

1999 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB316)

Received: 03/03/2000

Received By: isagerro

Wanted: Soon

Identical to LRB:

For: Gwendolynne Moore (608) 266-5810

By/Representing: Pam Shannon - LC

This file may be shown to any legislator: NO

Drafter: isagerro

May Contact:

Alt. Drafters:

Subject: Public Assistance - Wis works

Extra Copies: Pam Shannon - Leg. Council

Pre Topic:

No specific pre topic given

Topic:

Expenditure of community reinvestment funds by W-2 agencies

Instructions:

See Attached

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 03/06/2000	jgeller 03/07/2000	hhagen 03/07/2000	_____	lrb_docadmin 03/07/2000	lrb_docadmin 03/07/2000	
/2	isagerro 03/07/2000	jgeller 03/07/2000	martykr 03/07/2000	_____	lrb_docadmin 03/07/2000	lrb_docadmin 03/07/2000	

FE Sent For:

<END>

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Identical to LRB:

For: **Gwendolynne Moore (608) 266-5810**

By/Representing: **Pam Shannon - LC**

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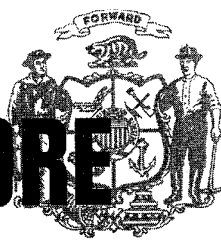
Drafting History:

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FE Sent For:

<END>

State Senator GWENDOLYNNE MOORE



Capitol Office:
P. O. Box 7882, Madison, WI 53707-7882
Phone: (608) 266-5810 Fax: (608) 267-2353
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Member: Joint Finance Committee
Board Member: Wisconsin Housing and
Economic Development Authority

Date: February 23, 2000
From: Kelly Bablitch, Office of Senator Gwendolynne S. Moore
Re: SB 316
To: Pam Shannon, Legislative Council,
Senate Committee on Human Services and Aging

DRAFTING INSTRUCTIONS FOR CHANGES TO SENATE BILL 316:

IN RESPONSE TO CONCERNS THAT WERE RAISED AT THE PUBLIC HEARING ON 2-10-2000

- * ✓ • Amend bill to include language to ensure that the list of items--on page 3 of the bill, Section 49.179 (3) (a) 1. To 7---that Community Reinvestment Funds should be used for, is not **exclusive**
- ✓ Option recommended by the Wisconsin Council on Children and Families (WCCF), submitted in written testimony by Carol Medaris, on February 20: option 2 a) on page 2; or ₁₀
- ✓ Wisconsin Counties Association has requested that language be added that W-2 agencies be provided the opportunity to expend community reinvestment dollars on all activities approved in the state's TANF plan; and
- ✓ Sen. Roessler, in a note to the Senator, had expressed similar concerns about the flexibility in this section, and suggested language to the effect of "may include" and "not limited to."
- **In order to show that the current enumerated list is not exclusive what drafting language appropriate? Please get back to me.**
- * ✓ • Adopt the recommendation made by WCCF in testimony 2 b). Amend the bill at 49.179 (3)(a)1, to allow CR funds to be used for car purchase as well as care leasing and car repair programs.
- ✓ K
with
get
to
this } • Adopt Carol Medaris' recommendation, item #4: Continue to allow these funds to apply to CR funds accruing under the 97-99 contracts. But, amend the bill to allow agencies that have already requested the release of Community Reinvestment funds from the Department of Workforce Development (DWD), and have had their plans approved, to continue these programs.

Vice Chair: Senate Committee on Economic Development, Housing and Government Operations; Senate Committee on Human Services and Aging

➤ Can the Legislative Council answer the constitutionality questions raised by the Department of Workforce Development in their fiscal estimate and their testimony? Does the passage of this legislation, if amended with the #4 recommendation from WCCF, impair the W-2 contracts, or are the W-2 contracts subject to changes made by the Legislature?

➤ The Department raised the issue that this bill would only apply to the 1997-99 contracts, not the new contracts or any subsequent contracts. **Is this true? If so,**

• Amend the bill to clarify that this bill applies to the 1997-99 contracts, this round of W-2 contracts, and any subsequent contracts.

• Amend the bill to include a date by which DWD must issue criteria. Suggestion: How about within one month after the passage of this bill?

✓ • Amend the bill, **if necessary**, to ensure that agencies are required to report back to the Joint Committee on Finance regarding how all Community Reinvestment funds from the 1997-99 contract period have been spent.

* checked
* except for #4
(5/16/07)

* Non Sect.

