

1999 DRAFTING REQUEST

Bill

Received: 09/24/98

Received By: yacketa

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: Judy

This file may be shown to any legislator: NO

Drafter: yacketa

May Contact:

Alt. Drafters:

Subject: Public Assistance - Wis works

Extra Copies:

Topic:

Technical college for W-2 recipients

Instructions:

See Attached (97-2228)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reaired</u>
/1	yacketa 09/30/98	gilfokm 10/23/98	jfrantze 10/26/98	_____	lrb_docadmin 1 0/26/98	lrb_docadminS&L 11/2/98	

FE Sent For:

01-14-99

<END>

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I?	• yacketa		<i>JB 10/26</i>	<i>JB / KM 10-26</i>			

FE Sent For:

<END>

## 1997 ASSEMBLY BILL 375

May 22, 1997 - Introduced by Representatives SCHNEIDER, R. YOUNG, SERATTI, BALDWIN, BOCK, NOTESTEIN, PLOUFF, ROBSON and WASSERMAN, cosponsored by Senators SHIBILSKI, WINEKE, MOEN, PLACHE and MOORE. Referred to Committee on Wisconsin Works Oversight.

1 **AN ACT to amend** 49.147 (4) (a) and 49.147 (4) (as) of the statutes; **relating to:**  
2 permitting technical college education to fulfill the hours-of-participation  
3 requirement under a community service job.

---

### ***Analysis by the Legislative Reference Bureau***

Under current law, a participant placed in a community service job under the Wisconsin works (W-2) program may be required to work in that job for not more than 30 hours per week and may be required to participate in education and training activities for not more than 10 hours per week.

Currently, federal law requires states to achieve certain work participation rates for recipients of aid funded under the temporary assistance for needy families block grant, commonly referred to as TANF. In determining whether a state has met the minimum work participation rates, federal law permits states to include a limited percentage of persons who are engaged in vocational educational training (for not more than 12 months) or who are attending secondary school.

This bill permits, to the extent permitted under federal law, participants in community service jobs to satisfy the hours-of-participation requirement by participating in a self-initiated technical college program if the W-2 agency determines that the participant is likely to complete the program within a 12-month period, that the participant is participating satisfactorily in the program and that the program is likely to lead to employment.

**ASSEMBLY BILL 375**

For further information see the *state* and *local* 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 (4) (a) of the statutes is amended to read:

2           49.147 **(4)** (a) **Administration.** A Wisconsin works agency shall administer a  
3 community service job program as part of its administration of Wisconsin works to  
4 improve the employability of individuals who are not otherwise able to obtain  
5 employment, as determined by the Wisconsin works agency, by providing work  
6 experience ~~and~~, training and education to assist them to move promptly into  
7 unsubsidized public or private employment or a trial job. In determining an  
8 appropriate placement for a participant, a Wisconsin works agency shall give  
9 placement under this subsection priority over placements under sub. (5).  
10 Community service jobs shall be limited to projects that the department determines  
11 would serve a useful public purpose ~~or, including self-initiated technical college~~  
12 programs under par. (as). and projects the cost of which is partially or wholly offset  
13 by revenue generated from such projects. After each 6 months of an individual's  
14 participation under this subsection and at the conclusion of each assignment under  
15 this subsection, a Wisconsin works agency shall reassess the individual's  
16 employability.

17           **SECTION 2.** 49.147 (4) (as) of the statutes is amended to read:

18           49.147 **(4)** (as) **Required hours.** Except as provided in par. (at), a Wisconsin  
19 works agency may require a participant placed in a community service job program  
20 to ~~work~~ participate not more than 30 hours per week in a community service job. A  
21 Wisconsin works agency may require a participant placed in the community service

**ASSEMBLY BILL 375**

1 job program to participate in education or training activities for not more than 10  
2 hours per week. To the extent permitted under 42 USC 607 (c)(2)(D), a participant  
3 may fulfill the hours-of-participation requirement under this paragraph, in whole  
4 or in part, through participation in a self-initiated technical college program if the  
5 Wisconsin works agency determines that the participant is likely to complete the  
6 technical college program within a 12-month period, that the participant is  
7 participating satisfactorily in the technical college program and that the technical  
8 college program is likely to lead to employment. A Wisconsin works agency may not  
9 require a participant under this paragraph to participate in a community service job  
10 in excess of the number of hours equal to the difference between 40 hours per week  
11 and the number of hours that the participant spends in the technical college program  
12 per week. The Wisconsin works agency shall calculate the number of hours spent in  
13 the technical college program per week by adding 2 hours to each hour that the  
14 participant spends in the classroom per week. The department shall define by rule  
15 satisfactory participation in a technical college program.

