisory committee under s. ~~46.031~~ 49.325 (3) (a), in order to participate in
15 developing and implementing programs designed to serve the poor.

16 **SECTION 277.** 46.30 (3) (b) of the statutes is renumbered 49.265 (3) (b).

17 **SECTION 278.** 46.30 (4) (title) of the statutes is renumbered 49.265 (4) (title).

18 **SECTION 279.** 46.30 (4) (a) of the statutes is renumbered 49.265 (4) (a) and
19 amended to read:

20 49.265 (4) (a) The department shall distribute the federal community services
21 block grant funds received under 42 USC 9903 and deposited in the appropriations
22 under s. ~~20.435 (3)~~ 20.437 (1) (mc) and (md).

23 **SECTION 280.** 46.30 (4) (b) of the statutes is renumbered 49.265 (4) (b).

24 **SECTION 281.** 46.30 (4) (c) of the statutes is renumbered 49.265 (4) (c).

25 **SECTION 282.** 46.30 (4) (d) of the statutes is renumbered 49.265 (4) (d).

1 **SECTION 283.** 46.30 (5) of the statutes is renumbered 49.265 (5).

2 **SECTION 284.** 46.40 (1) (a) of the statutes is amended to read:

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

9 **SECTION 285.** 46.40 (1) (b) of the statutes is renumbered 48.563 (1) (b) and
10 amended to read:

11 48.563 (1) (b) Notwithstanding s. ~~46.49~~ 48.568, if the department receives any
12 federal moneys under 42 USC 670 to 679a in reimbursement of moneys allocated
13 under par. (a) for the provision of foster care, the department shall distribute those
14 federal moneys for services and projects to assist children and families and for the
15 purposes specified in s. ~~46.46~~ 48.567.

16 **SECTION 286.** 46.40 (1) (c) of the statutes is renumbered 48.563 (1) (c) and
17 amended to read:

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

1 department receives any federal moneys under 42 USC 670 to 679a in
2 reimbursement of the amounts expended by the Milwaukee County department of
3 social services for the provision of child care for children in foster care in 1996 and
4 1997, the department shall distribute those federal moneys to the Milwaukee County
5 department of social services for the provision of child care for children in foster care.

6 **SECTION 287.** 46.40 (1) (d) of the statutes is amended to read:

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

14 **SECTION 288.** 46.40 (2) of the statutes, as affected by 2007 Wisconsin Act
15 (this act), is amended to read:

16 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
17 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
18 more than ~~\$242,421,500~~ \$176,255,400 in each fiscal year.

****NOTE: This is reconciled s. 46.40 (2). This SECTION has been affected by drafts
with the following LRB numbers: -0258 and -1261.

19 **SECTION 289.** 46.40 (3) of the statutes is renumbered 48.563 (3) and amended
20 to read:

21 48.563 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the
22 department shall distribute not more than \$412,800 in each fiscal year from the
23 appropriation account under s. ~~20.435 (7)~~ 20.437 (1) (b) to federally recognized

1 American Indian tribes or bands. A tribe or band that receives funding under this
2 subsection shall use that funding to provide child care for an eligible child, as defined
3 in 42 USC 9858n (4).

4 **SECTION 290.** 46.40 (7m) of the statutes is renumbered 48.563 (7m) and
5 amended to read:

6 **48.563 (7m)** USE BY COUNTY OF ~~COMMUNITY CHILDREN AND FAMILY AID~~ FUNDS TO
7 PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE. Upon
8 application by a county department under s. 46.215, 46.22, or 46.23 to the
9 department for permission to use funds allocated to that county department under
10 sub. (2) to employ private counsel for the purposes specified in this subsection and
11 a determination by the department that use of funds for those purposes does not
12 affect any federal grants or federal funding allocated under this section, the
13 department and the county department shall execute a contract authorizing the
14 county department to expend, as agreed upon in the contract, funds allocated to that
15 county department under sub. (2) to permit the county department to employ private
16 counsel to represent the interests of the state or county in proceedings under ~~ch. 48~~
17 this chapter relating to child abuse or neglect cases, unborn child abuse cases,
18 proceedings to terminate, termination of parental rights, and any ch. 48 cases or
19 proceedings involving the Indian child welfare act Child Welfare Act, 25 USC 1901
20 to 1963.

