



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb0625/2<sup>3</sup>

ISR:csjf

RMI  
Stays

LFB:.....Carreon – Transfer of food stamps to DHFS

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

only change in  
on p 2

1 At the locations indicated, amend the bill as follows:

2 1. Page 535, line 15: after that line insert:

3 “SECTION 704x. 20.435 (4) (title) of the statutes is amended to read:

4 20.435 (4) (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH

5 CARE FINANCING; OTHER SUPPORT PROGRAMS.”

6 2. Page 536, line 11: delete lines 11 to 13 and substitute:

7 “20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
8 for payments under s. 49.33 (8) relating to the administration of the medical  
9 assistance program.

10 SECTION 707am. 20.435 (4) (bn) of the statutes, as created by 2001 Wisconsin

11 Act .... (this act), is amended to read:

1           20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
2 for payments under s. 49.33 (8) relating to the administration of the medical  
3 assistance program and the food stamp program.”

4           **3.** Page 538, line 2: after that line insert:

5           “**SECTION 713g.** 20.435 (4) (L) of the statutes is created to read:

6           20.435 (4) (L) *Medical assistance and food stamp fraud and error reduction*.

7 All moneys received as the state’s share of the recovery of overpayments and  
8 incorrect payments under ss. 49.497 (1) and 49.793 (2) and all moneys received from  
9 counties and tribal governing bodies as a result of any error reduction activities  
10 under ss. 49.45 (2) (b) 6. and 49.79 (9), <sup>for contracts under s. 49.197(5),</sup> for any activities to reduce error and fraud  
11 under ss. 49.45 (2) (b) 6. and 49.79 (9), to pay federal sanctions under the food stamp  
12 program, and for food stamp reinvestment activities under reinvestment  
13 agreements with the federal department of agriculture that are designed to improve  
14 the food stamp program.”

15           **4.** Page 538, line 4: delete lines 4 to 8 and substitute:

16           “20.435 (4) (nn) *Federal aid; income maintenance*. All moneys received from  
17 the federal government for the costs of contracting for the administration of the  
18 medical assistance program, other than moneys received under par. (pa), for  
19 payments under s. 49.33 (8).

20           **SECTION 714am.** 20.435 (4) (nn) of the statutes, as created by 2001 Wisconsin  
21 Act .... (this act), is amended to read:

22           20.435 (4) (nn) *Federal aid; income maintenance*. All moneys received from the  
23 federal government for the costs of contracting for the administration of the medical

1 assistance program and the food stamp program, other than moneys received under  
2 par. (pa), for payments under s. 49.33 (8).”.

3 **5.** Page 538, line 19: after that line insert:

4 “**SECTION 716gb.** 20.435 (4) (pv) of the statutes is created to read:

5 20.435 (4) (pv) *Food stamps; electronic benefits transfer.* All moneys received  
6 from the federal government for electronic food stamp benefits transfers, to be  
7 expended for the purposes specified. Estimated disbursements under this  
8 paragraph shall not be included in the schedule under s. 20.005.”.

9 **6.** Page 546, line 8: after that line insert:

10 “**SECTION 737am.** 20.445 (3) (dz) of the statutes, as affected by 2001 Wisconsin  
11 Act .... (this act), is amended to read:

12 20.445 (3) (dz) *Wisconsin works and other public assistance administration and*  
13 *benefits.* The amounts in the schedule, less the amounts withheld under s. 49.143  
14 (3), for administration and benefit payments under Wisconsin works under ss.  
15 49.141 to 49.161, the learnfare program under s. 49.26, the work experience and job  
16 search program under s. 49.36, and the food stamp employment and training  
17 program under s. ~~49.124~~ 49.13; for payments to counties under s. ~~49.33 (8)~~ and for  
18 payments to, Wisconsin works agencies, and American Indian tribes for  
19 administration of public assistance programs; for hospital paternity incentive  
20 payments under s. 69.14 (1) (cm); and for funeral expenses under s. 49.30. Payments  
21 may be made from this appropriation to counties for fraud investigation and error  
22 reduction under s. 49.197 (1m) and (4). Moneys appropriated under this paragraph  
23 may be used to match federal funds received under par. (md). Notwithstanding ss.  
24 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years

1 under this paragraph. Notwithstanding ss. 20.001 (3) and 20.002 (1), the  
2 department of health and family services shall credit or deposit into this  
3 appropriation account funds for the purposes of this appropriation that the  
4 department transfers from the appropriation account under s. 20.435 (7) (bc). All  
5 funds allocated by the department but not encumbered by December 31 of each year  
6 lapse to the general fund on the next January 1 unless transferred to the next  
7 calendar year by the joint committee on finance.”

8 **7.** Page 547, line 9: after that line insert:

9 **“SECTION 740am.** 20.445 (3) (L) of the statutes, as affected by 2001 Wisconsin  
10 Act .... (this act), is amended to read:

11 20.445 (3) (L) *Welfare fraud and error reduction; state operations.* From the  
12 moneys received as the state’s share of the recovery of overpayments and incorrect  
13 payments under s. 49.191 (3) (c), 1997 stats., and s. 49.195, 1997 stats., and ss. 49.125  
14 ~~(2), and 49.497 (1)~~, the amounts in the schedule for the department’s activities to  
15 reduce error and fraud under s. 49.197.

16 **SECTION 740d.** 20.445 (3) (Lm) of the statutes is amended to read:

17 20.445 (3) (Lm) *Welfare fraud and error reduction; local assistance.* From the  
18 moneys received as the state’s share of the recovery of overpayments and incorrect  
19 payments under s. 49.191 (3) (c), 1997 stats., s. 49.195, 1997 stats., and ss. ~~49.125 (2)~~  
20 ~~and 49.497 (1)~~ and 49.793 (2), all moneys not appropriated under par. (L) for county  
21 and tribal activities to reduce error and fraud in the food stamp, aid to families with  
22 dependent children, Wisconsin works program and medical assistance program.”.

23 **8.** Page 548, line 12: after that line insert:

24 **“SECTION 743m.** 20.445 (3) (pm) of the statutes is amended to read:

1           20.445 (3) (pm) *Food stamp employment and training program;*  
2 *administration.* All federal moneys received for the administrative costs associated  
3 with the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13,  
4 to carry out that purpose.

5           **SECTION 743o.** 20.445 (3) (ps) of the statutes is amended to read:

6           20.445 (3) (ps) *Food stamp employment and training program; aids.* All federal  
7 moneys received for the provision or purchase of services for the food stamp  
8 employment and training program under s. ~~49.124 (1m)~~ 49.13, to carry out that  
9 purpose.

10          **SECTION 743r.** 20.445 (3) (pv) of the statutes is amended to read:

11          20.445 (3) (pv) ~~*Food stamps; electronic*~~ *Electronic benefits transfer.* All moneys  
12 received from the federal government for the electronic food stamp benefits transfers  
13 transfer of benefits administered by the department of workforce development, to be  
14 expended for the purposes specified. Estimated disbursements under this  
15 paragraph shall not be included in the schedule under s. 20.005.”

16          **9.** Page 790, line 15: after that line insert:

17          “**SECTION 1656t.** 49.124 (title) of the statutes is renumbered 49.79 (title).

18          **SECTION 1656ta.** 49.124 (1) (intro.) of the statutes is renumbered 49.79 (1)  
19 (intro.).

20          **SECTION 1656tb.** 49.124 (1) (ag) of the statutes is renumbered 49.79 (1) (a).

21          **SECTION 1656tc.** 49.124 (1) (am) of the statutes is renumbered 49.79 (1) (b).

22          **SECTION 1656td.** 49.124 (1) (b) of the statutes is renumbered 49.79 (1) (c).

23          **SECTION 1656tf.** 49.124 (1) (c) of the statutes is renumbered 49.79 (1) (d).

24          **SECTION 1656tg.** 49.124 (1) (d) of the statutes is renumbered 49.79 (1) (e).

1           **SECTION 1656th.** 49.124 (1) (df) of the statutes is renumbered 49.79 (1) (f).

2           **SECTION 1656ti.** 49.124 (1) (e) of the statutes is renumbered 49.13 (1) (b).

3           **SECTION 1656tj.** 49.124 (1g) (title) of the statutes is renumbered 49.79 (2)  
4 (title).

5           **SECTION 1656tjk.** 49.124 (1g) of the statutes is renumbered 49.79 (2) (a), and  
6 49.79 (2) (a) 1. and 5. (intro.), as renumbered, are amended to read:

7           **49.79 (2) (a) 1.** The individual is a custodial parent of a child who is under the  
8 age of 18 and who has an absent parent, or the individual lives with and exercises  
9 parental control over a child who is under the age of 18 and who has an absent parent,  
10 and the individual does not fully cooperate in good faith with efforts directed at  
11 establishing the paternity of the child, if necessary, establishing or enforcing a  
12 support order, if appropriate, or obtaining other payments or property, if any, to  
13 which that individual or the child may have rights. ~~This paragraph~~ subdivision does  
14 not apply if the individual has good cause for refusing to cooperate, as determined  
15 by the department in accordance with federal law and regulations.

16           5. (intro.) The individual is obligated by court order to provide child support  
17 payments and is delinquent in making those court-ordered payments. This  
18 ~~paragraph~~ subdivision does not apply if any of the following applies:

19           **SECTION 1656tjm.** 49.124 (1m) (title) of the statutes is renumbered 49.13  
20 (title).

21           **SECTION 1656tjn.** 49.124 (1m) (a) of the statutes is renumbered 49.13 (2) (a)  
22 and amended to read:

23           **49.13 (2) (a)** The department shall contract with the department of health and  
24 family services as provided under s. 49.79 (10) to administer an employment and  
25 training program for recipients under the food stamp program. The department may

1 ~~contract subcontract~~ with a Wisconsin works agency to administer the employment  
2 and training program under this subsection. Except as provided in pars. (b) and  
3 (bm), the department may require able individuals who are 18 to 60 years of age who  
4 are not participants in a Wisconsin works employment position to participate in the  
5 employment and training program under this subsection.

6 **SECTION 1656tk.** 49.124 (1m) (b) to (d) of the statutes are renumbered 49.13  
7 (2) (b) to (d).

8 **SECTION 1656tL.** 49.124 (1n) (intro.) of the statutes is renumbered 49.13 (3)  
9 (intro.) and amended to read:

10 **49.13 (3) ~~INELIGIBILITY FOR NONCOMPLIANCE WITH WORK REQUIREMENTS.~~** (intro.)  
11 An individual who fails to comply with the work requirements under sub. ~~(1m)~~ (2)  
12 (a) without good cause is ineligible to participate in the food stamp program under  
13 ~~this section s. 49.79~~ as follows:

14 **SECTION 1656tm.** 49.124 (1n) (a) of the statutes is renumbered 49.13 (3) (a) and  
15 amended to read:

16 **49.13 (3) (a)** For the first occurrence of noncompliance, one month, or until the  
17 person complies with the work requirements under sub. ~~(1m)~~ (2) (a), whichever is  
18 later.

19 **SECTION 1656tn.** 49.124 (1n) (b) of the statutes is renumbered 49.13 (3) (b) and  
20 amended to read:

21 **49.13 (3) (b)** For the 2nd occurrence of noncompliance, 3 months, or until the  
22 person complies with the work requirements under sub. ~~(1m)~~ (2) (a), whichever is  
23 later.

24 **SECTION 1656tp.** 49.124 (1n) (c) of the statutes is renumbered 49.13 (3) (c) and  
25 amended to read:

1           49.13 (3) (c) For the 3rd and subsequent occurrences of noncompliance, 6  
2 months, or until the person complies with the work requirements under sub. (1m)  
3 (2) (a), whichever is later.

4           **SECTION 1656tq.** 49.124 (1p) of the statutes is repealed.

5           **SECTION 1656tr.** 49.124 (2) of the statutes is renumbered 49.79 (3).

6           **SECTION 1656ts.** 49.124 (3) of the statutes is renumbered 49.79 (4) and  
7 amended to read:

8           49.79 (4) DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS. The  
9 department shall withhold the value of food stamp losses for which a county or  
10 federally recognized American Indian tribe is liable under sub. ~~(2)~~ (3) from the  
11 payment to the county or tribe under ~~s. 20.445 (3) (dz) and (nL)~~ income maintenance  
12 contracts under s. 49.33 and reimburse the federal government from the funds  
13 withheld.

14           **SECTION 1656tt.** 49.124 (4) of the statutes is repealed.

15           **SECTION 1656tu.** 49.124 (5) of the statutes is renumbered 49.79 (5).

16           **SECTION 1656tv.** 49.124 (6) of the statutes is renumbered 49.79 (6).

17           **SECTION 1656tw.** 49.124 (7) of the statutes is renumbered 49.79 (7).

18           **SECTION 1656tx.** 49.124 (8) of the statutes is renumbered 49.79 (8) and  
19 amended to read:

20           49.79 (8) BENEFITS FOR QUALIFIED ALIENS. ~~Not later than June 15, 1998, the~~  
21 ~~department shall submit a plan to the secretary of the federal department of~~  
22 ~~agriculture to provide benefits under this section to a qualified alien who is ineligible~~  
23 ~~for benefits under this section solely because of the application of 8 USC 1612 or 1613.~~  
24 ~~If the secretary of the federal department of agriculture approves the plan, the~~ The  
25 ~~department shall provide benefits under this section beginning on August 1, 1998,~~

1 or on the day that the plan is approved, whichever is later, to a qualified alien who  
2 is otherwise eligible for benefits under this section ineligible for benefits under this  
3 section solely because of the application of 9 USC 1612 or 1613 according to a plan  
4 approved by the federal department of agriculture. This subsection does not apply  
5 to the extent that federal food stamp benefits for qualified aliens are restored by the  
6 federal government.

7 **SECTION 1656ty.** 49.125 of the statutes is renumbered 49.793.

8 **SECTION 1656tz.** 49.127 of the statutes is renumbered 49.795.

9 **SECTION 1656u.** 49.129 (title) of the statutes is renumbered 49.797 (title).

10 **SECTION 1656ua.** 49.129 (1) of the statutes is renumbered 49.797 (1).

11 **SECTION 1656ub.** 49.129 (2) (title) of the statutes is renumbered 49.797 (2)  
12 (title).

13 **SECTION 1656uc.** 49.129 (2) (a) of the statutes is repealed.

