



## 1995 ASSEMBLY BILL 322

April 19, 1995 - Introduced by Representatives HUEBSCH, GREEN, OTTE, LADWIG, PORTER, OTT, MUSSER, ZIEGELBAUER, GOETSCH, KRUSICK, HOVEN, DUFF, FREESE, GROTHMAN, KREIBICH, LORGE and GUNDERSON, cosponsored by Senators BUETTNER, PETAK, RUDE, ZIEN, DARLING, BRESKE and FARROW. Referred to Committee on Welfare Reform.

1     **AN ACT to renumber and amend** 49.19 (11m) (c); **to amend** 49.19 (11m) (d); and  
2             **to create** 49.19 (11m) (c) 2. of the statutes; **relating to:** requesting a waiver  
3             from the federal government to impose a 2-tier system of benefits statewide  
4             under the aid to families with dependent children program.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the department of health and social services (DHSS) is required to apply to the secretary of the federal department of health and human services for approval of a demonstration project under which DHSS will base aid to families with dependent children (AFDC) benefits for certain new residents of the state on the AFDC benefit levels in the state in which the resident most recently resided. Benefits based on the previous state of residence continue for the first 6 months of Wisconsin residency. The waiver was received and DHSS began operating the 2-tier demonstration project on July 1, 1994. Current law sunsets the 2-tier demonstration project 36 months after its inception. Current law also requires that the demonstration project be conducted only in Kenosha, Milwaukee and Racine counties and up to 3 other counties. DHSS may not conduct the demonstration project in a county if the county has enacted an ordinance or adopted a resolution objecting to participating in the demonstration project.

This bill requires DHSS to request a waiver from the federal department of health and human services to expand the 2-tier demonstration project statewide. If the waiver is approved, DHSS is required to expand the project statewide, including those counties which have enacted an ordinance or adopted a resolution objecting to participation in the project, until the sunset of the program.

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

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

1           **SECTION 1.** 49.19 (11m) (c) of the statutes is renumbered 49.19 (11m) (c) 1. and  
2 amended to read:

3           49.19 **(11m)** (c) 1. Subject to pars. (b) and (d) and except as provided in subd.  
4 2., the department shall conduct the demonstration project in Kenosha county,  
5 Milwaukee county, Racine county and up to 3 other counties. If the department does  
6 not initially select Rock county as one of the other counties and if one of the counties  
7 specified in this paragraph subdivision or initially selected by the department enacts  
8 an ordinance or adopts a resolution under par. (d), the department shall give Rock  
9 county priority for consideration as a replacement county.

10           **SECTION 2.** 49.19 (11m) (c) 2. of the statutes is created to read:

11           49.19 **(11m)** (c) 2. The department shall request a waiver from the secretary  
12 of the federal department of health and human services to conduct the  
13 demonstration project under this subsection statewide. If the waiver under this  
14 subsection is granted and in effect, the department shall conduct the demonstration  
15 project under this subsection statewide until the 36-month period under par. (b) has  
16 expired.

17           **SECTION 3.** 49.19 (11m) (d) of the statutes is amended to read:

18           49.19 **(11m)** (d) The Unless a waiver under par. (c) 2. is granted and in effect,  
19 the department may not conduct the demonstration project in a county if the county

1 enacts an ordinance or adopts a resolution objecting to participating in the  
2 demonstration project.

3 (END)