

1 avoids or decreases an obligation to pay or transmit money or property to the Medical
2 Assistance program.

3 (dm) Knowingly makes, uses, or causes to be made or used a false record or
4 statement material to an obligation to pay or transmit money or property to a state
5 agency, or knowingly conceals or knowingly and improperly avoids or decreases an
6 obligation to pay or transmit money or property to a state agency.

7 (dr) Conspires to commit a violation under par. (a), (b), (dg), or (dm).

8 (3) The court may assess against a person who violates sub. (2) not less than
9 2 nor more than 3 times the amount of the damages sustained by the state because
10 of the acts of the person, and shall not assess any forfeiture, if the court finds all of
11 the following:

12 (a) The person who commits the acts furnished the attorney general with all
13 information known to the person about the acts within 30 days after the date on
14 which the person obtained the information.

15 (b) The person fully cooperated with any investigation of the acts by this state.

16 (c) At the time that the person furnished the attorney general with information
17 concerning the acts, no criminal prosecution or civil or administrative enforcement
18 action had been commenced with respect to any such act, and the person did not have
19 actual knowledge of the existence of any investigation into any such act.

20 (5) (a) Except as provided in subs. (10) and (12), any person may bring a civil
21 action as a qui tam plaintiff against a person who commits an act in violation of sub.
22 (2) for the person and the state in the name of the state.

23 (b) The plaintiff shall serve upon the attorney general a copy of the complaint
24 and documents disclosing substantially all material evidence and information that
25 the person possesses. The plaintiff shall file a copy of the complaint with the court

1 for inspection in camera. Except as provided in par. (c), the complaint shall remain
2 under seal for a period of 60 days from the date of filing, and shall not be served upon
3 the defendant until the court so orders. Within 60 days from the date of service upon
4 the attorney general of the complaint, evidence, and information under this
5 paragraph, the attorney general may intervene in the action.

6 (bm) Any complaint filed by the state in intervention, whether filed separately
7 or as an amendment to the qui tam plaintiff's complaint, shall relate back to the filing
8 date of the qui tam plaintiff's complaint, to the extent that the state's claim arises
9 out of the conduct, transactions, or occurrences set forth, or attempted to be set forth,
10 in the qui tam plaintiff's complaint.

11 (c) The attorney general may, for good cause shown, move the court for one or
12 more extensions of the period during which a complaint in an action under this
13 subsection remains under seal.

14 (d) Before the expiration of the period during which the complaint remains
15 under seal, the attorney general shall do one of the following:

16 1. Proceed with the action or an alternate remedy under sub. (10), in which case
17 the action or proceeding under sub. (10) shall be prosecuted by the state.

18 2. Notify the court that he or she declines to proceed with the action, in which
19 case the person bringing the action may proceed with the action.

20 (e) If a person brings a valid action under this subsection, no person other than
21 the state may intervene or bring a related action while the original action is pending
22 based upon the same facts underlying the pending action.

23 (f) In any action or other proceeding under sub. (10) brought under this
24 subsection, the plaintiff is required to prove all essential elements of the cause of
25 action or complaint, including damages, by a preponderance of the evidence.

1 (6) If the state proceeds with an action under sub. (5) or an alternate remedy
2 under sub. (10), the state has primary responsibility for prosecuting the action or
3 proceeding under sub. (10). The state is not bound by any act of the person bringing
4 the action, but that person has the right to continue as a party to the action.

5 (7) (b) With the approval of the governor, the attorney general may compromise
6 and settle an action under sub. (5) or an administrative proceeding under sub. (10)
7 to which the state is a party, notwithstanding objection of the person bringing the
8 action, if the court determines, after affording to the person bringing the action the
9 right to a hearing at which the person is afforded the opportunity to present evidence
10 in opposition to the proposed settlement, that the proposed settlement is fair,
11 adequate, and reasonable considering the relevant circumstances pertaining to the
12 violation.

13 (c) Upon a showing by the state that unrestricted participation in the
14 prosecution of an action under sub. (5) or an alternate proceeding to which the state
15 is a party by the person bringing the action would interfere with or unduly delay the
16 prosecution of the action or proceeding, or would result in consideration of
17 repetitious or irrelevant evidence or evidence presented for purposes of harassment,
18 the court may limit the person's participation in the prosecution, such as:

- 19 1. Limiting the number of witnesses that the person may call.
- 20 2. Limiting the length of the testimony of the witnesses.
- 21 3. Limiting the cross-examination of witnesses by the person.
- 22 4. Otherwise limiting the participation by the person in the prosecution of the
23 action or proceeding.

24 (d) Upon showing by a defendant that unrestricted participation in the
25 prosecution of an action under sub. (5) or alternate proceeding under sub. (10) to

1 which the state is a party by the person bringing the action would result in
2 harassment or would cause the defendant undue burden or unnecessary expense, the
3 court may limit the person's participation in the prosecution.

4 (8) Except as provided in sub. (7), if the state elects not to participate in an
5 action filed under sub. (5), the person bringing the action may prosecute the action.
6 If the attorney general so requests, the attorney general shall, at the state's expense,
7 be served with copies of all pleadings and deposition transcripts in the action. If the
8 person bringing the action initiates prosecution of the action, the court, without
9 limiting the status and rights of that person, may permit the state to intervene at a
10 later date upon showing by the state of good cause for the proposed intervention.

11 (9) Whether or not the state participates in an action under sub. (5), upon
12 showing in camera by the attorney general that discovery by the person bringing the
13 action would interfere with the state's ongoing investigation or prosecution of a
14 criminal or civil matter arising out of the same facts as the facts upon which the
15 action is based, the court may stay such discovery in whole or in part for a period of
16 not more than 60 days. The court may extend the period of any such stay upon
17 further showing in camera by the attorney general that the state has pursued the
18 criminal or civil investigation of the matter with reasonable diligence and the
19 proposed discovery in the action brought under sub. (5) will interfere with the
20 ongoing criminal or civil investigation or prosecution.

21 (10) The attorney general may pursue a claim relating to an alleged violation
22 of sub. (2) through an alternate remedy available to the state or any state agency,
23 including an administrative proceeding to assess a civil forfeiture. If the attorney
24 general elects any such alternate remedy, the attorney general shall serve timely
25 notice of his or her election upon the person bringing the action under sub. (5), and

1 that person has the same rights in the alternate venue as the person would have had
2 if the action had continued under sub. (5). Any finding of fact or conclusion of law
3 made by a court or by a state agency in the alternate venue that has become final is
4 conclusive upon all parties named in an action under sub. (5). For purposes of this
5 subsection, a finding or conclusion is final if it has been finally determined on appeal,
6 if all time for filing an appeal or petition for review with respect to the finding or
7 conclusion has expired, or if the finding or conclusion is not subject to judicial review.

8 (11) (a) Except as provided in pars. (b) and (e), if the state proceeds with an
9 action brought by a person under sub. (5) or the state pursues an alternate remedy
10 relating to the same acts under sub. (10), the person who brings the action shall
11 receive at least 15 percent but not more than 25 percent of the proceeds of the action
12 or settlement of the claim, depending upon the extent to which the person
13 contributed to the prosecution of the action or claim.

14 (b) Except as provided in par. (e), if an action or claim is one in which the court
15 or other adjudicator finds to be based primarily upon disclosures of specific
16 information not provided by the person who brings an action under sub. (5) relating
17 to allegations or transactions specifically in a criminal, civil, or administrative
18 hearing, or in a legislative or administrative report, hearing, audit, or investigation,
19 or report made by the news media, the court or other adjudicator may award such
20 amount as it considers appropriate, but not more than 10 percent of the proceeds of
21 the action or settlement of the claim, depending upon the significance of the
22 information and the role of the person bringing the action in advancing the
23 prosecution of the action or claim.

24 (c) Except as provided in par. (e), in addition to any amount received under par.
25 (a) or (b), a person bringing an action under sub. (5) shall be awarded his or her

1 reasonable expenses necessarily incurred in bringing the action together with the
2 person's costs and reasonable actual attorney fees. The court or other adjudicator
3 shall assess any award under this paragraph against the defendant.

4 (d) Except as provided in par. (e), if the state does not proceed with an action
5 or an alternate proceeding under sub. (10), the person bringing the action shall
6 receive an amount that the court decides is reasonable for collection of the civil
7 penalty and damages. The amount shall be not less than 25 percent and not more
8 than 30 percent of the proceeds of the action and shall be paid from the proceeds. In
9 addition, the person shall be paid his or her expenses, costs, and fees under par. (c).

10 (e) Whether or not the state proceeds with the action or an alternate proceeding
11 under sub. (10), if the court or other adjudicator finds that an action under sub. (5)
12 was brought by a person who planned or initiated the violation upon which the action
13 or proceeding is based, then the court may, to the extent that the court considers
14 appropriate, reduce the share of the proceeds of the action that the person would
15 otherwise receive under par. (a), (b), or (d), taking into account the role of that person
16 in advancing the prosecution of the action or claim and any other relevant
17 circumstance pertaining to the violation, except that if the person bringing the action
18 is convicted of criminal conduct arising from his or her role in a violation of sub. (2),
19 the court or other adjudicator shall dismiss the person as a party and the person shall
20 not receive any share of the proceeds of the action or claim or any expenses, costs, and
21 fees under par. (c).

22 ~~(12) Except if the action is brought by the attorney general or the person~~
23 ~~bringing the action is an original source of the information, the court shall dismiss~~
24 ~~an action or claim under this section, unless opposed by the state, if substantially the~~

1 same allegations or transactions as alleged in the action or claim were publicly
2 disclosed in any of the following ways:

3 (a) In a federal criminal, civil, or administrative hearing in which the state or
4 its agent is a party.

5 (b) In a congressional, government accountability office, or other federal report,
6 hearing, audit, or investigation.

7 (c) From the news media.

8 (13) The state is not liable for any expenses incurred by a private person in
9 bringing an action under sub. (5).