14 **SECTION 1656ud.** 49.129 (2) (b) 1. of the statutes is renumbered 49.797 (2) (a)  
15 and amended to read:

16 49.797 (2) (a) Except as provided in ~~subd. 2. par. (b)~~ and sub. (8), ~~if the necessary~~  
17 ~~authorization under par. (a) is granted,~~ the department shall begin to implement, no  
18 ~~later than July 1, 1999,~~ a administer a statewide program to deliver food stamp  
19 benefits to recipients of food stamp benefits by an electronic benefit transfer system  
20 ~~and shall implement the program statewide no later than April 1, 2000.~~ All  
21 suppliers, as defined in s. ~~49.127 (1) (d)~~ 49.795 (1) (d), may participate in the delivery  
22 of food stamp benefits under the electronic benefit transfer system. The department  
23 shall explore methods by which nontraditional retailers, such as farmers' markets,  
24 may participate in the delivery of food stamp benefits under the electronic benefit  
25 transfer system.

1           **SECTION 1656ue.** 49.129 (2) (b) 2. of the statutes is renumbered 49.797 (2) (b).

2           **SECTION 1656uf.** 49.129 (3) (title) of the statutes is repealed.

3           **SECTION 1656ug.** 49.129 (3) (a) of the statutes is renumbered 49.131 (1) and  
4 amended to read:

5           49.131 (1) The department shall request any necessary authorization from the  
6 appropriate federal agency to deliver benefits that are administered by the  
7 department, ~~other than food stamp benefits,~~ to recipients of benefits by an electronic  
8 benefit transfer system.

9           **SECTION 1656uh.** 49.129 (3) (b) of the statutes is renumbered 49.131 (2) and  
10 amended to read:

11           49.131 (2) If the necessary authorization under ~~par. (a)~~ sub. (1) is granted, and  
12 except as provided in sub. ~~(8)~~ (3), the department may implement a program to  
13 deliver by an electronic benefit transfer system any benefit that is administered by  
14 the department and that the department designates by rule.

15           **SECTION 1656uj.** 49.129 (4) (intro.) of the statutes is renumbered 49.797 (4)  
16 (intro.) and amended to read:

17           49.797 (4) ~~DUTIES; IMPLEMENTATION.~~ (intro.) In ~~implementing~~ administering a  
18 program to deliver benefits by an electronic benefit transfer system, the department  
19 shall do all of the following:

20           **SECTION 1656uk.** 49.129 (4) (a) of the statutes is renumbered 49.797 (4) (a).

21           **SECTION 1656uL.** 49.129 (4) (b) of the statutes is renumbered 49.797 (4) (b).

22           **SECTION 1656um.** 49.129 (4) (c) of the statutes is renumbered 49.797 (4) (c).

23           **SECTION 1656un.** 49.129 (4) (d) of the statutes is renumbered 49.797 (4) (d).

24           **SECTION 1656up.** 49.129 (5) of the statutes is renumbered 49.797 (5).

25           **SECTION 1656uq.** 49.129 (5m) of the statutes is repealed.

1           **SECTION 1656ur.** 49.129 (6) of the statutes is renumbered 49.797 (6).

2           **SECTION 1656us.** 49.129 (7) of the statutes is renumbered 49.797 (7).

3           **SECTION 1656ut.** 49.129 (8) of the statutes is renumbered 49.797 (8).

4           **SECTION 1656uu.** 49.13 (1) (intro.) and (a) of the statutes are created to read:

5           49.13 (1) (intro.) In this section:

6           (a) “Food stamp program” means the federal food stamp program under 7 USC  
7           2011 to 2036.

8           **SECTION 1656uv.** 49.131 (title) of the statutes is created to read:

9           **49.131 (title) Electronic transfer of benefits.**

10          **SECTION 1656uw.** 49.131 (3) of the statutes is created to read:

11          49.131 (3) The department may not require a county or tribal governing body  
12          to participate in an electronic benefit transfer system under this section if the costs  
13          to the county or tribal governing body would be greater than the costs that the county  
14          or tribal governing body would incur in delivering the benefits through a system that  
15          is not an electronic benefit transfer system.”.

16          **10.** Page 791, line 18: after that line insert:

17          “**SECTION 1660m.** 49.143 (2) (e) of the statutes is amended to read:

18          49.143 (2) (e) To the extent permitted under federal law or waiver, certify  
19          eligibility for and issue food coupons to eligible Wisconsin works participants in  
20          conformity with 7 USC 2011 to 2029. ~~If the department receives the a federal waiver~~  
21          necessary to enforce the contract provision under this paragraph is granted, the  
22          department and the department of health and family services shall submit to the  
23          joint committee on finance the terms of the waiver and an implementation plan prior  
24          to enforcing the contract provision under this paragraph.”.

1           **11.** Page 792, line 19: after that line insert:

2           “**SECTION 1663j.** 49.155 (1m) (a) 3m. of the statutes is amended to read:

3           49.155 (1m) (a) 3m. Participate in a job search or work experience component  
4 of the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13.”.

5           **12.** Page 797, line 15: after that line insert:

6           “**SECTION 1686b.** 49.175 (1) (h) of the statutes, as affected by 2001 Wisconsin  
7 Act .... (this act), is amended to read:

8           49.175 (1) (h) *Food stamps for legal immigrants.* For food stamp benefits to  
9 qualified aliens under s. ~~49.124~~ 49.79 (8), \$550,000 in ~~each~~ fiscal year 2001–02.”.

10           **13.** Page 803, line 10: delete the material beginning with that line and ending  
11 with page 804, line 19, and substitute:

12           “**SECTION 1723m.** 49.197 (1m) of the statutes is amended to read:

13           49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.445 (3)  
14 (dz), ~~(kx)~~, (L), (md), (n), and (nL), the department shall establish a program to  
15 investigate suspected fraudulent activity on the part of recipients of medical  
16 ~~assistance under subch. IV~~, aid to families with dependent children under s. 49.19  
17 ~~and the food stamp program under 7 USC 2011 to 2036 and~~, on the part of  
18 participants in the Wisconsin works program under ss. 49.141 to 49.161, and, if the  
19 department of health and family services contracts with the department under sub.  
20 (5), on the part of recipients of medical assistance under subch. IV and food stamp  
21 benefits under the food stamp program under 7 USC 2011 to 2036. The department’s  
22 activities under this subsection may include, but are not limited to, comparisons of  
23 information provided to the department by an applicant and information provided  
24 by the applicant to other federal, state, and local agencies, development of an

1 advisory welfare investigation prosecution standard, and provision of funds to  
2 county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin works  
3 agencies to encourage activities to detect fraud. The department shall cooperate  
4 with district attorneys regarding fraud prosecutions.

5 **SECTION 1724m.** 49.197 (3) of the statutes is amended to read:

6 49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct  
7 activities to reduce payment errors in ~~medical assistance under subch. IV, Wisconsin~~  
8 ~~works under ss. 49.141 to 49.161, aid to families with dependent children under s.~~  
9 ~~49.19 and the food stamp program under 7 USC 2011 to 2029 and, if the department~~  
10 of health and family services contracts with the department under sub. (5), the  
11 medical assistance program under subch. IV and the food stamp program under 7  
12 USC 2011 to 2036. The department shall fund the activities under this section from  
13 the appropriation under s. 20.445 (3) (L).

14 **SECTION 1725am.** 49.197 (4) of the statutes is amended to read:

15 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide  
16 funds from the appropriations under s. 20.445 (3) (dz), ~~(kx)~~, (L), and (Lm) and federal  
17 matching funds from the appropriations under s. 20.445 (3) ~~(md)~~, (n) and (nL) to  
18 counties and governing bodies of federally recognized American Indian tribes  
19 administering ~~medical assistance under subch. IV, aid to families with dependent~~  
20 ~~children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029 or, if~~  
21 the department of health and family services contracts with the department under  
22 sub. (5), the medical assistance program under subch. IV and the food stamp  
23 program under 7 USC 2011 to 2036 to offset administrative costs of reducing  
24 payment errors in those programs.

25 **SECTION 1725b.** 49.197 (5) of the statutes is created to read:

1           49.197 (5) CONTRACTS FOR MEDICAL ASSISTANCE AND FOOD STAMPS. The  
2 department of health and family services may contract with the department to  
3 investigate suspected fraudulent activity on the part of recipients of medical  
4 assistance under subch. IV or recipients of food stamp benefits under the food stamp  
5 program under 7 USC 2011 to 2036 as provided in this section.

6           **SECTION 1725c.** 49.22 (6) of the statutes is amended to read:

7           49.22 (6) The department shall establish, pursuant to federal and state laws,  
8 rules and regulations, a uniform system of fees for services provided under this  
9 section to individuals not receiving aid under s. 46.261, 49.19 or 49.47; benefits under  
10 s. ~~49.124~~, 49.148 ~~or~~, 49.155, or 49.79; foster care maintenance payments under 42  
11 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long-term kinship  
12 care payments under s. 48.57 (3n). The system of fees may take into account an  
13 individual's ability to pay. Any fee paid and collected under this subsection may be  
14 retained by the county providing the service except for the fee specified in 42 USC  
15 653 (e) (2) for federal parent locator services.”

16           **14.** Page 805, line 9: delete the material beginning with that line and ending  
17 with page 806, line 11, and substitute:

18           **“SECTION 1728m.** 49.32 (7) (b) of the statutes is amended to read:

19           49.32 (7) (b) The department shall conduct a program to periodically match the  
20 records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47~~, aid to  
21 families with dependent children under s. 49.19 and ~~the food stamp program under~~  
22 7 USC 2011 to 2029 and, if the department of health and family services contracts  
23 with the department under s. 49.197 (5), recipients of medical assistance under  
24 subch. IV and food stamp benefits under the food stamp program under 7 USC 2011

1 to 2036 with the records of recipients under those programs in other states. If an  
2 agreement with the other states can be obtained, matches with records of states  
3 contiguous to this state shall be conducted at least annually.

4 **SECTION 1729m.** 49.32 (7) (c) of the statutes is amended to read:

5 49.32 (7) (c) The department shall conduct a program to periodically match the  
6 address records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47,~~  
7 ~~aid to families with dependent children under s. 49.19 and the food stamp program~~  
8 ~~under 7 USC 2011 to 2029 and, if the department of health and family services~~  
9 ~~contracts with the department under s. 49.197 (5), recipients of medical assistance~~  
10 ~~under subch. IV and food stamp benefits under the food stamp program under 7 USC~~  
11 ~~2011 to 2036~~ to verify residency and to identify recipients receiving duplicate or  
12 fraudulent payments.

13 **SECTION 1730m.** 49.32 (7) (d) of the statutes is amended to read:

14 49.32 (7) (d) The department, with assistance from the department of  
15 corrections, shall conduct a program to periodically match the records of persons  
16 confined in state correctional facilities with the records of recipients of ~~medical~~  
17 ~~assistance under s. 49.46, 49.468 or 49.47,~~ aid to families with dependent children  
18 under s. 49.19 ~~and the food stamp program under 7 USC 2011 to 2029 and, if the~~  
19 ~~department of health and family services contracts with the department under s.~~  
20 ~~49.197 (5), recipients of medical assistance under subch. IV and food stamp benefits~~  
21 ~~under the food stamp program under 7 USC 2011 to 2036~~ to identify recipients who  
22 may be ineligible for benefits.”.

23 **15.** Page 806, line 16: after that line insert:

1           **“SECTION 1731c.** 49.33 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
2       .... (this act), is amended to read:

3           49.33 (1) (b) “Income maintenance program” means ~~the Wisconsin works~~  
4       ~~program under ss. 49.141 to 49.161~~, the medical assistance program under subch. IV,  
5       or the food stamp program under 7 USC 2011 to 2036.”.

6           **16.** Page 806, line 25: after that line insert:

7           **“SECTION 1732c.** 49.33 (2) of the statutes, as affected by 2001 Wisconsin Act ....  
8       (this act), is repealed and recreated to read:

9           49.33 (2) CONTRACTS. Annually, the department of health and family services  
10       shall contract with county departments under ss. 46.215, 46.22, and 46.23 to  
11       reimburse the county departments for the reasonable cost of administering income  
12       maintenance programs.”.

13          **17.** Page 807, line 19: after that line insert:

14          **“SECTION 1737c.** 49.33 (8) (a) of the statutes, as affected by 2001 Wisconsin Act  
15       .... (this act), is amended to read:

16          49.33 (8) (a) From the appropriation accounts under ~~ss. 20.445 (3) (dz), (kx),~~  
17       ~~(md), and (nl)~~ s. 20.435 (4) (bn) and (nn) and subject to par. (b), the department of  
18       health and family services shall reimburse each county that contracts with the  
19       department ~~and the department of health and family services~~ under sub. (2) (a) for  
20       reasonable costs of administering the ~~medical assistance program under subch. IV~~  
21       ~~and that contracts with the department under sub. (2) (b) for the reasonable costs of~~  
22       ~~administering income maintenance programs other than the medical assistance~~  
23       ~~program under subch. IV.~~ The amount of each reimbursement paid under this  
24       paragraph shall be calculated using a formula based on workload within the limits

1 of available state and federal funds under s. ~~20.445 (3) (dz), (kx), (md), and (nL)~~  
2 20.435 (4) (bn) and (nn) by contract under s. 49.33 (2). The amount of reimbursement  
3 calculated under this paragraph and par. (b) is in addition to any reimbursement  
4 provided to a county for fraud and error reduction under s. 49.197 (1m) and (4).”.

5 **18.** Page 810, line 13: delete “par. (b) 6.” and substitute “s. 49.197 (5)”.

6 **19.** Page 812, line 3: delete lines 3 to 6.

7 **20.** Page 826, line 3: delete “sub. (2) (b) 6.” and substitute “s. 49.197 (5)”.

8 **21.** Page 841, line 19: after that line insert:

9 “**SECTION 1835k.** Subchapter V (title) of chapter 49 [precedes 49.66] of the  
10 statutes is amended to read:

11 **CHAPTER 49**

12 **SUBCHAPTER V**

13 **~~OTHER MEDICALLY RELATED SERVICES~~**

14 **AND SUPPORT AND MEDICAL PROGRAMS**”.

15 **22.** Page 842, line 15: after that line insert:

16 “**SECTION 1838sb.** 49.79 (2) (b) of the statutes is created to read:

17 49.79 (2) (b) An individual who fails to comply with the work requirements of  
18 the employment and training program under s. 49.13 (2) (a) is ineligible to  
19 participate in the food stamp program as specified under s. 49.13 (3).

20 **SECTION 1838t.** 49.79 (9) of the statutes is created to read:

21 49.79 (9) **FRAUD INVESTIGATIONS AND ERROR REDUCTION ACTIVITIES.** If the  
22 department does not contract with the department of workforce development under  
23 s. 49.197 (5), the department shall establish and administer a program to investigate

1 fraudulent activity on the part of recipients of food stamps and to reduce errors in  
2 the payments of benefits under the food stamp program.

