

1           \***-0273/1.3\*** SECTION 1136. 48.55 of the statutes is renumbered 48.55 (1) and  
2 amended to read:

3           48.55 (1) The department shall establish a state adoption information  
4 exchange for the purpose of finding adoptive homes for children with special needs  
5 who do not have permanent homes. ~~The department shall adopt rules governing the~~  
6 ~~adoption information exchange and, from~~ and a state adoption center for the  
7 purposes of increasing public knowledge of adoption and promoting to adolescents  
8 and pregnant women the availability of adoption services. From the appropriation  
9 under s. 20.435 (3) (dg), ~~the department~~ may provide not more than \$75,000 ~~\$125,000~~  
10 in each fiscal year as grants to individuals and private agencies ~~for~~ to provide  
11 adoption information exchange services and to operate the state adoption center.

12           \***-0273/1.4\*** SECTION 1137. 48.551 (title) and (1) of the statutes are repealed.

13           \***-0273/1.5\*** SECTION 1138. 48.551 (2) (intro.) of the statutes is renumbered  
14 48.55 (2) (intro.) and amended to read:

15           48.55 (2) (intro.) The department shall promulgate rules governing the  
16 adoption information exchange and rules specifying the functions of the state  
17 adoption center, ~~which.~~ The rules specifying the functions of the state adoption  
18 center shall include all of the following:

19           \***-0273/1.6\*** SECTION 1139. 48.551 (2) (a), (b), (c), (d) and (e) of the statutes are  
20 renumbered 48.55 (2) (a), (b), (c), (d) and (e).

21           \***-1463/2.1\*** SECTION 1140. 48.561 (3) (b) of the statutes is amended to read:

22           48.561 (3) (b) The department of administration ~~and a county having a~~  
23 ~~population of 500,000 or more shall consult to determine the method by which the~~  
24 ~~state will~~ shall collect the amount specified in par. (a). ~~If the department of~~  
25 ~~administration and from~~ a county having a population of 500,000 or more reach an

1 ~~agreement as to that method and if that agreement calls for~~ by deducting all or part  
2 of that amount from any state payment due that county under s. ~~46.40,~~ 79.03, 79.04,  
3 79.058, 79.06 or 79.08 ~~or for adding a special charge to the amount of taxes~~  
4 ~~apportioned to and levied on that county under s. 70.60, the.~~ The department of  
5 administration shall notify the department of revenue, by September 15 of each year,  
6 of the amount to be deducted from ~~these~~ the state payments due ~~or to be added as~~  
7 ~~that special charge.~~ If the department of administration and a county having a  
8 population of 500,000 or more do not reach an agreement as to that method by  
9 September 15 of each year, the department of administration shall determine that  
10 method without the agreement of that county under s. 79.03, 79.04, 79.058, 79.06 or  
11 79.08. The department of administration shall credit all amounts collected under  
12 this paragraph to the appropriation account under s. 20.435 (3) (kw) and shall notify  
13 the county from which those amounts are collected of that collection.

14 **\*b0527/1.3\* SECTION 1141d.** 48.57 (3m) (am) (intro.) of the statutes is  
15 amended to read:

16 48.57 (3m) (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435  
17 (3) ~~(ez)~~ and (kc), the department shall reimburse counties having populations of less  
18 than 500,000 for payments made under this subsection and shall make payments  
19 under this subsection in a county having a population of 500,000 or more. A county  
20 department and, in a county having a population of 500,000 or more, the department  
21 shall make payments in the amount of \$215 per month to a kinship care relative who  
22 is providing care and maintenance for a child if all of the following conditions are met:

23 **\*b0527/1.3\* SECTION 1143d.** 48.57 (3n) (am) (intro.) of the statutes is amended  
24 to read:

1           48.57 (3n) (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435  
2 (3) ~~(ez) and (kc)~~, the department shall reimburse counties having populations of less  
3 than 500,000 for payments made under this subsection and shall make payments  
4 under this subsection in a county having a population of 500,000 or more. A county  
5 department and, in a county having a population of 500,000 or more, the department  
6 shall make monthly payments for each child in the amount specified in sub. (3m)  
7 (am) (intro.) to a long-term kinship care relative who is providing care and  
8 maintenance for that child if all of the following conditions are met:

9           \*~~1732/1.3~~\* SECTION 1147. 48.60 (2) (h) of the statutes is repealed.

10          \*~~0085/4.2~~\* SECTION 1148. 48.62 (1) (a) of the statutes is amended to read:

11           48.62 (1) (a) Any person who receives, with or without transfer of legal custody,  
12 4 or fewer children or ~~more than 4 children~~ if all of the children are siblings, if  
13 necessary to enable a sibling group to remain together, 6 or fewer children or, if the  
14 department promulgates rules permitting a different number of children, the  
15 number of children permitted under those rules, to provide care and maintenance for  
16 those children shall obtain a license to operate a foster home from the department,  
17 a county department or a licensed child welfare agency as provided in s. 48.75.

18          \*~~b0361/1.1~~\* SECTION 1148g. 48.62 (4) of the statutes is amended to read:

19           48.62 (4) Monthly payments in foster care shall be provided according to the  
20 age-related rates specified in this subsection. Beginning on January 1, ~~1998~~ 2000,  
21 the age-related rates are: ~~\$289~~ \$299 for children aged 4 and under; ~~\$315~~ \$326 for  
22 children aged 5 to 11; ~~\$358~~ \$371 for children aged 12 to 14 and ~~\$374~~ \$387 for children  
23 aged 15 to 17. Beginning on January 1, ~~1999~~ 2001, the age-related rates are: ~~\$296~~  
24 \$302 for children aged 4 and under; ~~\$323~~ \$329 for children aged 5 to 11; ~~\$367~~ \$375  
25 for children aged 12 to 14; and ~~\$383~~ \$391 for children aged 15 to 17. In addition to

1 these grants for basic maintenance, the department shall make supplemental  
2 payments for special needs, exceptional circumstances, care in a treatment foster  
3 home and initial clothing allowances according to rules promulgated by the  
4 department.

5 \*b0359/1.2\* **SECTION 1148m.** 48.63 (3) of the statutes is amended to read:

6 48.63 (3) Subsection (1) does not apply to the placement of a child for adoption.  
7 Adoptive placements may be made only as provided under ss. 48.833 (1), 48.835,  
8 48.837 and 48.839.

9 \*b0359/1.2\* **SECTION 1148p.** 48.64 (1m) of the statutes is amended to read:

10 48.64 (1m) FOSTER HOME, TREATMENT FOSTER HOME AND GROUP HOME AGREEMENTS.  
11 If an agency places a child in a foster home, treatment foster home or group home  
12 under a court order or voluntary agreement under s. 48.63, the agency shall enter  
13 into a written agreement with the head of the home. The agreement shall provide  
14 that the agency shall have access at all times to the child and the home, and that the  
15 child will be released to the agency whenever, in the opinion of the agency placing  
16 the child or the department, the best interests of the child require it. If a child has  
17 been in a foster home, treatment foster home or group home for 6 months or more,  
18 the agency shall give the head of the home written notice of intent to remove the  
19 child, stating the reasons for the removal. The child may not be removed before  
20 completion of the hearing under sub. (4) (a) or (c), if requested, or 30 days after the  
21 receipt of the notice, whichever is later, unless the safety of the child requires it or,  
22 in a case in which the reason for removal is to place the child for adoption under s.  
23 48.833 (1), unless all of the persons who have the right to request a hearing under  
24 sub. (4) (a) or (c) sign written waivers of objection to the proposed removal. If the  
25 safety of the child requires earlier removal, s. 48.19 shall apply. If an agency removes

1 a child from an adoptive placement, the head of the home shall have no claim against  
2 the placing agency for the expense of care, clothing or medical treatment.

3 \*b0359/1.3\* SECTION 1160d. 48.685 (1) (bg) of the statutes is amended to read:

4 48.685 (1) (bg) "Foster home" includes a placement for adoption under s. 48.833  
5 (1) of a child for whom adoption assistance will be provided under s. 48.975 after the  
6 adoption is finalized.

7 \*b0359/1.3\* SECTION 1160g. 48.685 (1) (d) of the statutes is amended to read:

8 48.685 (1) (d) "Treatment foster home" includes a placement for adoption under  
9 s. 48.833 (1) of a child for whom adoption assistance will be provided under s. 48.975  
10 after the adoption is finalized.

11 \*-0492/7.11\* SECTION 1171. 48.685 (2) (bm) of the statutes is amended to read:

12 48.685 (2) (bm) If the person who is the subject of the search under par. (am)  
13 or (b) 1. is not a resident of this state, or if at any time within the 3 years preceding  
14 the date of the search that person has not been a resident of this state, the  
15 department, county department, child welfare agency, school board or entity shall  
16 make a good faith effort to obtain from any state in which the person is a resident  
17 or was a resident within the 3 years preceding the date of the search information that  
18 is equivalent to the information specified in par. (am) 1. or (b) 1. a.

19 \*-0333/2.2\* SECTION 1181. 48.685 (8) of the statutes is amended to read:

20 48.685 (8) The department, a county department, a child welfare agency or a  
21 school board may charge a fee for obtaining the information required under sub. (2)  
22 (am) or (3) (a) or for providing information to an entity to enable the entity to comply  
23 with sub. (2) (b) 1. or (3) (b). The fee may not exceed the reasonable cost of obtaining  
24 the information. No fee may be charged to a nurse's assistant, as defined in s. 146.40

1 (1)(d), for obtaining or maintaining information if to do so would be inconsistent with  
2 federal law.

