



3
WPR

1999 BILL

Chvala Package
Today

in 1-27-2000

Gen. Cat.

1 AN ACT to amend 20.370 (6) (br), 20.625 (1) (d), 20.835 (5) (a), 46.034 (3), 46.215
 2 (2) (c) 1., 46.215 (2) (c) 3., 46.22 (1) (am), 46.22 (1) (e) 3. a., 46.22 (1) (e) 3. c., 46.27
 3 (11) (c) 3., 46.283 (5), 46.284 (5) (a), 46.40 (1) (a), 46.40 (2), 46.40 (3), 46.495 (1)
 4 (am), 46.495 (1) (d), 46.495 (1) (dc), 46.87 (2), 46.985 (7) (a), 49.45 (6m) (br) 1.,
 5 51.423 (1), 51.423 (2), 51.423 (4), 51.423 (9), 79.01 (1), 79.03 (3c) (f), 79.03 (4),
 6 79.058 (3) (c), 301.26 (3) (c), 301.26 (3) (e), 301.26 (3) (em), 301.26 (4) (a), 301.26
 7 (6) (a), 301.26 (8), 758.19 (5) (b) (intro.) and 758.19 (5) (b) 1.; and to create
 8 20.410 (3) (ce), 20.410 (3) (cf), 20.435 (7) (ba), 20.435 (7) (bb), 79.058 (3) (d) and
 9 301.26 (7m) of the statutes; relating to: shared revenue payments to counties
 10 and municipalities, circuit court support payments, financial assistance for
 11 local recycling programs, community aids, youth aids and making an
 12 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the state administers a shared revenue program that distributes state tax revenues to counties and municipalities for the counties and

Head = LOCAL GOVERNMENT
Sub = SHARED REVENUE AND PROPERTY TAX CREDITS

BILL

head **COURTS AND PROCEDURE**

municipalities to use at their discretion. Under this bill, the amounts of the shared revenue payments to counties and municipalities are annually adjusted to reflect changes in the consumer price index.

Under current law, the state makes payments to municipalities for services that the municipalities provide to certain state facilities that are located in the municipality and that are exempt from local property taxes. Under the bill, these payments are annually adjusted to reflect changes in the consumer price index.

Under current law, the director of state courts administers a program that provides payments to counties to support the operation of circuit courts. Under the bill, the amounts of those payments are annually adjusted to reflect changes in the consumer price index.

Under current law, the department of natural resources administers a program that provides grants to local governmental units that are responsible for solid waste management (responsible units) to pay a portion of the costs of operating recycling programs. This bill changes the amount of funding for the responsible unit recycling grant program each year to reflect changes in the consumer price index.

Under current law, the department of health and family services distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services. This bill changes the amount of general purpose revenues that are appropriated for community aids in each fiscal year to reflect changes in the consumer price index and any loss of federal revenues for community aids since the previous fiscal year.

Under current law, the department of corrections distributes general purpose revenues and federal revenues, as community, youth and family aids (commonly referred to as "youth aids"), to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill changes the amount of general purpose revenues that are appropriated for youth aids in each fiscal year to reflect changes in the consumer price index and any loss of federal revenues for youth aids since the previous fiscal year.

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

WPO's increase "above" prop. on the fe component for whitespace

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

SECTION 1. 20.370 (6) (bu) of the statutes, as created by 1999 Wisconsin Act 9, is amended to read:

20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling fund, the amounts in the schedule a sum sufficient equal to \$24,500,000 in fiscal year 1999-2000, and in fiscal year 2000 01 and each subsequent fiscal year a sum

head ENVIRONMENT
sub RECYCLING
head CORRECTIONAL SYSTEM
sub JUVENILE CORRECTIONAL SYSTEM

head HEALTH AND HUMAN SERVICES
sub COMMUNITY AIDS
sub OTHER MENTAL AND HUMAN SERVICES

1
2
3
4
5

BILL

1 sufficient equal to the amount available under this paragraph in the previous fiscal
2 year adjusted by a percentage that is equal to the percentage change between the
3 U.S. consumer price index for all urban consumers, U.S. city average, for the
4 12-month period ending on June 30 of the previous fiscal year and the U.S. consumer
5 price index for all urban consumers, U.S. city average, for the 12-month period
6 ending on June 30 of the fiscal year before the previous fiscal year, as determined by
7 the federal department of labor, rounded to the nearest multiple of \$100, for grants
8 to responsible units under s. 287.23.

9 **SECTION 2.** 20.410 (3) (ce) of the statutes is created to read:

10 20.410 (3) (ce) *Community youth and family aids; consumer price index*
11 *adjustment.* A sum sufficient in each fiscal year equal to \$82,734,500 multiplied by
12 a percentage that is equal to the percentage change between the U.S. consumer price
13 index for all urban consumers, U.S. city average, for the 12-month period ending on
14 June 30 of the previous fiscal year and the U.S. consumer price index for all urban
15 consumers, U.S. city average, for the 12-month period ending on June 30, 1999, as
16 determined by the federal department of labor, rounded to the nearest \$100, for the
17 improvement and provision of juvenile delinquency-related services under s. 301.26
18 and for reimbursement to counties having a population of less than 500,000 for the
19 cost of court attached intake services as provided in s. 938.06 (4). Disbursements
20 may be made from this appropriation account under s. 301.085. Refunds received
21 relating to payments made under s. 301.085 shall be credited to the appropriation
22 account under par. (cd). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
23 department of corrections may transfer moneys under this paragraph between fiscal
24 years. Except for moneys authorized for transfer under s. 301.26 (3), all moneys from
25 this paragraph allocated under s. 301.26 (3) and not spent or encumbered by counties

BILL

1 by December 31 of each year shall lapse into the general fund on the succeeding
2 January 1. The joint committee on finance may transfer additional moneys to the
3 next calendar year.

if that sum is less than \$2,449,200,

4 **SECTION 3.** 20.410 (3) (cf) of the statutes is created to read:

5 20.410 (3) (cf) *Community youth and family aids; federal funding loss*
6 *adjustment.* A sum sufficient in each fiscal year equal to the difference between
7 \$2,449,200 and the sum of the moneys received from the federal government in the
8 current fiscal year and transferred to the appropriation account under par. (ko),
9 rounded to the nearest \$100, for the improvement and provision of juvenile
10 delinquency-related services under s. 301.26 and for reimbursement to counties
11 having a population of less than 500,000 for the cost of court attached intake services
12 as provided in s. 938.06 (4). Disbursements may be made from this appropriation
13 account under s. 301.085. Refunds received relating to payments made under s.
14 301.085 shall be credited to the appropriation account under par. (cd).
15 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of corrections may
16 transfer moneys under this paragraph between fiscal years. Except for moneys
17 authorized for transfer under s. 301.26 (3), all moneys from this paragraph allocated
18 under s. 301.26 (3) and not spent or encumbered by counties by December 31 of each
19 year shall lapse into the general fund on the succeeding January 1. The joint
20 committee on finance may transfer additional moneys to the next calendar year.

21 **SECTION 4.** 20.435 (7) (ba) of the statutes is created to read:

22 20.435 (7) (ba) *Community aids; consumer price index adjustment.* A sum
23 sufficient in each fiscal year equal to \$286,330,700 multiplied by a percentage that
24 is equal to the percentage change between the U.S. consumer price index for all
25 urban consumers, U.S. city average, for the 12 month period ending on June 30 of

BILL

1 the previous fiscal year and the U.S. consumer price index for all urban consumers,
2 U.S. city average, for the 12-month period ending on June 30, 1999, as determined
3 by the federal department of labor, rounded to the nearest \$100, for human services
4 under s. 46.40, for services provided by resource centers under s. 46.283 (5), for
5 services under the family care benefit under s. 46.284 (5), for reimbursement to
6 counties having a population of less than 500,000 for the cost of court attached intake
7 services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22 and for foster
8 care and treatment foster care under s. 49.19 (10). Social services disbursements
9 under s. 46.03 (20) (b) may be made from this appropriation. Refunds received
10 relating to payments made under s. 46.03 (20) (b) for the provision of services for
11 which moneys are appropriated under this paragraph shall be credited to the
12 appropriation under par. (b). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
13 department of health and family services may transfer funds between fiscal years
14 under this paragraph. Except for amounts authorized to be carried forward under
15 s. 46.45, all funds allocated under s. 46.40 and not spent or encumbered by December
16 31 of each year shall lapse to the general fund on the succeeding January 1 unless
17 carried forward to the next calendar year by the joint committee on finance.

18 **SECTION 5.** 20.435 (7) (bb) of the statutes is created to read:

19 20.435 (7) (bb) *Community aids; federal funding loss adjustment.* A sum
20 sufficient in each fiscal year equal to the difference between \$105,351,400 and the
21 sum of the moneys received from the federal government in the current fiscal year
22 and transferred or credited to the appropriation accounts under pars. (kw) and (o)
23 and sub. (3) (o), rounded to the nearest \$100, for human services under s. 46.40, for
24 services provided by resource centers under s. 46.283 (5), for services under the
25 family care benefit under s. 46.284 (5), for reimbursement to counties having a

if that sum is less than \$105,351,400,

BILL

SECTION 5

1 population of less than 500,000 for the cost of court attached intake services under
2 s. 48.06 (4), for shelter care under ss. 48.58 and 938.22 and for foster care and
3 treatment foster care under s. 49.19 (10). Social services disbursements under s.
4 46.03 (20) (b) may be made from this appropriation. Refunds received relating to
5 payments made under s. 46.03 (20) (b) for the provision of services for which moneys
6 are appropriated under this paragraph shall be credited to the appropriation under
7 par. (b). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health
8 and family services may transfer funds between fiscal years under this paragraph.
9 Except for amounts authorized to be carried forward under s. 46.45, all funds
10 allocated under s. 46.40 and not spent or encumbered by December 31 of each year
11 shall lapse to the general fund on the succeeding January 1 unless carried forward
12 to the next calendar year by the joint committee on finance.

13 **SECTION 6.** 20.625 (1) (d) of the statutes is amended to read:

14 20.625 (1) (d) *Circuit court support payments.* ~~Biennially, the amounts in the~~
15 ~~schedule A sum sufficient to make a payment~~ payments to each county under s.
16 758.19 (5).

17 **SECTION 7.** 20.835 (5) (a) of the statutes is amended to read:

18 20.835 (5) (a) *Payments for municipal services.* ~~The amounts in the schedule~~
19 A sum sufficient equal to \$18,065,300 in fiscal year 1999-2000, \$21,565,300 in fiscal
20 year 2000-01, and in fiscal year 2001-02 and each subsequent fiscal year a sum
21 sufficient equal to the amount available under this paragraph in the previous fiscal
22 year, adjusted by a percentage that is equal to the percentage change between the
23 U.S. consumer price index for all urban consumers, U. S. city average, for the
24 12-month period ending on June 30 of the previous year and the U.S. consumer price
25 index for all urban consumers, U.S. city average, for the 12-month period ending on

BILL

1 June 30 of the year before the previous fiscal year, as determined by the federal
2 department of labor, rounded to the nearest multiple of \$100, to make payments for
3 municipal services provided by municipalities to state facilities, as determined
4 under s. 70.119 (7).

5 **SECTION 8.** 46.034 (3) of the statutes is amended to read:

6 46.034 (3) With the agreement of the affected county board of supervisors in
7 a county with a single-county department or boards of supervisors in counties with
8 a multicounty department, effective for the contract period beginning January 1,
9 1980, the department may approve a county with a single-county department or
10 counties participating in a multicounty department to administer a single
11 consolidated aid consisting of the state and federal financial aid available to that
12 county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b), (ba),
13 (bb), (kw) and (o) for services provided and purchased by county departments under
14 ss. 46.215, 46.22, 46.23, 51.42 and 51.437. Under such an agreement, in the interest
15 of improved service coordination and effectiveness, the county board of supervisors
16 in a county with a single-county department or county boards of supervisors in
17 counties with a multicounty department may reallocate among county departments
18 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 funds that otherwise would be
19 specified for use by a single county department. The budget under s. 46.031 (1) shall
20 be the vehicle for expressing the proposed use of the single consolidated fund by the
21 county board of supervisors in a county with a single-county department or county
22 boards of supervisors in counties with a multicounty department. Approval by the
23 department of this use of the fund shall be in the contract under s. 46.031 (2g).
24 Counties that were selected by the department to pilot test consolidated aids for
25 contract periods beginning January 1, 1978, may continue or terminate

BILL

1 consolidation with the agreement of the affected county board of supervisors in a
2 county with a single-county department or county boards of supervisors in counties
3 with a multicounty department.

4 **SECTION 9.** 46.215 (2) (c) 1. of the statutes, as affected by 1999 Wisconsin Act
5 9, is amended to read:

6 46.215 (2) (c) 1. A county department of social services shall develop, under the
7 requirements of s. 46.036, plans and contracts for care and services to be purchased,
8 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
9 of health and family services may review the contracts and approve them if they are
10 consistent with s. 46.036 and if state or federal funds are available for such purposes.
11 The joint committee on finance may require the department of health and family
12 services to submit the contracts to the committee for review and approval. The
13 department of health and family services may not make any payments to a county
14 for programs included in a contract under review by the committee. The department
15 of health and family services shall reimburse each county for the contracts from the
16 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o), as
17 appropriate, under s. 46.495.

18 **SECTION 10.** 46.215 (2) (c) 3. of the statutes is amended to read:

19 46.215 (2) (c) 3. A county department of social services shall develop, under the
20 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
21 care and services to be purchased. The department of corrections may review the
22 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
23 federal funds are available for such purposes. The joint committee on finance may
24 require the department of corrections to submit the contracts to the committee for
25 review and approval. The department of corrections may not make any payments

BILL

1 to a county for programs included in a contract under review by the committee. The
2 department of corrections shall reimburse each county for the contracts from the
3 appropriations under s. 20.410 (3) (cd), (ce), (cf) and (ko) as appropriate.

4 **SECTION 11.** 46.22 (1) (am) of the statutes is amended to read:

5 46.22 (1) (am) *Funding for multicounties.* State social services funding under
6 s. 20.435 (7) (b), (ba) and (bb) is not available to counties which establish a
7 multicounty department of social services until the counties have drafted a
8 contractual agreement, approved by the secretary, setting forth the plans for direct
9 sponsorship and have drafted a budget under par. (b) 1. d.

10 **SECTION 12.** 46.22 (1) (e) 3. a. of the statutes, as affected by 1999 Wisconsin Act
11 9, is amended to read:

12 46.22 (1) (e) 3. a. A county department of social services shall develop, under
13 the requirements of s. 46.036, plans and contracts for care and services, except under
14 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
15 family services may review the contracts and approve them if they are consistent
16 with s. 46.036 and to the extent that state or federal funds are available for such
17 purposes. The joint committee on finance may require the department of health and
18 family services to submit the contracts to the committee for review and approval.
19 The department of health and family services may not make any payments to a
20 county for programs included in the contract that is under review by the committee.
21 The department of health and family services shall reimburse each county for the
22 contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)
23 and (o) according to s. 46.495.

24 **SECTION 13.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

BILL**SECTION 13**

1 46.22 (1) (e) 3. c. A county department of social services shall develop, under
2 the requirements of s. 301.08 (2), plans and contracts for juvenile
3 delinquency-related care and services to be purchased. The department of
4 corrections may review the contracts and approve them if they are consistent with
5 s. 301.08 (2) and to the extent that state or federal funds are available for such
6 purposes. The joint committee on finance may require the department of corrections
7 to submit the contracts to the committee for review and approval. The department
8 of corrections may not make any payments to a county for programs included in the
9 contract that is under review by the committee. The department of corrections shall
10 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
11 (cd), (ce), (cf) and (ko) as appropriate.

