



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 02/04/2013 (Per: PJK & FFK)

### **Compile Draft – Appendix B**

**Appendix A** ☞ The 2013 drafting file for LRB-0423

**Appendix B** ☞ The 2013 drafting file for LRB-0963

**Appendix C** ☞ The 2013 drafting file for LRB-1468

**2013 LRB-0963**

has been copied to the drafting file for

**2013 LRB-0903**

*Part of the compile used to create 2013 AB 40.*

**2013 DRAFTING REQUEST**

**Bill**

Received: 1/2/2013 Received By: fknepp  
Wanted: As time permits Same as LRB:  
For: Administration-Budget 266-2288 By/Representing: Major  
May Contact: Drafter: fknepp  
Subject: Public Assistance - Wis works Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to: fern.knepp@legis.wisconsin.gov  
pkahler@legis.wisconsin.gov

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**Pre Topic:**

DOA:.....Major, BB0320 -

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**Topic:**

Wisconsin Works services and benefits for non-custodial parents

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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>
/?	fknepp 1/8/2013			_____			
/P1	fknepp 1/29/2013	jdyer 1/9/2013	rschluet 1/9/2013	_____	sbasford 1/9/2013		State
/P2		jdyer 1/30/2013	phenry 1/30/2013	_____	mbarman 1/30/2013		State

FE Sent For:

<END>

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**Pre Topic:**

DOA:.....Major, BB0327 -

---

**Topic:**

Wisconsin Works services and benefits for non-custodial parents

---

**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>
/?	fknepp 1/8/2013	P2 1/30 jld	1/30				
/P1		jdyer 1/9/2013	rschluet 1/9/2013	ph phy/jk	sbasford 1/9/2013		State

FE Sent For:

<END>

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/?	fknepp	PK/jld		==			

FE Sent For:

<END>

**Knepp, Fern**

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**From:** Kahler, Pam  
**Sent:** Wednesday, January 02, 2013 11:46 AM  
**To:** Knepp, Fern  
**Subject:** FW: Statutory Language Drafting Request - BB0320

Fern:

Here's a W-2 draft. Do you want to take it or are you pretty swamped?

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**From:** Malaise, Gordon  
**Sent:** Wednesday, January 02, 2013 11:43 AM  
**To:** Hanaman, Cathlene  
**Cc:** Kahler, Pam  
**Subject:** RE: Statutory Language Drafting Request - BB0320

Pam does W-2.

---

**From:** Hanaman, Cathlene  
**Sent:** Wednesday, January 02, 2013 8:15 AM  
**To:** Malaise, Gordon  
**Subject:** FW: Statutory Language Drafting Request - BB0320

**From:** [katrina.major@wisconsin.gov](mailto:katrina.major@wisconsin.gov) [mailto:[katrina.major@wisconsin.gov](mailto:katrina.major@wisconsin.gov)]  
**Sent:** Wednesday, December 26, 2012 3:25 PM  
**To:** Hanaman, Cathlene  
**Cc:** Kraus, Jennifer - DOA; Major, Katrina L - DOA; Thornton, Scott - DOA  
**Subject:** Statutory Language Drafting Request - BB0320

**Biennial Budget:** 2013-15

**DOA Tracking Code:** BB0320

**Topic:** ncp w-2 participation

**SBO Team:** GGCF

**SBO Analyst:** Major, Katrina L - DOA  
**Phone:** 608-266-2288  
**E-mail:** [katrina.major@wisconsin.gov](mailto:katrina.major@wisconsin.gov)

**Agency Acronym:** DCF

**Agency Number:** 437

**Priority:** Medium

**Intent:**

This proposal is to provide some statutory clarification regarding the ability of W-2 agencies to provide services to non-custodial parents under the W-2 contract, and provide some more tangible benefits for these non-custodial parents (NCPs):

1. Broadening access to W-2 agency services to those NCPs with a child in common with a CP enrolled in Wisconsin Shares for some reason other than W-2 participation (i.e., unsubsidized employment);
- ✓ 2. Making all these NCPs eligible for a W-2 Trial Job; ✓
3. Allowing W-2 agencies to pay some "monetary stipend" for a time not to exceed 4 months prior to placement in the Trial Job or unsubsidized employment; and
- ✓ 4. Allowing NCPs to be eligible for Job Access Loans (JALs).
- ✓ 5. Limit receipt of orientation, training, case management and a trial job placement to a total of 12 months for NCPs.