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

4 48.75 (1g) (a) 4. The county of the public licensing agency issuing the license  
5 has a population of 500,000 or more and the placement is for adoption under s. 48.833  
6 (1), 48.835 or 48.837.

7 \*-0273/1.7\* SECTION 1191. 48.825 (3) (b) of the statutes is amended to read:

8 48.825 (3) (b) An individual or agency providing adoption information  
9 ~~exchange services~~ under s. 48.55.

10 \*-0273/1.8\* SECTION 1192. 48.825 (3) (c) of the statutes is repealed.

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

13 48.833 (1) ADOPTIVE PLACEMENT. The department, a county department under  
14 s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 may place a  
15 child for adoption in a licensed foster home or a licensed treatment foster home  
16 without a court order if the department, county department ~~under s. 48.57 (1) (e) or~~  
17 ~~(hm)~~ or the child welfare agency is the guardian of the child or makes the placement  
18 at the request of another agency ~~which~~ that is the guardian of the child.

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

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

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

8           48.833 (3) CHILD WITH SPECIAL NEEDS. In placing a child with special needs, as  
9 defined by rule promulgated under s. 48.975 (5) (b), for adoption under sub. (1), the  
10 department, county department or child welfare agency making the placement may  
11 not consider the location of a proposed adoptive parent's residence as a factor in  
12 making that placement unless the department, county department or child welfare  
13 agency determines that consideration of that factor is necessary to ensure the best  
14 interests of the child in light of the child's need for care or treatment to meet those  
15 special needs. If the department, county department or child welfare agency  
16 considers the location of a prospective adoptive parent's residence as a factor in  
17 placing a child with special needs, the department, county department or child  
18 welfare agency shall document the reasons why that consideration is necessary in  
19 the child's permanency plan as provided in s. 48.38 (4) (dm). If the department,  
20 county department or child welfare agency does not consider the location of a  
21 prospective adoptive parent's residence as a factor in placing a child with special  
22 needs and the child is placed more than 60 miles from the child's home, the  
23 department, county department or child welfare agency shall document the reasons  
24 why that consideration is not necessary in the child's permanency plan as provided  
25 in s. 48.38 (4) (d) 1m.

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

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

6           **\*b0304/1.2\* SECTION 1199d.** 48.982 (2) (d) of the statutes is amended to read:

7           48.982 (2) (d) Solicit and accept contributions, grants, gifts and bequests for the  
8 children's trust fund or for any other purpose for which a contribution, grant, gift or  
9 bequest is made and received. Moneys received under this paragraph, other than  
10 moneys received under s. 341.14 (6r) (b) 6., may be deposited in credited to the  
11 appropriation accounts under s. 20.433 (1) (i), (q) or (r). ~~This paragraph does not~~  
12 ~~apply to moneys~~ Interest earned on moneys received under s. 341.14 (6r) (b) 6. may  
13 be credited to the appropriation accounts under s. 20.433 (1) (q) or (r).

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

16           48.982 (2m) DONATION USES. (intro.) If money is accepted by the board for the  
17 children's trust fund or for any other purpose under sub. (2) (d), ~~except moneys~~  
18 ~~received under s. 341.14 (6r) (b) 6. and appropriated under s. 20.433 (1) (q) or (r), the~~  
19 board shall use the money in accordance with the wishes of the donor to do any of the  
20 following:

21           **\*-0275/5.9\* SECTION 1201.** 48.985 (2) of the statutes is amended to read:

22           48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the  
23 appropriation under s. 20.435 (7) (o), the department shall distribute not more than  
24 ~~\$3,804,000 in fiscal year 1997-98 and not more than \$3,734,000 in fiscal year~~  
25 ~~1998-99~~ \$3,964,400 in each fiscal year of the moneys received under 42 USC 620 to



1 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or  
2 purchase of child welfare projects and services, for services to children and families,  
3 for services to the expectant mothers of unborn children and for family-based child  
4 welfare services.

5 **\*-0027/5.28\* SECTION 1203.** 49.025 (2) (a) (intro.) of the statutes is amended  
6 to read:

7 49.025 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a  
8 year, the department shall pay to the county, in accordance with s. 49.031, from the  
9 appropriation under s. 20.435 ~~(5)~~ (4) (bt), an amount for that year determined as  
10 follows:

11 **\*-1393/3.2\* SECTION 1204.** 49.025 (2) (a) 1. b. of the statutes is amended to  
12 read:

13 49.025 (2) (a) 1. b. For any year, 45% of the total amount expended by the county  
14 in that year as relief for health care services provided to dependent persons,  
15 including the amount transferred to the appropriation account under s. 20.435 (4)  
16 (h) in that year and the amount estimated to be received from the federal government  
17 as a match to the funds expended from the appropriation account under s. 20.435 (4)  
18 (h).

19 **\*-0027/5.29\* SECTION 1205.** 49.027 (2) (a) (intro.) of the statutes is amended  
20 to read:

21 49.027 (2) (a) (intro.) If a county is eligible to receive a relief block grant in a  
22 year, the department shall pay to the county, in accordance with s. 49.031, from the  
23 appropriation under s. 20.435 ~~(5)~~ (4) (bt), an amount for that year determined  
24 as follows:

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

3           49.027 (2) (a) 1. d. The department shall multiply the amount determined  
4 under subd. 1. c. by the amount appropriated under s. 20.435 (5) ~~(bu)~~ (4) (bt) for relief  
5 block grants for that year.

6           \***-1057/2.3**\* **SECTION 1207.** 49.029 (2) of the statutes, as affected by 1999  
7 Wisconsin Act .... (this act), is amended to read:

8           49.029 (2) AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the  
9 appropriation under s. 20.435 (4) ~~(bs)~~ (kb), the department shall distribute a relief  
10 block grant to each eligible tribal governing body in an amount and in a manner  
11 determined in accordance with rules promulgated by the department. The  
12 department shall promulgate the rules after consulting with all tribal governing  
13 bodies eligible for a relief block grant. In promulgating rules under this section, the  
14 department shall consider each tribe's economic circumstances and need for health  
15 care services.

16           \***-0535/1.1**\* **SECTION 1209.** 49.124 (1g) (a) of the statutes is amended to read:

17           49.124 (1g) (a) The individual is a custodial parent of a child who is under the  
18 age of 18 and who has an absent parent, or the individual lives with and exercises  
19 parental control over a child who is under the age of 18 and who has an absent parent,  
20 and the individual does not fully cooperate in good faith with efforts directed at  
21 establishing the paternity of the child, if necessary, ~~and obtaining support payments~~  
22 establishing or enforcing a support order, if any appropriate, or obtaining other  
23 payments or property, if any, to which that individual or the child may have rights.  
24 This paragraph does not apply if the individual has good cause for refusing to

1 cooperate, as determined by the department in accordance with federal law and  
2 regulations.

3 **\*b0545/3.3\* SECTION 1209q.** 49.124 (1m) (cm) of the statutes, as affected by  
4 1997 Wisconsin Act 27, is amended to read:

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

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

9 49.136 (2) (b) The department shall attempt to award grants under this section  
10 to head start agencies designated under 42 USC 9836, employers that provide or  
11 wish to provide child care services for their employees, family day care centers, group  
12 day care centers and day care programs for the children of student parents,  
13 organizations that provide child care for sick children and child care providers that  
14 employ participants or former participants in a Wisconsin works employment  
15 position under s. 49.147 (3) to (5).

16 **\*-0702/9.4\* SECTION 1213.** 49.1375 of the statutes is created to read:

17 **49.1375 Early childhood excellence initiative.** (1) The department shall  
18 establish a grant program to develop at least 5 early childhood centers for children  
19 under the age of 5 who are eligible to receive temporary assistance to needy families  
20 under 42 USC 601 et seq. Centers awarded a grant under this subsection shall  
21 provide outreach and training for parents of the children served by the center and  
22 training for child care providers. The centers shall emphasize stimulation of the  
23 child's language skills and senses of vision and touch. A person who is awarded a  
24 grant under this subsection shall contribute matching funds from local or private  
25 sources equal to 25% of the amount awarded under this subsection.

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

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

11           49.138 (1m) (intro.) The department shall implement a program of emergency  
12 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or  
13 impending homelessness or energy crisis. The department shall establish the  
14 maximum amount of aid to be granted, except for cases of energy crisis, per family  
15 member based on the funding available under s. 20.445 (3) (dc) and (md). The  
16 department need not establish the maximum amount by rule under ch. 227. The  
17 department shall publish the maximum amount and annual changes to it in the  
18 Wisconsin administrative register. Emergency assistance provided to needy persons  
19 under this section in cases of fire, flood, natural disaster or energy crisis may only  
20 be provided to a needy person once in a 12-month period. Emergency assistance  
21 provided to needy persons under this section in cases of homelessness or impending  
22 homelessness may be used only to obtain or retain a permanent living  
23 accommodation and, except as provided in sub. (2), may only be provided to a needy  
24 person once in a 36-month period. For the purposes of this section, a family is

1 considered to be homeless, or to be facing impending homelessness, if any of the  
2 following applies:

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

5 49.138 (1m) (am) The family is experiencing a financial crisis that makes it  
6 very difficult for the family to make a rent payment, mortgage payment or property  
7 tax payment and the family has been notified that it will be required to leave its  
8 current housing if it does not make that payment immediately.

9 **\*-1186/4.11\* SECTION 1214.** 49.141 (2) of the statutes is repealed.

10 **\*-1186/4.12\* SECTION 1215.** 49.141 (2g) (a) of the statutes is renumbered  
11 49.141 (2g).