12 **SECTION 14.** 46.27 (11) (c) 3. of the statutes, as affected by 1999 Wisconsin Act
13 9, is amended to read:

14 46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a
15 private nonprofit agency or an aging unit with which the department contracts
16 provides under this subsection shall be made from the appropriations under s. 20.435
17 (4) (o) and (7) (b), (ba), (bb) and (bd).

18 **SECTION 15.** 46.283 (5) of the statutes, as created by 1999 Wisconsin Act 9, is
19 amended to read:

20 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
21 (bm) and (pa) and (7) (b), (ba), (bb), (bd) and (md), the department may contract with
22 organizations that meet standards under sub. (3) for performance of the duties under
23 sub. (4) and shall distribute funds for services provided by resource centers.

24 **SECTION 16.** 46.284 (5) (a) of the statutes, as created by 1999 Wisconsin Act 9,
25 is amended to read:

BILL

1 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g) and
2 (o) and (7) (b), (ba), (bb) and (bd), the department shall provide funding on a capitated
3 payment basis for the provision of services under this section. Notwithstanding s.
4 46.036 (3) and (5m), a care management organization that is under contract with the
5 department may expend the funds, consistent with this section, including providing
6 payment, on a capitated basis, to providers of services under the family care benefit.

7 **SECTION 17.** 46.40 (1) (a) of the statutes, as affected by 1999 Wisconsin Act 9,
8 is amended to read:

9 46.40 (1) (a) Within the limits of available federal funds and of the
10 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o), the
11 department shall distribute funds for community social, mental health,
12 developmental disabilities and alcohol and other drug abuse services and for services
13 under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215,
14 46.22, 46.23, 51.42 and 51.437 and to county aging units, as provided in subs. (2),
15 (2m) and (7) to (9).

16 **SECTION 18.** 46.40 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
17 amended to read:

18 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
19 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
20 more than \$284,978,800 for fiscal year 1999–2000 and \$285,511,800 for fiscal year
21 2000–01. In addition to distributing the amounts specified in this subsection, the
22 department shall also distribute in each fiscal year, subject to sub. (9), the amounts
23 appropriated under s. 20.435 (7) (ba) and (bb) for social services under s. 46.495 (1)
24 (d) and services under s. 51.423 (2).

25 **SECTION 19.** 46.40 (3) of the statutes is amended to read:

BILL**SECTION 19**

1 46.40 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the
2 department shall distribute not more than \$412,800 in each fiscal year from the
3 appropriation ~~account~~ accounts under s. 20.435 (7) (b), (ba) and (bb) to federally
4 recognized American Indian tribes or bands. A tribe or band that receives funding
5 under this subsection shall use that funding to provide child care for an eligible child,
6 as defined in 42 USC 9858n (4).

7 **SECTION 20.** 46.495 (1) (am) of the statutes is amended to read:

8 46.495 (1) (am) The department shall reimburse each county from the
9 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o) for social
10 services as approved by the department under ss. 46.215 (1), (2) (c) 1. and (3) and
11 46.22 (1) (b) 1. d. and (e) 3. a. except that no reimbursement may be made for the
12 administration of or aid granted under s. 49.02.

13 **SECTION 21.** 46.495 (1) (d) of the statutes, as affected by 1999 Wisconsin Act 9,
14 is amended to read:

15 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba),
16 (bb), (kw) and (o), the department shall distribute the funding for social services,
17 including funding for foster care or treatment foster care of a child on whose behalf
18 aid is received under s. 46.261, to county departments under ss. 46.215, 46.22 and
19 46.23 as provided under s. 46.40. County matching funds are required for the
20 distributions under s. 46.40 (2), (8) and (9) (b). Each county's required match for the
21 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the
22 county's distributions under s. 46.40 (2) and (8) for that year for which matching
23 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
24 stats., to spend for juvenile delinquency-related services from its distribution for
25 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a

BILL

1 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
2 that year. Matching funds may be from county tax levies, federal and state revenue
3 sharing funds or private donations to the county that meet the requirements
4 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
5 match. If the county match is less than the amount required to generate the full
6 amount of state and federal funds distributed for this period, the decrease in the
7 amount of state and federal funds equals the difference between the required and the
8 actual amount of county matching funds.

9 **SECTION 22.** 46.495 (1) (dc) of the statutes is amended to read:

10 46.495 (1) (dc) The department shall prorate the amount allocated to any
11 county department under s. 46.215 or 46.22 under par. (d) to reflect actual federal
12 funds available and the amount from the appropriation under s. 20.435 (7) (bb)
13 available.

14 **SECTION 23.** 46.87 (2) of the statutes is amended to read:

15 46.87 (2) From the appropriations under s. 20.435 (7) (b), (ba), (bb), (kw) and
16 (o), the department shall allocate funds to agencies designated under sub. (3) (c), to
17 be used for the administration and implementation of an Alzheimer's family and
18 caregiver support program for persons with Alzheimer's disease and their
19 caregivers.

20 **SECTION 24.** 46.985 (7) (a) of the statutes is amended to read:

21 46.985 (7) (a) From the appropriations under s. 20.435 (7) (b), (ba), (bb), (kw)
22 and (o), the department shall allocate to county departments funds for the
23 administration and implementation of the program.

24 **SECTION 25.** 49.45 (6m) (br) 1. of the statutes, as affected by 1999 Wisconsin

25 Act 9, is amended to read:

BILL

1 49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), (ce) or (cf), 20.435 (4) (bt)
2 or (7) (b), (ba) or (bb) or 20.445 (3) (dz), the department shall reduce allocations of
3 funds to counties in the amount of the disallowance from the appropriation account
4 under s. 20.435 (4) (bt) or (7) (b), (ba) or (bb), or the department shall direct the
5 department of workforce development to reduce allocations of funds to counties or
6 Wisconsin works agencies in the amount of the disallowance from the appropriation
7 account under s. 20.445 (3) (dz) or direct the department of corrections to reduce
8 allocations of funds to counties in the amount of the disallowance from the
9 appropriation account under s. 20.410 (3) (cd), (ce) or (cf), in accordance with s. 16.544
10 to the extent applicable.

11 **SECTION 26.** 51.423 (1) of the statutes is amended to read:

12 51.423 (1) The department shall fund, within the limits of the department's
13 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)
14 and (o) and subject to this section, services for mental illness, developmental
15 disability, alcoholism and drug abuse to meet standards of service quality and
16 accessibility. The department's primary responsibility is to guarantee that county
17 departments established under either s. 51.42 or 51.437 receive a reasonably
18 uniform minimum level of funding and its secondary responsibility is to fund
19 programs which meet exceptional community needs or provide specialized or
20 innovative services. Moneys appropriated under s. 20.435 (7) (b), (ba) and (bb) and
21 earmarked by the department for mental health services under s. 20.435 (7) (o) shall
22 be allocated by the department to county departments under s. 51.42 or 51.437 in the
23 manner set forth in this section.

24 **SECTION 27.** 51.423 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
25 amended to read:

BILL

1 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb),
2 (kw) and (o), the department shall distribute the funding for services provided or
3 purchased by county departments under s. 46.23, 51.42 or 51.437 to such county
4 departments as provided under s. 46.40. County matching funds are required for the
5 distributions under s. 46.40 (2) and (9) (b). Each county's required match for the
6 distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's
7 distributions under s. 46.40 (2) for that year for which matching funds are required
8 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
9 juvenile delinquency-related services from its distribution for 1987. Each county's
10 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
11 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching
12 funds may be from county tax levies, federal and state revenue sharing funds or
13 private donations to the counties that meet the requirements specified in sub. (5).
14 Private donations may not exceed 25% of the total county match. If the county match
15 is less than the amount required to generate the full amount of state and federal
16 funds distributed for this period, the decrease in the amount of state and federal
17 funds equals the difference between the required and the actual amount of county
18 matching funds.

19 **SECTION 28.** 51.423 (4) of the statutes is amended to read:

20 51.423 (4) The department shall prorate the amount allocated to any county
21 department under sub. (2) to reflect actual federal funds available and the amount
22 from the appropriation under s. 20.435 (7) (bb) available.

23 **SECTION 29.** 51.423 (9) of the statutes is amended to read:

24 51.423 (9) If the funds appropriated under s. 20.435 (7) (b), (ba) and (bb) for any
25 fiscal year are insufficient to provide county departments with the sums calculated

BILL**SECTION 29**

1 under subs. (1) to (7), the appropriation shall be allocated among county departments
2 in proportion to the sums they would receive under subs. (1) to (7).

3 **SECTION 30.** 79.01 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
4 amended to read:

5 79.01 (1) There is established an account in the general fund entitled the
6 "Expenditure Restraint Program Account". There shall be appropriated to that
7 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994, \$48,000,000
8 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in the year 2000
9 and in each year thereafter. Beginning in 2001, the amount appropriated under this
10 subsection is equal to the amount appropriated under this subsection in the previous
11 year, adjusted by a percentage that is equal to the percentage change between the
12 U.S. consumer price index for all urban consumers, U.S. city average, for the
13 12-month period ending on June 30 of the previous year and the U.S. consumer price
14 index for all urban consumers, U.S. city average, for the 12-month period ending on
15 June 30 of the year before the previous year, as determined by the federal
16 department of labor. Beginning in 2001, the amount appropriated under this
17 subsection shall be rounded to the nearest multiple of \$100.

18 **SECTION 31.** 79.03 (3c) (f) of the statutes, as affected by 1999 Wisconsin Act 9,
19 is amended to read:

20 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
21 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
22 paid to each eligible municipality shall be paid on a prorated basis. The total amount
23 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
24 in 1996 and ending in 1999 and \$11,000,000 in the year 2000 and in each year
25 thereafter. Beginning in 2001, the amount to be distributed under this subsection

BILL

1 from s. 20.835 (1) (b) is equal to the amount distributed under this subsection in the
2 previous year, adjusted by a percentage that is equal to the percentage change
3 between the U.S. consumer price index for all urban consumers, U.S. city average,
4 for the 12-month period ending on June 30 of the previous year and the U.S.
5 consumer price index for all urban consumers, U.S. city average, for the 12-month
6 period ending on June 30 of the year before the previous year, as determined by the
7 federal department of labor. Beginning in 2001, the amount to be distributed under
8 this subsection from s. 20.835 (1) (b) shall be rounded to the nearest multiple of \$100.

9 **SECTION 32.** 79.03 (4) of the statutes is amended to read:

10 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and
11 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
12 distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
13 In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.
14 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
15 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
16 municipalities and \$168,981,800 to counties. In 1995 and subsequent years, the
17 total amounts to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1)
18 (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. Beginning in
19 2001, the amounts to be distributed to municipalities and counties under ss. 79.03,
20 79.04 and 79.06 from s. 20.835 (1) (d) are equal to the amounts distributed to
21 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) in
22 the previous year, adjusted by a percentage that is equal to the percentage change
23 between the U.S. consumer price index for all urban consumers, U.S. city average,
24 for the 12-month period ending on June 30 of the previous year and the U.S.
25 consumer price index for all urban consumers, U.S. city average, for the 12-month

BILL**SECTION 32**

1 period ending on June 30 of the year before the previous year, as determined by the
2 federal department of labor. Beginning in 2001, the amounts to be distributed to
3 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d)
4 shall be rounded to the nearest multiple of \$100.

5 **SECTION 33.** 79.058 (3) (c) of the statutes, as created by 1999 Wisconsin Act 9,
6 is amended to read:

7 79.058 (3) (c) In the year 2000 ~~and subsequent years~~, \$20,763,800.

8 **SECTION 34.** 79.058 (3) (d) of the statutes is created to read:

9 79.058 (3) (d) In 2001 and subsequent years, an amount that is equal to the
10 amount distributed under sub. (1) from s. 20.835 (1) (f) in the previous year, adjusted
11 by a percentage that is equal to the percentage change between the U.S. consumer
12 price index for all urban consumers, U.S. city average, for the 12-month period
13 ending on June 30 of the previous year and the U.S. consumer price index for all
14 urban consumers, U.S. city average, for the 12-month period ending on June 30 of
15 the year before the previous year, as determined by the federal department of labor.
16 Beginning in 2001, the amount to be distributed under sub. (1) from s. 20.835 (1) (f)
17 shall be rounded to the nearest multiple of \$100.

18 **SECTION 35.** 301.26 (3) (c) of the statutes is amended to read:

19 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd),
20 (ce), (cf) and (ko), the department shall allocate funds to each county for services
21 under this section.

22 **SECTION 36.** 301.26 (3) (e) of the statutes is amended to read:

23 301.26 (3) (e) The department may carry forward \$500,000 or 10% of its funds
24 allocated under this subsection and not encumbered or carried forward under par.
25 (dm) by counties by December 31, whichever is greater, to the next 2 calendar years.

BILL

1 The department may transfer moneys from or within s. 20.410 (3) (cd), (ce) or (cf) to
2 accomplish this purpose. The department may allocate these transferred moneys to
3 counties with persistently high rates of juvenile arrests for serious offenses during
4 the next 2 calendar years to improve community-based juvenile
5 delinquency-related services. The allocation does not affect a county's base
6 allocation.

7 **SECTION 37.** 301.26 (3) (em) of the statutes is amended to read:

8 301.26 (3) (em) The department may carry forward any emergency funds
9 allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm)
10 by December 31 to the next 2 calendar years. The department may transfer moneys
11 from or within s. 20.410 (3) (cd), (ce) or (cf) to accomplish this purpose. The
12 department may allocate these transferred moneys to counties that are eligible for
13 emergency payments under sub. (7) (e). The allocation does not affect a county's base
14 allocation.

15 **SECTION 38.** 301.26 (4) (a) of the statutes is amended to read:

16 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
17 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd),
18 (ce), (cf) and (ko) for the costs of care, services and supplies purchased or provided
19 by the department of corrections for each person receiving services under s. 48.366,
20 938.183 or 938.34 or the department of health and family services for each person
21 receiving services under s. 46.057 or 51.35 (3). The department of corrections may
22 not bill a county for or deduct from a county's allocation the cost of care, services and
23 supplies provided to a person subject to an order under s. 48.366 or 938.183 after the
24 person reaches 18 years of age. Payment shall be due within 60 days after the billing
25 date. If any payment has not been received within 60 days, the department of

BILL**SECTION 38**

1 corrections may withhold aid payments in the amount due from the ~~appropriation~~
2 allocations under s. 20.410 (3) (cd), (ce), (cf) and (ko).

3 **SECTION 39.** 301.26 (6) (a) of the statutes is amended to read:

4 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
5 legislature in allocating funding, excluding funding for base allocations, from the
6 appropriations under s. 20.410 (3) (cd), (ce), (cf) and (ko) for purposes described in
7 this section.

8 **SECTION 40.** 301.26 (7m) of the statutes is created to read:

9 301.26 (7m) ALLOCATION OF CONSUMER PRICE INDEX AND FEDERAL FUNDING LOSS
10 FUNDS. In addition to the amounts allocated under sub. (7) (a), the department shall
11 allocate in each fiscal year the amounts appropriated under s. 20.410 (3) (ce) and (cf)
12 for community youth and family aids under this section.

13 **SECTION 41.** 301.26 (8) of the statutes, as affected by 1999 Wisconsin Act 9, is
14 amended to read:

15 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
16 allocations specified in ~~sub.~~ subs. (7) (a) and (7m), the department shall allocate
17 \$666,700 in the last 6 months of 1999, \$1,333,400 in 2000 and \$666,700 in the first
18 6 months of 2001 for alcohol and other drug abuse treatment programs.

