

1999 DRAFTING REQUEST

Bill

Received: **10/6/98**

Received By: **yacketa**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Sajna**

This file may be shown to any legislator: **NO**

Drafter: **yacketa**

May Contact:

Alt. Drafters:

Subject: **Public Assistance - Wis works
Children - day care**

Extra Copies: **GMM**

Topic:

DOA:.....Sajna - Use of child care allocations

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	yacketa 11/24/98	wjackson 11/24/98	hhagen 11/24/98	_____	gretskl 11/24/98		Local
/2	yacketa 12/21/98	ygeller 12/21/98	martykr 12/23/98	_____	lrb_docadmin 12/23/98		Local

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: 10/6/98

Received By: yacketa

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Sajna

This file may be shown to any legislator: NO

Drafter: yacketa

May Contact:

Alt. Drafters:

Subject: Public Assistance - Wis works
Children - day care

Extra Copies: GMM

Topic:

DOA:.....Sajna - Use of child care allocations

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	yacketa 11/24/98	wjackson 11/24/98	hhagen 11/24/98	_____	gretskl 11/24/98		Local

FE Sent For:

Jeff Jgeller
 12/21/98

Kim 12/22
Kim 12/23
 <END>

1999 DRAFTING REQUEST

Bill

Received: 10/6/98

Received By: yacketa

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Sajna

This file may be shown to any legislator: NO

Drafter: yacketa

May Contact:

Alt. Drafters:

Subject: Public Assistance - Wis works
Children - day care

Extra Copies: GMM

Topic:

DOA:.....Sajna - Use of child care allocations

Instructions:

See Attached

Priority = medium

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	yacketa	1-11-24-98 JLG	# 11/24	# 11/24			

FE Sent For:

<END>

Department of Workforce Development

FY99-2001 BIENNIAL BUDGET

STATUTORY LANGUAGE PROPOSAL FORMAT

Division: Economic Support
Appropriation: 20.445(3)
Issue: Wisconsin Works (W-2); use of child care allocations
Contact: Dave Edle, Director
Office of Child Care

PROBLEM

Section 49.155(3m)(b), Stats., as created by 1997 Wisconsin Act 27, provides that "not more than 5% or \$20,000, whichever is greater, of the funds distributed under par. (a) may be used for the costs of administering the program under this section." It is difficult to predict in advance how much child care subsidy funds will be distributed in a given year.

PROPOSED CHANGE

Amend s.49.155(3m)(b), Stats., to provide that not more than 5 percent of the funds expended in the prior or current year for direct child care services under s.49.175(1)(o), Stats., may be used for county administration under s.49.155(3), Stats. No county shall be allocated less than \$20,000 for administration.

EXPLANATORY NOTE

This change will create stability in the budgeting/planning process for funding for counties for child care administration.

FISCAL IMPACT

None.

DESIRED EFFECTIVE DATE

Upon enactment.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0495/1

TAY.../...
wls

RMK/jk

Soon

DOA:.....Sajna - Use of child care allocations

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

DO NOT
GEN CAT

1

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

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, the department of workforce development (DWD) reimburses child care providers or distributes funds to county departments of social services or of human services (county departments) for child care services provided for low-income persons under the Wisconsin works (W-2) child care subsidy program. Currently, of the funds distributed, not more than five percent or \$20,000, whichever is greater, may be used for administrative costs.

Five percent

This bill provides that not more than 5% of the funds distributed in the previous year, or \$20,000, whichever is greater, may be used for administrative costs.

For further information see the 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:

2

SECTION 1. 49.155 (3m) (b) of the statutes is amended to read:

3

49.155 (3m) (b) Not more than 5%, or \$20,000, whichever is greater, of the

4

funds distributed for the previous year under par. (a), or \$20,000, whichever is

1 greater, may be used for the costs of administering the program under this section.

History: 1995 a. 289; 1997 a. 27, s. 1766 to 1775, 1838 to 1857; 1997 a. 41, 105, 237, 252.

2 (END)✓

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

LRB-0495/1dn

TAY.../.....

