

1999 DRAFTING REQUEST

Bill

Received: **10/6/98**

Wanted: **As time permits**

For: **Administration-Budget**

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

May Contact:

Subject: **Dom. Rel. - child support**

Received By: **yacketa**

Identical to LRB:

By/Representing: **Sajna**

Drafter: **kahlepj**

Alt. Drafters:

Extra Copies:

Topic:

DOA:.....Sajna - Child support program enhancement funding

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>
/?	kahlepj 12/1/98	jgeller 12/1/98		_____			State
/1			martykr 12/2/98	_____	lrb_docadmin 12/2/98		State
/2	kahlepj 01/7/99	jgeller 01/7/99	martykr 01/7/99	_____	lrb_docadmin 01/7/99		State
/3	kahlepj 01/19/99	jgeller 01/19/99	lpaasch 01/19/99	_____	lrb_docadmin 01/19/99		State
/4	kahlepj 01/25/99	jgeller 01/25/99	hhagen 01/25/99	_____	lrb_docadmin 01/25/99		

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/3	kahlepj 01/19/99	jgeller 01/19/99	lpaasch 01/19/99	_____	lrb_docadmin 01/19/99		

Handwritten notes:
/4 1/25 jlg all 1/25 call km 1/25

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<END>

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/2	kahlepi 01/7/99	ygeller 01/7/99	martykr 01/7/99	_____	lrb_docadmin 01/7/99		

FE Sent For:

1/3/19 jkg

1-19 LP.

1-19 LP.
cmh
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/1		1/2 1/4 jlg	martykr 12/2/98	_____	lrb_docadmin 12/2/98		

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1?	kahlepj	1/12/1 jlg	djm 1/2	jj 1/2 djm 2			

FE Sent For:

<END>

FY99-01 BIENNIAL BUDGET

STATUTORY LANGUAGE PROPOSAL FORMAT

Division: Economic Support
Appropriation: 20.445(3)(cb)
Issue: Child Support Program Enhancement Funding
Contact: Connie Chesnik, Bureau of Child Support
Ginevra Ewers, Bureau of Management and Operations

PROBLEM

Federal changes relating to child support funding have changed the way the Department allocated administrative and incentive funds to County Child Support Agencies. Wis. Stats. s. 49.23(2) describes a relatively small state incentive fund (\$259,000 GPR), and places specific requirements on these funds. At the same time, DES administers about \$12 million in federal incentive funds to County Child Support Agencies.

PROPOSED CHANGE

Amend s.49.23(2), Stats., to combine the state incentive fund with the federal incentive fund so the same requirements can apply to both.

EXPLANATORY NOTE

This change will reduce confusion concerning the different requirements for the state fund. The purposes of both funds are similar so this change will not result in a change in the effort or attention paid to paternity establishment or support collection. Instead, the change will result in administrative clarity and simplification.

FISCAL IMPACT

None, since the \$259,000 would be combined with the federal funds so the same amount would be available to County Child Support Agencies.

DESIRED EFFECTIVE DATE

Upon enactment.

12-1

per Jenny Sajina by phone

for this draft (0497), delete

s. 49.23(2)(a) 3. and

also delete GPR appropriation

s. 20.445(3)(c) and add

the purposes to child support

collections appropriation → (3)(K),

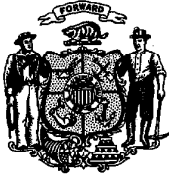
except for family court commissions

for Milwaukee Co.

Section #. 20.445 (3) (cb) of the statutes is amended to read:

20.445 (3) (cb) *Child support collection—county administration.* The amounts in the schedule for the county child support order revision programs under s. 49.23 (1), for state incentive payments under s. 49.23 (2), for assistance to counties in establishing paternity and obtaining child support and for payments to Milwaukee County under s. 49.25 (8) (b) to fund an additional family court commissioner.

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; s. 13.93 (2) (c).



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0497/1
PJK.....