19 **SECTION 42.** 758.19 (5) (b) (intro.) of the statutes, as affected by 1999 Wisconsin
20 Act 9, is amended to read:

21 758.19 (5) (b) (intro.) Beginning in 2001, the amount to be distributed each year
22 under this subsection from s. 20.625 (1) (d) is equal to the amount distributed under
23 this subsection in the previous year, adjusted by a percentage that is equal to the
24 percentage change between the U.S. consumer price index for all urban consumers,
25 U.S. city average, for the 12-month period ending on June 30 of the previous year

BILL

1 and the U.S. consumer price index for all urban consumers, U.S. city average, for the
2 12-month period ending on June 30 of the year before the previous year, as
3 determined by the federal department of labor. Beginning in 2001, the amount to be
4 distributed under this subsection from s. 20.625 (1) (d) shall be rounded to the
5 nearest multiple of \$100. From the appropriation under s. 20.625 (1) (d), the director
6 of state courts shall make payments to counties totaling ~~\$9,369,800~~ within 30 days
7 after ~~October 29, 1999~~, and on every July 1 and January 1 thereafter, which the equal
8 to 50% of the yearly amount on January 1 and 50% of that amount on July 1. The
9 director of state courts shall distribute payments as follows:

10 **SECTION 43.** 758.19 (5) (b) 1. of the statutes, as affected by 1999 Wisconsin Act
11 9, is amended to read:

12 758.19 (5) (b) 1. For each circuit court branch in the county, \$42,275 in 2000.
13 Beginning with the payment made on January 1, 2001, the annual amount paid for
14 each circuit court branch shall equal the amount paid in the previous year under this
15 subdivision plus the increase calculated under par. (b) (intro.), divided by the number
16 of circuit court branches at the time that the payment is made.

17 **SECTION 9311. Initial applicability; corrections.**

18 (1) YOUTH AIDS. The treatment of sections 20.410 (3) (ce) and (cf), 46.215 (2) (c)
19 3., 46.22 (1) (e) 3. c., 49.45 (6m) (br) 1. (with respect to the appropriation accounts
20 under section 20.410 (3) (ce) and (cf) of the statutes, as created by this act) and 301.26
21 (3) (c), (e) and (em), (4) (a), (6) (a), (7m) and (8) of the statutes first applies to payments
22 made by the department of corrections on January 1, 2001.

23 **SECTION 9323. Initial applicability; health and family services.**

24 (1) COMMUNITY AIDS. The treatment of sections 20.435 (7) (ba) and (bb), 46.034
25 (3), 46.215 (2) (c) 1., 46.22 (1) (am) and (e) 3. a., 46.27 (11) (c) 3., 46.283 (5), 46.284

BILL**SECTION 9323**

1 (5) (a), 46.40 (1) (a), (2) and (3), 46.495 (1) (am), (d) and (dc), 46.87 (2), 46.985 (7) (a),
2 49.45 (6m) (br) 1. (with respect to the appropriation accounts under section 20.435
3 (7) (ba) and (bb) of the statutes, as created by this act) and 51.423 (1), (2), (4) and (9)
4 of the statutes first applies to payments made by the department of health and family
5 services on January 1, 2001.

6 **SECTION 9400. Effective dates; general.** Except as provided in SECTIONS
7 9401 to 9458 of this act, this act takes effect on the day after publication.

8 **SECTION 9409. Effective dates; circuit courts.**

9 (1) COURT SUPPORT PAYMENTS. The treatment of sections 20.625 (1) (d) and
10 758.19 (5) (b) (intro.) and 1. of the statutes takes effect on January 1, 2001.

11 **SECTION 9411. Effective dates; corrections.**

12 (1) YOUTH AIDS. The treatment of sections 20.410 (3) (ce) and (cf), 46.215 (2) (c)
13 3., 46.22 (1) (e) 3. c. and 301.26 (3) (c), (e) and (em), (4) (a), (6) (a), (7m) and (8) of the
14 statutes takes effect on July 1, 2000.

15 **SECTION 9423. Effective dates; health and family services.**

16 (1) COMMUNITY AIDS. The treatment of sections 20.435 (7) (ba) and (bb), 46.034
17 (3), 46.215 (2) (c) 1., 46.22 (1) (am) and (e) 3. a., 46.27 (11) (c) 3., 46.283 (5), 46.284
18 (5) (a), 46.40 (1) (a), (2) and (3), 46.495 (1) (am), (d) and (dc), 46.87 (2), 46.985 (7) (a),
19 49.45 (6m) (br) 1. and 51.423 (1), (2), (4) and (9) of the statutes takes effect on July
20 1, 2000.

21 **SECTION 9443. Effective dates; revenue.**

22 (1) PAYMENTS FOR MUNICIPAL SERVICES. The treatment of section 20.835 (5) (a)
23 of the statutes takes effect on July 1, 2000.

24 (END)

Barman, Mike

From: Burnett, Douglas
Sent: Thursday, January 27, 2000 10:45 AM
To: Barman, Mike
Subject: LRB-4187/2

Mike-I got the second draft of this. Please send me the /2 version electronically so I can share it with LFB staff. Thanks!

Chvala Bill

Barman, Mike

From: Barman, Mike
Sent: Thursday, January 27, 2000 11:00 AM
To: Burnett, Douglas
Cc: Kreye, Joseph
Subject: 99-4187/2 (per your request)(Note: At this time bill is being redrafted to a "/3".)



99-4187/2

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

Smith, Irma

From: Smith, Irma

Sent: Thursday, January 27, 2000 1:11 PM

To: Burnett, Douglas

Subject: This is part of the "budget adjustment". If you have any questions, please call the drafting attorney. Thank you, Irma



99-4187/3

Barman, Mike

From: Burnett, Douglas
Sent: Thursday, January 27, 2000 11:28 AM
To: Barman, Mike
Cc: Kreye, Joseph; Olin, Rick
Subject: RE: 99-4187/2 (per your request)(Note: At this time bill is being redrafted to a "/3".)

Since there's a /3 coming, I'll wait for that. If you could just forward it when it is ready to Rick Olin at LFB I would appreciate it. Rick can then share it with all LFB staff who need to review it.

-----Original Message-----

From: Barman, Mike
Sent: Thursday, January 27, 2000 11:00 AM
To: Burnett, Douglas
Cc: Kreye, Joseph
Subject: 99-4187/2 (per your request)(Note: At this time bill is being redrafted to a "/3".)

<< File: 99-4187/2 >>

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

Barman, Mike

From: Barman, Mike
Sent: Thursday, January 27, 2000 3:36 PM
To: Olin, Rick
Cc: Burnett, Douglas
Subject: LRB 99-4187/3



99-4187/3

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

Create 301.26(7)(k)

paragraph

(7)(k) In 2000, the amount allocated for community youth and family aids from the appropriation s. 20.410(3)(ce) is \$0. Beginning in 2001, the amount to be allocated each year under this subsection from the appropriation s. 20.410 (3) (ce) is equal to \$82,734,500 multiplied by a percentage that is equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the 12-month period ending on June 30 of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the 12-month period ending on June 30, 1999, as determined by the federal department of labor. ~~Beginning in 2001, the amount to be allocated under this subsection from s. 20.410 (3) (ce) shall be rounded to the nearest multiple of \$100. The amount appropriated under s. 20.410(3)(ce) in each fiscal year shall be 50% of the allocation amount under this paragraph for the two years relating to that fiscal year.~~

equal to

(END)

January 28, 2000

Gordon,

The two issues we have been discussing at our end are: (1) tightening up the appropriation language for the sum sufficient appropriations; and (2) making sure the calculated increase, which is based on a calendar year, is allocated equally to two fiscal years. In addition, we want the CPI youth aids increase to be allocated according to the three-factor formula. Therefore, we'd like to make the following changes to the youth aids provisions in LRB-4187/3. The effective date for these provisions would remain 7/1/00. Rachel will send you separate instructions on community aids. Naturally, you'll have to clean up my drafting and make it work. If you have questions, I'll be in the office some this weekend and my home phone is 238-4694.

1. Section 2: replace with the following:

In each fiscal year equal to 50% of the amount allocated under s. 301.26 (7)(k) for the 2 calendar years relating to that fiscal year

Create s. 20.410(3)(ce)

(ce) *Community youth and family aids; consumer price index adjustment.* A sum sufficient ~~to meet the requirements of the community youth and family aids allocation under 301.26(7)(k)~~ for the improvement and provision of juvenile delinquency-related services under s. 301.26 and for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services as provided in s. 938.06 (4). Disbursements may be made from this appropriation account under s. 301.085. Refunds received relating to payments made under s. 301.085 shall be credited to the appropriation account under par. (cd).

2. Section 3: relating to (3)(cf): delete the language on page 5, line 2, beginning with "Notwithstanding" through line 8.

3. Sections 36 and 37: delete both of these sections.

4. Add the following sections to the draft:

Amend 301.26(7)(a) (in hr.)

(a) For community youth and family aids under this section, amounts not to exceed \$42,091,800 for the last 6 months of 1999, \$85,183,700 for 2000 and \$43,091,900 for the first 6 months of 2001. Of those amounts, the department shall allocate \$1,000,000 for the last 6 months of 1999, \$3,000,000 for 2000 and \$2,000,000, plus any amount allocated under par. (k), for the first 6 months of 2001 to counties based on each of the following factors weighted equally:

Date: January 29, 2000
To: Gordon Malaise, LRB
From: Rachel Carabell, LFB
Re: LRB Drafts 4399/P2 and 4187/P3

The following are requested drafting changes to LRB 4399/P2 and the corresponding draft 4187/P3. I believe that Art has already sent you something on youth aids which contains similar changes. There are a number of goals we are trying to accomplish with these changes.

1. Tighten up the language on the sum sufficient appropriations by eliminating the department's ability to transfer funding between the fiscal years.
2. Clarify the reconciliation of calendar year calculations into a fiscal year appropriation. With these changes we would have a new statutory section which would provide the calendar year calculation which would be converted to a fiscal year amount in the appropriation language.
3. Clarify that the amounts in the sum sufficient appropriations would not be allocated as one of the categorical allocations by eliminating references to the new appropriations in the statutory language for these allocations.
4. Clarify that we don't want disallowances being paid out of a sum sufficient appropriation. There should be sufficient funding in (7) (b) to pay any disallowances required under MA.

Also, you will notice that I have included some language in the sum sufficient appropriation regarding how the calendar year amount should be calculated between the fiscal years. Art included similar language in the new s. 301.26 (7)(k). I am don't think it makes a difference where this language is included, the appropriation or the statutory allocation. But whichever you choose, please make sure it is consistent between youth aids and community aids.

1. **Replace Section 4 with this:** each FY equals 50% of the amount allocated under s. 46.40 (2g) for the 2 calendar years relating to that FY

Section 4. Create 20.435 (7)(ba)

20.435 (7) (ba) *Community Aids; consumer price index adjustment.* A sum sufficient ~~to meet the requirements for the allocation determined under s. 46.40 (2g)~~ for human services under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22 and for foster care and treatment foster care under s. 49.19 (10). ~~The amount appropriated in each fiscal year shall be 50% of the allocation amount determined under s. 46.40 (2g) for the two years relating to that fiscal year.~~ Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be credited to the appropriation under par. (b).

2. **Amend Section 5:**

Beginning on Page 6, line 20: Delete the words beginning with "Notwithstanding."

Delete Page 6, lines 21 through 25.

~~2.~~ **Create 46.40 (2g)**

)

in each year

46.40 (2g) In 2000, the amount allocated from the appropriation under s. 20.435 (7)(ba), is \$0. Beginning in 2001, subject to sub. (9), for social services under s. 46.495 (1)(d) and services under s. 51.423 (2), the department shall distribute an amount equal to \$286,330,700 multiplied by a percentage that is equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the 12-month period ending on June 30 of the previous fiscal year and the U.S. consumer price index for all urban consumers, U.S. city average, for the 12 month period ending on June 30, 1999, as determined by the federal department of labor, rounded to the nearest \$100.

~~4.~~ **Amend all statutory references to 46.40 (2) to also reference 46.40 (2g).**

~~3.~~ **Delete sections 23, 24 and 25.**

6. **Amend 46.45**

Amend 46.45 to specify that any funds carried forward under (3) and (6) from the appropriations under s. 20.435 (7)(ba) and (7)(bb) must be expended in the fiscal year in which they are appropriated. The department would be able to carry the funds forward into the next calendar year, but not the next fiscal year.

Hopefully the language I have included here works in achieving the goals identified above. If you have any questions, feel free to call me at home over the weekend. My home number is 271-0461.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-4187/4

JK/GMM/RPN/RCT:cjs&kmg:km

Now!
Chrvala

4
RMR

1999 BILL

1 **AN ACT to amend** 20.370 (6) (bu), 20.625 (1) (d), 20.835 (5) (a), 46.034 (3), 46.215
2 (2) (c) 1., 46.215 (2) (c) 3., 46.22 (1) (am), 46.22 (1) (e) 3. a., 46.22 (1) (e) 3. c., 46.27
3 (11) (c) 3., 46.283 (5), 46.284 (5) (a), 46.40 (1) (a), 46.40 (2), 46.40 (3), 46.495 (1)
4 (am), 46.495 (1) (d), 46.495 (1) (dc), 46.87 (2), 46.985 (7) (a), 49.45 (6m) (br) 1.,
5 51.423 (1), 51.423 (2), 51.423 (4), 51.423 (9), 79.01 (1), 79.03 (3c) (f), 79.03 (4),
6 79.058 (3) (c), 301.26 (3) (c), 301.26 (3) (e), 301.26 (3) (em), 301.26 (4) (a), 301.26
7 (6) (a), 301.26 (8), 758.19 (5) (b) (intro.) and 758.19 (5) (b) 1.; and **to create**
8 20.410 (3) (ce), 20.410 (3) (cf), 20.435 (7) (ba), 20.435 (7) (bb), 79.058 (3) (d) and
9 301.26 (7m) of the statutes; **relating to:** shared revenue payments to counties
10 and municipalities, circuit court support payments, financial assistance for

Regenerate

BILL

- 1 local recycling programs, community aids, youth aids and making an
2 appropriation.

Analysis by the Legislative Reference Bureau**LOCAL GOVERNMENT****SHARED REVENUE AND PROPERTY TAX CREDITS**

Under current law, the state administers a shared revenue program that distributes state tax revenues to counties and municipalities for the counties and municipalities to use at their discretion. Under this bill, the amounts of the shared revenue payments to counties and municipalities are annually adjusted to reflect changes in the consumer price index.

Under current law, the state makes payments to municipalities for services that the municipalities provide to certain state facilities that are located in the municipality and that are exempt from local property taxes. Under the bill, these payments are annually adjusted to reflect changes in the consumer price index.

COURTS AND PROCEDURE

Under current law, the director of state courts administers a program that provides payments to counties to support the operation of circuit courts. Under the bill, the amounts of those payments are annually adjusted to reflect changes in the consumer price index.

ENVIRONMENT**RECYCLING**

Under current law, the department of natural resources administers a program that provides grants to local governmental units that are responsible for solid waste management (responsible units) to pay a portion of the costs of operating recycling programs. This bill changes the amount of funding for the responsible unit recycling grant program each year to reflect changes in the consumer price index.

HEALTH AND HUMAN SERVICES**OTHER HEALTH AND HUMAN SERVICES**

Under current law, the department of health and family services distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services. This bill changes the amount of general purpose revenues that are appropriated for community aids in each fiscal year to reflect changes in the consumer price index and any loss of federal revenues for community aids since the previous fiscal year.