3 **SECTION 1838td.** 49.79 (10) of the statutes is created to read:

4 49.79 (10) CONTRACT FOR EMPLOYMENT AND TRAINING PROGRAM. The department  
5 shall contract with the department of workforce development to administer the  
6 employment and training program under s. 49.13.

7 **SECTION 1838v.** 49.85 (1) of the statutes is amended to read:

8 49.85 (1) COUNTY DEPARTMENT NOTIFICATION REQUIREMENT. If a county  
9 department under s. 46.215, 46.22 or 46.23, a governing body of a federally  
10 recognized American Indian tribe or band or a Wisconsin works agency determines  
11 that the department of health and family services may recover an amount under s.  
12 49.497 or that the department of workforce development may recover an amount  
13 under s. ~~49.125~~, 49.161 ~~or~~, 49.195 (3), or 49.793, the county department or governing  
14 body shall notify the affected department of the determination.”.

15 **23.** Page 842, line 24: after that line insert:

16 “**SECTION 1839m.** 49.85 (2) (b) of the statutes is amended to read:

17 49.85 (2) (b) At least annually, the department of workforce development shall  
18 certify to the department of revenue the amounts that, based on the notifications  
19 received under sub. (1) and on other information received by the department of  
20 workforce development, the department of workforce development has determined  
21 that it may recover under ss. ~~49.125~~, 49.161 and, ~~49.195 (3)~~, and 49.793, except that  
22 the department of workforce development may not certify an amount under this  
23 subsection unless it has met the notice requirements under sub. (3) and unless its  
24 determination has either not been appealed or is no longer under appeal.”.

1           **24.** Page 843, line 4: after that line insert:

2           “**SECTION 1840g.** 49.85 (3) (b) 1. of the statutes is amended to read:

3           49.85 (3) (b) 1. Inform the person that the department of workforce  
4 development intends to certify to the department of revenue an amount that the  
5 department of workforce development has determined to be due under s. ~~49.125,~~  
6 49.161 ~~or~~, 49.195 (3), or 49.793, for setoff from any state tax refund that may be due  
7 the person.”.

8           **25.** Page 980, line 21: after that line insert:

9           “**SECTION 2200c.** 71.93 (1) (a) 4. of the statutes is amended to read:

10           71.93 (1) (a) 4. An amount that the department of workforce development may  
11 recover under s. ~~49.125 or~~ 49.195 (3) or 49.793, if the department of workforce  
12 development has certified the amount under s. 49.85.”.

13           **26.** Page 1086, line 8: after that line insert:

14           “**SECTION 2544m.** 102.29 (8r) of the statutes is amended to read:

15           102.29 (8r) No participant in a food stamp employment and training program  
16 under s. ~~49.124 (1m)~~ 49.13 who, under s. ~~49.124 (1m)~~ 49.13 (2) (d), is provided  
17 worker’s compensation coverage by the department or by a Wisconsin works agency,  
18 as defined in s. 49.001 (9), and who makes a claim for compensation under this  
19 chapter may make a claim or maintain an action in tort against the employer who  
20 provided the employment and training from which the claim arose.”.

21           **27.** Page 1780, line 16: after that line insert:

22           “(9q) FOOD STAMP TRANSFER. No later than March 1, 2002, the department of  
23 health and family services and the department of workforce development shall  
24 submit a proposal to the secretary of administration for supplemental expenditure

1 and position authority necessary to transfer all administrative functions related to  
2 the food stamp program authorized under 7 USC 2011 to 2036 from the department  
3 of workforce development to the department of health and family services. If the  
4 secretary of administration approves the plan, the secretary shall submit the  
5 proposal to the cochairpersons of the joint committee on finance. If the  
6 cochairpersons of the committee do not notify the secretary of administration within  
7 14 working days after receiving the proposal that the cochairpersons have scheduled  
8 a meeting for the purpose of reviewing the proposal, the secretary of administration  
9 shall approve the proposed expenditure and position authority, as authorized under  
10 current law. If, within 14 working days after receiving the proposal, the  
11 cochairpersons notify the secretary of administration that the cochairpersons have  
12 scheduled a meeting for the purpose of reviewing the proposal, the secretary of  
13 administration may not approve the proposed expenditure and position authority,  
14 except as approved by the committee and as authorized under current law.”

15 **28.** Page 1813, line 11: delete lines 11 to 13 and substitute:

16 “(7q) MEDICAL ASSISTANCE TRANSFER; INCOME MAINTENANCE CONTRACTS. The  
17 amendment of section 49.33 (1) (b) (by SECTION 1731), (8) (a) (by SECTION 1737) and  
18 (b), and (10) (a) of the statutes and the repeal and recreation of section 49.33 (2) (by  
19 SECTION 1732) of the statutes first apply to contracts entered into, extended,  
20 modified, or renewed on the effective date of this subsection.

21 (7r) FOOD STAMP TRANSFER; INCOME MAINTENANCE CONTRACTS. The amendment  
22 of section 49.33 (1) (b) (by SECTION 1731c) and (8) (a) (by SECTION 1737c) of the statutes  
23 and the repeal and recreation of section 49.33 (2) (by SECTION 1732c) of the statutes

1 first apply to contracts entered into, extended, modified, or renewed on the effective  
2 date of this subsection.”

3 **29.** Page 1826, line 22: after that line insert:

4 “(2q) FOOD STAMP TRANSFER. The repeal of sections 49.124 (1p) and (4) and  
5 49.129 (2) (a), (3) (title), and (5m) of the statutes, the renumbering of sections 49.124  
6 (title), (1) (intro.), (ag), (am), (b), (c), (d), (df), and (e), (1g), (1m) (title) and (a) to (d),  
7 (2), (5), (6), and (7), 49.125, 49.127, and 49.129 (title), (1), (2) (title) and (b) 2., (4) (a),  
8 (b), (c), and (d), (5), (6), (7), and (8) of the statutes, the renumbering and amendment  
9 of sections 20.445 (3) (pv), 49.124 (1n) (intro.), (a), (b), and (c), (3), and (8), and 49.129  
10 (2) (b) 1., (3) (a) and (b), and (4) (intro.) of the statutes, the amendment of sections  
11 20.435 (4) (title), (bn) (by SECTION 707am), and (nn) (by SECTION 714am), 20.445 (3)  
12 (dz) (by SECTION 737am), (L) (by SECTION 740am), (Lm), (pm), and (ps), 49.143 (2) (e),  
13 49.155 (1m) (a) 3m., 49.175 (1) (h) (by SECTION 1686b), 49.197 (1m), (3), and (4), 49.22  
14 (6), 49.32 (7) (b), (c), and (d), 49.33 (1) (b) (by SECTION 1731c) and (8) (a) (by SECTION  
15 1737c), 49.45 (40), subchapter V (title) of chapter 49, 49.85 (1), (2) (b), and (3) (b) 1.,  
16 71.93 (1) (a) 4., and 102.29 (8r) of the statutes, the repeal and recreation of section  
17 49.33 (2) (by SECTION 1732c) of the statutes, and the creation of sections 49.13 (1)  
18 (intro.) and (a), 49.131 (title) and (3), 49.197 (5), 49.45 (2) (a) 3m., and 49.79 (9) of the  
19 statutes and SECTION 9358 (7r) of this act take effect on July 1, 2002.”

20 (END)

stays (RM not run)

LFB:.....Carreon - Transfer of food stamps to DHFS

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

NOTE SECTION

1 At the locations indicated, amend the bill as follows:

2 1. Page 535, line 15: after that line insert:

3 "SECTION 704x. 20.435 (4) (title) of the statutes is amended to read:

4 20.435 (4) (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH  
5 CARE FINANCING; OTHER SUPPORT PROGRAMS."

6 2. Page 536, line 11: delete lines 11 to 13 and substitute:

7 "20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
8 for payments under s. 49.33 (8) relating to the administration of the medical  
9 assistance program.

10 SECTION 707am. 20.435 (4) (bn) of the statutes, as created by 2001 Wisconsin

11 Act .... (this act), is amended to read:

1 20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
2 for payments under s. 49.33 (8) relating to the administration of the medical  
3 assistance program and the food stamp program. ✓

4 **3.** Page 538, line 2: after that line insert:

5 “SECTION 713g. 20.435 (4) (L) of the statutes is created to read:

6 20.435 (4) (L) *Medical assistance and food stamp fraud and error reduction.*

7 All moneys received as the state’s share of the recovery of overpayments and  
8 incorrect payments under ss. 49.497 (1) and 49.793 (2) and all moneys received from  
9 counties and tribal governing bodies as a result of any error reduction activities  
10 under ss. 49.45 (2) (b) 6. and 49.79 (9), for ~~damages~~ <sup>contracts</sup> under s. 49.197 (5), for any ✓  
11 activities to reduce error and fraud under ss. 49.45 (2) <sup>(a) 3m.</sup> ~~and~~ and 49.79 (9), to pay ✓  
12 federal sanctions under the food stamp program, and for food stamp reinvestment  
13 activities under reinvestment agreements with the federal department of  
14 agriculture that are designed to improve the food stamp program.”

15 **4.** Page 538, line 4: delete lines 4 to 8 and substitute:

16 “20.435 (4) (nn) *Federal aid; income maintenance*. All moneys received from  
17 the federal government for the costs of contracting for the administration of the  
18 medical assistance program, <sup>under subch. IV of ch. 49</sup> other than moneys received under par. (pa), for <sup>care</sup> ✓  
19 payments under s. 49.33 (8). <sup>program</sup> <sup>under s. 49.665</sup> ✓

20 **SECTION 714am.** 20.435 (4) (nn) of the statutes, as created by 2001 Wisconsin  
21 Act .... (this act), is amended to read:

22 20.435 (4) (nn) *Federal aid; income maintenance*. All moneys received from the  
23 federal government for the costs of contracting for the administration of the medical

*under subch. IV of ch. 49 and the badger care health care program under s. 49.6665*

1 assistance program and the food stamp program, other than moneys received under  
2 par. (pa), for payments under s. 49.33 (8)."

4  
3 star  
note

3 ~~\*\*\*~~ This is reconciled s. 20.435(4)(nm). It has been affected by LRBb0360  
5. Page 538, line 19: after that line insert: *and LRBb0625.*

4 "SECTION 716gb. 20.435 (4) (pv) of the statutes is created to read:

5 20.435 (4) (pv) *Food stamps; electronic benefits transfer.* All moneys received  
6 from the federal government for electronic food stamp benefits transfers, to be  
7 expended for the purposes specified. Estimated disbursements under this  
8 paragraph shall not be included in the schedule under s. 20.005."

9 6. Page 546, line 8: after that line insert:

10 "SECTION 737am. 20.445 (3) (dz) of the statutes, as affected by 2001 Wisconsin  
11 Act .... (this act), is amended to read:

12 20.445 (3) (dz) *Wisconsin works and other public assistance administration and*  
13 *benefits.* The amounts in the schedule, less the amounts withheld under s. 49.143  
14 (3), for administration and benefit payments under Wisconsin works under ss.  
15 49.141 to 49.161, the learnfare program under s. 49.26, the work experience and job  
16 search program under s. 49.36, and the food stamp employment and training

17 program under s. 49.124 49.13; for payments to counties *and tribal governing bodies*  
18 ~~payments to, Wisconsin works agencies, and American Indian tribes for~~ *struck semi*

19 administration of public assistance programs *set* for hospital paternity incentive  
20 payments under s. 69.14 (1) (cm); and for funeral expenses under s. 49.30. Payments *STET*

21 may be made from this appropriation to counties for fraud investigation and error  
22 reduction under s. 49.197 (1m) and (4). Moneys appropriated under this paragraph  
23 may be used to match federal funds received under par. (md). Notwithstanding ss.  
24 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years

1 under this paragraph. Notwithstanding ss. 20.001 (3) and 20.002 (1), the  
2 department of health and family services shall credit or deposit into this  
3 appropriation account funds for the purposes of this appropriation that the  
4 department transfers from the appropriation account under s. 20.435 (7) (bc). All  
5 funds allocated by the department but not encumbered by December 31 of each year  
6 lapse to the general fund on the next January 1 unless transferred to the next  
7 calendar year by the joint committee on finance."

4  
Star  
note  
→

\*\*\* This is reconciled s. 20,445(3)(d2). It has been affected by LRB 0360 and LRB0625.

7. Page 547, line 9: after that line insert:

9 "SECTION 740am. 20.445 (3) (L) of the statutes, as affected by 2001 Wisconsin  
10 Act .... (this act), is amended to read: ~~activities and food stamp sanctions~~

11 20.445 (3) (L) Welfare fraud and error reduction; ~~state operations~~ <sup>All</sup> ~~monies~~  
12 moneys received as the state's share of the recovery of overpayments and incorrect  
13 payments under s. 49.191 (3) (c), 1997 stats., and s. 49.195, 1997 stats., and ss. 49.125  
14 (2), and 49.497 (1), ~~the amounts in the schedule~~ <sup>all moneys received from counties and tribal governing bodies as a</sup>  
15 reduce error and fraud under s. 49.197. <sup>of error reduction activities under s. 49.197,</sup> ~~and all moneys transferred under 2001 Wisconsin~~  
<sup>Insud 415</sup> Act.... (this act), section 9258 (2g)

16 SECTION 740d. 20.445 (3) (Lm) of the statutes is amended to read:

17 20.445 (3) (Lm) Welfare fraud and error reduction; local assistance. From the  
18 moneys received as the state's share of the recovery of overpayments and incorrect  
19 payments under s. 49.191 (3) (c), 1997 stats., s. 49.195, 1997 stats., and ss. 49.125 (2)  
20 and 49.497 (1) and 49.793 (2), all moneys not appropriated under par. (L) for county  
21 and tribal activities to reduce error and fraud in the food stamp, aid to families with  
22 dependent children, Wisconsin works program and medical assistance program."

23 8. Page 548, line 12: after that line insert:

24 "SECTION 743m. 20.445 (3) (pm) of the statutes is amended to read:

\*\*\* This is reconciled s. 20.446 (3)(L). It has been affected by LRB0365 and LRB0625.

4  
Star  
note

1           20.445 (3) (pm) *Food stamp employment and training program;*  
2 *administration.* All federal moneys received for the administrative costs associated  
3 with the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13,  
4 to carry out that purpose.

5           **SECTION 743o.** 20.445 (3) (ps) of the statutes is amended to read:

6           20.445 (3) (ps) *Food stamp employment and training program; aids.* All federal  
7 moneys received for the provision or purchase of services for the food stamp  
8 employment and training program under s. ~~49.124 (1m)~~ 49.13, to carry out that  
9 purpose.

