

2001 DRAFTING REQUEST

Bill

Received: 12/29/2000

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 266-2288**

By/Representing: **Fossum**

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

Drafter: **kenneda**

May Contact:

Alt. Drafters:

Subject: **Health - miscellaneous**

Extra Copies: **ISR**

Pre Topic:

DOA:.....Fossum -

Topic:

Independent living funding

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	kenneda 01/03/2001	gilfokm 01/03/2001	jfrantze 01/04/2001	_____	gretskl 01/04/2001		State

FE Sent For:

<END>

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<END>



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY

Office of the Secretary
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TTY (608) 267-9629

Date: December 28, 2000

To: Steve Miller, Director
Legislative Reference Bureau

From: Gretchen A. Fossum, Budget Analyst *GAF*
State Budget Office

Subject: Drafting Instructions for the 2001-03 Budget Bill

I have attached the drafting instructions for the following items to be included in the 2001-03 budget bill:

1. Substance Abuse Treatment Grants
2. Driver Improvement Surcharge
3. Program Revenue Lapses
4. DHFS Required Reports
5. A request by the Department of Health and Family Services concerning funding for Independent Living Centers

If you have any questions on these requests, please contact me at 266-2288.

Topic: Independent Living Funding

Summary of Program

Since FY 97, DWD has transferred \$300,000 FED annually to DHFS to fund Independent Living Centers (ILCs) across the state.

Problem Description

Current statutory language states that DWD shall transfer up to \$200,000 FED per year to DHFS for the ILCs.

Background

1. There are 8 ILCs in the state that provide services to individuals with disabilities. In addition to the \$300,000 FED from DWD, DHFS is directly budgeted \$1,283,500 GPR for grants to the ILCs. The \$300,000 FED represents a portion of the funding DVR receives from the Social Security Administration for having rehabilitated DVR clients who receive Social Security benefits.
2. Statutory language for the DWD appropriation in which the \$300,000 is budgeted (s. 20.445(5)(na)) states that DWD "shall transfer to s. 20.435(7)(kc) [the DHFS appropriation] up to \$200,000" per year. However, each year since FY 97, DWD has transferred \$300,000 based on legislative decisions in 1995 Act 27, the 1995-97 biennial budget.
3. Act 27 replaced \$300,000 GPR of funding in DHFS for ILCs with \$300,000 FED in two decision items. First, the Governor's budget substituted \$200,000 GPR with \$200,000 FED as a budget efficiency measure. Second, a Joint Finance Committee motion replaced an additional \$100,000 GPR with \$100,000 FED. The same motion restored a \$90,600 GPR reduction in the Governor's budget for the homecraft proportion of DVR's home-based enterprise program for disabled individuals. It appears that the statutory language was never revised at the Joint Finance stage to reflect the replacement of the additional \$100,000.
4. Each year beginning in FY 97, DHFS and DWD have signed an MOU in which DWD committed to transferring the \$300,000 to DHFS. DWD has indicated that it will transfer \$300,000 again in FY 01, but wishes to resolve the issue permanently in the 2001-2003 biennial budget. The DWD and DHFS deputy secretaries have discussed the issue and agreed

that the best solution is to request a statutory language change in the Governor's budget to change "\$200,000" to "\$300,000."

Recommendation

Request that the Governor's 2001-2003 biennial budget revise s. 20.445(5)(na) to authorize DWD to transfer \$300,000 to DHFS per year.



D-NOTE

DOA:.....Fossum - Independent Living funding

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LPS: Fix Request Sheet

1 AN ACT ^{DONIT GEN. CAT} relating to: the budget.

**Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES**

OTHER HEALTH AND HUMAN SERVICES

Under current law, DWD must transfer in each fiscal year up to \$200,000 of federal vocational rehabilitation moneys to DHFS to provide grants to independent living centers for nonresidential services to severely disabled persons.

This bill increases to \$300,000 the maximum amount of federal vocational rehabilitation moneys that DWD must transfer in each fiscal year to DHFS for grants to independent living centers.

For further information see the *state* 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:

2 SECTION 1. 20.445 (5) (na) of the statutes is amended to read:
3 20.445 (5) (na) *Federal program aids.* All federal moneys received for the
4 purchase of goods and services under ch. 47 and for the purchase of vocational

1 rehabilitation programs for individuals or organizations. The department shall, in
2 each state fiscal year, transfer to s. 20.435 (7) (kc) up to ~~\$200,000~~ \$300,000.

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548ii, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772nn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32.

3

(END)

D-NOTE

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1713/1dn

DAK...

King

To Gretchen Fossum:

Please note that the requirement that DWD transfer "to" a specified amount in a fiscal year has the legal effect of requiring that DWD transfer only ~~one dollar~~.

up

\$1

Debra A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debra.kennedy@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1713/1dn
DAK:kmg:jf

January 4, 2001

To Gretchen Fossum:

Please note that the requirement that DWD transfer "up to" a specified amount in a fiscal year has the legal effect of requiring that DWD transfer only \$1.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us



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3 (END)