Jg

DOA:.....Sajna - Child support program enhancement funding
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

SOON
(12-1)
D-note

do not
gen cost

1 AN ACT...; relating to: state incentive payments to counties and making an
2 appropriation.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of workforce development (DWD) makes state incentive payments to counties that meet child support collection and administrative efficiency criteria. The payments are made according to a distribution formula that is calculated to provide incentives for a county to increase its child support collections and paternity establishments and that prohibits the state incentive payment to a county, in combination with any federal incentive payment to the county, from exceeding 5% of the county's child support program costs. The bill eliminates the part of the formula that prohibits the total of state and federal incentive payments from exceeding 5% of a county's child support program costs.

The state incentive payments, as well as grants to counties for programs to revise child support orders and assistance to counties for establishing paternity and obtaining child support, are paid from a general purpose revenue appropriation. The bill eliminates that appropriation and provides for payment of the incentive payments, grants and assistance from moneys transferred from the support collections trust fund, into which is deposited child support paid by persons who are ordered by a court to pay child support for their dependent children.

For further information see the *state* 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. 20.445 (3) (cb) ^X of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 SECTION 2. 20.445 (3) (k) [✓] of the statutes, as affected by 1997 Wisconsin Act 191,
3 section 8, [✓] is amended to read:

4 **20.445 (3) (k)** *Child support transfers.* All moneys transferred from the
5 appropriation account under par. (r), to be distributed for the support of dependent
6 children in accordance with applicable federal and state statutes, federal regulations
7 and state rules.

NOTE: NOTE: Par. (k) is repealed and recreated eff. 10-1-99 or the date stated in the notice published by the department of workforce development in the Wisconsin Administrative Register under s. 767.29 (1) (f), whichever is earlier, by 1997 Wis. Act 191 to read: NOTE:

8 (k) *Child support transfers.* All moneys transferred from the appropriation account under par.
9 (r), to be expended under the Wisconsin works program under subch. III of ch. 49 and to be
10 distributed as provided in s. 49.24 and for the support of dependent children in accordance with
11 applicable federal and state statutes, federal regulations and state rules, for county child support
12 order revision programs under s. 49.23 (1) [✓], for state incentive payments under s. 49.23 (2) [✓] and for
13 assistance to counties in establishing paternity and obtaining child support.

no bold
↓

14 SECTION 3. 49.23 (1) ^X of the statutes is amended to read:

15 49.23 (1) From the appropriation under s. 20.445 (3) (cb) (k) [✓], the department
16 shall award grants to counties for programs to revise child support orders. Each
17 county receiving a grant shall review child support orders awarded to persons who
18 receive benefits under s. 48.57 (3m) or (3n) or 49.148 or whose children receive

1 benefits under s. 49.19 and to persons who do not receive benefits under s. 48.57 (3m)
2 or (3n) or 49.148 and whose children do not receive benefits under s. 49.19 and shall
3 initiate actions to revise the orders based on that review. Each county receiving a
4 grant shall review child support orders awarded to persons who receive benefits
5 under s. 48.57 (3m) or (3n) or 49.148 or whose children receive benefits under s. 49.19
6 and child support orders awarded to persons who do not receive benefits under s.
7 48.57 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19
8 in proportion to the number of those 2 categories of orders in the county's child
9 support case load. Before a county may initiate an action to revise a child support
10 order under this subsection for a person who does not receive benefits under s. 48.57
11 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19, the
12 custodial parent of the children must voluntarily consent to the revision.

13 History: 1989 a. 31; 1991 a. 39, 322; 1993 a. 16; 1995 a. 27, 289; 1995 a. 404 ~~ss. 60 to 64~~; Stats. 1995 s. 49.23; 1997 a. 105.

SECTION 4. 49.23 (2) (a) (intro.) of the statutes is amended to read:

14 49.23 (2) (a) (intro.) From the appropriation under s. 20.445 (3) ~~(eb)~~ ^(k), the
15 department shall provide state incentive payments, in a total amount of not less than
16 \$259,000 in each fiscal year, to counties that meet the child support collection and
17 child support administrative efficiency criteria, according to a distribution formula
18 determined by the department that does all of the following:

19 History: 1989 a. 31; 1991 a. 39, 322; 1993 a. 16; 1995 a. 27, 289; 1995 a. 404 ~~ss. 60 to 64~~; Stats. 1995 s. 49.23; 1997 a. 105.