Note

~~that criteria?~~

When the Substitute Amendment is **finalized**, I would request that Legislative Council prepare a memorandum describing the new Substitute for Committee members and the public. Thank you.

* Amend Sec. 9 so that applies to Ks after 12/31/00
- per Pam Shannon - Leg Council



"For these are all our children . . .
we will all profit by, or pay for,
whatever they become." James Baldwin

Senate Committee on Human Services and Aging

February 10, 2000

Public Hearing on ~~SB 316~~
Expenditure of Community Reinvestment Funds

Testimony by Carol W. Medaris
Wisconsin Council on Children and Families

The Wisconsin Council on Children and Families is a statewide, non-profit organization that works to improve the well-being of vulnerable and low-income children and their families through education and advocacy. The Council supports this bill because it proposes to increase community oversight into how Community Reinvestment funds (CR funds) are spent.

Community involvement is important because W-2 funds, which form the basis for CR funds, were specifically allocated to help low-income families who are trying to become self-sufficient. Large sums of CR funds are now available in direct proportion to the number of families who have left the W-2 program and are no longer being served. In fact, W-2 agencies have been rewarded under the initial contracts solely for reducing caseloads, regardless of whether people leaving found work and without any inquiry about how they are faring.

Given this history, it is important that W-2 agencies be accountable to the public they serve, and in particular to the low-income community, for how CR funds are spent. With this in mind, the Council wishes to make the following suggestions for changes to SB 316.

1. The requirement that W-2 agencies actively solicit public participation in planning for the use of CR funds, and then report back on how the funds are spent, should extend to all W-2 agencies, not just private agencies. It is simply not enough that publicly elected officials are ultimately responsible for all county expenditures. To be meaningful, public participation must be sought during the planning process.

Some county agencies, for example the Rock County Human Services Department, have been receptive to suggestions from community

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groups on how CR funds should be spent. The Council has heard from other advocates about county agencies that have not. The Council heard from one advocate who wanted to know if any kind of community input in the decision-making process was legally required. She serves on her county's W-2 Community Steering Committee, and the county agency refused to discuss the use of CR funds with the committee. In some counties, at least, the public participation and reporting requirements are essential to ensure adequate accountability.

2. Regarding the list of potential areas of expenditures --

a. It is my understanding that it was not the author's intent that the list be exclusive, and additional language needs to make that clear. Some W-2 agencies have expressed fears that programs they deem highly successful, but that do not fit neatly within one of the seven categories, might not continue to be approved.

b. At 49.179(3)(a)1, the "[i]mproving access to transportation" section should include "car purchase" programs as well as car leasing and car repair programs. Some counties are already providing for car purchase programs out of CR funds, and such programs may provide the best guarantee of dependable transportation for W-2 participants as well as other low-income working families.

3. Language should be added to prohibit the use of CR funds to supplant dollars counties are already using for programs. Funds intended to help low-income families should not be available for county property tax relief.

4. Finally, even though new criteria and community input provisions are to apply to CR funds accruing under the 97-99 contracts, the bill should provide exceptions for approved programs which W-2 agencies have already begun by the time new criteria are effective. The Council has heard from W-2 agencies concerned about this, and such a provision may avoid the constitutional issues which the Department raises in its fiscal estimate.

It would also seem appropriate to include a time limit within which the Department must issue criteria, in order to make sure the criteria can

Hearing: SB 316
Carol W. Medaris
February 20, 2000
Page 3

affect funds available under the first contract.

Finally, even if some exceptions are made for funds spent prior to new criteria becoming effective, the provision for reporting to the Joint Finance Committee regarding how funds have been spent should apply to all CR fund expenditures beginning with those CR funds accruing under the 97-99 contracts.

I have not researched the constitutional issue raised by the Department, but it is my understanding that the 97-99 contract language does not pose any conflict with the Department setting standards for the use of Community Reinvestment funds after the contract period is complete. (A much more compelling "right of contract" issue was raised when the Department set performance standards for receipt of profits and CR funds long after the 97-99 contracts had begun to run.)

In any case, it is certainly not appropriate to ask W-2 agencies who have already drawn down funds and begun using them in programs approved by the Department to discontinue those programs.

At the same time, given the way these funds accrued and the amount at stake it is reasonable to apply new statutory standards and required community input to 97-99 W-2 contract surpluses that are not already being tapped.