10          **SECTION 743r.** 20.445 (3) (pv) of the statutes is amended to read:

11          ~~20.445 (3) (pv) *Food stamps; electronic* Electronic benefits transfer.~~ All moneys  
12 received from the federal government for the electronic food stamp benefits transfers  
13 transfer of benefits administered by the department of workforce development, to be  
14 expended for the purposes specified. ~~Estimated disbursements under this~~  
15 paragraph shall not be included in the schedule under s. 20.005.”.

16          **9.** Page 790, line 15: after that line insert:

17          “**SECTION 1656t.** 49.124 (title) of the statutes is renumbered 49.79 (title).

18          **SECTION 1656ta.** 49.124 (1) (intro.) of the statutes is renumbered 49.79 (1)  
19 (intro.).

20          **SECTION 1656tb.** 49.124 (1) (ag) of the statutes is renumbered 49.79 (1) (a).

21          **SECTION 1656tc.** 49.124 (1) (am) of the statutes is renumbered 49.79 (1) (b).

22          **SECTION 1656td.** 49.124 (1) (b) of the statutes is renumbered 49.79 (1) (c).

23          **SECTION 1656tf.** 49.124 (1) (c) of the statutes is renumbered 49.79 (1) (d).

24          **SECTION 1656tg.** 49.124 (1) (d) of the statutes is renumbered 49.79 (1) (e).

1           **SECTION 1656th.** 49.124 (1) (df) of the statutes is renumbered 49.79 (1) (f).

2           **SECTION 1656ti.** 49.124 (1) (e) of the statutes is renumbered 49.13 (1) (b).

3           **SECTION 1656tj.** 49.124 (1g) (title) of the statutes is renumbered 49.79 (2)  
4 (title).

5           **SECTION 1656tjk.** 49.124 (1g) of the statutes is renumbered 49.79 (2) (a), and  
6 49.79 (2) (a) 1. and 5. (intro.), as renumbered, are amended to read:

7           49.79 (2) (a) 1. The individual is a custodial parent of a child who is under the  
8 age of 18 and who has an absent parent, or the individual lives with and exercises  
9 parental control over a child who is under the age of 18 and who has an absent parent,  
10 and the individual does not fully cooperate in good faith with efforts directed at  
11 establishing the paternity of the child, if necessary, establishing or enforcing a  
12 support order, if appropriate, or obtaining other payments or property, if any, to  
13 which that individual or the child may have rights. ~~This paragraph~~ subdivision does  
14 not apply if the individual has good cause for refusing to cooperate, as determined  
15 by the department in accordance with federal law and regulations.

16           5. (intro.) The individual is obligated by court order to provide child support  
17 payments and is delinquent in making those court-ordered payments. ~~This~~  
18 ~~paragraph~~ subdivision does not apply if any of the following applies:

19           **SECTION 1656tjm.** 49.124 (1m) (title) of the statutes is renumbered 49.13  
20 (title).

21           **SECTION 1656tjn.** 49.124 (1m) (a) of the statutes is renumbered 49.13 (2) (a)  
22 and amended to read:

23           49.13 (2) (a) The department shall contract with the department of health and  
24 family services as provided under s. 49.79 (10) to administer an employment and  
25 training program for recipients under the food stamp program. The department may

1 ~~contract subcontract~~ with a Wisconsin works agency to administer the employment  
2 and training program under this subsection. Except as provided in pars. (b) and  
3 (bm), the department may require able individuals who are 18 to 60 years of age who  
4 are not participants in a Wisconsin works employment position to participate in the  
5 employment and training program under this subsection.

6 **SECTION 1656tk.** 49.124 (1m) (b) to (d) of the statutes are renumbered 49.13  
7 (2) (b) to (d).

8 **SECTION 1656tL.** 49.124 (1n) (intro.) of the statutes is renumbered 49.13 (3)  
9 (intro.) and amended to read:

10 49.13 (3) ~~INELIGIBILITY FOR NONCOMPLIANCE WITH WORK REQUIREMENTS.~~ (intro.)  
11 An individual who fails to comply with the work requirements under sub. ~~(1m)~~ (2)  
12 (a) without good cause is ineligible to participate in the food stamp program under  
13 ~~this section s. 49.79~~ as follows:

14 **SECTION 1656tm.** 49.124 (1n) (a) of the statutes is renumbered 49.13 (3) (a) and  
15 amended to read:

16 49.13 (3) (a) For the first occurrence of noncompliance, one month, or until the  
17 person complies with the work requirements under sub. ~~(1m)~~ (2) (a), whichever is  
18 later.

19 **SECTION 1656tn.** 49.124 (1n) (b) of the statutes is renumbered 49.13 (3) (b) and  
20 amended to read:

21 49.13 (3) (b) For the 2nd occurrence of noncompliance, 3 months, or until the  
22 person complies with the work requirements under sub. ~~(1m)~~ (2) (a), whichever is  
23 later.

24 **SECTION 1656tp.** 49.124 (1n) (c) of the statutes is renumbered 49.13 (3) (c) and  
25 amended to read:

1           49.13 (3) (c) For the 3rd and subsequent occurrences of noncompliance, 6  
2 months, or until the person complies with the work requirements under sub. (1m)  
3 (2) (a), whichever is later.

4           **SECTION 1656tq.** 49.124 (1p) of the statutes is repealed.

5           **SECTION 1656tr.** 49.124 (2) of the statutes is renumbered 49.79 (3).

6           **SECTION 1656ts.** 49.124 (3) of the statutes is renumbered 49.79 (4) and  
7 amended to read:

8           49.79 (4) DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS. The  
9 department shall withhold the value of food stamp losses for which a county or  
10 federally recognized American Indian tribe is liable under sub. (2) (3) from the  
11 payment to the county or tribe under s. 20.445 (3) (dz) and (nL) income maintenance  
12 contracts under s. 49.33 and reimburse the federal government from the funds  
13 withheld.

14           **SECTION 1656tt.** 49.124 (4) of the statutes is repealed.

15           **SECTION 1656tu.** 49.124 (5) of the statutes is renumbered 49.79 (5).

16           **SECTION 1656tv.** 49.124 (6) of the statutes is renumbered 49.79 (6).

17           **SECTION 1656tw.** 49.124 (7) of the statutes is renumbered 49.79 (7).

18           **SECTION 1656tx.** 49.124 (8) of the statutes is renumbered 49.79 (8) and  
19 amended to read:

20           49.79 (8) BENEFITS FOR QUALIFIED ALIENS. ~~Not later than June 15, 1998, the~~  
21 ~~department shall submit a plan to the secretary of the federal department of~~  
22 ~~agriculture to provide benefits under this section to a qualified alien who is ineligible~~  
23 ~~for benefits under this section solely because of the application of 8 USC 1612 or 1613.~~  
24 ~~If the secretary of the federal department of agriculture approves the plan, the~~ The  
25 ~~department shall provide benefits under this section beginning on August 1, 1998,~~

1 ~~or on the day that the plan is approved, whichever is later, to a qualified alien who~~  
2 ~~is otherwise eligible for benefits under this section~~ ineligible for benefits under this  
3 section solely because of the application of 9 USC 1612 or 1613 according to a plan  
4 approved by the federal department of agriculture. This subsection does not apply  
5 to the extent that federal food stamp benefits for qualified aliens are restored by the  
6 federal government.

7 **SECTION 1656ty.** 49.125 of the statutes is renumbered 49.793.

8 **SECTION 1656tz.** 49.127 of the statutes is renumbered 49.795.

9 **SECTION 1656u.** 49.129 (title) of the statutes is renumbered 49.797 (title).

10 **SECTION 1656ua.** 49.129 (1) of the statutes is renumbered 49.797 (1).

11 **SECTION 1656ub.** 49.129 (2) (title) of the statutes is renumbered 49.797 (2)  
12 (title).

13 **SECTION 1656uc.** 49.129 (2) (a) of the statutes is repealed.

14 **SECTION 1656ud.** 49.129 (2) (b) 1. of the statutes is renumbered 49.797 (2) (a)  
15 and amended to read:

16 49.797 (2) (a) Except as provided in subd. 2. par. (b) and sub. (8), ~~if the necessary~~  
17 ~~authorization under par. (a) is granted, the department shall begin to implement, no~~  
18 ~~later than July 1, 1999, a~~ administer a statewide program to deliver food stamp  
19 benefits to recipients of food stamp benefits by an electronic benefit transfer system  
20 ~~and shall implement the program statewide no later than April 1, 2000.~~ All  
21 suppliers, as defined in s. ~~49.127 (1) (d)~~ 49.795 (1) (d), may participate in the delivery  
22 of food stamp benefits under the electronic benefit transfer system. The department  
23 shall explore methods by which nontraditional retailers, such as farmers' markets,  
24 may participate in the delivery of food stamp benefits under the electronic benefit  
25 transfer system.

1           **SECTION 1656ue.** 49.129 (2) (b) 2. of the statutes is renumbered 49.797 (2) (b).

2           **SECTION 1656uf.** 49.129 (3) (title) of the statutes is repealed.

3           **SECTION 1656ug.** 49.129 (3) (a) of the statutes is renumbered 49.131 (1) and  
4 amended to read:

5           49.131 (1) The department shall request any necessary authorization from the  
6 appropriate federal agency to deliver benefits that are administered by the  
7 department, ~~other than food stamp benefits~~, to recipients of benefits by an electronic  
8 benefit transfer system.

9           **SECTION 1656uh.** 49.129 (3) (b) of the statutes is renumbered 49.131 (2) and  
10 amended to read:

11           49.131 (2) If the necessary authorization under ~~par. (a)~~ sub. (1) is granted, and  
12 except as provided in sub. ~~(8)~~ (3), the department may implement a program to  
13 deliver by an electronic benefit transfer system any benefit that is administered by  
14 the department and that the department designates by rule.

15           **SECTION 1656uj.** 49.129 (4) (intro.) of the statutes is renumbered 49.797 (4)  
16 (intro.) and amended to read:

17           49.797 (4) ~~DUTIES; IMPLEMENTATION.~~ (intro.) In ~~implementing~~ administering a  
18 program to deliver benefits by an electronic benefit transfer system, the department  
19 shall do all of the following:

20           **SECTION 1656uk.** 49.129 (4) (a) of the statutes is renumbered 49.797 (4) (a).

21           **SECTION 1656uL.** 49.129 (4) (b) of the statutes is renumbered 49.797 (4) (b).

22           **SECTION 1656um.** 49.129 (4) (c) of the statutes is renumbered 49.797 (4) (c).

23           **SECTION 1656un.** 49.129 (4) (d) of the statutes is renumbered 49.797 (4) (d).

24           **SECTION 1656up.** 49.129 (5) of the statutes is renumbered 49.797 (5).

25           **SECTION 1656uq.** 49.129 (5m) of the statutes is repealed.

1           **SECTION 1656ur.** 49.129 (6) of the statutes is renumbered 49.797 (6).

2           **SECTION 1656us.** 49.129 (7) of the statutes is renumbered 49.797 (7).

3           **SECTION 1656ut.** 49.129.(8) of the statutes is renumbered 49.797 (8).

4           **SECTION 1656uu.** 49.13 (1) (intro.) and (a) of the statutes are created to read:  
5           49.13 (1) (intro.) In this section:

6           (a) “Food stamp program” means the federal food stamp program under 7 USC  
7           2011 to 2036.

8           **SECTION 1656uv.** 49.131 (title) of the statutes is created to read:

9           **49.131 (title) Electronic transfer of benefits.**

10          **SECTION 1656uw.** 49.131 (3) of the statutes is created to read:

11          49.131 (3) The department may not require a county or tribal governing body  
12          to participate in an electronic benefit transfer system under this section if the costs  
13          to the county or tribal governing body would be greater than the costs that the county  
14          or tribal governing body would incur in delivering the benefits through a system that  
15          is not an electronic benefit transfer system.”

16          **10.** Page 791, line 18: after that line insert:

17          “**SECTION 1660m.** 49.143 (2) (e) of the statutes is amended to read:

18          49.143 (2) (e) To the extent permitted under federal law or waiver, certify  
19          eligibility for and issue food coupons to eligible Wisconsin works participants in  
20          conformity with 7 USC 2011 to 2029. If the department receives the a federal waiver  
21          necessary to enforce the contract provision under this paragraph is granted, the  
22          department and the department of health and family services shall submit to the  
23          joint committee on finance the terms of the waiver and an implementation plan prior  
24          to enforcing the contract provision under this paragraph.”

1           **11.** Page 792, line 19: after that line insert:

2           “**SECTION 1663j.** 49.155 (1m) (a) 3m. of the statutes is amended to read:

3           49.155 (1m) (a) 3m. Participate in a job search or work experience component  
4 of the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13.”.

5           **12.** Page 797, line 15: after that line insert:

6           “**SECTION 1686b.** 49.175 (1) (h) of the statutes, as affected by 2001 Wisconsin  
7 Act .... (this act), is amended to read:

8           49.175 (1) (h) *Food stamps for legal immigrants.* For food stamp benefits to  
9 qualified aliens under s. ~~49.124~~ 49.79 (8), \$550,000 in each fiscal year 2001–02.”.

10           **13.** Page 803, line 10: delete the material beginning with that line and ending  
11 with page 804, line 19, and substitute:

12           “**SECTION 1723m.** 49.197 (1m) of the statutes is amended to read:

13           49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.445 (3)  
14 (dz), ~~(kx)~~, (L), (md), (n), and (nL), the department shall establish a program to  
15 investigate suspected fraudulent activity on the part of recipients of ~~medical~~  
16 ~~assistance under subch. IV~~, aid to families with dependent children under s. 49.19  
17 ~~and the food stamp program under 7 USC 2011 to 2036 and~~, on the part of  
18 participants in the Wisconsin works program under ss. 49.141 to 49.161, ~~and, if the~~  
19 department of health and family services contracts with the department under sub.  
20 (5), on the part of recipients of medical assistance under subch. IV and food stamp  
21 benefits under the food stamp program under 7 USC 2011 to 2036. The department’s  
22 activities under this subsection may include, but are not limited to, comparisons of  
23 information provided to the department by an applicant and information provided  
24 by the applicant to other federal, state, and local agencies, development of an

1 advisory welfare investigation prosecution standard, and provision of funds to  
2 county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin works  
3 agencies to encourage activities to detect fraud. The department shall cooperate  
4 with district attorneys regarding fraud prosecutions.

5 **SECTION 1724m.** 49.197 (3) of the statutes <sup>was affected by 2001 Wisconsin Act</sup> (is amended to read: "... (this act),

6 49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct  
7 activities to reduce payment errors in ~~medical assistance under subch. IV, Wisconsin~~  
8 ~~works under ss. 49.141 to 49.161, aid to families with dependent children under s.~~  
9 ~~49.19 and the food stamp program under 7 USC 2011 to 2029~~ and, if the department  
10 of health and family services contracts with the department under sub. (5), the  
11 medical assistance program under subch. IV and the food stamp program under 7  
12 USC 2011 to 2036. ~~The department shall fund the activities under this section from~~

13 ~~the appropriation under s. 20.445 (3) (k).~~ <sup>affected</sup> ~~It has been~~ by LRBb0625 and LRBb0365.

14 **SECTION 1725am.** 49.197 (4) of the statutes is amended to read:

15 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide <sup>as affected by</sup>  
16 funds from the appropriations under s. 20.445 (3) (dz), ~~(kx)~~, (L), and (Lm) and federal <sup>2001 Wisconsin Act...</sup>  
17 matching funds from the appropriations under s. 20.445 (3) ~~(kx)~~ (n) and (nL) to <sup>(this act)</sup>  
18 counties and governing bodies of federally recognized American Indian tribes  
19 administering ~~medical assistance under subch. IV, aid to families with dependent~~  
20 ~~children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029~~ or, if  
21 the department of health and family services contracts with the department under  
22 sub. (5), the medical assistance program under subch. IV and the food stamp  
23 program under 7 USC 2011 to 2036 to offset administrative costs of reducing  
24 payment errors in those programs.

25 ~~It has been~~ affected by LRBb0365 and LRBb0625.

**SECTION 1725b.** 49.197 (5) of the statutes is created to read:

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17

1           49.197 (5) CONTRACTS FOR MEDICAL ASSISTANCE AND FOOD STAMPS. The  
2 department of health and family services may contract with the department to  
3 investigate suspected fraudulent activity on the part of recipients of medical  
4 assistance under subch. IV or recipients of food stamp benefits under the food stamp  
5 program under 7 USC 2011 to 2036 as provided in this section.

6           **SECTION 1725c.** 49.22 (6) of the statutes is amended to read:

7           49.22 (6) The department shall establish, pursuant to federal and state laws,  
8 rules and regulations, a uniform system of fees for services provided under this  
9 section to individuals not receiving aid under s. 46.261, 49.19 or 49.47; benefits under  
10 s. ~~49.124~~, 49.148 ~~or~~, 49.155, or 49.79; foster care maintenance payments under 42  
11 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long term kinship  
12 care payments under s. 48.57 (3n). The system of fees may take into account an  
13 individual's ability to pay. Any fee paid and collected under this subsection may be  
14 retained by the county providing the service except for the fee specified in 42 USC  
15 653 (e) (2) for federal parent locator services.”.

16           **14.** Page 805, line 9: delete the material beginning with that line and ending  
17 with page 806, line 11, and substitute:

18           **“SECTION 1728m.** 49.32 (7) (b) of the statutes is amended to read:

19           49.32 (7) (b) The department shall conduct a program to periodically match the  
20 records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47~~, aid to  
21 families with dependent children under s. 49.19 ~~and the food stamp program under~~  
22 7 USC 2011 to 2029 and, if the department of health and family services contracts  
23 with the department under s. 49.197 (5), recipients of medical assistance under  
24 subch. IV and food stamp benefits under the food stamp program under 7 USC 2011

1 to 2036 with the records of recipients under those programs in other states. If an  
2 agreement with the other states can be obtained, matches with records of states  
3 contiguous to this state shall be conducted at least annually.

4 **SECTION 1729m.** 49.32 (7) (c) of the statutes is amended to read:

5 49.32 (7) (c) The department shall conduct a program to periodically match the  
6 address records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47,~~  
7 aid to families with dependent children under s. 49.19 ~~and the food stamp program~~  
8 under 7 USC 2011 to 2029 and, if the department of health and family services  
9 contracts with the department under s. 49.197 (5), recipients of medical assistance  
10 under subch. IV and food stamp benefits under the food stamp program under 7 USC  
11 2011 to 2036 to verify residency and to identify recipients receiving duplicate or  
12 fraudulent payments.

13 **SECTION 1730m.** 49.32 (7) (d) of the statutes is amended to read:

14 49.32 (7) (d) The department, with assistance from the department of  
15 corrections, shall conduct a program to periodically match the records of persons  
16 confined in state correctional facilities with the records of recipients of ~~medical~~  
17 ~~assistance under s. 49.46, 49.468 or 49.47,~~ aid to families with dependent children  
18 under s. 49.19 ~~and the food stamp program under 7 USC 2011 to 2029~~ and, if the  
19 department of health and family services contracts with the department under s.  
20 49.197 (5), recipients of medical assistance under subch. IV and food stamp benefits  
21 under the food stamp program under 7 USC 2011 to 2036 to identify recipients who  
22 may be ineligible for benefits.”

23 **15.** Page 806, line 16: after that line insert:

1 "SECTION 1731c. 49.33 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
2 .... (this act), is amended to read:

3 49.33 (1) (b) "Income maintenance program" means ~~the Wisconsin words~~ *of ch. 49*  
4 ~~program under ss. 49.33(1)(b) to 49.46~~ *the medical assistance program under subch. IV*  
5 *the badger care health care program under s. 49.665, the child care program*  
6 *or the food stamp program under 7 USC 2011 to 2036." (under s. 49.155,*

7 *\*\*\*\* This is reconciled s. 49.33(1)(b), it has been affected by LRBb0625 and LRBb0360.*  
8 **16.** Page 806, line 25: after that line insert:  
9 *it says 49.155*

10 "SECTION 1732c. 49.33 (2) of the statutes, as affected by 2001 Wisconsin Act ....  
11 (this act), is repealed and recreated to read:

12 49.33 (2) CONTRACTS. Annually, the department of health and family services  
13 shall contract with county departments under ss. 46.215, 46.22, and 46.23 to *and tribal governing bodies*  
14 reimburse the county departments *and tribal governing bodies* for the reasonable cost of administering income  
15 maintenance programs."

16 *\*\*\*\* This is reconciled s. 46.23(2) It is affected by LRBb0360 and LRBb0625.*  
17 **17.** Page 807, line 19: after that line insert:

18 "SECTION 1737c. 49.33 (8) (a) of the statutes, as affected by 2001 Wisconsin Act  
19 .... (this act), is amended to read:

20 49.33 (8) (a) From the appropriation accounts under ss. 20.445 (3) (dz), (kx),  
21 (md), and (nL) s. 20.435 (4) (bn) and (nn) and subject to par. (b), the department of  
22 health and family services shall reimburse each county *and tribal governing body* that contracts with the  
23 department and the department of health and family services under sub. (2) (a) for  
24 reasonable costs of administering the ~~medical assistance program under subch. IV~~  
and that contracts with the department under sub. (2) (b) for the reasonable costs of  
administering income maintenance programs ~~other than the medical assistance~~  
~~program under subch. IV.~~ The amount of each reimbursement paid under this  
paragraph shall be calculated using a formula based on workload within the limits

1 of available state and federal funds under s. ~~20.445 (3) (dz), (kx), (md), and (nL)~~  
2 20.435 (4) (bn) and (nn) by contract under s. 49.33 (2). The amount of reimbursement  
3 calculated under this paragraph and par. (b) is in addition to any reimbursement  
4 provided to a county for fraud and error reduction under s. 49.197 (1m) and (4).".

Insert  
175

Item # Page 88, line 10: after that line insert:

5 **18.** Page 810, line 13: delete "par. (b) 6." and substitute "s. 49.197 (5)".

6 **19.** Page 812, line 3: delete lines 3 to 6.

7 **20.** Page 826, line 3: delete "sub. (2) (b) 6." and substitute "s. 49.197 (5)".

8 **21.** Page 841, line 19: after that line insert:

9 "SECTION 1835k. Subchapter V (title) of chapter 49 [precedes 49.66] of the  
10 statutes is amended to read:

11 **CHAPTER 49**

12 **SUBCHAPTER V**

13 **OTHER MEDICALLY RELATED SERVICES**

14 **AND SUPPORT AND MEDICAL PROGRAMS**".

15 **22.** Page 842, line 15: after that line insert:

16 "SECTION 1838sb. 49.79 (2) (b) of the statutes is created to read:

17 49.79 (2) (b) An individual who fails to comply with the work requirements of  
18 the employment and training program under s. 49.13 (2) (a) is ineligible to  
19 participate in the food stamp program as specified under s. 49.13 (3).

20 **SECTION 1838t.** 49.79 (9) of the statutes is created to read:

21 49.79 (9) **FRAUD INVESTIGATIONS AND ERROR REDUCTION ACTIVITIES.** If the  
22 department does not contract with the department of workforce development under  
23 s. 49.197 (5), the department shall establish and administer a program to investigate

1 fraudulent activity on the part of recipients of food stamps and to reduce errors in  
2 the payments of benefits under the food stamp program.

3 **SECTION 1838td.** 49.79 (10) of the statutes is created to read:

4 49.79 (10) CONTRACT FOR EMPLOYMENT AND TRAINING PROGRAM. The department  
5 shall contract with the department of workforce development to administer the  
6 employment and training program under s. 49.13.

7 **SECTION 1838v.** 49.85 (1) of the statutes <sup>as affected by 2001 Wisconsin Act ...</sup> is amended to read: (this act),

8 49.85 (1) ~~MINN~~ DEPARTMENT NOTIFICATION REQUIREMENT. If a county  
9 department under s. 46.215, 46.22 or 46.23, <sup>or a</sup> a governing body of a federally  
10 recognized American Indian tribe or band ~~or a Wisconsin works agency~~ determines  
11 that the department of health and family services may recover an amount under s.  
12 49.497 or that the department of workforce development may recover an amount  
13 under s. ~~49.125, 49.161 or, 49.195 (3),~~ 49.793, the county department or governing  
14 body shall notify the affected department of the determination.”

→ ~~\*\*\*~~ This is recalled s. 49.85 (1). It is affected by LRBb0429, and LRBb0625  
15 **23.** Page 842, line 24: after that line insert: <sub>b</sub>

16 **SECTION 1839m.** 49.85 (2) (b) of the statutes is amended to read:

17 49.85 (2) (b) At least annually, the department of workforce development shall  
18 certify to the department of revenue the amounts that, based on the notifications  
19 received under sub. (1) and on other information received by the department of  
20 workforce development, the department of workforce development has determined  
21 that it may recover under ss. ~~49.125, 49.161 and, 49.195 (3),~~ and 49.793, except that  
22 the department of workforce development may not certify an amount under this  
23 subsection unless it has met the notice requirements under sub. (3) and unless its  
24 determination has either not been appealed or is no longer under appeal.”

now If a Wisconsin works agency determines that the department of  
workforce development may recover an amount under s. 49.1161 or 49.195(3), the  
Wisconsin works agency shall notify the department of workforce development  
of the determination.

1           **24.** Page 843, line 4: after that line insert:

2           “**SECTION 1840g.** 49.85 (3) (b) 1. of the statutes is amended to read:

3           49.85 (3) (b) 1. Inform the person that the department of workforce  
4 development intends to certify to the department of revenue an amount that the  
5 department of workforce development has determined to be due under s. 49.125,  
6 49.161 ~~or~~, 49.195 (3), or 49.793, for setoff from any state tax refund that may be due  
7 the person.”.

8           **25.** Page 980, line 21: after that line insert:

9           “**SECTION 2200c.** 71.93 (1) (a) 4. of the statutes is amended to read:

10           71.93 (1) (a) 4. An amount that the department of workforce development may  
11 recover under s. ~~49.125 or~~ 49.195 (3) or 49.793, if the department of workforce  
12 development has certified the amount under s. 49.85.”.

13           **26.** Page 1086, line 8: after that line insert:

14           “**SECTION 2544m.** 102.29 (8r) of the statutes is amended to read:

15           102.29 (8r) No participant in a food stamp employment and training program  
16 under s. ~~49.124 (1m)~~ 49.13 who, under s. ~~49.124 (1m)~~ 49.13 (2) (d), is provided  
17 worker’s compensation coverage by the department or by a Wisconsin works agency,  
18 as defined in s. 49.001 (9), and who makes a claim for compensation under this  
19 chapter may make a claim or maintain an action in tort against the employer who  
20 provided the employment and training from which the claim arose.”.

21           **27.** Page 1780, line 16: after that line insert:

22           “(9q) FOOD STAMP TRANSFER. No later than March 1, 2002, the department of  
23 health and family services and the department of workforce development shall  
24 submit a proposal to the secretary of administration for supplemental expenditure

1 and position authority necessary to transfer all administrative functions related to  
2 the food stamp program authorized under 7 USC 2011 to 2036 from the department  
3 of workforce development to the department of health and family services. If the  
4 secretary of administration approves the plan, the secretary shall submit the  
5 proposal to the cochairpersons of the joint committee on finance. If the  
6 cochairpersons of the committee do not notify the secretary of administration within  
7 14 working days after receiving the proposal that the cochairpersons have scheduled  
8 a meeting for the purpose of reviewing the proposal, the secretary of administration  
9 shall approve the proposed expenditure and position authority, as authorized under  
10 current law. If, within 14 working days after receiving the proposal, the  
11 cochairpersons notify the secretary of administration that the cochairpersons have  
12 scheduled a meeting for the purpose of reviewing the proposal, the secretary of  
13 administration may not approve the proposed expenditure and position authority,  
14 except as approved by the committee and as authorized under current law.”.

15 **28.** Page 1813, line 11: delete lines 11 to 13 and substitute:

16 “(7q) MEDICAL ASSISTANCE TRANSFER; INCOME MAINTENANCE CONTRACTS. The  
17 amendment of section 49.33 (1) (b) (by SECTION 1731), (8) (a) (by SECTION 1737) and  
18 (b), and (10) (a) of the statutes and the repeal and recreation of section 49.33 (2) (by  
19 SECTION 1732) of the statutes first apply to contracts entered into, extended,  
20 modified, or renewed on the effective date of this subsection.

21 (7r) FOOD STAMP TRANSFER; INCOME MAINTENANCE CONTRACTS. The amendment  
22 of section 49.33 (1) (b) (by SECTION 1731c) and (8) (a) (by SECTION 1737c) of the statutes  
23 and the repeal and recreation of section 49.33 (2) (by SECTION 1732c) of the statutes

1 first apply to contracts entered into, extended, modified, or renewed on the effective  
2 date of this subsection.”.

3 **29.** Page 1826, line 22: after that line insert:

4 “(2q) FOOD STAMP TRANSFER. The repeal of sections 49.124 (1p) and (4) and  
5 49.129 (2) (a), (3) (title), and (5m) of the statutes, the renumbering of sections 49.124  
6 (title), (1) (intro.), (ag), (am), (b), (c), (d), (df), and (e), (1g), (1m) (title) and (a) to (d),  
7 (2), (5), (6), and (7), 49.125, 49.127, and 49.129 (title), (1), (2) (title) and (b) 2., (4) (a),  
8 (b), (c), and (d), (5), (6), (7), and (8) of the statutes, the renumbering and amendment  
9 of sections 20.445 (3) (pv), 49.124 (1n) (intro.), (a), (b), and (c), (3), and (8), and 49.129  
10 (2) (b) 1., (3) (a) and (b), and (4) (intro.) of the statutes, the amendment of sections  
11 20.435 (4) (title), (bn) (by SECTION 707am), and (nn) (by SECTION 714am), 20.445 (3)  
12 (dz) (by SECTION 737am), (L) (by SECTION 740am), (Lm), (pm), and (ps), 49.143 (2) (e),  
13 49.155 (1m) (a) 3m., 49.175 (1) (h) (by SECTION 1686b), 49.197 (1m), (3), and (4), 49.22  
14 (6), 49.32 (7) (b), (c), and (d), 49.33 (1) (b) (by SECTION 1731c) and (8) (a) (by SECTION  
15 1737c), 49.45 (40), subchapter V (title) of chapter 49, 49.85 (1), (2) (b), and (3) (b) 1.,  
16 71.93 (1) (a) 4., and 102.29 (8r) of the statutes, the repeal and recreation of section  
17 49.33 (2) (by SECTION 1732c) of the statutes, and the creation of sections 49.13 (1)  
18 (intro.) and (a), 49.131 (title) and (3), 49.197 (5), 49.45 (2) (a) 3m., and 49.79 (9) of the  
19 statutes and SECTION 9358 (7r) of this act take effect on July 1, 2002.”.

20 (END)

2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBb0625/4ins  
ISR:.....

Insert 4-15

~~, to pay federal sanctions under the food stamp program, and for food stamp  
reinvestment agreements with the federal department of agriculture that are  
designed to improve the food stamp program~~

1 using a formula based on workload within the limits of available state and federal  
2 funds under s. 20.445 (3) (dz), (kx), (md), and (nl), 20.435 (4) (bn) and (np) by contract  
3 under s. 49.33 (2). The amount of reimbursement calculated under this paragraph  
4 and par. (b) is in addition to any reimbursement provided to a county or tribal  
5 governing body for fraud and error reduction under s. 49.197 (1m) and (4).

6 **SECTION 1738.** 49.33 (8) (b) of the statutes is amended to read:

7 49.33 (8) (b) ~~The department may adjust the amounts determined under par.~~  
8 ~~(a) for workload changes and computer network activities performed by counties a~~  
9 ~~county or tribal governing body and may reduce the amount of any reimbursement~~  
10 ~~if federal reimbursement is withheld due to audits, quality control samples, or~~  
11 ~~program reviews.~~

12 **SECTION 1739.** 49.33 (9) of the statutes is repealed.

13 **SECTION 1740.** 49.33 (10) (a) of the statutes is amended to read:

14 49.33 (10) (a) ~~The~~ Each county treasurer and each director of a county  
15 department under s. 46.215, 46.22, or 46.23 and each tribal governing body shall  
16 certify monthly under oath to the department in such manner as the department  
17 prescribes the claim of the county for state reimbursement under subs. sub. (8) and  
18 (9) and (a). ~~The department shall review each claim of reimbursement and, if the~~  
19 ~~department approves such~~ the claim it, the department shall certify to the  
20 department of administration for reimbursement to the county for amounts due  
21 under ~~these subsections~~ sub. (8) (a) and payment claimed to be made to the counties  
22 monthly. The department may make advance payments prior to the beginning of  
23 each month equal to one-twelfth of the contracted amount.

24 **SECTION 1740am.** 49.33 (10) (a) of the statutes, as affected by 2001 Wisconsin  
25 Act .... (this act), is amended to read:

1           49.33 (10) (a) Each county treasurer and director of a county department under  
2 s. 46.215, 46.22, or 46.23 and each tribal governing body shall certify monthly under  
3 oath to the department of health and family services in such manner as the  
4 department of health and family services prescribes the claim of the county for state  
5 reimbursement under sub. (8) (a). The department of health and family services  
6 shall review each claim of reimbursement and, if the department of health and  
7 family services approves the claim, the department of health and family services  
8 shall certify to the department of administration for reimbursement to the county for  
9 amounts due under sub. (8) (a) and payment claimed to be made to the counties  
10 monthly. The department of health and family services may make advance  
11 payments prior to the beginning of each month equal to one-twelfth of the contracted  
12 amount.

13           **SECTION 1740bg.** ~~49.33 (10)~~ (b) of the statutes is amended to read:

14           ~~49.33 (10) (b) To facilitate prompt reimbursement the certificate of the~~  
15 ~~department may be based on the certified statements of the county officers or tribal~~  
16 ~~governing body executives filed under par. (a). Funds recovered from audit~~  
17 ~~adjustments from a prior fiscal year may be included in subsequent certifications~~  
18 ~~only to pay counties owed funds as a result of any audit adjustment. By September~~  
19 ~~30 annually, the department shall submit a report to the appropriate standing~~  
20 ~~committees under s. 13.172 (3) on funds recovered and paid out during the previous~~  
21 ~~calendar year as a result of audit adjustments.~~

22           **SECTION 1740bq.** 49.33 (10) (b) of the statutes, as affected by 2001 Wisconsin  
23 Act ... (this act), is amended to read:

24           49.33 (10) (b) To facilitate prompt reimbursement the certificate of the  
25 department of health and family services may be based on the certified statements

4 star notes

~~444~~ This corrects an error and reconciles s. 49.33(10)(a) and (b). It is affected by LRB0360 and LRB0625.

1 of the county officers or tribal governing body executives filed under par. (a). Funds  
 2 recovered from audit adjustments from a prior fiscal year may be included in  
 3 subsequent certifications only to pay counties owed funds as a result of any audit  
 4 adjustment. By September 30 annually, the department of health and family  
 5 services shall submit a report to the appropriate standing committees under s.  
 6 13.172 (3) on funds recovered and paid out during the previous calendar year as a  
 7 result of audit adjustments. .

8 **SECTION 1741.** 49.36 (1) of the statutes is renumbered 49.36 (1) (intro.) and  
 9 amended to read:

10 49.36 (1) (intro.) In this section, "custodial:

11 (a) "Custodial parent" means a parent who lives with his or her child for  
 12 substantial periods of time.

13 **SECTION 1742.** 49.36 (1) (b) of the statutes is created to read:

14 49.36 (1) (b) "Tribal governing body" means an elected tribal governing body  
 15 of a federally recognized American Indian tribe or band.

16 **SECTION 1743.** 49.36 (2) of the statutes is amended to read:

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

25 **SECTION 1744.** 49.36 (4) of the statutes is amended to read:

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

LRBb0625/4dn

ISR:.....

gs

Victoria Carreón:

This draft reconciles LRBb0360, LRBb0365, LRBb0429, and LRBb0625.

Please feel free to call me if you have questions.

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

LRBb0625/4dn  
ISR:cjs:rs

July 2, 2001

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LFB:.....Carreon – Transfer of food stamps to DHFS

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**LFB AMENDMENT**

**TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 535, line 15: after that line insert:

3 “**SECTION 704x.** 20.435 (4) (title) of the statutes is amended to read:

4 20.435 (4) (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH

5 CARE FINANCING; OTHER SUPPORT PROGRAMS.”

6 **2.** Page 536, line 11: delete lines 11 to 13 and substitute:

7 “20.435 (4) (bn) *Income maintenance.* Biennially, the amounts in the schedule  
8 for payments under s. 49.33 (8) relating to the administration of the medical  
9 assistance program.

10 **SECTION 707am.** 20.435 (4) (bn) of the statutes, as created by 2001 Wisconsin

11 Act .... (this act), is amended to read:

1           20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
2 for payments under s. 49.33 (8) relating to the administration of the medical  
3 assistance program and the food stamp program.”.

4           **3.** Page 538, line 2: after that line insert:

5           “**SECTION 713g.** 20.435 (4) (L) of the statutes is created to read:

6           20.435 (4) (L) *Medical assistance and food stamp fraud and error reduction*.  
7 All moneys received as the state’s share of the recovery of overpayments and  
8 incorrect payments under ss. 49.497 (1) and 49.793 (2) and all moneys received from  
9 counties and tribal governing bodies as a result of any error reduction activities  
10 under ss. 49.45 (2) (b) 6. and 49.79 (9), for contracts under s. 49.197 (5), for any  
11 activities to reduce error and fraud under ss. 49.45 (2) (a) 3m. and 49.79 (9), to pay  
12 federal sanctions under the food stamp program, and for food stamp reinvestment  
13 activities under reinvestment agreements with the federal department of  
14 agriculture that are designed to improve the food stamp program.”.

15           **4.** Page 538, line 4: delete lines 4 to 8 and substitute:

16           “20.435 (4) (nn) *Federal aid; income maintenance*. All moneys received from  
17 the federal government for the costs of contracting for the administration of the  
18 medical assistance program under subch. IV of ch. 49 and the badger care health care  
19 program under s. 49.665, other than moneys received under par. (pa), for payments  
20 under s. 49.33 (8).

21           **SECTION 714am.** 20.435 (4) (nn) of the statutes, as created by 2001 Wisconsin  
22 Act .... (this act), is amended to read:

23           20.435 (4) (nn) *Federal aid; income maintenance*. All moneys received from the  
24 federal government for the costs of contracting for the administration of the medical

1 assistance program under subch. IV of ch. 49 and the badger care health care  
2 program under s. 49.665 and the food stamp program, other than moneys received  
3 under par. (pa), for payments under s. 49.33 (8).”.

\*\*\*\*NOTE: This is reconciled s. 20.435 (4) (nn). It has been affected by LRBb0360  
and LRBb0625.

4 **5.** Page 538, line 19: after that line insert:

5 “**SECTION 716gb.** 20.435 (4) (pv) of the statutes is created to read:

6 20.435 (4) (pv) *Food stamps; electronic benefits transfer.* All moneys received  
7 from the federal government for electronic food stamp benefits transfers, to be  
8 expended for the purposes specified. Estimated disbursements under this  
9 paragraph shall not be included in the schedule under s. 20.005.”.

10 **6.** Page 546, line 8: after that line insert:

11 “**SECTION 737am.** 20.445 (3) (dz) of the statutes, as affected by 2001 Wisconsin  
12 Act .... (this act), is amended to read:

13 20.445 (3) (dz) *Wisconsin works and other public assistance administration and*  
14 *benefits.* The amounts in the schedule, less the amounts withheld under s. 49.143  
15 (3), for administration and benefit payments under Wisconsin works under ss.  
16 49.141 to 49.161, the learnfare program under s. 49.26, the work experience and job  
17 search program under s. 49.36, and the food stamp employment and training  
18 program under s. ~~49.124~~ 49.13; for payments to counties and tribal governing bodies  
19 under s. 49.33 (8); and for payments to, Wisconsin works agencies, and American  
20 Indian tribes for administration of public assistance programs; for hospital paternity  
21 incentive payments under s. 69.14 (1) (cm); and for funeral expenses under s. 49.30.  
22 Payments may be made from this appropriation to counties for fraud investigation  
23 and error reduction under s. 49.197 (1m) and (4). Moneys appropriated under this

1 paragraph may be used to match federal funds received under par. (md).  
2 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds  
3 between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) and  
4 20.002 (1), the department of health and family services shall credit or deposit into  
5 this appropriation account funds for the purposes of this appropriation that the  
6 department transfers from the appropriation account under s. 20.435 (7) (bc). All  
7 funds allocated by the department but not encumbered by December 31 of each year  
8 lapse to the general fund on the next January 1 unless transferred to the next  
9 calendar year by the joint committee on finance.”.

\*\*\*\*NOTE: This is reconciled s. 20.445 (3) (dz). It has been affected by LRBb0360  
and LRBb0625.

10 **7.** Page 547, line 9: after that line insert:

11 “SECTION 740am. 20.445 (3) (L) of the statutes, as affected by 2001 Wisconsin  
12 Act .... (this act), is amended to read:

13 20.445 (3) (L) *Welfare fraud and error reduction; activities and food stamp*  
14 *sanctions.* All moneys received as the state’s share of the recovery of overpayments  
15 and incorrect payments under s. 49.191 (3) (c), 1997 stats., and s. 49.195, 1997 stats.,  
16 ~~and ss. 49.125 (2), and 49.497 (1),~~ all moneys received from counties and tribal  
17 governing bodies as a result of error reduction activities under s. 49.197, and all  
18 moneys transferred under 2001 Wisconsin Act .... (this act), section 9258 (2q), for the  
19 department’s activities to reduce error and fraud under s. 49.197, ~~to pay federal~~  
20 ~~sanctions under the food stamp program, and for food stamp reinvestment~~  
21 ~~agreements with the federal department of agriculture that are designed to improve~~  
22 ~~the food stamp program.”.~~

\*\*\*\*NOTE: This is reconciled s. 20.446 (3) (L). It has been affected by LRBb0365 and  
LRBb0625.

1           **8.** Page 548, line 12: after that line insert:

2           “**SECTION 743m.** 20.445 (3) (pm) of the statutes is amended to read:

3           20.445 (3) (pm) *Food stamp employment and training program;*  
4 *administration.* All federal moneys received for the administrative costs associated  
5 with the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13,  
6 to carry out that purpose.

7           **SECTION 743o.** 20.445 (3) (ps) of the statutes is amended to read:

8           20.445 (3) (ps) *Food stamp employment and training program; aids.* All federal  
9 moneys received for the provision or purchase of services for the food stamp  
10 employment and training program under s. ~~49.124 (1m)~~ 49.13, to carry out that  
11 purpose.

12           **SECTION 743r.** 20.445 (3) (pv) of the statutes is amended to read:

13           20.445 (3) (pv) ~~Food stamps; electronic~~ Electronic benefits transfer. All moneys  
14 received from the federal government for the electronic food stamp benefits transfers  
15 transfer of benefits administered by the department of workforce development, to be  
16 expended for the purposes specified. Estimated disbursements under this  
17 paragraph shall not be included in the schedule under s. 20.005.”.

18           **9.** Page 790, line 15: after that line insert:

19           “**SECTION 1656t.** 49.124 (title) of the statutes is renumbered 49.79 (title).

20           **SECTION 1656ta.** 49.124 (1) (intro.) of the statutes is renumbered 49.79 (1)  
21 (intro.).

22           **SECTION 1656tb.** 49.124 (1) (ag) of the statutes is renumbered 49.79 (1) (a).

