

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/22/99**

Received By: **yacketa**

Wanted: **As time permits**

Identical to LRB:

For: **Senate Democratic Caucus 6-2257**

By/Representing: **Walter**

This file may be shown to any legislator: **NO**

Drafter: **yacketa**

May Contact:

Alt. Drafters: **rmarchan**

Subject: **Public Assistance - Wis works**

Extra Copies:

**Pre Topic:**

SDC:.....Walter - Caucus #2105,

**Topic:**

Income from a dependent child

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	yacketa 06/22/99	wjackson 06/22/99		_____			
/1			jfrantze 06/25/99	_____	lrb_docadmin 06/25/99		
/2	rmarchan 06/28/99	jgeller 06/29/99	hhagen 06/29/99	_____	lrb_docadmin 06/29/99		
	yacketa 06/29/99	jgeller 06/29/99		_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typist</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3			mclark 06/29/99	_____ _____	lrb_docadmin 06/29/99		

FE Sent For:

<END>

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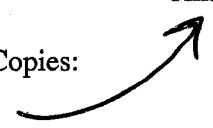
Drafter: yacketa

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Alt. Drafters: rmarchan

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/?	yacketa 06/22/99	wjackson 06/22/99		_____			
/1			jfrantze 06/25/99	_____	lrb_docadmin 06/25/99		
/2	rmarchan 06/28/99 yacketa 06/29/99	jgeller 06/29/99 13 6/29 jg	hhagen 06/29/99 mre 6/29	_____	lrb_docadmin 06/29/99		

Vers.      Drafted      Reviewed      Typist      Proofed      Submitted      Jacketed      Required

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/?	yacketa 06/22/99	wjackson 06/22/99		<i>wlj</i> <i>cmh</i>			
/1		<i>1/2 6/29 jlg</i>	jfrantze 06/25/99		lrb_docadmin 06/25/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

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By/Representing: Walter

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Drafter: yacketa

May Contact:

Alt. Drafters:

Subject: Public Assistance - Wis works

Extra Copies:

Pre Topic:

SDC:.....Walter - ~~WAA~~ #2105

Topic:

Income from a dependent child

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	yacketa	1 Wlj 6/22	7/6/25	7/6/25			

FE Sent For:

<END>

SDC

caucus number 1729

yes

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
FM 1112	
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: FM 1112 - Increase funding by \$100,000 TANF annually for the Milwaukee Jobs Initiative.

other notes

drafting instructions: See above.

more instructions:

caucus number 1847

duplicate flag: y  
duplicate with: 2112, 3310

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Phase II expansion of POCAN. Provide \$21. Mil annually for expansion in 20 counties and 3 tribes, provide \$261,00 TANF annually for DHFS tech assistance, find a new acronym.

other notes Modification to above: Only provide \$2.1 M TANF in the second year. Don't include other points.

drafting instructions: See above and attached.

more instructions:

caucus number 2105

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Prohibits a W-2 agency, when calculating an individual's income, from considering the income earned from a dependant child under 18 or developmentally disabled child under 22 who is attending school. See AB 128 and fiscal estimate.

other notes

drafting instructions: See above and attached

more instructions:

caucus number 2756

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Insert into the statutes at 115.3615 that fund distributed by the state superintendent to agencies may go to serve children from families with incomes up to 165% of the federal poverty guideline. See attached language.

other notes

drafting instructions: See attached language.

more instructions:

+

CN 2105

**WORKFORCE DEVELOPMENT – Wisconsin Works (W-2)**

**Modification to calculation of income for W-2 purposes**

[\$125,400—There is no direct fiscal impact to the state as the W-2 contracts are for a fixed amount with the W-2 agencies and include the cost of benefits. Any increased benefit cost due to this policy would be absorbed by the local W-2 agency.]

Identical to Assembly Bill 128

**Motion:**

Prohibits a W-2 agency, when calculating an individual's earned and unearned income, from considering income earned by a dependent child (generally, a child under the age of 18) of the individual or by the individual's developmentally disabled child who is under the age of 22 and is attending elementary, secondary or technical school.