Finally, there can surely be no constitutional impediment to applying the bill's reporting requirement to all CR funds, regardless of which W-2 contract was the source of the funds.

DWD
**TESTIMONY ON SB 316
W-2 COMMUNITY REINVESTMENT**

Senate Human Services and Aging Committee
Thursday, February 10, 2000
10:30 a.m.
Room 201 SE
State Capitol

Chairperson:

Senator Judy Robson

Committee Members:

Senator Gwendolynne Moore
Senator Carol Roessler
Senator Peggy Rosenzweig
Senator Robert Wirch

Good morning, Chairperson Robson and committee members. I am Alice Wilkins from the Division of Economic Support, Department of Workforce Development. And with me is Sherwood Zink of the department's legal counsel.

Under current law, DWD may award a contract to any person to administer W-2.

These two year contracts include funding for subsidized employment benefits, W-2 office costs and other program expenses. Any funding not spent by a W-2 agency at the end of the contract period is distributed according to a formula developed by DWD. Under the formula, a portion of excess funding is designated as community reinvestment funds and distributed to the W-2 agency for reinvestment in community (CR) programs that meet certain requirements under the federal TANF block grant program.

This bill expands the biennial budget act provision to require that the criteria established by DWD apply to CR funds available under W-2 contracts that end Dec. 31, 1999. The bill also requires that the funds be used for transportation assistance programs, education and job training programs, housing assistance programs, alcohol and other drug abuse assessment and treatment programs, domestic violence services and legal advocacy programs.

This legislation will increase the administrative burden for DWD and the W-2 agencies in administering the 1997-1999 and 2000-2001 contracts.

The agencies have already been directed by DWD as to how to appropriately use CR funds. In the most recently submitted CR plans there is evidence the W-2 Community Steering Committees, Children's Services Networks and the communities at large have been involved in planning for the use of the funds. Also, DWD legal counsel advises that to the extent this bill would change the terms under which CR funds are paid under the 1997-1999 contracts, it is most likely in violation of Article 1, Section 12 of the Wisconsin Constitution, which prohibits the passage of any law impairing the obligation of contracts. If this bill would prevent the payment of funds that are already payable under the 1997-1999 contract, it would be no different than a bill which would retroactively divest public pension plan participants of rights they have already earned, and the Wisconsin Supreme Court has ruled that such a bill violates this provision of the state constitution. (Benson v. Gates, 188, Wis. 2d 389, 404-5 (Ct. App. 1994), citing State ex rel O'Neil v. Blued, 188 Wis.442, 446 (1925).

Burden of Additional Requirements on Milwaukee W-2 Agencies SB 316 would require private W-2 agencies to:

1. actively solicit public participation in planning for the use of Community Reinvestment funds (see section 9 of AB 316 which creates section 49.175(5)(b); and

2. submit a report to the Joint Committee on Finance specifying how the Community Reinvestment funds were expended and how the expenditures met the criteria established by the Department (see section 10 of SB 316 which creates section 49.179(6)).

It is our understanding there are discussions between Milwaukee County and the W-2 agencies on the use of their Community Reinvestment funds. This significant portion will be at least the amount of the Community Reinvestment funds for the Milwaukee W-2 agencies under the 2000-2001 W-2 Contracts, and may include Community Reinvestment funds under the 1997-1999 W-2 Contracts. The Milwaukee W-2 agencies currently are negotiating with Milwaukee County to finalize these arrangements.

The two requirements for private W-2 agencies in SB 316 (listed above) would be a burden for the Milwaukee W-2 agencies for the significant portion of the Community Reinvestment funds that go to the County. It would be a burden and not effective for the Milwaukee W-2 agencies to be responsible under SB 316 for planning public input and reporting for County managed Community Reinvestment funds.

Effective Date of SB 316 Provisions and Affected W-2 Contracts

After discussion with Howard Bernstein, the following appear to be the effective dates in SB 316

1. Day after publication – for 1997-1999 W-2 Contracts; and
2. January 1, 2001 – for 2000-2001 W-2 Contracts and also for new section 49.179(2) which would require the Department to distribute CR funds annually to W-2 agencies.

It appears that the requirements of SB 316 would not apply to the 2000-2001 W-2 Contracts for the period of time between January 1 – December 31, 2000. SB 316 would apply to the 2000-2001 W-2 Contracts effective January 1, 2001.