10 (14) Any employee, contractor, or agent who is discharged, demoted,
11 suspended, threatened, harassed, or in any other manner discriminated against in
12 the terms and conditions of employment because of lawful actions taken by the
13 employee, contractor, agent, or by others in furtherance of an action or claim filed
14 under this section or on behalf of the employee, contractor, or agent, including
15 investigation for, initiation of, testimony for, or assistance in an action or claim filed
16 or to be filed under sub. (5) is entitled to all necessary relief to make the employee,
17 contractor, or agent whole. Such relief shall in each case include reinstatement with
18 the same seniority status that the employee, contractor, or agent would have had but
19 for the discrimination, 2 times the amount of back pay, interest on the back pay at
20 the legal rate, and compensation for any special damages sustained as a result of the
21 discrimination, including costs and reasonable attorney fees. An employee,
22 contractor, or agent may bring an action to obtain the relief to which the employee,
23 contractor, or agent is entitled under this subsection within 3 years after the date the
24 retaliation occurred.

1 (15) A civil action may be brought based upon acts occurring prior to the
2 effective date of this subsection [LRB inserts date], if the action is brought within
3 the period specified in s. 893.9815.

4 (16) A judgment of guilty entered against a defendant in a criminal action in
5 which the defendant is charged with fraud or making false statements estops the
6 defendant from denying the essential elements of the offense in any action under sub.
7 (5) that involves the same elements as in the criminal action.

8 (17) The remedies provided for under this section are in addition to any other
9 remedies provided for under any other law or available under the common law.

10 (18) This section shall be liberally construed and applied to promote the public
11 interest and to effect the congressional intent in enacting 31 USC 3729 to 3733, as
12 reflected in the act and the legislative history of the act.

13 **SECTION 318.** 20.940 of the statutes is repealed.

14 **SECTION 319.** 23.09 (2) (d) (intro.) of the statutes is amended to read:

15 23.09 (2) (d) *Lands, acquisition.* (intro.) Acquire by purchase, lease or
16 agreement, and receive by gifts or devise, lands or waters suitable for the purposes
17 enumerated in this paragraph, and maintain such lands and waters for such
18 purposes; and, ~~except for the purpose specified under subd. 12,~~ may condemn lands
19 or waters suitable for such purposes after obtaining approval of the appropriate
20 standing committees of each house of the legislature as determined by the presiding
21 officer thereof:

22 **SECTION 320.** 23.0915 (2c) (d) of the statutes is amended to read:

23 23.0915 (2c) (d) No moneys may be committed for expenditure from the
24 appropriation under s. 20.866 (2) (tz) after June 30, ~~2020~~ 2022.

25 **SECTION 321.** 23.0917 (3) (a) of the statutes is amended to read:

1 23.0917 (3) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
2 ~~2019-20~~ 2021-22, the department may obligate moneys under the subprogram for
3 land acquisition to acquire land for the purposes specified in s. 23.09 (2) (d) and
4 grants for these purposes under s. 23.096, except as provided under ss. 23.197 (2m),
5 (3m) (b), (7m), and (8) and 23.198 (1) (a).

6 **SECTION 322.** 23.0917 (3) (bm) of the statutes is amended to read:

7 23.0917 (3) (bm) During the period beginning with fiscal year 2001-02 and
8 ending with fiscal year ~~2019-20~~ 2021-22, in obligating money under the subprogram
9 for land acquisition, the department shall set aside not less than a total of \$ 2,000,000
10 that may be obligated only to provide matching funds for grants awarded to the
11 department for the purchase of land or easements under 16 USC 2103c.

12 **SECTION 323.** 23.0917 (3) (br) 2. of the statutes is amended to read:

13 23.0917 (3) (br) 2. For each fiscal year beginning with 2015-16 and ending with
14 ~~2019-20~~ 2021-22, \$7,000,000.

15 **SECTION 324.** 23.0917 (3) (bt) 2. of the statutes is amended to read:

16 23.0917 (3) (bt) 2. For each fiscal year beginning with 2015-16 and ending with
17 fiscal year ~~2019-20~~ 2021-22, \$9,000,000.

18 **SECTION 325.** 23.0917 (3) (bw) of the statutes is amended to read:

19 23.0917 (3) (bw) In obligating moneys under the subprogram for land
20 acquisition, the department shall set aside \$5,000,000 for each fiscal year beginning
21 with 2015-16 and ending with ~~2019-20~~ 2021-22 to be obligated only to provide
22 grants to counties under s. 23.0953.

23 **SECTION 326.** 23.0917 (3) (dm) 7. of the statutes is amended to read:

24 23.0917 (3) (dm) 7. For each fiscal year beginning with 2015-16 and ending
25 with fiscal year ~~2019-20~~ 2021-22, \$21,000,000.

1 **SECTION 327.** 23.0917 (4) (a) of the statutes is amended to read:

2 23.0917 (4) (a) Beginning with fiscal year 2000-01 and ending with fiscal year
3 ~~2019-20~~ 2021-22, the department may obligate moneys under the subprogram for
4 property development and local assistance. Moneys obligated under this
5 subprogram may be only used for nature-based outdoor recreation, except as
6 provided under par. (cm).

7 **SECTION 328.** 23.0917 (4) (d) 1m. e. of the statutes is amended to read:

8 23.0917 (4) (d) 1m. e. For each fiscal year beginning with 2015-16 and ending
9 with fiscal year ~~2019-20~~ 2021-22, \$9,750,000.

10 **SECTION 329.** 23.0917 (4) (d) 2r. of the statutes is amended to read:

11 23.0917 (4) (d) 2r. Beginning with fiscal year 2013-14 and ending with fiscal
12 year ~~2019-20~~ 2021-22, the department shall obligate \$6,000,000 in each fiscal year
13 for local assistance.

14 **SECTION 330.** 23.0917 (4) (d) 3. a. and b. of the statutes are amended to read:

15 23.0917 (4) (d) 3. a. Beginning with fiscal year 2013-14 and ending with fiscal
16 year 2014-15, \$7,000,000 in each fiscal year.

17 b. Beginning with fiscal year 2015-16 and ending with fiscal year ~~2019-20~~
18 2021-22, \$3,750,000 in each fiscal year.

19 **SECTION 331.** 23.0917 (4j) (b) of the statutes is amended to read:

20 23.0917 (4j) (b) For fiscal year 2007-08, the department may not obligate more
21 than \$1,500,000 for cost-sharing with local governmental units for recreational
22 boating projects under s. 30.92. For each fiscal year beginning with fiscal year
23 2008-09 and ending with fiscal year ~~2019-20~~ 2021-22, the department may not
24 obligate more than \$2,500,000 for cost-sharing with local governmental units for
25 recreational boating projects under s. 30.92.

1 **SECTION 332.** 23.0917 (5g) (a) of the statutes is amended to read:

2 23.0917 **(5g)** (a) Except as provided in pars. (b), (c), (d), and (e), if for a given
3 fiscal year, the department obligates an amount from the moneys appropriated
4 under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4) that is less than the
5 annual bonding authority under that subprogram for that given fiscal year, the
6 department may not obligate the unobligated amount in subsequent fiscal years.
7 This subsection applies beginning with fiscal year 2011-12 and ending with fiscal
8 year ~~2019-20~~ 2021-22.

9 **SECTION 333.** 23.0917 (12) of the statutes is amended to read:

10 23.0917 **(12)** EXPENDITURES AFTER ~~2020~~ 2022. No moneys may be obligated from
11 the appropriation under s. 20.866 (2) (ta) after June 30, ~~2020~~ 2022.

12 **SECTION 334.** 23.0953 (2) (a) (intro.) of the statutes is amended to read:

13 23.0953 **(2)** (a) (intro.) Beginning with fiscal year 2010-11 and ending with
14 fiscal year ~~2019-20~~ 2021-22, the department shall establish a grant program under
15 which the department may award a grant to a county for any of the following:

16 **SECTION 335.** 23.096 (2m) (intro.) of the statutes is amended to read:

17 23.096 **(2m)** (intro.) Notwithstanding sub. (2) (b), in each fiscal year beginning
18 with fiscal year 2010-11 and ending with fiscal year ~~2019-20~~ 2021-22, the
19 department may award grants under this section that equal up to 75 percent of the
20 acquisition costs of the property if the natural resources board determines that all
21 of the following apply:

22 ~~**SECTION 336.** 25.17 (1) (ge) of the statutes is repealed.~~

23 **SECTION 337.** 25.17 (1) (xp) of the statutes is repealed.

24 **SECTION 338.** 25.36 (1) of the statutes is amended to read:

1 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
2 by law shall constitute the veterans trust fund which shall be used for the lending
3 of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the
4 veterans programs under ss. 20.485 (2) (m), (tm), (u), and (z), and (5) (mn), (v), (vo),
5 and (zm), 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1m), 45.41, 45.42, 45.43, and 45.82
6 and administered by the department of veterans affairs, including all moneys
7 received from the federal government for the benefit of veterans or their dependents,
8 and for the veteran grant jobs pilot program under s. 38.31 administered by the
9 technical college system board; all moneys paid as interest on and repayment of loans
10 under the post-war rehabilitation fund; soldiers rehabilitation fund; veterans
11 housing funds as they existed prior to July 1, 1961; all moneys paid as interest on
12 and repayment of loans under this fund; all moneys paid as expenses for, interest on,
13 and repayment of veterans trust fund stabilization loans under s. 45.356, 1995 stats.;
14 all moneys paid as expenses for, interest on, and repayment of veterans personal
15 loans; the net proceeds from the sale of mortgaged properties related to veterans
16 personal loans; all mortgages issued with the proceeds of the 1981 veterans home
17 loan revenue bond issuance purchased with moneys in the veterans trust fund; all
18 moneys received from the state investment board under s. 45.42 (8) (b); all moneys
19 received from the veterans mortgage loan repayment fund under s. 45.37 (7) (a) and
20 (e); and all gifts of money received by the board of veterans affairs for the purposes
21 of this fund.

22 **SECTION 339.** 25.43 (3) of the statutes is amended to read:

23 25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d),
24 the environmental improvement fund may be used only for the purposes authorized
25 under ss. 20.320 (1) (r), (s), (sm), (t), and (x) and (2) (r), (s), and (x), 20.370 (4) (mt),

1 (mx) and (nz), (8) (mr) and (9) (mt), (mx) and (ny), 20.505 (1) (v), (x) and (y), 281.58,
2 281.59, 281.60, 281.61, 281.62, and 283.31.