Attachment: AB 128 and AB 128 fiscal estimate



## 1999 ASSEMBLY BILL 128

February 16, 1999 - Introduced by Representatives PLOUFF, JESKEWITZ, BLACK, GRONEMUS, HUBER, KEDZIE, KLUSMAN, KREIBICH, KREUSER, KRUG, LA FAVE, LASSA, J. LEHMAN, MEYER, MILLER, MORRIS-TATUM, MUSSER, POCAN, POWERS, RILEY, RYBA, SCHNEIDER and STASKUNAS, cosponsored by Senators MOORE, JAUCH, DARLING, ERPENBACH, GROBSCHMIDT and ROBSON. Referred to Committee on Children and Families.

1     **AN ACT to amend** 49.145 (3) (b) 1. of the statutes; **relating to:** exempting certain  
2           income earned by a dependent or developmentally disabled child from  
3           consideration in determining financial eligibility for Wisconsin works.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, an individual who has an gross income of 115% of the federal poverty line or less and who meets certain other financial and nonfinancial criteria is eligible for Wisconsin works (W-2). In calculating the gross income of an individual, a W-2 agency must include all earned and unearned income of that individual except amounts received under W-2 or as an earned income tax credit.

This bill prohibits a W-2 agency, in calculating an individual's earned and unearned income, from considering income earned by a dependent child (generally, a child under the age of 18) of the individual or by the individual's developmentally disabled child who is under the age of 22 and is attending elementary, secondary or technical school.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4           **SECTION 1.** 49.145 (3) (b) 1. of the statutes is amended to read:

**ASSEMBLY BILL 128**

1           49.145 (3) (b) 1. All earned and unearned income of the individual, except any  
2 amount received under section 32 of the internal revenue code, as defined in s. 71.01  
3 (6), any amount received under s. 71.07 (9e), any payment made by an employer  
4 under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any  
5 assistance received under s. 49.148. In determining the earned and unearned  
6 income of the individual, the Wisconsin works agency may not include income earned  
7 by a dependent child of the individual or by any child of the individual who is under  
8 the age of 22, is developmentally disabled, as defined in s. 48.02 (5), and is attending  
9 school, as defined in s. 49.26 (1) (a) 2.

10

(END)

Original     Updated  
 Corrected     Supplemental

**1999 Session**

LRB or Bill No. -- Adm. Rule No.  
LRB 1136/2

AB 128

Amendment No. if Applicable

**FISCAL ESTIMATE**  
DOA-2048 (NR10/94)

**Subject**  
W-2, FINANCIAL ELIGIBILITY

**Fiscal Effect**

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation  
or affects a sum sufficient appropriation

- Increase Existing Appropriation     Increase Existing Revenues  
 Decrease Existing Appropriation     Decrease Existing Revenues  
 Create New Appropriation

Increase Costs - May be possible to Absorb  
Within Agency's Budget  Yes  No

Decrease Costs

Local:  No local government costs

1.  Increase Costs  
 Permissive  Mandatory  
2.  Decrease Costs  
 Permissive  Mandatory

3.  Increase Revenues  
 Permissive  Mandatory  
4.  Decrease Revenues  
 Permissive  Mandatory

5. Types of Local Government Units Affected  
 Towns     Villages     Cities  
 Counties     Others  
 School Districts     WTCS Districts

**Fund Sources Affected:**

GPR     FED     PRO     PRS     SEG     SEG-S

**Affected Ch. 20 Appropriations:**

**Assumptions Used in Arriving at Fiscal Estimate**

This bill would require Wisconsin Works (W-2) agencies to exempt income earned by minor dependent children of W-2 participants and dependent children under the age of 22 who have a statutorily defined disability when determining financial eligibility for W-2 benefits. In December 1998, 94 dependent children of W-2 participants had earned income, including 2 children who also received Supplemental Security Income (SSI). Most dependent children with earned income do not earn enough to endanger their family's eligibility for cash assistance. The average monthly earnings by dependent children of W-2 participants in December 1998 was \$436.

Assuming that twenty percent of those dependent children that have earned income earn enough to make the family ineligible for W-2 cash assistance, this bill would increase the statewide W-2 cash caseload by 19 cases. Multiplying the 19 cases by the monthly cash benefit amount and then by twelve months, the annual fiscal impact of this bill would be \$125,400. There is no direct fiscal impact to the state as the W-2 contracts are for a fixed amount with the W-2 agencies and include the cost of benefits. Any increased benefit cost due to this policy would be absorbed by the local W-2 agency.

There may be additional costs to modify information systems in order to implement this policy change. The amount of these potential costs is not known at this time.

**Long-Range Fiscal Implications**

Agency/Prepared by:(Name & Phone No.)  
DWD / Nikolay, Bob (266-9475)

Authorized Signature/Telephone No.

*[Signature]*

Date

1/29/99

**FISCAL ESTIMATE  
WORKSHEET**

**1999 Session**

Annualized Estimate of Annual Fiscal Effect A-2047(R10/94)	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected <input type="checkbox"/> Supplemental	LRB or Bill No./Adm Rule No. LRB 1136/2                      AB 128	Amendment No.
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**Subject**  
**W-2, FINANCIAL ELIGIBILITY**

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**

<b>II. Annualized Costs:</b>	<b>Annualized Fiscal Impact on State funds from:</b>	
	<b>Increased Costs</b>	<b>Decreased Costs</b>
<b>A. State Costs by Category</b>		
State Operations - Salaries and Fringes	\$0	- \$0
(FTE Position Changes)	(FTE)	(- FTE)
State Operations - Other Costs	\$0	- \$0
Local Assistance	\$0	- \$0
Aids to Individuals or Organizations	\$0	- \$0
<b>TOTAL State Costs by Category</b>	\$0	- \$0
<b>B. State Costs by Source of Funds</b>	<b>Increased Costs</b>	<b>Decreased Costs</b>
GPR	\$0	- \$0
FED	\$0	- \$0
PRO/PRS	\$0	- \$0
SEG/SEG-S	\$0	- \$0
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>	<b>Increased Rev.</b>	<b>Decreased Rev.</b>
GPR Taxes	\$0	- \$0
GPR Earned	\$0	- \$0
FED	\$0	- \$0
PRO/PRS	\$0	- \$0
SEG/SEG-S	\$0	- \$0
<b>TOTAL State Revenues:</b>	\$0	- \$0

**NET ANNUALIZED FISCAL IMPACT**

	<u>STATE</u>	<u>LOCAL</u>
Net Change in Costs:	\$0	\$125,400
Net Change in Revenues:	\$0	\$0

Agency/Prepared by:(Name & Phone No.) DWD / Nikolay, Bob (286-9475)	Authorized Signature/Telephone No. 	Date 1/29/99
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Soon (D-NOTE)

b0926  
LRB-1136/2  
TAY:jlg:lp

1999 - 2000 LEGISLATURE

WPO: can you fix request sheet to refer to correct

1999 ASSEMBLY BILL 128

caucus #7 (2105) R Not fun z Thanks

February 16, 1999 - Introduced by Representatives PLOUFF, JESKEWITZ, BLACK, GRONEMUS, HUBER, KEDZIE, KLUSMAN, KREIBICH, KREUSER, KRUG, LA FAVE, LASSA, J. LEHMAN, MEYER, MILLER, MORRIS-TATUM, MUSSER, POCAN, POWERS, RILEY, RYBA, SCHNEIDER and STASKUNAS, cosponsored by Senators MOORE, JAUCH, DARLING, ERPENBACH, GROBSCHMIDT and ROBSON. Referred to Committee on Children and Families.

1 AN ACT to amend 49.145 (3) (b) 1. of the statutes; relating to: exempting certain  
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3 consideration in determining financial eligibility for Wisconsin works.

*Analysis by the Legislative Reference Bureau*

Under current law, an individual who has an gross income of 115% of the federal poverty line or less and who meets certain other financial and nonfinancial criteria is eligible for Wisconsin works (W-2). In calculating the gross income of an individual, a W-2 agency must include all earned and unearned income of that individual except amounts received under W-2 or as an earned income tax credit.

This bill prohibits a W-2 agency, in calculating an individual's earned and unearned income, from considering income earned by a dependent child (generally, a child under the age of 18) of the individual or by the individual's developmentally disabled child who is under the age of 22 and is attending elementary, secondary or technical school.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

#. Page 664, line 6i after that line insert:

4 SECTION 49.145 (3) (b) 1. of the statutes is amended to read:

(B) 1226v

ASSEMBLY BILL 128

SECTION 1

1           49.145 (3) (b) 1. All earned and unearned income of the individual, except any  
2 amount received under section 32 of the internal revenue code, as defined in s. 71.01  
3 (6), any amount received under s. 71.07 (9e), any payment made by an employer  
4 under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any  
5 assistance received under s. 49.148. In determining the earned and unearned  
6 income of the individual, the Wisconsin works agency may not include income earned  
7 by a dependent child of the individual or by any child of the individual who is under  
8 the age of 22, is developmentally disabled, as defined in s. 48.02(5), and is attending  
9 school, as defined in s. 49.26(1)(a)20."

(END)

10

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0926/1dn

TAY.../.....

WJ

I did not include the provision regarding disabled dependent children because, in the case of a disabled child <sup>who</sup> meets the statutory definition of dependent child, it would be redundant. In the case of a child who does not meet the statutory definition of dependent child, the child is not part of the W-2 group, as that term is defined, and therefore, his or her income would not be considered anyway.

If you have any questions, please call me.

Tina A. Yacker  
Legislative Attorney  
Phone: (608) 261-6927  
E-mail: Tina.Yacker@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0926/1dn  
TAY:wlj:jf

June 25, 1999

I did not include the provision regarding disabled dependent children because, in the case of a disabled child who meets the statutory definition of dependent child, it would be redundant. In the case of a child who does not meet the statutory definition of dependent child, the child is not part of the W-2 group, as that term is defined, and therefore, his or her income would not be considered anyway.

If you have any questions, please call me.

Tina A. Yacker  
Legislative Attorney  
Phone: (608) 261-6927  
E-mail: Tina.Yacker@legis.state.wi.us



Doug - I have four drafts related to child care and one related to the homestead credit that have a fiscal effect, but no funding is provided. What are your plans?

20.445 (3) (md)

1. Not counting income from a dependent child (LRBb0926/1) would increase child care costs by \$100,000 in 1999-00 and \$200,000 in 2000-01.
2. Decreasing the child care copayment cap to 10% (LRBb0940/1) and increasing maximum income eligibility from 200% FPL to 225% FPL (LRBb0942/1) would increase costs by \$1.6 million in 1999-00 and \$6.4 million in 2000-01.
3. Modifying the education activities allowed for W-2 child care (LRBb0949/1) would increase costs by \$130,000 in 1999-00 and \$150,000 in 2000-01.
4. Increasing homestead credit (LRBb1277/1) would increase costs by \$7,700,000 in 2000-01 from the amount provided in the bill.

Kelsie

Call

Kelsie

George

Allocation on ch 49 needs to be changed, too.

49.175

#1 P682 line 5

#2 & 3 P683 line 19



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0926/D  
TAY:jlg:jf

2000

RMR

SDC:.....Walter - Caucus #2105, Income from a dependent child

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

INSERT  
1-1

1

At the locations indicated, amend the substitute amendment as follows:

2

**1.** Page 664, line 6: after that line insert:

3

**"SECTION 1226v.** 49.145 (3) (b) 1. of the statutes is amended to read:

4

49.145 (3) (b) 1. All earned and unearned income of the individual, except any

5

amount received under section 32 of the internal revenue code, as defined in s. 71.01

6

(6), any amount received under s. 71.07 (9e), any payment made by an employer

7

under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any

8

assistance received under s. 49.148. In determining the earned and unearned

1 income of the individual, the Wisconsin works agency may not include income earned  
2 by a dependent child of the individual.