12 **\*-1186/4.13\* SECTION 1216.** 49.141 (2g) (b) of the statutes is repealed.

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

14 49.141 (4) NONENTITLEMENT. Notwithstanding Except as provided in s. 49.145  
15 (3m), notwithstanding fulfillment of the eligibility requirements for any component  
16 of Wisconsin works, an individual is not entitled to services or benefits under  
17 Wisconsin works.

18 **\*-1186/4.14\* SECTION 1217.** 49.143 (1) (a) of the statutes is amended to read:

19 49.143 (1) (a) Except as provided in par. (am), the department may award a  
20 contract, on the basis of a competitive process approved by the secretary of  
21 administration, to any person to administer Wisconsin works in a geographical area  
22 determined by the department under sub. (6). ~~The department shall award contracts~~  
23 ~~under this paragraph before the date that is specified in s. 49.141 (2) (d).~~

24 **\*-1186/4.15\* SECTION 1218.** 49.143 (1) (am) 1. of the statutes is repealed and  
25 recreated to read:

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

9           \*~~1186/4.16~~\* **SECTION 1219.** 49.143 (1) (am) 2. of the statutes is amended to  
10 read:

11           49.143 (1) (am) 2. A ~~county or tribal governing body~~ Wisconsin works agency  
12 that has not met the ~~aid to families with dependent children caselead~~ performance  
13 standards established by the department may apply for a contract under the  
14 competitive process established under par. (a).

15           \*~~1186/4.17~~\* **SECTION 1220.** 49.143 (1) (at) of the statutes is repealed.

16           \*~~b0569/1.3~~\* **SECTION 1220m.** 49.143 (2) (a) 7. of the statutes is amended to  
17 read:

18           49.143 (2) (a) 7. Coordinate with the ~~governor's council on workforce excellence~~  
19 ~~under s. 106.115~~ council on workforce investment established under 29 USC 2821 to  
20 ensure compatibility of purpose and no duplication of effort.

21           \*~~0700/2.1~~\* **SECTION 1221.** 49.143 (2) (cr) of the statutes is amended to read:

22           49.143 (2) (cr) Provide, or contract with another person to provide, budgeting  
23 and financial planning services, including credit establishment and credit repair  
24 assistance training to participants. ~~Prior to providing, or contracting with another~~  
25 ~~to provide, the assistance specified under this paragraph, the Wisconsin works~~

1 ~~agency shall submit a proposed plan for the provision of that assistance to the~~  
2 ~~department. The secretary shall submit each proposed plan to the cochairpersons~~  
3 ~~of the joint committee on finance. If, within 14 days after receiving the proposed~~  
4 ~~plans, the cochairpersons do not notify the secretary that the joint committee on~~  
5 ~~finance has scheduled a meeting for the purpose of reviewing the proposed plans, the~~  
6 ~~department shall direct each Wisconsin works agency that submitted proposed plans~~  
7 ~~to implement the plans. If, within 14 days, the co chairs notify the secretary that~~  
8 ~~they have scheduled a meeting for the purpose of reviewing the proposed plans, no~~  
9 ~~Wisconsin works agency may implement its plan until the joint committee on finance~~  
10 ~~approves the plan. Every January 31, the department shall submit to the joint~~  
11 ~~committee on finance a report specifying the total amount expended in the previous~~  
12 ~~year for the provision of credit establishment and credit repair assistance under this~~  
13 ~~paragraph.~~

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

15 49.143 (2) (ct) Return to the department an amount equal to the total amount  
16 of benefits withheld under s. 49.148 for missed work or education and training  
17 activities.

18 **\*-0493/2.7\* SECTION 1222.** 49.143 (2) (e) of the statutes is amended to read:

19 49.143 (2) (e) To the extent permitted under federal law or waiver, certify  
20 eligibility for and issue food coupons to eligible Wisconsin works participants in  
21 conformity with 7 USC 2011 to 2029. If the department receives the federal waiver  
22 necessary to enforce the contract provision under this paragraph, the department  
23 shall submit to the joint committee on finance the terms of the waiver and an  
24 implementation plan prior to enforcing the contract provision under this paragraph.

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

1           49.143 (3) PERFORMANCE STANDARDS. The In consultation with the statewide  
2 advisory group and special work groups established under sub. (3m), the department  
3 shall establish performance standards for the administration of Wisconsin works.  
4 If a Wisconsin works agency does not meet the standards established under this  
5 subsection, the department may withhold or recover any or all payment from the  
6 Wisconsin works agency.

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

8           49.143 (3g) PERFORMANCE BONUSES. (a) The department shall base any  
9 performance bonus calculation that it makes for Wisconsin works agencies on all of  
10 the following performance criteria:

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

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

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

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

18           5. Appropriate implementation of Wisconsin works.

19           6. Customer satisfaction.

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

23           (c) The department shall develop a system by which the department may track  
24 former participants and former applicants for Wisconsin works to facilitate an



1 assessment of how successfully each Wisconsin works agency has met the  
2 performance criteria specified in par. (a).

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

4 49.143 (3m) STATEWIDE ADVISORY GROUP. The department shall establish a  
5 statewide advisory group to provide a forum for any person to raise concerns and to  
6 receive or provide information about programs and policies regarding Wisconsin  
7 works, including the Wisconsin works agency contract process. The department  
8 shall develop regional forums and special work groups to address issues of concern  
9 raised at the meetings of the statewide advisory group and shall allow any person  
10 to participate in the work groups.

11 **\*b0546/1.1\* SECTION 1224r.** 49.145 (2) (d) of the statutes is repealed and  
12 recreated to read:

13 49.145 (2) (d) The individual has residence in this state.

14 **\*-1186/4.18\* SECTION 1225.** 49.145 (2) (n) 1. a. of the statutes is amended to  
15 read:

16 49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.  
17 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job  
18 opportunities and basic skills program ~~begins to count~~ counts toward the 60-month  
19 limit ~~beginning on October 1, 1996.~~

20 **\*-1989/3.1\* SECTION 1226.** 49.145 (3) (a) of the statutes is amended to read:

21 49.145 (3) (a) *Resource limitations.* The individual is a member of a Wisconsin  
22 works group whose assets do not exceed \$2,500 in combined equity value. In  
23 determining the combined equity value of assets, the Wisconsin works agency shall  
24 exclude the equity value of vehicles up to a total equity value of \$10,000, the value

1 of an individual development account established under s. 49.187 and one home that  
2 serves as the homestead for the Wisconsin works group.

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

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

5 49.145 (3m) PLACEMENT. (a) Within 30 days after an individual applies for a  
6 Wisconsin works employment position, the Wisconsin works agency shall place the  
7 individual in a Wisconsin works employment position if the individual meets all of  
8 the eligibility requirements under this section and if the individual is unable to find  
9 unsubsidized employment, as defined in s. 49.147 (1) (c), despite the individual's  
10 reasonable effort to search for unsubsidized employment.

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

15 **\*-1662/1.1\* SECTION 1228.** 49.145 (4) of the statutes is amended to read:

16 49.145 (4) REVIEW OF ELIGIBILITY. A Wisconsin works agency shall periodically  
17 review an individual's eligibility. The individual remains eligible under sub. (3) until  
18 the Wisconsin works group's assets ~~exceed the asset limits for at least 2 months or~~  
19 ~~until the~~ or income of the ~~Wisconsin works group~~ is expected to exceed the asset or  
20 income ~~limits~~ limit under sub. (3) for at least 2 consecutive months.

21 **\*-0787/1.1\* SECTION 1229.** 49.147 (1m) of the statutes is created to read:

22 49.147 (1m) EDUCATIONAL NEEDS ASSESSMENT. Upon determining that the  
23 appropriate placement for an individual is in unsubsidized employment or a trial job,  
24 the Wisconsin works agency shall conduct an educational needs assessment of the  
25 individual. If the Wisconsin works agency determines that the individual needs

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

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

9 49.147 (4) COMMUNITY SERVICE JOB. (a) *Administration*. A Wisconsin works  
10 agency shall administer a community service job program as part of its  
11 administration of Wisconsin works to improve the employability of an individual who  
12 is not otherwise able to obtain employment, as determined by the Wisconsin works  
13 agency, by providing work experience and training, if necessary, to assist the  
14 individual to move promptly into unsubsidized public or private employment or a  
15 trial job. In determining an appropriate placement for a participant, a Wisconsin  
16 works agency shall give placement under this subsection priority over placements  
17 under sub. (5). Community service jobs shall be limited to projects that the  
18 department determines would serve a useful public purpose or projects the cost of  
19 which is partially or wholly offset by revenue generated from such projects. After  
20 each 6 months of an individual's participation under this subsection and at the  
21 conclusion of each assignment under this subsection, a Wisconsin works agency shall  
22 reassess the individual's employability.

23 (am) *Education or training activities*. A participant under this subsection may  
24 be required to participate in education and training activities assigned as part of an  
25 employability plan developed by the Wisconsin works agency. The department shall

1 establish by rule permissible education and training under this paragraph, which  
2 shall include a course of study meeting the standards established under s. 115.29 (4)  
3 for the granting of a declaration of equivalency of high school graduation, technical  
4 college courses and educational courses that provide an employment skill.  
5 Permissible education under this paragraph shall also include English as a 2nd  
6 language courses that the Wisconsin works agency determines would facilitate an  
7 individual's efforts to obtain employment and adult basic education courses that the  
8 Wisconsin works agency determines would facilitate an individual's efforts to obtain  
9 employment.