CORRECTIONAL SYSTEM**JUVENILE CORRECTIONAL SYSTEM**

Under current law, the department of corrections distributes general purpose revenues and federal revenues, as community, youth and family aids (commonly

BILL

referred to as “youth aids”), to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill changes the amount of general purpose revenues that are appropriated for youth aids in each fiscal year to reflect changes in the consumer price index and any loss of federal revenues for youth aids since the previous fiscal year.

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.** 20.370 (6) (bu) of the statutes, as created by 1999 Wisconsin Act 9,
2 is amended to read:

3 20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling
4 fund, ~~the amounts in the schedule a sum sufficient equal to \$24,500,000 in fiscal year~~
5 ~~1999-2000, and in fiscal year 2000-01 and each subsequent fiscal year a sum~~
6 ~~sufficient equal to the amount available under this paragraph in the previous fiscal~~
7 ~~year adjusted by a percentage that is equal to the percentage change between the~~
8 ~~U.S. consumer price index for all urban consumers, U.S. city average, for the~~
9 ~~12-month period ending on June 30 of the previous fiscal year and the U.S. consumer~~
10 ~~price index for all urban consumers, U.S. city average, for the 12-month period~~
11 ~~ending on June 30 of the fiscal year before the previous fiscal year, as determined by~~
12 ~~the federal department of labor, rounded to the nearest multiple of \$100, for grants~~
13 to responsible units under s. 287.23.

14 **SECTION 2.** 20.410 (3) (ce) of the statutes is created to read:

15 20.410 (3) (ce) *Community youth and family aids: consumer price index*
16 *adjustment.* A sum sufficient ~~in each fiscal year equal to \$82,734,500 multiplied by~~
17 ~~a percentage that is equal to the percentage change between the U.S. consumer price~~
18 ~~index for all urban consumers, U.S. city average, for the 12-month period ending on~~

BILL

Insert 4-3 ✓

SECTION 2

1 ~~June 30 of the previous fiscal year and the U.S. consumer price index for all urban~~
 2 ~~consumers, U.S. city average, for the 12-month period ending on June 30, 1990, as~~
 3 ~~determined by the federal department of labor, rounded to the nearest \$100, for the~~
 4 improvement and provision of juvenile delinquency-related services under s. 301.26
 5 and for reimbursement to counties having a population of less than 500,000 for the
 6 cost of court attached intake services as provided in s. 938.06 (4). Disbursements
 7 may be made from this appropriation account under s. 301.085. Refunds received
 8 relating to payments made under s. 301.085 shall be credited to the appropriation
 9 account under par. (cd). ~~Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the~~
 10 ~~department of corrections may transfer moneys under this paragraph between fiscal~~
 11 ~~years. Except for moneys authorized for transfer under s. 301.26 (3), all moneys from~~
 12 ~~this paragraph allocated under s. 301.26 (3) and not spent or encumbered by counties~~
 13 ~~by December 31 of each year shall lapse into the general fund on the succeeding~~
 14 ~~January 1. The joint committee on finance may transfer additional moneys to the~~
 15 ~~next calendar year.~~

16 **SECTION 3.** 20.410 (3) (cf) of the statutes is created to read:

17 20.410 (3) (cf) *Community youth and family aids; federal funding loss*
 18 *adjustment.* A sum sufficient in each fiscal year equal to the difference between
 19 \$2,449,200 and the sum of the moneys received from the federal government in the
 20 current fiscal year and transferred to the appropriation account under par. (ko), if
 21 that sum is less than \$2,449,200, rounded to the nearest \$100, for the improvement
 22 and provision of juvenile delinquency-related services under s. 301.26 and for
 23 reimbursement to counties having a population of less than 500,000 for the cost of
 24 court attached intake services as provided in s. 938.06 (4). Disbursements may be
 25 made from this appropriation account under s. 301.085. Refunds received relating

BILL

1 to payments made under s. 301.085 shall be credited to the appropriation account
2 under par. (cd). ~~Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department~~
3 ~~of corrections may transfer moneys under this paragraph between fiscal years.~~
4 ~~Except for moneys authorized for transfer under s. 301.26 (3), all moneys from this~~
5 ~~paragraph allocated under s. 301.26 (3) and not spent or encumbered by counties by~~
6 ~~December 31 of each year shall lapse into the general fund on the succeeding January~~
7 ~~1. The joint committee on finance may transfer additional moneys to the next~~
8 ~~calendar year.~~

Insert 5-16 ✓

9 **SECTION 4.** 20.435 (7) (ba) of the statutes is created to read:

10 20.435 (7) (ba) *Community aids; consumer price index adjustment.* A sum
11 sufficient in each fiscal year equal to ~~\$286,330,700~~ multiplied by a percentage that
12 ~~is equal to the percentage change between the U.S. consumer price index for all~~
13 ~~urban consumers, U.S. city average, for the 12-month period ending on June 30 of~~
14 ~~the previous fiscal year and the U.S. consumer price index for all urban consumers,~~
15 ~~U.S. city average, for the 12-month period ending on June 30, 1999, as determined~~
16 ~~by the federal department of labor, rounded to the nearest \$100) for human services~~
17 under s. 46.40, for services provided by resource centers under s. 46.283 (5), for
18 services under the family care benefit under s. 46.284 (5), for reimbursement to
19 counties having a population of less than 500,000 for the cost of court attached intake
20 services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22 and for foster
21 care and treatment foster care under s. 49.19 (10). Social services disbursements
22 under s. 46.03 (20) (b) may be made from this appropriation. Refunds received
23 relating to payments made under s. 46.03 (20) (b) for the provision of services for
24 which moneys are appropriated under this paragraph shall be credited to the
25 appropriation under par. (b). ~~Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the~~

BILL**SECTION 4**

1 ~~department of health and family services may transfer funds between fiscal years~~
2 ~~under this paragraph. Except for amounts authorized to be carried forward under~~
3 ~~s. 46.45, all funds allocated under s. 46.40 and not spent or encumbered by December~~
4 ~~31 of each year shall lapse to the general fund on the succeeding January 1 unless~~
5 ~~carried forward to the next calendar year by the joint committee on finance.~~

6 **SECTION 5.** 20.435 (7) (bb) of the statutes is created to read:

7 20.435 (7) (bb) *Community aids; federal funding loss adjustment.* A sum
8 sufficient in each fiscal year equal to the difference between \$105,351,400 and the
9 sum of the moneys received from the federal government in the current fiscal year
10 and transferred or credited to the appropriation accounts under pars. (kw) and (o)
11 and sub. (3) (o), if that sum is less than \$105,351,400, rounded to the nearest \$100,
12 for human services under s. 46.40, for services provided by resource centers under
13 s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for
14 reimbursement to counties having a population of less than 500,000 for the cost of
15 court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and
16 938.22 and for foster care and treatment foster care under s. 49.19 (10). Social
17 services disbursements under s. 46.03 (20) (b) may be made from this appropriation.
18 Refunds received relating to payments made under s. 46.03 (20) (b) for the provision
19 of services for which moneys are appropriated under this paragraph shall be credited
20 to the appropriation under par. (b). ~~Notwithstanding ss. 20.001 (3) (a) and 20.002,~~

21 ~~(1), the department of health and family services may transfer funds between fiscal~~
22 ~~years under this paragraph. Except for amounts authorized to be carried forward~~
23 ~~under s. 46.45, all funds allocated under s. 46.40 and not spent or encumbered by~~
24 ~~December 31 of each year shall lapse to the general fund on the succeeding January~~
25 ~~unless carried forward to the next calendar year by the joint committee on finance.~~

BILL

1 **SECTION 6.** 20.625 (1) (d) of the statutes is amended to read:

2 20.625 (1) (d) *Circuit court support payments.* ~~Biennially, the amounts in the~~
3 ~~schedule A sum sufficient to make a payment~~ payments to each county under s.
4 758.19 (5).

5 **SECTION 7.** 20.835 (5) (a) of the statutes is amended to read:

6 20.835 (5) (a) *Payments for municipal services.* ~~The amounts in the schedule~~
7 A sum sufficient equal to \$18,065,300 in fiscal year 1999-2000, \$21,565,300 in fiscal
8 year 2000-01, and in fiscal year 2001-02 and each subsequent fiscal year a sum
9 sufficient equal to the amount available under this paragraph in the previous fiscal
10 year, adjusted by a percentage that is equal to the percentage change between the
11 U.S. consumer price index for all urban consumers, U. S. city average, for the
12 12-month period ending on June 30 of the previous year and the U.S. consumer price
13 index for all urban consumers, U.S. city average, for the 12-month period ending on
14 June 30 of the year before the previous fiscal year, as determined by the federal
15 department of labor, rounded to the nearest multiple of \$100, to make payments for
16 municipal services provided by municipalities to state facilities, as determined
17 under s. 70.119 (7).

18 **SECTION 8.** 46.034 (3) of the statutes is amended to read:

19 46.034 (3) **With** the agreement of the affected county board of supervisors in
20 a county with a single-county department or boards of supervisors in counties with
21 a multicounty department, effective for the contract period beginning January 1,
22 1980, the department may approve a county with a single-county department or
23 counties participating in a multicounty department to administer a single
24 consolidated aid consisting of the state and federal financial aid available to that
25 county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b), (ba).

BILL**SECTION 8**

1 (bb), (kw) and (o) for services provided and purchased by county departments under
2 ss. 46.215, 46.22, 46.23, 51.42 and 51.437. Under such an agreement, in the interest
3 of improved service coordination and effectiveness, the county board of supervisors
4 in a county with a single-county department or county boards of supervisors in
5 counties with a multicounty department may reallocate among county departments
6 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 funds that otherwise would be
7 specified for use by a single county department. The budget under s. 46.031 (1) shall
8 be the vehicle for expressing the proposed use of the single consolidated fund by the
9 county board of supervisors in a county with a single-county department or county
10 boards of supervisors in counties with a multicounty department. Approval by the
11 department of this use of the fund shall be in the contract under s. 46.031 (2g).
12 Counties that were selected by the department to pilot test consolidated aids for
13 contract periods beginning January 1, 1978, may continue or terminate
14 consolidation with the agreement of the affected county board of supervisors in a
15 county with a single-county department or county boards of supervisors in counties
16 with a multicounty department.

17 **SECTION 9.** 46.215 (2) (c) 1. of the statutes, as affected by 1999 Wisconsin Act
18 9, is amended to read:

19 46.215 (2) (c) 1. A county department of social services shall develop, under the
20 requirements of s. 46.036, plans and contracts for care and services to be purchased,
21 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
22 of health and family services may review the contracts and approve them if they are
23 consistent with s. 46.036 and if state or federal funds are available for such purposes.
24 The joint committee on finance may require the department of health and family
25 services to submit the contracts to the committee for review and approval. The

BILL

1 department of health and family services may not make any payments to a county
2 for programs included in a contract under review by the committee. The department
3 of health and family services shall reimburse each county for the contracts from the
4 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o), as
5 appropriate, under s. 46.495.

6 **SECTION 10.** 46.215 (2) (c) 3. of the statutes is amended to read:

7 46.215 (2) (c) 3. A county department of social services shall develop, under the
8 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
9 care and services to be purchased. The department of corrections may review the
10 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
11 federal funds are available for such purposes. The joint committee on finance may
12 require the department of corrections to submit the contracts to the committee for
13 review and approval. The department of corrections may not make any payments
14 to a county for programs included in a contract under review by the committee. The
15 department of corrections shall reimburse each county for the contracts from the
16 appropriations under s. 20.410 (3) (cd), (ce), (cf) and (ko) as appropriate.

17 **SECTION 11.** 46.22 (1) (am) of the statutes is amended to read:

18 46.22 (1) (am) *Funding for multicounties.* State social services funding under
19 s. 20.435 (7) (b), (ba) and (bb) is not available to counties which establish a
20 multicounty department of social services until the counties have drafted a
21 contractual agreement, approved by the secretary, setting forth the plans for direct
22 sponsorship and have drafted a budget under par. (b) 1. d.

23 **SECTION 12.** 46.22 (1) (e) 3. a. of the statutes, as affected by 1999 Wisconsin Act
24 9, is amended to read:

BILL**SECTION 12**

1 46.22 (1) (e) 3. a. A county department of social services shall develop, under
2 the requirements of s. 46.036, plans and contracts for care and services, except under
3 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
4 family services may review the contracts and approve them if they are consistent
5 with s. 46.036 and to the extent that state or federal funds are available for such
6 purposes. The joint committee on finance may require the department of health and
7 family services to submit the contracts to the committee for review and approval.
8 The department of health and family services may not make any payments to a
9 county for programs included in the contract that is under review by the committee.
10 The department of health and family services shall reimburse each county for the
11 contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)
12 and (o) according to s. 46.495.

13 **SECTION 13.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

14 46.22 (1) (e) 3. c. A county department of social services shall develop, under
15 the requirements of s. 301.08 (2), plans and contracts for juvenile
16 delinquency-related care and services to be purchased. The department of
17 corrections may review the contracts and approve them if they are consistent with
18 s. 301.08 (2) and to the extent that state or federal funds are available for such
19 purposes. The joint committee on finance may require the department of corrections
20 to submit the contracts to the committee for review and approval. The department
21 of corrections may not make any payments to a county for programs included in the
22 contract that is under review by the committee. The department of corrections shall
23 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
24 (cd), (ce), (cf) and (ko) as appropriate.

BILL

1 **SECTION 14.** 46.27 (11) (c) 3. of the statutes, as affected by 1999 Wisconsin Act
2 9, is amended to read:

3 46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a
4 private nonprofit agency or an aging unit with which the department contracts
5 provides under this subsection shall be made from the appropriations under s. 20.435
6 (4) (o) and (7) (b), (ba), (bb) and (bd).

7 **SECTION 15.** 46.283 (5) of the statutes, as created by 1999 Wisconsin Act 9, is
8 amended to read:

9 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
10 (bm) and (pa) and (7) (b), (ba), (bb), (bd) and (md), the department may contract with
11 organizations that meet standards under sub. (3) for performance of the duties under
12 sub. (4) and shall distribute funds for services provided by resource centers.

13 **SECTION 16.** 46.284 (5) (a) of the statutes, as created by 1999 Wisconsin Act 9,
14 is amended to read:

15 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g) and
16 (o) and (7) (b), (ba), (bb) and (bd), the department shall provide funding on a capitated
17 payment basis for the provision of services under this section. Notwithstanding s.
18 46.036 (3) and (5m), a care management organization that is under contract with the
19 department may expend the funds, consistent with this section, including providing
20 payment, on a capitated basis, to providers of services under the family care benefit.

21 **SECTION 17.** 46.40 (1) (a) of the statutes, as affected by 1999 Wisconsin Act 9,
22 is amended to read:

23 46.40 (1) (a) Within the limits of available federal funds and of the
24 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o), the
25 department shall distribute funds for community social, mental health,

BILL

70
78

1 developmental disabilities and alcohol and other drug abuse services and for services
2 under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215,
3 46.22, 46.23, 51.42 and 51.437 and to county aging units, as provided in subs. (2),
4 (2m) and (7) to (9).

5 **SECTION 18.** 46.40 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
6 amended to read:

7 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
8 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
9 more than \$284,978,800 for fiscal year 1999-2000 and \$285,511,800 for fiscal year
10 2000-01. In addition to distributing the amounts specified in this subsection, the
11 department shall also distribute in each fiscal year, subject to sub. (9), the amounts
12 appropriated under s. 20.435 (7) (a) and (bb) for social services under s. 46.495 (1)
13 (d) and services under s. 51.423 (2).

Insert
12-13

amount

14 **SECTION 19.** 46.40 (3) of the statutes is amended to read:

15 46.40 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the
16 department shall distribute not more than \$412,800 in each fiscal year from the
17 appropriation ~~account~~ accounts under s. 20.435 (7) (b), (ba) and (bb) to federally
18 recognized American Indian tribes or bands. A tribe or band that receives funding
19 under this subsection shall use that funding to provide child care for an eligible child,
20 as defined in 42 USC 9858n (4).