3 **SECTION 340.** 25.47 (4m) of the statutes is amended to read:

4 25.47 (4m) The payments under s. ~~292.64~~ 168.225 (3).

5 **SECTION 341.** 25.79 of the statutes is repealed.

6 **SECTION 342.** 27.01 (2) (a) of the statutes is amended to read:

7 27.01 (2) (a) Acquire by purchase, lease or agreement lands or waters suitable
8 for state park purposes and may acquire such lands and waters by condemnation
9 after obtaining approval of the senate and assembly committees on natural
10 resources. ~~The power of condemnation may not be used for the purpose of~~
11 ~~establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01~~
12 ~~(5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~
13 ~~346.02 (8) (a).~~

14 **SECTION 343.** 27.019 (10) of the statutes is amended to read:

15 27.019 (10) ACQUISITION OF LAND. Any county in which there does not exist a
16 county park commission acting through its rural planning committee may acquire
17 by gift, grant, devise, donation, purchase, condemnation or otherwise, with the
18 consent of the county board, a sufficient tract or tracts of land for the reservation for
19 public use of river fronts, lake shores, picnic groves, outlook points from hilltops,
20 places of special historic interest, memorial grounds, parks, playgrounds, sites for
21 public buildings, and reservations in and about and along and leading to any or all
22 of the same, and to develop and maintain the same for public use. ~~The power of~~
23 ~~condemnation may not be used for the purpose of establishing or extending a~~
24 ~~recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined~~
25 ~~in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

1 **SECTION 344.** 27.05 (3) of the statutes is amended to read:

2 27.05 (3) Acquire, in the name of the county, by purchase, land contract, lease,
3 condemnation, or otherwise, with the approval and consent of the county board, such
4 tracts of land or public ways as it deems suitable for park purposes; including lands
5 in any other county not more than three-fourths of a mile from the county line; but
6 no land so acquired shall be disposed of by the county without the consent of said
7 commission, and all moneys received for any such lands, or any materials, so
8 disposed of, shall be paid into the county park fund hereinafter established. The
9 ~~power of condemnation may not be used for the purpose of establishing or extending~~
10 ~~a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as~~
11 ~~defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

12 **SECTION 345.** 27.065 (1) (a) of the statutes is amended to read:

13 27.065 (1) (a) The county board of any county which shall have adopted a
14 county system of parks or a county system of streets and parkways, pursuant to s.
15 27.04, may acquire the lands necessary for carrying out all or part of such plan by
16 gift, purchase, condemnation or otherwise; provided, however, that no lands shall be
17 acquired by condemnation unless and until the common council of the city or the
18 board of trustees of the village or the board of supervisors of the town wherein such
19 land is situated shall consent thereto. ~~The power of condemnation may not be used~~
20 ~~for the purpose of establishing or extending a recreational trail; a bicycle way, as~~
21 ~~defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian~~
22 ~~way, as defined in s. 346.02 (8) (a).~~ The cost of acquiring such lands by purchase or
23 condemnation may be paid in whole or in part by the county or by the property to be
24 benefited thereby, as the county board shall direct but in no case shall the amount
25 assessed to any parcel of real estate exceed the benefits accruing thereto; provided,

1 that no assessment for paying the cost of acquiring lands may be levied or collected
2 against the property to be benefited until the governing body of the city, village or
3 town where such lands are located has by resolution determined that the public
4 welfare will be promoted thereby. Title to all lands acquired hereunder shall be an
5 estate in fee simple.

6 **SECTION 346.** 27.08 (2) (b) of the statutes is amended to read:

7 27.08 (2) (b) To acquire in the name of the city for park, parkway, boulevard or
8 pleasure drive purposes by gift, devise, bequest or condemnation, either absolutely
9 or in trust, money, real or personal property, or any incorporeal right or privilege;
10 ~~except that no lands may be acquired by condemnation for the purpose of~~
11 ~~establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01~~
12 ~~(5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~
13 ~~346.02 (8) (a).~~ Gifts to any city of money or other property, real or personal, either
14 absolutely or in trust, for park, parkway, boulevard or pleasure drive purposes shall
15 be accepted only after they shall have been recommended by the board to the common
16 council and approved by said council by resolution. Subject to the approval of the
17 common council the board may execute every trust imposed upon the use of property
18 or property rights by the deed, testament or other conveyance transferring the title
19 of such property to the city for park, parkway, boulevard or pleasure drive purposes.

20 **SECTION 347.** 27.08 (2) (c) of the statutes is amended to read:

21 27.08 (2) (c) Subject to the approval of the common council to buy or lease lands
22 in the name of the city for park, parkway, boulevard or pleasure drive purposes
23 ~~within or without the city and, with the approval of the common council, to sell or~~
24 ~~exchange property no longer required for its purposes.~~ Every city is authorized, upon
25 recommendation of its officers, board or body having the control and management

1 of its public parks, to acquire by condemnation in the name of the city such lands
2 within or without its corporate boundaries as it may need for public parks, parkways,
3 boulevards and pleasure drives. ~~The power of condemnation may not be used for the~~
4 ~~purpose of establishing or extending a recreational trail; a bicycle way, as defined in~~
5 ~~s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as~~
6 ~~defined in s. 346.02 (8) (a).~~

7 **SECTION 348.** 29.024 (11) of the statutes is created to read:

8 29.024 (11) AUTOMATIC REISSUANCE OF APPROVALS. The department may develop
9 a system under which, when a person purchases an approval, the person may opt to
10 automatically purchase the same approval for subsequent years. The department
11 may contract with a 3rd party to store customer information in order to carry out this
12 system.

13 **SECTION 349.** 32.015 of the statutes is repealed.

14 **SECTION 350.** 32.51 (1) (intro.) of the statutes is amended to read:

15 32.51 (1) PURPOSES. (intro.) In addition to the powers granted under subch. I
16 ~~and subject to the limitations under s. 32.015,~~ any city may condemn or otherwise
17 acquire property under this subchapter for:

18 **SECTION 351.** 35.93 (2) (b) 3. im. of the statutes is repealed.

19 **SECTION 352.** 36.11 (3) (a) of the statutes is amended to read:

20 36.11 (3) (a) ~~The Subject to s. 36.25 (56),~~ the board shall establish the policies
21 for admission within the system and within these policies each institution shall
22 establish specific requirements for admission to its courses of instruction. No
23 sectarian or partisan tests or any tests based upon race, religion, national origin of
24 U.S. citizens or sex shall ever be allowed in the admission of students thereto.

25 **SECTION 353.** 36.11 (3) (b) of the statutes is amended to read:

1 36.11 (3) (b) Subject to s. 36.31 (2m), the board shall establish policies for the
2 appropriate transfer of credits between institutions within the system, including
3 postsecondary credits earned by a high school pupil enrolled in a course at an
4 institution within the system under the program under s. ~~118.55~~ 36.25 (56). If the
5 board determines that postsecondary credits earned by a high school pupil under the
6 program under s. ~~118.55~~ 36.25 (56) are not transferable under this paragraph, the
7 board shall permit the individual to take an examination to determine the
8 individual's competency in the subject area of the course and, if the individual
9 receives a passing score on the examination, shall award equivalent credits to the
10 individual.

11 **SECTION 354.** 36.11 (3) (c) of the statutes is amended to read:

12 36.11 (3) (c) Subject to s. 36.31 (2m), the board may establish policies for the
13 appropriate transfer of credits with other educational institutions outside the
14 system, including postsecondary credits earned by a high school pupil enrolled in a
15 course at an educational institution outside the system through the program under
16 s. ~~118.55~~ 36.25 (56). If the board determines that postsecondary credits earned by
17 a high school pupil under the program under s. ~~118.55~~ 36.25 (56) are not transferable
18 under this paragraph, the board shall permit the individual to take an examination
19 to determine the individual's competency in the subject area of the course and, if the
20 individual receives a passing score on the examination, shall award equivalent
21 credits to the individual.

22 **SECTION 355.** 36.112 (1) of the statutes is renumbered 36.112 (1) (intro.) and
23 amended to read:

24 36.112 (1) ~~DEFINITION DEFINITIONS.~~ (intro.) In this section;

1 (a) Notwithstanding s. 36.05 (9), "institution" includes the extension. means
2 any of the following:

3 **SECTION 356.** 36.112 (1) (a) 1., 2. and 3. and (b) of the statutes are created to
4 read:

5 36.112 (1) (a) 1. Any university, including any branch campus associated with
6 the university as a result of the system restructuring.

7 2. Any operational unit of the University of Wisconsin-Madison assigned
8 former functions of the University of Wisconsin-Extension as a result of the system
9 restructuring.

10 3. Any operational unit of system administration assigned former functions of
11 the University of Wisconsin-Extension as a result of the system restructuring.

12 (b) "System restructuring" means the system's restructuring plan approved by
13 the Higher Learning Commission on or about June 28, 2018.

14 **SECTION 357.** 36.112 (2) (b) of the statutes is amended to read:

15 36.112 (2) (b) For each goal specified in par. (a), the Board of Regents shall
16 identify at least 4 metrics to measure an institution's progress toward meeting the
17 goal. As the Board of Regents determines is appropriate, the board may specify
18 different metrics for ~~the extension~~ an institution described in sub. (1) (a) 2. or 3.

19 **SECTION 358.** 36.112 (7) (c) of the statutes is amended to read:

20 36.112 (7) (c) Approve a peer group for each institution that includes
21 institutions of higher education with comparable missions and service populations.
22 This paragraph does not apply to an institution described in sub. (1) (a) 2. or 3.

23 **SECTION 359.** 36.115 (9) of the statutes is created to read:

1 36.115 (9) From the appropriation account under s. 20.285 (1) (a), the Board
2 of Regents shall allocate \$1,500,000 in fiscal year 2019-20 and \$2,000,000 in each
3 fiscal year thereafter for extension county-based agriculture positions.

4 **SECTION 360.** 36.25 (56) of the statutes is created to read:

5 36.25 (56) DUAL ENROLLMENT PROGRAM. (a) In this subsection, “transcripted
6 credit” means that the institution in which a high school student is enrolled under
7 this subsection awards postsecondary credit for successful course completion and
8 issues a transcript from the institution documenting successful completion of the
9 course and the credits awarded for the course, if such a transcript is requested.

