

1 ***-1416/6.29* SECTION 3896.** 973.30 (3) of the statutes is repealed.

2 ***-1403/2.53* SECTION 3897.** 974.07 (4) (b) of the statutes is amended to read:

3 974.07 (4) (b) Notwithstanding the limitation on the disclosure of mailing
4 addresses from completed information cards submitted by victims under ss. 51.37
5 (10) (dx), 301.046 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f),
6 304.063 (4), 938.51 (2), 971.17 (6m) (d), and 980.11 (4), the department of corrections,
7 the parole earned release review commission, and the department of health and
8 family services shall, upon request, assist clerks of court in obtaining information
9 regarding the mailing address of victims for the purpose of sending copies of motions
10 and notices of hearings under par. (a).

11 ***-1403/2.54* SECTION 3898.** 976.03 (23) (c) of the statutes is amended to read:

12 976.03 (23) (c) The application shall be verified by affidavit, shall be executed
13 in duplicate and shall be accompanied by 2 certified copies of the indictment
14 returned, or information and affidavit filed, or of the complaint made to a judge,
15 stating the offense with which the accused is charged, or of the judgment of
16 conviction or of the sentence. The prosecuting officer, parole earned release review
17 commission, warden or sheriff may also attach such further affidavits and other
18 documents in duplicate as he, she or it deems proper to be submitted with the
19 application. One copy of the application, with the action of the governor indicated
20 by endorsement thereon, and one of the certified copies of the indictment, complaint,
21 information and affidavits, or of the judgment of conviction or of the sentence shall
22 be filed in the office of the governor to remain of record in that office. The other copies
23 of all papers shall be forwarded with the governor's requisition.

24 ***-0459/2.29* SECTION 3899.** 977.02 (2m) of the statutes is amended to read:

1 977.02 (2m) Promulgate rules regarding eligibility for legal services under this
2 chapter, including legal services for children persons who are entitled to be
3 represented by counsel without a determination of indigency, as provided in s. 48.23
4 (4), 51.60, 55.105, or 938.23 (4).

5 ***-0459/2.30*** SECTION 3900. 977.02 (3) of the statutes is amended to read:

6 977.02 (3) Promulgate rules regarding the determination of indigency of
7 persons entitled to be represented by counsel, other than children persons who are
8 entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23,
9 including the time period in which the determination must be made and the criteria
10 to be used to determine indigency and partial indigency.

11 ***-0459/2.31*** SECTION 3901. 977.05 (4) (gm) of the statutes is amended to read:

12 977.05 (4) (gm) In accordance with the standards under pars. (h) and (i), accept
13 referrals from judges and courts for the provision of legal services without a
14 determination of indigency of children persons who are entitled to be represented by
15 counsel under s. 48.23, 51.60, 55.105, or 938.23, appoint counsel in accordance with
16 contracts and policies of the board, and inform the referring judge or court of the
17 name and address of the specific attorney who has been assigned to the case.

18 ***-0459/2.32*** SECTION 3902. 977.05 (4) (h) of the statutes is amended to read:

19 977.05 (4) (h) Accept requests for legal services from children persons who are
20 entitled to be represented by counsel under s. 48.23, 51.60, 55.105, or 938.23 and
21 from indigent persons who are entitled to be represented by counsel under s. 967.06
22 or who are otherwise so entitled under the constitution or laws of the United States
23 or this state and provide such persons with legal services when, in the discretion of
24 the state public defender, such provision of legal services is appropriate.

25 ***-0459/2.33*** SECTION 3903. 977.05 (4) (i) 8. of the statutes is amended to read:

1 977.05 (4) (i) 8. Cases involving individuals who are subject to petitions for
2 protective placement or involuntary administration of psychotropic medication
3 under ch. 55.

4 ***-0459/2.34* SECTION 3904.** 977.06 (2) (a) of the statutes is amended to read:

5 977.06 (2) (a) A person seeking to have counsel assigned for him or her under
6 s. 977.08, other than a child person who is entitled to be represented by counsel under
7 s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that he or she has
8 not disposed of any assets for the purpose of qualifying for that assignment of
9 counsel. If the representative or authority making the indigency determination
10 finds that any asset was disposed of for less than its fair market value for the purpose
11 of obtaining that assignment of counsel, the asset shall be counted under s. 977.07
12 (2) at its fair market value at the time it was disposed of, minus the amount of
13 compensation received for the asset.

14 ***-0459/2.35* SECTION 3905.** 977.06 (2) (am) of the statutes is amended to read:

15 977.06 (2) (am) A person seeking to have counsel assigned for him or her under
16 s. 977.08, other than a child person who is entitled to be represented by counsel under
17 s. 48.23, 51.60, 55.105, or 938.23, shall sign a statement declaring that the
18 information that he or she has given to determine eligibility for assignment of
19 counsel he or she believes to be true and that he or she is informed that he or she is
20 subject to the penalty under par. (b).

21 ***-1261/5.998* *-1267/P1.415* SECTION 3906.** 977.06 (4) (bm) of the statutes
22 is amended to read:

23 977.06 (4) (bm) In response to a request for information under s. 49.22 (2m)
24 made by the department of workforce development children and families or a county
25 child support agency under s. 59.53 (5), the state public defender shall provide the

SECTION 3906

1 name and address of an individual, the name and address of the individual's
2 employer and financial information related to the individual, if the name, address
3 or financial information is included in any statement, affidavit or other information
4 provided by the individual regarding financial eligibility under s. 977.07 and if, at
5 the time the request for information is made, the individual is represented by the
6 state public defender or by counsel assigned under s. 977.08.

7 ***-0459/2.36* SECTION 3907.** 977.07 (1) (a) of the statutes is amended to read:

8 977.07 (1) (a) Determination of indigency for persons entitled to counsel shall
9 be made as soon as possible and shall be in accordance with the rules promulgated
10 by the board under s. 977.02 (3) and the system established under s. 977.06. No
11 determination of indigency is required for a child person who is entitled to be
12 represented by counsel under s. 48.23, 51.60, 55.105, or 938.23.

13 ***-0459/2.37* SECTION 3908.** 977.07 (1) (c) of the statutes is amended to read:

14 977.07 (1) (c) For all referrals made under ss. 809.107, 809.30, 974.06 (3) (b)
15 and 974.07 (11), except a referral of a child person who is entitled to be represented
16 by counsel under s. 48.23, 51.60, 55.105, or 938.23, a representative of the state
17 public defender shall determine indigency. For referrals made under ss. 809.107,
18 809.30 and 974.06 (3) (b), except a referral of a child person who is entitled to be
19 represented by counsel under s. 48.23, 51.60, 55.105, or 938.23, the representative
20 of the state public defender may, unless a request for redetermination has been filed
21 under s. 809.30 (2) (d) or the person's request for representation states that his or her
22 financial circumstances have materially improved, rely upon a determination of
23 indigency made for purposes of trial representation under this section.

24 ***-0459/2.38* SECTION 3909.** 977.075 (1g) of the statutes is created to read:

1 977.075 (1g) In this section, "client responsible for payment" means a client of
2 the state public defender other than a client entitled to legal representation without
3 a determination of indigency.

4 *~~0459/2.39~~* SECTION 3910. 977.075 (3) of the statutes is amended to read:

5 977.075 (3) The board shall establish by rule a fee schedule that sets the
6 amount that a person, ~~other than a parent subject to s. 48.275 (2) (b) or 938.275 (2)~~
7 ~~(b), who is~~ client responsible for payment for legal representation shall pay for the
8 cost of the legal representation if the person client does not pay the applicable
9 discount fee under sub. (3m). The schedule shall establish a fee for a given type of
10 case, and the fee for a given type of case shall be based on the average cost, as
11 determined by the board, for representation for that type of case.

12 *~~0459/2.40~~* SECTION 3911. 977.075 (3m) of the statutes is amended to read:

13 977.075 (3m) The board shall establish by rule a fee schedule that sets the
14 discount amount that a person, ~~other than a parent subject to s. 48.275 (2) (b) or~~
15 ~~938.275 (2) (b), who is~~ client responsible for payment for legal representation, may
16 pay during a time period established by rule instead of paying the applicable fee
17 under sub. (3). The fee schedule shall establish a discount fee for each type of case
18 included in the schedule under sub. (3). If a person client responsible for payment
19 pays the applicable discount fee within the time period established under this
20 section, the person client may not be held liable for any additional payment for
21 counsel.

22 *~~0459/2.41~~* SECTION 3912. 977.075 (4) of the statutes is created to read:

23 977.075 (4) The board shall establish by rule a fee schedule that sets the
24 maximum amount that a parent subject to s. 48.275 (2) (b) or 938.275 (2) (b) shall pay
25 as reimbursement for legal services and sets the maximum amount that a person

1 subject to s. 51.605 or 55.107 shall pay as reimbursement for legal services. The
2 maximum amounts under this subsection shall be based on the average cost, as
3 determined by the board, for each applicable type of case.

4 ***-0459/2.42* SECTION 3913.** 977.08 (1) of the statutes is amended to read:

5 977.08 (1) If the representative or the authority for indigency determinations
6 specified under s. 977.07 (1) refers a case to or within the office of the state public
7 defender or if a case is referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4), the
8 state public defender shall assign counsel according to subs. (3) and (4). If a
9 defendant makes a request for change of attorney assignment, the change of attorney
10 must be approved by the circuit court.

11 ***-0459/2.43* SECTION 3914.** 977.08 (2) (intro.) of the statutes is amended to
12 read:

13 977.08 (2) (intro.) All attorneys in a county shall be notified in writing by the
14 state public defender that a set of lists is being prepared of attorneys willing to
15 represent children persons referred under s. 48.23 (4), 51.60, 55.105, or 938.23 (4)
16 and indigent clients in the following:

17 ***-0459/2.44* SECTION 3915.** 977.08 (2) (d) of the statutes is repealed.

18 ***-0459/2.45* SECTION 3916.** 977.085 (3) of the statutes is amended to read:

19 977.085 (3) The board shall provide quarterly reports to the joint committee
20 on finance on the status of reimbursement for or recoupment of payments under ss.
21 48.275, 51.605, 55.107, 757.66, 938.275, 977.06, 977.07 (2), 977.075 and 977.076,
22 including the amount of revenue generated by reimbursement and recoupment. The
23 quarterly reports shall include any alternative means suggested by the board to
24 improve reimbursement and recoupment procedures and to increase the amount of
25 revenue generated. The department of justice, district attorneys, circuit courts and

1 applicable county agencies shall cooperate by providing any necessary information
2 to the state public defender.

3 ***-1261/5.999* *-1267/P1.416* SECTION 3917.** 978.05 (4m) of the statutes is
4 amended to read:

5 978.05 (4m) WELFARE FRAUD INVESTIGATIONS. Cooperate with the departments
6 of workforce-development children and families and health and family services
7 regarding the fraud investigation programs under ss. 49.197 (1m) and 49.845 (1).

8 ***-1326/1.2* SECTION 3918.** 980.036 (10) of the statutes is amended to read:

9 980.036 (10) PAYMENT OF PHOTOCOPY COPYING COSTS IN CASES INVOLVING INDIGENT
10 RESPONDENTS. When the state public defender or a private attorney appointed under
11 s. 977.08 requests photocopies copies, in any format, of any item that is discoverable
12 under this section, the state public defender shall pay any fee charged for the
13 photocopies copies from the appropriation under s. 20.550 (1) (a). If the person
14 providing photocopies copies under this section charges the state public defender a
15 fee for the photocopies copies, the fee may not exceed the actual, necessary, and,
16 direct cost of photocopying providing the copies.