Insert
12-20

21 **SECTION 20.** 46.495 (1) (am) of the statutes is amended to read:

22 46.495 (1) (am) The department shall reimburse each county from the
23 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o) for social
24 services as approved by the department under ss. 46.215 (1), (2) (c) 1. and (3) and

BILL

1 46.22 (1) (b) 1. d. and (e) 3. a. except that no reimbursement may be made for the
2 administration of or aid granted under s. 49.02.

3 **SECTION 21.** 46.495 (1) (d) of the statutes, as affected by 1999 Wisconsin Act 9,
4 is amended to read:

5 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba),
6 (bb), (kw) and (o), the department shall distribute the funding for social services,
7 including funding for foster care or treatment foster care of a child on whose behalf
8 aid is received under s. 46.261, to county departments under ss. 46.215, 46.22 and
9 46.23 as provided under s. 46.40. County matching funds are required for the
10 distributions under s. 46.40 (2), (8) and (9) (b). Each county's required match for the
11 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the
12 county's distributions under s. 46.40 (2) and (8) for that year for which matching
13 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
14 stats., to spend for juvenile delinquency-related services from its distribution for
15 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
16 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
17 that year. Matching funds may be from county tax levies, federal and state revenue
18 sharing funds or private donations to the county that meet the requirements
19 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
20 match. If the county match is less than the amount required to generate the full
21 amount of state and federal funds distributed for this period, the decrease in the
22 amount of state and federal funds equals the difference between the required and the
23 actual amount of county matching funds.

24 **SECTION 22.** 46.495 (1) (dc) of the statutes is amended to read:

BILL**SECTION 22**

1 46.495 (1) (dc) The department shall prorate the amount allocated to any
2 county department under s. 46.215 or 46.22 under par. (d) to reflect actual federal
3 funds available and the amount from the appropriation under s. 20.435 (7) (bb)
4 available.

5 ~~**SECTION 23.** 46.87 (2) of the statutes is amended to read:~~

6 ~~46.87 (2) From the appropriations under s. 20.435 (7) (b), (ba), (bb), (kw) and
7 (o), the department shall allocate funds to agencies designated under sub. (3) (c), to
8 be used for the administration and implementation of an Alzheimer's family and
9 caregiver support program for persons with Alzheimer's disease and their
10 caregivers.~~

11 ~~**SECTION 24.** 46.985 (7) (a) of the statutes is amended to read:~~

12 ~~46.985 (7) (a) From the appropriations under s. 20.435 (7) (b), (ba), (bb), (kw)
13 and (o), the department shall allocate to county departments funds for the
14 administration and implementation of the program.~~

15 ~~**SECTION 25.** 49.45 (6m) (br) 1. of the statutes, as affected by 1999 Wisconsin
16 Act 9, is amended to read:~~

17 ~~49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), (ce) or (cf), 20.435 (4) (bt)
18 or (7) (b), (ba) or (bb) or 20.445 (3) (dz), the department shall reduce allocations of
19 funds to counties in the amount of the disallowance from the appropriation account
20 under s. 20.435 (4) (bt) or (7) (b), (ba) or (bb), or the department shall direct the
21 department of workforce development to reduce allocations of funds to counties or
22 Wisconsin works agencies in the amount of the disallowance from the appropriation
23 account under s. 20.445 (3) (dz) or direct the department of corrections to reduce
24 allocations of funds to counties in the amount of the disallowance from the~~

BILL

1 appropriation account under s. 20.410(3) (cd), (ce) or (cf), in accordance with s. 16.544
2 to the extent applicable.

3 **SECTION 26.** 51.423 (1) of the statutes is amended to read:

4 51.423 (1) The department shall fund, within the limits of the department's
5 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)
6 and (o) and subject to this section, services for mental illness, developmental
7 disability, alcoholism and drug abuse to meet standards of service quality and
8 accessibility. The department's primary responsibility is to guarantee that county
9 departments established under either s. 51.42 or 51.437 receive a reasonably
10 uniform minimum level of funding and its secondary responsibility is to fund
11 programs which meet exceptional community needs or provide specialized or
12 innovative services. Moneys appropriated under s. 20.435 (7) (b), (ba) and (bb) and
13 earmarked by the department for mental health services under s. 20.435 (7) (o) shall
14 be allocated by the department to county departments under s. 51.42 or 51.437 in the
15 manner set forth in this section.

16 **SECTION 27.** 51.423 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
17 amended to read:

18 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb),
19 (kw) and (o), the department shall distribute the funding for services provided or
20 purchased by county departments under s. 46.23, 51.42 or 51.437 to such county
21 departments as provided under s. 46.40. County matching funds are required for the
22 distributions under s. 46.40 (2) and (9) (b). Each county's required match for the
23 distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's
24 distributions under s. 46.40 (2) for that year for which matching funds are required
25 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for

29

(2g)

and (2g) (use two)

BILL**SECTION 27**

1 juvenile delinquency-related services from its distribution for 1987. Each county's
2 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
3 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching
4 funds may be from county tax levies, federal and state revenue sharing funds or
5 private donations to the counties that meet the requirements specified in sub. (5).
6 Private donations may not exceed 25% of the total county match. If the county match
7 is less than the amount required to generate the full amount of state and federal
8 funds distributed for this period, the decrease in the amount of state and federal
9 funds equals the difference between the required and the actual amount of county
10 matching funds.

11 **SECTION 28.** 51.423 (4) of the statutes is amended to read:

12 51.423 (4) The department shall prorate the amount allocated to any county
13 department under sub. (2) to reflect actual federal funds available and the amount
14 from the appropriation under s. 20.435 (7) (bb) available.

15 **SECTION 29.** 51.423 (9) of the statutes is amended to read:

16 51.423 (9) If the funds appropriated under s. 20.435 (7) (b), (ba) and (bb) for any
17 fiscal year are insufficient to provide county departments with the sums calculated
18 under subs. (1) to (7), the appropriation shall be allocated among county departments
19 in proportion to the sums they would receive under subs. (1) to (7).

20 **SECTION 30.** 79.01 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
21 amended to read:

22 79.01 (1) There is established an account in the general fund entitled the
23 "Expenditure Restraint Program Account". There shall be appropriated to that
24 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994, \$48,000,000
25 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in the year 2000

BILL

1 and in each year thereafter. Beginning in 2001, the amount appropriated under this
2 subsection is equal to the amount appropriated under this subsection in the previous
3 year, adjusted by a percentage that is equal to the percentage change between the
4 U.S. consumer price index for all urban consumers, U.S. city average, for the
5 12-month period ending on June 30 of the previous year and the U.S. consumer price
6 index for all urban consumers, U.S. city average, for the 12-month period ending on
7 June 30 of the year before the previous year, as determined by the federal
8 department of labor. Beginning in 2001, the amount appropriated under this
9 subsection shall be rounded to the nearest multiple of \$100. ✓

10 **SECTION 31.** 79.03 (3c) (f) of the statutes, as affected by 1999 Wisconsin Act 9,
11 is amended to read:

12 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
13 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
14 paid to each eligible municipality shall be paid on a prorated basis. The total amount
15 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
16 in 1996 and ending in 1999 and \$11,000,000 in the year 2000 and in each year
17 thereafter. ✓ Beginning in 2001, the amount to be distributed under this subsection
18 from s. 20.835 (1) (b) is equal to the amount distributed under this subsection in the
19 previous year, adjusted by a percentage that is equal to the percentage change
20 between the U.S. consumer price index for all urban consumers, U.S. city average,
21 for the 12-month period ending on June 30 of the previous year and the U.S.
22 consumer price index for all urban consumers, U.S. city average, for the 12-month
23 period ending on June 30 of the year before the previous year, as determined by the
24 federal department of labor. Beginning in 2001, the amount to be distributed under
25 this subsection from s. 20.835 (1) (b) shall be rounded to the nearest multiple of \$100. ✓

BILL**SECTION 32**

1 **SECTION 32.** 79.03 (4) of the statutes is amended to read:

2 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and
3 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
4 distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
5 In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.
6 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
7 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
8 municipalities and \$168,981,800 to counties. In 1995 and subsequent years, the
9 total amounts to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1)
10 (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. Beginning in
11 2001, the amounts to be distributed to municipalities and counties under ss. 79.03,
12 79.04 and 79.06 from s. 20.835 (1) (d) are equal to the amounts distributed to
13 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) in
14 the previous year, adjusted by a percentage that is equal to the percentage change
15 between the U.S. consumer price index for all urban consumers, U.S. city average,
16 for the 12-month period ending on June 30 of the previous year and the U.S.
17 consumer price index for all urban consumers, U.S. city average, for the 12-month
18 period ending on June 30 of the year before the previous year, as determined by the
19 federal department of labor. Beginning in 2001, the amounts to be distributed to
20 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d)
21 shall be rounded to the nearest multiple of \$100.

22 **SECTION 33.** 79.058 (3) (c) of the statutes, as created by 1999 Wisconsin Act 9,
23 is amended to read:

24 79.058 (3) (c) In the year 2000 ~~and subsequent years,~~ \$20,763,800.

25 **SECTION 34.** 79.058 (3) (d) of the statutes is created to read:

BILL

1 79.058 (3) (d) In 2001 and subsequent years, an amount that is equal to the
2 amount distributed under sub. (1) from s. 20.835 (1) (f) in the previous year, adjusted
3 by a percentage that is equal to the percentage change between the U.S. consumer
4 price index for all urban consumers, U.S. city average, for the 12-month period
5 ending on June 30 of the previous year and the U.S. consumer price index for all
6 urban consumers, U.S. city average, for the 12-month period ending on June 30 of
7 the year before the previous year, as determined by the federal department of labor.
8 Beginning in 2001, the amount to be distributed under sub. (1) from s. 20.835 (1) (f)
9 shall be rounded to the nearest multiple of \$100.

10 **SECTION 35.** 301.26 (3) (c) of the statutes is amended to read:

11 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd),
12 ~~(ce), (cf)~~ and (ko), the department shall allocate funds to each county for services
13 under this section.

14 ~~**SECTION 36.** 301.26 (3) (e) of the statutes is amended to read:~~

15 ~~301.26 (3) (e) The department may carry forward \$500,000 or 10% of its funds
16 allocated under this subsection and not encumbered or carried forward under par.
17 (dm) by counties by December 31, whichever is greater, to the next 2 calendar years.
18 The department may transfer moneys from or within s. 20.410 (3) (cd), ~~(ce) or (cf)~~ to
19 accomplish this purpose. The department may allocate these transferred moneys to
20 counties with persistently high rates of juvenile arrests for serious offenses during
21 the next 2 calendar years to improve community-based juvenile
22 delinquency-related services. The allocation does not affect a county's base
23 allocation.~~

24 ~~**SECTION 37.** 301.26 (3) (em) of the statutes is amended to read:~~

BILL**SECTION 37**

1 301.26 (3) (em) The department may carry forward any emergency funds
2 allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm)
3 by December 31 to the next 2 calendar years. The department may transfer moneys
4 from or within s. 20.410 (3) (cd), ~~(ce) or (cf)~~ to accomplish this purpose. The
5 department may allocate these transferred moneys to counties that are eligible for
6 emergency payments under sub. (7) (e). ~~The allocation does not affect a county's base~~
7 ~~allocation.~~

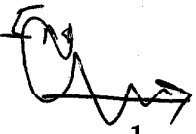
8 **SECTION 38.** 301.26 (4) (a) of the statutes is amended to read:

9 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
10 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd),
11 ~~(ce), (cf) and (ko)~~ for the costs of care, services and supplies purchased or provided
12 by the department of corrections for each person receiving services under s. 48.366,
13 938.183 or 938.34 or the department of health and family services for each person
14 receiving services under s. 46.057 or 51.35 (3). The department of corrections may
15 not bill a county for or deduct from a county's allocation the cost of care, services and
16 supplies provided to a person subject to an order under s. 48.366 or 938.183 after the
17 person reaches 18 years of age. Payment shall be due within 60 days after the billing
18 date. If any payment has not been received within 60 days, the department of
19 corrections may withhold aid payments in the amount due from the ~~appropriation~~
20 ~~allocations~~ under s. 20.410 (3) (cd), ~~(ce), (cf) and (ko)~~.

21 **SECTION 39.** 301.26 (6) (a) of the statutes is amended to read:

22 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
23 legislature in allocating funding, excluding funding for base allocations, from the
24 appropriations under s. 20.410 (3) (cd), ~~(ce), (cf) and (ko)~~ for purposes described in
25 this section.

Insert
20-25



BILL

1

SECTION 40. 301.26 (7m) of the statutes is created to read:

2

301.26 (7m) ALLOCATION OF ~~CONSUMER PRICE INDEX AND~~ FEDERAL FUNDING LOSS

3

FUNDS. In addition to the amounts allocated under sub. (7) (a), the department shall

4

allocate in each fiscal year the amount ^(Amount) appropriated under s. 20.410 (3) ~~(c)~~ and (cf)

5

for community youth and family aids under this section.

6

SECTION 41. 301.26 (8) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

7

^{(and (k))} ✓

8

301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the

9

allocations specified in sub. ~~subs.~~ (7) (a) ^{(and (7m))}, the department shall allocate

10

\$666,700 in the last 6 months of 1999, \$1,333,400 in 2000 and \$666,700 in the first

11

6 months of 2001 for alcohol and other drug abuse treatment programs.

12

SECTION 42. 758.19 (5) (b) (intro.) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

13

14

758.19 (5) (b) (intro.) Beginning in 2001, the amount to be distributed each year

15

under this subsection from s. 20.625 (1) (d) is equal to the amount distributed under

16

this subsection in the previous year, adjusted by a percentage that is equal to the

17

percentage change between the U.S. consumer price index for all urban consumers,

18

U.S. city average, for the 12-month period ending on June 30 of the previous year

19

and the U.S. consumer price index for all urban consumers, U.S. city average, for the

20

12-month period ending on June 30 of the year before the previous year, as

21

determined by the federal department of labor. Beginning in 2001, the amount to be

22

distributed under this subsection from s. 20.625 (1) (d) shall be rounded to the

23

nearest multiple of \$100. From the appropriation under s. 20.625 (1) (d), the director

24

of state courts shall make payments to counties totaling ~~\$9,369,800~~ within 30 days

25

after ~~October 29, 1999~~, and on every July 1 and January 1 thereafter, which the equal

BILL

SECTION 42

1 to 50% of the yearly amount on January 1 and 50% of that amount on July 1. The
2 director of state courts shall distribute payments as follows:

3 **SECTION 43.** 758.19 (5) (b) 1. of the statutes, as affected by 1999 Wisconsin Act
4 9, is amended to read:

5 758.19 (5) (b) 1. For each circuit court branch in the county, \$42,275 in 2000.
6 Beginning with the payment made on January 1, 2001, the annual amount paid for
7 each circuit court branch shall equal the amount paid in the previous year under this
8 subdivision plus the increase calculated under par. (b) (intro.), divided by the number
9 of circuit court branches at the time that the payment is made.

10 **SECTION 9311. Initial applicability; corrections.**

(7)(a) (intro.) and (k)

11 (1) YOUTH AIDS. The treatment of sections 20.410 (3) (ce) and (cf), 46.215 (2) (c)
12 3., 46.22 (1) (e) 3. c., 49.45 (6m) (br) 1. (with respect to the appropriation accounts
13 under section 20.410 (3) (ce) and (cf) of the statutes, as created by this act) and 301.26
14 (3) (c), ~~stand (3m)~~, (4) (a), (6) (a), ~~(7m)~~ and (8) of the statutes first applies to payments
15 made by the department of corrections on January 1, 2001.