SB 316 would apply to the 1997-1999 W-2 Contracts, but Howard Bernstein has noted possible constitutional problems with SB 316 to the extent that it applies to the 1997-1999 W-2 Contracts. The constitutional problems result from legal limits on retroactively modifying contracts for a contract time period that has already concluded. (The 1997-1999 W-2 Contracts period ended December 31, 1999.)

Laws in Other States

We are unaware of similar laws in other states.

SB 316 would apply only to the Community Reinvestment under the 2000-2001 W-2 Contracts, and would not apply until January 1, 2001, pending resolution of

potential constitutional challenges for applicability to the 1997-1999 W-2

Contracts.

It appears that all of the Community Reinvestment funds under the 2000-2001 W-2 Contracts for the Milwaukee County W-2 agencies will go to the County. It would not be effective to create additional requirements for the Milwaukee W-2 agencies for Community Reinvestment funds expended by the County, because these funds would not be directly controlled by the W-2 agencies.

Department's Position: The department does not support this legislation in any form.

S0370/1
LRB-102011
ISR(jg:jf)

SSA to
1999 SENATE BILL 316

INOTE
Tues
3/17/00 AM

RME
my mistake!!
sorry wpos!

January 5, 2000 - Introduced by Senator MOORE. Referred to Committee on Human Services and Aging.

Reger

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AN ACT to renumber and amend 49.179 (1), 49.179 (3) and 49.179 (5); to amend

49.179 (1) (a) and 49.179 (2); and to create 49.179 (1) (a), 49.179 (3) (a) 1. to 7.,

49.179 (3) (b), 49.179 (5) (b) and 49.179 (6) of the statutes; relating to: the

expenditure of community reinvestment funds by Wisconsin works agencies

and requiring the department of workforce development to submit criteria for

the use of community reinvestment funds to the joint committee on finance

and reports on community reinvestment funds

approval

Analysis by the Legislative Reference Bureau

Under current law, the department of workforce development (DWD) may award a contract to any person to administer the Wisconsin works (W-2) program. These two-year contracts include funding for subsidized employment benefits, W-2 office costs and other program expenses. Any funding not spent by a W-2 agency at the end of the contract period is distributed according to a formula developed by DWD. Under the formula, a portion of the excess funding is designated as community reinvestment funds and distributed to the W-2 agency for reinvestment in community programs that meet certain requirements under the federal temporary assistance for needy families (TANF) block grant program.

Under 1999 Wisconsin Act 9 (the biennial budget act), DWD must establish criteria for use of community reinvestment funds available under W-2 contracts that

SENATE BILL 316

have a term beginning on January 1, 2000, and ending on December 31, 2001. (The first contract period ends on December 31, 1999.) The biennial budget act also requires DWD to certify that the expenditures of community reinvestment funds for specific community reinvestment projects are permissible under the TANF block grant program before any of the community reinvestment funds may be expended.

This bill expands the biennial budget act provision to require that the criteria established by DWD apply to community reinvestment funds available under W-2 contracts that have a term ending on December 31, 1999. This bill requires that the criteria specify that the funds may be used for transportation assistance programs, education and job training programs, housing assistance programs, alcohol and other drug abuse assessment and treatment programs, domestic violence services and legal advocacy programs. DWD must submit the criteria to the joint committee on finance (JCF) for approval. If, within 14 working days after submission of the criteria, JCF does not schedule a meeting to review the criteria, DWD may implement the criteria.

This bill also requires that before a W-2 agency, other than a county department or tribal governing body (private W-2 agency), may expend any of its community reinvestment funds, DWD must certify that the agency actively solicited public participation in planning for the use of the funds and that the proposed expenditures meet the established criteria.

Finally, this bill requires a private W-2 agency to submit a report to the JCF no later than 12 months after receipt of its community reinvestment funds. The report must outline the purposes for which the community reinvestment funds were used and how those purposes meet the criteria established by DWD.

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.** 49.179 (1)[✓] of the statutes, as created by 1999 Wisconsin Act 9, is
2 renumbered 49.179 (1) (intro.) and amended to read:

3 49.179 (1) (intro.) In this section,;

4 **(b)** "Wisconsin works" has the meaning given in s. 49.141 (1) (p).