10 (b) The board shall establish policies and implement a program under which
11 students attending high school in this state are admitted to the system as nondegree
12 students and may enroll in courses of instruction offered for transcripted credit at
13 any institution if all of the following apply:

- 14 1. The student meets the requirements and prerequisites of the course.
- 15 2. There is space available in the course.

16 (c) In establishing the policies and implementing the program under par. (b),
17 the board shall consult with the department of public instruction and coordinate
18 with the school districts and the governing bodies of private schools where the high
19 school students are enrolled.

20 (d) 1. A public school student who intends to enroll in an institution under this
21 subsection shall notify the school board of the school district in which he or she is
22 enrolled and a student attending a private school who intends to enroll in an
23 institution under this subsection shall notify the governing body of the private school
24 he or she attends of that intention no later than March 1 if the student intends to
25 enroll in the fall semester, and no later than October 1 if the student intends to enroll

1 in the spring semester. The notice shall include the titles of the courses in which the
2 student intends to enroll and the number of credits of each course, and shall specify
3 whether the student will be taking the courses for high school credit as well as
4 postsecondary credit.

5 2. If the public school student specifies in the notice under subd. 1. that he or
6 she intends to take a course at an institution for high school credit, the school board
7 shall determine whether the course satisfies any of the high school graduation
8 requirements under s. 118.33 and the number of high school credits to award the
9 student for the course, if any. If the student attending a private school specifies in
10 the notice under subd. 1. that he or she intends to take a course at an institution for
11 high school credit, the governing body of the participating private school shall
12 determine whether the course satisfies any requirements necessary for high school
13 graduation and the number of high school credits to award the student for the course,
14 if any. In cooperation with the system, the state superintendent shall develop
15 guidelines to assist school districts and participating private schools in making the
16 determinations. The school board or governing body shall notify the student of its
17 determinations, in writing, before the beginning of the semester in which the student
18 will be enrolled. If the public school student disagrees with the school board's
19 decision regarding satisfaction of high school graduation requirements or the
20 number of high school credits to be awarded, the student may appeal the school
21 board's decision to the state superintendent within 30 days after the decision. The
22 state superintendent's decision shall be final and is not subject to review under
23 subch. III of ch. 227. If the student attending a participating private school disagrees
24 with any decision of a governing body under this subdivision, the student may appeal
25 the decision to the governing body within 30 days after the decision.

1 (e) The board may not charge any tuition, academic fees, or segregated fees to
2 any high school student, or to the school district or private school in which the
3 student is enrolled, in connection with the student's participation in the program
4 under par. (b) or the student's enrollment in any course under this program.

5 (f) The board shall implement the program under this subsection no later than
6 30 days after the effective date of this paragraph [LRB inserts date]. If at the time
7 the board implements the program under this subsection the institution in which a
8 student is or will be enrolled has already received payment of any tuition, academic
9 fees, or segregated fees as provided in s. 118.55 (5) or (6), 2017 stats., for the first
10 semester commencing after the effective date of this paragraph [LRB inserts
11 date], the board shall refund all such tuition and fees received.

12 **SECTION 361.** 36.25 (57) of the statutes is created to read:

13 **36.25 (57) UNIVERSITY OF WISCONSIN-STEVENS POINT PAPER SCIENCE PROGRAM.**
14 The Board of Regents shall ensure that at least 1.0 full-time equivalent position,
15 funded from the appropriation under s. 20.285 (1) (qm), is created in the paper
16 science program at the University of Wisconsin-Stevens Point.

17 **SECTION 362.** 36.25 (58) of the statutes is created to read:

18 **36.25 (58) ADDITIONAL FUNDING FOR UW COLLEGES.** From the appropriation
19 under s. 20.285 (1) (a), the board shall allocate at least \$2,500,000 in each fiscal year
20 to the University of Wisconsin Colleges for student support services. The amount
21 allocated under this subsection is in addition to any other amount that is allocated
22 to the University of Wisconsin Colleges under s. 36.09 (1) (h) or 36.112 or as part of
23 any other formula or method for the board's distribution of funds to the system's
24 various institutions. The allocation of funding under this subsection shall be a bona

1 fide increase of funding to the University of Wisconsin Colleges above the level that
2 would otherwise be provided in the absence of this subsection.

3 **SECTION 363.** 36.27 (1) (a) of the statutes is amended to read:

4 36.27 (1) (a) Subject to par. (b) and s. 36.25 (56) (e), the board may establish for
5 different classes of students differing tuition and fees incidental to enrollment in
6 educational programs or use of facilities in the system. Except as otherwise provided
7 in this section, the board may charge any student who is not exempted by this section
8 a nonresident tuition. ~~The~~ Subject to s. 36.25 (56) (e), the board may establish special
9 rates of tuition and fees for the extension and summer sessions and such other
10 studies or courses of instruction as the board deems advisable.

11 **SECTION 364.** 36.27 (2) (cr) of the statutes is created to read:

12 36.27 (2) (cr) A person who is a citizen of a country other than the United States
13 is entitled to the exemption under par. (a) if that person meets all of the following
14 requirements:

15 1. The person graduated from a high school in this state or received a
16 declaration of equivalency of high school graduation from this state.

17 2. The person was continuously present in this state for at least 3 years
18 following the first day of attending a high school in this state or immediately
19 preceding receipt of a declaration of equivalency of high school graduation.

20 3. The person enrolls in an institution and provides that institution with proof
21 that the person has filed or will file an application for a permanent resident visa with
22 U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

23 **SECTION 365.** 36.57 of the statutes is created to read:

24 **36.57 Environmental education grants.** (1) In this section:

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

3 (b) "Lake sanitary district" has the meaning given in s. 30.50 (4q).

4 (c) "Public agency" means a county, city, village, town, public inland lake
5 protection and rehabilitation district, lake sanitary district, or school district or an
6 agency of this state or of a county, city, village, town, public inland lake protection
7 and rehabilitation district, lake sanitary district, or school district.

8 (2) (a) Subject to pars. (b) and (c) and sub. (3) (b), from the appropriation under
9 s. 20.285 (1) (rs), the University of Wisconsin-Stevens Point shall award grants to
10 corporations and public agencies for the development, dissemination, and
11 presentation of environmental education programs. Programs shall be funded on an
12 18-month basis.

13 (b) No grant may be awarded under this section unless the grant recipient
14 matches at least 25 percent of the amount of the grant. Private funds and in-kind
15 contributions may be applied to meet the matching requirement. Grants under this
16 section may not be used to replace funding available from other sources.

17 (c) No more than one-third of the total amount awarded in grants under this
18 section in any fiscal year may be awarded to state agencies.

19 (3) (a) The University of Wisconsin-Stevens Point shall consult with all of the
20 following to assist in identifying needs and establishing priorities for environmental
21 education, including needs for teacher training, curriculum development and the
22 development and dissemination of curriculum materials:

23 1. The state superintendent of public instruction.

24 2. Other system institutions with expertise in the field of environmental
25 education.

1 3. Conservation and environmental groups, including youth organizations and
2 nature and environmental centers.

3 (b) In consultation with the chancellor and faculty of the University of
4 Wisconsin-Stevens Point, the board shall promulgate rules establishing the criteria
5 and procedures for the awarding of grants under sub. (2). The University of
6 Wisconsin-Stevens Point shall use the priorities established under par. (a) for
7 awarding grants if the amount in the appropriation account under s. 20.285 (1) (rs)
8 in any fiscal year is insufficient to fund all applications for grants under this section.

9 (4) In addition to making grants under this section funded from the
10 appropriation account under s. 20.285 (1) (rs), the University of Wisconsin-Stevens
11 Point shall seek private funds for the purpose of making grants under this section
12 from the appropriation under s. 20.285 (1) (ge).

13 **SECTION 366.** 36.60 (2) (a) 2. of the statutes is amended to read:

14 36.60 (2) (a) 2. The board may repay, on behalf of a physician or dentist who
15 agrees under sub. (3) to practice in a rural area, up to \$100,000 in educational loans
16 obtained by the physician or dentist from a public or private lending institution for
17 education in an accredited school of medicine or dentistry or for postgraduate
18 medical or dental training.

19 **SECTION 367.** 36.60 (4m) (intro.) of the statutes is amended to read:

20 36.60 (4m) LOAN REPAYMENT; RURAL PHYSICIANS AND DENTISTS. (intro.) If a
21 physician or dentist agrees under sub. (3) to practice in a rural area, principal and
22 interest due on the loan, exclusive of any penalties, may be repaid by the board at
23 the following rate:

24 **SECTION 368.** 36.61 (1) (ak) of the statutes is created to read:

1 36.61 (1) (ak) "Dental therapist" means an individual licensed under s. 447.04
2 (1m).

3 **SECTION 369.** 36.61 (1) (b) of the statutes is amended to read:

4 36.61 (1) (b) "Health care provider" means a dental therapist, dental hygienist,
5 physician assistant, nurse-midwife, or nurse practitioner.

6 **SECTION 370.** 36.61 (3) (a) of the statutes is amended to read:

7 36.61 (3) (a) The board shall enter into a written agreement with the health
8 care provider. In the agreement, the health care provider shall agree to practice at
9 least 32 clinic hours per week for 3 years in one or more eligible practice areas in this
10 state or in a rural area, except that a health care provider in the expanded loan
11 assistance program under sub. (8) who is not a dental therapist or dental hygienist
12 may only agree to practice at a public or private nonprofit entity in a health
13 professional shortage area.

14 **SECTION 371.** 36.61 (5) (b) 1. of the statutes is amended to read:

15 36.61 (5) (b) 1. The degree to which there is an extremely high need for medical
16 care in the eligible practice area, health professional shortage area, or rural area in
17 which an eligible applicant who is not a dental therapist or dental hygienist desires
18 to practice and the degree to which there is an extremely high need for dental care
19 in the dental health shortage area or rural area in which an eligible applicant who
20 is a dental therapist or dental hygienist desires to practice.