16 **SECTION 9323. Initial applicability; health and family services.**

17 (1) COMMUNITY AIDS. ~~(k)~~ The treatment of sections 20.435 (7) (ba) and (bb), 46.034
18 (3), 46.215 (2) (c) 1., 46.22 (1) (am) and (e) 3. a., 46.27 (11) (c) 3., 46.283 (5), 46.284
19 (5) (a), 46.40 (1) (a), (2) ~~and (3)~~, 46.495 (1) (am), (d) and (dc), ~~46.987 (2), 46.988 (7) (a),~~
20 ~~49.45 (6m) (br) 1.~~ (with respect to the appropriation accounts under section 20.435
21 ~~(7) (ba) and (bb)~~ of the statutes, as created by this act) and 51.423 (1), (2), (4) and (9)
22 of the statutes first applies to payments made by the department of health and family
23 services on January 1, 2001.

24 **SECTION 9400. Effective dates; general.** Except as provided in SECTIONS

25 9401 to 9458 of this act, this act takes effect on the day after publication.

~~(k)~~ The repeal and recreation of section 46.45 (2)(a) of the statutes first applies to payments made by the department of health and family services on July 1, 2001

and the amendment of section 46.45 (2)(a) of the statutes first apply

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4187/4
GMM.....

(INSERT 4-3) ✓

No 9 in each fiscal year equal to 50% of the amounts allocated under s. 301.26 (7) (k) ✓
for the 2 calendar years relating to that fiscal year

(END OF INSERT)

(INSERT 5-16) ✓

No 9 50% of the amounts allocated under s. 46.40 (2g) for the 2 calendar years ✓
relating to that fiscal year

(END OF INSERT)

(INSERT 12-13) ✓

SECTION 1. 46.40 (2g) of the statutes is created to read:

46.40 (2g) BASIC COUNTY ALLOCATION; CONSUMER PRICE INDEX ADJUSTMENT. In
2000, subject to sub. (9), for social services under s. 46.495 (1) (d) and 51.423 (2), the
department shall allocate \$0 from the appropriation under s. 20.435 (7) (ba).
Beginning in 2001, subject to sub. (9), for social services under s. 46.495 (1) (d) and
51.423 (2), the department shall allocate from the appropriation under s. 20.435 (7)
(ba) in each year an amount equal to \$286,330,700 multiplied by a percentage that
is equal to the percentage change between the U.S. consumer price index for all
urban consumers, U.S. city average, for the 12-month period ending on June 30 of
the previous year and the U.S. consumer price index for all urban consumers, U.S.
city average, for the 12-month period ending on June 30, 1999, as determined by the
federal department of labor, rounded to the nearest multiple of \$100.

(END OF INSERT)

(INSERT 12-20) ✓

Services under s.

SECTION 2. 46.40 (7m) of the statutes is amended to read:

46.40 (7m) USE BY COUNTY OF COMMUNITY AIDS FUNDS TO PAY PRIVATE ATTORNEYS FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE. Upon application by a county department under s. 46.215, 46.22 or 46.23 to the department for permission to use funds allocated to that county department under sub. subs. (2) and (2g) to employ private counsel for the purposes specified in this subsection and a determination by the department that use of funds for those purposes does not affect any federal grants or federal funding allocated under this section, the department and the county department shall execute a contract authorizing the county department to expend, as agreed upon in the contract, funds allocated to that county department under sub. (2) to permit the county department to employ private counsel to represent the interests of the state or county in proceedings under ch. 48 relating to child abuse or neglect cases, unborn child abuse cases, proceedings to terminate parental rights and any ch. 48 cases or proceedings involving the Indian child welfare act, 25 USC 1901 to 1963.

1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292; 1999 a. 9.

SECTION 3. 46.45 (2) (a) of the statutes is amended to read:

46.45 (2) (a) If on December 31 of any year there remains unspent or unencumbered in the ~~allocation~~ allocations under s. 46.40 (2) and (2g) an amount that exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) and (2g) in that year, the department shall carry forward the excess moneys and distribute not less than 50% of the excess moneys to counties having a population of less than 500,000 for services and projects to assist children and families, notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not less than 50% of the moneys distributed to the county under this subsection for

services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services.

2001

NOTE: NOTE: Par. (a) is amended eff. 7-1-01 by 1999 Wis. Act 9 to read: NOTE:

SECTION 4. 46.45 (2) (a) of the statutes, as affected by 1999 Wisconsin Acts 9

and ~~and~~ (this act), is repealed and recreated to read:

46.45 (2) (a) If on December 31 of any year there remains unspent or unencumbered in the allocations under s. 46.40 (2) and (2g) an amount that exceeds the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) and (2g) in that year, the department shall carry forward the excess moneys and distribute not less than 50% of the excess moneys to counties having a population of less than 500,000 that are making a good faith effort, as determined by the department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist children and families, notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not less than 50% of the moneys distributed to the county under this subsection for services for children who are at risk of abuse or neglect to prevent the need for child abuse and neglect intervention services. If a county does not comply with s. 46.22 (1) (c) 8. f. before July 1, 2005, the department may recover any amounts distributed to that county under this paragraph after June 30, 2001, by billing the county or deducting from that county's allocation under s. 46.40 (2).

W.P.
7/1 X

1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 39, 269; 1993 a. 16; 1995 a. 27, 404; 1997 a. 27; 1999 a. 9.

SECTION 5. 46.45 (3) (a) of the statutes is amended to read:

46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal governing body or private nonprofit organization, the department shall carry forward up to 3% of the total amount allocated to the county, tribal governing body or nonprofit organization for a calendar year. All funds carried forward for a tribal governing body or nonprofit organization, all federal child welfare funds under 42 USC 620 to 626 and all funds allocated under s. 46.40 (2m) carried forward for a county shall be used for the purpose for which the funds were originally allocated. Except as provided under par. (am), other funds carried forward may be used for any purpose under s. 20.435 (7) (b). All funds allocated under s. 46.40 (2g) carried forward for a county under this subsection shall be expended by the county in the state fiscal year in which those funds were appropriated.

that are

1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 39, 269; 1993 a. 16; 1995 a. 27, 404; 1997 a. 27; 1999 a. 9.

SECTION 6. 46.45 (6) of the statutes is amended to read:

- 4 -
the above

46.45 (6) The department may carry forward 10% of any funds not carried forward under sub. (3) for emergencies, for justifiable unit services costs above planned levels and to provide compensation for increased costs due to population shifts. All funds allocated under s. 46.40 (2g), carried forward for a county under this subsection shall be expended by the county in the state fiscal year in which those funds were appropriated.

1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 39, 269; 1993 a. 16; 1995 a. 27, 404; 1997 a. 27; 1999 a. 9.
(END OF INSERT)

(INSERT 20-25)

SECTION 7. 301.26 (7) (a) (intro.) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

301.26 (7) (a) (intro.) For community youth and family aids under this section, amounts not to exceed \$42,091,800 for the last 6 months of 1999, \$85,183,700 for 2000 and \$43,091,900 for the first 6 months of 2001. Of those amounts, the department shall allocate \$1,000,000 for the last 6 months of 1999, \$3,000,000 for 2000 and \$2,000,000, plus 50% of the amount allocated for 2001 under par. (k), for the first 6 months of 2001 to counties based on each of the following factors weighted equally:

1995 a. 27 ss. 6363p, 9126 (19); 1995 a. 77, 352, 416, 417; 1997 a. 27, 35, 237, 252; 1999 a. 9.
SECTION 8. 301.26 (7) (k) of the statutes is created to read:

301.26 (7) (k) In 2000, for community youth and family aids, the department shall allocate \$0 from the appropriation under s. 20.410 (3) (ce). Beginning in 2001, for community youth and family aids, the department shall allocate from the appropriation under s. 20.410 (3) (ce) in each year an amount equal to \$82,734,500 multiplied by a percentage that is equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the 12-month

period ending on June 30 of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the 12-month period ending on June 30, 1999, as determined by the federal department of labor, rounded to the nearest multiple of \$100.

(END OF INSERT)

Barman, Mike

From: Barman, Mike
Sent: Monday, January 31, 2000 2:40 PM
To: Burnett, Douglas; Olin, Rick
Subject: LRB 99-4187/4



99-4187/4

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-4187/4
JK/GMM/RPN/RCT:cjs&kmg:ch

1999 BILL

1 **AN ACT to amend** 20.370 (6) (bu), 20.625 (1) (d), 20.835 (5) (a), 46.034 (3), 46.215
2 (2) (c) 1., 46.215 (2) (c) 3., 46.22 (1) (am), 46.22 (1) (e) 3. a., 46.22 (1) (e) 3. c., 46.27
3 (11) (c) 3., 46.283 (5), 46.284 (5) (a), 46.40 (1) (a), 46.40 (2), 46.40 (3), 46.40 (7m),
4 46.45 (2) (a), 46.45 (3) (a), 46.45 (6), 46.495 (1) (am), 46.495 (1) (d), 46.495 (1)
5 (dc), 51.423 (1), 51.423 (2), 51.423 (4), 51.423 (9), 79.01 (1), 79.03 (3c) (f), 79.03
6 (4), 79.058 (3) (c), 301.26 (3) (c), 301.26 (4) (a), 301.26 (6) (a), 301.26 (7) (a)
7 (intro.), 301.26 (8), 758.19 (5) (b) (intro.) and 758.19 (5) (b) 1.; **to repeal and**
8 **recreate** 46.45 (2) (a); and **to create** 20.410 (3) (ce), 20.410 (3) (cf), 20.435 (7)
9 (ba), 20.435 (7) (bb), 46.40 (2g), 79.058 (3) (d), 301.26 (7) (k) and 301.26 (7m) of
10 the statutes; **relating to:** shared revenue payments to counties and

BILL

- 1 municipalities, circuit court support payments, financial assistance for local
2 recycling programs, community aids, youth aids and making an appropriation.

Analysis by the Legislative Reference Bureau**LOCAL GOVERNMENT****SHARED REVENUE AND PROPERTY TAX CREDITS**

Under current law, the state administers a shared revenue program that distributes state tax revenues to counties and municipalities for the counties and municipalities to use at their discretion. Under this bill, the amounts of the shared revenue payments to counties and municipalities are annually adjusted to reflect changes in the consumer price index.

Under current law, the state makes payments to municipalities for services that the municipalities provide to certain state facilities that are located in the municipality and that are exempt from local property taxes. Under the bill, these payments are annually adjusted to reflect changes in the consumer price index.

COURTS AND PROCEDURE

Under current law, the director of state courts administers a program that provides payments to counties to support the operation of circuit courts. Under the bill, the amounts of those payments are annually adjusted to reflect changes in the consumer price index.

ENVIRONMENT**RECYCLING**

Under current law, the department of natural resources administers a program that provides grants to local governmental units that are responsible for solid waste management (responsible units) to pay a portion of the costs of operating recycling programs. This bill changes the amount of funding for the responsible unit recycling grant program each year to reflect changes in the consumer price index.

HEALTH AND HUMAN SERVICES**OTHER HEALTH AND HUMAN SERVICES**

Under current law, the department of health and family services distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services. This bill changes the amount of general purpose revenues that are appropriated for community aids in each fiscal year to reflect changes in the consumer price index and any loss of federal revenues for community aids since the previous fiscal year.

CORRECTIONAL SYSTEM**JUVENILE CORRECTIONAL SYSTEM**

Under current law, the department of corrections distributes general purpose revenues and federal revenues, as community, youth and family aids (commonly

BILL

referred to as “youth aids”), to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill changes the amount of general purpose revenues that are appropriated for youth aids in each fiscal year to reflect changes in the consumer price index and any loss of federal revenues for youth aids since the previous fiscal year.

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.** 20.370 (6) (bu) of the statutes, as created by 1999 Wisconsin Act 9,
2 is amended to read:

3 20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling
4 fund, ~~the amounts in the schedule a sum sufficient equal to \$24,500,000 in fiscal year~~
5 1999-2000, and in fiscal year 2000-01 and each subsequent fiscal year a sum
6 sufficient equal to the amount available under this paragraph in the previous fiscal
7 year adjusted by a percentage that is equal to the percentage change between the
8 U.S. consumer price index for all urban consumers, U.S. city average, for the
9 12-month period ending on June 30 of the previous fiscal year and the U.S. consumer
10 price index for all urban consumers, U.S. city average, for the 12-month period
11 ending on June 30 of the fiscal year before the previous fiscal year, as determined by
12 the federal department of labor, rounded to the nearest multiple of \$100, for grants
13 to responsible units under s. 287.23.

14 **SECTION 2.** 20.410 (3) (ce) of the statutes is created to read:

15 20.410 (3) (ce) *Community youth and family aids; consumer price index*
16 *adjustment.* A sum sufficient in each fiscal year equal to 50% of the amounts
17 allocated under s. 301.26 (7) (k) for the 2 calendar years relating to that fiscal year
18 for the improvement and provision of juvenile delinquency-related services under

BILL

1 s. 301.26 and for reimbursement to counties having a population of less than 500,000
2 for the cost of court attached intake services as provided in s. 938.06 (4).
3 Disbursements may be made from this appropriation account under s. 301.085.
4 Refunds received relating to payments made under s. 301.085 shall be credited to the
5 appropriation account under par. (cd).

6 **SECTION 3.** 20.410 (3) (cf) of the statutes is created to read:

7 20.410 (3) (cf) *Community youth and family aids; federal funding loss*
8 *adjustment.* A sum sufficient in each fiscal year equal to the difference between
9 \$2,449,200 and the sum of the moneys received from the federal government in the
10 current fiscal year and transferred to the appropriation account under par. (ko), if
11 that sum is less than \$2,449,200, rounded to the nearest \$100, for the improvement
12 and provision of juvenile delinquency-related services under s. 301.26 and for
13 reimbursement to counties having a population of less than 500,000 for the cost of
14 court attached intake services as provided in s. 938.06 (4). Disbursements may be
15 made from this appropriation account under s. 301.085. Refunds received relating
16 to payments made under s. 301.085 shall be credited to the appropriation account
17 under par. (cd).

18 **SECTION 4.** 20.435 (7) (ba) of the statutes is created to read:

19 20.435 (7) (ba) *Community aids; consumer price index adjustment.* A sum
20 sufficient in each fiscal year equal to 50% of the amounts allocated under s. 46.40 (2g)
21 for the 2 calendar years relating to that fiscal year for human services under s. 46.40,
22 for services provided by resource centers under s. 46.283 (5), for services under the
23 family care benefit under s. 46.284 (5), for reimbursement to counties having a
24 population of less than 500,000 for the cost of court attached intake services under
25 s. 48.06 (4), for shelter care under ss. 48.58 and 938.22 and for foster care and

BILL

1 treatment foster care under s. 49.19 (10). Social services disbursements under s.
2 46.03 (20) (b) may be made from this appropriation. Refunds received relating to
3 payments made under s. 46.03 (20) (b) for the provision of services for which moneys
4 are appropriated under this paragraph shall be credited to the appropriation under
5 par. (b).

6 **SECTION 5.** 20.435 (7) (bb) of the statutes is created to read:

7 20.435 (7) (bb) *Community aids; federal funding loss adjustment.* A sum
8 sufficient in each fiscal year equal to the difference between \$105,351,400 and the
9 sum of the moneys received from the federal government in the current fiscal year
10 and transferred or credited to the appropriation accounts under pars. (kw) and (o)
11 and sub. (3) (o), if that sum is less than \$105,351,400, rounded to the nearest \$100,
12 for human services under s. 46.40, for services provided by resource centers under
13 s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for
14 reimbursement to counties having a population of less than 500,000 for the cost of
15 court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and
16 938.22 and for foster care and treatment foster care under s. 49.19 (10). Social
17 services disbursements under s. 46.03 (20) (b) may be made from this appropriation.
18 Refunds received relating to payments made under s. 46.03 (20) (b) for the provision
19 of services for which moneys are appropriated under this paragraph shall be credited
20 to the appropriation under par. (b).

