

**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:

Subject: Public Assistance - Wis works  
Public Assistance - food stamps

Extra Copies:

**Pre Topic:**

SDC:.....Walter - #1531,

**Topic:**

W-2 agencies not to determine food stamp eligibility

**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 06/25/99	wjackson 06/25/99	jfrantze 06/25/99	_____	lrb_docadmin 06/25/99		
/2	yacketa 06/29/99	wjackson 06/29/99	hhagen 06/29/99	_____	lrb_docadmin 06/29/99		

FE Sent For:

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/1	yacketa 06/25/99	wjackson 06/25/99	jfrantze 06/25/99	_____	lrb_docadmin 06/25/99		
		12 wlj 6/29		ISR: MGS 6/29			

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/1	yacketa 06/25/99	lrb_editor /1 WJ 6/25	6/25	6/25			

FE Sent For:

<END>

SDC

caucus number 1527

duplicate flag:  
duplicate with:

Other reference numbers: Paper 1088	LFB Sum #:
FM 473	
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Paper 1088, FM 473. Basic Education and Technical College for W-2 participants. See motion for specifics of program.

**other notes**

drafting instructions: Paper 1088, Freestanding Motion 473.

more instructions:

caucus number 1528

duplicate flag:  
duplicate with:

Other reference numbers:	LFB Sum #:
bill number/amendment number:	
LRB draft # 2250/2	LRB P-draft:

description: LRB 2250/2 relating to income calculation, technical college attendance, education training and child care eligibility under the Wisconsin works program.

**other notes**

drafting instructions: LRB 2250/2.

more instructions:

caucus number 1531

duplicate flag:  
duplicate with:

Other reference numbers: Paper 1118	LFB Sum #:
FM 433	
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Paper 1118, FM 433. Eliminate current law that requires W-2 agencies determine eligibility for and issue food coupons to eligible W-2 participants. DWD may not implement a waiver from federal law to allow a nongovernmental entity to determine eligibility.

**other notes**

drafting instructions: Paper 1118, FM 433.

more instructions:

caucus number 1532

duplicate flag:  
duplicate with:

Other reference numbers: Paper 1094	LFB Sum #:
FM 992	
bill number/amendment number:	
LRB draft #	LRB P-draft:

description: Paper 1094-delete the second to the last line in motion 992. "The motion would place \$million of the contingency fund recommended by the Governor in the JFC program supplements appropriation." Also specify DWD could do 13.10 if there is increased caseload

**other notes**

drafting instructions: See above and attached.

more instructions:

Not  
Introduced

CN 1531 +

**WORKFORCE DEVELOPMENT -- ECONOMIC SUPPORT AND CHILD CARE**

**Administration of the Food Stamp Program  
[Paper #1118]**

**Motion:**

Move to eliminate the current law requirement that W-2 agencies determine eligibility for and issue food coupons to eligible W-2 participants to the extent permitted by federal law or waiver. Further, specify that the Department of Workforce Development (DWD) may not implement a waiver from federal law that would allow a nongovernmental entity to determine eligibility for or issue food coupons to any person.

**Note:**

Under current law, W-2 agencies are required to determine eligibility for and issue food coupons to eligible W-2 participants to the extent permitted by federal law or waiver. This motion would eliminate that provision.

In addition, DWD is currently seeking a waiver from federal law that would allow private for-profit, private non-profit, or government agencies to conduct certification reviews and determine benefit levels for applicants and recipients of the food stamp program. This motion would prohibit the Department from implementing such a waiver. Therefore, only governmental entities could administer the food stamp program.

Although current law requires W-2 agencies to determine eligibility for and issue food coupons to W-2 participants, not all W-2 agencies are currently allowed to do so under federal law. This motion would provide no change to current practice.

Motion #433

MO#		
Burke	Y	N
Decker	Y	N
Jauch	Y	N
Moore	Y	N
Shibitski	Y	N
Plache	Y	N
Cowles	Y	N
Panzer	Y	N
Gard	Y	N
Porter	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huber	Y	N
Riley	Y	N



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0995/1

TAY.../:...  
Wlj

SDC:.....Walter - #1531, W-2 agencies not to determine food stamp eligibility

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 560, line 13: after that line insert:

3 SECTION 1011g. 46.215 (1) (k) ✓ of the statutes is amended to read:

4 46.215 (1) (k) ~~Except as provided under sub. (1g), certify~~ Certify eligibility for  
5 and issue food coupons to needy households in conformity with the federal ~~food stamp~~  
6 Food Stamp Act  
act of 1964 as amended, and, in addition, the county department of social services  
7 may certify eligibility for and distribute surplus commodities and food stuffs.”

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252.

8 ✓ 2. Page 560, line 25: delete the material beginning with that line and ending  
9 with page 561, line 5 and substitute:

1       √ “SECTION 1014pb. 46.215 (1g) of the statutes is repealed.”.

2       √3. Page 562, line 18: after that line insert:

3       √ “SECTION 1021m. 46.22 (1) (b) 2. d. of the statutes is amended to read:

4             46.22 (1) (b) 2. d. ~~Except as provided in sub. (1g), to~~ To certify eligibility for and  
5       issue food coupons to needy households in conformity with 7 USC 2011 to 2029.”.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252.

