

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: 06/26/2001

Received By: isagerro

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Hughes

This file may be shown to any legislator: NO

Drafter: isagerro

May Contact:

Addl. Drafters:

Subject: Public Assistance - Wis works  
Public Assistance - med. assist.  
Public Assistance - food stamps

Extra Copies:

Submit via email: NO

Requester's email:

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**Pre Topic:**

ARC:.....Hughes - AM110,

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**Topic:**

Administration of MA and food stamps by W-2 agencies

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	isagerro 06/26/2001	jdye 06/27/2001	rschluet 06/27/2001	_____	lrb_docadmin 06/27/2001		

FE Sent For:

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1?	isagerro	1 6/27 jld					

6-27-01

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**ARC Amendment #110****ARC WORKING GROUP ON TANF PACKAGE**

6/17/01

I Restore language allowing W-2 agencies to administer medical assistance and food stamp eligibility determination, to the extent permitted by federal law or a waiver from the U.S. Department of Health and Human Services. (LFB Summary Page 826, #2)

\* Per Victoria Caneón 6/25/01

- lang. for W-2 agencies to administer FS and MA should be permissible, not mandatory
- want to allow them to if DWD or DARS wants to but not make them



JLD

ARC:.....Hughes – AM110, Administration of MA and food stamps by W-2 agencies

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 1. Page 563, line 18: delete lines 18 to 23<sup>✓</sup> and substitute:

3 "SECTION 1494<sup>✓</sup>qe. 46.215 (1g)<sup>x</sup> of the statutes is amended to read:

4 46.215 (1g) ADMINISTRATION OF FOOD STAMPS BY A WISCONSIN WORKS AGENCY. The

5 Wisconsin works agency, as defined in s. 49.001 (9), ~~shall~~ may<sup>✓</sup> to the extent permitted

6 <sup>strike</sup> ~~by~~ <sup>under</sup> federal law, and subject to s. 49.143 (2) (e) 49.124 (1d)<sup>✓</sup>, certify eligibility for and,

7 if determined eligible, issue food coupons under s. 49.143 (2) (e) 49.124 (1d)<sup>✓</sup> to eligible

8 participants in the Wisconsin works program under subch. III of ch. 49.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9.

1           **SECTION 1494qed.** 46.215 (1g) of the statutes, as affected by 2001 Wisconsin  
2 Act ... (this act), is amended to read:

3           46.215 (1g) ADMINISTRATION OF FOOD STAMPS BY A WISCONSIN WORKS AGENCY. The  
4 Wisconsin works agency, as defined in s. 49.001 (9), may, to the extent permitted <sup>under</sup> ~~by~~  
5 federal law, and subject to s. ~~49.124 (1d)~~ 49.79 (1m), certify eligibility for and issue  
6 food coupons under s. ~~49.124 (1d)~~ 49.79 (1m) to eligible participants in the Wisconsin  
7 works program under subch. III of ch. 49.”.

8           **2.** Page 564, line 13: delete lines 13 to 15.

9           **3.** Page 565, line 4: delete that line and substitute:

10           **“SECTION 1495md.** 46.22 (1g) of the statutes is amended to read:

11           46.22 (1g) ADMINISTRATION OF FOOD STAMPS BY A WISCONSIN WORKS AGENCY. The  
12 Wisconsin works agency, as defined in s. 49.001 (9), shall ~~may~~ <sup>may</sup> to the extent permitted  
13 ~~by~~ <sup>under</sup> federal law, and subject to s. ~~49.143 (2) (e)~~ 49.124 (1d), certify eligibility for and  
14 issue food coupons under s. ~~49.143 (2) (e)~~ 49.124 (1d) to eligible participants in the  
15 Wisconsin works program under subch. III of ch. 49.

**History:** 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 241, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83.