21 **SECTION 372.** 36.61 (8) (c) 3. of the statutes is amended to read:

22 36.61 (8) (c) 3. Practice at a public or private nonprofit entity in a health
23 professional shortage area, if the health care provider is not a dental therapist or
24 dental hygienist, or in a dental health shortage area, if the health care provider is
25 a dental therapist or dental hygienist.

1 **SECTION 373.** 36.615 of the statutes is created to read:

2 **36.615 Nurse educators.** (1) Subject to sub. (2), the Board of Regents shall
3 establish a program for providing all of the following:

4 (a) Fellowships to students who enroll in programs for degrees in doctor of
5 nursing practice or doctor of philosophy in nursing.

6 (b) Postdoctoral fellowships to recruit faculty for system nursing programs.

7 (c) Educational loan repayment assistance to recruit and retain faculty for
8 system nursing programs.

9 (2) The program established under sub. (1) shall require individuals who
10 receive fellowships under sub. (1) (a) or (b) or assistance under sub. (1) (c) to make
11 a commitment to teach for 3 consecutive years in a system nursing program.

12 (3) Costs associated with the program established under sub. (1) shall be
13 funded from the appropriation under s. 20.285 (1) (f).

14 **SECTION 374.** 38.001 (3) (e) of the statutes is amended to read:

15 38.001 (3) (e) Provide education and services which address barriers created
16 by stereotyping and discriminating and assist individuals with disabilities,
17 minorities, women, and the ~~handicapped or~~ disadvantaged to participate in the work
18 force and the full range of technical college programs and activities.

19 **SECTION 375.** 38.04 (11) (a) 2. of the statutes is amended to read:

20 38.04 (11) (a) 2. In consultation with the state superintendent of public
21 instruction, the board shall establish, by rule, a uniform format for district boards
22 to use in reporting the number of pupils attending district schools under ~~ss. 38.12~~
23 ~~(14) and s.~~ 118.15 (1) (b), (c), and (d) and in reporting pupil participation in
24 technical preparation programs under s. 118.34, including the number of courses

1 taken for advanced standing in the district's associate degree program and for
2 technical college credit.

3 **SECTION 376.** 38.04 (21) (a) of the statutes is amended to read:

4 38.04 (21) (a) The number of pupils who attended district schools under ss.
5 ~~38.12 (14) and s.~~ 118.15 (1) (b), (c), and (d) in the previous school year.

6 **SECTION 377.** 38.04 (21) (c) of the statutes is repealed.

7 **SECTION 378.** 38.12 (14) of the statutes is repealed.

8 **SECTION 379.** 38.12 (15) of the statutes is created to read:

9 38.12 (15) DUAL ENROLLMENT PROGRAM. (a) In this subsection, "transcripted
10 credit" means that the technical college in which a high school student is enrolled
11 under this subsection awards postsecondary credit for successful course completion
12 and issues a transcript from the technical college documenting successful completion
13 of the course and the credits awarded for the course, if such a transcript is requested.

14 (b) Each district board shall establish policies and implement a program under
15 which students attending high school in this state and residing in the district are
16 admitted to the technical colleges of the district as nondegree students and may
17 enroll in courses of instruction offered for transcripted credit at any such technical
18 college if all of the following apply:

- 19 1. The student meets the requirements and prerequisites of the course.
- 20 2. There is space available in the course.

21 (c) In establishing the policies and implementing the program under par. (b),
22 the district board shall consult with the department of public instruction and
23 coordinate with the school districts and the governing bodies of private schools where
24 the high school students are enrolled.

1 (d) 1. A public school student who intends to enroll in a technical college under
2 this subsection shall notify the school board of the school district in which he or she
3 is enrolled and a student attending a private school who intends to enroll in a
4 technical college under this subsection shall notify the governing body of the private
5 school he or she attends of that intention no later than March 1 if the student intends
6 to enroll in the fall semester, and no later than October 1 if the student intends to
7 enroll in the spring semester. The notice shall include the titles of the courses in
8 which the student intends to enroll and the number of credits of each course, and
9 shall specify whether the student will be taking the courses for high school credit as
10 well as postsecondary credit.

11 2. If the public school student specifies in the notice under subd. 1. that he or
12 she intends to take a course at a technical college for high school credit, the school
13 board shall determine whether the course satisfies any of the high school graduation
14 requirements under s. 118.33 and the number of high school credits to award the
15 student for the course, if any. If the student attending a private school specifies in
16 the notice under subd. 1. that he or she intends to take a course at a technical college
17 for high school credit, the governing body of the participating private school shall
18 determine whether the course satisfies any requirements necessary for high school
19 graduation and the number of high school credits to award the student for the course,
20 if any. In cooperation with the board and district boards, the state superintendent
21 shall develop guidelines to assist school districts and participating private schools
22 in making the determinations. The school board or governing body shall notify the
23 student of its determinations, in writing, before the beginning of the semester in
24 which the student will be enrolled. If the public school student disagrees with the
25 school board's decision regarding satisfaction of high school graduation

1 requirements or the number of high school credits to be awarded, the student may
2 appeal the school board's decision to the state superintendent within 30 days after
3 the decision. The state superintendent's decision shall be final and is not subject to
4 review under subch. III of ch. 227. If the student attending a participating private
5 school disagrees with any decision of a governing body under this subdivision, the
6 student may appeal the decision to the governing body within 30 days after the
7 decision.

8 (e) Notwithstanding s. 38.24 (1m), the district board may not charge any fees
9 to any high school student, or to the school district or private school in which the
10 student is enrolled, in connection with the student's participation in the program
11 under par. (b) or the student's enrollment in any course under this program.

12 (f) The district board shall implement the program under this subsection no
13 later than 30 days after the effective date of this paragraph [LRB inserts date].
14 If at the time the district board implements the program under this subsection the
15 district board of the technical college in which a student is or will be enrolled has
16 already received payment of fees as provided in s. 38.12 (14) (d), 2017 stats., for the
17 first semester commencing after the effective date of this paragraph [LRB inserts
18 date], the district board shall refund all such fees received.

19 **SECTION 380.** 38.16 (3) (be) of the statutes is amended to read:

20 38.16 (3) (be) Notwithstanding sub. (1), no district board may increase its
21 revenue in the 2014-15 school year or in any school year thereafter by a percentage
22 that exceeds 2 percent, or the district's valuation factor, whichever is greater, except
23 as provided in pars. (bg) and (br).

24 **SECTION 381.** 38.22 (1) (intro.) of the statutes is amended to read:

1 38.22 (1) (intro.) Except as provided in subs. (1m) and (1s) and s. 38.12 ~~(14)~~ (15),
2 every person who is at least the age specified in s. 118.15 (1) (b) is eligible to attend
3 a technical college if the person is:

4 **SECTION 382.** 38.22 (6) (e) of the statutes is created to read:

5 38.22 (6) (e) Any person who is a citizen of a country other than the United
6 States if that person meets all of the following requirements:

7 1. The person graduated from a high school in this state or received a
8 declaration of equivalency of high school graduation from this state.

9 2. The person was continuously present in this state for at least 3 years
10 following the first day of attending a high school in this state or immediately
11 preceding receipt of a declaration of equivalency of high school graduation.

12 3. The person enrolls in a district school and provides the district board with
13 proof that the person has filed or will file an application for a permanent resident visa
14 with U.S. Citizenship and Immigration Services as soon as the person is eligible to
15 do so.

16 **SECTION 383.** 38.27 (1) (a) of the statutes is amended to read:

17 38.27 (1) (a) The creation or expansion of adult high school, adult basic
18 education and English as a 2nd language courses. The board shall give priority to
19 courses serving students with disabilities or minority, unemployed, or
20 disadvantaged ~~or handicapped~~ students.

21 **SECTION 384.** 38.28 (1m) (a) 1. of the statutes is amended to read:

22 38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a
23 technical college district, including debt service charges for district bonds and
24 promissory notes for building programs or capital equipment, but excluding all
25 expenditures relating to auxiliary enterprises and community service programs, all

1 expenditures funded by or reimbursed with federal revenues, all receipts under ss.
2 38.12 (9) ~~and (14)~~, 38.14 (3) and (9), and 118.15 (2) (a), all receipts from grants
3 awarded under ss. 38.04 (8), (28), and (31), 38.14 (11), 38.26, 38.27, 38.31, 38.33,
4 38.38, and 38.42, all fees collected under s. 38.24, and driver education and chauffeur
5 training aids.

6 **SECTION 385.** 38.38 of the statutes is amended to read:

7 **38.38 Services for handicapped students with disabilities.** Annually the
8 board may award a grant to each district board, from the appropriation under s.
9 20.292 (1) (f), to assist in funding transitional services for ~~handicapped~~ students with
10 disabilities. Each district board shall contribute matching funds equal to 25 percent
11 of the amount awarded.

12 **SECTION 386.** 39.11 (16) of the statutes is created to read:

13 **39.11 (16)** When appropriate and related to the programs of the state
14 educational radio and television network, procure or publish instructional material.
15 A reasonable handling charge may be established to cover the costs of providing this
16 material.

17 **SECTION 387.** 39.285 (1) (b) of the statutes is amended to read:

18 39.285 (1) (b) If the board determines during a fiscal year that any formula
19 approved under par. (a) during the prior fiscal year needs to be modified during the
20 fiscal year in order to expend the entire amount appropriated for grants to students
21 under s. 39.30 or 39.435, except s. 39.435 (2) or (5), in that fiscal year, the board shall
22 submit may implement the modified formula ~~to the joint committee on finance. If~~
23 ~~the cochairpersons of the committee do not notify the board that the committee has~~
24 ~~scheduled a meeting for the purpose of reviewing the modified formula within 14~~
25 ~~working days after the date of the submittal, the modified formula may be~~

1 ~~implemented as proposed by the board. If, within 14 working days after the date of~~
2 ~~the submittal, the cochairpersons of the committee notify the board that the~~
3 ~~committee has scheduled a meeting for the purpose of reviewing the modified~~
4 ~~formula, the modified formula may be implemented only upon approval of the~~
5 ~~committee.~~

6 SECTION 388. 39.36 (title) of the statutes is amended to read:

7 **39.36 (title) Repayment of stipends for teachers of the handicapped**
8 **impaired.**

9 SECTION 389. 39.40 (5) of the statutes is amended to read:

10 39.40 (5) The board may not make loans under sub. (2) after the effective date
11 of this subsection ... [LRB inserts date]. The board shall administer the repayment
12 and forgiveness of loans made under sub. (2) on or before the effective date of this
13 subsection ... [LRB inserts date] and under s. 36.25 (16), 1993 stats. The board shall
14 treat such loans made under s. 36.25 (16), 1993 stats., as if they had been made under
15 sub. (2).