17 ***-1184/P7.35* SECTION 3919.** 980.08 (9) of the statutes, as created by 2005
18 Wisconsin Act 431, is renumbered 980.08 (9) (a).

19 ***-1184/P7.36* SECTION 3920.** 980.08 (9) (b) of the statutes is created to read:

20 980.08 (9) (b) The department of corrections may contract for the escort
21 services under par. (a).

22 ***-1524/P3.95* SECTION 3921.** 985.01 (1g) of the statutes is amended to read:

23 985.01 (1g) "Governing body" has the meaning given in s. 345.05 (1) (b) and
24 includes a family long-term care district board under s. 46.2895.

25 ***-1524/P3.96* SECTION 3922.** 985.01 (3) of the statutes is amended to read:

1 985.01 (3) "Municipality" has the meaning in s. 345.05 (1) (c) and includes a
2 family long-term care district under s. 46.2895.

3 ***-0719/2.79* SECTION 3923.** 995.12 (5) (a) of the statutes is amended to read:

4 995.12 (5) (a) *License revocation and civil penalty.* Upon a determination that
5 a distributor has violated sub. (2) (c), the department may revoke ~~or suspend~~ the
6 license of the distributor in the manner provided under s. 139.44 (4) and (7). Each
7 stamp affixed and each sale of cigarettes or offer or possession to sell cigarettes in
8 violation of sub. (2) (c) shall constitute a separate violation. For each violation the
9 department may also impose a forfeiture in an amount not to exceed the greater of
10 500% of the retail value of the cigarettes or \$5,000.

11 ***-1261/5.1000* *-1261/P3.629* SECTION 3924.** 995.67 (1) (a) of the statutes
12 is amended to read:

13 995.67 (1) (a) "Domestic abuse" has the meaning given in s. ~~46.95~~ 49.165 (1)
14 (a).

15 ***-0486/1.29* SECTION 3925.** 2003 Wisconsin Act 33, section 9159 (4f) is
16 repealed.

17 ***-1278/3.15* SECTION 3926.** 2005 Wisconsin Act 25, section 9101 (4) (b) and
18 (c) is amended to read:

19 [2005 Wisconsin Act 25] Section 9101 (4) (b) ~~the secretary~~ The department of
20 administration shall submit a report to the secretary of the building commission
21 containing an inventory of his or her recommendations to offer specified state
22 properties may offer any parcel of state-owned real property for sale under in
23 accordance with section 16.848 of the statutes, as created by this act, if the property
24 is eligible for sale under that section and this subsection. If the department of
25 administration receives an offer to purchase the property, the secretary of

1 administration may submit a report to the secretary of the building commission
2 recommending acceptance of the offer. The report shall contain a description of the
3 property and the reasons therefor. A property may be included in the inventory for
4 the recommendation. The secretary of administration may recommend the sale of
5 a property with or without approval of the state agency having jurisdiction of the
6 property. If, during the period on or before June 30, 2007, or the period beginning
7 on the effective date of this paragraph and ending on June 30, 2009, the building
8 commission votes to approve the sale of any offer to purchase the property included
9 in the inventory, the department of administration may offer sell the property for sale
10 under section 16.848 of the statutes, as created by this act.

11 (c) This subsection does not apply during the period beginning after June 30,
12 2007 and ending the day before the effective date of this paragraph, nor during the
13 period after June 30, 2009.

14 ***-1278/3.16* SECTION 3927.** 2005 Wisconsin Act 25, section 9152 (5) is
15 amended to read:

16 [2005 Wisconsin Act 25] Section 9152 (5) SALE OF REAL PROPERTY. If the Board
17 of Regents of the University of Wisconsin System sells any real property under its
18 jurisdiction during the period prior to July 1, 2007, and the period beginning on the
19 effective date of this subsection and ending on June 30, 2009, the board shall credit
20 the net proceeds of the sale to the appropriation account under section 20.285 (1) (iz)
21 of the statutes, as affected by this act, except that if there is any outstanding public
22 debt used to finance the acquisition, construction, or improvement of any property
23 that is sold, the board shall deposit a sufficient amount of the net proceeds from the
24 sale of the property in the bond security and redemption fund under section 18.09
25 of the statutes to repay the principal and pay the interest on the debt, and any

1 premium due upon refunding any of the debt. If the property was acquired,
 2 constructed, or improved with federal financial assistance, the board shall pay to the
 3 federal government any of the net proceeds required by federal law. If the property
 4 was acquired by gift or grant or acquired with gift or grant funds, the board shall
 5 adhere to any restriction governing use of the proceeds.

6 ***-0566/1.9101*** SECTION 9101. Nonstatutory provisions;

7 Administration.

8 ***-0904/2.9101*** SECTION 9101. Nonstatutory provisions;

9 Administration.

10 (1) HEALTH CARE QUALITY AND PATIENT SAFETY COUNCIL MEMBERSHIP.
 11 Notwithstanding the length of terms specified in section 15.197 (6) (intro.) of the
 12 statutes, as created by this act, the initial terms of the members specified in section
 13 15.197 (6) (d) to (f) of the statutes, as created by this act, shall expire on July 1, 2009,
 14 and the initial terms of the members specified in section 15.197 (6) (g) to (i) of the
 15 statutes, as created by this act, shall expire on July 1, 2011.

16 ***-1252/5.9101*** SECTION 9101. Nonstatutory provisions;

17 Administration.

18 (1) POSITION AND EMPLOYEE TRANSFERS TO PUBLIC SERVICE COMMISSION

19 (a) On the effective date of this paragraph, the authorized FTE positions for the
 20 department of administration are decreased by 5.0 SEG positions having
 21 responsibility for administering energy conservation and efficiency and renewable
 22 resource programs under section 16.957 of the statutes. On the effective date of this
 23 paragraph, all incumbent employees holding those positions are transferred to the
 24 public service commission.

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1 On the effective date of this paragraph, all incumbent employees holding
2 positions having responsibility for administering energy conservation and efficiency
3 and renewable resource programs under section 16.957 of the statutes, as
4 determined by the secretary of administration, are transferred to the public service
5 commission. The employees transferred under this paragraph have all the rights
6 and the same status under subchapter V of chapter 111 and chapter 230 of the
7 statutes in the public service commission that they enjoyed in the department of
8 administration immediately before the transfer. Notwithstanding section 230.28 (4)
9 of the statutes, no employee so transferred who has attained permanent status in
10 class is required to serve a probationary period.

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1 (b) On the effective date of this paragraph, the authorized FTE positions for the
2 public service commission are increased by 5.0 SEG positions.

3 (c) The employees transferred under paragraph (a) have all the rights and the
4 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the
5 public service commission that they enjoyed in the department of administration
6 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
7 no employee so transferred who has attained permanent status in class is required
8 to serve a probationary period.

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SECTION 9101. Nonstatutory provisions;

Administration.

11 (1) TREATMENT ALTERNATIVES AND DIVERSION GRANT. By August 15, 2007, the
12 county that has the highest violent crime rate, as reported by the office of justice
13 assistance, shall submit an application to the office of justice assistance for a grant
14 under section 16.964 (2) (b) of the statutes. Upon approval of the county's grant
15 application, the office of justice assistance shall from the appropriation under section
16 20.505 (6) (b) of the statutes, as affected by this act, award \$250,000 to the county
17 for the calendar year beginning January 1, 2008, and \$500,000 for the the calendar
18 year beginning January 1, 2009.

9

19 (2) ASSESS, INFORM, AND MEASURE GRANT. (a) By December 1, 2007, the county
20 that has the highest violent crime rate, as reported by the office of justice assistance,
21 shall submit a plan to the office of justice assistance for conducting presentencing
22 assessments for the purpose of providing courts information for sentencing
23 decisions. The plan shall include all of the following components:

SECTION 9101

1 1. Identification of a target group of offenders from among persons who are
2 convicted of a Class F, G, H, or I felony or a misdemeanor whom the county shall
3 assess.

4 2. Assessment of persons in the target group to determine the risk that they
5 will commit further crimes, their needs that are directly related to criminal behavior,
6 the likelihood that they will respond positively to community-based treatment for
7 the assessed needs, as well as an assessment of the availability of community-based
8 treatment programs to serve the offenders.

9 3. Collection and dissemination of information relating to the accuracy of
10 assessments performed, the value and usefulness of information contained in the
11 assessment reports for purposes of making sentencing decisions, the effectiveness of
12 community-based treatment programs in addressing the assessed needs of
13 offenders, and the effect of the treatment programs with respect to recidivism.

14 4. Annual evaluation of the plan.

15 (b) Upon approval of a county plan submitted under paragraph (a), the office
16 of justice assistance shall from the appropriation under section 20.505 (6) (b) of the
17 statutes, as affected by this act, award the county \$250,000 for the calendar year
18 beginning January 1, 2008, and \$500,000 for the calendar year beginning January
19 1, 2009, to perform presentencing assessments of offenders. At least 50 percent of
20 the assessments performed by a county with funding provided under this subsection
21 shall be of persons subject to sentencing in connection with a felony.

22 ***-1595/3.9101*** SECTION 9101. Nonstatutory provisions;
23 **Administration.**

24 (1) YOUTH DIVERSION GRANT REDUCTIONS.

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1 (a) Notwithstanding the amount specified under section 16.964 (8) (a) of the
2 statutes, as affected by this act, the office of justice assistance in the department of
3 administration shall reduce the amount of money allocated under section 16.964 (8)
4 (a) of the statutes, as affected by this act, by \$6,000 in fiscal year 2007-08.

5 (b) Notwithstanding the amounts specified under section 16.964 (8) (c) of the
6 statutes, as affected by this act, the office of justice assistance in the department of
7 administration shall reduce the amount of money allocated for each of the 4 contracts
8 that are funded with moneys from the appropriation accounts under section 20.505
9 (6) (d) of the statutes, as affected by this act, by \$7,500 in fiscal year 2007-08 and
10 shall reduce the amount of money allocated for the contract that is funded only with
11 moneys from the appropriation account under section 20.505 (6) (kj) of the statutes,
12 as affected by this act, by \$5,000 in fiscal year 2007-08.

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****NOTE: This is reconciled Section 9101 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0628 and LRB-1595.

13 *draft* ***-1620/2.9101*** SECTION 9101. Nonstatutory provisions;
14 **Administration.**

15 (1) DISTRICT ATTORNEY CASE MANAGEMENT PROCESSES. From the appropriation
16 under section 20.505 (6) (a) *of the statutes*, the office of justice assistance shall provide \$25,000
17 during the 2007-08 fiscal year to the Milwaukee County District Attorney office to
18 assist in the development of case management processes.

19 ***-0566/1.9102*** SECTION 9102. Nonstatutory provisions; Aging and
20 **Long-Term Care Board.**

21 ***-0566/1.9103*** SECTION 9103. Nonstatutory provisions; Agriculture,
22 **Trade and Consumer Protection.**

23 ***-0566/1.9104*** SECTION 9104. Nonstatutory provisions; Arts Board.