**Attachments:** False

Please send completed drafts to [statlanguage@wisapps.wi.gov](mailto:statlanguage@wisapps.wi.gov)

NCPs eligible for Trial job  
Job Access Loans

**Knepp, Fern**

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**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Monday, January 07, 2013 10:23 AM  
**To:** Knepp, Fern  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** RE: ncps

Hi Fern, I talked to DCF about this, and I think all of the requested changes would apply only to NCPs with a child in common with a CP enrolled in Wisconsin Shares, except for the Job Access Loans. All NCPs who meet the current law requirements for Job Access Loans would be eligible for those. Let me know if you have further questions. Thanks! k

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**From:** Major, Katrina L - DOA  
**Sent:** Monday, January 07, 2013 8:40 AM  
**To:** Knepp, Fern - LEGIS  
**Subject:** ncps

Hi Fern, just a note that I haven't forgotten your question, but I'm checking with a few people on the answer. Thanks!

## Knepp, Fern

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**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Monday, January 07, 2013 11:18 AM  
**To:** Knepp, Fern  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** FW: NCP expansion eligibility

Hi Fern, here's a follow-up DCF sent to the question of which items apply to whom. k

---

**From:** Mansfield, Mark - DCF  
**Sent:** Monday, January 07, 2013 10:59 AM  
**To:** Major, Katrina L - DOA  
**Subject:** NCP expansion eligibility

Katie, you may want to see what the drafter comes up with, thinking about the Shares eligibility. However, this may illustrate what I was saying:

W-2 eligibility. I had thought of the Shares receipt as an expansion of who's eligible for the W-2 agency services now. Again, we did want them to be subject to the W-2, not the Shares income tests. Other changes would need to be made to create the stipend and limit it to 4 months.

*for W-2 employment positions*  
S.49.159 (1) NONCUSTODIAL PARENTS. (a) Eligibility for Wisconsin Works agency services. An individual who would be eligible under s.49.145 except that the individual is the noncustodial parent of a dependent child, *and benefits* is eligible for services under this subsection *par (6)* if the dependent child's custodial parent is a participant and if the individual is subject to a child support order. ~~The Wisconsin works agency may provide job search assistance and case management designed to enable eligible noncustodial parents to obtain and retain employment, and at least one of the following applies:~~

1. The dependent child's custodial parent is a participant, [this term could be kept, consistent with current law, although it seems that, given the addition of par. 2., perhaps more specific references would be clearer] in case management under s.49.147 (2) (am), or a Wisconsin Works employment position under s.49.147 (3), (4), or (5), or receiving a grant under s.49.148 (1m).
2. The dependent child's custodial parent has a current authorization for a child care subsidy under s.49.155 (1m) for child care for that dependent child.

*(b)*  
JALs: Similarly, keep the existing JAL income and other eligibility policy by something like creating a new provision, such as s.49.147 (6) (d) to read as follows. I believe the effect of this would be to allow NCPs that are income and otherwise eligible to potentially receive a JAL, regardless of whether they are participating in the case-management/Trial Job above. However, I believe that is consistent with the current practice, in which a CP may receive a JAL even though they are not otherwise in a W-2 placement.

S.49.147 (6) (d). Noncustodial parents. An individual who would be eligible for a job access loan under par. (a), except that the individual is a noncustodial parent, is eligible under this paragraph.



State of Wisconsin  
2013 - 2014 LEGISLATURE

In 1-8-2013

LRB-0963/2  
FFK: ^  
JLD RMC

DOA:.....Major, BB0327 - Wisconsin Works services and benefits for non-custodial parents

**FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION**

W  
① don't gen  
① AN ACT ...; relating to: the budget ①

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES<sup>✓</sup>**

**WISCONSIN WORKS<sup>✓</sup>**

\*

Under current law, the Wisconsin Works (W-2) program provides work experience and monetary benefits to low-income custodial parents and job search assistance and case management services to noncustodial parents who are required to pay child support for a child whose custodial parent is participating in the W-2 program. The W-2 program also provides a parent of a child under the age of 13 or, if the child is disabled, under the age of 19, a child care subsidy if the parent needs child care services to participate in various educational or work activities and satisfies other eligibility criteria. The child care subsidy program under W-2 is known as "Wisconsin Shares."