21 **SECTION 6.** 20.625 (1) (d) of the statutes is amended to read:

22 20.625 (1) (d) *Circuit court support payments.* ~~Biennially, the amounts in the~~
23 ~~schedule A sum sufficient to make a payment~~ payments to each county under s.
24 758.19 (5).

25 **SECTION 7.** 20.835 (5) (a) of the statutes is amended to read:

BILL**SECTION 7**

1 20.835 (5) (a) *Payments for municipal services.* ~~The amounts in the schedule~~
2 A sum sufficient equal to \$18,065,300 in fiscal year 1999–2000, \$21,565,300 in fiscal
3 year 2000–01, and in fiscal year 2001–02 and each subsequent fiscal year a sum
4 sufficient equal to the amount available under this paragraph in the previous fiscal
5 year, adjusted by a percentage that is equal to the percentage change between the
6 U.S. consumer price index for all urban consumers, U. S. city average, for the
7 12–month period ending on June 30 of the previous year and the U.S. consumer price
8 index for all urban consumers, U.S. city average, for the 12–month period ending on
9 June 30 of the year before the previous fiscal year, as determined by the federal
10 department of labor, rounded to the nearest multiple of \$100, to make payments for
11 municipal services provided by municipalities to state facilities, as determined
12 under s. 70.119 (7).

13 **SECTION 8.** 46.034 (3) of the statutes is amended to read:

14 46.034 (3) With the agreement of the affected county board of supervisors in
15 a county with a single–county department or boards of supervisors in counties with
16 a multicounty department, effective for the contract period beginning January 1,
17 1980, the department may approve a county with a single–county department or
18 counties participating in a multicounty department to administer a single
19 consolidated aid consisting of the state and federal financial aid available to that
20 county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b), (ba),
21 (bb), (kw) and (o) for services provided and purchased by county departments under
22 ss. 46.215, 46.22, 46.23, 51.42 and 51.437. Under such an agreement, in the interest
23 of improved service coordination and effectiveness, the county board of supervisors
24 in a county with a single–county department or county boards of supervisors in
25 counties with a multicounty department may reallocate among county departments

BILL

1 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 funds that otherwise would be
2 specified for use by a single county department. The budget under s. 46.031 (1) shall
3 be the vehicle for expressing the proposed use of the single consolidated fund by the
4 county board of supervisors in a county with a single-county department or county
5 boards of supervisors in counties with a multicounty department. Approval by the
6 department of this use of the fund shall be in the contract under s. 46.031 (2g).
7 Counties that were selected by the department to pilot test consolidated aids for
8 contract periods beginning January 1, 1978, may continue or terminate
9 consolidation with the agreement of the affected county board of supervisors in a
10 county with a single-county department or county boards of supervisors in counties
11 with a multicounty department.

12 **SECTION 9.** 46.215 (2) (c) 1. of the statutes, as affected by 1999 Wisconsin Act
13 9, is amended to read:

14 46.215 (2) (c) 1. A county department of social services shall develop, under the
15 requirements of s. 46.036, plans and contracts for care and services to be purchased,
16 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
17 of health and family services may review the contracts and approve them if they are
18 consistent with s. 46.036 and if state or federal funds are available for such purposes.
19 The joint committee on finance may require the department of health and family
20 services to submit the contracts to the committee for review and approval. The
21 department of health and family services may not make any payments to a county
22 for programs included in a contract under review by the committee. The department
23 of health and family services shall reimburse each county for the contracts from the
24 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o), as
25 appropriate, under s. 46.495.

BILL

1 **SECTION 10.** 46.215 (2) (c) 3. of the statutes is amended to read:

2 46.215 (2) (c) 3. A county department of social services shall develop, under the
3 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
4 care and services to be purchased. The department of corrections may review the
5 contracts and approve them if they are consistent with s. 301.08 (2) and if state or
6 federal funds are available for such purposes. The joint committee on finance may
7 require the department of corrections to submit the contracts to the committee for
8 review and approval. The department of corrections may not make any payments
9 to a county for programs included in a contract under review by the committee. The
10 department of corrections shall reimburse each county for the contracts from the
11 appropriations under s. 20.410 (3) (cd), (ce), (cf) and (ko) as appropriate.

12 **SECTION 11.** 46.22 (1) (am) of the statutes is amended to read:

13 46.22 (1) (am) *Funding for multicounties.* State social services funding under
14 s. 20.435 (7) (b), (ba) and (bb) is not available to counties which establish a
15 multicounty department of social services until the counties have drafted a
16 contractual agreement, approved by the secretary, setting forth the plans for direct
17 sponsorship and have drafted a budget under par. (b) 1. d.

18 **SECTION 12.** 46.22 (1) (e) 3. a. of the statutes, as affected by 1999 Wisconsin Act
19 9, is amended to read:

20 46.22 (1) (e) 3. a. A county department of social services shall develop, under
21 the requirements of s. 46.036, plans and contracts for care and services, except under
22 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
23 family services may review the contracts and approve them if they are consistent
24 with s. 46.036 and to the extent that state or federal funds are available for such
25 purposes. The joint committee on finance may require the department of health and

BILL

1 family services to submit the contracts to the committee for review and approval.
2 The department of health and family services may not make any payments to a
3 county for programs included in the contract that is under review by the committee.
4 The department of health and family services shall reimburse each county for the
5 contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)
6 and (o) according to s. 46.495.

7 **SECTION 13.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

8 46.22 (1) (e) 3. c. A county department of social services shall develop, under
9 the requirements of s. 301.08 (2), plans and contracts for juvenile
10 delinquency-related care and services to be purchased. The department of
11 corrections may review the contracts and approve them if they are consistent with
12 s. 301.08 (2) and to the extent that state or federal funds are available for such
13 purposes. The joint committee on finance may require the department of corrections
14 to submit the contracts to the committee for review and approval. The department
15 of corrections may not make any payments to a county for programs included in the
16 contract that is under review by the committee. The department of corrections shall
17 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
18 (cd), (ce), (cf) and (ko) as appropriate.

19 **SECTION 14.** 46.27 (11) (c) 3. of the statutes, as affected by 1999 Wisconsin Act
20 9, is amended to read:

21 46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a
22 private nonprofit agency or an aging unit with which the department contracts
23 provides under this subsection shall be made from the appropriations under s. 20.435
24 (4) (o) and (7) (b), (ba), (bb) and (bd).

BILL**SECTION 15**

1 **SECTION 15.** 46.283 (5) of the statutes, as created by 1999 Wisconsin Act 9, is
2 amended to read:

3 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
4 (bm) and (pa) and (7) (b), (ba), (bb), (bd) and (md), the department may contract with
5 organizations that meet standards under sub. (3) for performance of the duties under
6 sub. (4) and shall distribute funds for services provided by resource centers.

7 **SECTION 16.** 46.284 (5) (a) of the statutes, as created by 1999 Wisconsin Act 9,
8 is amended to read:

9 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g) and
10 (o) and (7) (b), (ba), (bb) and (bd), the department shall provide funding on a capitated
11 payment basis for the provision of services under this section. Notwithstanding s.
12 46.036 (3) and (5m), a care management organization that is under contract with the
13 department may expend the funds, consistent with this section, including providing
14 payment, on a capitated basis, to providers of services under the family care benefit.

15 **SECTION 17.** 46.40 (1) (a) of the statutes, as affected by 1999 Wisconsin Act 9,
16 is amended to read:

17 46.40 (1) (a) Within the limits of available federal funds and of the
18 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o), the
19 department shall distribute funds for community social, mental health,
20 developmental disabilities and alcohol and other drug abuse services and for services
21 under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215,
22 46.22, 46.23, 51.42 and 51.437 and to county aging units, as provided in subs. (2), to
23 (2m) and (7) to (9).

24 **SECTION 18.** 46.40 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
25 amended to read:

BILL

1 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
2 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
3 more than \$284,978,800 for fiscal year 1999–2000 and \$285,511,800 for fiscal year
4 2000–01. In addition to distributing the amounts specified in this subsection, the
5 department shall also distribute in each fiscal year, subject to sub. (9), the amount
6 appropriated under s. 20.435 (7) (bb) for social services under s. 46.495 (1) (d) and
7 services under s. 51.423 (2).

8 **SECTION 19.** 46.40 (2g) of the statutes is created to read:

9 46.40 (2g) BASIC COUNTY ALLOCATION; CONSUMER PRICE INDEX ADJUSTMENT. In
10 2000, subject to sub. (9), for social services under s. 46.495 (1) (d) and services under
11 s. 51.423 (2), the department shall allocate \$0 from the appropriation under s. 20.435
12 (7) (ba). Beginning in 2001, subject to sub. (9), for social services under s. 46.495 (1)
13 (d) and services under s. 51.423 (2), the department shall allocate from the
14 appropriation under s. 20.435 (7) (ba) in each year an amount equal to \$286,330,700
15 multiplied by a percentage that is equal to the percentage change between the U.S.
16 consumer price index for all urban consumers, U.S. city average, for the 12-month
17 period ending on June 30 of the previous year and the U.S. consumer price index for
18 all urban consumers, U.S. city average, for the 12-month period ending on June 30,
19 1999, as determined by the federal department of labor, rounded to the nearest
20 multiple of \$100.

21 **SECTION 20.** 46.40 (3) of the statutes is amended to read:

22 46.40 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the
23 department shall distribute not more than \$412,800 in each fiscal year from the
24 appropriation ~~account~~ accounts under s. 20.435 (7) (b), (ba) and (bb) to federally
25 recognized American Indian tribes or bands. A tribe or band that receives funding

BILL**SECTION 20**

1 under this subsection shall use that funding to provide child care for an eligible child,
2 as defined in 42 USC 9858n (4).

3 **SECTION 21.** 46.40 (7m) of the statutes is amended to read:

4 **46.40 (7m) USE BY COUNTY OF COMMUNITY AIDS FUNDS TO PAY PRIVATE ATTORNEYS**
5 **FOR CERTAIN PROCEEDINGS UNDER THE CHILDREN'S CODE.** Upon application by a county
6 department under s. 46.215, 46.22 or 46.23 to the department for permission to use
7 funds allocated to that county department under ~~sub.~~ subs. (2) and (2g) to employ
8 private counsel for the purposes specified in this subsection and a determination by
9 the department that use of funds for those purposes does not affect any federal grants
10 or federal funding allocated under this section, the department and the county
11 department shall execute a contract authorizing the county department to expend,
12 as agreed upon in the contract, funds allocated to that county department under sub.
13 (2) to permit the county department to employ private counsel to represent the
14 interests of the state or county in proceedings under ch. 48 relating to child abuse or
15 neglect cases, unborn child abuse cases, proceedings to terminate parental rights
16 and any ch. 48 cases or proceedings involving the Indian child welfare act, 25 USC
17 1901 to 1963.

18 **SECTION 22.** 46.45 (2) (a) of the statutes is amended to read:

19 **46.45 (2) (a)** If on December 31 of any year there remains unspent or
20 unencumbered in the allocation allocations under s. 46.40 (2) and (2g) an amount
21 that exceeds the amount received under 42 USC 670 to 679a and allocated under s.
22 46.40 (2) and (2g) in that year, the department shall carry forward the excess moneys
23 and distribute not less than 50% of the excess moneys to counties having a population
24 of less than 500,000 for services and projects to assist children and families,
25 notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not

BILL

1 less than 50% of the moneys distributed to the county under this subsection for
2 services for children who are at risk of abuse or neglect to prevent the need for child
3 abuse and neglect intervention services.

4 **SECTION 23.** 46.45 (2) (a) of the statutes, as affected by 1999 Wisconsin Acts 9
5 and (this act), is repealed and recreated to read:

6 46.45 (2) (a) If on December 31 of any year there remains unspent or
7 unencumbered in the allocations under s. 46.40 (2) and (2g) an amount that exceeds
8 the amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) and
9 (2g) in that year, the department shall carry forward the excess moneys and
10 distribute not less than 50% of the excess moneys to counties having a population of
11 less than 500,000 that are making a good faith effort, as determined by the
12 department, to comply with s. 46.22 (1) (c) 8. f. for services and projects to assist
13 children and families, notwithstanding the percentage limit specified in sub. (3) (a).
14 A county shall use not less than 50% of the moneys distributed to the county under
15 this subsection for services for children who are at risk of abuse or neglect to prevent
16 the need for child abuse and neglect intervention services. If a county does not
17 comply with s. 46.22 (1) (c) 8. f. before July 1, 2005, the department may recover any
18 amounts distributed to that county under this paragraph after June 30, 2001, by
19 billing the county or deducting from that county's allocation under s. 46.40 (2).

20 **SECTION 24.** 46.45 (3) (a) of the statutes is amended to read:

21 46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal
22 governing body or private nonprofit organization, the department shall carry
23 forward up to 3% of the total amount allocated to the county, tribal governing body
24 or nonprofit organization for a calendar year. All funds carried forward for a tribal
25 governing body or nonprofit organization, all federal child welfare funds under 42

BILL**SECTION 24**

1 USC 620 to 626 and all funds allocated under s. 46.40 (2m) carried forward for a
2 county shall be used for the purpose for which the funds were originally allocated.
3 Except as provided under par. (am), other funds carried forward may be used for any
4 purpose under s. 20.435 (7) (b). All funds allocated under s. 46.40 (2g) that are carried
5 forward for a county under this subsection shall be expended by the county in the
6 state fiscal year in which those funds were appropriated.

7 **SECTION 25.** 46.45 (6) of the statutes is amended to read:

8 46.45 (6) The department may carry forward 10% of any funds not carried
9 forward under sub. (3) for emergencies, for justifiable unit services costs above
10 planned levels and to provide compensation for increased costs due to population
11 shifts. All funds allocated under s. 46.40 (2g) that are carried forward for a county
12 under this subsection shall be expended by the county in the state fiscal year in which
13 those funds were appropriated.

14 **SECTION 26.** 46.495 (1) (am) of the statutes is amended to read:

15 46.495 (1) (am) The department shall reimburse each county from the
16 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o) for social
17 services as approved by the department under ss. 46.215 (1), (2) (c) 1. and (3) and
18 46.22 (1) (b) 1. d. and (e) 3. a. except that no reimbursement may be made for the
19 administration of or aid granted under s. 49.02.

20 **SECTION 27.** 46.495 (1) (d) of the statutes, as affected by 1999 Wisconsin Act 9,
21 is amended to read:

22 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba),
23 (bb), (kw) and (o), the department shall distribute the funding for social services,
24 including funding for foster care or treatment foster care of a child on whose behalf
25 aid is received under s. 46.261, to county departments under ss. 46.215, 46.22 and

BILL

1 46.23 as provided under s. 46.40. County matching funds are required for the
2 distributions under s. 46.40 (2), (2g), (8) and (9) (b). Each county's required match
3 for the distributions under s. 46.40 (2), (2g) and (8) for a year equals 9.89% of the total
4 of the county's distributions under s. 46.40 (2), (2g) and (8) for that year for which
5 matching funds are required plus the amount the county was required by s. 46.26 (2)
6 (c), 1985 stats., to spend for juvenile delinquency-related services from its
7 distribution for 1987. Each county's required match for the distribution under s.
8 46.40 (9) (b) for a year equals 9.89% of that county's amounts described in s. 46.40
9 (9) (a) (intro.) for that year. Matching funds may be from county tax levies, federal
10 and state revenue sharing funds or private donations to the county that meet the
11 requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the
12 total county match. If the county match is less than the amount required to generate
13 the full amount of state and federal funds distributed for this period, the decrease
14 in the amount of state and federal funds equals the difference between the required
15 and the actual amount of county matching funds.