1 ***-0566/1.9105* SECTION 9105. Nonstatutory provisions; Building**
2 **Commission.**

3 ***-0566/1.9106* SECTION 9106. Nonstatutory provisions; Child Abuse**
4 **and Neglect Prevention Board.**

5 ***-0566/1.9107* SECTION 9107. Nonstatutory provisions; Circuit Courts.**

6 ***-0566/1.9108* SECTION 9108. Nonstatutory provisions; Commerce.**

7 ***-1083/1.9108* SECTION 9108. Nonstatutory provisions; Commerce.**

8 (1) BUDGET INFORMATION; SURPLUS TRANSFER. Notwithstanding section 16.42 (1)
9 (e) of the statutes, in submitting information under section 16.42 of the statutes for
10 the purposes of the 2009-11 biennial budget bill, the department of commerce shall
11 submit a dollar amount for the appropriation under section 20.143 (2) (b) of the
12 statutes as though the amount appropriated to the department of commerce in fiscal
13 year 2008-09 under section 20.143 (2) (b) of the statutes is \$2,000,000.

14 ***-1440/2.9108* SECTION 9108. Nonstatutory provisions; Commerce.**

15 (1) GRANT FOR CELLULOSIC ETHANOL PLANT. Notwithstanding section 560.126 of
16 the statutes, as created by this act, the department of commerce shall award grants
17 totaling not more than \$5,000,000 from the appropriation under section 20.143 (1)
18 (tm) of the statutes, as created by this act, to a person who plans to construct a
19 cellulosic ethanol plant in this state, if all of the following apply:

20 (a) The person submits a plan to the department specifying the proposed use
21 of the grant and the secretary of commerce approves the plan.

22 (b) The department enters into a written agreement with the person that
23 specifies the conditions for the use of the grant, including reporting and auditing
24 requirements.

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1 (c) The person agrees in writing to submit to the department, within 6 months
2 after spending the grant proceeds, a report detailing how the grant proceeds were
3 spent.

4 ~~*-0566/1.9109* SECTION 9109. Nonstatutory provisions; Corrections.~~

5 ~~*-0628/1.9109* SECTION 9109. Nonstatutory provisions; Corrections.~~

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6 (1) YOUTH DIVERSION PROGRAM TRANSFER.

7 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
8 liabilities of the department of corrections that are primarily related to the youth
9 diversion from gang activities program under section 301.265, 2005 stats., as
10 determined by the secretary of administration, shall become the assets and liabilities
11 of the department of administration. *As affected by this act* GMM

12 (b) *Positions and employees.* On the effective date of this paragraph, all
13 positions and all incumbent employees holding those positions in the department of
14 corrections performing duties that are primarily related to the youth division from
15 gang activities program under section 301.265, 2005 stats., as determined by the
16 secretary of administration, are transferred to the department of administration.

17 (c) *Employee status.* Employees transferred under paragraph (b) have all the
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
19 statutes in the department of administration that they enjoyed in the department
20 of corrections immediately before the transfer. Notwithstanding section 230.28 (4)
21 of the statutes, no employee so transferred who has attained permanent status in
22 class is required to serve a probationary period.

23 (d) *Tangible personal property.* On the effective date of this paragraph, all
24 tangible personal property, including records, of the department of corrections that
25 is primarily related to the youth diversion from gang activities program under

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1 section 301.265, 2005 stats., as determined by the secretary of administration, is
2 transferred to the department of administration.

3 (e) *Pending matters.* Any matter pending with the department of corrections
4 on the effective date of this paragraph that is primarily related to the youth diversion
5 from gang activities program under section 301.265, 2005 stats., as determined by
6 the secretary of administration, is transferred to the department of administration.
7 All materials submitted to or actions taken by the department of corrections with
8 respect to the pending matter are considered as having been submitted to or taken
9 by the department of administration.

10 (f) *Contracts.* All contracts entered into by the department of corrections in
11 effect on the effective date of this paragraph that are primarily related to the youth
12 diversion from gang activities program under section 301.265, 2005 stats., as
13 determined by the secretary of administration, remain in effect and are transferred
14 to the department of administration. The department of administration shall carry
15 out any obligations under those contracts unless modified or rescinded by the
16 department of administration to the extent allowed under the contract.

17 (g) *Rules and orders.* All rules promulgated by the department of corrections
18 in effect on the effective date of this paragraph that are primarily related to the youth
19 diversion from gang activities program under section 301.265, 2005 stats., remain
20 in effect until their specified expiration dates or until amended or repealed by the
21 department of administration. All orders issued by the department of corrections in
22 effect on the effective date of this paragraph that are primarily related to the youth
23 diversion from gang activities program under section 301.265, 2005 stats., remain
24 in effect until their specified expiration dates or until modified or rescinded by the
25 department of administration.

***-1546/1.9109* SECTION 9109. Nonstatutory provisions; Corrections**

(1) FUNDING FOR CERTAIN COMMUNITY REINTEGRATION SERVICES. From the appropriation under section 20.410 (1) (d) ^{of the statutes}, the department of corrections shall provide \$500,000 during the 2007-08 fiscal year and \$500,000 during the 2008-09 fiscal year to New Hope Project, Inc., for transitional employment services.

***-0566/1.9110* SECTION 9110. Nonstatutory provisions; Court of Appeals.**

***-0566/1.9111* SECTION 9111. Nonstatutory provisions; District Attorneys.**

leave in
***-0567/2.9111* SECTION 9111. Nonstatutory provisions; District Attorneys.**

(1) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From the appropriation account under section 20.505 (6) (p) of the statutes the department of administration shall expend a dollar amount determined by the department of administration and from the appropriation account under section 20.455 (2) (kp) of the statutes the department of justice shall expend a dollar amount determined by the department of administration in each year of the 2007-09 fiscal biennium to provide the multijurisdictional enforcement group serving Milwaukee County funding for 2.0 district attorney PR positions to prosecute criminal violations of chapter 961 of the statutes.

(2) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From the appropriation account under section 20.505 (6) (p) of the statutes the department of administration shall expend a dollar amount determined by the department of administration and from the appropriation account under section 20.455 (2) (kp) of the statutes the department of justice shall expend a dollar amount determined by the department

1 of administration in each year of the 2007-09 fiscal biennium to provide the
2 multijurisdictional enforcement group serving Dane County funding for 0.75 district
3 attorney PR position to prosecute criminal violations of chapter 961 of the statutes.

4 (3) PROSECUTION OF DRUG CRIMES; ST. CROIX COUNTY. From the appropriation
5 account under section 20.455 (2) (kp) of the statutes the department of justice shall
6 expend a dollar amount determined by the department of administration in each
7 year of the 2007-09 fiscal biennium to provide the multijurisdictional enforcement
8 group serving St. Croix County funding for 1.0 district attorney PR position to
9 prosecute criminal violations of chapter 961 of the statutes.

10 *-0566/1.9112* SECTION 9112. Nonstatutory provisions; Educational
11 Communications Board.

12 *-0566/1.9113* SECTION 9113. Nonstatutory provisions; Elections
13 Board.

14 *-0566/1.9114* SECTION 9114. Nonstatutory provisions; Employee Trust
15 Funds.

16 *-0566/1.9115* SECTION 9115. Nonstatutory provisions; Employment
17 Relations Commission.

18 *-0566/1.9116* SECTION 9116. Nonstatutory provisions; Ethics Board.

19 *-0566/1.9117* SECTION 9117. Nonstatutory provisions; Financial
20 Institutions.

21 *-0566/1.9118* SECTION 9118. Nonstatutory provisions; Fox River
22 Navigational System Authority.

23 *-0566/1.9119* SECTION 9119. Nonstatutory provisions; Governor.

24 *-0566/1.9120* SECTION 9120. Nonstatutory provisions; Health and
25 Educational Facilities Authority.

1 ***-0332/4.9121* SECTION 9121. Nonstatutory provisions; Health and**
2 **Family Services.**

3 (1) BED ASSESSMENT FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY
4 RETARDED. Notwithstanding section 50.14 (2m) of the statutes, as created by this act,
5 the department of health and family services is not required to calculate the amount
6 of the bed assessment for intermediate care facilities for the mentally retarded under
7 section 50.14 (2) (bm) of the statutes, as created by this act, for state fiscal year
8 2007-08 until October 1, 2007, or the first day of the 3rd month beginning after the
9 effective date of this subsection, whichever is later.

10 ***-0566/1.9121* SECTION 9121. Nonstatutory provisions; Health and**
11 **Family Services.**

12 ***-0878/5.9121* SECTION 9121. Nonstatutory provisions; Health and**
13 **Family Services.**

14 (1) TRANSFER OF COUNCIL ON DEVELOPMENTAL DISABILITIES.

15 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
16 liabilities of the department of health and family services primarily related to the
17 council on developmental disabilities, as determined by the secretary of
18 administration, shall become the assets and liabilities of the department of
19 administration.

20 (b) *Employee transfers.* All incumbent employees holding positions in the
21 department of health and family services performing duties primarily related to the
22 functions of the council on developmental disabilities, as determined by the secretary
23 of administration, are transferred on the effective date of this paragraph to the
24 department of administration.

1 (c) *Employee status.* Employees transferred under paragraph (b) have all the
2 rights and the same status under subchapter V of chapter 111 and under chapter 230
3 of the statutes in the department of administration that they enjoyed in the
4 department of health and family services immediately before the transfer.
5 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
6 has attained permanent status in class is required to serve a probationary period.

7 (d) *Tangible personal property.* On the effective date of this paragraph, all
8 tangible personal property, including records, of the department of health and family
9 services that is primarily related to the functions of the council on developmental
10 disabilities, as determined by the secretary of administration, is transferred to the
11 department of administration.

12 (e) *Contracts.*

13 1. All contracts entered into by the council on developmental disabilities in
14 effect on the effective date of this paragraph remain in effect and are transferred to
15 the council on developmental disabilities in the department of administration. The
16 council on developmental disabilities shall carry out any obligations under such a
17 contract until the contract expires or is modified or rescinded by the council on
18 developmental disabilities to the extent allowed under the contract.

19 2. All contracts entered into by the department of health and family services
20 in effect on the effective date of this paragraph that are primarily related to the
21 functions of the council on developmental disabilities, as determined by the secretary
22 of administration, remain in effect and are transferred to the department of
23 administration. The department of administration shall carry out any obligations
24 under such a contract until the contract is modified or rescinded by the department
25 of administration to the extent allowed under the contract.

1 ***-1085/1.9121*** SECTION 9121. Nonstatutory provisions; Health and
2 **Family Services.**

3 (1) LICENSED ADULT FAMILY HOME FEES; RULES. The department of health and
4 family services shall submit in proper form the rules required under section 50.033
5 (2) of the statutes, as affected by this act, to the legislative council staff under section
6 227.15 (1) of the statutes no later than November 1, 2007.