\*

This bill changes the services and benefits that certain noncustodial parents are eligible to receive under the W-2 program. Under the bill, if a noncustodial parent of a child is required to pay child support and the custodial parent of the child is a participant in the W-2 program or is eligible to receive a child care subsidy for the child under Wisconsin Shares, the noncustodial parent is eligible to receive the following services and benefits under the W-2 program for a total of 12 months:

\*

1. Job search assistance and case management services ①

2. A monetary stipend for up to four months.

3. Work experience in a trial job.

\* Finally, under the bill, any noncustodial parent who is ineligible for a job access loan solely because the individual is not a custodial parent is eligible to receive a job access loan, which is a loan provided under the W-2 program to enable an individual to obtain or continue employment.

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

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

1 SECTION 1. 49.147 (3) (d) of the statutes is created to read:

2 49.147 (3) (d) *Noncustodial parents*. Notwithstanding s. 49.145 (1) and (2) (a),  
3 an individual who would be eligible for a trial job except that the individual is a  
4 noncustodial parent of a dependent child is eligible for placement under this  
5 subsection if the individual is eligible for services and benefits under s. 49.159 (1) (a).

6 SECTION 2. 49.147 (6) (e) of the statutes is created to read:

7 49.147 (6) (e) *Noncustodial parents*. Notwithstanding s. 49.145 (1) and (2) (a),  
8 an individual who would be eligible for a job access loan under par. (a) except that  
9 the individual is a noncustodial parent of a dependent child is eligible to receive a job  
10 access loan under this subsection.

11 SECTION 3. 49.159 (1) of the statutes is renumbered 49.159 (1) (a) (intro.) and  
12 amended to read:

13 49.159 (1) (a) (intro.) An individual who would be eligible under s. 49.145  
14 except that the individual is the noncustodial parent of a dependent child, is eligible  
15 for services and benefits under this subsection if the dependent child's custodial  
16 parent is a participant and par. (b) if the individual is subject to a child support order.  
17 ~~The Wisconsin works agency may provide job search assistance and case~~  
18 ~~management designed to enable eligible noncustodial parents to obtain and retain~~

*applies*

1 employment, and any of the following apply to the custodial parent of the dependent  
2 child:

History: 1995 a. 289; 1997 a. 27; 2009 a. 28; 2011 a. 32.

3 SECTION 4. 49.159 (1) (a) 1. <sup>✓</sup> of the statutes is created to read:

4 49.159 (1) (a) 1. The custodial parent is receiving case management services  
5 under s. 49.147 (2) (am).<sup>✓</sup>

6 SECTION 5. 49.159 (1) (a) 2. <sup>✓</sup> of the statutes is created to read:

7 49.159 (1) (a) 2. The custodial parent is participating in a Wisconsin Works  
8 employment position.<sup>✓</sup>

9 SECTION 6. 49.159 (1) (a) 3. <sup>✓</sup> of the statutes is created to read:

10 49.159 (1) (a) 3. The custodial parent is receiving a grant under s. <sup>✓</sup>49.148 (1m).

11 SECTION 7. 49.159 (1) (a) 4. <sup>✓</sup> of the statutes is created to read:

12 49.159 (1) (a) 4. The custodial parent is receiving a subsidy for child care for  
13 the dependent child under s. 49.155.<sup>✓</sup>

14 SECTION 8. 49.159 (1) (b) of the statutes is created to read:

15 49.159 (1) (b) A Wisconsin Works<sup>✓</sup> agency may provide to an individual who is  
16 eligible under par. (a) <sup>✓</sup>any of the following services or benefits:

17 1. Job search assistance and case management designed to enable the  
18 individual to obtain and retain employment.<sup>✓</sup>

19 2. Placement in a trial job.<sup>✓</sup>

20 3. A stipend in an amount determined by the department for not more than <sup>✓</sup>4  
21 months. A stipend under this subdivision <sup>✓</sup>terminates if the individual is placed in  
22 a trial job or obtains unsubsidized employment, as defined in s. <sup>✓</sup>49.147 (1).