16           **SECTION 1495mf.** 46.22 (1g) of the statutes, as affected by 2001 Wisconsin Act  
17 .... (this act), is amended to read:

18           46.22 (1g) ADMINISTRATION OF FOOD STAMPS BY A WISCONSIN WORKS AGENCY. The  
19 Wisconsin works agency, as defined in s. 49.001 (9), may, to the extent permitted <sup>under</sup> ~~by~~  
20 federal law, and subject to s. ~~49.124 (1d)~~ 49.79 (1m), certify eligibility for and issue  
21 food coupons under s. ~~49.124 (1d)~~ 49.79 (1m) to eligible participants in the Wisconsin  
22 works program under subch. III of ch. 49.”.

23           **4.** Page 586, line 23: after that line insert:

1           “SECTION 1656tig. 49.124 (1d) of the statutes is created to read:

2           49.124 (1d) ELIGIBILITY DETERMINATIONS. (a) The department shall certify  
 3           eligibility <sup>for</sup> and issue food coupons <sup>for</sup> for the food stamp program and shall, under a  
 4           contract under s. 49.33 (2), designate the functions to the county department under  
 5           s. 46.215, 46.22, or 46.23 or the governing body of a federally recognized American  
 6           Indian ~~tribe~~ <sup>tribe</sup> or band. The department may designate these functions, to the extent  
 7           permitted under federal law or a waiver under par. (b), to a Wisconsin works agency.

8           (b) The department shall request a waiver from the federal secretary of health  
 9           and human services to permit Wisconsin works agencies to certify eligibility <sup>for</sup> and  
 10           issue food coupons for the food stamp program. If the department receives the  
 11           waiver, the department shall implement the waiver except that, prior to  
 12           implementing the waiver, the department shall submit the terms of the waiver and  
 13           an implementation plan to the joint committee on finance.

14           SECTION 1656tik. 49.124 (1d) of the statutes, as created by 2001 Wisconsin Act  
 15           ... (this act), is renumbered 49.79 (1m).”.

16           5. Page 589, line 2: delete the material beginning with “, as” and ending with  
 17           “act),” on line 3.

18           6. Page 589, line 4: delete lines 4 to 19.

19           7. Page 590, line 24: delete lines 24 and 25 and substitute:

20           “49.125 (1) The department, or a county, or an elected governing body of a  
 21           federally recognized American Indian tribe or band or a Wisconsin works agency”.

22           8. Page 614, line 4: delete lines 4 to 10.





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRBb1771/1  
ISR:jld:rs

ARC:.....Hughes – AM110, Administration of MA and food stamps by W-2 agencies

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3 “SECTION 1494qe. 46.215 (1g) of the statutes is amended to read:

4 46.215 (1g) ADMINISTRATION OF FOOD STAMPS BY A WISCONSIN WORKS AGENCY. The  
5 Wisconsin works agency, as defined in s. 49.001 (9), ~~shall~~ may, to the extent permitted  
6 by under federal law, and subject to s. 49.143 (2) (e) 49.124 (1d), certify eligibility for  
7 and, ~~if determined eligible~~, issue food coupons under s. ~~49.143 (2) (e)~~ 49.124 (1d) to  
8 eligible participants in the Wisconsin works program under subch. III of ch. 49.

9 SECTION 1494qed. 46.215 (1g) of the statutes, as affected by 2001 Wisconsin  
10 Act .... (this act), is amended to read:

1           46.215 (1g) ADMINISTRATION OF FOOD STAMPS BY A WISCONSIN WORKS AGENCY. The  
2           Wisconsin works agency, as defined in s. 49.001 (9), may, to the extent permitted by  
3           under federal law, and subject to s. ~~49.124 (1d)~~ 49.79 (1m), certify eligibility for and  
4           issue food coupons under s. ~~49.124 (1d)~~ 49.79 (1m) to eligible participants in the  
5           Wisconsin works program under subch. III of ch. 49.”.

6           **2.** Page 564, line 13: delete lines 13 to 15.