5 **SECTION 2.** 49.179 (1) (a) of the statutes is created to read:

6 49.179 (1) (a) "Community reinvestment funds" means moneys allocated under
7 s. 49.175 (1) (d) and moneys identified for community reinvestment in contracts

8 negotiated under s. 49.143 that have a term that expires on ^{or after} December 31, 1999. ✓

SENATE BILL 316

1 SECTION 3. 49.179 (1) (a) of the statutes, as created by 1999 Wisconsin Act ...
2 (this act), is amended to read:

3 49.179 (1) (a) "Community reinvestment funds" means moneys allocated under
4 s. 49.175 (1) (d) and moneys identified for community reinvestment in contracts
5 negotiated under s. 49.143 that have a term that expires on December 31, 1999.

Plain text

6 SECTION 4. 49.179 (2) of the statutes, as created by 1999 Wisconsin Act 9, is
7 amended to read:

8 49.179 (2) Annually, beginning January 1, 2000, the department shall
9 distribute the moneys allocated under s. 49.175 (1) (d) community reinvestment
10 funds to Wisconsin works agencies.

11 SECTION 5. 49.179 (3) of the statutes, as created by 1999 Wisconsin Act 9, is
12 renumbered 49.179 (3) (intro.) and amended to read:

13 49.179 (3) (intro.) Funds distributed under sub. (2) Community
14 reinvestment funds may be used only for community reinvestment projects. The
15 department shall establish specify criteria for the use of the community
16 reinvestment funds distributed under sub. (2). The criteria shall provide that the
17 purposes for which the funds may be used include all of the following purposes:

18 SECTION 6. 49.179 (3) (a) ~~to~~ ^(a) of the statutes are created to read:

19 49.179 (3) (a) ~~to~~ Improving access to transportation, including vehicle lease
20 ~~programs~~ and car repair assistance programs.

21 (b) ~~to~~ Providing individuals with assistance so that each individual may possess
22 a valid driver's license.

23 (c) Education and job training programs.

24 (d) Housing assistance programs.

25 (e) Alcohol and other drug abuse assessment and treatment programs.

SENATE BILL 316

move after Page 5, line 7

of workforce development

Nonstatutory provisions.

(B)

1 Domestic violence services.

2 Legal advocacy programs.

SECTION 8. 49.179 (3) of the statutes is created to read: No later than 90 days after the effective date of this subsection

4 The department shall submit criteria established under paragraph 49.179 (3) of the statutes, as created by this act, to the joint committee on finance. If the cochairpersons of the joint committee on finance do not notify the secretary of the department within 14 working days after the date of the department's submittal that the committee has scheduled a meeting for the purpose of reviewing the proposed criteria the department may implement the criteria. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the secretary of the department that the committee has scheduled a meeting for the purpose of reviewing the criteria, the department may implement the criteria only with the approval of the committee.

13 SECTION 8. 49.179 (5) of the statutes, as created by 1999 Wisconsin Act 9, is renumbered 49.179 (5) (intro.) and amended to read:

15 49.179 (5) (intro.) ~~No expenditures from the funds distributed under sub. (2)~~
16 Except as provided in sub. (6), no
17 community reinvestment funds may be made expended unless the department first
18 certifies does all of the following:

18 (a) Certifies that the expenditures are allowable under the federal temporary assistance for needy families block grant program under 42 USC 601 et. seq.

20 SECTION 9. 49.179 (5) (b) of the statutes is created to read:

21 49.179 (5) (b) In the case of a Wisconsin works agency that is not a county
22 department under s. 46.215, 46.22 or 46.23 or a tribal governing body, determines
23 that the agency actively solicited public participation in planning for the use of the
24 community reinvestment funds and certifies that the proposed uses meet the criteria
25 established under sub. (3)

Section 8

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SENATE BILL 316

(7) ✓

SECTION 10. 49.179 ~~of~~ of the statutes is created to read:

49.179 ~~(a)~~ ^{(7) §} A Wisconsin works agency that is not a county department under s. 46.215, 46.22 or 46.23 or tribal governing body shall, ^{Beginning January 1, 2002, the department} no later than 12 months after receipt of any community reinvestment funds, submit a report to the joint committee on finance specifying ^{the uses for which any} the community reinvestment funds ^{that were distributed to Wisconsin works agencies in the preceding} were expended, ^{and} ~~and~~ how the expenditures met the criteria established by the department under sub. (3) and the total amount of the expenditures.

SECTION 11. Initial applicability.

(1) This act first applies to community reinvestment funds available for distribution to ~~Wisconsin works~~ ^{Wisconsin works} agencies on the effective date of this subsection.