\*\*\*NOTE: Is the department the correct entity to determine the amount of the stipend? If not, who will determine the amount? Also, is the intent that it will be determined on a case-by-case basis or that the department or other entity would determine a standard amount?<sup>✓</sup>

1

**SECTION 9.** 49.159 (1) (c)<sup>X</sup> of the statutes is created to read:

2

49.159 (1) (c) The total time that a Wisconsin Works agency may provide

3

services or benefits to an individual under par. (b), including the time<sup>✓</sup> the time<sup>e</sup> that

4

the individual is participating in a trial job, may not exceed<sup>✓</sup> 12 months.

5

(END)

**Knepp, Fern**

---

**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Monday, January 21, 2013 4:04 PM  
**To:** Knepp, Fern  
**Cc:** Kraus, Jennifer - DOA  
**Subject:** questions

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Fern,

On 0963 can you start reconciling this with 0063...going forward Trial Jobs will become TEMP, etc. I have asked DCF the answer to your note, and I will share it once I receive it. ✓

Thanks,  
k

**Knepp, Fern**

---

**From:** Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>  
**Sent:** Tuesday, January 29, 2013 2:44 PM  
**To:** Knepp, Fern  
**Cc:** Kraus, Jennifer - DOA; Kahler, Pam  
**Subject:** 0963

Hi Fern, on the ncp draft, can you please change it so the w-2 agency determines the stipend amount instead of DCF. Also, can you delete the 12-month limit on services but instead limit the ncp to 1 TEMP job placement. ✓

Fern or Pam (not sure whose draft this would fall under), would you please expand the new w-2 contracts appropriation to add a line that DCF can spend funds under that appropriation on Job Access Loans, and amend the Job Access Loans statute at 49.147(6)c to allow ncps to use the funds and to allow them to be funded from 2md.

Thanks,  
k



State of Wisconsin  
2013 - 2014 LEGISLATURE

In 1-29-2013



LRB-0963/P1  
FFK:jld:rs

le  
p2  
rmm

DOA:.....Major, BB0320 - Wisconsin Works services and benefits for non-custodial parents

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

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X  
1 do not gen  
AN ACT ...; relating to: the budget. ✓

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**WISCONSIN WORKS**

Under current law, the Wisconsin Works (W-2) program provides work experience and monetary benefits to low-income custodial parents and job search assistance and case management services to noncustodial parents who are required to pay child support for a child whose custodial parent is participating in the W-2 program. The W-2 program also provides a parent of a child under the age of 13 or, if the child is disabled, under the age of 19, a child care subsidy if the parent needs child care services to participate in various educational or work activities and satisfies other eligibility criteria. The child care subsidy program under W-2 is known as "Wisconsin Shares."

This bill changes the services and benefits that certain noncustodial parents are eligible to receive under the W-2 program. Under the bill, if a noncustodial parent of a child is required to pay child support and the custodial parent of the child is a participant in the W-2 program or is eligible to receive a child care subsidy for the child under Wisconsin Shares, the noncustodial parent is eligible to receive the following services and benefits under the W-2 program for a total of 12 months:

1. Job search assistance and case management services.

- 2. A monetary stipend for up to <sup>one</sup> four months.
- 3. Work experience in <sup>one</sup> trial job. *employment match program* ✓

Finally, under the bill, any noncustodial parent who is ineligible for a job access loan solely because the individual is not a custodial parent is eligible to receive a job access loan, which is a loan provided under the W-2 program to enable an individual to obtain or continue employment.

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

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1           **SECTION 1.** 49.147 (3) (d) of the statutes is created to read:

2           49.147 (3) (d) *Noncustodial parents.* Notwithstanding s. 49.145 (1) and (2) (a),  
 3           an individual who would be eligible for a trial job except that the individual is a *employment match program* ✓  
 4           noncustodial parent of a dependent child is eligible for placement under this  
 5           subsection if the individual is eligible for services and benefits under s. 49.159 (1) (a).

6           **SECTION 2.** 49.147 (6) (e) of the statutes is created to read:

7           49.147 (6) (e) *Noncustodial parents.* Notwithstanding s. 49.145 (1) and (2) (a),  
 8           an individual who would be eligible for a job access loan under par. (a) except that  
 9           the individual is a noncustodial parent of a dependent child is eligible to receive a job  
 10          access loan under this subsection.