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

18 (at) *Motivational training.* A Wisconsin works agency may require a  
19 participant, during the first 2 weeks of participation under this subsection, to  
20 participate in an assessment and motivational training program identified by the  
21 community steering committee under s. 49.143 (2) (a) 10. The Wisconsin works  
22 agency may require not more than 40 hours of participation per week under this  
23 paragraph in lieu of the participation requirement under par. (as).

24 (av) *Education for 18-year-old and 19-year-old students.* A Wisconsin works  
25 agency shall permit a participant under this subsection who has not attained the age

1 of 20 and who has not obtained a high school diploma or a declaration of equivalency  
2 of high school graduation to attend high school or, at the option of the participant,  
3 to enroll in a course of study meeting the standards established under s. 115.29 (4)  
4 for the granting of a declaration of equivalency of high school graduation to satisfy,  
5 in whole or in part, the required hours of participation under par. (as).

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

20 (c) *Worker's compensation.* A participant under this subsection is an employe  
21 of the Wisconsin works agency for purposes of worker's compensation coverage,  
22 except to the extent that the person for whom the participant is performing work  
23 provides worker's compensation coverage.

24 \*-0785/1.1\* SECTION 1235. 49.1475 of the statutes is created to read:

1           **49.1475 Follow-up services.** Following any follow-up period required by the  
2 contract entered into under s. 49.143, a Wisconsin works agency may provide case  
3 management services for an individual who moves from a Wisconsin works  
4 employment position to unsubsidized employment to help the individual retain the  
5 unsubsidized employment. Case management services may include the provision of  
6 employment skills training; English as a 2nd language classes, if the Wisconsin  
7 works agency determines that the course will facilitate the individual's efforts to  
8 retain employment; a course of study meeting the standards established under s.  
9 115.29 (4) for the granting of a declaration of equivalency of high school graduation;  
10 or other remedial education courses. The Wisconsin works agency may provide case  
11 management services regardless of the individual's income and asset levels.

12           \***-0608/2.1\* SECTION 1236.** 49.148 (1) (b) 1. of the statutes, as affected by 1997  
13 Wisconsin Act 27, is amended to read:

14           49.148 (1) (b) 1. ~~For~~ Except as provided in subd. 1m., for a participant in a  
15 community service job under s. 49.147 (4) (b), a monthly grant of \$673, paid by the  
16 Wisconsin works agency or by the department under sub. (2). For every hour that  
17 the participant misses work or education or training activities without good cause,  
18 the grant amount shall be reduced by \$5.15. Good cause shall be determined by the  
19 financial and employment planner in accordance with rules promulgated by the  
20 department. Good cause shall include required court appearances for a victim of  
21 domestic abuse. If a participant in a community service job under s. 49.147 (4) (b) is  
22 required to work fewer than 30 hours per week because the participant has  
23 unsubsidized employment, as defined in s. 49.147 (1)(c), the grant amount under this  
24 paragraph ~~may be reduced by an amount equal to the product of \$5.15 and the~~  
25 ~~difference between 30 and the number of hours the participant is required to work~~

1 shall equal the amount specified under subd. 1m. minus \$5.15 for each hour that the  
2 participant misses work or education or training activities without good cause.

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

5 49.148 (1) (b) 1m. Except as provided in subd. 1., the Wisconsin works agency  
6 shall pay a participant in a community service job the following:

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

9 b. For a participant placed in a community service job for more than 10 hours  
10 but not more than 15 hours per week, one-half of the amount specified under subd.  
11 1m. d.

12 c. For a participant placed in a community service job for more than 15 hours  
13 but not more than 20 hours per week, two-thirds of the amount specified under subd.  
14 1m. d.

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

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

18 \*b0545/3.5\* SECTION 1237m. 49.148 (1m) (a) of the statutes, as affected by  
19 1997 Wisconsin Act 27, is amended to read:

20 49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and  
21 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a  
22 monthly grant of \$673 unless another adult member of the custodial parent's  
23 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin  
24 works employment position or is employed in unsubsidized employment, as defined  
25 in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under

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

7 **\*b0545/3.5\* SECTION 1237n.** 49.148 (1m) (b) of the statutes, as affected by 1997  
8 Wisconsin Act 27, is amended to read:

9 49.148 (1m) (b) Receipt of a grant under this subsection constitutes  
10 participation in a Wisconsin works employment position for purposes of the time  
11 limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) ~~2. or (e) 4.~~ or (5) (b) 2. if the  
12 child is born to the participant more than 10 months after the date that the  
13 participant was first determined to be eligible for assistance under s. 49.19 or for a  
14 Wisconsin works employment position unless the child was conceived as a result of  
15 a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not  
16 indicate a freely given agreement to have sexual intercourse or of incest in violation  
17 of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a  
18 physician and to law enforcement authorities.

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

20 49.148 (2m) PAY PERIOD. Benefits under this section shall be paid on the first  
21 day of each month. The payment shall be for any participation from the 26th day of  
22 the month immediately preceding the month that immediately precedes the month  
23 in which the payment is made through the 25th day of the month that immediately  
24 precedes the month in which the payment is made. The payment may be prorated



1 to account for participation that begins after the start of the payment period, but in  
2 any case shall be made not more than 36 days after the participation begins.

3 **\*-0701/5.1\* SECTION 1241.** 49.155 (1) (aL) of the statutes is created to read:

4 49.155 (1) (aL) "Disabled" means physically or mentally incapable of caring for  
5 oneself.

6 **\*-0605/3.2\* SECTION 1244.** 49.155 (1g) (intro.) of the statutes is amended to  
7 read:

8 49.155 (1g) DISTRIBUTION OF FUNDS. (intro.) Subject to sub. (1j) ~~and s. 16.54(2)~~,  
9 the department shall, within the limits of the availability of the federal child care and  
10 development block grant funds received under 42 USC 9858, do all of the following:

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

12 49.155 (1g) (b) From the appropriation under s. 20.445 (3) (mc), distribute  
13 ~~\$4,315,000~~ \$8,012,500 in fiscal year ~~1997-98~~ 1999-2000 and ~~\$4,315,000~~ \$7,412,500  
14 in fiscal year ~~1998-99~~ 2000-01 for the purposes of providing technical assistance for  
15 child care providers and of administering the child care program under this section  
16 and for grants under s. 49.136 (2) for the start-up and expansion of child day care  
17 services, and for child day care start-up and expansion planning, for grants under  
18 s. 49.134 (2) for child day care resource and referral services, for grants under s.  
19 49.137 (3) to assist child care providers in meeting the quality of care standards  
20 established under sub. (1d), and for a system of rates or a program of grants, as  
21 provided under sub. (1d), to reimburse child care providers that meet those quality  
22 of care standards and for grants under s. 49.137 (2) and contracts under s. 49.137 (4)  
23 to improve the quality of child day care services in this state.

24 **\*-0687/5.5\* SECTION 1246.** 49.155 (1g) (c) of the statutes is amended to read:

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

7           \*~~0687/5.6~~\* **SECTION 1247.** 49.155 (1g) (d) of the statutes is created to read:

8           49.155 (1g) (d) From the appropriation under s. 20.445 (3) (mc), transfer  
9           \$182,200 in each fiscal year to the appropriation under s. 20.435 (3) (kx) for the  
10          administration of day care programs for foster parents in a county having a  
11          population of 500,000 or more.

12          \*~~0701/5.2~~\* **SECTION 1248.** 49.155 (1m) (intro.) of the statutes is amended to  
13          read:

14          49.155 (1m) ELIGIBILITY. (intro.) A Wisconsin works agency shall determine  
15          eligibility for a child care subsidy under this section. Under this section, an  
16          individual may receive a subsidy for child care for a child who has not attained the  
17          age of 13 or, if the child is disabled, who has not attained the age of 19, if the  
18          individual meets all of the following conditions:

19          \*~~0701/5.3~~\* **SECTION 1249.** 49.155 (1m) (a) (intro.) of the statutes is amended  
20          to read:

21          49.155 (1m) (a) (intro.) The individual is a parent of a child who is under the  
22          age of 13, or, if the child is disabled, is under the age of 19; or is a person who, under  
23          s. 48.57 (3m) or (3n), is providing care and maintenance for a child who is under the  
24          age of 13, or, if the child is disabled, is under the age of 19; and child care services  
25          for that child are needed in order for the individual to do any of the following:

1           **\*b0545/3.7\* SECTION 1249q.** 49.155 (1m) (a) 3. of the statutes, as affected by  
2 1997 Wisconsin Act 27, is amended to read:

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

7           **\*-0487/3.1\* SECTION 1250.** 49.155 (1m) (a) 4. (intro.) of the statutes is amended  
8 to read:

9           49.155 (1m) (a) 4. (intro.) ~~Participate in other employment skills training~~ If the  
10 Wisconsin works agency determines that basic education would facilitate the  
11 individual's efforts to obtain or maintain employment, participate in basic education,  
12 including an English as a 2nd language course, ~~if the Wisconsin works agency~~  
13 ~~determines that the course would facilitate the individual's efforts to obtain~~  
14 employment; literacy tutoring; or a course of study meeting the standards  
15 established by the state superintendent of public instruction under s. 115.29 (4) for  
16 the granting of a declaration of equivalency of high school graduation; ~~a course of~~  
17 ~~study at a technical college, if the Wisconsin works agency determines that the~~  
18 ~~course would facilitate the individual's efforts to obtain or maintain employment; or~~  
19 ~~participation in educational courses that provide an employment skill, as~~  
20 ~~determined by the department.~~ An individual may receive aid under this subdivision  
21 for up to ~~two~~ 2 years. An individual may not receive aid under this subdivision unless  
22 the individual meets at least one of the following conditions:

23           **\*-0487/3.2\* SECTION 1251.** 49.155 (1m) (a) 4. a. of the statutes is amended to  
24 read:

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

3           \*~~-0487/3.3~~\* **SECTION 1252.** 49.155 (1m) (a) 5. of the statutes is created to read:

4           49.155 (1m) (a) 5. Participate in a course of study at a technical college, or  
5 participate in educational courses that provide an employment skill, as determined  
6 by the department, if the Wisconsin works agency determines that the course or  
7 courses would facilitate the individual's efforts to obtain or maintain employment.  
8 An individual may receive aid under this subdivision for up to 2 years. An individual  
9 may not receive aid under this subdivision unless the individual meets at least one  
10 of the following conditions:

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

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

14           \*~~-0699/4.2~~\* **SECTION 1253.** 49.155 (1m) (b) 3. of the statutes is repealed.