7 (2) COMMUNITY-BASED RESIDENTIAL FACILITY FEES; RULES. The department of
8 health and family services shall submit in proper form the rules required under
9 section 50.037 (2) (a) of the statutes, as affected by this act, to the legislative council
10 staff under section 227.15 (1) of the statutes no later than November 1, 2007. *G-M*

11 ***-1221/7.9121*** SECTION 9121. Nonstatutory provisions; Health and
12 **Family Services.**

13 (1m) INDIAN CHILD HIGH-COST OUT-OF-HOME CARE PLACEMENT FUNDING. ✓

14 Notwithstanding sections 16.54 (12) (a) and 46.46 (1) and (2) of the statutes, in fiscal
15 year 2007-08 the department of health and family services may expend not more
16 than \$500,000 in moneys received under section 20.435 (8) (mb) and (mm) of the
17 statutes, as affected by this act, in fiscal year 2006-07 or 2007-08 for unexpected or
18 unusually high-cost out-of-home care placements of Indian children by tribal
19 courts. The department of health and family services may expend moneys under this
20 subsection only if that department determines in light of overall child welfare needs
21 and after paying federal disallowances under section 20.435 (8) (mm) of the statutes,
22 as affected by this act, that there are sufficient moneys in the appropriation accounts
23 under section 20.435 (8) (mb) and (mm) of the statutes, as affected by this act, to
24 expend for that purpose.

section of the statutes, as affected by this act, and section

1 ~~*-1261/5.9121*~~~~-1261/P3.9121*~~ SECTION 9121. Nonstatutory provisions;
2 **Health and Family Services.**

3 (1) TRANSFER TO THE DEPARTMENT OF CHILDREN AND FAMILIES.

4 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
5 liabilities of the department of health and family services that are primarily related
6 to the functions of the division of children and family services in that department,
7 to the child abuse and neglect prevention program under section 46.515, 2005 stats.,
8 to the food distribution and hunger prevention programs under section 46.75, 2005
9 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state
10 supplemental food program under section 253.06, 2005 stats., as determined by the
11 secretary of administration, shall become the assets and liabilities of the department
12 of children and families.

13 (b) *Employee transfers.*

14 1. The classified positions, and incumbent employees holding positions, in the
15 department of health and family services relating primarily to the functions of the
16 division of children and family services in that department, to the child abuse and
17 neglect prevention program under section 46.515, 2005 stats., to the food
18 distribution and hunger prevention programs under section 46.75, 2005 stats.,
19 section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state
20 supplemental food program under section 253.06, 2005 stats., as determined by the
21 secretary of administration, are transferred to the department of children and
22 families.

23 2. The classified positions, and incumbent employees holding positions, in the
24 department of health and family services relating primarily to general
25 administration and program support that the secretary of administration

1 determines should be transferred to the department of children and families are
2 transferred to that department. Upon determination of these employees, the
3 secretary of health and family services shall, by October 1, 2007, and in conjunction
4 with the secretary of workforce development, submit a plan to the secretary of
5 administration requesting the transfer of moneys between the general purpose
6 revenue appropriations for the departments of health and family services and
7 workforce development and the department of children and families, between the
8 program revenue appropriations for the departments of health and family services
9 and workforce development and the department of children and families, between
10 the program revenue-service appropriations for the departments of health and
11 family services and workforce development and the department of children and
12 families, between the appropriations of given segregated funds for the departments
13 of health and family services and workforce development and the department of
14 children and families, and between the federal revenue appropriations for the
15 departments of health and family services and workforce development and the
16 department of children and families, if necessary to adjust previously allocated costs
17 in accordance with the transfer of personnel.

18 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
19 same rights and status under subchapter V of chapter 111 and chapter 230 of the
20 statutes in the department of children and families that they enjoyed in the
21 department of health and family services immediately before the transfer.
22 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
23 has attained permanent status in class is required to serve a probationary period.

24 (d) *Tangible personal property.* On the effective date of this paragraph, all
25 tangible personal property, including records, of the department of health and family

1 services that is primarily related to the functions of the division of children and
2 family services in that department, to the child abuse and neglect prevention
3 program under section 46.515, 2005 stats., to the food distribution and hunger
4 prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and
5 section 46.77, 2005 stats., and to the state supplemental food program under section
6 253.06, 2005 stats., as determined by the secretary of administration, shall be
7 transferred to the department of children and families.

8 (e) *Contracts.* All contracts entered into by the department of health and family
9 services in effect on the effective date of this paragraph that are primarily related
10 to the functions of the division of children and family services in that department,
11 to the child abuse and neglect prevention program under section 46.515, 2005 stats.,
12 to the food distribution and hunger prevention programs under section 46.75, 2005
13 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats., and to the state
14 supplemental food program under section 253.06, 2005 stats., as determined by the
15 secretary of administration, remain in effect and are transferred to the department
16 of children and families. The department of children and families shall carry out any
17 such contractual obligations unless modified or rescinded by the department of
18 children and families to the extent allowed under the contract.

19 (f) *Rules and orders.* All rules promulgated by the department of health and
20 family services that are primarily related to the functions of the division of children
21 and family services in that department, to the child abuse and neglect prevention
22 program under section 46.515, 2005 stats., to the food distribution and hunger
23 prevention programs under section 46.75, 2005 stats., section 46.76, 2005 stats., and
24 section 46.77, 2005 stats., and to the state supplemental food program under section
25 253.06, 2005 stats., as determined by the secretary of administration, and that are

1 in effect on the effective date of this paragraph remain in effect until their specified
2 expiration dates or until amended or repealed by the department of children and
3 families. All orders issued by the department of health and family services that are
4 primarily related to the functions of the division of children and family services in
5 that department, to the child abuse and neglect prevention program under section
6 46.515, 2005 stats., to the food distribution and hunger prevention programs under
7 section 46.75, 2005 stats., section 46.76, 2005 stats., and section 46.77, 2005 stats.,
8 and to the state supplemental food program under section 253.06, 2005 stats., as
9 determined by the secretary of administration, and that are in effect on the effective
10 date of this paragraph remain in effect until their specified expiration dates or until
11 modified or rescinded by the department of children and families.

12 (2) AGENCY NAME CHANGE.

13 (a) Wherever the term "health and family services" appears in the statutes, as
14 affected by the acts of 2007, the term "health services" is substituted.

15 (b) Beginning on July 1, 2008, the department of health services has the powers
16 and duties granted or assigned the department of health and family services by
17 SECTIONS 9101 to 9155 of this act that do not terminate before paragraph (a) takes
18 effect. Beginning on July 1, 2008, the secretary of health services has the powers and
19 duties granted or assigned the secretary of health and family services by SECTIONS
20 9101 to 9155 of this act that do not terminate before paragraph (a) takes effect.

21 ***-0201/4.9122* SECTION 9122. Nonstatutory provisions; Higher**
22 **Educational Aids Board.**

23 (1) WISCONSIN COVENANT SCHOLARS PROGRAM.

24 (a) *Rules.* The higher educational aids board shall submit in proposed form the
25 rules required under section 39.437 (5) of the statutes, as created by this act, to the

1 legislative council staff under section 227.15 (1) of the statutes no later than the first
2 day of the 18th month beginning after the effective date of this paragraph.

3 (b) *Emergency rules.* Using the procedure under section 227.24 of the statutes,
4 the higher educational aids board may promulgate the rules required under section
5 39.437 (5) of the statutes, as created by this act, for the period before the effective date
6 of the permanent rules submitted under paragraph (a), but not to exceed the period
7 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
8 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the higher educational aids board
9 is not required to provide evidence that promulgating a rule under this paragraph
10 as an emergency rule is necessary for the preservation of the public peace, health,
11 safety, or welfare and is not required to provide a finding of emergency for a rule
12 promulgated under this paragraph.

13 ***-0566/1.9122* SECTION 9122. Nonstatutory provisions; Higher**
14 **Educational Aids Board.**

15 ***-0566/1.9123* SECTION 9123. Nonstatutory provisions; Historical**
16 **Society.**

17 ***-0566/1.9124* SECTION 9124. Nonstatutory provisions; Housing and**
18 **Economic Development Authority.**

19 ***-0566/1.9125* SECTION 9125. Nonstatutory provisions; Insurance.**

20 ***-0566/1.9126* SECTION 9126. Nonstatutory provisions; Investment**
21 **board.**

22 ***-0566/1.9127* SECTION 9127. Nonstatutory provisions; Joint**
23 **Committee on Finance.**

24 ***-0566/1.9128* SECTION 9128. Nonstatutory provisions; Judicial**
25 **Commission.**

1 ***-0566/1.9129*** SECTION 9129. Nonstatutory provisions; Justice.

2 ***-0566/1.9130*** SECTION 9130. Nonstatutory provisions; Legislature.

3 ***-1714/1.9130*** SECTION 9130. Nonstatutory provisions; Legislature.

stays

4 (1) AUDIT OF CRIME LABORATORIES IN DEPARTMENT OF JUSTICE. The legislative audit
5 bureau shall conduct an audit of the state crime laboratories in the department of
6 justice regarding the management of the deoxyribonucleic acid analysis and data
7 bank, which audit shall include the management of cases, the type of screening done
8 on cases, and how priority is determined for the analysis of samples. The bureau
9 shall file its report as described in section 13.94 (1) (b) of the statutes by June 30,
10 2008.

11 ***-0566/1.9131*** SECTION 9131. Nonstatutory provisions; Lieutenant
12 Governor.

13 ***-0566/1.9132*** SECTION 9132. Nonstatutory provisions; Lower
14 Wisconsin State Riverway Board.

15 ***-0566/1.9133*** SECTION 9133. Nonstatutory provisions; Medical
16 College of Wisconsin.

17 ***-0566/1.9134*** SECTION 9134. Nonstatutory provisions; Military
18 Affairs.

19 ***-0393/3.9135*** SECTION 9135. Nonstatutory provisions; Natural
20 Resources.

21 (1) MANAGED FOREST LAND BOARD. Notwithstanding section 15.345 (6) of the
22 statutes, as created by this act, 2 of the initial members of the managed forest land
23 board appointed under section 15.345 (6) (a) to (d) of the statutes shall serve for terms
24 expiring on May 1, 2009, and 2 of those initial members shall serve for terms expiring
25 on May 1, 2011.

Mbe
as created by this act,

1 ***-0566/1.9135* SECTION 9135. Nonstatutory provisions; Natural**
2 **Resources.**

3 ***-0566/1.9136* SECTION 9136. Nonstatutory provisions; Public**
4 **Defender Board.**

5 ***-0566/1.9137* SECTION 9137. Nonstatutory provisions; Public**
6 **Instruction.**

7 ***-1193/2.9137* SECTION 9137. Nonstatutory provisions; Public**
8 **Instruction.**

9 (1) MILWAUKEE PARENTAL CHOICE PROGRAM FEES; RULES. By the first day of the
10 3rd month beginning after the effective date of this subsection, the department of
11 public instruction shall, using the procedure under section 227.24 of the statutes,
12 promulgate the rule required under section 119.23 (2) (a) 8. of the statutes, as created
13 by this act, for the period before the effective date of the permanent rule promulgated
14 under section 119.23 (2) (a) 8. of the statutes, as created by this act, but not to exceed
15 the period authorized under section 227.24 (1) (c) and (2) of the statutes.
16 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department
17 of public instruction is not required to provide evidence that promulgating a rule
18 under this subsection as an emergency rule is necessary for the preservation of the
19 public peace, health, safety, or welfare and is not required to provide a finding of
20 emergency for a rule promulgated under this subsection.