SECTION 5. 49.23 (2) (a) 3. of the statutes is repealed.

20 **SECTION 6.** 49.25 (8) (a) ~~(a)~~ of the statutes is renumbered 49.25 (8) and amended

21 to read:

1 49.25 (8) [✓] PILOT COUNTY CHILD SUPPORT ASSISTANCE. From the appropriation
 2 under s. 20.445 (3) (~~eb~~) (k), [✓] the department shall provide funds to pilot counties for
 3 assistance in establishing paternity and obtaining child support.

4 History: 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 2895 to 2898b, 9126 ^X(19); 1995 a. 289, 404; 1997 a. 27, 191.

4 **SECTION 7.** 49.25 (8) (b) of the statutes is repealed.

5 **SECTION 8.** 49.27 (10) (e) ^X of the statutes is amended to read:

6 49.27 (10) (e) *Child support assistance.* From the appropriation under s. 20.445
 7 (3) (~~eb~~) (k), [✓] the department may provide funds to pilot counties for assistance in
 8 establishing paternity and obtaining child support.

9 History: 1993 a. 99, 437, 491; 1995 a. 27 ss. 2899 to 2917, 9126 (19), 9145 (1); 1995 a. 289, 404, 407; 1997 a. 27, 35, 252.

(END) [✓]

D-note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0497/dn

PJK.....

Jg

Because s. 20.445 (3) (k) does not contain language about the family court commissioner in Milwaukee County, I repealed s. 49.25 (8) (b), rather than change the appropriation cross-reference. I left the remainder of s. 49.25, even though s. 49.25 (10) provides that no aid may be granted under s. 49.25 beginning on January 1, 1999, at the latest.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

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

LRB-0497/1dn
PJK:jlg:km

December 2, 1998

Because s. 20.445 (3) (k) does not contain language about the family court commissioner in Milwaukee County, I repealed s. 49.25 (8) (b), rather than change the appropriation cross-reference. I left the remainder of s. 49.25, even though s. 49.25 (10) provides that no aid may be granted under s. 49.25 beginning on January 1, 1999, at the latest.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

Kahler, Pam

From: Sajna, Jennifer [jennifer.sajna@doa.state.wi.us]
Sent: Wednesday, January 06, 1999 5:16 PM
To: Kahler, Pam
Subject: Draft 0497/1

Looks fine except that we repealed 49.25 and 49.27 in 1186/1. Thanks

*redraft w/ **** NOTE
re 7 1186 not in budget*

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

LRB-1186/1dn
TAY:kmg:km

December 29, 1998

Jennifer Sajna:

Do not be alarmed by the length of this draft. In repealing ss. 49.191, 49.193, 49.20, 49.21, 49.25 and 49.27, I also had to amend or repeal several statutory units that cross-referenced those sections. In most situations, it was easy to determine what to do with the statutory units that cross-referenced the repealed sections. In certain situations, however, it was not. Therefore, when reviewing this draft, please pay particular attention to the treatment of the following provisions to ensure that it comports with your intent:

20.445 (3) (cb) (*Child support collection — county administration*): Rather than striking through the reference to s. 49.25 (8) (b) (which specifies payment to Milwaukee County to fund a family court commissioner), I amended the provision to refer to s. 49.25, 1997 stats. I assumed that s. 20.445 (3) (cb) is still to be used to fund an additional family court commissioner in Milwaukee County, although it may not be necessary (and, in fact, may be strange) to refer to s. 49.25 at all.

20.445 (3) (L) and (Lm) (*Welfare fraud and error reduction*): Again, rather than striking through the references to repealed sections, I amended the cross-reference to refer to the 1997 statutes. This is appropriate only if recoveries are ongoing even though the programs are no longer in effect. Is that the case?