21 **SECTION 291.** 46.45 (2) (a) of the statutes is renumbered 48.565 (2) (a) and
22 amended to read:

23 **48.565 (2) (a)** Subject to par. (am), if on December 31 of any year there remains
24 unspent or unencumbered in the allocation under s. 46.40 48.563 (2) an amount that
25 exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40

1 ~~48.563~~ (2) in that year, the department shall carry forward the excess moneys and
2 distribute not less than 50% of the excess moneys to counties having a population of
3 less than 500,000 that are making a good faith effort, as determined by the
4 department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist
5 children and families, notwithstanding the percentage limit specified in sub. (3) (a).
6 A county shall use not less than 50% of the moneys distributed to the county under
7 this subsection for services for children who are at risk of abuse or neglect to prevent
8 the need for child abuse and neglect intervention services, except that in the calendar
9 year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2
10 calendar years after that calendar year the county may use 100% of the moneys
11 distributed under this paragraph to reimburse the department for the costs of
12 achieving that compliance. If a county does not comply with s. 46.22 (1) (c) 8. f. before
13 July 1, 2005, the department may recover any amounts distributed to that county
14 under this paragraph after June 30, 2001, by billing the county or deducting from
15 that county's allocation under s. ~~46.40~~ 48.563 (2). All moneys received by the
16 department under this paragraph shall be credited to the appropriation account
17 under s. ~~20.435~~ (3) 20.437 (1) (j).

18 **SECTION 292.** 46.45 (2) (am) of the statutes is renumbered 48.565 (2) (am) and
19 amended to read:

20 48.565 (2) (am) If on December 31 of any year a county is not using the
21 centralized unit contracted for under s. ~~46.03~~ 48.47 (7) (h) for determining whether
22 the cost of providing care for a child is eligible for reimbursement under 42 USC 670
23 to 679a, the department shall reduce that county's distribution under par. (a) by 50%.

24 **SECTION 293.** 46.45 (2) (b) of the statutes is renumbered 48.565 (2) (b).

1 **SECTION 294.** 46.45 (2) (c) of the statutes is renumbered 48.565 (2) (c) and
2 amended to read:

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

6 **SECTION 295.** 46.45 (3) (a) of the statutes is amended to read:

7 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal
8 governing body, or private nonprofit organization, the department shall carry
9 forward up to 3% of the total amount allocated to the county, tribal governing body,
10 or nonprofit organization for a calendar year, not including the amount allocated to
11 the county under s. 46.40 (7), which amount may be carried forward as provided in
12 par. (c). All funds carried forward for a tribal governing body or nonprofit
13 organization, ~~all federal child welfare funds under 42 USC 620 to 626,~~ and all funds
14 allocated under s. 46.40 (2m) carried forward for a county shall be used for the
15 purpose for which the funds were originally allocated. Other funds carried forward
16 under this paragraph may be used for any purpose under s. 20.435 (7) (b), except that
17 a county may not use any funds carried forward under this paragraph for
18 administrative or staff costs. An allocation of carried-forward funding under this
19 paragraph does not affect a county's base allocations under s. 46.40 (2), (2m), (8), and
20 (9).

21 **SECTION 296.** 46.46 (1) of the statutes is amended to read:

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

1 other purpose provided for by the legislature by law or in budget determinations and
2 shall distribute moneys to counties as provided in sub. (1g). In addition, the
3 department may expend moneys from the appropriation account under s. 20.435 (8)
4 (mb) as provided in ~~subs. (1m) and~~ sub. (2).

5 **SECTION 297.** 46.46 (1m) of the statutes is renumbered 48.567 (1m) and
6 amended to read:

7 **48.567 (1m)** In addition to expending moneys from the appropriation account
8 under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) for the augmentation activities specified in
9 sub. (1), the department may expend moneys received under 42 USC 1396 to 1396v
10 in reimbursement of the cost of providing targeted case management services to
11 children whose care is not eligible for reimbursement under 42 USC 670 to 679a and
12 credited to the appropriation account under s. ~~20.435 (8) (mb)~~ 20.437 (3) (mp) to
13 support the counties' share of implementing the statewide automated child welfare
14 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and
15 families under s. 48.48 (17).

16 **SECTION 298.** 46.46 (2) of the statutes is amended to read:

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

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

7 **SECTION 299.** 46.481 (intro.) of the statutes is renumbered 48.481 (intro.) and
8 amended to read:

9 **48.481 Grants for children's community programs.** (intro.) From the
10 appropriation under s. ~~20.435 (3)~~ 20.437 (1) (bc), the department shall distribute the
11 following grants for children's community programs:

12 **SECTION 300.** 46.481 (1) (title) of the statutes is renumbered 48.481 (1) (title).

13 **SECTION 301.** 46.481 (1) (a) of the statutes is renumbered 48.481 (1) (a) and
14 amended to read:

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

25 **SECTION 302.** 46.481 (1) (b) of the statutes is renumbered 48.481 (1) (b).