16 SECTION 390. 39.435 (2) of the statutes is renumbered 39.435 (2) (a) and
17 amended to read:

18 39.435 (2) (a) The board shall award talent incentive grants to uniquely needy
19 students enrolled at least half-time as first-time freshmen at public and private
20 nonprofit institutions of higher education located in this state and to sophomores,
21 juniors, and seniors who received such grants as freshmen. No grant under this
22 subsection paragraph may exceed \$1,800 for any academic year. The board may
23 award a grant under this subsection paragraph to the same student for up to 10
24 semesters or their equivalent, but may not award such a grant to the same student
25 more than 6 years after the initial grant is awarded to that student. A student need

1 not maintain continuous enrollment at an institution of higher education to remain
2 eligible for a grant under this ~~subsection~~ paragraph. The board shall promulgate
3 rules establishing eligibility criteria for grants under this ~~subsection~~ paragraph.

4 **SECTION 391.** 39.435 (2) (b) of the statutes is created to read:

5 39.435 (2) (b) Before the end of a fiscal biennium, the board may make
6 supplemental talent incentive grants to students to whom the board has awarded
7 talent incentive grants under par. (a) in that fiscal biennium, but only if the board
8 determines that, after the board makes all of the grants under par. (a) in that fiscal
9 biennium, moneys are available in the appropriation account under s. 20.235 (1) (fd)
10 for grants under this paragraph.

11 **SECTION 392.** 39.435 (5) of the statutes is amended to read:

12 39.435 (5) The board shall ensure that grants under this section are made
13 available to students attending private or public institutions in this state who are
14 deaf or hard of hearing or visually ~~handicapped~~ impaired and who demonstrate need.
15 Grants may also be made available to such ~~handicapped~~ students attending private
16 or public institutions in other states under criteria established by the board. In
17 determining the financial need of these students special consideration shall be given
18 to their unique and unusual costs.

19 **SECTION 393.** 40.01 (2) of the statutes is amended to read:

20 40.01 (2) PURPOSE. The public employee trust fund is a public trust and shall
21 be managed, administered, invested and otherwise dealt with solely for the purpose
22 of ensuring the fulfillment at the lowest possible cost of the benefit commitments to
23 participants, as set forth in this chapter, and shall not be used for any other purpose.
24 Revenues collected for and balances in the accounts of a specific benefit plan shall
25 be used only for the purposes of that benefit plan, including amounts allocated under

SECTION 393

1 s. ~~20.515 (1) (um) or (ut) or~~ 40.04 (2), and shall not be used for the purposes of any
2 other benefit plan. Each member of the employee trust funds board shall be a trustee
3 of the fund and the fund shall be administered by the department of employee trust
4 funds. All statutes relating to the fund shall be construed liberally in furtherance
5 of the purposes set forth in this section.

6 **SECTION 394.** 40.03 (1) (cm) of the statutes is created to read:

7 40.03 (1) (cm) Shall appoint an internal auditor. The internal auditor shall
8 report directly to the board.

9 **SECTION 395.** 40.03 (1) (i) of the statutes is amended to read:

10 40.03 (1) (i) May determine that some or all of the disability annuities and
11 death benefits provided from the Wisconsin retirement system shall instead be
12 provided through group insurance plans ~~to be established by the group insurance~~
13 ~~board~~ either as separate plans or as integral parts of the group life and income
14 continuation insurance plans established under this chapter.

15 **SECTION 396.** 40.03 (1) (p) of the statutes is amended to read:

16 40.03 (1) (p) May, upon the recommendation of the actuary, transfer in whole
17 or in part the assets and reserves held in any account described in s. 40.04 (9) to a
18 different account described in s. 40.04 (9), for the purpose of providing any group
19 insurance benefit ~~offered by the group insurance board.~~

20 **SECTION 397.** 40.03 (1) (q) of the statutes is created to read:

21 40.03 (1) (q) For the purpose of the group income continuation insurance plan
22 established under ss. 40.61 and 40.62 and the group long-term disability insurance
23 plan established under s. 40.64:

1 1. May, on behalf of the state, enter into a contract or contracts with one or more
2 insurers authorized to transact insurance business in this state for the purpose of
3 providing the plans.

4 2. May, wholly or partially in lieu of subd. 1., on behalf of the state, provide the
5 plans on a self-insured basis.

6 3. May take any action as trustees that is considered advisable and not
7 specifically prohibited or delegated to some other governmental agency to carry out
8 the purpose and intent of the plans.

9 4. May apportion all excess moneys becoming available to the board through
10 operation of the plans to reduce premium payments in following contract years or to
11 establish reserves to stabilize costs in subsequent years. If the board determines
12 that the excess became available due to favorable experience of specific groups of
13 employers or specific employee groups, the board may make the apportionment in
14 a manner designated to benefit the specific employers or employee groups only, or to
15 a greater extent than other employers and employee groups.

16 5. Shall take prompt action to liquidate any actuarial or cash deficit that occurs
17 in the accounts and reserves maintained in the fund for the plans.

18 6. Shall accept timely appeals of determinations made by the department
19 affecting any right or benefit under the plans.

20 **SECTION 398.** 40.03 (2) (i) of the statutes is amended to read:

21 40.03 (2) (i) Shall Except as provided under pars. (ig) and (ir), shall promulgate,
22 ~~with the approval of the board, all rules, except rules promulgated under par. (ig) or~~
23 ~~(ir), that are required for the efficient administration of the fund or of any of the~~
24 ~~benefit plans established by this chapter. In addition to being approved by the board,~~
25 and shall promulgate rules as necessary for a long-term disability insurance plan

1 established under s. 40.64. All rules promulgated under this paragraph are subject
2 to board approval under sub. (1) (m). Except rules promulgated under s. 40.30 (6),
3 the rules promulgated under this paragraph relating to teachers must be approved
4 are subject to approval by the teachers retirement board and under sub. (7) (d).
5 Except rules promulgated under s. 40.30 (6), the rules promulgated under this
6 paragraph relating to participants other than teachers must be approved are subject
7 to approval by the Wisconsin retirement board, except rules promulgated under s.
8 40.30 under sub. (8) (d).

9 **SECTION 399.** 40.03 (2) (ig) of the statutes is amended to read:

10 40.03 (2) (ig) Shall promulgate, with the approval of the group insurance board,
11 all rules required for the administration of the group health, long-term care, income
12 continuation or life insurance plans established under subchs. IV to and VI and
13 health savings accounts under subch. IV.

14 **SECTION 400.** 40.03 (2) (x) of the statutes is repealed.

15 **SECTION 401.** 40.03 (6) (intro.) of the statutes is amended to read:

16 40.03 (6) GROUP INSURANCE BOARD. (intro.) The With respect to the group
17 insurance plans provided for by this chapter other than the group income
18 continuation insurance plan established under ss. 40.61 and 40.62 and the group
19 long-term disability insurance plan established under s. 40.64, the group insurance
20 board:

21 **SECTION 402.** 40.03 (6) (a) 1. of the statutes is amended to read:

22 40.03 (6) (a) 1. Except as provided in par. (m), shall, on behalf of the state, enter
23 into a contract or contracts with one or more insurers authorized to transact
24 insurance business in this state for the purpose of providing the group insurance
25 plans provided for by this chapter; or,

1 **SECTION 403.** 40.03 (6) (d) (intro.) of the statutes is amended to read:

2 40.03 (6) (d) (intro.) May take any action as trustees ~~which~~ that is deemed
3 considered advisable and not specifically prohibited or delegated to some other
4 governmental agency, to carry out the purpose and intent of the group insurance
5 plans ~~provided under this chapter~~, including, but not limited to, provisions in the
6 appropriate contracts relating to:

7 **SECTION 404.** 40.03 (6) (i) of the statutes is amended to read:

8 40.03 (6) (i) Shall accept timely appeals of determinations made by the
9 department affecting any right or benefit under any the group insurance plan
10 provided for under this chapter plans that are overseen by the group insurance
11 board.

12 **SECTION 405.** 40.03 (6) (n) of the statutes is created to read:

13 40.03 (6) (n) Notwithstanding par. (L), may contract with any entity to provide
14 health and wellness services to any individual who is covered under a group health
15 insurance plan under subch. IV at health clinics that are established within state
16 facilities.

17 **SECTION 406.** 40.04 (2) (a) of the statutes is amended to read:

18 40.04 (2) (a) An administrative account shall be maintained within the fund
19 from which administrative costs of the department shall be paid, except charges for
20 services performed by the investment board, ~~costs of medical and vocational~~
21 ~~evaluations used in determinations of eligibility for benefits under ss. 40.61, 40.63~~
22 ~~and 40.65 and costs of contracting for insurance data collection and analysis services~~
23 ~~under s. 40.03 (6) (j).~~

24 **SECTION 407.** 40.04 (2) (e) of the statutes is repealed.

25 **SECTION 408.** 40.22 (1) of the statutes is amended to read:

SECTION 408

1 40.22 (1) Except as provided in sub. (2) and s. 40.26 (6), each employee
2 currently in the service of, and receiving earnings from, a state agency or other
3 participating employer shall be included within the provisions of the Wisconsin
4 retirement system as a participating employee of that state agency or participating
5 employer.