46.215 (1) (j) and 46.22 (1) (b) 2. e.: These provisions require county departments to make payments for training of recipients, former recipients and potential recipients of aid under JOBS (and Learnfare). The effect of the amendment that I made to these provisions is still to require payments to be made for training of former recipients of aid under the former JOBS program. OK?

49.145 (2) (n) 1. a.: Please review that change to ensure that it reflects the way that the department has been counting JOBS participation with respect to the 60-month limit. I think the change that I made merely says the same thing in a way that isn't so awkward given the repeal of s. 49.193. If you or the department disagrees, I can change it back.

49.19 (11s) (a): This is a strange amendment to make since s. 49.19 (and therefore, s. 49.19 (11s) (a)) is no longer in effect. The alternative is to repeal s. 49.19 (11s) (which limits AFDC for people who have children while on AFDC). It's up to you.

49.26 (1) (h): Please review this amendment. I could think of no reason to continue to refer to a recipient of AFDC since it is not possible to be a recipient of AFDC.

73.03 (35): Because of the repeal of s. 560.797 (4) (e) (which required the department of commerce to notify DWD "for the purposes of s. 49.193 (5)" of the designation of an area as an enterprise development zone), the cross-reference to s. 560.797 (4) (e) in s. 73.03 (35) had to be amended. However, it turned out that the cross-reference to s. 560.797 (4) (e) was wrong in the first place. It made no sense. So, I consulted with Pam (who consulted with an analyst at the department of commerce) and she told me how to amend s. 73.03 (35). Thus, although s. 73.03 (35) really has nothing to do with what you are doing in this draft, because of its admittedly tangential connection, I had to include it.

102.29 (9) and 120.13 (27m): Please review these subsections to ensure that they comport with your intent.

253.10 (3) (d) 1.: You may wish to check with DHFS on this one. This provision deals with the information that must be given to a woman seeking an abortion.

If you have any questions, please call me.

Tina A. Yacker
Legislative Attorney
261-6927



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1186/1
TAY:kmg:km

DOA:.....Sajna - W-2 contracts and chapter 20 cleanups

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

PUBLIC ASSISTANCE

Under current law, certain federal economic support programs require that a state maintain or increase its average annual expenditures for those programs. This is commonly referred to as a maintenance-of-effort requirement.

This bill allows the department of workforce development (DWD) to expend moneys from its general program operations for economic support programs appropriation account for services to identify maintenance-of-effort funds.

Currently, under the learnfare program, a child between the ages of 6 and 17 who is the dependant child of a recipient of benefits under the Wisconsin works (W-2) program must meet a school attendance requirement to avoid the imposition of certain sanctions. Currently, DWD has the authority to expend moneys for a study of the school attendance requirement under the learnfare program for children who are 6 to 12 years of age. This bill eliminates that authority.

Under current law, DWD was required to award initial contracts to administer W-2 to counties or tribal governing bodies that elected to administer W-2 and that met performance standards under the former aid to families with dependent children program, commonly known as AFDC. This bill modifies the contract provision to direct DWD to award subsequent contracts to W-2 agencies that met the performance standards under the immediately preceding contract.

This bill also repeals or modifies the language in several of DWD's appropriations and other statutes to eliminate references to programs that are no longer in effect.

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.** 20.445 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
2 is amended to read:

3 20.445 (3) (a) *General program operations.* The amounts in the schedule for
4 general program operations relating to economic support, including field services
5 and administrative services and services related to identifying
6 maintenance-of-effort funds, for costs associated with receiving and disbursing
7 support and support-related payments, including any contract costs, and for
8 administering the program under s. 49.22 and all other purposes specified in s. 49.22.
9 No moneys may be expended under this paragraph for the program under, or any
10 other purpose specified in, s. 49.22 unless moneys appropriated under par. (ja) are
11 insufficient for the purposes specified under that paragraph.