23           **SECTION 1656tc.** 49.124 (1) (am) of the statutes is renumbered 49.79 (1) (b).

24           **SECTION 1656td.** 49.124 (1) (b) of the statutes is renumbered 49.79 (1) (c).

1           **SECTION 1656tf.** 49.124 (1) (c) of the statutes is renumbered 49.79 (1) (d).

2           **SECTION 1656tg.** 49.124 (1) (d) of the statutes is renumbered 49.79 (1) (e).

3           **SECTION 1656th.** 49.124 (1) (df) of the statutes is renumbered 49.79 (1) (f).

4           **SECTION 1656ti.** 49.124 (1) (e) of the statutes is renumbered 49.13 (1) (b).

5           **SECTION 1656tj.** 49.124 (1g) (title) of the statutes is renumbered 49.79 (2)  
6 (title).

7           **SECTION 1656tjk.** 49.124 (1g) of the statutes is renumbered 49.79 (2) (a), and  
8 49.79 (2) (a) 1. and 5. (intro.), as renumbered, are amended to read:

9           49.79 (2) (a) 1. The individual is a custodial parent of a child who is under the  
10 age of 18 and who has an absent parent, or the individual lives with and exercises  
11 parental control over a child who is under the age of 18 and who has an absent parent,  
12 and the individual does not fully cooperate in good faith with efforts directed at  
13 establishing the paternity of the child, if necessary, establishing or enforcing a  
14 support order, if appropriate, or obtaining other payments or property, if any, to  
15 which that individual or the child may have rights. ~~This paragraph~~ subdivision does  
16 not apply if the individual has good cause for refusing to cooperate, as determined  
17 by the department in accordance with federal law and regulations.

18           5. (intro.) The individual is obligated by court order to provide child support  
19 payments and is delinquent in making those court-ordered payments. This  
20 ~~paragraph~~ subdivision does not apply if any of the following applies:

21           **SECTION 1656tjm.** 49.124 (1m) (title) of the statutes is renumbered 49.13  
22 (title).

23           **SECTION 1656tjn.** 49.124 (1m) (a) of the statutes is renumbered 49.13 (2) (a)  
24 and amended to read:

1           49.13 (2) (a) The department shall contract with the department of health and  
2 family services as provided under s. 49.79 (10) to administer an employment and  
3 training program for recipients under the food stamp program. The department may  
4 ~~contract~~ subcontract with a Wisconsin works agency to administer the employment  
5 and training program under this subsection. Except as provided in pars. (b) and  
6 (bm), the department may require able individuals who are 18 to 60 years of age who  
7 are not participants in a Wisconsin works employment position to participate in the  
8 employment and training program under this subsection.

9           **SECTION 1656tk.** 49.124 (1m) (b) to (d) of the statutes are renumbered 49.13  
10 (2) (b) to (d).

11           **SECTION 1656tL.** 49.124 (1n) (intro.) of the statutes is renumbered 49.13 (3)  
12 (intro.) and amended to read:

13           49.13 (3) ~~INELIGIBILITY FOR NONCOMPLIANCE WITH WORK REQUIREMENTS.~~ (intro.)  
14 An individual who fails to comply with the work requirements under sub. ~~(1m) (2)~~  
15 (a) without good cause is ineligible to participate in the food stamp program under  
16 this section s. 49.79 as follows:

17           **SECTION 1656tm.** 49.124 (1n) (a) of the statutes is renumbered 49.13 (3) (a) and  
18 amended to read:

19           49.13 (3) (a) For the first occurrence of noncompliance, one month, or until the  
20 person complies with the work requirements under sub. ~~(1m) (2)~~ (a), whichever is  
21 later.

22           **SECTION 1656tn.** 49.124 (1n) (b) of the statutes is renumbered 49.13 (3) (b) and  
23 amended to read:

1           49.13 (3) (b) For the 2nd occurrence of noncompliance, 3 months, or until the  
2 person complies with the work requirements under sub. ~~(1m)~~ (2) (a), whichever is  
3 later.

4           **SECTION 1656tp.** 49.124 (1n) (c) of the statutes is renumbered 49.13 (3) (c) and  
5 amended to read:

6           49.13 (3) (c) For the 3rd and subsequent occurrences of noncompliance, 6  
7 months, or until the person complies with the work requirements under sub. ~~(1m)~~  
8 (2) (a), whichever is later.

9           **SECTION 1656tq.** 49.124 (1p) of the statutes is repealed.

10          **SECTION 1656tr.** 49.124 (2) of the statutes is renumbered 49.79 (3).

11          **SECTION 1656ts.** 49.124 (3) of the statutes is renumbered 49.79 (4) and  
12 amended to read:

13          49.79 (4) DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS. The  
14 department shall withhold the value of food stamp losses for which a county or  
15 federally recognized American Indian tribe is liable under sub. ~~(2)~~ (3) from the  
16 payment to the county or tribe under s. ~~20.445 (3) (dz) and (nL)~~ income maintenance  
17 contracts under s. 49.33 and reimburse the federal government from the funds  
18 withheld.

19          **SECTION 1656tt.** 49.124 (4) of the statutes is repealed.

20          **SECTION 1656tu.** 49.124 (5) of the statutes is renumbered 49.79 (5).

21          **SECTION 1656tv.** 49.124 (6) of the statutes is renumbered 49.79 (6).

22          **SECTION 1656tw.** 49.124 (7) of the statutes is renumbered 49.79 (7).

23          **SECTION 1656tx.** 49.124 (8) of the statutes is renumbered 49.79 (8) and  
24 amended to read:

1           49.79 (8) BENEFITS FOR QUALIFIED ALIENS. ~~Not later than June 15, 1998, the~~  
2           ~~department shall submit a plan to the secretary of the federal department of~~  
3           ~~agriculture to provide benefits under this section to a qualified alien who is ineligible~~  
4           ~~for benefits under this section solely because of the application of 8 USC 1612 or 1613.~~  
5           ~~If the secretary of the federal department of agriculture approves the plan, the~~ The  
6           ~~department shall provide benefits under this section beginning on August 1, 1998,~~  
7           ~~or on the day that the plan is approved, whichever is later, to a qualified alien who~~  
8           ~~is otherwise eligible for benefits under this section~~ ineligible for benefits under this  
9           ~~section solely because of the application of 9 USC 1612 or 1613 according to a plan  
10          ~~approved by the federal department of agriculture.~~ This subsection does not apply  
11          to the extent that federal food stamp benefits for qualified aliens are restored by the  
12          federal government.~~

13           **SECTION 1656ty.** 49.125 of the statutes is renumbered 49.793.

14           **SECTION 1656tz.** 49.127 of the statutes is renumbered 49.795.

15           **SECTION 1656u.** 49.129 (title) of the statutes is renumbered 49.797 (title).

16           **SECTION 1656ua.** 49.129 (1) of the statutes is renumbered 49.797 (1).

17           **SECTION 1656ub.** 49.129 (2) (title) of the statutes is renumbered 49.797 (2)  
18          (title).

19           **SECTION 1656uc.** 49.129 (2) (a) of the statutes is repealed.

20           **SECTION 1656ud.** 49.129 (2) (b) 1. of the statutes is renumbered 49.797 (2) (a)  
21          and amended to read:

22           49.797 (2) (a) Except as provided in ~~subd. 2. par. (b)~~ and sub. (8), ~~if the necessary~~  
23          ~~authorization under par. (a) is granted,~~ the department shall begin to implement, ~~no~~  
24          ~~later than July 1, 1999, a~~ administer a statewide program to deliver food stamp  
25          benefits to recipients of food stamp benefits by an electronic benefit transfer system

1 ~~and shall implement the program statewide no later than April 1, 2000.~~ All  
2 suppliers, as defined in s. ~~49.127 (1) (d)~~ 49.795 (1) (d), may participate in the delivery  
3 of food stamp benefits under the electronic benefit transfer system. The department  
4 shall explore methods by which nontraditional retailers, such as farmers' markets,  
5 may participate in the delivery of food stamp benefits under the electronic benefit  
6 transfer system.

7 **SECTION 1656ue.** 49.129 (2) (b) 2. of the statutes is renumbered 49.797 (2) (b).

8 **SECTION 1656uf.** 49.129 (3) (title) of the statutes is repealed.

9 **SECTION 1656ug.** 49.129 (3) (a) of the statutes is renumbered 49.131 (1) and  
10 amended to read:

11 49.131 (1) The department shall request any necessary authorization from the  
12 appropriate federal agency to deliver benefits that are administered by the  
13 department, other than food stamp benefits, to recipients of benefits by an electronic  
14 benefit transfer system.

15 **SECTION 1656uh.** 49.129 (3) (b) of the statutes is renumbered 49.131 (2) and  
16 amended to read:

17 49.131 (2) If the necessary authorization under ~~par. (a)~~ sub. (1) is granted, and  
18 except as provided in sub. ~~(8)~~ (3), the department may implement a program to  
19 deliver by an electronic benefit transfer system any benefit that is administered by  
20 the department and that the department designates by rule.

21 **SECTION 1656uj.** 49.129 (4) (intro.) of the statutes is renumbered 49.797 (4)  
22 (intro.) and amended to read:

23 49.797 (4) ~~DUTIES, IMPLEMENTATION.~~ (intro.) In ~~implementing~~ administering a  
24 program to deliver benefits by an electronic benefit transfer system, the department  
25 shall do all of the following:

1           **SECTION 1656uk.** 49.129 (4) (a) of the statutes is renumbered 49.797 (4) (a).

2           **SECTION 1656uL.** 49.129 (4) (b) of the statutes is renumbered 49.797 (4) (b).

3           **SECTION 1656um.** 49.129 (4) (c) of the statutes is renumbered 49.797 (4) (c).

4           **SECTION 1656un.** 49.129 (4) (d) of the statutes is renumbered 49.797 (4) (d).

5           **SECTION 1656up.** 49.129 (5) of the statutes is renumbered 49.797 (5).

6           **SECTION 1656uq.** 49.129 (5m) of the statutes is repealed.

7           **SECTION 1656ur.** 49.129 (6) of the statutes is renumbered 49.797 (6).

8           **SECTION 1656us.** 49.129 (7) of the statutes is renumbered 49.797 (7).

9           **SECTION 1656ut.** 49.129 (8) of the statutes is renumbered 49.797 (8).

10          **SECTION 1656uu.** 49.13 (1) (intro.) and (a) of the statutes are created to read:

11          49.13 (1) (intro.) In this section:

12          (a) “Food stamp program” means the federal food stamp program under 7 USC

13          2011 to 2036.

14          **SECTION 1656uv.** 49.131 (title) of the statutes is created to read:

15          **49.131 (title) Electronic transfer of benefits.**

16          **SECTION 1656uw.** 49.131 (3) of the statutes is created to read:

17          49.131 (3) The department may not require a county or tribal governing body

18          to participate in an electronic benefit transfer system under this section if the costs

19          to the county or tribal governing body would be greater than the costs that the county

20          or tribal governing body would incur in delivering the benefits through a system that

21          is not an electronic benefit transfer system.”.

22          **10.** Page 792, line 19: after that line insert:

23          “**SECTION 1663j.** 49.155 (1m) (a) 3m. of the statutes is amended to read:

1           49.155 (1m) (a) 3m. Participate in a job search or work experience component  
2 of the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13.”.

3           **11.** Page 797, line 15: after that line insert:

4           “**SECTION 1686b.** 49.175 (1) (h) of the statutes, as affected by 2001 Wisconsin  
5 Act .... (this act), is amended to read:

6           49.175 (1) (h) *Food stamps for legal immigrants.* For food stamp benefits to  
7 qualified aliens under s. ~~49.124~~ 49.79 (8), \$550,000 in each fiscal year 2001–02.”.

8           **12.** Page 803, line 10: delete the material beginning with that line and ending  
9 with page 804, line 19, and substitute:

10           “**SECTION 1723m.** 49.197 (1m) of the statutes is amended to read:

11           49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.445 (3)  
12 (dz), ~~(kx)~~, (L), (md), (n), and (nL), the department shall establish a program to  
13 investigate suspected fraudulent activity on the part of recipients of medical  
14 ~~assistance under subch. IV~~, aid to families with dependent children under s. 49.19  
15 ~~and the food stamp program under 7 USC 2011 to 2036~~ and, on the part of  
16 participants in the Wisconsin works program under ss. 49.141 to 49.161, and, if the  
17 department of health and family services contracts with the department under sub.  
18 (5), on the part of recipients of medical assistance under subch. IV and food stamp  
19 benefits under the food stamp program under 7 USC 2011 to 2036. The department’s  
20 activities under this subsection may include, but are not limited to, comparisons of  
21 information provided to the department by an applicant and information provided  
22 by the applicant to other federal, state, and local agencies, development of an  
23 advisory welfare investigation prosecution standard, and provision of funds to  
24 county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin works

1 agencies to encourage activities to detect fraud. The department shall cooperate  
2 with district attorneys regarding fraud prosecutions.

3 **SECTION 1724m.** 49.197 (3) of the statutes, as affected by 2001 Wisconsin Act  
4 .... (this act), is amended to read:

5 49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct  
6 activities to reduce payment errors in ~~medical assistance under subch. IV, Wisconsin~~  
7 ~~works under ss. 49.141 to 49.161, aid to families with dependent children under s.~~  
8 ~~49.19 and the food stamp program under 7 USC 2011 to 2029~~ and, if the department  
9 of health and family services contracts with the department under sub. (5), the  
10 medical assistance program under subch. IV and the food stamp program under 7  
11 USC 2011 to 2036.

\*\*\*\*NOTE: This is reconciled s. 49.197 (3). It has been affected by LRBb0625 and  
LRBb0365

12 **SECTION 1725am.** 49.197 (4) of the statutes, as affected by 2001 Wisconsin Act  
13 .... (this act), is amended to read:

14 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide  
15 funds from the appropriations under s. 20.445 (3) (dz), ~~(kx)~~, (L), and (Lm) and federal  
16 matching funds from the appropriations under s. 20.445 (3) (n) and (nL) to counties  
17 and governing bodies of federally recognized American Indian tribes administering  
18 ~~medical assistance under subch. IV, aid to families with dependent children under~~  
19 ~~s. 49.19 or the food stamp program under 7 USC 2011 to 2029~~ or, if the department  
20 of health and family services contracts with the department under sub. (5), the  
21 medical assistance program under subch. IV and the food stamp program under 7  
22 USC 2011 to 2036 to offset administrative costs of reducing payment errors in those  
23 programs.

\*\*\*\*NOTE: This is reconciled s. 49.197 (4). It has been affected by LRBb0365 and LRBb0625.