21 (2) MILWAUKEE PARENTAL CHOICE PROGRAM FEES; FEES FOR THE 2007-08 SCHOOL
22 YEAR. Notwithstanding section 119.23 (2) (a) 8. of the statutes, as created by this act,
23 each private school participating in the program under section 119.23 of the statutes
24 (in the 2007-08 school year shall pay the fee required under section 119.23 (2) (a) 8.

as affected by this act,

20

1 of the statutes, as created by this act, no later than 30 days after the effective date
2 of the rule promulgated under subsection (1).

3 ***-0566/1.9138* SECTION 9138. Nonstatutory provisions; Public Lands,**
4 **Board of Commissioners of.**

5 ***-0566/1.9139* SECTION 9139. Nonstatutory provisions; Public Service**
6 **Commission.**

7 ***-0566/1.9140* SECTION 9140. Nonstatutory provisions; Regulation and**
8 **Licensing.**

9 ***-0566/1.9141* SECTION 9141. Nonstatutory provisions; Revenue.**

10 ***-1195/3.9141* SECTION 9141. Nonstatutory provisions; Revenue.**

11 (1) INTERNAL REVENUE CODE. Changes to the Internal Revenue Code made by
12 Public Law 109-135, excluding sections 101, 105, 201 (a) as it relates to section
13 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of Public Law 109-135, and Public Law
14 109-280, excluding sections 811 and 844 of Public Law 109-280, apply to the
15 definitions of "Internal Revenue Code" in chapter 71 of the statutes at the time that
16 those changes apply for federal income tax purposes.

17 ***-1530/7.9141* SECTION 9141. Nonstatutory provisions; Revenue.**

18 (1) EMERGENCY RULES CONCERNING OIL COMPANY ASSESSMENT. The department of
19 revenue may promulgate emergency rules under section 227.24 of the statutes
20 implementing subchapter XIV of chapter 77 of the statutes, as created by this act.
21 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department
22 of revenue is not required to provide evidence that promulgating a rule under this
23 subsection as an emergency rule is necessary for the preservation of the public peace,
24 health, safety, or welfare and is not required to provide a finding of emergency for a
25 rule promulgated under this subsection.

sub paragraphs not subsections

1 *-0566/1.9142* SECTION 9142. Nonstatutory provisions; Secretary of
2 State.

3 *-0566/1.9143* SECTION 9143. Nonstatutory provisions; State
4 Employment Relations, Office of.

5 *-0566/1.9144* SECTION 9144. Nonstatutory provisions; State Fair Park
6 Board.

7 *-0566/1.9145* SECTION 9145. Nonstatutory provisions; Supreme
8 Court.

9 *-0566/1.9146* SECTION 9146. Nonstatutory provisions; Technical
10 College System.

11 *-0566/1.9147* SECTION 9147. Nonstatutory provisions; Tourism.

12 *-0011/3.9148* SECTION 9148. Nonstatutory provisions;
13 Transportation. *create autoref P*

14 (1) DRIVER LICENSE AGREEMENT.

15 (2) The department of transportation shall submit in proposed form the rules
16 required under section 343.02 (3) (b) of the statutes, as created by this act, to the
17 legislative council staff under section 227.15 (1) of the statutes no later than the first
18 day of the 6th month beginning after the effective date of this paragraph.

19 (3) Using the emergency rules procedure under section 227.24 of the statutes,
20 the department of transportation shall promulgate the rules required under section
21 343.02 (3) (b) of the statutes, as created by this act, for purposes of implementing *the provisions of*
22 act, for the period before the effective date of the rules submitted under paragraph
23 *related to joining the Driver License Agreement*
24 (a). The department shall promulgate these emergency rules no later than the first
25 day of the 6th month beginning after the effective date of this paragraph.

Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules

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1 may remain in effect until July 1, 2009, or the date on which permanent rules take
2 effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the
3 statutes, the department is not required to provide evidence that promulgating a rule
4 under this paragraph as an emergency rule is necessary for the preservation of the
5 public peace, health, safety, or welfare and is not required to provide a finding of
6 emergency for a rule promulgated under this paragraph.

7 ***-0566/1.9148*** SECTION 9148. Nonstatutory provisions;

8 **Transportation.**

9 ***-1470/1.9148*** SECTION 9148. Nonstatutory provisions;

10 **Transportation.**

11 (1) TRANSFER OF SUPPLEMENTAL TITLE FEES.

12 (a) No transfer of moneys may be made from the general fund under section
13 20.855 (4) (f), 2005 stats., on or after the effective date of this paragraph.

14 (b) If the effective date of this paragraph is after October 1, 2007,
15 notwithstanding section 25.40 (3) (a) of the statutes, the secretary of administration
16 shall transfer, in fiscal year 2007-08, from the transportation fund to the general
17 fund an amount equal to the amount transferred under section 20.855 (4) (f), 2005
18 stats., from the general fund to the environmental fund between July 1, 2007, and
19 the effective date of this paragraph.

20 ***-1687/1.9148*** SECTION 9148. Nonstatutory provisions;

21 **Transportation.**

22 (1) IMPROVEMENT PROJECT TO VETERANS CEMETERY ACCESS ROAD IN WASHBURN
23 COUNTY. Notwithstanding limitations on the amount and use of aids provided under
24 section 86.31 of the statutes, as affected by this act, or on eligibility requirements for
25 receiving aids under section 86.31 of the statutes, as affected by this act, the

1 department of transportation shall award a grant of \$60,000 in the 2007-09 fiscal
 2 biennium to the first applicant that is eligible for aid under section 86.31 of the
 3 statutes and that applies for a grant for the improvement of a road accessing a state
 4 veterans cemetery in Washburn County. Payment of the grant under this subsection
 5 shall be made from the appropriation under section 20.395 (2) (ft) of the statutes
 6 before making any other allocation of funds under section 86.31 (3g), (3m), or (3r) of
 7 the statutes, as affected by this act, and is in addition to the entitlement, as defined
 8 in section 86.31 (1) (ar) of the statutes, or eligibility under section 86.31 (3g), (3m),
 9 or (3r) of the statutes, as affected by this act, of the recipient under this subsection
 10 to any other aids under section 86.31 of the statutes, as affected by this act.

11 ***-0566/1.9149* SECTION 9149. Nonstatutory provisions; Treasurer.**

12 ***-0566/1.9150* SECTION 9150. Nonstatutory provisions; University of
13 Wisconsin Hospitals and Clinics Authority.**

14 ***-0566/1.9151* SECTION 9151. Nonstatutory provisions; University of
15 Wisconsin Hospitals and Clinics Board.**

16 ***-0566/1.9152* SECTION 9152. Nonstatutory provisions; University of
17 Wisconsin System.**

18 ***-1820/1.9152* SECTION 9152. Nonstatutory provisions; University of
19 Wisconsin System.**

20 (1) UW-MILWAUKEE SCHOOL OF PUBLIC HEALTH. Of the moneys appropriated to
 21 the Board of Regents of the University of Wisconsin System under section 20.285 (1)
 22 (a) of the statutes for the 2008-09 fiscal year, the board shall allocate \$200,000 for
 23 establishing the University of Wisconsin-Milwaukee School of Public Health, but
 24 only if the board approves the school.

ARC

as affected by this act

✓

stays

as created by this act

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for
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1 ***-0369/1.9153* SECTION 9153. Nonstatutory provisions; Veterans**
2 **Affairs.**

3 (1) PAYMENTS FOR OUTREACH FOR HOMELESS VETERANS. From the appropriation
4 under section 20.485 (2) (am) of the statutes, the department of veterans affairs may
5 annually make a payment not to exceed \$25,000 to the Center for Veteran Issues for
6 the purpose of providing outreach services for homeless veterans.

7 ***-0566/1.9153* SECTION 9153. Nonstatutory provisions; Veterans**
8 **Affairs.**

9 ***-0566/1.9154* SECTION 9154. Nonstatutory provisions; Workforce**
10 **Development.**

11 ***-1261/5.9154* *-1267/P1.9154* SECTION 9154. Nonstatutory provisions;**
12 **Workforce Development.**

13 (1) TRANSFER TO THE DEPARTMENT OF CHILDREN AND FAMILIES.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
15 liabilities of the department of workforce development that are primarily related to
16 the functions of the bureau of Wisconsin Works and child support and the child care
17 section of the bureau of workforce programs, as determined by the secretary of
18 administration, shall become the assets and liabilities of the department of children
19 and families.

20 (b) *Employee transfers.*

21 1. The classified positions, and incumbent employees holding positions, in the
22 department of workforce development relating primarily to the functions of the
23 bureau of Wisconsin Works and child support and the child care section of the bureau
24 of workforce programs, as determined by the secretary of administration, are
25 transferred to the department of children and families.

stays

1 2. The classified positions, and incumbent employees holding positions, in the
2 department of workforce development relating primarily to general administration
3 and program support that the secretary of administration determines should be
4 transferred are transferred to the department of children and families. Upon
5 determination of these employees, the secretary of workforce development shall, in
6 conjunction with the secretary of health and family services, by October 1, 2007, and
7 submit a plan to the secretary of administration requesting the transfer of moneys
8 between the general purpose revenue appropriations for the departments of
9 workforce development and health and family services and the department of
10 children and families, between the program revenue appropriations for the
11 departments of workforce development and health and family services and the
12 department of children and families, between the program revenue-service
13 appropriations for the departments of workforce development and health and family
14 services and the department of children and families, between the appropriations of
15 given segregated funds for the departments of workforce development and health
16 and family services and the department of children and families, and between the
17 federal revenue appropriations for the departments of workforce development and
18 health and family services and the department of children and families, if necessary
19 to adjust previously allocated costs in accordance with the transfer of personnel.

20 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
21 same rights and status under subchapter V of chapter 111 and chapter 230 of the
22 statutes in the department of children and families that they enjoyed in the
23 department of workforce development immediately before the transfer.
24 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
25 has attained permanent status in class is required to serve a probationary period.

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GMM

1 (d) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the department of workforce
3 development that is primarily related to the functions of the bureau of Wisconsin
4 Works and child support and the child care section of the bureau of workforce
5 programs, as determined by the secretary of administration, shall be transferred to
6 the department of children and families.

7 (e) *Contracts.* All contracts entered into by the department of workforce
8 development in effect on the effective date of this paragraph that are primarily
9 related to the functions of the bureau of Wisconsin Works and child support and the
10 child care section of the bureau of workforce programs, as determined by the
11 secretary of administration, remain in effect and are transferred to the department
12 of children and families. The department of children and families shall carry out any
13 such contractual obligations unless modified or rescinded by the department of
14 children and families to the extent allowed under the contract.

15 (f) *Rules and orders.* All rules promulgated by the department of workforce
16 development that are primarily related to the functions of the bureau of Wisconsin
17 Works and child support and the child care section of the bureau of workforce
18 programs, as determined by the secretary of administration, and that are in effect
19 on the effective date of this paragraph remain in effect until their specified expiration
20 dates or until amended or repealed by the department of children and families. All
21 orders issued by the department of workforce development that are primarily related
22 to the functions of the bureau of Wisconsin Works and child support and the child
23 care section of the bureau of workforce programs, as determined by the secretary of
24 administration, and that are in effect on the effective date of this paragraph remain

1 in effect until their specified expiration dates or until modified or rescinded by the
2 department of children and families.