11          **SECTION 3.** 49.159 (1) of the statutes is renumbered 49.159 (1) (a) (intro.) and  
 12          amended to read:

13          49.159 (1) (a) (intro.) An individual who would be eligible under s. 49.145  
 14          except that the individual is the noncustodial parent of a dependent child, is eligible  
 15          for services and benefits under ~~this subsection if the dependent child's custodial~~  
 16          ~~parent is a participant and~~ par. (b) if the individual is subject to a child support order.  
 17          ~~The Wisconsin works agency may provide job search assistance and case~~  
 18          ~~management designed to enable eligible noncustodial parents to obtain and retain~~

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13 the dependent child under s. 49.155.

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15 49.159 (1) (b) A Wisconsin Works agency may provide to an individual who is  
16 eligible under par. (a) any of the following services or benefits:

17 1. Job search assistance and case management designed to enable the  
18 individual to obtain and retain employment.

19 2. Placement in <sup>✓</sup> *gore employment match program* trial job.

20 3. A stipend in an amount determined by the ~~department~~ <sup>g Wisconsin Works agency</sup> for not more than 4  
21 months. A stipend under this subdivision terminates if the individual is placed in  
22 <sup>✓</sup> *employment match program* a trial job or obtains unsubsidized employment, as defined in s. 49.147 (1).

\*\*\*\*NOTE: Is the department the correct entity to determine the amount of the stipend? If not, who will determine the amount? Also, is the intent that it will be determined on a case-by-case basis or that the department or other entity would determine a standard amount?

23 SECTION 9. 49.159 (1) (c) of the statutes is created to read:

1  
2  
3  
4

49.159 (1) (c) The total time that a Wisconsin Works agency may provide services or benefits to an individual under par. (b), including the time that the individual is participating in a trial job, may not exceed 12 months.

(END)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0963/P2  
FFK:jld:ph

DOA:.....Major, BB0320 - Wisconsin Works services and benefits for  
non-custodial parents

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to:** the budget.

---

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**WISCONSIN WORKS**

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3           an individual who would be eligible for a trial employment match program job except  
4           that the individual is a noncustodial parent of a dependent child is eligible for  
5           placement under this subsection if the individual is eligible for services and benefits  
6           under s. 49.159 (1) (a).

7           **SECTION 2.** 49.147 (6) (e) of the statutes is created to read:

8           49.147 (6) (e) *Noncustodial parents.* Notwithstanding s. 49.145 (1) and (2) (a),  
9           an individual who would be eligible for a job access loan under par. (a) except that  
10          the individual is a noncustodial parent of a dependent child is eligible to receive a job  
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15          except that the individual is the noncustodial parent of a dependent child, is eligible  
16          for services and benefits ~~under this subsection if the dependent child's custodial~~  
17          ~~parent is a participant and par. (b) if the individual is subject to a child support order.~~  
18          ~~The Wisconsin works agency may provide job search assistance and case~~

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2 ~~employment, and any of the following applies to the custodial parent of the~~  
3 ~~dependent child:~~

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5 49.159 (1) (a) 1. The custodial parent is receiving case management services  
6 under s. 49.147 (2) (am).

7 SECTION 5. 49.159 (1) (a) 2. of the statutes is created to read:

8 49.159 (1) (a) 2. The custodial parent is participating in a Wisconsin Works  
9 employment position.

10 SECTION 6. 49.159 (1) (a) 3. of the statutes is created to read:

11 49.159 (1) (a) 3. The custodial parent is receiving a grant under s. 49.148 (1m).

12 SECTION 7. 49.159 (1) (a) 4. of the statutes is created to read:

13 49.159 (1) (a) 4. The custodial parent is receiving a subsidy for child care for  
14 the dependent child under s. 49.155.

15 SECTION 8. 49.159 (1) (b) of the statutes is created to read:

16 49.159 (1) (b) A Wisconsin Works agency may provide to an individual who is  
17 eligible under par. (a) any of the following services or benefits:

18 1. Job search assistance and case management designed to enable the  
19 individual to obtain and retain employment.

20 2. Placement in one trial employment match program job.

21 3. A stipend in an amount determined by the Wisconsin Works agency for not  
22 more than 4 months. A stipend under this subdivision terminates if the individual  
23 is placed in a trial employment match program job or obtains unsubsidized  
24 employment, as defined in s. 49.147 (1).

25 (END)