12 **SECTION 2.** 20.445 (3) (br) of the statutes is amended to read:

13 20.445 (3) (br) *Public assistance reform studies.* As a continuing appropriation,
14 the amounts in the schedule for the studies of public assistance reform under s. 49.32
15 (6), ~~for a study of the school attendance requirement under the learnfare pilot~~
16 ~~program for children who are 6 to 12 years of age and for the evaluation of the~~
17 ~~parental responsibility pilot program under s. 49.25 (9).~~

18 **SECTION 3.** 20.445 (3) (cb) of the statutes is amended to read:

1 20.445 (3) (cb) *Child support collection* ~~county collection~~ ~~administration~~.
2 The amounts in the schedule for the county child support order revision programs
3 under s. 49.23 (1), for state incentive payments under s. 49.23 (2), for assistance to
4 counties in establishing paternity and obtaining child support and for payments to
5 Milwaukee County under s. 49.25 (8) (b), 1997 stats., to fund an additional family
6 court commissioner.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7 SECTION 4. 20.445 (3) (cm) of the statutes is amended to read:

8 20.445 (3) (cm) *Wisconsin works child care*. The amounts in the schedule for
9 paying child care subsidies under s. 49.155. ~~Before October 1, 1997, moneys~~
10 ~~appropriated under this paragraph may be used to fund child care costs of~~
11 ~~individuals who secure unsubsidized employment and lose eligibility for aid to~~
12 ~~families with dependent children as provided under s. 49.191 (2), for child care and~~
13 ~~related transportation costs under s. 49.26 (1) (e), for at-risk and low-income child~~
14 ~~care under s. 49.132, 1995 stats., and for child care costs under ss. 49.191 (1) and~~
15 ~~49.193 (8).~~

16 SECTION 5. 20.445 (3) (dz) of the statutes, as affected by 1997 Wisconsin Act 27,
17 section 627b, is amended to read:

18 20.445 (3) (dz) *Wisconsin works and other public assistance administration and*
19 *benefits*. The amounts in the schedule for administration and benefit payments
20 under Wisconsin works under ss. 49.141 to 49.161, ~~the job opportunities and basic~~
21 ~~skills program under s. 49.193, the learnfare program under s. 49.26, the work~~
22 ~~experience and job search program under s. 49.36, and the food stamp program under~~
23 ~~s. 49.124 and the parental responsibility pilot program under s. 49.25; for payment~~

1 distribution under s. 49.33 (8) for county administration of public assistance benefits
2 and medical assistance eligibility determination and payments to American Indian
3 tribes for administration of public assistance programs; to provide state aid for
4 county administered public assistance programs for which reimbursement is
5 provided under s. 49.33 (9); ~~for child care costs under ss. 49.191 (1) and (2), 49.193~~
6 ~~(8) and 49.26 (1) (e); for the new hope project under s. 49.37; for aid to 18 year old~~
7 ~~students under s. 49.20; for funeral expenses under s. 49.30; and to transfer to the~~
8 ~~appropriation account under s. 20.835 (2) (k) the amount determined by the~~
9 ~~department of revenue under s. 49.175 (1) (b) 2. Payments may be made from this~~
10 ~~appropriation to counties for fraud investigation and error reduction under s. 49.197~~
11 ~~(1m) and (4). Moneys appropriated under this paragraph may be used to match~~
12 ~~federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002~~
13 ~~(1), the department may transfer funds between fiscal years under this paragraph.~~
14 All funds allocated by the department but not encumbered by December 31 of each
15 year lapse to the general fund on the next January 1 unless transferred to the next
16 calendar year by the joint committee on finance.

17 **SECTION 6.** 20.445 (3) (jg) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18 **SECTION 7.** 20.445 (3) (jm) of the statutes is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

19 **SECTION 8.** 20.445 (3) (L) of the statutes is amended to read:

20 20.445 (3) (L) *Welfare fraud and error reduction; state operations.* From the
21 moneys received as the state's share of the recovery of overpayments and incorrect
22 payments under s. 49.191 (3) (c), 1997 stats., s. 49.195, 1997 stats., and ss. 49.125 (2),

1 ~~49.191 (3) (e), 49.195~~ and 49.497 (1), the amounts in the schedule for the
2 department's activities to reduce error and fraud in the food stamp, aid to families
3 with dependent children, Wisconsin works program and medical assistance
4 programs.