3 (g) *Pending matters.* Any matter pending with the department of workforce
4 development on the effective date of this paragraph that is primarily related to the
5 functions of the bureau of Wisconsin Works and child support and the child care
6 section of the bureau of workforce programs, as determined by the secretary of
7 administration, is transferred to the department of children and families and all
8 materials submitted to or actions taken by the department of workforce development
9 with respect to the pending matter are considered as having been submitted to or
10 taken by the department of children and families.

11 ***-1314/2.9154* SECTION 9154. Nonstatutory provisions; Workforce**
12 **Development.**

13 (1) STUDY ON CHILD SUPPORT COLLECTION. The department of workforce
14 development shall study the efficiency of the current method used in Wisconsin for
15 collecting court-ordered child support. The study shall examine the feasibility of
16 using, and the efficiency of, other methods of collection. By December 1, 2008, the
17 department conducting the study shall submit its findings and recommendations to
18 the secretary of administration.

19 ***-0566/1.9155* SECTION 9155. Nonstatutory provisions; other.**

20 ***-1182/P3.9155* SECTION 9155. Nonstatutory provisions; Other.**

21 (1) TRANSFER OF ATTORNEY AND LEGAL STAFF POSITIONS.

22 (a) *Definitions.* In this subsection:

23 1. "Legal staff" means the individuals as determined by the secretary of
24 administration who provide support services for attorneys.

1 2. "State agency" means an office, commission, department, independent
2 agency, or board in the executive branch of state government, except the following:

- 3 a. The public service commission.
- 4 b. The public defender board.
- 5 c. The Board of Regents of the University of Wisconsin System.
- 6 d. The University of Wisconsin Hospitals and Clinics Board.
- 7 e. The state of Wisconsin investment board.

8 f. The office of the governor.

9 g. The elections board.

10 h. The ethics board.

11 i. The department of justice.

12 j. The employment relations commission.

13 (b) *State agency attorneys and legal staff.* Except as provided in paragraph (c)
14 and subject to paragraph (d), on the effective date of this paragraph all attorney
15 positions in state agencies and all legal staff positions in state agencies are
16 transferred to the division of legal services in the department of administration.

17 (c) *Hearing officers, hearing examiners, and administrative law judges.*

18 1. Except as provided in subdivision 2. and subject to paragraph (d), on the
19 effective date of this subdivision all positions identified by the secretary of
20 administration as hearing officers, hearing examiners, or administrative law judges
21 are transferred to the division of hearings and appeals in the department of
22 administration.

23 2. Subdivision 1. does not apply to hearing officers, hearing examiners, or
24 administrative law judges in the department of workforce development.

25 (d) *Exceptions.* Paragraphs (b) and (c) do not apply to any of the following:

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The government accountability board.

1 1. State employees working in an office of a district attorney under section
2 978.12 (1) (b) or (c) of the statutes.

3 2. One lead attorney in the office of state employment relations whose duties
4 include the negotiation and interpretation of collective bargaining agreements
5 entered into under subchapter V of chapter 111. *of the statutes*

6 3. One attorney position in each of the following state agencies, identified by
7 the secretary of administration as the general counsel or lead attorney position:

- 8 a. Department of administration.
- 9 b. Department of agriculture, trade and consumer protection.
- 10 *c* ~~bm.~~ Department of children and families.
- 11 *d* ~~c.~~ Department of commerce.
- 12 *e* ~~d.~~ Department of corrections.
- 13 *f* ~~e.~~ Department of employee trust funds.
- 14 *g* ~~f.~~ Department of financial institutions.
- 15 *h* ~~g.~~ Department of health and family services.
- 16 *i* ~~h.~~ Department of military affairs.
- 17 *j* ~~i.~~ Department of natural resources.
- 18 *k* ~~j.~~ Department of public instruction.
- 19 *l* ~~k.~~ Department of regulation and licensing.
- 20 *m* ~~l.~~ Department of revenue.
- 21 *n* ~~m.~~ Department of transportation.
- 22 *o* ~~n.~~ Department of veterans affairs.
- 23 *p* ~~o.~~ Department of workforce development.
- 24 *q* ~~p.~~ Office of the commissioner of insurance.

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1 (e) *Incumbents.* All incumbent employees holding positions that are
 2 transferred under paragraphs (b), and (c) are transferred on the effective date of this
 3 paragraph to the department of administration. Employees transferred under these
 4 paragraphs have all the rights and the same status under subchapter V of chapter
 5 111 and chapter 230 of the statutes in the department of administration that they
 6 enjoyed in their respective state agencies immediately before the transfer.
 7 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
 8 has attained permanent status in class is required to serve a probationary period.

9 (f) *Materials.* On the effective date of this paragraph, all equipment, supplies,
 10 and furniture required for the provision of legal services by employees transferred
 11 under paragraphs (b) and (c) are transferred to the department of administration.
 12 The secretary of administration shall identify the equipment, supplies, and
 13 furniture to be transferred. *(as affected by this act, GMM)*

14 ***-1220/5.9155* SECTION 9155. Nonstatutory provisions; Other.**

15 (1) CHILD CARE QUALITY RATING SYSTEM. By June 30, 2009, the department of
 16 children and families shall rate the quality of the child care provided by all child care
 17 providers that, on that date, hold a license under section 48.65 of the statutes and
 18 are providing child care that is reimbursed under section 49.155 of the statutes, as
 19 required under section 48.658 of the statutes, as created by this act. *use autoreb from p. 30 SECTION * of GMM*

****NOTE: This is reconciled SECTION 9155 (1). This SECTION has been affected by
 drafts with the following LRB numbers: LRB-1220 and LRB-1261.

20 ***-1261/5.9155* SECTION 9155. Nonstatutory provisions; Other.** *Section of the statute, as affected by this act, and section GMM*

21 (1m) INDIAN CHILD HIGH-COST OUT-OF-HOME CARE PLACEMENT FUNDING.
 22 Notwithstanding sections 16.54 (12) (b) and 48.567 (1) and (2) of the statutes, in fiscal
 23 year 2008-09 the department of children and families may expend not more than
, as created by this act, GMM

GMM Created (not 3 times)

1 \$500,000 in moneys received in fiscal year 2006-07 or 2007-08 and credited to the
 2 appropriation accounts under section 20.437 (3) (mm) or (mp) of the statutes, as
 3 affected by this act, less any moneys expended under section 9121 (1m) of this act for
 4 unexpected or unusually high-cost out-of-home care placements of Indian children
 5 by tribal courts. The department of children and families may expend moneys under
 6 this subsection only if that department determines in light of overall child welfare
 7 needs and after paying federal disallowances under section 20.437 (3) (mm) of the
 8 statutes, as affected by this act, that there are sufficient moneys in the appropriation
 9 accounts under section 20.437 (3) (mm) and (mp) of the statutes, as affected by this
 10 act, to expend for that purpose.

****NOTE: This is reconciled SECTION 9155 (1m). This SECTION has been affected by
 drafts with the following LRB numbers: -1221 and -1261.

***-1272/5.9155* SECTION 9155. Nonstatutory provisions; Other.**

(1) INITIAL TERMS OF BOARD MEMBERS. Notwithstanding the lengths of terms of
 the members of the board of directors of the Healthy Wisconsin Authority specified
 in section 238.05 (1) (intro.) of the statutes, as created by this act, the initial members
 shall be appointed for the following terms:

(a) The 4 members specified under section 238.05 (1) (a) to (d) of the statutes,
 as created by this act, for terms that expire on July 1, 2009.

(b) Four members specified under section 238.05 (1) (e) of the statutes, as
 created by this act, for terms that expire on July 1, 2010.

(c) Five members specified under section 238.05 (1) (e) of the statutes, as
 created by this act, for terms that expire on July 1, 2011.

(2) PROVISIONAL APPOINTMENTS OF BOARD MEMBERS. Notwithstanding the
 requirement for senate confirmation of the appointment of the members of the board

1 of directors of the Healthy Wisconsin Authority under section 238.05 (1) (e) of the
2 statutes, as created by this act, the initial members may be provisionally appointed
3 by the governor, subject to confirmation by the senate. Any such appointment shall
4 be in full force until acted upon by the senate, and when confirmed by the senate shall
5 continue for the remainder of the term, or until a successor is chosen and qualifies.
6 A provisional appointee may exercise all of the powers and duties of the office to
7 which such person is appointed during the time in which the appointee qualifies.
8 Any appointment made under this subsection that is withdrawn or rejected by the
9 senate shall lapse. When a provisional appointment lapses, a vacancy occurs.
10 Whenever a new legislature is organized, any appointments then pending before the
11 senate shall be referred by the president to the appropriate standing committee of
12 the newly organized senate.

13 ***-0566/1.9201* SECTION 9201. Fiscal changes; Administration.**

14 ***-1305/6.9201* SECTION 9201. Fiscal changes; Administration.**

15 (1) LAPSE OR TRANSFER OF ANY UNENCUMBERED MONEYS IN APPROPRIATION ACCOUNTS
16 AND FUNDS.

17 (a) Notwithstanding sections 20.001 (3) (a) to (c) and 25.40 (3) of the statutes,
18 but subject to paragraph (b), the secretary of administration shall lapse to the
19 general fund or transfer to the general fund from the unencumbered balances of state
20 operations appropriations, other than sum sufficient appropriations and
21 appropriations of federal revenues, an amount equal to \$40,000,000 during each
22 fiscal year of the 2007-09 and 2009-11 fiscal biennia.

23 (b) The secretary of administration may not lapse or transfer moneys under
24 paragraph (a) if the lapse or transfer would violate a condition imposed by the federal

1 government on the expenditure of the moneys or if the lapse or transfer would violate
2 the federal or state constitution.

3 ***-0566/1.9202* SECTION 9202. Fiscal changes; Aging and Long-Term**
4 **Care Board.**

5 ***-0566/1.9203* SECTION 9203. Fiscal changes; Agriculture, Trade and**
6 **Consumer Protection.**

7 ***-1713/1.9203* SECTION 9203. Fiscal changes; Agriculture, Trade and**
8 **Consumer Protection.**

stays

9 (1) TRANSFER FROM AGRICULTURAL CHEMICAL CLEANUP FUND FOR FOOD REGULATION.

10 There is transferred from the agricultural chemical cleanup fund to the
11 appropriation account under section 20.115 (1) (gb) of the statutes \$250,000 in fiscal
12 year 2007-08 and \$100,000 in fiscal year 2008-09.

13 (2) TRANSFER FROM AGRICULTURAL CHEMICAL CLEANUP FUND FOR ANIMAL HEALTH
14 REGULATION. There is transferred from the agricultural chemical cleanup fund to the
15 appropriation account under section 20.115 (2) (ha) of the statutes \$125,000 in fiscal
16 year 2007-08 and \$125,000 in fiscal year 2008-09.

17 ***-0566/1.9204* SECTION 9204. Fiscal changes; Arts Board.**

18 ***-0566/1.9205* SECTION 9205. Fiscal changes; Building Commission.**

19 ***-0566/1.9206* SECTION 9206. Fiscal changes; Child Abuse and Neglect**
20 **Prevention Board.**

21 ***-0566/1.9207* SECTION 9207. Fiscal changes; Circuit Courts.**

22 ***-0566/1.9208* SECTION 9208. Fiscal changes; Commerce.**

23 ***-1528/1.9208* SECTION 9208. Fiscal changes; Commerce.**

stays

24 (1) PETROLEUM INSPECTION FUND TRANSFER. There is transferred from the
25 petroleum inspection fund to the general fund \$4,000,000 in fiscal year 2007-08.