SECTION 12. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The ~~treatment of section 49.179(2) of the statutes and the amendment of~~ section 49.179 (1) (a) of the statutes take effect on ^{July} ~~January~~ 1, 2001.

(END)

Insert from 7 pages

11111

SECTION # CR; 49.179(6)

49.179(6)
 (NO P)

may be funded with community reinvestment funds

Programs that are approved by the department before the effective date of this subsection [revisor inserts date], regardless of whether the department certifies ^{that} a Wisconsin works agency complied with the requirements of sub. (5)(b).

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0370/lins
ISR.....

1 Insert 5-7B

nonstat

(2) REPORT ON EXPENDITURE OF COMMUNITY REINVESTMENT FUNDS. No later than

3 January 1, 2001, the department of workforce development[✓] shall submit a report to

4 the joint committee on finance specifying the uses for which community

5 reinvestment funds identified in contracts negotiated under ~~s~~^{g section} 49.143 of the statutes

6 with a term ending December 31, 1999, were used by Wisconsin works agencies and

7 the total amount of the funds^{that have been} expended.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0370/1dn

ISR:.....

JG

March 6, 2000, 3 new date

Senator Moore:

This substitute amendment is based in part on instructions received from Pam Shannon of the Legislative Council.

Note that the requirements of proposed section 40.179 (5) (b) ~~do not apply to~~ community reinvestment funds designated in the '97-'99 contracts. Is this your intent?

Also, the requirements of ~~section~~ 49.179 (5) ~~do not~~ apply to community reinvestment programs that are approved by DHFS before the effective date of the bill. For example, if a W-2 agency is currently administering a program using community reinvestment funds and the expenditure of the funds has been approved by DHFS, the agency may continue to administer the program and use community reinvestment funds without having to certify that it solicited public participation or that the program meets the criteria established by DHFS. OK?

Please review this substitute amendment carefully to make sure it achieves your intent. If you have any questions or would like to discuss this substitute amendment, please do not hesitate to contact me.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us

Also, ~~the~~ DWD has 90 days to submit the criteria to JFC. OK?

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

LRBs0370/1dn
ISR:jlg:hmh

March 6, 2000

Senator Moore:

This substitute amendment is based in part on instructions received from Pam Shannon of the Legislative Council.

The requirements of s. 49.179 (5) do not apply to community reinvestment programs that are approved by DHFS before the effective date of the bill. For example, if a W-2 agency is currently administering a program using community reinvestment funds and the expenditure of the funds has been approved by DHFS, the agency may continue to administer the program and use community reinvestment funds without having to certify that it solicited public participation or that the program meets the criteria established by DHFS. OK?

Also, DWD has 90 days to submit the criteria to JFC. OK?

Please review this substitute amendment carefully to make sure it achieves your intent. If you have any questions or would like to discuss this substitute amendment, please do not hesitate to contact me.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: Ivy.Sager-Rosenthal@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBs0370/pl
ISR:jlg:hmb

2

RMR

SENATE SUBSTITUTE AMENDMENT,
TO 1999 SENATE BILL 316

Wed 3/8/00 AM
(only change in P. 4, (4))

Regen

1 **AN ACT to renumber and amend 49.179 (1), 49.179 (3) and 49.179 (5); to amend**
2 **49.179 (2); and to create 49.179 (1) (a), 49.179 (3) (a) to (g), 49.179 (5) (b), 49.179**
3 **(6) and 49.179 (7) of the statutes; relating to: the expenditure of community**
4 **reinvestment funds by Wisconsin works agencies and requiring the department**
5 **of workforce development to submit criteria for the use of community**
6 **reinvestment funds and reports on community reinvestment funds to the joint**
7 **committee on finance.**

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

8 **SECTION 1.** 49.179 (1) of the statutes, as created by 1999 Wisconsin Act 9, is
9 renumbered 49.179 (1) (intro.) and amended to read:

10 49.179 (1) (intro.) In this section:
11 (b) "Wisconsin works" has the meaning given in s. 49.141 (1) (p).

12 **SECTION 2.** 49.179 (1) (a) of the statutes is created to read:

1 49.179 (1) (a) "Community reinvestment funds" means moneys allocated under
2 s. 49.175 (1) (d) and moneys identified for community reinvestment in contracts
3 negotiated under s. 49.143 that have a term that expires on or after December 31,
4 1999.