6 **SECTION 409.** 40.22 (2m) (intro.) of the statutes is amended to read:

7 40.22 (2m) (intro.) ~~An~~ Except as otherwise provided in s. 40.26 (6), an employee
8 who was a participating employee before July 1, 2011, who is not expected to work
9 at least one-third of what is considered full-time employment by the department,
10 as determined by rule, and who is not otherwise excluded under sub. (2) from
11 becoming a participating employee shall become a participating employee if he or she
12 is subsequently employed by the state agency or other participating employer for
13 either of the following periods:

14 **SECTION 410.** 40.22 (2r) (intro.) of the statutes is amended to read:

15 40.22 (2r) (intro.) ~~An~~ Except as otherwise provided in s. 40.26 (6), an employee
16 who was not a participating employee before July 1, 2011, who is not expected to work
17 at least two-thirds of what is considered full-time employment by the department,
18 as determined by rule, and who is not otherwise excluded under sub. (2) from
19 becoming a participating employee shall become a participating employee if he or she
20 is subsequently employed by the state agency or other participating employer for
21 either of the following periods:

22 **SECTION 411.** 40.22 (3) (intro.) of the statutes is amended to read:

23 40.22 (3) (intro.) ~~A~~ Except as otherwise provided in s. 40.26 (6), a person who
24 qualifies as a participating employee shall be included within, and shall be subject
25 to, the Wisconsin retirement system effective on one of the following dates:

1 **SECTION 412.** 40.23 (1) (bm) of the statutes is amended to read:

2 40.23 (1) (bm) If an application by a participant age 55 or over, or by a protective
3 occupation participant age 50 or over, for long-term disability insurance benefits
4 under s. 40.64 is disapproved under rules promulgated by the department, the date
5 which that would have been the effective date for the insurance benefits ~~shall be~~ is
6 the retirement annuity effective date if requested by the applicant within 60 days of
7 the disapproval or, if the disapproval is appealed, within 60 days of the final
8 disposition of the appeal.

9 **SECTION 413.** 40.26 (6) (intro.), (a) and (b) of the statutes are created to read:

10 40.26 (6) (intro.) Subsections (1) to (5) do not apply to a participant who applies
11 for an annuity or lump sum payment during the period in which at least 30 days have
12 elapsed between the participant's termination of employment as a teacher with a
13 school district that is a participating employer, and becoming a teacher as an
14 employee or contractor providing employee services as a teacher with any school
15 district that is a participating employer if all of the following conditions are met:

16 (a) At the time the participant terminates his or her employment as a teacher
17 with a school district, the participant does not have an agreement with any school
18 district that is a participating employer to return to employment as a teacher or enter
19 into a contract to provide employee services as a teacher for the school district.

20 (b) The participant elects on a form provided by the department to not become
21 a participating employee.

22 **SECTION 414.** 40.51 (8) of the statutes is amended to read:

23 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
24 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.728, 632.746
25 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853,

1 632.855, 632.867, 632.87 (3) to (6), 632.885, 632.89, 632.895 (5m) and (8) to (17), and
2 632.896.

3 **SECTION 415.** 40.51 (8m) of the statutes is amended to read:

4 40.51 (8m) Every health care coverage plan offered by the group insurance
5 board under sub. (7) shall comply with ss. 631.95, 632.728, 632.746 (1) to (8) and (10),
6 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.867,
7 632.885, 632.89, and 632.895 ~~(11)~~ (8) and (10) to (17).

8 **SECTION 416.** 40.513 (3) (a) of the statutes is amended to read:

9 40.513 (3) (a) The employee was eligible for an employer contribution under
10 s. 40.05 (4) (ag) during the 2015 calendar year and elected not to receive health care
11 coverage in that calendar year or in any succeeding calendar year.

12 **SECTION 417.** 40.61 (3) of the statutes is amended to read:

13 40.61 (3) ~~Any~~ An employer under s. 40.02 (28), other than the state, may offer
14 to all of its employees ~~an a~~ a group income continuation insurance plan through a
15 program offered by the ~~group insurance~~ board. Notwithstanding sub. (2) and ss.
16 40.05 (5) and 40.62, the department may by rule establish different eligibility
17 standards or contribution requirements for ~~such~~ those employees and employers and
18 may by rule limit the categories of employers ~~which~~ that may be included as
19 participating employers under this subchapter.

20 **SECTION 418.** 40.62 (1) of the statutes is amended to read:

21 40.62 (1) The ~~group insurance~~ board shall establish ~~an a~~ a group income
22 continuation insurance plan providing for full or partial payment of the financial loss
23 of earnings incurred as a result of injury or illness with separate provisions for
24 short-term insurance with a benefit duration of no more than one year and
25 long-term insurance covering injury or illness of indefinite duration. ~~Employees~~ An

1 employee insured under the plan ~~shall be~~ is eligible for benefits upon exhaustion of
2 accumulated sick leave and completion of the elimination period established by the
3 ~~group insurance~~ board.

4 **SECTION 419.** 40.64 of the statutes is created to read:

5 **40.64 Long-term disability insurance coverage.** The board may establish
6 a group long-term disability insurance plan.

7 **SECTION 420.** 40.65 (2) (a) of the statutes is amended to read:

8 40.65 (2) (a) This paragraph applies to participants who first apply for benefits
9 before May 3, 1988. Any person desiring a benefit under this section must apply to
10 the department of workforce development, which department shall determine
11 whether the applicant is eligible to receive the benefit and the participant's monthly
12 salary. Appeals from the eligibility decision shall follow the procedures under ss.
13 102.16 to 102.26. If it is determined that an applicant is eligible, the department of
14 workforce development shall notify the department of employee trust funds and
15 shall certify the applicant's monthly salary. If at the time of application for benefits
16 an applicant is still employed in any capacity by the employer in whose employ the
17 disabling injury occurred or disease was contracted, that continued employment
18 shall not affect that applicant's right to have his or her eligibility to receive those
19 benefits determined in proceedings before the ~~division of hearings and appeals in the~~
20 ~~department of administration~~ department of workforce development or the labor and
21 industry review commission or in proceedings in the courts. The department of
22 workforce development may promulgate rules needed to administer this paragraph.

23 **SECTION 421.** 40.65 (2) (b) 3. of the statutes is amended to read:

24 40.65 (2) (b) 3. The department shall determine whether or not the applicant
25 is eligible for benefits under this section on the basis of the evidence in subd. 2. An

1 applicant may appeal a determination under this subdivision to the division of
2 ~~hearings and appeals in the department of administration~~ department of workforce
3 development.

4 **SECTION 422.** 40.65 (2) (b) 4. of the statutes is amended to read:

5 40.65 (2) (b) 4. In hearing an appeal under subd. 3., the ~~division of hearings and~~
6 ~~appeals in the department of administration~~ department of workforce development
7 shall follow the procedures under ss. 102.16 to 102.26.

8 **SECTION 423.** 41.51 of the statutes is renumbered 41.51 (intro.) and amended
9 to read:

10 **41.51 Definitions.** (intro.) In this subchapter, ~~unless the context requires~~
11 ~~otherwise, "board":~~

12 (1) "Board" means the arts board.

13 **SECTION 424.** 41.51 (2) of the statutes is created to read:

14 41.51 (2) "State building" means a permanent structure normally occupied by
15 state employees that is wholly or partially enclosed and that is used for performing
16 or facilitating the performance of the functions of a state agency as defined in s.
17 20.001 (1).

18 **SECTION 425.** 41.51 (3) of the statutes is created to read:

19 41.51 (3) "Work of art" means an original creation of visual art or a reproduction
20 of an original creation of visual art if the reproduction is controlled by the artist of
21 the original work as part of a limited edition.

22 **SECTION 426.** 41.58 of the statutes is created to read:

23 **41.58 Art in state buildings.** (1) **APPLICABILITY.** This section does not apply
24 to any of the following:

1 (a) A contract for the construction, reconstruction, remodeling of, or addition
2 to a state building if the total construction cost of the project is \$250,000 or less.

3 (b) A state building or space within a state building that is not open to the
4 general public in its normal use.

5 (c) Game farms, fish hatcheries, nurseries, and other production facilities
6 operated by the department of natural resources.

7 **(2) MINIMUM EXPENDITURE REQUIRED.** (a) Except as provided in par. (b), at least
8 two-tenths of 1 percent of the appropriation for the construction, reconstruction,
9 remodeling of, or addition to a state building shall be expended to acquire one or more
10 works of art to be incorporated into the state building or to be displayed in or on the
11 grounds of the state building, and to fund all administrative costs that the board
12 incurs in acquiring the works of art.

13 (b) If a state building to which this section applies is located contiguous to other
14 state buildings, the board, after reviewing the recommendations of the advisory
15 committee appointed under sub. (3), may apply the funds set aside under par. (a) to
16 the acquisition, including all associated administrative costs, of one or more works
17 of art to be incorporated into one or more of the contiguous buildings or to be
18 displayed in or on the grounds of one or more of the contiguous buildings.

19 **(3) ADVISORY COMMITTEE.** (a) For a building project requiring an expenditure
20 under sub. (2) and after selection of the architect for the project, the board shall
21 appoint an advisory committee for the purpose of reviewing and recommending one
22 or more works of art to be incorporated into the state building or displayed in or on
23 the grounds of the state building.

24 (b) The advisory committee shall consist of at least 5 members appointed by the
25 board, including all of the following:

1 1. One member who is a member of the board.

2 2. At least 2 members who are artists, art educators, art administrators,
3 museum directors or curators, art critics, or art collectors.

4 3. At least 2 members who are project managers, architects, users of the
5 building, or members of the building commission.

6 (4) CONTRACTS WITH ARTISTS. (a) After reviewing the recommendations of the
7 advisory committee appointed under sub. (3) with respect to a particular building
8 project, the board shall select one or more works of art recommended by the advisory
9 committee to be incorporated into the project. The board shall ensure that the
10 aggregate of all works of art selected under this subsection represents a wide variety
11 of art forms executed by the broadest feasible diversity of artists, except that the
12 board shall give preference to the works of art of artists who are residents of this
13 state.

14 (b) 1. The board shall contract for the procurement of each work of art selected
15 for a building project under this section. Except as provided in subds. 2. and 3., each
16 contract shall provide for sole ownership of the work of art to the state.

17 2. If a work of art selected for a building project under this section is an existing
18 work of art and is no longer subject to the control of the artist originating the work
19 of art, the contract shall assign sole ownership to the state, subject to any existing
20 obligations of the owner to the originating artist.

21 3. If a work of art selected for a building project under this section is owned by
22 the artist originating the work of art or if the work of art has not been executed on
23 the date of the contract, the contract shall assign sole ownership to the state, subject
24 to the following rights that shall be retained by the artist except as otherwise
25 provided in the contract executed under par. (b) 1.:

- 1 a. The right to claim authorship of the work of art.
- 2 b. The right to reproduce the work of art, including all rights secured to the
- 3 artist under federal copyright laws.