16 **SECTION 28.** 46.495 (1) (dc) of the statutes is amended to read:

17 46.495 (1) (dc) The department shall prorate the amount allocated to any
18 county department under s. 46.215 or 46.22 under par. (d) to reflect actual federal
19 funds available and the amount from the appropriation under s. 20.435 (7) (bb)
20 available.

21 **SECTION 29.** 51.423 (1) of the statutes is amended to read:

22 51.423 (1) The department shall fund, within the limits of the department's
23 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)
24 and (o) and subject to this section, services for mental illness, developmental
25 disability, alcoholism and drug abuse to meet standards of service quality and

BILL**SECTION 29**

1 accessibility. The department's primary responsibility is to guarantee that county
2 departments established under either s. 51.42 or 51.437 receive a reasonably
3 uniform minimum level of funding and its secondary responsibility is to fund
4 programs which meet exceptional community needs or provide specialized or
5 innovative services. Moneys appropriated under s. 20.435 (7) (b), (ba) and (bb) and
6 earmarked by the department for mental health services under s. 20.435 (7) (o) shall
7 be allocated by the department to county departments under s. 51.42 or 51.437 in the
8 manner set forth in this section.

9 **SECTION 30.** 51.423 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
10 amended to read:

11 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb),
12 (kw) and (o), the department shall distribute the funding for services provided or
13 purchased by county departments under s. 46.23, 51.42 or 51.437 to such county
14 departments as provided under s. 46.40. County matching funds are required for the
15 distributions under s. 46.40 (2), (2g) and (9) (b). Each county's required match for the
16 distributions under s. 46.40 (2) and (2g) for a year equals 9.89% of the total of the
17 county's distributions under s. 46.40 (2) and (2g) for that year for which matching
18 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
19 stats., to spend for juvenile delinquency-related services from its distribution for
20 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
21 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
22 that year. Matching funds may be from county tax levies, federal and state revenue
23 sharing funds or private donations to the counties that meet the requirements
24 specified in sub. (5). Private donations may not exceed 25% of the total county match.
25 If the county match is less than the amount required to generate the full amount of

BILL

1 state and federal funds distributed for this period, the decrease in the amount of state
2 and federal funds equals the difference between the required and the actual amount
3 of county matching funds.

4 **SECTION 31.** 51.423 (4) of the statutes is amended to read:

5 51.423 (4) The department shall prorate the amount allocated to any county
6 department under sub. (2) to reflect actual federal funds available and the amount
7 from the appropriation under s. 20.435 (7) (bb) available.

8 **SECTION 32.** 51.423 (9) of the statutes is amended to read:

9 51.423 (9) If the funds appropriated under s. 20.435 (7) (b), (ba) and (bb) for any
10 fiscal year are insufficient to provide county departments with the sums calculated
11 under subs. (1) to (7), the appropriation shall be allocated among county departments
12 in proportion to the sums they would receive under subs. (1) to (7).

13 **SECTION 33.** 79.01 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
14 amended to read:

15 79.01 (1) There is established an account in the general fund entitled the
16 "Expenditure Restraint Program Account". There shall be appropriated to that
17 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994, \$48,000,000
18 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in the year 2000
19 and in each year thereafter. Beginning in 2001, the amount appropriated under this
20 subsection is equal to the amount appropriated under this subsection in the previous
21 year, adjusted by a percentage that is equal to the percentage change between the
22 U.S. consumer price index for all urban consumers, U.S. city average, for the
23 12-month period ending on June 30 of the previous year and the U.S. consumer price
24 index for all urban consumers, U.S. city average, for the 12-month period ending on
25 June 30 of the year before the previous year, as determined by the federal

BILL**SECTION 33**

1 department of labor. Beginning in 2001, the amount appropriated under this
2 subsection shall be rounded to the nearest multiple of \$100.

3 **SECTION 34.** 79.03 (3c) (f) of the statutes, as affected by 1999 Wisconsin Act 9,
4 is amended to read:

5 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
6 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
7 paid to each eligible municipality shall be paid on a prorated basis. The total amount
8 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
9 in 1996 and ending in 1999 and \$11,000,000 in the year 2000 ~~and in each year~~
10 ~~thereafter.~~ Beginning in 2001, the amount to be distributed under this subsection
11 from s. 20.835 (1) (b) is equal to the amount distributed under this subsection in the
12 previous year, adjusted by a percentage that is equal to the percentage change
13 between the U.S. consumer price index for all urban consumers, U.S. city average,
14 for the 12-month period ending on June 30 of the previous year and the U.S.
15 consumer price index for all urban consumers, U.S. city average, for the 12-month
16 period ending on June 30 of the year before the previous year, as determined by the
17 federal department of labor. Beginning in 2001, the amount to be distributed under
18 this subsection from s. 20.835 (1) (b) shall be rounded to the nearest multiple of \$100.

19 **SECTION 35.** 79.03 (4) of the statutes is amended to read:

20 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and
21 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
22 distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
23 In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.
24 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
25 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to

BILL

1 municipalities and \$168,981,800 to counties. In 1995 and subsequent years, the
2 total amounts to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1)
3 (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. Beginning in
4 2001, the amounts to be distributed to municipalities and counties under ss. 79.03,
5 79.04 and 79.06 from s. 20.835 (1) (d) are equal to the amounts distributed to
6 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) in
7 the previous year, adjusted by a percentage that is equal to the percentage change
8 between the U.S. consumer price index for all urban consumers, U.S. city average,
9 for the 12-month period ending on June 30 of the previous year and the U.S.
10 consumer price index for all urban consumers, U.S. city average, for the 12-month
11 period ending on June 30 of the year before the previous year, as determined by the
12 federal department of labor. Beginning in 2001, the amounts to be distributed to
13 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d)
14 shall be rounded to the nearest multiple of \$100.

15 **SECTION 36.** 79.058 (3) (c) of the statutes, as created by 1999 Wisconsin Act 9,
16 is amended to read:

17 79.058 (3) (c) In the year 2000 and subsequent years, \$20,763,800.

18 **SECTION 37.** 79.058 (3) (d) of the statutes is created to read:

19 79.058 (3) (d) In 2001 and subsequent years, an amount that is equal to the
20 amount distributed under sub. (1) from s. 20.835 (1) (f) in the previous year, adjusted
21 by a percentage that is equal to the percentage change between the U.S. consumer
22 price index for all urban consumers, U.S. city average, for the 12-month period
23 ending on June 30 of the previous year and the U.S. consumer price index for all
24 urban consumers, U.S. city average, for the 12-month period ending on June 30 of
25 the year before the previous year, as determined by the federal department of labor.

BILL**SECTION 37**

1 Beginning in 2001, the amount to be distributed under sub. (1) from s. 20.835 (1) (f)
2 shall be rounded to the nearest multiple of \$100.

3 **SECTION 38.** 301.26 (3) (c) of the statutes is amended to read:

4 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd),
5 (ce), (cf) and (ko), the department shall allocate funds to each county for services
6 under this section.

7 **SECTION 39.** 301.26 (4) (a) of the statutes is amended to read:

8 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
9 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd),
10 (ce), (cf) and (ko) for the costs of care, services and supplies purchased or provided
11 by the department of corrections for each person receiving services under s. 48.366,
12 938.183 or 938.34 or the department of health and family services for each person
13 receiving services under s. 46.057 or 51.35 (3). The department of corrections may
14 not bill a county for or deduct from a county's allocation the cost of care, services and
15 supplies provided to a person subject to an order under s. 48.366 or 938.183 after the
16 person reaches 18 years of age. Payment shall be due within 60 days after the billing
17 date. If any payment has not been received within 60 days, the department of
18 corrections may withhold aid payments in the amount due from the ~~appropriation~~
19 allocations under s. 20.410 (3) (cd), (ce), (cf) and (ko).

20 **SECTION 40.** 301.26 (6) (a) of the statutes is amended to read:

21 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
22 legislature in allocating funding, excluding funding for base allocations, from the
23 appropriations under s. 20.410 (3) (cd), (ce), (cf) and (ko) for purposes described in
24 this section.

BILL

1 **SECTION 41.** 301.26 (7) (a) (intro.) of the statutes, as affected by 1999 Wisconsin
2 Act 9, is amended to read:

3 301.26 (7) (a) (intro.) For community youth and family aids under this section,
4 amounts not to exceed \$42,091,800 for the last 6 months of 1999, \$85,183,700 for
5 2000 and \$43,091,900 for the first 6 months of 2001. Of those amounts, the
6 department shall allocate \$1,000,000 for the last 6 months of 1999, \$3,000,000 for
7 2000 and \$2,000,000, plus 50% of the amount allocated for 2001 under par. (k), for
8 the first 6 months of 2001 to counties based on each of the following factors weighted
9 equally:

10 **SECTION 42.** 301.26 (7) (k) of the statutes is created to read:

11 301.26 (7) (k) In 2000, for community youth and family aids, the department
12 shall allocate \$0 from the appropriation under s. 20.410 (3) (ce). Beginning in 2001,
13 for community youth and family aids, the department shall allocate from the
14 appropriation under s. 20.410 (3) (ce) in each year an amount equal to \$82,734,500
15 multiplied by a percentage that is equal to the percentage change between the U.S.
16 consumer price index for all urban consumers, U.S. city average, for the 12-month
17 period ending on June 30 of the previous year and the U.S. consumer price index for
18 all urban consumers, U.S. city average, for the 12-month period ending on June 30,
19 1999, as determined by the federal department of labor, rounded to the nearest
20 multiple of \$100.

21 **SECTION 43.** 301.26 (7m) of the statutes is created to read:

22 301.26 (7m) **ALLOCATION OF FEDERAL FUNDING LOSS FUNDS.** In addition to the
23 amounts allocated under sub. (7) (a), the department shall allocate in each fiscal year
24 the amount appropriated under s. 20.410 (3) (cf) for community youth and family aids
25 under this section.

BILL**SECTION 44**

1 **SECTION 44.** 301.26 (8) of the statutes, as affected by 1999 Wisconsin Act 9, is
2 amended to read:

3 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
4 allocations specified in ~~sub.~~ subs. (7) (a) and (k) and (7m), the department shall
5 allocate \$666,700 in the last 6 months of 1999, \$1,333,400 in 2000 and \$666,700 in
6 the first 6 months of 2001 for alcohol and other drug abuse treatment programs.

7 **SECTION 45.** 758.19 (5) (b) (intro.) of the statutes, as affected by 1999 Wisconsin
8 Act 9, is amended to read:

9 758.19 (5) (b) (intro.) Beginning in 2001, the amount to be distributed each year
10 under this subsection from s. 20.625 (1) (d) is equal to the amount distributed under
11 this subsection in the previous year, adjusted by a percentage that is equal to the
12 percentage change between the U.S. consumer price index for all urban consumers,
13 U.S. city average, for the 12-month period ending on June 30 of the previous year
14 and the U.S. consumer price index for all urban consumers, U.S. city average, for the
15 12-month period ending on June 30 of the year before the previous year, as
16 determined by the federal department of labor. Beginning in 2001, the amount to be
17 distributed under this subsection from s. 20.625 (1) (d) shall be rounded to the
18 nearest multiple of \$100. From the appropriation under s. 20.625 (1) (d), the director
19 of state courts shall make payments to counties ~~totaling \$9,369,800 within 30 days~~
20 ~~after October 29, 1999, and on every July 1 and January 1 thereafter, which the equal~~
21 ~~to 50% of the yearly amount on January 1 and 50% of that amount on July 1.~~ The
22 director of state courts shall distribute payments as follows:

23 **SECTION 46.** 758.19 (5) (b) 1. of the statutes, as affected by 1999 Wisconsin Act
24 9, is amended to read:

BILL

1 758.19 (5) (b) 1. For each circuit court branch in the county, \$42,275 in 2000.
2 Beginning with the payment made on January 1, 2001, the annual amount paid for
3 each circuit court branch shall equal the amount paid in the previous year under this
4 subdivision plus the increase calculated under par. (b)(intro.), divided by the number
5 of circuit court branches at the time that the payment is made.

SECTION 9311. Initial applicability; corrections.

6 (1) YOUTH AIDS. The treatment of sections 20.410 (3) (ce) and (cf), 46.215 (2) (c)
7 3., 46.22 (1) (e) 3. c., 49.45 (6m) (br) 1. (with respect to the appropriation accounts
8 under section 20.410 (3) (ce) and (cf) of the statutes, as created by this act) and 301.26
9 (3) (c), (4) (a), (6) (a), (7) (a) (intro.) and (k), (7m) and (8) of the statutes first applies
10 to payments made by the department of corrections on January 1, 2001.
11

SECTION 9323. Initial applicability; health and family services.

12 (1) COMMUNITY AIDS.

13 (a) The treatment of sections 20.435 (7) (ba) and (bb), 46.034 (3), 46.215 (2) (c)
14 1., 46.22 (1) (am) and (e) 3. a., 46.27 (11) (c) 3., 46.283 (5), 46.284 (5) (a), 46.40 (1) (a),
15 (2), (2g), (3) and (7m), 46.45 (3) (a) and (6), 46.495 (1) (am), (d) and (dc) and 51.423
16 (1), (2), (4) and (9) of the statutes and the amendment of section 46.45 (2) (a) of the
17 statute first apply to payments made by the department of health and family services
18 on January 1, 2001.
19

20 (b) The repeal and recreation of section 46.45 (2) (a) of the statutes first applies
21 to payments made by the department of health and family services on July 1, 2001.

22 **SECTION 9400. Effective dates; general.** Except as provided in SECTIONS
23 9401 to 9458 of this act, this act takes effect on the day after publication.

24 **SECTION 9409. Effective dates; circuit courts.**

BILL**SECTION 9409**

1 (1) COURT SUPPORT PAYMENTS. The treatment of sections 20.625 (1) (d) and
2 758.19 (5) (b) (intro.) and 1. of the statutes takes effect on January 1, 2001.

SECTION 9411. Effective dates; corrections.

3
4 (1) YOUTH AIDS. The treatment of sections 20.410 (3) (ce) and (cf), 46.215 (2) (c)
5 3., 46.22 (1) (e) 3. c. and 301.26 (3) (c), (4) (a), (6) (a), (7) (a) (intro.) and (k), (7m) and
6 (8) of the statutes takes effect on July 1, 2000.

SECTION 9423. Effective dates; health and family services.

7
8 (1) COMMUNITY AIDS.

9 (a) The treatment of sections 20.435 (7) (ba) and (bb), 46.034 (3), 46.215 (2) (c)
10 1., 46.22 (1) (am) and (e) 3. a., 46.27 (11) (c) 3., 46.283 (5), 46.284 (5) (a), 46.40 (1) (a),
11 (2), (2g), (3) and (7m), 46.45 (3) (a) and (6), 46.495 (1) (am), (d) and (dc) and 51.423
12 (1), (2), (4) and (9) of the statutes and the amendment of section 46.45 (2) (a) of the
13 statutes take effect on July 1, 2000.

14 (b) The repeal and recreation of section 46.45 (2) (a) of the statutes takes effect
15 on July 1, 2001.

SECTION 9443. Effective dates; revenue.

16
17 (1) PAYMENTS FOR MUNICIPAL SERVICES. The treatment of section 20.835 (5) (a)
18 of the statutes takes effect on July 1, 2000.

19 (END)