5 **SECTION 3.** 49.179 (2) of the statutes, as created by 1999 Wisconsin Act 9, is
6 amended to read:

7 49.179 (2) Annually, beginning January 1, 2000, the department shall
8 distribute ~~the moneys allocated under s. 49.175 (1) (d)~~ community reinvestment
9 funds to Wisconsin works agencies.

10 **SECTION 4.** 49.179 (3) of the statutes, as created by 1999 Wisconsin Act 9, is
11 renumbered 49.179 (3) (intro.) and amended to read:

12 49.179 (3) (intro.) ~~Funds distributed under sub. (2)~~ Community reinvestment
13 funds may be used only for community reinvestment projects. The department shall
14 establish specify criteria for the use of the community reinvestment funds
15 ~~distributed under sub. (2)~~. The criteria shall provide that the purposes for which the
16 funds may be used include all of the following purposes:

17 **SECTION 5.** 49.179 (3) (a) to (g) of the statutes are created to read:

18 49.179 (3) (a) Improving access to transportation, including vehicle lease,
19 vehicle purchase and car repair assistance programs.

20 (b) Providing individuals with assistance so that each individual may possess
21 a valid driver's license.

22 (c) Education and job training programs.

23 (d) Housing assistance programs.

24 (e) Alcohol and other drug abuse assessment and treatment programs.

25 (f) Domestic violence services.

1 (g) Legal advocacy programs.

2 **SECTION 6.** 49.179 (5) of the statutes, as created by 1999 Wisconsin Act 9, is
3 renumbered 49.179 (5) (intro.) and amended to read:

4 49.179 (5) (intro.) ~~No expenditures from the funds distributed under sub. (2)~~
5 Except as provided in sub. (6), no community reinvestment funds may be made
6 expended unless the department first certifies does all of the following:

7 (a) Certifies that the expenditures are allowable under the federal temporary
8 assistance for needy families block grant program under 42 USC 601 et. seq.

9 **SECTION 7.** 49.179 (5) (b) of the statutes is created to read:

10 49.179 (5) (b) In the case of a Wisconsin works agency that is not a county
11 department under s. 46.215, 46.22 or 46.23 or a tribal governing body, determines
12 that the Wisconsin works agency actively solicited public participation in planning
13 for the use of the community reinvestment funds and certifies that the proposed uses
14 meet the criteria established under sub. (3).

15 **SECTION 8.** 49.179 (6) of the statutes is created to read:

16 49.179 (6) Programs that are approved by the department before the effective
17 date of this subsection [revisor inserts date], may be funded with community
18 reinvestment funds regardless of whether the department certifies that a Wisconsin
19 works agency complied with the requirements of sub. (5) (b).

20 **SECTION 9.** 49.179 (7) of the statutes is created to read:

21 49.179 (7) Beginning January 1, 2002, the department shall annually submit
22 a report to the joint committee on finance specifying the uses for which any
23 community reinvestment funds that were distributed to Wisconsin works agencies
24 in the preceding year were expended, how the expenditures met the criteria

1 established by the department under sub. (3) and the total amount of the
2 expenditures.

3 **SECTION 10. Nonstatutory provisions.**

4 (1) **COMMUNITY REINVESTMENT CRITERIA.** No later than ~~90~~³⁰ days after the effective
5 date of this subsection, the department of workforce development shall submit the
6 criteria established under section 49.179 (3) of the statutes, as created by this act,
7 to the joint committee on finance. If the cochairpersons of the joint committee on
8 finance do not notify the secretary of workforce development within 14 working days
9 after the date of the department's submittal that the committee has scheduled a
10 meeting for the purpose of reviewing the proposed criteria the department may
11 implement the criteria. If, within 14 working days after the date of the department's
12 submittal, the cochairpersons of the committee notify the secretary of workforce
13 development that the committee has scheduled a meeting for the purpose of
14 reviewing the criteria, the department may implement the criteria only with the
15 approval of the committee.

16 (2) **REPORT ON EXPENDITURE OF COMMUNITY REINVESTMENT FUNDS.** No later than
17 January 1, 2001, the department of workforce development shall submit a report to
18 the joint committee on finance specifying the uses for which community
19 reinvestment funds identified in contracts negotiated under section 49.143 of the
20 statutes with a term ending December 31, 1999, were used by Wisconsin works
21 agencies and the total amount of the funds that have been expended.

22 **SECTION 11. Initial applicability.**

23 (1) This act first applies to community reinvestment funds available for
24 distribution to Wisconsin works agencies on the effective date of this subsection.

25

(END)