4 **(5) BOARD RESPONSIBILITIES.** After acquisition of a work of art under sub. (4),

5 the board shall do all of the following:

- 6 (a) Ensure proper execution of the work of art if it is a new original work of art.
- 7 (b) Ensure that the work of art is properly installed within the public view.
- 8 (c) Cooperate with the building commission and consult with the artist or the
- 9 artist's representative to ensure that the work of art is properly maintained and is
- 10 not artistically altered without the consent of the artist or the artist's representative.
- 11 (d) Ensure that the work of art is maintained and displayed in or on the grounds
- 12 of the state building for at least 25 years, unless, after consultation with the state
- 13 agency making principal use of the building to which the work of art is appurtenant,
- 14 the board finds that earlier removal is in the public interest. When a work of art
- 15 acquired under this section is removed from a state building, the board shall loan the
- 16 work of art to an accredited museum in the state or to an educational or other
- 17 appropriate public institution capable of maintaining and exhibiting the work of art.

18 **SECTION 427.** 45.03 (15) of the statutes is amended to read:

19 **45.03 (15) DEFERRAL OF PAYMENTS AND INTEREST ON LOANS.** When a veteran or

20 a member of the veteran's family makes application for deferment of payment of

21 monthly installments and waiver of interest charges on veterans loans made under

22 this chapter, showing that the ability of the veteran to make payment is materially

23 and adversely affected by reason of military service, the department may, with the

24 approval of the board, defer payment of monthly installments and waive interest

25 charges on veterans loans made under this chapter for the duration of any period of

1 service in the armed forces of the United States during a national emergency or in
2 time of war or under P.L. 87-117 and 6 months from date of discharge or separation
3 and the time for payment may be extended for the same period. ~~However, when funds~~
4 ~~estimated to be received in the veterans mortgage loan repayment fund to pay debt~~
5 ~~service on public debt contracted under s. 20.866 (2) (zn) and (zo) are less than the~~
6 ~~funds estimated to be required for the payment of the debt service, the board may~~
7 ~~grant deferral of payments and interest on loans provided under s. 45.37 only when~~
8 ~~so required by federal law.~~

9 **SECTION 428.** 45.03 (16) (c) 2. (intro.) of the statutes is amended to read:

10 45.03 (16) (c) 2. (intro.) The department shall declare immediately due and
11 payable any loan made after July 29, 1979, under a program administered by the
12 department under s. 45.40 ~~or subch. III~~, if it finds that the loan was granted to an
13 ineligible person due to any of the following circumstances:

14 **SECTION 429.** 45.03 (16) (c) 3. (intro.) of the statutes is amended to read:

15 45.03 (16) (c) 3. (intro.) Loan application forms processed by the department
16 for programs administered under s. 45.40 ~~or subch. III~~ shall do all of the following:

17 **SECTION 430.** 45.03 (16) (c) 4. of the statutes is amended to read:

18 45.03 (16) (c) 4. The department shall incorporate the payment acceleration
19 requirements of subd. 2. in all loan documents for programs administered by the
20 department under s. 45.40 ~~or subch. III~~.

21 **SECTION 431.** Subchapter III of chapter 45 [precedes 45.30] of the statutes is
22 repealed.

23 **SECTION 432.** 45.42 (4) of the statutes is amended to read:

24 45.42 (4) The department may execute necessary instruments, collect interest
25 and principal, compromise indebtedness, sue and be sued, post bonds, and write off

1 indebtedness that it considers uncollectible. If a loan under this section is secured
2 by a real estate mortgage, the department may exercise the rights of owners and
3 mortgagees generally and the rights and powers set forth in s. 45.32, 2017 stats. The
4 department shall pay all interest and principal repaid on the loan into the veterans
5 trust fund.

6 **SECTION 433.** 45.42 (8) (a) of the statutes is repealed.

7 **SECTION 434.** 45.42 (8) (b) of the statutes is renumbered 45.42 (8).

8 **SECTION 435.** 45.48 of the statutes is created to read:

9 **45.48 Veterans outreach and recovery program.** (1) To be funded from
10 the appropriation under s. 20.485 (2) (qs), the department shall administer a
11 program to provide outreach, mental health services, and support to individuals who
12 reside in this state, who may have a mental health condition or substance use
13 disorder, and who meet one of the following conditions:

14 (a) Are serving in the national guard of any state or a reserve component of the
15 U.S. armed forces.

16 (b) Served on active duty in the U.S. armed forces, forces incorporated as part
17 of the U.S. armed forces, a reserve component of the U.S. armed forces, or the
18 national guard of any state and were discharged under conditions other than
19 dishonorable.

20 (2) The eligibility requirements under s. 45.02 do not apply to an individual
21 receiving services under sub. (1).

22 (3) The department may provide payments to facilitate the provision of services
23 under sub. (1).

24 **SECTION 436.** 45.57 of the statutes is amended to read:

1 **45.57 Veterans homes; transfer of funding.** The department may transfer
2 all or part of the unencumbered balance of any of the appropriations under s. 20.485
3 (1) (g), (gd), (gk), or (i) to the veterans trust fund ~~or to the veterans mortgage loan~~
4 ~~repayment fund.~~ The department shall notify the joint committee on finance in
5 writing of any balance transferred under this section.

6 **SECTION 437.** 46.057 (1) of the statutes is amended to read:

7 **46.057 (1)** The department shall establish, maintain, and operate the Mendota
8 juvenile treatment center on the grounds of the Mendota Mental Health Institute.
9 The department may designate staff at the Mendota Mental Health Institute as
10 responsible for administering, and providing services at, the center.
11 Notwithstanding ss. 301.02, 301.03, and 301.36 (1), the department shall operate the
12 Mendota juvenile treatment center as a juvenile correctional facility, as defined in
13 s. 938.02 (10p). The center shall not be considered a hospital, as defined in s. 50.33
14 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as
15 defined in s. 51.01 (15), or a treatment facility, as defined in s. 51.01 (19). The center
16 shall provide psychological and psychiatric evaluations and treatment for juveniles
17 whose behavior presents a serious problem to themselves or others in other juvenile
18 correctional facilities or in secured residential care centers for children and youth
19 and whose mental health needs can be met at the center. With the approval of the
20 department of health services, the department of corrections may transfer to the
21 center any juvenile who has been placed in a juvenile correctional facility or a secured
22 residential care center for children and youth under the supervision of the
23 department of corrections under s. 938.183, 938.34 (4h) or (4m), or 938.357 (3), (4),
24 or (5) (e) in the same manner that the department of corrections transfers juveniles
25 between other juvenile correctional facilities. ~~Upon the recommendation of Subject~~

1 to s. 938.357 (3) (c), with the approval of the department of health services, a court
2 may place a juvenile at the center in a proceeding for a change in placement order
3 under s. 938.357 (3).

4 **SECTION 438.** 46.057 (1) of the statutes, as affected by 2017 Wisconsin Act 185,
5 section 15, and 2019 Wisconsin Act (this act), is repealed and recreated to read:

6 46.057 (1) The department shall establish, maintain, and operate the Mendota
7 juvenile treatment center on the grounds of the Mendota Mental Health Institute.
8 The department may designate staff at the Mendota Mental Health Institute as
9 responsible for administering, and providing services at, the center.
10 Notwithstanding ss. 301.02, 301.03, and 301.36 (1), the department shall operate the
11 Mendota juvenile treatment center as a juvenile correctional facility, as defined in
12 s. 938.02 (10p). The center shall not be considered a hospital, as defined in s. 50.33
13 (2), an inpatient facility, as defined in s. 51.01 (10), a state treatment facility, as
14 defined in s. 51.01 (15), or a treatment facility, as defined in s. 51.01 (19). The center
15 shall provide psychological and psychiatric evaluations and treatment for juveniles
16 whose behavior presents a serious problem to themselves or others in other juvenile
17 correctional facilities or in secured residential care centers for children and youth
18 and whose mental health needs can be met at the center. With the approval of the
19 department of health services, the department of corrections may transfer to the
20 center any juvenile who has been placed in a juvenile correctional facility or a secured
21 residential care center for children and youth under the supervision of the
22 department of corrections under s. 938.183, 938.34 (4h), or 938.357 (3), (4), or (5) (e)
23 in the same manner that the department of corrections transfers juveniles between
24 other juvenile correctional facilities. Subject to s. 938.357 (3) (c), with the approval

1 of the department of health services, a court may place a juvenile at the center in a
2 proceeding for a change in placement order under s. 938.357 (3).

3 **SECTION 439.** 46.057 (1m) of the statutes is created to read:

4 46.057 (1m) Only the director of the Mendota Mental Health Institute, or his
5 or her designee, is authorized to make decisions regarding the admission of juveniles
6 to and treatment of juveniles at the center and the release and return of juveniles
7 to the appropriate state or county facility.

8 **SECTION 440.** 46.057 (2) of the statutes is amended to read:

9 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
10 department of corrections shall transfer to the appropriation account under s. 20.435
11 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.
12 20.410 (3) (hm), the department of corrections shall transfer to the appropriation
13 account under s. 20.435 (2) (kx) ~~\$2,869,200~~ \$3,224,100 in fiscal year ~~2017-18~~
14 2019-20 and ~~\$2,932,600~~ \$5,878,100 in fiscal year ~~2018-19~~ 2020-21, for services for
15 juveniles placed at the Mendota juvenile treatment center. The department of health
16 services may charge the department of corrections not more than the actual cost of
17 providing those services.

18 **SECTION 441.** 46.10 (16) of the statutes is amended to read:

19 46.10 (16) The department shall delegate to county departments under ss.
20 51.42 and 51.437 or the local providers of care and services meeting the standards
21 established by the department under s. 46.036, the responsibilities vested in the
22 department under this section for collection of patient fees for services other than
23 those provided at state facilities, those provided to children that are reimbursed
24 under a waiver under s. ~~46.27 (11)~~, 46.275, 46.278, or 46.2785, or those provided
25 under the disabled children's long-term support program if the county departments