WLJ + Jlg

Jennifer Sajna :

The instructions for this draft were a bit contradictory. The department identifies as the problem the difficulty in predicting in advance how much child care subsidy funds will be distributed in a given year and therefore in determining how much may be used for administration. The proposed change, however, is to amend s. 49.155 (3m) [✓] (b) [✓] to provide that not more than 5 percent [✓] of the funds expended in the prior [✓] or current year . . . may be used for county administration." (emphasis added)

I did not include a reference to the current year because I was unsure how it was intended to be interpreted. Does the department intend counties to have a choice of which year's disbursements to use as a guide? Is it 5% of the greater of the previous year's or the current year's disbursements? How does this resolve the problem identified by the department?

In addition, the instructions state that "no county shall be allocated less than \$20,000 for administration." The phrase "or \$20,000, whichever is greater," ensures that this is so. I do not believe that additional language is needed, although I was not even certain that additional language was being requested.

If you have any questions about this draft, please feel free to call me.

Tina A. Yacker
Legislative Attorney
261-6927

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

LRB-0495/1dn
TAY:wlj&jlg:hmh

Tuesday, November 24, 1998

Jennifer Sajna

The instructions for this draft were a bit contradictory. The department identifies as the problem the difficulty in predicting in advance how much child care subsidy funds will be distributed in a given year and therefore in determining how much may be used for administration. The proposed change, however, is to amend s. 49.155 (3m) (b) "to provide that not more than 5 percent of the funds expended in the prior *or current year* . . . may be used for county administration." (emphasis added)

I did not include a reference to the current year because I was unsure how it was intended to be interpreted. Does the department intend counties to have a choice of which year's disbursements to use as a guide? Is it 5% of the greater of the previous year's or the current year's disbursements? How does this resolve the problem identified by the department?

In addition, the instructions state that "no county shall be allocated less than \$20,000 for administration." The phrase "or \$20,000, whichever is greater," ensures that this is so. I do not believe that additional language is needed, although I was not even certain that additional language was being requested.

If you have any questions about this draft, please feel free to call me.

Tina A. Yacker
Legislative Attorney
261-6927

InterOffice Memo

Department of Workforce Development

Date: December 10, 1998

To: Jennifer Sajna
State Budget Office

From: Bob Nikolay
Bureau of Strategic Planning and Budget

Subject: Statutory Language Drafts for Biennial Budget

include it where?

Summarized below are additional comments on LRB drafts of biennial budget statutory language.

1. LRB 0492/1 - Child Care Administration. This draft retains the responsibility for setting the maximum child care reimbursement rates with the county agencies. The Division would prefer that flexibility be provided so that child care resource and referral agencies could be selected to set these rates. This could be accomplished by making the following changes in s. 49.155(6), Stats.: 1) Change the reference in pars. (a) to (c) from county to administering agency; 2) Include a reference to s. 49.134(1)(b), Stats.; and 3) add the phrase "as determined by the department."
2. LRB 0495/1 - Use of Child Care Allocations. The Department's intent is that the standard be 5% of the current expenditures. The exception would be that if current year expenditures are less than the previous year, then 5% of the previous year amount or \$20,000, whichever is greater, is allowed. Also, since the Department now makes child care payments through the automated payment system, it may be more appropriate to use the term "expended" instead of "distributed." This draft also needs to be reconciled with the LRB 0492 to reference the administering agency instead of the county.
3. LRB 0609/1 - Food Stamps EBT. I believe the latest we discussed (12/7) was a three-month delay, rather than one year. Otherwise, the draft is OK.
4. LRB 0687/2 - Child care Start-up and Expansion Loans. This draft is OK provided the numbers s. 49.155 (1g)(b) change to reflect increases requested in indirect services.
5. LRB 0699/1 - Treatment of Child Support Payments under W-2. This draft is OK.
6. LRB-0701/1 - Child Care Eligibility for Disabled Children. The drafter was correct in assuming that the Department's intent was to make the child care subsidy to disabled children age 18 and younger. Also, it is the Department's intent to change the income and asset limits for all families. The effective date of January 1, 2000 is correct.