16 (END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

PK

LRB-0319/1

TAY.....

RMR

D-NOTE

**1999 BILL**

gen cat

and granting rule-making authority.

1 AN ACT . . . relating to: technical college education under Wisconsin works

**Analysis by the Legislative Reference Bureau**

delete empty and text component

Under current law, with certain exceptions, a participant placed in a community service job under the Wisconsin works (W-2) program may be required to work in that job for not more than 30 hours per week and ~~may be required to participate in education and training activities for not more than 40 hours per week.~~

Currently, federal law requires states to achieve certain work participation rates for recipients of aid funded under the temporary assistance for needy families block grant, commonly referred to as TANF. In determining whether a state has met the minimum work participation rates, federal law permits states to include a limited percentage of persons who are engaged in vocational educational training (for not more than 12 months with respect to any individual) or who are attending secondary school.

This bill permits, to the extent permitted under federal law, participants in community service jobs to satisfy the hours-of-participation requirement by participating in a self-initiated technical college program if the W-2 agency determines that the participant is likely to complete the program within a 1a-month period, that the participant is participating satisfactorily in the program and that the program is likely to lead to employment.

ten

**BILL**

*this s/b bold & italic*

*WPO: redo this component*

For further information see the state and local 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:**

**SECTION 1.** 49.147 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.147 (4) (a) *Administration*. A Wisconsin works agency shall administer a community service job program as part of its administration of Wisconsin works to improve the employability of an individual who is not otherwise able to obtain sufficient employment, as determined by the Wisconsin works agency, by providing work experience ~~and~~, training and education, if necessary, to assist the individual to move promptly into unsubsidized public or private employment or a trial job. In determining an appropriate placement for a participant, a Wisconsin works agency shall give placement under this subsection priority over a placement under sub. (5). Community service jobs shall be limited to projects that the department determines would serve a useful public purpose <sup>add an underscored space</sup> or including self-initiated technical college programs under nar. (b) <sup>It.</sup> ~~the~~ <sup>and</sup> projects the cost of which is partially or wholly offset by revenue generated by the projects. After every 6 months of an individual's participation under this subsection and at the conclusion of each assignment under this subsection, a Wisconsin works agency shall reassess the individual's employability.

*[Handwritten signature]*

12  
13

<sup>18</sup> History: 1995 a. 289; 1997 a 27.

**SECTION 2.** 49.147 (4) (b) 1. (intro.) of the statutes, as affected by <sup>1997</sup> ~~1995~~

Wisconsin Act 27, is amended to read:



**BILL**

1 49.147 (4) (b) 1. 'Required hours.' (intro.) Except as provided in ~~subd.~~ subds.  
2 lm. and It., a participant under this paragraph may be required to participate in any  
3 of the following:

History: 1995 a. 289; 1997 a. 27.

**SECTION 3.** 49.147 (4) (b) 1t. of the statutes is created to read:

4  
5 49.147 (4) (b) 1t. 'Technical college education.' To the extent permitted under  
6 42 USC 607 (c) (2) (D), a Wisconsin works agency shall permit a participant under  
7 this paragraph to satisfy the hours-of-participation requirement under this  
8 paragraph, in whole or in part, through participation in a self-initiated technical  
9 college program if the Wisconsin works agency determines that the participant is  
10 likely to complete the technical college program within a 1a-month period, that the  
11 participant is participating satisfactorily in the technical college program and that  
12 the technical college program is likely to lead to employment. A Wisconsin works  
13 agency may not require a participant under this subdivision to participate in a  
14 community service job in excess of the number of hours equal to the difference  
15 between 40 hours per week and the number of hours that the participant spends in  
16 the technical college program per week. The Wisconsin works agency shall calculate  
17 the number of hours spent in the technical college program per week by adding 2  
18 hours to each hour that the participant spends in the classroom per week. The  
19 department shall define by rule satisfactory participation in a technical college  
20 program.