3

(END)

INSERT  
2-2

1999-2000 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0926/2ins  
TAY:.....

1-1

1. Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by \$100,000 and increase the dollar amount for fiscal year 2000-01 by \$200,000 for the purpose of increasing eligibility ~~under the prohibition against counting income from~~ <sup>because of</sup> a dependent child ~~providing benefits under the Wisconsin Works Program~~ <sub>providing benefits under the Wisconsin Works Program</sub>

2-2

2. Page 682, line 5: delete "\$24,649,800" and substitute "\$24,749,800".
3. Page 682, line 5: delete "49,309,600" and substitute "\$49,509,600".

---

**Yacker, Tina**

---

**From:** Doty, Kelsie  
**Sent:** Tuesday, June 29, 1999 7:49 PM  
**To:** Yacker, Tina  
**Subject:** redraft

LRBb0926/2 needs to be modified.

The change in the allocation schedule change the wrong program.  
Instead of increasing the Wisconsin Works Benefits allocation (page 682 line 5), the direct child care subsidy allocation (page 683 line 19) should be increased by \$100,000 in 1999-00 and \$200,000 in 2000-01.

Kelsie

SDC:.....Walter – Caucus #2105, Income from a dependent child

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1           At the locations indicated, amend the substitute amendment as follows:

2           **1.** Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by  
3           \$100,000 and increase the dollar amount for fiscal year 2000-01 by \$200,000 for the  
4           purpose of providing benefits under the Wisconsin works program.

5           **2.** Page 664, line 6: after that line insert:

6           “SECTION 1226v. 49.145 (3) (b) 1. of the statutes is amended to read:

7           49.145 (3) (b) 1. All earned and unearned income of the individual, except any  
8           amount received under section 32 of the internal revenue code, as defined in s. 71.01  
9           (6), any amount received under s. 71.07 (9e), any payment made by an employer  
10          under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any

1 assistance received under s. 49.148. In determining the earned and unearned  
2 income of the individual, the Wisconsin works agency may not include income earned  
3 by a dependent child of the individual."

4 **3.** Page <sup>683</sup> ~~682~~, line <sup>19</sup> ~~18~~: delete "~~\$24,649,800~~" and substitute "~~\$24,749,800~~".  
Handwritten: "8,593,330,000" (circled), "59,430,000" (circled)

5 **4.** Page <sup>683</sup> ~~682~~, line <sup>19</sup> ~~18~~: delete "~~\$49,809,600~~" and substitute "~~\$49,509,600~~".  
Handwritten: "180,700,000" (circled), "180,900,000" (circled)

6 (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0926/3  
TAY:jlg:mrc

SDC:.....Walter – Caucus #2105, Income from a dependent child

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 213, line 14: increase the dollar amount for fiscal year 1999-00 by  
3 \$100,000 and increase the dollar amount for fiscal year 2000-01 by \$200,000 for the  
4 purpose of providing benefits under the Wisconsin works program.

5 **2.** Page 664, line 6: after that line insert:

6 “SECTION 1226v. 49.145 (3) (b) 1. of the statutes is amended to read:

7 49.145 (3) (b) 1. All earned and unearned income of the individual, except any  
8 amount received under section 32 of the internal revenue code, as defined in s. 71.01  
9 (6), any amount received under s. 71.07 (9e), any payment made by an employer  
10 under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any



1 assistance received under s. 49.148. In determining the earned and unearned  
2 income of the individual, the Wisconsin works agency may not include income earned  
3 by a dependent child of the individual.”

4 **3.** Page 683, line 19: delete “\$159,330,000” and substitute “\$59,430,000”.

5 **4.** Page 683, line 19: delete “\$180,700,000” and substitute “\$180,900,000”.

6 (END)