The drafter has created a definition of the term "disabled" under s.49.155(1)(aL). Rather than have the Department specify the definition in administrative rules, we would prefer that a statutory definition be created consistent with the federal regulations at 45 CFR 98.20, i.e., disabled means "physically or mentally incapable of caring for himself or herself."

Soon

RMR

DOA:.....Sajna - Use of child care allocations

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1

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

do not gen

greatest ✓

Current year, 5% of
The funds distributed in the

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, the department of workforce development (DWD) reimburses child care providers or distributes funds to county departments of social services or of human services (county departments) for child care services provided for low-income persons under the Wisconsin works (W-2) child care subsidy program. Currently, of the funds distributed, not more than 5% or \$20,000, whichever is greater, may be used for administrative costs.

This bill provides that not more than 5% of the funds distributed in the previous year, or \$20,000, whichever is greater, may be used for administrative costs.

For further information see the 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:

Fix component
2

SECTION 1. 49.155 (3m) (b) of the statutes is amended to read:

renumbered 49.155 (3m) (b) (intro.)
and

1 49.155 (3m) (b) ~~Not more than 5%, or \$20,000, whichever is greater, of the~~ ^{of}
 2 funds distributed ~~for the previous year~~ under par. (a). ~~Not \$20,000, whichever is~~
 3 ~~greater,~~ may be used for the costs of administering the program under this section. ;

4 not more than the greatest of the following (END) ✓

Section #. CR; 49.155 (3m) (b) 1. ✓ under par. (a) ✓

49.155 ^(b) (3m) (b) 1. Five percent ^{of} of the funds distributed ⁱⁿ in the current year.

Section #. CR; 49.155 (3m) (b) 2. ✓ under par. (a)

49.155 ^(b) (3m) (b) 2. Five percent ^{of} of the funds distributed ⁱⁿ in the immediately preceding year.

Section #. CR; 49.155 (3m) ^(b) 3. ✓

49.155 ^(b) (3m) (b) 3. Twenty thousand dollars. ✓

Yacker, Tina

From: Sajna, Jennifer [jennifer.sajna@doa.state.wi.us]
Sent: Wednesday, December 23, 1998 9:38 AM
To: Montgomery, John
Cc: Yacker, Tina
Subject: RE: LRB Draft: 99-0495/2

Good catch - thanks

> -----Original Message-----

> From: Montgomery, John
> Sent: Wednesday, December 23, 1998 9:19 AM
> To: 'Marty, Karen'
> Cc: Sajna, Jennifer
> Subject: RE: LRB Draft: 99-0495/2

>

> I think your first line on p.2 needs to be modified. The words before
> "Of" should be stricken.

>

> -----Original Message-----

> From: Marty, Karen [SMTP:Karen.Marty@legis.state.wi.us]
> Sent: Wednesday, December 23, 1998 9:04 AM
> To: 'jennifer.sajna@doa.state.wi.us'
> Cc: 'john.montgomery@doa.state.wi.us';
> 'vicky.labelle@doa.state.wi.us'; Hubli, Scott; Haugen, Caroline
> Subject: LRB Draft: 99-0495/2

>

> Following is the PDF version of draft 99-0495/2.

>

>

> << File: 99-0495/2 >>



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0495/2
TAY:wlj&jlg:km

DOA:.....Sajna - Use of child care allocations

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, the department of workforce development (DWD) reimburses child care providers or distributes funds to county departments of social services or of human services (county departments) for child care services provided for low-income persons under the Wisconsin works (W-2) child care subsidy program. Currently, of the funds distributed, not more than 5% or \$20,000, whichever is greater, may be used for administrative costs.

This bill provides that not more than 5% of the funds distributed in the current year, 5% of the funds distributed in the previous year or \$20,000, whichever is greatest, may be used for administrative costs.

For further information see the *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:

2 SECTION 1. 49.155 (3m) (b) of the statutes is renumbered 49.155 (3m) (b) (intro.)
3 and amended to read:

