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9           **\*b0359/1.4\* SECTION 1189p.** 48.75 (1g) (a) 4. of the statutes is amended to read:

10           48.75 (1g) (a) 4. The county of the public licensing agency issuing the license  
11 has a population of 500,000 or more and the placement is for adoption under s. 48.833  
12 (1), 48.835 or 48.837.

13           **\*-0273/1.7\* SECTION 1191.** 48.825 (3) (b) of the statutes is amended to read:

14           48.825 (3) (b) An individual or agency providing adoption information  
15 exchange services under s. 48.55.

16           **\*-0273/1.8\* SECTION 1192.** 48.825 (3) (c) of the statutes is repealed.

17           **\*b0359/1.5\* SECTION 1192g.** 48.833 of the statutes is renumbered 48.833 (1)  
18 and amended to read:

19           48.833 (1) ADOPTIVE PLACEMENT. The department, a county department under  
20 s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 may place a  
21 child for adoption in a licensed foster home or a licensed treatment foster home  
22 without a court order if the department, county department ~~under s. 48.57 (1) (e) or~~  
23 ~~(hm)~~ or the child welfare agency is the guardian of the child or makes the placement  
24 at the request of another agency ~~which~~ that is the guardian of the child.

1           (2) CONSIDERATION OF PLACEMENT WITH RELATIVE. Before placing a child for  
2 adoption under ~~this subsection~~ sub. (1), the department, county department or child  
3 welfare agency making the placement shall consider the availability of a placement  
4 for adoption with a relative of the child who is identified in the child's permanency  
5 plan under s. 48.38 or 938.38 or who is otherwise known by the department, county  
6 department or child welfare agency.

7           (4) WRITTEN AGREEMENT. When a child is placed under ~~this section~~ sub. (1) in  
8 a licensed foster home or a licensed treatment foster home for adoption, the  
9 department, county department or child welfare agency making the placement shall  
10 enter into a written agreement with the adoptive parent, which shall state the date  
11 on which the child is placed in the licensed foster home or licensed treatment foster  
12 home for adoption by the adoptive parent.

13           **\*b0359/1.5\* SECTION 1192j.** 48.833 (3) of the statutes is created to read:

14           **48.833 (3) CHILD WITH SPECIAL NEEDS.** In placing a child with special needs, as  
15 defined by rule promulgated under s. 48.975 (5) (b), for adoption under sub. (1), the  
16 department, county department or child welfare agency making the placement may  
17 not consider the location of a proposed adoptive parent's residence as a factor in  
18 making that placement unless the department, county department or child welfare  
19 agency determines that consideration of that factor is necessary to ensure the best  
20 interests of the child in light of the child's need for care or treatment to meet those  
21 special needs. If the department, county department or child welfare agency  
22 considers the location of a prospective adoptive parent's residence as a factor in  
23 placing a child with special needs, the department, county department or child  
24 welfare agency shall document the reasons why that consideration is necessary in  
25 the child's permanency plan as provided in s. 48.38 (4) (dm). If the department,

1 county department or child welfare agency does not consider the location of a  
2 prospective adoptive parent's residence as a factor in placing a child with special  
3 needs and the child is placed more than 60 miles from the child's home, the  
4 department, county department or child welfare agency shall document the reasons  
5 why that consideration is not necessary in the child's permanency plan as provided  
6 in s. 48.38 (4) (d) 1m.

7 \*b0359/1.5\* **SECTION 1192m.** 48.913 (2) (c) 3. of the statutes is amended to  
8 read:

9 48.913 (2) (c) 3. With a petition under s. 48.90, if the parental rights of both  
10 parents of the child are terminated in another state and the child is placed for  
11 adoption under s. 48.833 (1).

12 \*b0304/1.2\* **SECTION 1199d.** 48.982 (2) (d) of the statutes is amended to read:  
13 48.982 (2) (d) Solicit and accept contributions, grants, gifts and bequests for the  
14 children's trust fund or for any other purpose for which a contribution, grant, gift or  
15 bequest is made and received. Moneys received under this paragraph, other than  
16 moneys received under s. 341.14 (6r) (b) 6., may be deposited in credited to the  
17 appropriation accounts under s. 20.433 (1) (i), (q) or (r). This paragraph does not  
18 apply to moneys Interest earned on moneys received under s. 341.14 (6r) (b) 6. may  
19 be credited to the appropriation accounts under s. 20.433 (1) (q) or (r).

20 \*b0304/1.2\* **SECTION 1200d.** 48.982 (2m) (intro.) of the statutes is amended to  
21 read:

22 48.982 (2m) DONATION USES. (intro.) If money is accepted by the board for the  
23 children's trust fund or for any other purpose under sub. (2) (d), ~~except moneys~~  
24 ~~received under s. 341.14 (6r) (b) 6. and appropriated under s. 20.433 (1) (q) or (r), the~~

1 board shall use the money in accordance with the wishes of the donor to do any of the  
2 following:

3 **\*-0275/5.9\* SECTION 1201.** 48.985 (2) of the statutes is amended to read:

4 48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the  
5 appropriation under s. 20.435 (7) (o), the department shall distribute not more than  
6 ~~\$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~  
7 ~~1998-99~~ \$3,964,400 in each fiscal year of the moneys received under 42 USC 620 to  
8 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or  
9 purchase of child welfare projects and services, for services to children and families,  
10 for services to the expectant mothers of unborn children and for family-based child  
11 welfare services.

12 **\*-0027/5.28\* SECTION 1203.** 49.025 (2) (a) (intro.) of the statutes is amended  
13 to read:

14 49.025 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a  
15 year, the department shall pay to the county, in accordance with s. 49.031, from the  
16 appropriation under s. 20.435 (5) (4) (bt), an amount for that year determined as  
17 follows:

18 **\*-1393/3.2\* SECTION 1204.** 49.025 (2) (a) 1. b. of the statutes is amended to  
19 read:

20 49.025 (2) (a) 1. b. For any year, 45% of the total amount expended by the county  
21 in that year as relief for health care services provided to dependent persons,  
22 including the amount transferred to the appropriation account under s. 20.435 (4)  
23 (h) in that year and the amount estimated to be received from the federal government  
24 as a match to the funds expended from the appropriation account under s. 20.435 (4)  
25 (h).

1           \***-0027/5.29\*** **SECTION 1205.** 49.027 (2) (a) (intro.) of the statutes is amended  
2 to read:

3           49.027 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a  
4 year, the department shall pay to the county, in accordance with s. 49.031, from the  
5 appropriation under s. 20.435 ~~(5) (bu)~~ (4) (bt), an amount for that year determined  
6 as follows:

7           \***-0027/5.30\*** **SECTION 1206.** 49.027 (2) (a) 1. d. of the statutes is amended to  
8 read:

9           49.027 (2) (a) 1. d. The department shall multiply the amount determined  
10 under subd. 1. c. by the amount appropriated under s. 20.435 ~~(5) (bu)~~ (4) (bt) for relief  
11 block grants for that year.

12           \***-1057/2.3\*** **SECTION 1207.** 49.029 (2) of the statutes, as affected by 1999  
13 Wisconsin Act .... (this act), is amended to read:

14           49.029 (2) **AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT.** From the  
15 appropriation under s. 20.435 (4) ~~(bs)~~ (kb), the department shall distribute a relief  
16 block grant to each eligible tribal governing body in an amount and in a manner  
17 determined in accordance with rules promulgated by the department. The  
18 department shall promulgate the rules after consulting with all tribal governing  
19 bodies eligible for a relief block grant. In promulgating rules under this section, the  
20 department shall consider each tribe's economic circumstances and need for health  
21 care services.

22           \***-0535/1.1\*** **SECTION 1209.** 49.124 (1g) (a) of the statutes is amended to read:

23           49.124 (1g) (a) The individual is a custodial parent of a child who is under the  
24 age of 18 and who has an absent parent, or the individual lives with and exercises  
25 parental control over a child who is under the age of 18 and who has an absent parent,

1 and the individual does not fully cooperate in good faith with efforts directed at  
2 establishing the paternity of the child, if necessary, and ~~obtaining support payments~~  
3 establishing or enforcing a support order, if any appropriate, or obtaining other  
4 payments or property, if any, to which that individual or the child may have rights.  
5 This paragraph does not apply if the individual has good cause for refusing to  
6 cooperate, as determined by the department in accordance with federal law and  
7 regulations.

8 **\*b0545/3.3\* SECTION 1209q.** 49.124 (1m) (cm) of the statutes, as affected by  
9 1997 Wisconsin Act 27, is amended to read:

10 49.124 (1m) (cm) The amount of food stamp benefits paid to a recipient who is  
11 a participant in a Wisconsin works employment position under s. 49.147 (4) ~~(b)~~ or (5)  
12 shall be calculated based on the pre-sanction benefit amount received s. 49.148.

13 **\*b0517/2.2\* SECTION 1211d.** 49.136 (2) (b) of the statutes is amended to read:

14 49.136 (2) (b) The department shall attempt to award grants under this section  
15 to head start agencies designated under 42 USC 9836, employers that provide or  
16 wish to provide child care services for their employes, family day care centers, group  
17 day care centers and day care programs for the children of student parents,  
18 organizations that provide child care for sick children and child care providers that  
19 employ participants or former participants in a Wisconsin works employment  
20 position under s. 49.147 (3) to (5).

21 **\*-0702/9.4\* SECTION 1213.** 49.1375 of the statutes is created to read:

22 **49.1375 Early childhood excellence initiative.** (1) The department shall  
23 establish a grant program to develop at least 5 early childhood centers for children  
24 under the age of 5 who are eligible to receive temporary assistance to needy families  
25 under 42 USC 601 et seq. Centers awarded a grant under this subsection shall

1 provide outreach and training for parents of the children served by the center and  
2 training for child care providers. The centers shall emphasize stimulation of the  
3 child's language skills and senses of vision and touch. A person who is awarded a  
4 grant under this subsection shall contribute matching funds from local or private  
5 sources equal to 25% of the amount awarded under this subsection.

6 (2) The department shall establish a grant program under which a child care  
7 provider that receives training at a center that is awarded a grant under sub. (1) may  
8 apply for a grant to establish an early childhood program that serves children  
9 specified under sub. (1). The program developed under a grant received under this  
10 subsection shall emphasize stimulation of the children's language skills and senses  
11 of vision and touch. A person who is awarded a grant under this subsection shall  
12 contribute matching funds from local or private sources equal to 25% of the amount  
13 awarded under this subsection.

14 \*b0548/2.1\* SECTION 1213g. 49.138 (1m) (intro.) of the statutes is amended to  
15 read:

16 49.138 (1m) (intro.) The department shall implement a program of emergency  
17 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or  
18 impending homelessness or energy crisis. The department shall establish the  
19 maximum amount of aid to be granted, except for cases of energy crisis, per family  
20 member based on the funding available under s. 20.445 (3) (dc) and (md). The  
21 department need not establish the maximum amount by rule under ch. 227. The  
22 department shall publish the maximum amount and annual changes to it in the  
23 Wisconsin administrative register. Emergency assistance provided to needy persons  
24 under this section in cases of fire, flood, natural disaster or energy crisis may only  
25 be provided to a needy person once in a 12-month period. Emergency assistance

1 provided to needy persons under this section in cases of homelessness or impending  
2 homelessness may be used only to obtain or retain a permanent living  
3 accommodation and, except as provided in sub. (2), may only be provided to a needy  
4 person once in a 36-month period. For the purposes of this section, a family is  
5 considered to be homeless, or to be facing impending homelessness, if any of the  
6 following applies:

7 **\*b0548/2.1\* SECTION 1213h.** 49.138 (1m) (am) of the statutes is created to  
8 read:

9 49.138 (1m) (am) The family is experiencing a financial crisis that makes it  
10 very difficult for the family to make a rent payment, mortgage payment or property  
11 tax payment and the family has been notified that it will be required to leave its  
12 current housing if it does not make that payment immediately.

13 **\*-1186/4.11\* SECTION 1214.** 49.141 (2) of the statutes is repealed.

14 **\*-1186/4.12\* SECTION 1215.** 49.141 (2g) (a) of the statutes is renumbered  
15 49.141 (2g).

16 **\*-1186/4.13\* SECTION 1216.** 49.141 (2g) (b) of the statutes is repealed.

17 **\*b0538/2.1\* SECTION 1216m.** 49.141 (4) of the statutes is amended to read:

18 49.141 (4) NONENTITLEMENT. Notwithstanding Except as provided in s. 49.145  
19 (3m), notwithstanding fulfillment of the eligibility requirements for any component  
20 of Wisconsin works, an individual is not entitled to services or benefits under  
21 Wisconsin works.

22 **\*-1186/4.14\* SECTION 1217.** 49.143 (1) (a) of the statutes is amended to read:

23 49.143 (1) (a) Except as provided in par. (am), the department may award a  
24 contract, on the basis of a competitive process approved by the secretary of  
25 administration, to any person to administer Wisconsin works in a geographical area



1 determined by the department under sub. (6). ~~The department shall award contracts~~  
2 ~~under this paragraph before the date that is specified in s. 49.141 (2) (d).~~

3 **\*-1186/4.15\* SECTION 1218.** 49.143 (1) (am) 1. of the statutes is repealed and  
4 recreated to read:

5 49.143 (1) (am) 1. The department shall contract with a Wisconsin works  
6 agency to administer Wisconsin works if that agency has met the performance  
7 standards established by the department in accordance with sub. (3), during the  
8 immediately preceding contract period. The contract shall be for a term of at least  
9 2 years. A Wisconsin works agency may elect not to enter into a contract under this  
10 subdivision if the Wisconsin works agency informs the department by the date  
11 established by the department that the Wisconsin works agency has made that  
12 election.

13 **\*-1186/4.16\* SECTION 1219.** 49.143 (1) (am) 2. of the statutes is amended to  
14 read:

15 49.143 (1) (am) 2. A ~~county or tribal governing body~~ Wisconsin works agency  
16 that has not met the ~~aid to families with dependent children caseload~~ performance  
17 standards established by the department may apply for a contract under the  
18 competitive process established under par. (a).

19 **\*-1186/4.17\* SECTION 1220.** 49.143 (1) (at) of the statutes is repealed.

20 **\*b0569/1.3\* SECTION <sup>1</sup>220m.** 49.143 (2) (a) 7. of the statutes is amended to  
21 read:

22 49.143 (2) (a) 7. Coordinate with the ~~governor's council on workforce excellence~~  
23 ~~under s. 106.115~~ council on workforce investment established under 29 USC 2821 to  
24 ensure compatibility of purpose and no duplication of effort.

25 **\*-0700/2.1\* SECTION 1221.** 49.143 (2) (cr) of the statutes is amended to read:

1           49.143 (2) (cr) Provide, or contract with another person to provide, budgeting  
2 and financial planning services, including credit establishment ~~and credit repair~~  
3 ~~assistance training~~ to participants. ~~Prior to providing, or contracting with another~~  
4 ~~to provide, the assistance specified under this paragraph, the Wisconsin works~~  
5 ~~agency shall submit a proposed plan for the provision of that assistance to the~~  
6 ~~department. The secretary shall submit each proposed plan to the cochairpersons~~  
7 ~~of the joint committee on finance. If, within 14 days after receiving the proposed~~  
8 ~~plans, the cochairpersons do not notify the secretary that the joint committee on~~  
9 ~~finance has scheduled a meeting for the purpose of reviewing the proposed plans, the~~  
10 ~~department shall direct each Wisconsin works agency that submitted proposed plans~~  
11 ~~to implement the plans. If, within 14 days, the co chairs notify the secretary that~~  
12 ~~they have scheduled a meeting for the purpose of reviewing the proposed plans, no~~  
13 ~~Wisconsin works agency may implement its plan until the joint committee on finance~~  
14 ~~approves the plan. Every January 31, the department shall submit to the joint~~  
15 ~~committee on finance a report specifying the total amount expended in the previous~~  
16 ~~year for the provision of credit establishment and credit repair assistance under this~~  
17 ~~paragraph.~~

18           **\*b0524/5.2\* SECTION 1221h.** 49.143 (2) (ct) of the statutes is created to read:

19           49.143 (2) (ct) Return to the department an amount equal to the total amount  
20 of benefits withheld under s. 49.148 for missed work or education and training  
21 activities.

22           **\*-0493/2.7\* SECTION 1222.** 49.143 (2) (e) of the statutes is amended to read:

23           49.143 (2) (e) To the extent permitted under federal law or waiver, certify  
24 eligibility for and issue food coupons to eligible Wisconsin works participants in  
25 conformity with 7 USC 2011 to 2029. If the department receives the federal waiver

1 necessary to enforce the contract provision under this paragraph, the department  
2 shall submit to the joint committee on finance the terms of the waiver and an  
3 implementation plan prior to enforcing the contract provision under this paragraph.

4 **\*b0539/1.2\* SECTION 1224m.** 49.143 (3) of the statutes is amended to read:

5 49.143 (3) PERFORMANCE STANDARDS. The In consultation with the statewide  
6 advisory group and special work groups established under sub. (3m), the department  
7 shall establish performance standards for the administration of Wisconsin works.  
8 If a Wisconsin works agency does not meet the standards established under this  
9 subsection, the department may withhold or recover any or all payment from the  
10 Wisconsin works agency.

11 **\*b0539/1.2\* SECTION 1224p.** 49.143 (3m) of the statutes is created to read:

12 49.143 (3m) STATEWIDE ADVISORY GROUP. The department shall establish a  
13 statewide advisory group to provide a forum for any person to raise concerns and to  
14 receive or provide information about programs and policies regarding Wisconsin  
15 works, including the Wisconsin works agency contract process. The department  
16 shall develop regional forums and special work groups to address issues of concern  
17 raised at the meetings of the statewide advisory group and shall allow any person  
18 to participate in the work groups.

19 **\*b0541/4.1\* SECTION 1224d.** 49.143 (3g) of the statutes is created to read:

20 49.143 (3g) PERFORMANCE BONUSES. (a) The department shall base any  
21 performance bonus calculation that it makes for Wisconsin works agencies on all of  
22 the following performance criteria:

23 1. The placement of applicants for and participants in Wisconsin works  
24 employment positions into unsubsidized employment, as defined in s. 49.147 (1) (c).

25 2. Whether the placement under subd. 1. is full time or part time.

1           3. The job retention rate, as defined by the department, of former applicants  
2 for, and former participants in, Wisconsin works employment positions.

3           4. Wages and benefits earned by former applicants for, and former participants  
4 in, Wisconsin works employment positions.

5           5. Appropriate implementation of Wisconsin works.

6           6. Customer satisfaction.

7           (b) The department may not base any performance bonus payments on  
8 caseload decreases, or reduced spending by the Wisconsin works agency, that are not  
9 directly attributable to placement of participants in unsubsidized employment.

10           (c) The department shall develop a system by which the department may track  
11 former participants and former applicants for Wisconsin works to facilitate an  
12 assessment of how successfully each Wisconsin works agency has met the  
13 performance criteria specified in par. (a).

14           **\*b0546/1.1\* SECTION 1224e.** 49.145 (2) (d) of the statutes is repealed and  
15 recreated to read:

16           49.145 (2) (d) The individual has residence in this state.

17           **\*-1186/4.18\* SECTION 1225.** 49.145 (2) (n) 1. a. of the statutes is amended to  
18 read:

19           49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.  
20 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job  
21 opportunities and basic skills program ~~begins to count~~ counts toward the 60-month  
22 limit ~~beginning on October 1, 1996.~~

23           **\*-1989/3.1\* SECTION 1226.** 49.145 (3) (a) of the statutes is amended to read:

24           49.145 (3) (a) *Resource limitations.* The individual is a member of a Wisconsin  
25 works group whose assets do not exceed \$2,500 in combined equity value. In

1 determining the combined equity value of assets, the Wisconsin works agency shall  
2 exclude the equity value of vehicles up to a total equity value of \$10,000, the value  
3 of an individual development account established under s. 49.187 and one home that  
4 serves as the homestead for the Wisconsin works group.

5 **\*-0699/4.1\* SECTION 1227.** 49.145 (3) (b) 2. of the statutes is repealed.

6 **\*b0538/2.2\* SECTION 1227m.** 49.145 (3m) of the statutes is created to read:

7 49.145 (3m) PLACEMENT. (a) Within 30 days after an individual applies for a  
8 Wisconsin works employment position, the Wisconsin works agency shall place the  
9 individual in a Wisconsin works employment position if the individual meets all of  
10 the eligibility requirements under this section and if the individual is unable to find  
11 unsubsidized employment, as defined in s. 49.147 (1) (c), despite the individual's  
12 reasonable effort to search for unsubsidized employment.

13 (b) In the case of an individual who is incapable of performing a job search, the  
14 Wisconsin works agency shall place the individual in a Wisconsin works employment  
15 position immediately after making a determination that an individual otherwise  
16 meets the eligibility requirements under this section.

17 **\*-1662/1.1\* SECTION 1228.** 49.145 (4) of the statutes is amended to read:

18 49.145 (4) REVIEW OF ELIGIBILITY. A Wisconsin works agency shall periodically  
19 review an individual's eligibility. The individual remains eligible under sub. (3) until  
20 the Wisconsin works group's assets ~~exceed the asset limits for at least 2 months or~~  
21 ~~until the~~ or income of the Wisconsin works group is expected to exceed the asset or  
22 income ~~limits~~ limit under sub. (3) for at least 2 consecutive months.

23 **\*-0787/1.1\* SECTION 1229.** 49.147 (1m) of the statutes is created to read:

24 49.147 (1m) EDUCATIONAL NEEDS ASSESSMENT. Upon determining that the  
25 appropriate placement for an individual is in unsubsidized employment or a trial job,

1 the Wisconsin works agency shall conduct an educational needs assessment of the  
2 individual. If the Wisconsin works agency determines that the individual needs  
3 basic education, including a course of study meeting the standards established under  
4 s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation,  
5 and if the individual wishes to pursue basic education, the Wisconsin works agency  
6 shall include basic education in an employability plan developed for the individual.  
7 The Wisconsin works agency shall pay for the basic education services identified in  
8 the employability plan.

9 **\*b0545/3.4\* SECTION 1229q.** 49.147 (4) of the statutes, as affected by 1997  
10 Wisconsin Act 27 is repealed and recreated to read:

11 49.147 (4) COMMUNITY SERVICE JOB. (a) *Administration.* A Wisconsin works  
12 agency shall administer a community service job program as part of its  
13 administration of Wisconsin works to improve the employability of an individual who  
14 is not otherwise able to obtain employment, as determined by the Wisconsin works  
15 agency, by providing work experience and training, if necessary, to assist the  
16 individual to move promptly into unsubsidized public or private employment or a  
17 trial job. In determining an appropriate placement for a participant, a Wisconsin  
18 works agency shall give placement under this subsection priority over placements  
19 under sub. (5). Community service jobs shall be limited to projects that the  
20 department determines would serve a useful public purpose or projects the cost of  
21 which is partially or wholly offset by revenue generated from such projects. After  
22 each 6 months of an individual's participation under this subsection and at the  
23 conclusion of each assignment under this subsection, a Wisconsin works agency shall  
24 reassess the individual's employability.

1           (am) *Education or training activities.* A participant under this subsection may  
2 be required to participate in education and training activities assigned as part of an  
3 employability plan developed by the Wisconsin works agency. The department shall  
4 establish by rule permissible education and training under this paragraph, which  
5 shall include a course of study meeting the standards established under s. 115.29 (4)  
6 for the granting of a declaration of equivalency of high school graduation, technical  
7 college courses and educational courses that provide an employment skill.  
8 Permissible education under this paragraph shall also include English as a 2nd  
9 language courses that the Wisconsin works agency determines would facilitate an  
10 individual's efforts to obtain employment and adult basic education courses that the  
11 Wisconsin works agency determines would facilitate an individual's efforts to obtain  
12 employment.

13           (as) *Required hours.* Except as provided in pars. (at) and (av), a Wisconsin  
14 works agency shall require a participant placed in a community service job program  
15 to work in a community service job for the number of hours determined by the  
16 Wisconsin works agency to be appropriate for the participant at the time of  
17 application or review, but not to exceed 30 hours per week. Except as provided in  
18 pars. (at) and (av), a Wisconsin works agency may require a participant placed in the  
19 community service job program to participate in education or training activities for  
20 not more than 10 hours per week.

21           (at) *Motivational training.* A Wisconsin works agency may require a  
22 participant, during the first 2 weeks of participation under this subsection, to  
23 participate in an assessment and motivational training program identified by the  
24 community steering committee under s. 49.143 (2) (a) 10. The Wisconsin works

1 agency may require not more than 40 hours of participation per week under this  
2 paragraph in lieu of the participation requirement under par. (as).

3 (av) *Education for 18-year-old and 19-year-old students.* A Wisconsin works  
4 agency shall permit a participant under this subsection who has not attained the age  
5 of 20 and who has not obtained a high school diploma or a declaration of equivalency  
6 of high school graduation to attend high school or, at the option of the participant,  
7 to enroll in a course of study meeting the standards established under s. 115.29 (4)  
8 for the granting of a declaration of equivalency of high school graduation to satisfy,  
9 in whole or in part, the required hours of participation under par. (as).

10 (b) *Time-limited participation.* An individual may participate in a community  
11 service job for a maximum of 6 months, with an opportunity for a 3-month extension  
12 under circumstances approved by the department. An individual may participate  
13 in more than one community service job, but may not exceed a total of 24 months of  
14 participation under this subsection. The months need not be consecutive. The  
15 department or, with the approval of the department, the Wisconsin works agency  
16 may grant an extension to the 24-month limit on a case-by-case basis if the  
17 Wisconsin works agency determines that the individual has made all appropriate  
18 efforts to find unsubsidized employment and has been unable to find unsubsidized  
19 employment because local labor market conditions preclude a reasonable  
20 employment opportunity in unsubsidized employment for that participant, as  
21 determined by a Wisconsin works agency and approved by the department, and if the  
22 Wisconsin works agency determines, and the department agrees, that no trial job  
23 opportunities are available in the specified local labor market.

24 (c) *Worker's compensation.* A participant under this subsection is an employe  
25 of the Wisconsin works agency for purposes of worker's compensation coverage,



1 except to the extent that the person for whom the participant is performing work  
2 provides worker's compensation coverage.

3 **\*-0785/1.1\* SECTION 1235.** 49.1475 of the statutes is created to read:

4 **49.1475 Follow-up services.** Following any follow-up period required by the  
5 contract entered into under s. 49.143, a Wisconsin works agency may provide case  
6 management services for an individual who moves from a Wisconsin works  
7 employment position to unsubsidized employment to help the individual retain the  
8 unsubsidized employment. Case management services may include the provision of  
9 employment skills training; English as a 2nd language classes, if the Wisconsin  
10 works agency determines that the course will facilitate the individual's efforts to  
11 retain employment; a course of study meeting the standards established under s.  
12 115.29 (4) for the granting of a declaration of equivalency of high school graduation;  
13 or other remedial education courses. The Wisconsin works agency may provide case  
14 management services regardless of the individual's income and asset levels.

15 **\*-0608/2.1\* SECTION 1236.** 49.148 (1) (b) 1. of the statutes, as affected by 1997  
16 Wisconsin Act 27, is amended to read:

17 49.148 (1) (b) 1. ~~For~~ Except as provided in subd. 1m., for a participant in a  
18 community service job under s. 49.147 (4) ~~(b)~~, a monthly grant of \$673, paid by the  
19 Wisconsin works agency or by the department under sub. (2). For every hour that  
20 the participant misses work or education or training activities without good cause,  
21 the grant amount shall be reduced by \$5.15. Good cause shall be determined by the  
22 financial and employment planner in accordance with rules promulgated by the  
23 department. Good cause shall include required court appearances for a victim of  
24 domestic abuse. If a participant in a community service job under s. 49.147 (4) ~~(b)~~ is  
25 required to work fewer than 30 hours per week because the participant has

1 unsubsidized employment, as defined in s. 49.147 (1) (c), the grant amount under this  
2 paragraph ~~may be reduced by an amount equal to the product of \$5.15 and the~~  
3 ~~difference between 30 and the number of hours the participant is required to work~~  
4 shall equal the amount specified under subd. 1m. minus \$5.15 for each hour that the  
5 participant misses work or education or training activities without good cause.

6 **\*b0545/3.5\* SECTION 1236c.** 49.148 (1) (b) 1m. of the statutes is created to  
7 read:

8 49.148 (1) (b) 1m. Except as provided in subd. 1., the Wisconsin works agency  
9 shall pay a participant in a community service job the following:

10 a. For a participant placed in a community service job for not more than 10  
11 hours per week, one-third of the amount specified in subd. 1m. d.

12 b. For a participant placed in a community service job for more than 10 hours  
13 but not more than 15 hours per week, one-half of the amount specified under subd.  
14 1m. d.

15 c. For a participant placed in a community service job for more than 15 hours  
16 but not more than 20 hours per week, two-thirds of the amount specified under subd.  
17 1m. d.

18 d. For a participant placed in a community service job for more than 20 hours  
19 per week, \$673.

20 **\*b0545/3.5\* SECTION 1237b.** 49.148 (1) (b) 2. of the statutes is repealed.

21 **\*b0545/3.5\* SECTION 1237m.** 49.148 (1m) (a) of the statutes, as affected by  
22 1999 Wisconsin Act 27, is amended to read:

23 49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and  
24 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a  
25 monthly grant of \$673 unless another adult member of the custodial parent's

1 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin  
2 works employment position or is employed in unsubsidized employment, as defined  
3 in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under  
4 this subsection to participate in any employment positions. Receipt of a grant under  
5 this subsection does not constitute participation in a Wisconsin works employment  
6 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b)  
7 ~~2. or (e) 4.~~ or (5) (b) 2. if the child is born to the participant not more than 10 months  
8 after the date that the participant was first determined to be eligible for assistance  
9 under s. 49.19 or for a Wisconsin works employment position.

10 **\*b0545/3.5\* SECTION 1237n.** 49.148 (1m) (b) of the statutes, as affected by 1999  
11 Wisconsin Act 27, is amended to read:

12 49.148 (1m) (b) Receipt of a grant under this subsection constitutes  
13 participation in a Wisconsin works employment position for purposes of the time  
14 limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) ~~2. or (e) 4.~~ or (5) (b) 2. if the  
15 child is born to the participant more than 10 months after the date that the  
16 participant was first determined to be eligible for assistance under s. 49.19 or for a  
17 Wisconsin works employment position unless the child was conceived as a result of  
18 a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not  
19 indicate a freely given agreement to have sexual intercourse or of incest in violation  
20 of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a  
21 physician and to law enforcement authorities.

22 **\*b0556/1.1\* SECTION 1237g.** 49.148 (2m) of the statutes is created to read:

23 49.148 (2m) PAY PERIOD. Benefits under this section shall be paid on the first  
24 day of each month. The payment shall be for any participation from the 26th day of  
25 the month immediately preceding the month that immediately precedes the month

1 in which the payment is made through the 25th day of the month that immediately  
2 precedes the month in which the payment is made. The payment may be prorated  
3 to account for participation that begins after the start of the payment period, but in  
4 any case shall be made not more than 36 days after the participation begins.

5 **\*-0701/5.1\* SECTION 1241.** 49.155 (1) (aL) of the statutes is created to read:

6 49.155 (1) (aL) "Disabled" means physically or mentally incapable of caring for  
7 oneself.

8 **\*-0605/3.2\* SECTION 1244.** 49.155 (1g) (intro.) of the statutes is amended to  
9 read:

10 49.155 (1g) DISTRIBUTION OF FUNDS. (intro.) Subject to sub. (1j) ~~and s. 16.54 (2),~~  
11 the department shall, within the limits of the availability of the federal child care and  
12 development block grant funds received under 42 USC 9858, do all of the following:

13 **\*b0517/2.4\* SECTION 1245d.** 49.155 (1g) (b) of the statutes is amended to read:

14 49.155 (1g) (b) From the appropriation under s. 20.445 (3) (mc), distribute  
15 ~~\$4,315,000~~ \$8,012,500 in fiscal year ~~1997-98~~ 1999-2000 and ~~\$4,315,000~~ \$7,412,500  
16 in fiscal year ~~1998-99~~ 2000-01 for the purposes of providing technical assistance for  
17 child care providers and of administering the child care program under this section  
18 and for grants under s. 49.136 (2) for the start-up and expansion of child day care  
19 services, and for child day care start-up and expansion planning, for grants under  
20 s. 49.134 (2) for child day care resource and referral services, for grants under s.  
21 49.137 (3) to assist child care providers in meeting the quality of care standards  
22 established under sub. (1d), and for a system of rates or a program of grants, as  
23 provided under sub. (1d), to reimburse child care providers that meet those quality  
24 of care standards and for grants under s. 49.137 (2) and contracts under s. 49.137 (4)  
25 to improve the quality of child day care services in this state.

1           \***-0687/5.5**\* SECTION 1246. 49.155 (1g) (c) of the statutes is amended to read:  
2           49.155 (1g) (c) From the appropriation under s. 20.445 (3) (mc), transfer  
3           ~~\$1,687,400~~ \$3,596,900 in fiscal year ~~1997-98~~ 1999-2000 and ~~\$1,687,400~~ \$3,745,200  
4           in fiscal year ~~1998-99~~ 2000-01 to the appropriation under s. 20.435 ~~(6)~~ (3) (kx), and  
5           transfer \$20,700 in fiscal year 1999-2000 and \$27,700 in fiscal year 2000-01 to the  
6           appropriation under s. 20.435 (8) (kx), for the purpose of day care center licensing  
7           under s. 48.65.

8           \***-0687/5.6**\* SECTION 1247. 49.155 (1g) (d) of the statutes is created to read:  
9           49.155 (1g) (d) From the appropriation under s. 20.445 (3) (mc), transfer  
10          \$182,200 in each fiscal year to the appropriation under s. 20.435 (3) (kx) for the  
11          administration of day care programs for foster parents in a county having a  
12          population of 500,000 or more.

13          \***-0701/5.2**\* SECTION 1248. 49.155 (1m) (intro.) of the statutes is amended to  
14          read:

15          49.155 (1m) ELIGIBILITY. (intro.) A Wisconsin works agency shall determine  
16          eligibility for a child care subsidy under this section. Under this section, an  
17          individual may receive a subsidy for child care for a child who has not attained the  
18          age of 13 or, if the child is disabled, who has not attained the age of 19, if the  
19          individual meets all of the following conditions:

20          \***-0701/5.3**\* SECTION 1249. 49.155 (1m) (a) (intro.) of the statutes is amended  
21          to read:

22          49.155 (1m) (a) (intro.) The individual is a parent of a child who is under the  
23          age of 13, or, if the child is disabled, is under the age of 19; or is a person who, under  
24          s. 48.57 (3m) or (3n), is providing care and maintenance for a child who is under the

1 age of 18, or, if the child is disabled, is under the age of 19; and child care services  
2 for that child are needed in order for the individual to do any of the following:

3 **\*b0545/3.7\* SECTION 1249q.** 49.155 (1m) (a) 3. of the statutes, as affected by  
4 1999 Wisconsin Act 27, is amended to read:

5 49.155 (1m) (a) 3. Work in a Wisconsin works employment position, including  
6 participation in job search, orientation and training activities under s. 49.147 (2) (a)  
7 and in education or training activities under s. 49.147 (3) (am), (4) ~~(b) 1. a. (am)~~ or  
8 (5) (bm).

9 **\*-0487/3.1\* SECTION 1250.** 49.155 (1m) (a) 4. (intro.) of the statutes is amended  
10 to read:

11 49.155 (1m) (a) 4. (intro.) ~~Participate in other employment skills training~~ If the  
12 Wisconsin works agency determines that basic education would facilitate the  
13 individual's efforts to obtain or maintain employment, participate in basic education,  
14 including an English as a 2nd language course, ~~if the Wisconsin works agency~~  
15 ~~determines that the course would facilitate the individual's efforts to obtain~~  
16 ~~employment; literacy tutoring; or a course of study meeting the standards~~  
17 established by the state superintendent of public instruction under s. 115.29 (4) for  
18 the granting of a declaration of equivalency of high school graduation; ~~a course of~~  
19 ~~study at a technical college, if the Wisconsin works agency determines that the~~  
20 ~~course would facilitate the individual's efforts to obtain or maintain employment; or~~  
21 ~~participation in educational courses that provide an employment skill, as~~  
22 ~~determined by the department.~~ An individual may receive aid under this subdivision  
23 for up to ~~two~~ 2 years. An individual may not receive aid under this subdivision unless  
24 the individual meets at least one of the following conditions:

1           \*~~0487/3.2~~\* SECTION 1251. 49.155 (1m) (a) 4. a. of the statutes is amended to  
2 read:

3           49.155 (1m) (a) 4. a. The individual ~~has been~~ is employed in unsubsidized  
4 employment ~~for 9 consecutive months and continues to be so employed.~~

5           \*~~0487/3.3~~\* SECTION 1252. 49.155 (1m) (a) 5. of the statutes is created to read:

6           49.155 (1m) (a) 5. Participate in a course of study at a technical college, or  
7 participate in educational courses that provide an employment skill, as determined  
8 by the department, if the Wisconsin works agency determines that the course or  
9 courses would facilitate the individual's efforts to obtain or maintain employment.  
10 An individual may receive aid under this subdivision for up to 2 years. An individual  
11 may not receive aid under this subdivision unless the individual meets at least one  
12 of the following conditions:

13           a. The individual has been employed in unsubsidized employment for 3  
14 consecutive months and continues to be so employed.

15           b. The individual is a participant in a Wisconsin works employment position.

16           \*~~0699/4.2~~\* SECTION 1253. 49.155 (1m) (b) 3. of the statutes is repealed.

17           \*~~0699/4.3~~\* SECTION 1254. 49.155 (1m) (c) 1. of the statutes is renumbered  
18 49.155 (1m) (c) 1. (intro.) and amended to read:

19           49.155 (1m) (c) 1. (intro.) The gross income of the individual's family is at or  
20 below ~~165%~~ 185% of the poverty line for a family the size of the individual's family  
21 or, for an individual who is already receiving a child care subsidy under this section,  
22 the gross income of the individual's family is at or below 200% of the poverty line for  
23 a family the size of the individual's family. In calculating the gross income of the  
24 family, the Wisconsin works agency shall include income described under s. 49.145

1 (3) (b) 1. ~~to and 3.~~ except that, in calculating farm and self-employment income, the  
2 Wisconsin works agency shall include the sum of the following:

3 **\*-0699/4.4\* SECTION 1255.** 49.155 (1m) (c) 1. a. of the statutes is created to  
4 read:

5 49.155 (1m) (c) 1. a. Net earnings reported to the Internal Revenue Service.

6 **\*-0699/4.5\* SECTION 1256.** 49.155 (1m) (c) 1. b. of the statutes is created to  
7 read:

8 49.155 (1m) (c) 1. b. Depreciation expenses, personal business and  
9 entertainment expenses, personal transportation costs, purchases of capital  
10 equipment and payments on the principal of loans.

11 **\*-0699/4.6\* SECTION 1257.** 49.155 (1m) (c) 1g. of the statutes is amended to  
12 read:

13 49.155 (1m) (c) 1g. The individual is a foster parent of the child and the child's  
14 biological or adoptive family ~~meets the asset limit under s. 49.145 (3) (a) and~~ has a  
15 gross income that is at or below 200% of the poverty line. In calculating the gross  
16 income of the child's biological or adoptive family, the Wisconsin works agency shall  
17 include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3.

18 **\*-0699/4.7\* SECTION 1258.** 49.155 (1m) (c) 1h. of the statutes is amended to  
19 read:

20 49.155 (1m) (c) 1h. The individual is a relative of the child, is providing care  
21 for the child under a court order and is receiving payments under s. 48.57 (3m) on  
22 behalf of the child and the child's biological or adoptive family ~~meets the asset limit~~  
23 ~~under s. 49.145 (3) (a) and~~ has a gross income that is at or below 200% of the poverty  
24 line. In calculating the gross income of the child's biological or adoptive family, the



1 Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. to  
2 and 3.

3 **\*-1186/4.19\* SECTION 1259.** 49.155 (1m) (c) 3. of the statutes is amended to  
4 read:

5 49.155 (1m) (c) 3. The individual was eligible for a child care subsidy under s.  
6 49.191 (2), 1997 stats., on or after May 10, 1996, and received a child care subsidy  
7 on or after May 10, 1996, but lost the subsidy solely because of increased income, and  
8 the gross income of the individual's family is at or below 200% of the poverty line for  
9 a family the size of the individual's family. This subdivision does not apply to an  
10 individual whose family's gross income increased to more than 200% of the poverty  
11 line for a family the size of the individual's family.

12 **\*-0495/2.1\* SECTION 1265.** 49.155 (3m) (b) of the statutes is renumbered  
13 49.155 (3m) (b) (intro.) and amended to read:

14 49.155 (3m) (b) ~~Not more than 5%, or \$20,000, whichever is greater, of~~ Of the  
15 funds distributed under par. (a) not more than the greatest of the following may be  
16 used for the costs of administering the program under this section.:

17 **\*-0495/2.2\* SECTION 1266.** 49.155 (3m) (b) 1. of the statutes is created to read:

18 49.155 (3m) (b) 1. Five percent of the funds distributed under par. (a) in the  
19 current year.

20 **\*-0495/2.3\* SECTION 1267.** 49.155 (3m) (b) 2. of the statutes is created to read:

21 49.155 (3m) (b) 2. Five percent of the funds distributed under par. (a) in the  
22 immediately preceding year.

23 **\*-0495/2.4\* SECTION 1268.** 49.155 (3m) (b) 3. of the statutes is created to read:

24 49.155 (3m) (b) 3. Twenty thousand dollars.

25 **\*b0542/1.1\* SECTION 1270p.** 49.155 (5) of the statutes is amended to read:

1           49.155 (5) LIABILITY FOR PAYMENT. An individual is liable for the percentage of  
2 the cost of the child care that the department specified by the department in a printed  
3 copayment schedule. An individual who is under the age of 20 and is attending high  
4 school or participating in a course of study meeting the standards established under  
5 s. 115.29 (4) for the granting of a declaration of equivalency to high school graduation  
6 may not be determined liable for more than the minimum copayment amount for the  
7 type of child care received and the number of children receiving child care.

8           \*~~0485/4.1~~\* SECTION 1275. 49.161 (1) of the statutes, as affected by 1997  
9 Wisconsin Act 27, is amended to read:

10           49.161 (1) ~~TRIAL JOBS AND WAGE-PAYING COMMUNITY SERVICE JOBS OVERPAYMENTS.~~  
11 Notwithstanding s. 49.96, the department shall recover an overpayment of benefits  
12 paid under s. 49.148 (1) (a) and ~~(b) 2,~~ or 49.19 from an individual who receives ~~or has~~  
13 ~~received~~ benefits paid under s. 49.148 (1) (a) ~~or (b) 2.~~ The value of the benefit liable  
14 for recovery under this subsection may not exceed the amount that the department  
15 paid in wage subsidies with respect to that participant while the participant was  
16 ineligible to participate. The department shall promulgate rules establishing  
17 policies and procedures for administrating this subsection.

18           \*~~0485/4.2~~\* SECTION 1276. 49.161 (2) of the statutes, as affected by 1997  
19 Wisconsin Act 27, is amended to read:

20           49.161 (2) ~~GRANT-PAYING COMMUNITY~~ COMMUNITY SERVICE JOBS AND TRANSITIONAL  
21 PLACEMENTS OVERPAYMENTS. Except as provided in sub. (3), the department shall  
22 recover an overpayment of benefits paid under s. 49.148 (1) (b) ~~1, and or (c) or 49.19~~  
23 from an individual who continues to receive benefits under s. 49.148 (1) (b) ~~1, and (c)~~  
24 by reducing the amount of the individual's benefit payment by no more than 10%.

25           \***b0555/1.1**\* SECTION 1276f. 49.1635 of the statutes is created to read:

1           **49.1635 Wisconsin Trust Account Foundation.** (1) To the extent  
2 permitted under federal law and subject to sub. (2), from the appropriation under s.  
3 20.445 (3) (md) the department shall distribute to the Wisconsin Trust Account  
4 Foundation an amount equal to the amount received by the foundation from private  
5 donations, but not to exceed \$100,000 in each fiscal year. Except as provided in sub.  
6 (4), funds distributed under this subsection may be used only for the provision of  
7 legal services to individuals who are eligible for temporary assistance for needy  
8 families under 42 USC 601 et seq. and whose incomes are at or below 200% of the  
9 poverty line.

10           (2) The department may not distribute funds under sub. (1) until the Wisconsin  
11 Trust Account Foundation reports to the department the amount received by the  
12 Wisconsin Trust Account Foundation in private donations.

13           (3) If the Wisconsin Trust Account Foundation receives funds under sub. (1),  
14 it shall do all of the following:

15           (a) Develop a separate account for the funds distributed under sub. (1).

16           (b) Require each organization to which the Wisconsin Trust Account  
17 Foundation distributes funds received under sub. (1) to match 100% of the amount  
18 distributed to that organization that is attributable to the funds received by the  
19 Wisconsin Trust Account Foundation under sub. (1).

20           (c) Annually, prepare a report for distribution to the joint committee on finance  
21 that specifies the organizations that received funding under this section.

22           (4) Not more than 10% of the total funds received by the Wisconsin Trust  
23 Account Foundation may be used for administration.

24           \***-0702/9.5\*** SECTION 1277. 49.167 of the statutes is created to read:

1           **49.167 Alcohol and other drug abuse treatment grant program.** (1) The  
2 department shall award grants to counties, tribal governing bodies and private  
3 entities to provide community-based alcohol and other drug abuse treatment  
4 programs that are targeted at individuals who are eligible for temporary assistance  
5 for needy families under 42 USC 601 et seq. and that do all of the following:

6           (a) Meet the special needs of low-income persons with problems resulting from  
7 alcohol or other drug abuse.

8           (b) Emphasize parent education, vocational and housing assistance and  
9 coordination with other community programs and with treatment under intensive  
10 care.

11           **(2)** The department shall do all of the following with respect to the grants under  
12 par. (a):

13           (a) Award the grants in accordance with the department's  
14 request-for-proposal procedures.

15           (b) Ensure that the grants are distributed in both urban and rural  
16 communities.

17           (c) Evaluate the programs under the grants by use of client-outcome  
18 measurements that the department develops.

19           **(3)** The department shall coordinate the grant program under this section with  
20 any similar grant program administered by the department of health and family  
21 services.

22           **\*b0549/2.1\* SECTION 1277v.** 49.173 of the statutes is created to read:

23           **49.173 Workforce attachment.** (1) The department shall distribute funds  
24 to Wisconsin works agencies and to local workforce development boards established  
25 under 29 USC 2832 to provide all of the following:

1 (a) Job readiness training and job placement services to unemployed persons.

2 (b) Basic job skills development to unemployed or recently employed persons.

3 (c) Services to assist recently employed persons with job retention.

4 (d) Incumbent worker training to promote job advancement and increased  
5 earnings.

6 (e) Services to employers to assist them in retaining workers and providing  
7 workers with position advancement.

8 **(2)** (a) The department shall allocate a portion of the amount to be distributed  
9 under sub. (1) and shall distribute that portion in equal amounts among all of the  
10 Wisconsin works agencies.

11 (b) The department shall distribute the amount that remains after the  
12 distribution under par. (a) to each Wisconsin works agency and local workforce  
13 development board based on the criteria specified in sub. (3).

14 **(3)** (a) The department shall allocate and distribute funds under sub. (2) (b) to  
15 Wisconsin works agencies based on the number of persons in all of the following case  
16 categories served by that Wisconsin works agency:

- 17 1. Case management.
- 18 2. Food stamp employment and training.
- 19 3. Diversion, as defined by the department.
- 20 4. Noncustodial parents.
- 21 5. Child care.

22 (b) The department shall allocate and distribute to each local workforce  
23 development board funds under sub. (2) (b) based on a formula that takes into  
24 account all of the following:

1           1. The percentage of the population of the area served by the local board with  
2 an income at or below 200% of the poverty line.

3           2. Labor force participation.

4           3. The unemployment rate of the area served by the local board.

5           (4) The department shall require recipients of the funds distributed under this  
6 section to meet performance standards that are based on employment placement for  
7 unemployed persons, job retention rates of the persons served by the fund recipients,  
8 increased earnings of the persons served by the fund recipients, and increased child  
9 support collections for noncustodial parents served by the fund recipients.

10           **\*b0550/3.1\* SECTION 1277g.** 49.169 of the statutes is created to read:

11           **49.169 Family literacy grants. (1)** In this section, “family literacy training”  
12 means literacy training that focuses on interactive literacy activities between  
13 parents and their children and that aims at improving the literacy skills of both  
14 parents and their children.

15           (2) The department shall award not more than \$1,404,100 in grants to  
16 qualified applicants for the provision of family literacy training to individuals who  
17 are eligible for temporary assistance for needy families under 42 USC 601 et. seq.

18           (3) To qualify for a grant under sub. (2), the applicant must be an organization  
19 that has a demonstrated history of providing literacy training to adults and children  
20 and must fulfill any other criteria developed under sub. (4).

21           (4) The department, in consultation with the technical college system board,  
22 the department of public instruction and the governor’s office, shall develop written  
23 criteria to be used to evaluate the grant proposals and to allocate the grants under  
24 this section among the successful grant applicants.

1           (5) The department shall require grant recipients to coordinate with the  
2 appropriate Wisconsin works agencies to ensure that those participants in Wisconsin  
3 works who are served by those Wisconsin works agencies and who need family  
4 literacy training receive adequate family literacy training.

5           **\*b0524/5.3\* SECTION 1278g.** 49.175 of the statutes, as affected by 1997  
6 Wisconsin Act 27, is repealed and recreated to read:

7           **49.175 Public assistance and local assistance allocations. (1)**

8           **ALLOCATION OF FUNDS.** Within the limits of the appropriations under s. 20.445 (3) (a),  
9 (br), (cm), (dc), (dz), (e), (em), (jL), (k), (L), (Lm), (mc), (md), (nL), (pm) and (ps), the  
10 department shall allocate the following amounts for the following purposes:

11           (a) *Wisconsin works benefits.* For Wisconsin works benefits provided under  
12 contracts having a term that begins on January 1, 2000, and ends on December 31,  
13 2001, \$24,649,800 in fiscal year 1999–2000 and \$49,309,600 in fiscal year 2000–01.

14           (b) *Wisconsin works administration and ancillary services.* For administration  
15 of Wisconsin works and program services under Wisconsin works performed under  
16 contracts under s. 49.143 having a term that begins on January 1, 2000, and ends  
17 on December 31, 2001, \$64,216,800 in fiscal year 1999–2000 and \$128,433,800 in  
18 fiscal year 2000–01.

19           (c) *Performance bonuses.* For performance bonuses to Wisconsin works  
20 agencies that have entered into contracts under s. 49.143 having a term that begins  
21 on January 1, 2000, and that ends on December 31, 2001, \$2,779,800 in fiscal year  
22 1999–2000 and \$5,559,800 in fiscal year 2000–01.

23           (d) *County community reinvestment.* For reinvestment of funds into  
24 communities under s. 49.143 (3p), \$3,706,300 in fiscal year 1999–2000 and  
25 \$7,413,100 in fiscal year 2000–01.

\*\*\*\*NOTE: s. 49.143 (3p) is created in LRBb0541.

1 (e) *Initial contracts.* For contracts under s. 49.143 having a term that ends on  
2 December 31, 1999, \$27,844,700 in fiscal year 1999–2000.

3 (f) *Wisconsin works agency contingency fund.* For contingency payments to  
4 Wisconsin works agencies for program costs, \$95,000,000 in the 1999–2001 fiscal  
5 biennium, to be distributed under criteria established by the department, except  
6 that the department may not distribute moneys allocated under this paragraph  
7 unless the joint committee on finance approves the distribution.

8 (g) *State administration of public assistance programs.* For state  
9 administration of public assistance programs, \$31,831,000 in fiscal year 1999–2000  
10 and \$31,783,200 in fiscal year 2000–01.

11 (h) *Food stamps for legal immigrants.* For food stamp benefits to qualified  
12 aliens under s. 49.124 (8), \$420,000 in each fiscal year.

13 (i) *Emergency assistance.* For emergency assistance under s. 49.138,  
14 \$3,300,000 in each fiscal year.

15 (j) *Funeral expenses.* For funeral expenses under s. 49.30, \$3,300,000 in each  
16 fiscal year.

17 (L) *Individual development accounts.* For the individual development accounts  
18 program under s. 49.187, \$650,000 in each fiscal year.

19 (m) *Children first.* For services under the work experience program for  
20 noncustodial parents under s. 49.36, \$1,140,000 in each fiscal year.

21 (n) *Job access loans.* For job access loans under s. 49.147 (6), \$600,000 in each  
22 fiscal year.

23 (o) *Employment skills advancement grants.* For employment skills  
24 advancement grants under s. 49.185, \$100,000 in each fiscal year.



1 (p) *Direct child care services.* For direct child care services under s. 49.155,  
2 \$159,330,000 in fiscal year 1999–2000 and \$180,700,000 in fiscal year 2000–01.

3 (q) *Indirect child care services.* For indirect child care services under s. 49.155  
4 (1g), \$11,812,300 in fiscal year 1999–2000 and \$11,367,600 in fiscal year 2000–01.

5 (r) *Early childhood excellence initiative.* For grants under s. 49.1375,  
6 \$7,500,000 in each fiscal year.

7 (s) *Start-up funding.* For start-up funding for contracts under s. 49.143 having  
8 a term that begins on January 1, 2000, and that ends on December 31, 2001,  
9 \$3,519,000 in fiscal year 1999–2000. The department may not distribute moneys  
10 allocated under this paragraph unless the joint committee on finance approves the  
11 distribution.

12 (t) *Wisconsin works contracts in certain counties.* For contracts with persons  
13 for oversight of the administrative structure of Wisconsin works, and of Wisconsin  
14 works agencies, in counties having a population of 500,000 or more, \$1,500,000 in  
15 fiscal year 1999–2000 and \$1,000,000 in fiscal year 2000–01.

16 (u) *Workforce attachment.* For services specified under s. 49.173, \$9,700,000  
17 in fiscal year 1999–2000 and \$10,000,000 in fiscal year 2000–01. The department  
18 may not distribute moneys allocated under this paragraph unless the joint  
19 committee on finance approves the distribution.

\*\*\*NOTE: Section 49.173 is created in LRBs0549

20 (v) *Transportation assistance.* For transportation assistance under s. 49.157,  
21 \$200,000 in fiscal year 1999–2000 and \$2,000,000 in fiscal year 2000–01.

22 (w) *Hospital paternity incentives.* For hospital paternity incentive payments  
23 under s. 69.14 (1) (cm), \$91,900 in each fiscal year.

1           (x) *Passports for youth program.* For the passports for youth program operated  
2 by the YMCA of Metropolitan Milwaukee, \$300,000 in fiscal year 1999–2000. The  
3 department may not distribute funds under this paragraph if the passports for youth  
4 program does not comply with P.L. 104–193, section 103.

5           (y) *Literacy initiative.* For literacy grants under s. 49.169 and literacy services  
6 administered by the governor’s office, \$1,454,100 in each fiscal year.

\*\*\*NOTE: Section 49.169 is created in LRBb0350.

7           (z) *Community youth grant.* For a competitive grant program administered by  
8 the department to fund programs that improve social, academic and employment  
9 skills of youth who are eligible to receive temporary assistance for needy families  
10 under 42 USC 601 et seq., \$7,500,000 in each fiscal year.

11           (zb) *Work-based learning programs for youth.* For work-based learning  
12 programs for youth funded from the appropriation under s. 20.445 (7) (kc),  
13 \$2,969,700 in fiscal year 1999–2000 and \$6,084,500 in fiscal year 2000–01.

14           (zc) *Fatherhood initiative.* For a grant program to promote fathers’  
15 involvement in their children’s lives, \$75,000 in fiscal year 1999–2000.

16           (zd) *Alcohol and other drug abuse.* For grants made under s. 49.167 to  
17 organizations that provide community-based alcohol and other drug abuse  
18 treatment to individuals who are eligible for temporary assistance for needy families  
19 under 42 USC 601 et. seq., \$1,000,000 in each fiscal year.

20           (ze) *Programs administered by the department of health and family services.*  
21 1. ‘Kinship care and long-term kinship care assistance.’ For the kinship care and  
22 long-term kinship care programs under s. 48.57 (3m), (3n) and (3p), \$24,489,400 in  
23 fiscal year 1999–2000 and \$26,109,800 in fiscal year 2000–01.

\*\*\*\*NOTE: LRB0527 substitutes a different dollar amount for FY 1999-2000 for kinship care (\$26,800,200). Should the dollar amount for that year be changed here?

1           2. 'Children of recipients of supplemental security income.' For payments made  
2 under s. 49.775 for the support of the dependent children of recipients of  
3 supplemental security income, \$13,745,200 in fiscal year 1999-2000 and  
4 \$17,930,000 in fiscal year 2000-01.

5           3. 'Community aids.' For community aids, \$31,800,000 in fiscal year  
6 1999-2000 and \$18,086,200 in fiscal year 2000-01.

7           4. 'Runaway services.' For grants to programs that provide services for  
8 runaway children, \$150,000 in each fiscal year.

9           5. 'Early identification of pregnancy.' For outreach and services under s.  
10 253.085 to low-income pregnant women, \$100,000 in each fiscal year.

11           6. 'Supplemental food program for women, infants and children.' From the  
12 appropriation under s. 20.445 (3) (md), for per capita nutritional services and  
13 administration funding to local agencies that administer the federal special  
14 supplemental food program for women, infants and children under 42 USC 1786 and  
15 the state supplemental food program for women, infants and children under s.  
16 253.06, \$1,000,000 in each fiscal year.

17           7. 'Adolescent services and pregnancy prevention programs.' For adolescent  
18 services and pregnancy prevention programs under ss. 46.93 and 46.995, \$1,808,300  
19 in each fiscal year.

\*\*\*\*NOTE: The spread sheet specified that ss. 46.93 and 46.99 should be referenced. Since there is no s. 46.99, I assumed it was supposed to be s. 46.995. Is that right?

20           8. 'Domestic abuse services grants.' For the domestic abuse services grants  
21 under s. 46.95 (2), \$975,000 in fiscal year 1999-2000 and \$1,000,000 in each fiscal  
22 year thereafter.

1           9. 'Statewide immunization program.' For the statewide immunization  
2 program under s. 252.04 (1), \$1,000,000 in each fiscal year.

3           (zf) *Badger Challenge*. For the Badger Challenge program under s. 21.25,  
4 \$33,300 in fiscal year 1999–2000 and \$83,200 in fiscal year 2000–01.

5           (zg) *Aid to Milwaukee public schools*. For aid to the school district operating  
6 under ch. 119 under ss. 119.72 and 119.82, \$1,410,000 in each fiscal year.

7           (zh) *Earned income tax credit*. 1. 'Taxable year 1998.' For the transfer of  
8 moneys under 1999 Wisconsin Act .... (this act), section 9357 (2g), from the  
9 appropriation account under s. 20.445 (3) (md) to the general fund to reimburse the  
10 general fund for earned income tax credits paid for the taxable year that began on  
11 January 1, 1998, \$58,000,000 in fiscal year 1999–2000.

12           2. 'Taxable years 1999 and thereafter.' For the transfer of moneys from the  
13 appropriation account under s. 20.445 (3) (md) to the appropriation account under  
14 s. 20.835 (2) (kf) for the earned income tax credit, \$58,000,000 in fiscal year  
15 1999–2000 and \$61,000,000 in fiscal year 2000–01.

\*\*\*NOTE: Section 20.835 (2) (kf) is created in LRBb0535.

16           (zi) *Campaign for a Sustainable Milwaukee*. For the Campaign for a  
17 Sustainable Milwaukee, \$300,000 in fiscal year 1999–2000.

18           (zj) *Head start*. For the transfer of moneys to the department of public  
19 instruction for head start agencies, \$3,712,500 in each fiscal year.

20           (zk) *Wisconsin trust account fund*. For the distribution to the Wisconsin trust  
21 account fund under s. 49.1635, \$100,000 in each fiscal year.

\*\*\*NOTE: Section 49.1635 is created in LRBb0555.

1           (zL) *English for Southeast Asian children.* To the school board of the Wausau  
2 school district for English training for 3-year-old, 4-year-old and 5-year-old  
3 Southeast Asian children, \$100,000 in each fiscal year.

4           (zm) *Jobs initiative.* For Milwaukee Jobs Initiative, Inc., \$100,000 in each  
5 fiscal year.

6           (zn) *Child abuse and neglect prevention board.* For the transfer of moneys to  
7 the child abuse and neglect prevention board, \$340,000 in each fiscal year.

8           (2) REDISTRIBUTION OF FUNDS. The department may redistribute funds allocated  
9 for a purpose specified under any paragraph under sub. (1) to be used for any other  
10 purpose specified in any other paragraph under sub. (1) if all of the following  
11 conditions are met:

12           (a) The secretary of administration approves the redistribution.

13           (b) The department submits a request for approval of the redistribution to the  
14 joint committee on finance and the cochairpersons of the committee do not, within  
15 14 days of receiving the request, notify the department that the committee has  
16 scheduled a meeting for the purpose of reviewing the request. If, within 14 days after  
17 receiving the request, the cochairpersons of the committee notify the department  
18 that the committee has scheduled a meeting for the purpose of reviewing the request,  
19 the department may not redistribute funds under sub. (1) except to the extent  
20 approved by the committee.

21           **\*b0541/4.2\* SECTION 1330r.** 49.179 of the statutes is created to read:

22           **49.179 County community reinvestment.** (1) In this section, "Wisconsin  
23 works" has the meaning given in s. 49.141 (1) (p).

24           (2) Annually, beginning January 1, 2000, the department shall distribute the  
25 moneys allocated under s. 49.175 (1) (d) to counties as follows:

\*\*\*NOTE: 49.175 (1) (d) is created in LRB00524

1 (a) To a county in which more than one Wisconsin works agency is located, the  
2 department shall distribute an amount equal to 4% of the sum of the amounts for  
3 which the department contracted with those Wisconsin works agencies for  
4 administration and benefits under Wisconsin works for the year in which the moneys  
5 are to be distributed.

6 (b) To a county in which one Wisconsin works agency is located, the department  
7 shall distribute an amount equal to 4% of the amount for which the department  
8 contracted with that Wisconsin works agency for administration and benefits under  
9 Wisconsin works for the year in which the moneys are to be distributed.

10 (c) To a county that is one of several counties served by a single Wisconsin works  
11 agency, the department shall distribute an amount equal to that county's  
12 proportional share, as determined by the department, of an amount equal to 4% of  
13 the amount for which the department contracted with that Wisconsin works agency  
14 for administration and benefits under Wisconsin works for the year in which the  
15 moneys are to be distributed.

16 (3) Funds distributed under sub. (2) may be used only for community  
17 reinvestment projects. The department shall establish by rule criteria for the use of  
18 the funds distributed under sub. (2).

19 (4) In conformity with the criteria established by the department under sub.  
20 (3), the county board of supervisors shall determine the use of the funds distributed  
21 under sub. (2).

22 (5) No expenditures from the funds distributed under sub. (2) may be made  
23 unless the department first certifies that the expenditures are allowable under the

1 federal temporary assistance for needy families block grant program under 42 USC  
2 601 et. seq.

3 **\*-0488/1.1\* SECTION 1331.** 49.185 (3) (d) of the statutes is amended to read:  
4 49.185 (3) (d) The individual has been employed in an unsubsidized job for at  
5 least ~~9~~ 6 consecutive months before applying for a grant.

6 **\*-0488/1.2\* SECTION 1332.** 49.185 (3) (i) of the statutes is amended to read:  
7 49.185 (3) (i) The individual contributes, or obtains from other sources, an  
8 amount at least equal to the amount of the grant, ~~and obtains funding from other~~  
9 ~~sources in an amount at least equal to the amount of the grant,~~ for tuition, books,  
10 transportation or other direct costs of the training or education.

11 **\*-1186/4.22\* SECTION 1333.** 49.185 (5) of the statutes is amended to read:  
12 49.185 (5) APPLICABILITY. This section applies beginning on ~~the date stated in~~  
13 ~~the notice under s. 49.141 (2) (d), or on~~ November 1, 1997, ~~whichever is later.~~

14 **\*-1989/3.3\* SECTION 1334.** 49.187 of the statutes is created to read:

15 **49.187 Individual development accounts.** (1) ADMINISTRATION. The  
16 department may establish a program to permit individuals who are eligible under  
17 sub. (2) to establish individual development accounts. If the department establishes  
18 the program under this section, the program shall be administered in accordance  
19 with P.L. 105-285. The department may contract with community action agencies  
20 under s. 46.30 to administer the program under this section.

21 (2) ELIGIBILITY. An individual is eligible to establish an individual development  
22 account if the all of the following criteria with respect to the individual are met:

23 (a) The individual is at least 18 years old.

24 (b) The individual is a custodial parent, as defined in s. 49.141 (1) (b).

1 (c) The individual meets the eligibility requirements under P.L. 105–285,  
2 section 408 (a). In determining the net worth of an individual's household, as  
3 required under P.L. 105–285, section 408 (a) (2), the community action agency or the  
4 department shall exclude the equity value of vehicles up to a total equity value of  
5 \$10,000 and one home that serves as the homestead of the individual's household.

6 (3) FUNDING FOR AND USE OF AN INDIVIDUAL DEVELOPMENT ACCOUNT. (a) An  
7 individual who establishes an individual development account under this section  
8 may deposit into the account only earned income, as defined in section 911 (d) (2) of  
9 the Internal Revenue Code of 1986. For every \$1 that the individual deposits in the  
10 account, the community action agency with which the department contracts under  
11 sub. (1), or, if the department does not enter into a contract under sub. (1), the  
12 department, shall deposit not less than 50 cents nor more than \$4 into the account.  
13 Moneys deposited in an individual development account may be withdrawn only for  
14 emergencies as provided under P.L. 105–285, section 404 (3) or for qualified expenses  
15 specified under P.L. 105–285, section 404 (8).

16 (b) An individual who establishes an individual development account under  
17 this section shall participate in financial planning and economic education programs  
18 offered by the community action agency or by the department.

19 \*–1186/4.23\* SECTION 1335. 49.19 (11s) (a) of the statutes is amended to read:

20 49.19 (11s) (a) The department shall conduct a demonstration project under  
21 this subsection pursuant to a waiver from the secretary of the federal department of  
22 health and human services beginning on January 1, 1996. To the extent permitted  
23 in the waiver, the department may apply pars. (b) to (d) to all recipients of aid under  
24 this section or to a test group of recipients of aid under this section determined by  
25 the department. Paragraphs (b) to (d) do not apply to persons who are subject to s.



1 49.25, 1997 stats., and shall apply only while a waiver under this paragraph is in  
2 effect and only with respect to recipients covered by the waiver.

3 **\*-1186/4.24\* SECTION 1336.** 49.19 (20) (a) of the statutes is amended to read:  
4 49.19 (20) (a) Beginning on January 1, 1999, or beginning on the first day of  
5 the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d),  
6 1997 stats., whichever is sooner, no person is eligible to receive benefits under this  
7 section and no aid may be granted under this section. No additional notice, other  
8 than the enactment of this paragraph, is required to be given under sub. (13) to  
9 recipients of aid under this section to terminate their benefits under this paragraph.

10 **\*-1186/4.25\* SECTION 1337.** 49.191 of the statutes is repealed.

11 **\*-1186/4.26\* SECTION 1338.** 49.193 of the statutes is repealed.

12 **\*-1186/4.27\* SECTION 1339.** 49.195 (1) of the statutes is amended to read:

13 49.195 (1) If any parent at the time of receiving aid under s. 49.19 or a benefit  
14 under s. 49.148, 49.155 or 49.157 or at any time thereafter acquires property by gift,  
15 inheritance, sale of assets, court judgment or settlement of any damage claim, or by  
16 winning a lottery or prize, the county granting such aid, or the Wisconsin works  
17 agency granting such a benefit, may sue the parent on behalf of the department to  
18 recover the value of that portion of the aid or of the benefit which does not exceed the  
19 amount of the property so acquired. The value of the aid or benefit liable for recovery  
20 under this section may not include the value of work performed by a member of the  
21 family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,  
22 s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work  
23 experience component under s. 49.193 (6), 1997 stats. During the life of the parent,  
24 the 10-year statute of limitations may be pleaded in defense against any suit for  
25 recovery under this section; and if such property is his or her homestead it shall be

1 exempt from execution on the judgment of recovery until his or her death or sale of  
2 the property, whichever occurs first. Notwithstanding the foregoing restrictions and  
3 limitations, where the aid or benefit recipient is deceased a claim may be filed against  
4 any property in his or her estate and the statute of limitations specified in s. 859.02  
5 shall be exclusively applicable. The court may refuse to render judgment or allow  
6 the claim in any case where a parent, spouse or child is dependent on the property  
7 for support, and the court in rendering judgment shall take into account the current  
8 family budget requirement as fixed by the U.S. department of labor for the  
9 community or as fixed by the authorities of the community in charge of public  
10 assistance. The records of aid or benefits paid kept by the county, by the department  
11 or by the Wisconsin works agency are prima facie evidence of the value of the aid or  
12 benefits furnished. Liability under this section shall extend to any parent or  
13 stepparent whose family receives aid under s. 49.19 or benefits under s. 49.148,  
14 49.155 or 49.157 during the period that he or she is a member of the same household,  
15 but his or her liability is limited to such period. This section does not apply to medical  
16 and health assistance payments for which recovery is prohibited or restricted by  
17 federal law or regulation.

18 \*~~0485/4.3~~\* SECTION 1340. 49.195 (3) of the statutes is amended to read:

19 49.195 (3) A county, tribal governing body, Wisconsin works agency or the  
20 department shall determine whether an overpayment has been made under s. 49.19,  
21 49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal  
22 governing body, Wisconsin works agency or department shall provide notice of the  
23 overpayment to the liable person and shall give that person an opportunity for a  
24 review following the procedure specified under s. 49.152, or for a hearing under ch.  
25 227. Notwithstanding s. 49.96, the department shall promptly recover all

1 overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already  
2 been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing  
3 policies and procedures to administer this subsection.

4 **\*-0485/4.4\* SECTION 1341.** 49.195 (3m) of the statutes is created to read:

5 49.195 (3m) (a) 1. If any person fails to pay to the department any amount  
6 determined under sub. (3), no review or appeal of that determination is pending and  
7 the time for requesting a review or taking an appeal has expired, the department  
8 may issue a warrant directed to the clerk of circuit court of any county.

9 2. The clerk of circuit court shall enter in the judgment and lien docket the  
10 name of the person mentioned in the warrant, the amount for which the warrant is  
11 issued and the date on which the clerk entered that information.

12 3. A warrant entered under subd. 2. shall be considered in all respects as a final  
13 judgment constituting a perfected lien upon the person's right, title and interest in  
14 all real and personal property located in the county in which the warrant is entered.

15 4. After issuing a warrant, the department may file an execution with the clerk  
16 of circuit court for filing with the sheriff of the county, commanding the sheriff to levy  
17 upon and sell sufficient real and personal property of the person to pay the amount  
18 stated in the warrant in the same manner as upon an execution against property  
19 issued upon the judgment of a court of record, and to return the warrant to the  
20 department and pay to it the money collected by virtue of the warrant within 60 days  
21 after receipt of the warrant. The execution may not command the sheriff to levy upon  
22 or sell any property that is exempt from execution under ss. 815.18 (3) and 815.20.

23 (b) The clerk of circuit court shall accept, file and enter the warrant in the  
24 judgment and lien docket without prepayment of any fee, but the clerk of circuit court  
25 shall submit a statement of the proper fee semiannually to the department covering

1 the periods from January 1 to June 30 and July 1 to December 31 unless a different  
2 billing period is agreed to between the clerk of circuit court and the department. The  
3 department shall pay the fees, but shall add the fees provided by s. 814.61 (5) for  
4 entering the warrants to the amount of the warrant and shall collect the fees from  
5 the person named in the warrant when satisfaction or release is presented for entry.

6 (c) If a warrant that is not satisfied in full is returned, the department may  
7 enforce the amount due as if the department had recovered judgment against the  
8 person named in the warrant for the same amount.

9 (d) When the amount set forth in a warrant and all costs due the department  
10 have been paid to it, the department shall issue a satisfaction of the warrant and file  
11 it with the clerk of circuit court. The clerk of circuit court shall immediately enter  
12 a satisfaction of the judgment on the judgment and lien docket. The department  
13 shall send a copy of the satisfaction to the person named in the warrant.

14 (e) If the department finds that the interests of the state will not be jeopardized,  
15 the department may issue a release of any warrant with respect to any real or  
16 personal property upon which the warrant is a lien or cloud upon title. Upon  
17 presentation to the clerk and payment of the fee for filing the release, the clerk shall  
18 enter the release of record. The release is conclusive that the lien or cloud upon the  
19 title of the property covered by the release is extinguished.

20 (f) Notwithstanding s. 49.96, at any time after the filing of a warrant, the  
21 department may commence and maintain a garnishee action as provided by ch. 812  
22 or may use the remedy of attachment as provided by ch. 811 for actions to enforce a  
23 judgment. The place of trial of such an action may be either in Dane County or the  
24 county where the debtor resides and may not be changed from the county in which  
25 that action is commenced, except upon consent of the parties.

1 (g) If the department issues an erroneous warrant, the department shall issue  
2 a notice of withdrawal of the warrant to the clerk of circuit court for the county in  
3 which the warrant is filed. The clerk shall void the warrant and any resulting liens.

4 **\*-0485/4.5\* SECTION 1342.** 49.195 (3n) of the statutes is created to read:

5 49.195 (3n) (a) In this subsection:

6 1. “Debt” means the amount of liability determined under sub. (3).

7 2. “Debtor” means an individual who is liable under sub. (3).

8 3. “Disposable earnings” means that part of the earnings of any debtor after the  
9 deduction from those earnings of any amounts required by law to be withheld, any  
10 life, health, dental or similar type of insurance premiums, union dues, any amount  
11 necessary to comply with a court order to contribute to the support of minor children,  
12 and any levy, wage assignment or garnishment executed prior to the date of a levy  
13 under this subsection.

14 4. “Federal minimum hourly wage” means that wage prescribed by 29 USC 206  
15 (a) (1).

16 5. “Levy” means all powers of distraint and seizure.

17 6. “Property” includes all tangible and intangible personal property and rights  
18 to such property, including compensation paid or payable for personal services,  
19 whether denominated as wages, salary, commission, bonus or otherwise, periodic  
20 payments received pursuant to a pension or retirement program, rents, proceeds of  
21 insurance and contract payments.

22 (b) If any debtor neglects or refuses to pay a debt after the department has made  
23 demand for payment, the department may collect that debt and the expenses of the  
24 levy by levy upon any property belonging to the debtor. Whenever the value of any  
25 property that has been levied upon under this section is not sufficient to satisfy the

1 claim of the department, the department may levy upon any additional property of  
2 the person until the debt and expenses of the levy are fully paid.

3 (c) Any person in possession of or obligated with respect to property or rights  
4 to property that is subject to levy and upon which a levy has been made shall, upon  
5 demand of the department, surrender the property or rights or discharge the  
6 obligation to the department, except that part of the property or rights which is, at  
7 the time of the demand, subject to any prior attachment or execution under any  
8 judicial process.

9 (d) 1. Any debtor who fails or refuses to surrender any property or rights to  
10 property that is subject to levy, upon demand by the department, is subject to  
11 proceedings to enforce the amount of the levy.

12 2. Any 3rd party who fails to surrender any property or rights to property  
13 subject to levy, upon demand of the department, is subject to proceedings to enforce  
14 the levy. The 3rd party is not liable to the department under this subdivision for more  
15 than 25% of the debt. The department shall serve the levy as provided under par.  
16 (m) on any 3rd party who fails to surrender property under this subdivision.  
17 Proceedings may not be initiated by the department until 5 days after service of the  
18 demand.

19 3. When a 3rd party surrenders the property or rights to the property on  
20 demand of the department or discharges the obligation to the department for which  
21 the levy is made, the 3rd party is discharged from any obligation or liability to the  
22 debtor with respect to the property or rights to the property arising from the  
23 surrender or payment to the department.

24 (e) 1. If the department has levied upon property, any person, other than the  
25 debtor who is liable to pay the debt out of which the levy arose, who claims an interest

1 in or lien on that property and claims that that property was wrongfully levied upon  
2 may bring a civil action against the state in the circuit court for Dane County. That  
3 action may be brought whether or not that property has been surrendered to the  
4 department. The court may grant only the relief under subd. 2. No other action to  
5 question the validity of or restrain or enjoin a levy by the department may be  
6 maintained.

7 2. In an action under subd. 1., if a levy would irreparably injure rights to  
8 property, the court may enjoin the enforcement of that levy. If the court determines  
9 that the property has been wrongfully levied upon, it may grant a judgment for the  
10 amount of money obtained by levy.

11 3. For purposes of an adjudication under this paragraph, the determination of  
12 the debt upon which the interest or lien of the department is based is conclusively  
13 presumed to be valid.

14 (f) The department shall determine its costs and expenses to be paid in all cases  
15 of levy.

16 (g) 1. The department shall apply all money obtained under this subsection  
17 first against the expenses of the proceedings and then against the liability in respect  
18 to which the levy was made and any other liability owed to the department by the  
19 debtor.

20 2. The department may refund or credit any amount left after the applications  
21 under subd. 1., upon submission of a claim for that amount and satisfactory proof of  
22 the claim, to the person entitled to that amount.

23 (h) The department may release the levy upon all or part of property levied  
24 upon to facilitate the collection of the liability or to grant relief from a wrongful levy,  
25 but that release does not prevent any later levy.

1           (j) If the department determines that property has been wrongfully levied  
2 upon, the department may return the property at any time, or may return an amount  
3 of money equal to the amount of money levied upon.

4           (k) Any person who removes, deposits or conceals or aids in removing,  
5 depositing or concealing any property upon which a levy is authorized under this  
6 subsection with intent to evade or defeat the assessment or collection of any debt may  
7 be fined not more than \$5,000 or imprisoned for not more than 3 years or both, and  
8 shall be liable to the state for the costs of prosecution.

9           (L) If no appeal or other proceeding for review permitted by law is pending and  
10 the time for taking an appeal or petitioning for review has expired, the department  
11 shall make a demand to the debtor for payment of the debt which is subject to levy  
12 and give notice that the department may pursue legal action for collection of the debt  
13 against the debtor. The department shall make the demand for payment and give  
14 the notice at least 10 days prior to the levy, personally or by any type of mail service  
15 which requires a signature of acceptance, at the address of the debtor as it appears  
16 on the records of the department. The demand for payment and notice shall include  
17 a statement of the amount of the debt, including interest and penalties, and the name  
18 of the debtor who is liable for the debt. The debtor's refusal or failure to accept or  
19 receive the notice does not prevent the department from making the levy. Notice  
20 prior to levy is not required for a subsequent levy on any debt of the same debtor  
21 within one year of the date of service of the original levy.

22           (m) 1. The department shall serve the levy upon the debtor and 3rd party by  
23 personal service or by any type of mail service which requires a signature of  
24 acceptance.



1           2. Personal service shall be made upon an individual, other than a minor or  
2 incapacitated person, by delivering a copy of the levy to the debtor or 3rd party  
3 personally; by leaving a copy of the levy at the debtor's dwelling or usual place of  
4 abode with some person of suitable age and discretion residing there; by leaving a  
5 copy of the levy at the business establishment with an officer or employe of the  
6 establishment; or by delivering a copy of the levy to an agent authorized by law to  
7 receive service of process.

8           3. The department representative who serves the levy shall certify service of  
9 process on the notice of levy form and the person served shall acknowledge receipt  
10 of the certification by signing and dating it. If service is made by mail, the return  
11 receipt is the certificate of service of the levy.

12           4. The debtor's or 3rd party's failure to accept or receive service of the levy does  
13 not invalidate the levy.

14           (n) Within 20 days after the service of the levy upon a 3rd party, the 3rd party  
15 shall file an answer with the department stating whether the 3rd party is in  
16 possession of or obligated with respect to property or rights to property of the debtor,  
17 including a description of the property or the rights to property and the nature and  
18 dollar amount of any such obligation.

19           (p) A levy is effective from the date on which the levy is first served on the 3rd  
20 party until the liability out of which the levy arose is satisfied, until the levy is  
21 released or until one year from the date of service, whichever occurs first.

22           (q) 1. The debtor is entitled to an exemption from levy of the greater of the  
23 following:

24           a. A subsistence allowance of 75% of the debtor's disposable earnings then due  
25 and owing.

1           b. An amount equal to 30 times the federal minimum hourly wage for each full  
2 week of the debtor's pay period; or, in the case of earnings for a period other than a  
3 week, a subsistence allowance computed so that it is equivalent to that amount using  
4 a multiple of the federal minimum hourly wage prescribed by the department by  
5 rule.

6           2. The first \$1,000 of an account in a depository institution is exempt from any  
7 levy to recover a benefit overpayment.

8           (r) No employer may discharge or otherwise discriminate with respect to the  
9 terms and conditions of employment against any employe by reason of the fact that  
10 his or her earnings have been subject to levy for any one levy or because of compliance  
11 with any provision of this subsection. Any person who violates this paragraph may  
12 be fined not more than \$1,000 or imprisoned for not more than one year or both.

13           (s) Any debtor who is subject to a levy proceeding made by the department has  
14 the right to appeal the levy proceeding under ch. 227.44. The appeal is limited to  
15 questions of prior payment of the debt that the department is proceeding against,  
16 and mistaken identity of the debtor. The levy is not stayed pending an appeal in any  
17 case where property is secured through the levy.

18           (t) Any 3rd party is entitled to a levy fee of \$5 for each levy in any case where  
19 property is secured through the levy. The 3rd party shall deduct the fee from the  
20 proceeds of the levy.

21           \***-0485/4.6\*** SECTION 1343. 49.195 (3n) (k) of the statutes, as created by 1999  
22 Wisconsin Act .... (this act), is amended to read:

23           49.195 (3n) (k) Any person who removes, deposits or conceals or aids in  
24 removing, depositing or concealing any property upon which a levy is authorized  
25 under this subsection with intent to evade or defeat the assessment or collection of

1 any debt may be fined not more than \$5,000 or imprisoned for not more than ~~3 years~~  
2 4 years and 6 months or both, and shall be liable to the state for the costs of  
3 prosecution.

4 **\*-0485/4.7\* SECTION 1344.** 49.195 (3n) (r) of the statutes, as created by 1999  
5 Wisconsin Act .... (this act), is amended to read:

6 49.195 (3n) (r) No employer may discharge or otherwise discriminate with  
7 respect to the terms and conditions of employment against any employe by reason  
8 of the fact that his or her earnings have been subject to levy for any one levy or  
9 because of compliance with any provision of this subsection. Any person who violates  
10 this paragraph may be fined not more than \$1,000 or imprisoned for not more than  
11 ~~one year~~ 2 years or both.

12 **\*-0485/4.8\* SECTION 1345.** 49.195 (3p) of the statutes is created to read:

13 49.195 (3p) The availability of the remedies under subs. (3m) and (3n) does not  
14 abridge the right of the department to pursue other remedies.

15 **\*-0485/4.9\* SECTION 1346.** 49.195 (3r) of the statutes is created to read:

16 49.195 (3r) From the appropriation under s. 20.445 (3) (L) the department may  
17 contract with or employ a collection agency or other person to enforce a repayment  
18 obligation of a person who is found liable under sub. (3) who is delinquent in making  
19 repayments.

20 **\*-1186/4.28\* SECTION 1347.** 49.20 of the statutes is repealed.

21 **\*-1186/4.29\* SECTION 1348.** 49.21 of the statutes is repealed.

22 **\*b0194/2.2\* SECTION 1350m.** 49.23 of the statutes is repealed.

23 **\*-0497/4.6\* SECTION 1352.** 49.24 (1) of the statutes, as affected by 1997  
24 Wisconsin Act 27, section 1882n, is amended to read:

1           49.24 (1) From the appropriation under s. 20.445 (3) (k), the department shall  
2 provide child support incentive payments to counties to ~~offset reduced federal child~~  
3 ~~support incentive payments~~. Total payments under this subsection may not exceed  
4 ~~\$3,178,000 in fiscal year 1997–98 or \$3,850,000 in fiscal year 1998–99~~ \$5,690,000 per  
5 year.

6           **\*b0194/2.3\* SECTION 1352f.** 49.24 (2) of the statutes is renumbered 49.24 (2)  
7 (a) and amended to read:

8           49.24 (2) (a) The department shall ~~distribute the payments under sub. (1) in~~  
9 ~~accordance with a formula developed by the department~~, in consultation with  
10 representatives of counties, promulgate a rule that specifies the formula according  
11 to which the payments under sub. (1) and federal child support incentive payments  
12 will be distributed to counties. The rule shall provide that the total of state and  
13 federal incentive payments per year to a county may not exceed the costs per year  
14 of the county's child support program under s. 49.22.

15           (b) The total of payments made to counties under sub. (1) and in federal child  
16 support incentive payments may not exceed ~~\$10,500,000 in a state fiscal~~ \$12,340,000  
17 per year.

18           **\*b0194/2.3\* SECTION 1352g.** 49.24 (3) of the statutes is amended to read:

19           49.24 (3) A county that receives any state child support incentive payment  
20 under sub. (1) or any federal child support incentive payment may use the funds only  
21 to pay costs under its child support program under s. 49.22.

22           **\*-1186/4.30\* SECTION 1353.** 49.25 of the statutes is repealed.

23           **\*-1186/4.31\* SECTION 1354.** 49.26 (1) (h) 1. as. of the statutes is amended to  
24 read:

1           49.26 (1) (h) 1. as. The individual has failed to request a hearing or has failed  
2 to show good cause for not cooperating with case management efforts in a hearing.  
3 ~~If the individual is a recipient of aid under s. 49.19, the hearing shall be requested~~  
4 ~~and held under s. 49.21 (1). If the individual is a member of a Wisconsin works group,~~  
5 ~~as defined in s. 49.141 (1) (s), the~~ The hearing shall be requested and held under s.  
6 49.152. The department shall determine by rule the criteria for good cause.

7           \*~~1186/4.32~~\* SECTION 1355. 49.27 of the statutes is repealed.

8           \*~~0500/1.1~~\* SECTION 1356. 49.30 (1m) (c) of the statutes is created to read:

9           49.30 (1m) (c) If a request for payment under sub. (1) is made more than 12  
10 months after the death of the recipient, the county or applicable tribal governing  
11 body or organization responsible for burial of the recipient is not required to make  
12 a payment for cemetery, funeral or burial expenses.

13           \*~~b0583/4.2~~\* SECTION 1356m. 49.33 (1) (b) of the statutes is amended to read:

14           49.33 (1) (b) “Income maintenance program” means aid to families with  
15 dependent children under s. 49.19, Wisconsin works under ss. 49.141 to 49.161,  
16 ~~medical assistance under subch. IV of ch. 49 or the food stamp program under 7 USC~~  
17 2011 to 2029.

18           \*~~b0583/4.2~~\* SECTION 1356n. 49.33 (8) (a) of the statutes is amended to read:

19           49.33 (8) (a) The department shall reimburse each county for reasonable costs  
20 of income maintenance relating to the administration of the programs under this  
21 subchapter ~~and subch. IV~~ according to a formula based on workload within the limits  
22 of available state and federal funds under s. 20.445 (3) (dz), (md) and (nL) by contract  
23 under s. 49.33 (2). The amount of reimbursement calculated under this paragraph  
24 and par. (b) is in addition to any reimbursement provided to a county for fraud and  
25 error reduction under s. 49.197 (1m) and (4).