- 1 ***-0566/1.9209*** SECTION 9209. Fiscal changes; Corrections.
- 2 ***-0566/1.9210*** SECTION 9210. Fiscal changes; Court of Appeals.
- 3 ***-0566/1.9211*** SECTION 9211. Fiscal changes; District Attorneys.
- 4 ***-0566/1.9212*** SECTION 9212. Fiscal changes; Educational
5 **Communications Board.**
- 6 ***-0566/1.9213*** SECTION 9213. Fiscal changes; Elections Board.
- 7 ***-0566/1.9214*** SECTION 9214. Fiscal changes; Employee Trust Funds.
- 8 ***-0566/1.9215*** SECTION 9215. Fiscal changes; Employment Relations
9 **Commission.**
- 10 ***-0566/1.9216*** SECTION 9216. Fiscal changes; Ethics Board.
- 11 ***-0566/1.9217*** SECTION 9217. Fiscal changes; Financial Institutions.
- 12 ***-0566/1.9218*** SECTION 9218. Fiscal changes; Fox River Navigational
13 **System Authority.**
- 14 ***-0566/1.9219*** SECTION 9219. Fiscal changes; Governor.
- 15 ***-0566/1.9220*** SECTION 9220. Fiscal changes; Health and Educational
16 **Facilities Authority.**
- 17 ***-0566/1.9221*** SECTION 9221. Fiscal changes; Health and Family
18 **Services.**
- 19 ***-0566/1.9222*** SECTION 9222. Fiscal changes; Higher Educational Aids
20 **Board.**
- 21 ***-0566/1.9223*** SECTION 9223. Fiscal changes; Historical Society.
- 22 ***-0566/1.9224*** SECTION 9224. Fiscal changes; Housing and Economic
23 **Development Authority.**
- 24 ***-0388/3.9225*** SECTION 9225. Fiscal changes; Insurance.

(1) REPEAL OF SUPPORT SERVICES APPROPRIATION. The unencumbered balance in the appropriation account under section 20.145 (1) (k), 2005 stats., is transferred to the appropriation account under section 20.145 (1) (g) of the statutes, as affected by this act.

***-0566/1.9225* SECTION 9225. Fiscal changes; Insurance.**

***-0892/11.9225* SECTION 9225. Fiscal changes; Insurance.**

(1) HEALTH CARE QUALITY FUND. Notwithstanding section 655.27 (6) of the statutes, there is transferred from the injured patients and families compensation fund to the health care quality fund \$175,000,000 in fiscal year 2007-08.

***-0566/1.9226* SECTION 9226. Fiscal changes; Investment Board.**

***-0566/1.9227* SECTION 9227. Fiscal changes; Joint Committee on Finance.**

***-0566/1.9228* SECTION 9228. Fiscal changes; Judicial Commission.**

***-0566/1.9229* SECTION 9229. Fiscal changes; Justice.**

***-0566/1.9230* SECTION 9230. Fiscal changes; Legislature.**

***-0566/1.9231* SECTION 9231. Fiscal changes; Lieutenant Governor.**

***-0566/1.9232* SECTION 9232. Fiscal changes; Lower Wisconsin State Riverway Board.**

***-0566/1.9233* SECTION 9233. Fiscal changes; Medical College of Wisconsin.**

***-0566/1.9234* SECTION 9234. Fiscal changes; Military Affairs.**

***-1309/2.9234* SECTION 9234. Fiscal changes; Military Affairs.**

stays →

(1) MAJOR DISASTER ASSISTANCE. In addition to the amounts in the schedule, in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of military affairs under section 20.465 (3) (s) of the statutes, as affected

1 by the acts of 2007, the dollar amount is increased by an amount equal to the
2 unencumbered balance in the appropriation under section 20.465 (3) (s), 2005 stats.,
3 immediately before the lapse of any money remaining in that appropriation on June
4 30, 2007.

5 ***-0348/1.9235* SECTION 9235. Fiscal changes; Natural Resources.**

6 (1) RECREATIONAL BOATING AIDS LAPSE. Notwithstanding section 20.001 (3) (c) of
7 the statutes, on the effective date of this subsection, there is lapsed to the
8 conservation fund \$1,400,000 from the appropriation account to the department of
9 natural resources under section 20.370 (5) (cq) of the statutes.

10 (2) LAKE MANAGEMENT AND INVASIVE SPECIES CONTROL GRANTS LAPSE.
11 Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this
12 subsection, there is lapsed to the conservation fund \$150,000 from the appropriation
13 account to the department of natural resources under section 20.370 (6) (ar) of the
14 statutes.

15 (3) BOATING ACCESS LAPSE. Notwithstanding section 20.001 (3) (c) of the
16 statutes, on the effective date of this subsection, there is lapsed to the conservation
17 fund \$311,700 from the appropriation account to the department of natural
18 resources under section 20.370 (7) (ft) of the statutes.

19 (4) MISSISSIPPI AND ST. CROIX RIVERS MANAGEMENT LAPSE. Notwithstanding
20 section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is
21 lapsed to the conservation fund \$224,200 from the appropriation account to the
22 department of natural resources under section 20.370 (7) (fw) of the statutes.

23 ***-0566/1.9235* SECTION 9235. Fiscal changes; Natural Resources.**

24 ***-1452/1.9235* SECTION 9235. Fiscal changes; Natural Resources.**

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1 (1) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to
2 the general fund \$13,000,000 in fiscal year 2007-08 and \$20,000,000 in fiscal year
3 2008-09.

4 *-0566/1.9236* SECTION 9236. Fiscal changes; Public Defender Board.

5 *-0566/1.9237* SECTION 9237. Fiscal changes; Public Instruction.

6 *-0566/1.9238* SECTION 9238. Fiscal changes; Public Lands, Board of
7 Commissioners of.

8 *-0566/1.9239* SECTION 9239. Fiscal changes; Public Service
9 Commission.

10 *-0566/1.9240* SECTION 9240. Fiscal changes; Regulation and
11 Licensing.

12 *-0566/1.9241* SECTION 9241. Fiscal changes; Revenue.

13 *-1183/5.9241* SECTION 9241. Fiscal changes; Revenue.

stays ->

14 (1) PROPERTY ASSESSMENT MANUAL COSTS. Notwithstanding section 20.001 (3) (a)
15 to (c) of the statutes, the secretary of administration shall, during the 2008-09 fiscal
16 year, lapse to the general fund from the general program revenue appropriations
17 under section 20.566 of the statutes an amount equal to the amount by which the
18 amount credited to the appropriation account under section 20.566 (2) (hi) of the
19 statutes during the 2007-08 fiscal year exceeded the amount appropriated to the
20 department of revenue under section 20.566 (2) (hi) of the statutes in the 2007-08
21 fiscal year.

22 *-0566/1.9242* SECTION 9242. Fiscal changes; Secretary of State.

23 *-0566/1.9243* SECTION 9243. Fiscal changes; State Employment
24 Relations, Office of.

25 *-0566/1.9244* SECTION 9244. Fiscal changes; State Fair Park Board.

1 *-0566/1.9245* SECTION 9245. Fiscal changes; Supreme Court.

2 *-0566/1.9246* SECTION 9246. Fiscal changes; Technical College
3 System.

4 *-0566/1.9247* SECTION 9247. Fiscal changes; Tourism.

5 *-0566/1.9248* SECTION 9248. Fiscal changes; Transportation.

6 *-0566/1.9249* SECTION 9249. Fiscal changes; Treasurer.

7 *-0566/1.9250* SECTION 9250. Fiscal changes; University of Wisconsin
8 Hospitals and Clinics Authority.

9 *-0566/1.9251* SECTION 9251. Fiscal changes; University of Wisconsin
10 Hospitals and Clinics Board.

11 *-0566/1.9252* SECTION 9252. Fiscal changes; University of Wisconsin
12 System.

13 *-0566/1.9253* SECTION 9253. Fiscal changes; Veterans Affairs.

14 *-0550/1.9254* SECTION 9254. Fiscal changes; Workforce Development.

15 (1) UNEMPLOYMENT INSURANCE APPROPRIATION BALANCE TRANSFERS. The
16 unencumbered balances in the appropriation accounts under section 20.445 (1) (ge),
17 (gf), (gg), and (gi) of the statutes are transferred to the appropriation account under
18 section 20.445 (1) (gd) of the statutes, as affected by this act.

19 *-0566/1.9254* SECTION 9254. Fiscal changes; Workforce Development.

20 *-0566/1.9255* SECTION 9255. Fiscal changes; other. ← "other" stays lower case

21 *-0566/1.9301* SECTION 9301. Initial applicability; Administration.

22 *-0566/1.9302* SECTION 9302. Initial applicability; Aging and
23 Long-Term Care Board.

24 *-0323/1.9303* SECTION 9303. Initial applicability; Agriculture, Trade
25 and Consumer Protection.

(1) PLANT INDUSTRY PENALTIES. The renumbering and amendment of section 94.77 of the statutes and the creation of section 94.77 (2) and (3) of the statutes first apply to violations committed on the effective date of this subsection.

***-0566/1.9303* SECTION 9303. Initial applicability; Agriculture, Trade and Consumer Protection.**

***-1465/2.9303* SECTION 9303. Initial applicability; Agriculture, Trade and Consumer Protection.**

(1) FARMLAND PRESERVATION CONVERSION FEES. The treatment of sections 91.17 (1), (2), and (3), 91.19 (2) (intro.), (3), (5), (6t), (7), (7m), and (8) to (13), 91.23, 91.75 (6), 91.77 (2), and 91.79 of the statutes first applies to land that is released or relinquished from a farmland preservation agreement or rezoned from exclusive agricultural zoning on the effective date of this subsection.

***-0566/1.9304* SECTION 9304. Initial applicability; Arts Board.**

***-0566/1.9305* SECTION 9305. Initial applicability; Building Commission.**

***-0566/1.9306* SECTION 9306. Initial applicability; Child Abuse and Neglect Prevention Board.**

***-0111/3.9307* SECTION 9307. Initial applicability; Circuit Courts.**

(1) COURT INTERPRETERS. The treatment of section 885.38 (3) (a) (intro.) and (8) (a) (intro.) of the statutes first applies to actions commenced on the effective date of this subsection.

***-0566/1.9307* SECTION 9307. Initial applicability; Circuit Courts.**

***-0304/3.9308* SECTION 9308. Initial applicability; Commerce.**

(1) WISCONSIN DEVELOPMENT FUND RESTRUCTURING. The treatment of sections 20.143 (1) (c) and (ie), 84.185 (1) (ce) and (cm), 243.01 (4n) (a) 3m. e., 292.11 (7) (d)

1 1m. b., 292.255, 560.045 (1), 560.135 (5) (a) and (b), 560.14 (1) (ar), 560.145, 560.147,
2 560.15 (2) (d), 560.16, 560.17 (1) (am) and (bm), 560.175, 560.26, 560.60 (1m), (1v),
3 (3), (3m), (4), (8), (10), (11), (13), (15), (17), and (18m), 560.605 (1) (intro.), (a), (b), (c),
4 (d), (e), (f), (g), (h), (i), and (p), (2) (intro.), (a), (b), (c), (d), (e), and (f), (2m) (intro.), (c),
5 (d), and (e), (4), (5), (5m), and (6), 560.607 (1), 560.61 (intro.), (1), and (3), 560.62,
6 560.63, 560.65, 560.66, and 560.68 (1m), (2m), (3), (6), and (7) (a) of the statutes, the
7 renumbering and amendment of section 560.68 (5) of the statutes, and the creation
8 of section 560.68 (5) (a) of the statutes first apply to applications for grants and loans
9 received on the effective date of this subsection.