15           \*~~-0699/4.3~~\* **SECTION 1254.** 49.155 (1m) (c) 1. of the statutes is renumbered  
16 49.155 (1m) (c) 1. (intro.) and amended to read:

17           49.155 (1m) (c) 1. (intro.) The gross income of the individual's family is at or  
18 below ~~165%~~ 185% of the poverty line for a family the size of the individual's family  
19 or, for an individual who is already receiving a child care subsidy under this section,  
20 the gross income of the individual's family is at or below 200% of the poverty line for  
21 a family the size of the individual's family. In calculating the gross income of the  
22 family, the Wisconsin works agency shall include income described under s. 49.145  
23 (3) (b) 1. ~~to and 3., except that, in calculating farm and self-employment income, the~~  
24 Wisconsin works agency shall include the sum of the following:

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

3           49.155 (1m) (c) 1. a. Net earnings reported to the Internal Revenue Service.

4           \*~~0699/4.5~~\* SECTION 1256. 49.155 (1m) (c) 1. b. of the statutes is created to  
5 read:

6           49.155 (1m) (c) 1. b. Depreciation expenses, personal business and  
7 entertainment expenses, personal transportation costs, purchases of capitol  
8 equipment and payments on the principal of loans.

9           \*~~0699/4.6~~\* SECTION 1257. 49.155 (1m) (c) 1g. of the statutes is amended to  
10 read:

11           49.155 (1m) (c) 1g. The individual is a foster parent of the child and the child's  
12 biological or adoptive family ~~meets the asset limit under s. 49.145 (3) (a) and~~ has a  
13 gross income that is at or below 200% of the poverty line. In calculating the gross  
14 income of the child's biological or adoptive family, the Wisconsin works agency shall  
15 include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3.

16           \*~~0699/4.7~~\* SECTION 1258. 49.155 (1m) (c) 1h. of the statutes is amended to  
17 read:

18           49.155 (1m) (c) 1h. The individual is a relative of the child, is providing care  
19 for the child under a court order and is receiving payments under s. 48.57 (3m) on  
20 behalf of the child and the child's biological or adoptive family ~~meets the asset limit~~  
21 ~~under s. 49.145 (3) (a) and~~ has a gross income that is at or below 200% of the poverty  
22 line. In calculating the gross income of the child's biological or adoptive family, the  
23 Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~  
24 and 3.

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

3           49.155 (1m) (c) 3. The individual was eligible for a child care subsidy under s.  
4 49.191 (2), 1997 stats., on or after May 10, 1996, and received a child care subsidy  
5 on or after May 10, 1996, but lost the subsidy solely because of increased income, and  
6 the gross income of the individual's family is at or below 200% of the poverty line for  
7 a family the size of the individual's family. This subdivision does not apply to an  
8 individual whose family's gross income increased to more than 200% of the poverty  
9 line for a family the size of the individual's family.

10           \***-0495/2.1\*** **SECTION 1265.** 49.155 (3m) (b) of the statutes is renumbered  
11 49.155 (3m) (b) (intro.) and amended to read:

12           49.155 (3m) (b) ~~Not more than 5%, or \$20,000, whichever is greater, of~~ Of the  
13 funds distributed under par. (a) not more than the greatest of the following may be  
14 used for the costs of administering the program under this section.;

15           \***-0495/2.2\*** **SECTION 1266.** 49.155 (3m) (b) 1. of the statutes is created to read:

16           49.155 (3m) (b) 1. Five percent of the funds distributed under par. (a) in the  
17 current year.

18           \***-0495/2.3\*** **SECTION 1267.** 49.155 (3m) (b) 2. of the statutes is created to read:

19           49.155 (3m) (b) 2. Five percent of the funds distributed under par. (a) in the  
20 immediately preceding year.

21           \***-0495/2.4\*** **SECTION 1268.** 49.155 (3m) (b) 3. of the statutes is created to read:

22           49.155 (3m) (b) 3. Twenty thousand dollars.

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

24           49.155 (5) **LIABILITY FOR PAYMENT.** An individual is liable for the percentage of  
25 the cost of the child care ~~that the department~~ specified by the department in a printed

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

6 **\*-0485/4.1\* SECTION 1275.** 49.161 (1) of the statutes, as affected by 1997  
7 Wisconsin Act 27, is amended to read:

8 49.161 (1) ~~TRIAL JOBS AND WAGE PAYING COMMUNITY SERVICE JOBS OVERPAYMENTS.~~  
9 Notwithstanding s. 49.96, the department shall recover an overpayment of benefits  
10 paid under s. 49.148 (1) (a) and ~~(b) 2.~~ or 49.19 from an individual who receives ~~or has~~  
11 ~~received~~ benefits paid under s. 49.148 (1) (a) ~~or (b) 2.~~ The value of the benefit liable  
12 for recovery under this subsection may not exceed the amount that the department  
13 paid in wage subsidies with respect to that participant while the participant was  
14 ineligible to participate. The department shall promulgate rules establishing  
15 policies and procedures for administrating this subsection.

16 **\*-0485/4.2\* SECTION 1276.** 49.161 (2) of the statutes, as affected by 1997  
17 Wisconsin Act 27, is amended to read:

18 49.161 (2) ~~GRANT PAYING COMMUNITY~~ COMMUNITY SERVICE JOBS AND TRANSITIONAL  
19 PLACEMENTS OVERPAYMENTS. Except as provided in sub. (3), the department shall  
20 recover an overpayment of benefits paid under s. 49.148 (1) (b) ~~1. and or (c) or 49.19~~  
21 from an individual who continues to receive benefits under s. 49.148 (1) (b) ~~1. and (c)~~  
22 by reducing the amount of the individual's benefit payment by no more than 10%.

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

24 **49.1635 Wisconsin Trust Account Foundation.** (1) To the extent  
25 permitted under federal law and subject to sub. (2), from the appropriation under s.

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

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

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

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

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

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

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

22 **\*-0702/9.5\* SECTION 1277.** 49.167 of the statutes is created to read:

23 **49.167 Alcohol and other drug abuse treatment grant program.** (1) The  
24 department shall award grants to counties, tribal governing bodies and private  
25 entities to provide community-based alcohol and other drug abuse treatment



1 programs that are targeted at individuals who have a family income of not more than  
2 200% of the poverty line and who are eligible for temporary assistance for needy  
3 families under 42 USC 601 et seq. and that do all of the following:

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

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

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

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

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

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

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

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

21 **49.169 Family literacy grants.** (1) In this section, "family literacy training"  
22 means literacy training that focuses on interactive literacy activities between  
23 parents and their children and that aims at improving the literacy skills of both  
24 parents and their children.

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

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

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

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

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

16           **49.173 Workforce attachment.** (1) The department shall distribute funds  
17 to Wisconsin works agencies and to local workforce development boards established  
18 under 29 USC 2832 to provide all of the following:

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

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

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

22           (d) Incumbent worker training to promote job advancement and increased  
23 earnings.

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

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

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

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

- 10           1. Case management.
- 11           2. Food stamp employment and training.
- 12           3. Diversion, as defined by the department.
- 13           4. Noncustodial parents.
- 14           5. Child care.

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

- 18           1. The percentage of the population of the area served by the local board with  
19 an income at or below 200% of the poverty line.
- 20           2. Labor force participation.
- 21           3. The unemployment rate of the area served by the local board.

22           (4) The department shall require recipients of the funds distributed under this  
23 section to meet performance standards that are based on employment placement for  
24 unemployed persons, job retention rates of the persons served by the fund recipients,

1 increased earnings of the persons served by the fund recipients, and increased child  
2 support collections for noncustodial parents served by the fund recipients.

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

5 **49.175 Public assistance and local assistance allocations. (1)**

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

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

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

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

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

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

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

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

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

11 (i) *Emergency assistance.* For emergency assistance under s. 49.138,  
12 \$3,300,000 in each fiscal year.

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

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

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

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

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

23 (p) *Direct child care services.* For direct child care services under s. 49.155,  
24 \$159,330,000 in fiscal year 1999–2000 and \$180,700,000 in fiscal year 2000–01.

1 (q) *Indirect child care services.* For indirect child care services under s. 49.155  
2 (1g), \$11,812,300 in fiscal year 1999–2000 and \$11,367,600 in fiscal year 2000–01.

3 (r) *Early childhood excellence initiative.* For grants under s. 49.1375,  
4 \$7,500,000 in each fiscal year.

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

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

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

18 (v) *Transportation assistance.* For transportation assistance under s. 49.157,  
19 \$200,000 in fiscal year 1999–2000 and \$2,000,000 in fiscal year 2000–01.

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

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

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

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

7           (zb) *Work-based learning programs for youth.* For work-based learning  
8 programs for youth funded from the appropriation under s. 20.445 (7) (kc),  
9 \$2,969,700 in fiscal year 1999–2000 and \$6,084,500 in fiscal year 2000–01.

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

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

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

20 2. 'Children of recipients of supplemental security income.' For payments made  
21 under s. 49.775 for the support of the dependent children of recipients of  
22 supplemental security income, \$13,745,200 in fiscal year 1999–2000 and  
23 \$17,930,000 in fiscal year 2000–01.

24 3. 'Community aids.' For community aids, \$31,800,000 in fiscal year  
25 1999–2000 and \$18,086,200 in fiscal year 2000–01.

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

3           5. 'Early identification of pregnancy.' For outreach and services under s.  
4 253.085 to low-income pregnant women, \$100,000 in each fiscal year.

5           6. 'Supplemental food program for women, infants and children.' From the  
6 appropriation under s. 20.445 (3) (md), for per capita nutritional services and  
7 administration funding to local agencies that administer the federal special  
8 supplemental food program for women, infants and children under 42 USC 1786 and  
9 the state supplemental food program for women, infants and children under s.  
10 253.06, \$1,000,000 in each fiscal year.

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

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

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

19           (zf) *Badger Challenge*. For the Badger Challenge program under s. 21.25,  
20 \$33,300 in fiscal year 1999-2000 and \$83,200 in fiscal year 2000-01.

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

23           (zh) *Earned income tax credit*. 1. 'Taxable year 1998.' For the transfer of  
24 moneys under 1999 Wisconsin Act ... (this act), section 9357 (2g), from the  
25 appropriation account under s. 20.445 (3) (md) to the general fund to reimburse the



1 general fund for earned income tax credits paid for the taxable year that began on  
2 January 1, 1998, \$58,000,000 in fiscal year 1999–2000.

3 2. ‘Taxable years 1999 and thereafter.’ For the transfer of moneys from the  
4 appropriation account under s. 20.445 (3) (md) to the appropriation account under  
5 s. 20.835 (2) (kf) for the earned income tax credit, \$58,000,000 in fiscal year  
6 1999–2000 and \$61,000,000 in fiscal year 2000–01.

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

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

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

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

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

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

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

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

1 (b) The department submits a request for approval of the redistribution to the  
2 joint committee on finance and the cochairpersons of the committee do not, within  
3 14 days of receiving the request, notify the department that the committee has  
4 scheduled a meeting for the purpose of reviewing the request. If, within 14 days after  
5 receiving the request, the cochairpersons of the committee notify the department  
6 that the committee has scheduled a meeting for the purpose of reviewing the request,  
7 the department may not redistribute funds under sub. (1) except to the extent  
8 approved by the committee.

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

10 **49.179 County community reinvestment.** (1) In this section, "Wisconsin  
11 works" has the meaning given in s. 49.141 (1) (p).

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

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

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

23 (c) To a county that is one of several counties served by a single Wisconsin works  
24 agency, the department shall distribute an amount equal to that county's  
25 proportional share, as determined by the department, of an amount equal to 4% of

1 the amount for which the department contracted with that Wisconsin works agency  
2 for administration and benefits under Wisconsin works for the year in which the  
3 moneys are to be distributed.

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

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

10 (5) No expenditures from the funds distributed under sub. (2) may be made  
11 unless the department first certifies that the expenditures are allowable under the  
12 federal temporary assistance for needy families block grant program under 42 USC  
13 601 et. seq.

14 ~~\*-0488/1.1\*~~ SECTION 1331. 49.185 (3) (d) of the statutes is amended to read:  
15 49.185 (3) (d) The individual has been employed in an unsubsidized job for at  
16 least 9 6 consecutive months before applying for a grant.

17 ~~\*-0488/1.2\*~~ SECTION 1332. 49.185 (3) (i) of the statutes is amended to read:  
18 49.185 (3) (i) The individual contributes, or obtains from other sources, an  
19 amount at least equal to the amount of the grant, ~~and obtains funding from other~~  
20 ~~sources in an amount at least equal to the amount of the grant,~~ for tuition, books,  
21 transportation or other direct costs of the training or education.

22 ~~\*-1186/4.22\*~~ SECTION 1333. 49.185 (5) of the statutes is amended to read:  
23 49.185 (5) APPLICABILITY. This section applies beginning on ~~the date stated in~~  
24 ~~the notice under s. 49.141 (2) (d), or on November 1, 1997, whichever is later.~~

25 ~~\*-1989/3.3\*~~ SECTION 1334. 49.187 of the statutes is created to read:

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

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

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

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

11           (c) The individual meets the eligibility requirements under P.L. 105-285,  
12 section 408 (a). In determining the net worth of an individual's household, as  
13 required under P.L. 105-285, section 408 (a) (2), the community action agency or the  
14 department shall exclude the equity value of vehicles up to a total equity value of  
15 \$10,000 and one home that serves as the homestead of the individual's household.

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

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

4 **\*-1186/4.23\* SECTION 1335.** 49.19 (11s) (a) of the statutes is amended to read:

5 49.19 (11s) (a) The department shall conduct a demonstration project under  
6 this subsection pursuant to a waiver from the secretary of the federal department of  
7 health and human services beginning on January 1, 1996. To the extent permitted  
8 in the waiver, the department may apply pars. (b) to (d) to all recipients of aid under  
9 this section or to a test group of recipients of aid under this section determined by  
10 the department. Paragraphs (b) to (d) do not apply to persons who are subject to s.  
11 49.25, 1997 stats., and shall apply only while a waiver under this paragraph is in  
12 effect and only with respect to recipients covered by the waiver.

13 **\*-1186/4.24\* SECTION 1336.** 49.19 (20) (a) of the statutes is amended to read:

14 49.19 (20) (a) Beginning on January 1, 1999, or beginning on the first day of  
15 the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d),  
16 1997 stats., whichever is sooner, no person is eligible to receive benefits under this  
17 section and no aid may be granted under this section. No additional notice, other  
18 than the enactment of this paragraph, is required to be given under sub. (13) to  
19 recipients of aid under this section to terminate their benefits under this paragraph.

20 **\*-1186/4.25\* SECTION 1337.** 49.191 of the statutes is repealed.

21 **\*-1186/4.26\* SECTION 1338.** 49.193 of the statutes is repealed.

22 **\*-1186/4.27\* SECTION 1339.** 49.195 (1) of the statutes is amended to read:

23 49.195 (1) If any parent at the time of receiving aid under s. 49.19 or a benefit  
24 under s. 49.148, 49.155 or 49.157 or at any time thereafter acquires property by gift,  
25 inheritance, sale of assets, court judgment or settlement of any damage claim, or by

1 winning a lottery or prize, the county granting such aid, or the Wisconsin works  
2 agency granting such a benefit, may sue the parent on behalf of the department to  
3 recover the value of that portion of the aid or of the benefit which does not exceed the  
4 amount of the property so acquired. The value of the aid or benefit liable for recovery  
5 under this section may not include the value of work performed by a member of the  
6 family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,  
7 s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work  
8 experience component under s. 49.193 (6), 1997 stats. During the life of the parent,  
9 the 10-year statute of limitations may be pleaded in defense against any suit for  
10 recovery under this section; and if such property is his or her homestead it shall be  
11 exempt from execution on the judgment of recovery until his or her death or sale of  
12 the property, whichever occurs first. Notwithstanding the foregoing restrictions and  
13 limitations, where the aid or benefit recipient is deceased a claim may be filed against  
14 any property in his or her estate and the statute of limitations specified in s. 859.02  
15 shall be exclusively applicable. The court may refuse to render judgment or allow  
16 the claim in any case where a parent, spouse or child is dependent on the property  
17 for support, and the court in rendering judgment shall take into account the current  
18 family budget requirement as fixed by the U.S. department of labor for the  
19 community or as fixed by the authorities of the community in charge of public  
20 assistance. The records of aid or benefits paid kept by the county, by the department  
21 or by the Wisconsin works agency are prima facie evidence of the value of the aid or  
22 benefits furnished. Liability under this section shall extend to any parent or  
23 stepparent whose family receives aid under s. 49.19 or benefits under s. 49.148,  
24 49.155 or 49.157 during the period that he or she is a member of the same household,  
25 but his or her liability is limited to such period. This section does not apply to medical

1 and health assistance payments for which recovery is prohibited or restricted by  
2 federal law or regulation.

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

4 49.195 (3) A county, tribal governing body, Wisconsin works agency or the  
5 department shall determine whether an overpayment has been made under s. 49.19,  
6 49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal  
7 governing body, Wisconsin works agency or department shall provide notice of the  
8 overpayment to the liable person and shall give that person an opportunity for a  
9 review following the procedure specified under s. 49.152, or for a hearing under ch.  
10 227. Notwithstanding s. 49.96, the department shall promptly recover all  
11 overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already  
12 been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing  
13 policies and procedures to administer this subsection.

14 **\*-0485/4.4\* SECTION 1341.** 49.195 (3m) of the statutes is created to read:

15 49.195 (3m) (a) 1. If any person fails to pay to the department any amount  
16 determined under sub. (3), no review or appeal of that determination is pending and  
17 the time for requesting a review or taking an appeal has expired, the department  
18 may issue a warrant directed to the clerk of circuit court of any county.

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

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

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

9           (b) The clerk of circuit court shall accept, file and enter the warrant in the  
10 judgment and lien docket without prepayment of any fee, but the clerk of circuit court  
11 shall submit a statement of the proper fee semiannually to the department covering  
12 the periods from January 1 to June 30 and July 1 to December 31 unless a different  
13 billing period is agreed to between the clerk of circuit court and the department. The  
14 department shall pay the fees, but shall add the fees provided by s. 814.61 (5) for  
15 entering the warrants to the amount of the warrant and shall collect the fees from  
16 the person named in the warrant when satisfaction or release is presented for entry.

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

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



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

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

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

16 **\*-0485/4.5\* SECTION 1342.** 49.195 (3n) of the statutes is created to read:

17 49.195 (3n) (a) In this subsection:

18 1. "Debt" means the amount of liability determined under sub. (3).

19 2. "Debtor" means an individual who is liable under sub. (3).

20 3. "Disposable earnings" means that part of the earnings of any debtor after the  
21 deduction from those earnings of any amounts required by law to be withheld, any  
22 life, health, dental or similar type of insurance premiums, union dues, any amount  
23 necessary to comply with a court order to contribute to the support of minor children,  
24 and any levy, wage assignment or garnishment executed prior to the date of a levy  
25 under this subsection.

1           4. “Federal minimum hourly wage” means that wage prescribed by 29 USC 206

2           (a) (1).

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

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

9           (b) If any debtor neglects or refuses to pay a debt after the department has made  
10 demand for payment, the department may collect that debt and the expenses of the  
11 levy by levy upon any property belonging to the debtor. Whenever the value of any  
12 property that has been levied upon under this section is not sufficient to satisfy the  
13 claim of the department, the department may levy upon any additional property of  
14 the person until the debt and expenses of the levy are fully paid.

15           (c) Any person in possession of or obligated with respect to property or rights  
16 to property that is subject to levy and upon which a levy has been made shall, upon  
17 demand of the department, surrender the property or rights or discharge the  
18 obligation to the department, except that part of the property or rights which is, at  
19 the time of the demand, subject to any prior attachment or execution under any  
20 judicial process.

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

24           2. Any 3rd party who fails to surrender any property or rights to property  
25 subject to levy, upon demand of the department, is subject to proceedings to enforce

1 the levy. The 3rd party is not liable to the department under this subdivision for more  
2 than 25% of the debt. The department shall serve the levy as provided under par.  
3 (m) on any 3rd party who fails to surrender property under this subdivision.  
4 Proceedings may not be initiated by the department until 5 days after service of the  
5 demand.

6 3. When a 3rd party surrenders the property or rights to the property on  
7 demand of the department or discharges the obligation to the department for which  
8 the levy is made, the 3rd party is discharged from any obligation or liability to the  
9 debtor with respect to the property or rights to the property arising from the  
10 surrender or payment to the department.

11 (e) 1. If the department has levied upon property, any person, other than the  
12 debtor who is liable to pay the debt out of which the levy arose, who claims an interest  
13 in or lien on that property and claims that that property was wrongfully levied upon  
14 may bring a civil action against the state in the circuit court for Dane County. That  
15 action may be brought whether or not that property has been surrendered to the  
16 department. The court may grant only the relief under subd. 2. No other action to  
17 question the validity of or restrain or enjoin a levy by the department may be  
18 maintained.

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

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

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

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

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

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

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

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

21 (L) If no appeal or other proceeding for review permitted by law is pending and  
22 the time for taking an appeal or petitioning for review has expired, the department  
23 shall make a demand to the debtor for payment of the debt which is subject to levy  
24 and give notice that the department may pursue legal action for collection of the debt  
25 against the debtor. The department shall make the demand for payment and give

1 the notice at least 10 days prior to the levy, personally or by any type of mail service  
2 which requires a signature of acceptance, at the address of the debtor as it appears  
3 on the records of the department. The demand for payment and notice shall include  
4 a statement of the amount of the debt, including interest and penalties, and the name  
5 of the debtor who is liable for the debt. The debtor's refusal or failure to accept or  
6 receive the notice does not prevent the department from making the levy. Notice  
7 prior to levy is not required for a subsequent levy on any debt of the same debtor  
8 within one year of the date of service of the original levy.

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

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

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

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

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

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

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

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

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

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

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

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

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

9 **\*-0485/4.6\* SECTION 1343.** 49.195 (3n) (k) of the statutes, as created by 1999  
10 Wisconsin Act .... (this act), is amended to read:

11 49.195 (3n) (k) Any person who removes, deposits or conceals or aids in  
12 removing, depositing or concealing any property upon which a levy is authorized  
13 under this subsection with intent to evade or defeat the assessment or collection of  
14 any debt may be fined not more than \$5,000 or imprisoned for not more than ~~3 years~~  
15 4 years and 6 months or both, and shall be liable to the state for the costs of  
16 prosecution.

17 **\*-0485/4.7\* SECTION 1344.** 49.195 (3n) (r) of the statutes, as created by 1999  
18 Wisconsin Act .... (this act), is amended to read:

19 49.195 (3n) (r) No employer may discharge or otherwise discriminate with  
20 respect to the terms and conditions of employment against any employe by reason  
21 of the fact that his or her earnings have been subject to levy for any one levy or  
22 because of compliance with any provision of this subsection. Any person who violates  
23 this paragraph may be fined not more than \$1,000 or imprisoned for not more than  
24 ~~one year~~ 2 years or both.

25 **\*-0485/4.8\* SECTION 1345.** 49.195 (3p) of the statutes is created to read:

1           49.195 (3p) The availability of the remedies under subs. (3m) and (3n) does not  
2 abridge the right of the department to pursue other remedies.

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

4           49.195 (3r) From the appropriation under s. 20.445 (3) (L) the department may  
5 contract with or employ a collection agency or other person to enforce a repayment  
6 obligation of a person who is found liable under sub. (3) who is delinquent in making  
7 repayments.

8           \*~~1186/4.28~~\* **SECTION 1347.** 49.20 of the statutes is repealed.

9           \*~~1186/4.29~~\* **SECTION 1348.** 49.21 of the statutes is repealed.

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

11          \*~~0497/4.6~~\* **SECTION 1352.** 49.24 (1) of the statutes, as affected by 1997  
12 Wisconsin Act 27, section 1882n, is amended to read:

13          49.24 (1) From the appropriation under s. 20.445 (3) (k), the department shall  
14 provide child support incentive payments to counties ~~to offset reduced federal child~~  
15 ~~support incentive payments.~~ Total payments under this subsection may not exceed  
16 ~~\$3,178,000 in fiscal year 1997-98 or \$3,850,000 in fiscal year 1998-99~~ \$5,690,000 per  
17 year.

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

20          49.24 (2) (a) The department shall ~~distribute the payments under sub. (1) in~~  
21 ~~accordance with a formula developed by the department,~~ in consultation with  
22 representatives of counties, promulgate a rule that specifies the formula according  
23 to which the payments under sub. (1) and federal child support incentive payments  
24 will be distributed to counties. The rule shall provide that the total of state and



1 federal incentive payments per year to a county may not exceed the costs per year  
2 of the county's child support program under s. 49.22.

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

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

7 49.24 (3) A county that receives any state child support incentive payment  
8 under sub. (1) or any federal child support incentive payment may use the funds only  
9 to pay costs under its child support program under s. 49.22.

10 \*-1186/4.30\* SECTION 1353. 49.25 of the statutes is repealed.

11 \*-1186/4.31\* SECTION 1354. 49.26 (1) (h) 1. as. of the statutes is amended to  
12 read:

13 49.26 (1) (h) 1. as. The individual has failed to request a hearing or has failed  
14 to show good cause for not cooperating with case management efforts in a hearing.  
15 ~~If the individual is a recipient of aid under s. 49.19, the hearing shall be requested~~  
16 ~~and held under s. 49.21 (1). If the individual is a member of a Wisconsin works group,~~  
17 ~~as defined in s. 49.141 (1) (s), the~~ The hearing shall be requested and held under s.  
18 49.152. The department shall determine by rule the criteria for good cause.

19 \*-1186/4.32\* SECTION 1355. 49.27 of the statutes is repealed.

20 \*-0500/1.1\* SECTION 1356. 49.30 (1m) (c) of the statutes is created to read:

21 49.30 (1m) (c) If a request for payment under sub. (1) is made more than 12  
22 months after the death of the recipient, the county or applicable tribal governing  
23 body or organization responsible for burial of the recipient is not required to make  
24 a payment for cemetery, funeral or burial expenses.

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

1           49.33 (1) (b) “Income maintenance program” means aid to families with  
2 dependent children under s. 49.19, Wisconsin works under ss. 49.141 to 49.161,  
3 ~~medical assistance under subch. IV of ch. 49~~ or the food stamp program under 7 USC  
4 2011 to 2029.

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

6           49.33 (8) (a) The department shall reimburse each county for reasonable costs  
7 of income maintenance relating to the administration of the programs under this  
8 subchapter ~~and subch. IV~~ according to a formula based on workload within the limits  
9 of available state and federal funds under s. 20.445 (3) (dz), (md) and (nL) by contract  
10 under s. 49.33 (2). The amount of reimbursement calculated under this paragraph  
11 and par. (b) is in addition to any reimbursement provided to a county for fraud and  
12 error reduction under s. 49.197 (1m) and (4).

13           **\*-1186/4.33\* SECTION 1357.** 49.36 (2) of the statutes is amended to read:

14           49.36 (2) The department may contract with any county or Wisconsin works  
15 agency to administer a work experience and job training program for parents who  
16 are not custodial parents and who fail to pay child support or to meet their children’s  
17 needs for support as a result of unemployment or underemployment. The program  
18 may provide the kinds of work experience and job training services available from  
19 the program under s. 49.193, 1997 stats., or s. 49.147 (3) or (4). The program may  
20 also include job search and job orientation activities. The department shall fund the  
21 program from the appropriation under s. 20.445 (3) (dz).

22           **\*-1186/4.34\* SECTION 1358.** 49.36 (3) (g) of the statutes is repealed.

23           **\*-0786/2.1\* SECTION 1359.** 49.36 (7) of the statutes is amended to read:

24           49.36 (7) The department shall pay a county or Wisconsin works agency ~~\$200~~  
25 \$400 for each person who participates in the program under this section in the region

1 in which the county or Wisconsin works agency administers the program under this  
2 section. The county or Wisconsin works agency shall pay any additional costs of the  
3 program.

4 **\*-0702/9.49\* SECTION 1360.** 49.37 of the statutes is repealed.

5 **\*-0266/3.2\* SECTION 1361.** 49.43 (8) of the statutes is amended to read:

6 49.43 (8) "Medical assistance" means any services or items under ss. 49.45 to  
7 49.47 49.472, except s. 49.472 (6), and under ss. 49.49 to 49.497, or any payment or  
8 reimbursement made for such services or items.

9 **\*b0486/1.1\* SECTION 1361v.** 49.45 (2) (a) 3. of the statutes is amended to read:

10 49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,  
11 rehabilitative and social services under ss. 49.46, 49.468 and 49.47 and rules and  
12 policies adopted by the department and may designate this function to the county  
13 department under s. 46.215, 46.22 or 46.23 or, to the extent permitted by federal law  
14 or a waiver from federal secretary of health and human services, to a Wisconsin  
15 works agency. Any person who determines eligibility for medical assistance in a  
16 location other than in an office of the department or of a county department of human  
17 services or of social services shall be permitted to review and update information on  
18 existing records of an individual who is seeking from that person an eligibility  
19 determination for medical assistance, even if the individual's case was assigned to  
20 a different person as a result of the individual's seeking or receiving other public  
21 assistance.

22 **\*-0028/7.45\* SECTION 1362.** 49.45 (2) (a) 4. of the statutes is amended to read:

23 49.45 (2) (a) 4. To the extent funds are available under s. 20.435 ~~(1)~~ (4) (bm),  
24 certify all proper charges and claims for administrative services to the department

1 of administration for payment and the department of administration shall draw its  
2 warrant forthwith.

3 **\*-0028/7.46\* SECTION 1371.** 49.45 (2) (a) 17. of the statutes is amended to read:  
4 49.45 (2) (a) 17. Notify the governor, the joint committee on legislative  
5 organization, the joint committee on finance and appropriate standing committees,  
6 as determined by the presiding officer of each house, if the appropriation under s.  
7 20.435 ~~(5)~~ (4) (b) is insufficient to provide the state share of medical assistance.

8 **\*b0583/4.3\* SECTION 1373v.** 49.45 (3) (a) of the statutes is amended to read:  
9 49.45 (3) (a) Reimbursement shall be made to each county department under  
10 ss. 46.215, 46.22 and 46.23 for the administrative services performed in the medical  
11 assistance program ~~on the basis of s. 49.33 (8)~~ according to a formula based on  
12 workload. For purposes of reimbursement under this paragraph, assessments  
13 completed under s. 46.27 (6) (a) are administrative services performed in the medical  
14 assistance program.

15 **\*-0030/2.71\* SECTION 1374.** 49.45 (3) (ag) of the statutes is amended to read:  
16 49.45 (3) (ag) Reimbursement shall be made to each entity contracted with  
17 under s. ~~46.271 (2m)~~ 46.281 (1) (d) for ~~assessments completed~~ functional screens  
18 performed under s. ~~46.271 (2m) (a) 2.~~ 46.281 (1) (d).

19 **\*-0028/7.47\* SECTION 1375.** 49.45 (3) (am) 1. of the statutes is amended to  
20 read:

21 49.45 (3) (am) 1. From the appropriation under s. 20.435 ~~(1)~~ (4) (bm), the  
22 department shall make incentive payments to counties to encourage counties to  
23 identify medical assistance applicants and recipients who have other health care  
24 coverage and the providers of the health care coverage and give that information to  
25 the department.

1           **\*b0492/2.1\* SECTION 1376m.** 49.45 (3) (fm) of the statutes is created to read:  
2           49.45 (3) (fm) The department shall seek, on behalf of dentists who are  
3 providers, federal reimbursement for the cost of any equipment that the department  
4 requires dentists to use to verify medical assistance eligibility electronically. If the  
5 department is successful in obtaining federal reimbursement of that expense, the  
6 department shall reimburse dentists who are providers for the portion of the cost of  
7 the equipment that is reimbursed by the federal government.

8           **\*-0028/7.48\* SECTION 1381.** 49.45 (3) (j) of the statutes is amended to read:  
9           49.45 (3) (j) Reimbursement for administrative contract costs under this  
10 section is limited to the funds available under s. 20.435 ~~(1)~~ (4) (bm).

11           **\*-0264/3.1\* SECTION 1382.** 49.45 (5m) (a) of the statutes is renumbered 49.45  
12 (5m) (am) and amended to read:

13           49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriations under  
14 s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute not more than \$2,256,000  
15 in each fiscal year, to provide supplemental funds to rural hospitals that, as  
16 determined by the department, have high utilization of inpatient services by  
17 patients whose care is provided from governmental sources, and to provide  
18 supplemental funds to critical access hospitals, except that the department may not  
19 distribute funds to a rural hospital or to a critical access hospital to the extent that  
20 the distribution would exceed any limitation under 42 USC 1396b (i) (3).

21           **\*-0264/3.2\* SECTION 1383.** 49.45 (5m) (ag) of the statutes is created to read:  
22           49.45 (5m) (ag) In this subsection, “critical access hospital” has the meaning  
23 given in s. 50.33 (1g).

24           **\*-0264/3.3\* SECTION 1384.** 49.45 (5m) (b) of the statutes is amended to read:

1           49.45 (5m) (b) The supplemental funding for rural hospitals under par. (a) (am)  
2 shall be based on the utilization, by recipients of medical assistance, of the total  
3 inpatient days of a rural hospital in relation to that utilization in other rural  
4 hospitals.

5           \*~~0328/1.1~~\* **SECTION 1385.** 49.45 (6b) (intro.) of the statutes is renumbered  
6 49.45 (6b) and amended to read:

7           49.45 (6b)   CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the  
8 appropriation under s. 20.435 (2) (gk), the department may reimburse the cost of  
9 services provided by the centers for the developmentally disabled. Reimbursement  
10 to the centers for the developmentally disabled shall be reduced following each  
11 placement made under s. 46.275 which that involves a relocation from a center for  
12 the developmentally disabled, as follows: by \$184 per day, beginning in fiscal year  
13 1999–2000, and by \$190 per day, beginning in fiscal year 2000–01.

14           \*~~0328/1.2~~\* **SECTION 1386.** 49.45 (6b) (a) of the statutes is repealed.

15           \*~~0328/1.3~~\* **SECTION 1387.** 49.45 (6b) (b) of the statutes is repealed.

16           \*~~0328/1.4~~\* **SECTION 1388.** 49.45 (6b) (c) of the statutes is repealed.

17           \*~~0028/7.49~~\* **SECTION 1389.** 49.45 (6m) (ag) (intro.) of the statutes is amended  
18 to read:

19           49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this  
20 subsection made under s. 20.435 ~~(1) (p) or (5) (b)~~ (4) (b), (pa) or (o) shall, except as  
21 provided in pars. (bg), (bm) and (br), be determined according to a prospective  
22 payment system updated annually by the department. The payment system shall  
23 implement standards that are necessary and proper for providing patient care and  
24 that meet quality and safety standards established under subch. II of ch. 50 and ch.  
25 150. The payment system shall reflect all of the following:

1           **\*b0511/3.2\* SECTION 1390b.** 49.45 (6m) (ag) 3m. of the statutes is amended to  
2 read:

3           49.45 **(6m)** (ag) 3m. For state fiscal year ~~1997-98~~ 1999-2000, rates that shall  
4 be set by the department based on information from cost reports for the ~~1996~~ 1998  
5 fiscal year of the facility and for state fiscal year ~~1998-99~~ 2000-01, rates that shall  
6 be set by the department based on information from cost reports for the ~~1997~~ 1999  
7 fiscal year of the facility.

8           **\*-1756/2.2\* SECTION 1391.** 49.45 (6m) (ag) 8. of the statutes is repealed.

9           **\*-1756/2.3\* SECTION 1392.** 49.45 (6m) (ar) 1. a. of the statutes is amended to  
10 read:

11           49.45 **(6m)** (ar) 1. a. The department shall establish standards for payment of  
12 allowable direct care costs, for facilities that do not primarily serve the  
13 developmentally disabled, that ~~are not less than the median for~~ take into account  
14 direct care costs for a sample of all of those facilities in this state and separate  
15 standards for payment of allowable direct care costs, for facilities that primarily  
16 serve the developmentally disabled, that ~~are not less than the median for~~ take into  
17 account direct care costs for a sample of all of those facilities in this state. The  
18 standards shall be adjusted by the department for regional labor cost variations.

19           **\*-1756/2.4\* SECTION 1393.** 49.45 (6m) (ar) 1. cm. of the statutes is amended  
20 to read:

21           49.45 **(6m)** (ar) 1. cm. ~~Notwithstanding the limitations under par. (ag) 8.,~~  
22 ~~funding~~ Funding distributed to facilities for the provision of active treatment to  
23 residents with a diagnosis of developmental disability shall be distributed in  
24 accordance with a method developed by the department which is consistent with a  
25 prudent buyer approach to payment for services.