SECTION #. Effective date.

(#) This act takes effect on February 1, 1999, or on the day after publication, whichever is later.

(end)

D-note

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

LRB-0319/1dn

TAY.....

PK

Representative Schneider:

1. Under current federal law, states must achieve certain minimum work participation rates to receive a Temporary Assistance to Needy Families grant. For fiscal year 1999, the minimum work participation rate for single-parent households is 35% (which increases to 50% by 2002). For 2-parent families, the work participation rate must equal 90% beginning in fiscal year 1999. These rates may be lowered, however, by the secretary of the federal Department of Health and Human Services for states that experience a significant decline in their case loads. It is expected that Wisconsin will be subject to lower participation rate requirements because of its dramatic decrease in the case load.

Federal law also defines what activities may be considered work for purposes of fulfilling the participation requirement. The activities include not more than 12 months (with respect to any individual) of vocational training. Although federal law allows certain education to count as work, it also limits the number of people that a state may treat as engaged in work by reason of participation in permitted education. Currently, not more than 30% of the number of all individuals "who are treated as engaged in work for a month may consist of individuals who are determined to be engaged in work for the month by reason of participation in vocational educational training or by reason of participation" in secondary or vocational education as a teen parent.

Because it is possible that allowing participation in technical college for all W-2 participants who wish to pursue that course would cause Wisconsin to fail to meet the federal minimum participation requirements, I have included the phrase "To the extent permitted under [federal law]". However, it is at least as likely that full implementation of the educational component created in this draft would not impede Wisconsin's ability to achieve the minimum participation requirements.

2. Under current (state) law, a person in a CSJ or transitional placement may be required to engage in education or training activities for 10 to 12 hours per week. Permissible education and training include courses leading to a high school diploma (or equivalent). Thus, a person who has not completed high school may be given an opportunity to do so, although, unless the person is 18 or 19 years old, it will not likely be the person's primary activity under a CSJ or transitional placement. Did you want to allow full-time attendance in a course leading to a high school diploma to count as fulfillment of the work requirement under a CSJ or transitional placement?

↑  
a

If you have any questions about this draft, or if any part of it does not meet your intent, I would be happy to meet with you to discuss the draft and any changes you may wish to make to it.

Tina A. Yacker  
Legislative Attorney  
261-6927

*partially*

by 1997 Wisconsin Act 27

3. Section 49.147(4) was repealed and recreated effective February 1, 1999. To avoid complicated double-drafting, I have included a delayed effective date in this draft of February 1, 1999. *Okay?*

100

7

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

LRB-0319/1dn  
TAY:pk:jf

October 26, 1998

Representative Schneider:

1. Under current federal law, states must achieve certain minimum work participation rates to receive a Temporary Assistance to Needy Families grant. For fiscal year 1999, the minimum work participation rate for single-parent households is 35% (which increases to 50% by 2002). For a-parent families, the work participation rate must equal 90% beginning in fiscal year 1999. These rates may be lowered, however, by the secretary of the federal Department of Health and Human Services for states that experience a significant decline in their case loads. It is expected that Wisconsin will be subject to lower participation rate requirements because of its dramatic decrease in the case load.

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3. Section 49.147 (4) was repealed and recreated by 1997 Wisconsin Act-27 effective February 1, 1999. To avoid complicated double-drafting, I have included a delayed effective date in this draft of February 1, 1999. Okay?

If you have any questions about this draft, or if any part of it does not meet your intent, I would be happy to meet with you to discuss the draft and any changes you may wish to make to it.

Tina A. Yacker  
Legislative Attorney  
261-6927

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

**Date:** 10/26/98

**To:** Representative Schneider

**Relating to LRB drafting number:** LRB-03 19

**Topic**

Technical college for W-2 recipients

**Subject(s)**

Public Assistance - Wis works



1. **JACKET** the draft for introduction \_\_\_\_\_

**in the Senate** or **the Assembly** (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

**Tina A. Yacker**, Legislative Attorney  
Telephone: (608) 261-6927