6       √4. Page 564, line 17: delete lines 17 to 22 and substitute:

7             “SECTION 1026pb. 46.22 (1g) of the statutes is repealed.”. √

8       √ 5. Page 657, line 21: after that line insert:

9       √ “SECTION 1209qt. 49.124 (2) (a) of the statutes is amended to read:

10            49.124 (2) (a) A county, or federally recognized American Indian tribe ~~or~~  
11       ~~Wisconsin works~~ agency is liable for all food stamp coupons lost, misappropriated or  
12       destroyed while under the county’s, tribe’s or Wisconsin works agency’s direct  
13       control, except as provided in par. (b).

History: 1987 a. 27; 1995 a. 27 ss. 2788 to 2793, 3140, 3141; 1995 a. 289; 1997 a. 27, 38, 191, 236, 283.

14       √ SECTION 1209qu. 49.124 (2) (b) of the statutes is amended to read:

15            49.124 (2) (b) A county, or federally recognized American Indian tribe ~~or~~  
16       ~~Wisconsin works~~ agency is not liable for food stamp coupons lost in natural disasters  
17       if it provides evidence acceptable to the department that the coupons were destroyed  
18       and not redeemed.

History: 1987 a. 27; 1995 a. 27 ss. 2788 to 2793, 3140, 3141; 1995 a. 289; 1997 a. 27, 38, 191, 236, 283.

19       √ SECTION 1209qv. 49.124 (2) (c) of the statutes is amended to read:

20            49.124 (2) (c) A county, or federally recognized American Indian tribe or  
21       Wisconsin works agency is liable for food stamp coupons mailed to residents of the  
22       county, or members of the tribe ~~or participants in the Wisconsin works program and~~

1 lost in the mail due to incorrect information submitted to the department by the  
2 county, or tribe ~~or Wisconsin works agency~~.

3 History: 1987 a. 27; 1995 a. 27 ss. 2788 to 2793, 3140, 3141; 1995 a. 289; 1997 a. 27, 38, 191, 236, 283.

3 **SECTION 1209qw.** 49.125 (1) of the statutes is amended to read:

4 49.125 (1) The department, ~~or~~ a county, or an elected governing body of a  
5 federally recognized American Indian tribe or band ~~or a Wisconsin works agency~~  
6 acting on behalf of the department, may recover overpayments that arise from an  
7 overissuance of food coupons under the food stamp program administered under s.  
8 46.215 (1) (k), or 46.22 (1) (b) 2. d. ~~or 49.143 (2) (e)~~. Recovery shall be made in  
9 accordance with 7 USC 2022.”

10 History: 1985 a. 29, 176; 1987 a. 27; 1991 a. 269; 1995 a. 27, 289.

10 √ **6.** Page 662, line 1: delete lines 1 to 7 and substitute:

11 “**SECTION 1222b.** 49.143 (2) (e) of the statutes is repealed.”

12

(END)





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0995/1 2

TAY:wlj:jf

RMR

*Gov*

SDC:.....Walter - #1531, W-2 agencies not to determine food stamp eligibility

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 560, line 13: after that line insert:

3 **“SECTION 1011g.** 46.215 (1) (k) of the statutes is amended to read:

4 46.215 (1) (k) ~~Except as provided under sub. (1g), certify~~ Certify eligibility for  
5 and issue food coupons to needy households in conformity with the federal ~~food stamp~~  
6 ~~act~~ Food Stamp Act of 1964 as amended, and, in addition, the county department of  
7 social services may certify eligibility for and distribute surplus commodities and food  
8 stuffs.”.

9 **2.** Page 560, line 25: delete the material beginning with that line and ending  
10 with page 561, line 5 and substitute:

1           **SECTION 1014pb.** 46.215 (1g) of the statutes is repealed.”

2           **3.** Page 562, line 18: after that line insert:

3           **SECTION 1021m.** 46.22 (1) (b) 2. d. of the statutes is amended to read:

4           46.22 (1) (b) 2. d. ~~Except as provided in sub. (1g), to~~ To certify eligibility for and  
5 issue food coupons to needy households in conformity with 7 USC 2011 to 2029.”

6           **4.** Page 564, line 17: delete lines 17 to 22 and substitute:

7           **SECTION 1026pb.** 46.22 (1g) of the statutes is repealed.”

8           **5.** Page 657, line 21: after that line insert:

9           **SECTION 1209qt.** 49.124 (2) (a) of the statutes is amended to read:

10           49.124 (2) (a) A county, or federally recognized American Indian tribe ~~or~~  
11 ~~Wisconsin works agency~~ is liable for all food stamp coupons lost, misappropriated or  
12 ~~destroyed while under the county's,~~ <sup>or</sup> ~~tribe's or Wisconsin works agency's~~ direct  
13 control, except as provided in par. (b).

14           **SECTION 1209qu.** 49.124 (2) (b) of the statutes is amended to read:

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4           acting on behalf of the department, may recover overpayments that arise from an  
5           overissuance of food coupons under the food stamp program administered under s.  
6           46.215 (1) (k), or 46.22 (1) (b) 2. d. ~~or 49.143 (2) (e).~~ Recovery shall be made in  
7           accordance with 7 USC 2022.”

8           **6.** Page 662, line 1: delete lines 1 to 7 and substitute:

9           “**SECTION 1222b.** 49.143 (2) (e) of the statutes is repealed.”

10

(END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0995/2  
TAY:wlj:jf

SDC:.....Walter - #1531, W-2 agencies not to determine food stamp eligibility

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