10 ***-0566/1.9308* SECTION 9308. Initial applicability; Commerce.**

11 ***-0293/2.9309* SECTION 9309. Initial applicability; Corrections.**

12 (1) REVOCATION OF CONDITIONAL RELEASE. The treatment of section 971.17 (3) (e)
13 of the statutes first applies to persons who are detained on the effective date of this
14 subsection.

15 ***-0566/1.9309* SECTION 9309. Initial applicability; Corrections.**

16 ***-0566/1.9310* SECTION 9310. Initial applicability; Court of Appeals.**

17 ***-0566/1.9311* SECTION 9311. Initial applicability; District Attorneys.**

18 ***-0566/1.9312* SECTION 9312. Initial applicability; Educational
19 Communications Board.**

20 ***-0566/1.9313* SECTION 9313. Initial applicability; Elections Board.**

21 ***-0566/1.9314* SECTION 9314. Initial applicability; Employee Trust
22 Funds.**

23 ***-1474/2.9314* SECTION 9314. Initial applicability; Employee Trust
24 Funds.**

stays

1 (1) DOMESTIC PARTNER BENEFITS FOR STATE EMPLOYEES AND ANNUITANTS. The
2 treatment of section 40.02 (21c) and (21d) of the statutes, the renumbering and
3 amendment of section 40.02 (20) of the statutes, and the creation of section 40.02 (20)
4 (b) of the statutes first apply to coverage under group insurance plans offered by the
5 group insurance board on January 1, 2009.

6 ***-0438/3.9315* SECTION 9315. Initial applicability; Employment**
7 **Relations Commission.**

8 (1) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (b), (dm),
9 (fm), and (nc) and (4) (cm) 5., 5s., 6. a. and am., 7., 7g., and 7r. (intro.), 8m. a., b., and
10 c., 8p., and 8s., (cn), and (d) 2. a. of the statutes first applies to petitions for arbitration
11 that relate to collective bargaining agreements that cover periods beginning on or
12 after July 1, 2007, and that are filed under section 111.70 (4) (cm) 6. of the statutes,
13 as affected by this act, on the effective date of this subsection.

14 ***-0566/1.9315* SECTION 9315. Initial applicability; Employment**
15 **Relations Commission.**

16 ***-0566/1.9316* SECTION 9316. Initial applicability; Ethics Board.**

17 ***-0566/1.9317* SECTION 9317. Initial applicability; Financial**
18 **Institutions.**

19 ***-0566/1.9318* SECTION 9318. Initial applicability; Fox River**
20 **Navigational System Authority.**

21 ***-0566/1.9319* SECTION 9319. Initial applicability; Governor.**

22 ***-0566/1.9320* SECTION 9320. Initial applicability; Health and**
23 **Educational Facilities Authority.**

24 ***-0243/2.9321* SECTION 9321. Initial applicability; Health and Family**
25 **Services.**

1 (1) SERVICE PROVIDER AUDIT REQUIREMENT. The treatment of sections 46.036 (4)
2 (c) (by SECTION 819) and 301.08 (2) (d) 3. (by SECTION 3092) of the statutes first applies
3 to contracts entered into or renewed on the effective date of this subsection.

****NOTE: This is reconciled SECTION 9321 (1). This subsection has been affected
by drafts with the following LRB numbers: -0243/1 and -1261/2.

4 ***-0244/1.9321* SECTION 9321. Initial applicability; Health and Family**
5 **Services.**

6 (1) NURSING HOME CONTESTED ACTION OR FORFEITURE TIME LIMITS. The treatment
7 of section 50.04 (4) (e) 1. and (5) (e) of the statutes first applies to a violation of
8 subchapter I of chapter 50 of the statutes or of a rule promulgated under subchapter
9 I of chapter 50 of the statutes that is committed on the effective date of this
10 subsection.

11 ***-0261/6.9321* SECTION 9321. Initial applicability; Health and Family**
12 **Services.**

13 (1) OUT-OF-HOME PLACEMENTS OF CHILDREN.

14 (a) *Juvenile court reports.* The treatment of section 48.425 (1) (c) of the statutes
15 first applies to reports filed with the court assigned to exercise jurisdiction under
16 chapters 48 and 938 of the statutes on the effective date of this paragraph.

17 (b) *Orders placing child outside home.* The treatment of sections 48.21 (5) (c),
18 48.235 (4) (b) and (4m) (b), 48.355 (2) (b) 1. and 6g., 48.357 (1) (am) 3. and (c) 3., (2m)
19 (c), and (2v) (a) 1m., 48.38 (2) (intro.), 48.417 (2) (c), 48.43 (1) (am) and (cm), 767.41
20 (3) (a) (with respect to transferring legal custody of a child to the department of
21 health and family services) and (am), 767.451 (7) (with respect to transferring legal
22 custody of a child to the department of health and family services), 938.21 (5) (c),
23 938.235 (4) (b), 938.32 (1) (c) 1. d., 938.355 (2) (b) 1. and 6g., (6) (d) 1., and (6m) (a)

1 1g., 938.357 (1) (am) 3. and (c) 3., (2m) (c), and (2v) (a) 1m., and 938.38 (2) (intro.) of
2 the statutes, the renumbering and amendment of sections 48.21 (5) (b) 1., 48.32 (1)
3 (b) 1., and 938.21 (5) (b) 1. of the statutes and the creation of sections 48.21 (5) (b) 1.
4 d., 48.32 (1) (b) 1. d., and 938.21 (5) (b) 1. d. of the statutes first apply to court orders
5 granted on the effective date of this paragraph.

****NOTE: This is reconciled SECTION 9321 (1) (b). This SECTION has been affected
by drafts with the following LRB numbers: LRB-0261 and LRB-1261.

6 (c) *Voluntary agreements placing child outside home.* The treatment of sections
7 48.63 (1) and 48.75 (1g) (c) 1. of the statutes first applies to voluntary agreements
8 placing a child outside the home entered into on the effective date of this paragraph.

9 ***-0266/3.9321*** SECTION 9321. **Initial applicability; Health and Family**
10 **Services.**

11 (1) MEDICAL ASSISTANCE ASSET TRANSFER CHANGES.

12 (a) *Eligibility changes.* The treatment of section 49.47 (4) (a) (intro.), (bm), and
13 (cr) of the statutes first applies to individuals who apply or are recertified for medical
14 assistance on the effective date of this paragraph.

15 (b) *Divestment changes.* The treatment of section 49.453 (1) (f) (intro.), 1., 2.,
16 and 2m. and (fm), (3) (b) (intro.) and (bc), (4) (a), (ac), (am), (b), (c), (cm), (d), (e), and
17 (em), (4c), and (4m) of the statutes, the renumbering and amendment of section
18 49.453 (3) (a) and (8) of the statutes, the creation of section 49.453 (3) (a) 2. and (8)
19 (b) of the statutes first apply to individuals who apply for or are receiving medical
20 assistance for nursing facility services or other long-term care services on the
21 effective date of this paragraph.

22 (c) *Continuing care contracts.* The treatment of section 647.05 (2m) of the
23 statutes first applies to contracts entered into on the effective date of this paragraph.

1 ***-0566/1.9321*** SECTION 9321. Initial applicability; Health and Family
2 **Services.**

3 ***-0841/5.9321*** SECTION 9321. Initial applicability; Health and Family
4 **Services.**

5 (1) BACKGROUND CHECKS OF FOSTER AND ADOPTIVE HOMES. The treatment of
6 sections 48.685 (1) (bg) and (d), (2) (b) 1. (intro.) and (c), (3) (a) and (b), (4m) (b) (intro.),
7 and (5) (a) and (bm) (intro.), and 48.88 (2) (am) of the statutes first applies to a person
8 who applies for a license to operate a foster home or treatment foster home or for an
9 investigation of a proposed adoptive home on the effective date of this subsection.

10 ***-0904/2.9321*** SECTION 9321. Initial applicability; Health and Family
11 **Services.**

12 (1) APPROVAL OF FINANCIAL ASSISTANCE. The treatment of sections 146.75 (3) (d),
13 146.76, 231.03 (intro.), and 231.035 of the statutes first applies to applications for
14 financial assistance made by a health facility or participating health institution
15 under section 231.03 of the statutes, as affected by this act, on the effective date of
16 this subsection.

17 ***-0994/P2.9321*** SECTION 9321. Initial applicability; Health and Family
18 **Services.**

19 (1) DISPROPORTIONATE SHARE HOSPITALS. The treatment of sections 49.02 (2) (c)
20 and 49.45 (6z) (a) (by SECTION (1527)) of the statutes first applies to indigent care
21 agreements entered into on the effective date of this subsection.

****NOTE: This is reconciled SECTION 9321 (1). This subsection has been affected
by drafts with the following LRB numbers: -0892/9, -0994/P1, and -1521/5.

22 ***-1311/1.9321*** SECTION 9321. Initial applicability; Health and Family
23 **Services.**

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1 (1) SOCIAL SECURITY NUMBER EXEMPTION. The renumbering and amendment of
2 section 49.82 (2) of the statutes and the creation of section 49.82 (2) (b) of the statutes
3 first apply to applications received on the effective date of this subsection.

4 ***-1548/3.9321* SECTION 9321. Initial applicability; Health and Family**
5 **Services.**

6 (1) INSURANCE CLAIM INTERCEPT. If any insurance policy that is in effect on the
7 effective date of this subsection contains a provision that is inconsistent with the
8 treatment of section 49.895 of the statutes, the treatment of section 49.895 of the
9 statutes first applies to that policy on the date on which it is renewed.

10 ***-0191/1.9322* SECTION 9322. Initial applicability; Higher Educational**
11 **Aids Board.**

12 (1) WISCONSIN HIGHER EDUCATION GRANTS. The treatment of section 39.435 (3)
13 of the statutes first applies to Wisconsin higher education grants awarded by the
14 higher educational aids board for the 2007-08 academic year.

15 ***-0192/2.9322* SECTION 9322. Initial applicability; Higher Educational**
16 **Aids Board.**

17 (1) REMISSION OF FEES FOR VETERANS AND DEPENDENTS. The treatment of sections
18 20.235 (1) (fz), 36.27 (3n) (c) and (3p) (c), 38.24 (7) (c) and (8) (c), and 39.50 of the
19 statutes first applies to students who enroll for classes in the 2008-09 academic year.

20 ***-0201/4.9322* SECTION 9322. Initial applicability; Higher Educational**
21 **Aids Board.**

22 (1) WISCONSIN COVENANT SCHOLARS PROGRAM. The treatment of sections 20.235
23 (1) (fm) and 39.437 of the statutes first applies to students who enroll in a public or
24 private, nonprofit, accredited, institution of higher education or in a tribally
25 controlled college in this state in the 2011-12 academic year.