1           **SECTION 1725b.** 49.197 (5) of the statutes is created to read:

2           49.197 (5)   CONTRACTS FOR MEDICAL ASSISTANCE AND FOOD STAMPS.   The  
3   department of health and family services may contract with the department to  
4   investigate suspected fraudulent activity on the part of recipients of medical  
5   assistance under subch. IV or recipients of food stamp benefits under the food stamp  
6   program under 7 USC 2011 to 2036 as provided in this section.

7           **SECTION 1725c.** 49.22 (6) of the statutes is amended to read:

8           49.22 (6) The department shall establish, pursuant to federal and state laws,  
9   rules and regulations, a uniform system of fees for services provided under this  
10   section to individuals not receiving aid under s. 46.261, 49.19 or 49.47; benefits under  
11   s. ~~49.124, 49.148 or, 49.155, or 49.79~~; foster care maintenance payments under 42  
12   USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long-term kinship  
13   care payments under s. 48.57 (3n). The system of fees may take into account an  
14   individual's ability to pay. Any fee paid and collected under this subsection may be  
15   retained by the county providing the service except for the fee specified in 42 USC  
16   653 (e) (2) for federal parent locator services.”.

17           **13.** Page 805, line 9: delete the material beginning with that line and ending  
18   with page 806, line 11, and substitute:

19           “**SECTION 1728m.** 49.32 (7) (b) of the statutes is amended to read:

20           49.32 (7) (b) The department shall conduct a program to periodically match the  
21   records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47~~, aid to  
22   families with dependent children under s. 49.19 ~~and the food stamp program under~~  
23   ~~7 USC 2011 to 2029~~ and, if the department of health and family services contracts

1 with the department under s. 49.197 (5), recipients of medical assistance under  
2 subch. IV and food stamp benefits under the food stamp program under 7 USC 2011  
3 to 2036 with the records of recipients under those programs in other states. If an  
4 agreement with the other states can be obtained, matches with records of states  
5 contiguous to this state shall be conducted at least annually.

6 **SECTION 1729m.** 49.32 (7) (c) of the statutes is amended to read:

7 49.32 (7) (c) The department shall conduct a program to periodically match the  
8 address records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47,~~  
9 aid to families with dependent children under s. 49.19 ~~and the food stamp program~~  
10 ~~under 7 USC 2011 to 2029~~ and, if the department of health and family services  
11 contracts with the department under s. 49.197 (5), recipients of medical assistance  
12 under subch. IV and food stamp benefits under the food stamp program under 7 USC  
13 2011 to 2036 to verify residency and to identify recipients receiving duplicate or  
14 fraudulent payments.

15 **SECTION 1730m.** 49.32 (7) (d) of the statutes is amended to read:

16 49.32 (7) (d) The department, with assistance from the department of  
17 corrections, shall conduct a program to periodically match the records of persons  
18 confined in state correctional facilities with the records of recipients of ~~medical~~  
19 ~~assistance under s. 49.46, 49.468 or 49.47,~~ aid to families with dependent children  
20 under s. 49.19 ~~and the food stamp program under 7 USC 2011 to 2029~~ and, if the  
21 department of health and family services contracts with the department under s.  
22 49.197 (5), recipients of medical assistance under subch. IV and food stamp benefits  
23 under the food stamp program under 7 USC 2011 to 2036 to identify recipients who  
24 may be ineligible for benefits.”

1           **14.** Page 806, line 16: after that line insert:

2           “**SECTION 1731c.** 49.33 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
3 .... (this act), is amended to read:

4           49.33 (1) (b) “Income maintenance program” means the medical assistance  
5 program under subch. IV of ch. 49, the badger care health care program under s.  
6 49.0665, ~~the child care program under s. 49.155,~~ or the food stamp program under  
7 7 USC 2011 to 2036.”

          \*\*\*\*NOTE: This is reconciled s. 49. 33 (1) (b). It has been affected by LRBb0625 and  
LRBb0360.

8           **15.** Page 806, line 25: after that line insert:

9           “**SECTION 1732c.** 49.33 (2) of the statutes, as affected by 2001 Wisconsin Act ....  
10 (this act), is repealed and recreated to read:

11           49.33 (2) **CONTRACTS.** Annually, the department of health and family services  
12 shall contract with county departments under ss. 46.215, 46.22, and 46.23 to  
13 reimburse the county departments for the reasonable cost of administering income  
14 maintenance programs.”

15           **16.** Page 807, line 19: after that line insert:

16           “**SECTION 1737c.** 49.33 (8) (a) of the statutes, as affected by 2001 Wisconsin Act  
17 .... (this act), is amended to read:

18           49.33 (8) (a) From the appropriation accounts under ss. ~~20.445 (3) (dz), (kx),~~  
19 ~~(md), and (nL)~~ s. 20.435 (4) (bn) and (nn) and subject to par. (b), the department of  
20 health and family services shall reimburse each county and the tribal governing body  
21 that contracts with the department ~~and the department of health and family services~~  
22 under sub. (2) (a) for reasonable costs of administering the ~~medical assistance~~  
23 ~~program under subch. IV and that contracts with the department under sub. (2) (b)~~

1 for the reasonable costs of administering income maintenance programs other than  
2 the medical assistance program under subch. IV. The amount of each  
3 reimbursement paid under this paragraph shall be calculated using a formula based  
4 on workload within the limits of available state and federal funds under s. 20.445 (3)  
5 (~~dz~~), (~~lx~~), (~~md~~), and (~~nL~~) 20.435 (4) (bn) and (nn) by contract under s. 49.33 (2). The  
6 amount of reimbursement calculated under this paragraph and par. (b) is in addition  
7 to any reimbursement provided to a county for fraud and error reduction under s.  
8 49.197 (1m) and (4).”.

9 **17.** Page 808, line 10: after that line insert:

10 “**SECTION 1740am.** 49.33 (10) (a) of the statutes, as affected by 2001 Wisconsin  
11 Act ... (this act), is amended to read:

12 49.33 (10) (a) Each county treasurer and director of a county department under  
13 s. 46.215, 46.22, or 46.23 and each tribal governing body shall certify monthly under  
14 oath to the department of health and family services in such manner as the  
15 department of health and family services prescribes the claim of the county for state  
16 reimbursement under sub. (8) (a). The department of health and family services  
17 shall review each claim of reimbursement and, if the department of health and  
18 family services approves the claim, the department of health and family services  
19 shall certify to the department of administration for reimbursement to the county for  
20 amounts due under sub. (8) (a) and payment claimed to be made to the counties  
21 monthly. The department of health and family services may make advance  
22 payments prior to the beginning of each month equal to one-twelfth of the contracted  
23 amount.



1           49.79 (2) (b) An individual who fails to comply with the work requirements of  
2 the employment and training program under s. 49.13 (2) (a) is ineligible to  
3 participate in the food stamp program as specified under s. 49.13 (3).

4           **SECTION 1838t.** 49.79 (9) of the statutes is created to read:

5           49.79 (9) FRAUD INVESTIGATIONS AND ERROR REDUCTION ACTIVITIES. If the  
6 department does not contract with the department of workforce development under  
7 s. 49.197 (5), the department shall establish and administer a program to investigate  
8 fraudulent activity on the part of recipients of food stamps and to reduce errors in  
9 the payments of benefits under the food stamp program.

10           **SECTION 1838td.** 49.79 (10) of the statutes is created to read:

11           49.79 (10) CONTRACT FOR EMPLOYMENT AND TRAINING PROGRAM. The department  
12 shall contract with the department of workforce development to administer the  
13 employment and training program under s. 49.13.

14           **SECTION 1838v.** 49.85 (1) of the statutes, as affected by 2001 Wisconsin Act ....  
15 (this act), is amended to read:

16           49.85 (1) DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under  
17 s. 46.215, 46.22 or 46.23 or a governing body of a federally recognized American  
18 Indian tribe or band determines that the department of health and family services  
19 may recover an amount under s. 49.497 or that the department of workforce  
20 development may recover an amount under s. ~~49.125~~, 49.161 ~~or~~ 49.195 (3), or 49.793,  
21 the county department or governing body shall notify the affected department of the  
22 determination. If a Wisconsin works agency determines that the department of  
23 workforce development may recover an amount under s. 49.161 or 49.195 (3), the  
24 Wisconsin works agency shall notify the department of workforce development of the  
25 determination.”

\*\*\*\*NOTE: This is reconciled s. 49.85 (1). It is affected by LRBb0429 and LRBb0625.

1           **23.** Page 842, line 24: after that line insert:

2           “**SECTION 1839m.** 49.85 (2) (b) of the statutes is amended to read:

3           49.85 (2) (b) At least annually, the department of workforce development shall  
4 certify to the department of revenue the amounts that, based on the notifications  
5 received under sub. (1) and on other information received by the department of  
6 workforce development, the department of workforce development has determined  
7 that it may recover under ss. ~~49.125, 49.161 and, 49.195 (3), and 49.793~~, except that  
8 the department of workforce development may not certify an amount under this  
9 subsection unless it has met the notice requirements under sub. (3) and unless its  
10 determination has either not been appealed or is no longer under appeal.”

11           **24.** Page 843, line 4: after that line insert:

12           “**SECTION 1840g.** 49.85 (3) (b) 1. of the statutes is amended to read:

13           49.85 (3) (b) 1. Inform the person that the department of workforce  
14 development intends to certify to the department of revenue an amount that the  
15 department of workforce development has determined to be due under s. ~~49.125,~~  
16 ~~49.161 or, 49.195 (3), or 49.793~~, for setoff from any state tax refund that may be due  
17 the person.”

18           **25.** Page 980, line 21: after that line insert:

19           “**SECTION 2200c.** 71.93 (1) (a) 4. of the statutes is amended to read:

20           71.93 (1) (a) 4. An amount that the department of workforce development may  
21 recover under s. ~~49.125 or 49.195 (3) or 49.793~~, if the department of workforce  
22 development has certified the amount under s. 49.85.”

23           **26.** Page 1086, line 8: after that line insert:

1           **“SECTION 2544m.** 102.29 (8r) of the statutes is amended to read:

2           102.29 (8r) No participant in a food stamp employment and training program  
3           under s. ~~49.124 (1m)~~ 49.13 who, under s. ~~49.124 (1m)~~ 49.13 (2) (d), is provided  
4           worker’s compensation coverage by the department or by a Wisconsin works agency,  
5           as defined in s. 49.001 (9), and who makes a claim for compensation under this  
6           chapter may make a claim or maintain an action in tort against the employer who  
7           provided the employment and training from which the claim arose.”.

8           **27.** Page 1780, line 16: after that line insert:

9           “(9q) FOOD STAMP TRANSFER. No later than March 1, 2002, the department of  
10          health and family services and the department of workforce development shall  
11          submit a proposal to the secretary of administration for supplemental expenditure  
12          and position authority necessary to transfer all administrative functions related to  
13          the food stamp program authorized under 7 USC 2011 to 2036 from the department  
14          of workforce development to the department of health and family services. If the  
15          secretary of administration approves the plan, the secretary shall submit the  
16          proposal to the cochairpersons of the joint committee on finance. If the  
17          cochairpersons of the committee do not notify the secretary of administration within  
18          14 working days after receiving the proposal that the cochairpersons have scheduled  
19          a meeting for the purpose of reviewing the proposal, the secretary of administration  
20          shall approve the proposed expenditure and position authority, as authorized under  
21          current law. If, within 14 working days after receiving the proposal, the  
22          cochairpersons notify the secretary of administration that the cochairpersons have  
23          scheduled a meeting for the purpose of reviewing the proposal, the secretary of

1 administration may not approve the proposed expenditure and position authority,  
2 except as approved by the committee and as authorized under current law.”.

3 **28.** Page 1813, line 11: delete lines 11 to 13 and substitute:

4 “(7q) MEDICAL ASSISTANCE TRANSFER; INCOME MAINTENANCE CONTRACTS. The  
5 amendment of section 49.33 (1) (b) (by SECTION 1731), (8) (a) (by SECTION 1737) and  
6 (b), and (10) (a) of the statutes and the repeal and recreation of section 49.33 (2) (by  
7 SECTION 1732) of the statutes first apply to contracts entered into, extended,  
8 modified, or renewed on the effective date of this subsection.

9 (7r). FOOD STAMP TRANSFER; INCOME MAINTENANCE CONTRACTS. The amendment  
10 of section 49.33 (1) (b) (by SECTION 1731c) and (8) (a) (by SECTION 1737c) of the statutes  
11 and the repeal and recreation of section 49.33 (2) (by SECTION 1732c) of the statutes  
12 first apply to contracts entered into, extended, modified, or renewed on the effective  
13 date of this subsection.”.

14 **29.** Page 1826, line 22: after that line insert:

15 “(2q) FOOD STAMP TRANSFER. The repeal of sections 49.124 (1p) and (4) and  
16 49.129 (2) (a), (3) (title), and (5m) of the statutes, the renumbering of sections 49.124  
17 (title), (1) (intro.), (ag), (am), (b), (c), (d), (df), and (e), (1g), (1m) (title) and (a) to (d),  
18 (2), (5), (6), and (7), 49.125, 49.127, and 49.129 (title), (1), (2) (title) and (b) 2., (4) (a),  
19 (b), (c), and (d), (5), (6), (7), and (8) of the statutes, the renumbering and amendment  
20 of sections 20.445 (3) (pv), 49.124 (1n) (intro.), (a), (b), and (c), (3), and (8), and 49.129  
21 (2) (b) 1., (3) (a) and (b), and (4) (intro.) of the statutes, the amendment of sections  
22 20.435 (4) (title), (bn) (by SECTION 707am), and (nn) (by SECTION 714am), 20.445 (3)  
23 (dz) (by SECTION 737am), (L) (by SECTION 740am), (Lm), (pm), and (ps), 49.143 (2) (e),  
24 49.155 (1m) (a) 3m., 49.175 (1) (h) (by SECTION 1686b), 49.197 (1m), (3), and (4), 49.22

1 (6), 49.32 (7) (b), (c), and (d), 49.33 (1) (b) (by SECTION 1731c) and (8) (a) (by SECTION  
2 1737c), 49.45 (40), subchapter V (title) of chapter 49, 49.85 (1), (2) (b), and (3) (b) 1.,  
3 71.93 (1) (a) 4., and 102.29 (8r) of the statutes, the repeal and recreation of section  
4 49.33 (2) (by SECTION 1732c) of the statutes, and the creation of sections 49.13 (1)  
5 (intro.) and (a), 49.131 (title) and (3), 49.197 (5), 49.45 (2) (a) 3m., and 49.79 (9) of the  
6 statutes and SECTION 9358 (7r) of this act take effect on July 1, 2002.”.

7

(END)