7           **3.** Page 565, line 4: delete that line and substitute:

8           “**SECTION 1495md.** 46.22 (1g) of the statutes is amended to read:

9           46.22 (1g) ADMINISTRATION OF FOOD STAMPS BY A WISCONSIN WORKS AGENCY. The  
10          Wisconsin works agency, as defined in s. 49.001 (9), ~~shall~~ may, to the extent permitted  
11          by under federal law, and subject to s. ~~49.143 (2) (e)~~ 49.124 (1d), certify eligibility for  
12          and issue food coupons under s. ~~49.143 (2) (e)~~ 49.124 (1d) to eligible participants in  
13          the Wisconsin works program under subch. III of ch. 49.

14          **SECTION 1495mf.** 46.22 (1g) of the statutes, as affected by 2001 Wisconsin Act  
15          .... (this act), is amended to read:

16          46.22 (1g) ADMINISTRATION OF FOOD STAMPS BY A WISCONSIN WORKS AGENCY. The  
17          Wisconsin works agency, as defined in s. 49.001 (9), may, to the extent permitted by  
18          under federal law, and subject to s. ~~49.124 (1d)~~ 49.79 (1m), certify eligibility for and  
19          issue food coupons under s. ~~49.124 (1d)~~ 49.79 (1m) to eligible participants in the  
20          Wisconsin works program under subch. III of ch. 49.”.

21          **4.** Page 586, line 23: after that line insert:

22          “**SECTION 1656tig.** 49.124 (1d) of the statutes is created to read:

23          49.124 (1d) ELIGIBILITY DETERMINATIONS. (a) The department shall certify  
24          eligibility for and issue food coupons for the food stamp program and shall, under a

1 contract under s. 49.33 (2), designate the functions to the county department under  
2 s. 46.215, 46.22, or 46.23 or the governing body of a federally recognized American  
3 Indian tribe or band. The department may designate these functions, to the extent  
4 permitted under federal law or a waiver under par. (b), to a Wisconsin works agency.

5 (b) The department shall request a waiver from the federal secretary of health  
6 and human services to permit Wisconsin works agencies to certify eligibility for and  
7 issue food coupons for the food stamp program. If the department receives the  
8 waiver, the department shall implement the waiver except that, prior to  
9 implementing the waiver, the department shall submit the terms of the waiver and  
10 an implementation plan to the joint committee on finance.

11 **SECTION 1656tik.** 49.124 (1d) of the statutes, as created by 2001 Wisconsin Act  
12 .... (this act), is renumbered 49.79 (1m).”.

13 **5.** Page 589, line 2: delete the material beginning with “, as” and ending with  
14 “act),” on line 3.

15 **6.** Page 589, line 4: delete lines 4 to 19.

16 **7.** Page 590, line 24: delete lines 24 and 25 and substitute:

17 “49.125 (1) The department, or a county, or an elected governing body of a  
18 federally recognized American Indian tribe or band or a Wisconsin works agency”.

19 **8.** Page 614, line 4: delete lines 4 to 10.

20 **9.** Page 621, line 7: after “body” insert “. The department may designate the  
21 function, to the extent permitted under federal law or a waiver from the federal  
22 secretary of health and human services, to a Wisconsin works agency”.”.

23 **10.** Page 647, line 14: delete lines 14 to 24.

24 **11.** Page 648, line 1: delete lines 1 to 12 and substitute:

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

2           49.85 (1) COUNTY DEPARTMENT NOTIFICATION REQUIREMENT. If a county  
3 department under s. 46.215, 46.22 or 46.23, a governing body of a federally  
4 recognized American Indian tribe or band or a Wisconsin works agency determines  
5 that the department of health and family services may recover an amount under s.  
6 49.497 or 49.793 or that the department of workforce development may recover an  
7 amount under s. ~~49.125~~, 49.161 or 49.195 (3), the county department ~~or~~ tribal  
8 governing body, ~~or Wisconsin works agency~~ shall notify the affected department of  
9 the determination.”.

10           **12.** Page 1427, line 12: after “(e),” insert “(1d),”.

11           **13.** Page 1427, line 18: after “(pv),” insert “46.215 (1g) (by SECTION 1494qed),  
12 46.22 (1g) (by SECTION 1495mf),”.

13           **14.** Page 1427, line 22: delete “(by SECTION 1838v)”.

14

(END)