5 **SECTION 9.** 20.445 (3) (Lm) of the statutes is amended to read:

6 20.445 (3) (Lm) *Welfare fraud and error reduction; local assistance.* From the
7 moneys received as the state's share of the recovery of overpayments and incorrect
8 payments under s. 49.191 (3) (c), 1997 stats., s. 49.195, 1997 stats., and ss. 49.125 (2),
9 ~~49.191 (3) (e), 49.195~~ and 49.497 (1), all moneys not appropriated under par. (L) for
10 county and tribal activities to reduce error and fraud in the food stamp, aid to
11 families with dependent children, Wisconsin works program and medical assistance
12 program.

13 **SECTION 10.** 46.215 (1) (j) of the statutes is amended to read:

14 46.215 (1) (j) To make payments in such manner as the department of
15 workforce development may determine for training of recipients, former recipients
16 and potential recipients of aid in programs established under ss. s. 49.193, 1997
17 stats., and s. 49.26 (1).

18 **SECTION 11.** 46.22 (1) (b) 2. a. of the statutes is repealed.

19 **SECTION 12.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

20 46.22 (1) (b) 2. e. To make payments in such manner as the department of
21 workforce development may determine for training of recipients, former recipients
22 and potential recipients of aid in programs established under ss. 49.193, 1997 stats.,
23 and 49.26 (1).

24 **SECTION 13.** 49.141 (2) of the statutes is repealed.

25 **SECTION 14.** 49.141 (2g) (a) of the statutes is renumbered 49.141 (2g).

1 **SECTION 15.** 49.141 (2g) (b) of the statutes is repealed.

2 **SECTION 16.** 49.143 (1) (a) of the statutes is amended to read:

3 49.143 (1) (a) Except as provided in par. (am), the department may award a
4 contract, on the basis of a competitive process approved by the secretary of
5 administration, to any person to administer Wisconsin works in a geographical area
6 determined by the department under sub. (6). ~~The department shall award contracts~~
7 ~~under this paragraph before the date that is specified in s. 49.141 (2) (d).~~

8 **SECTION 17.** 49.143 (1) (am) 1. of the statutes is repealed and recreated to read:

9 49.143 (1) (am) 1. The department shall contract with a Wisconsin works
10 agency to administer Wisconsin works if that agency has met the performance
11 standards established by the department under the immediately preceding contract.
12 The contract shall be for a term of at least 2 years. A Wisconsin works agency may
13 elect not to enter into a contract under this subdivision if the Wisconsin works agency
14 informs the department by the date established by the department that the
15 Wisconsin works agency has made that election.

16 **SECTION 18.** 49.143 (1) (am) 2. of the statutes is amended to read:

17 49.143 (1) (am) 2. A ~~county or tribal governing body~~ Wisconsin works agency
18 that has not met the ~~aid to families with dependent children caseload~~ performance
19 standards established by the department may apply for a contract under the
20 competitive process established under par. (a).

21 **SECTION 19.** 49.143 (1) (at) of the statutes is repealed.

22 **SECTION 20.** 49.145 (2) (n) 1. a. of the statutes is amended to read:

23 49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.
24 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job

1 opportunities and basic skills program ~~begins to count~~ counts toward the 60-month
2 limit ~~beginning on October 1, 1996.~~

3 **SECTION 21.** 49.155 (1m) (c) 3. of the statutes is amended to read:

4 49.155 (1m) (c) 3. The individual was eligible for a child care subsidy under s.
5 49.191 (2), 1997 stats., on or after May 10, 1996, and received a child care subsidy
6 on or after May 10, 1996, but lost the subsidy solely because of increased income, and
7 the gross income of the individual's family is at or below 200% of the poverty line for
8 a family the size of the individual's family. This subdivision does not apply to an
9 individual whose family's gross income increased to more than 200% of the poverty
10 line for a family the size of the individual's family.

11 **SECTION 22.** 49.175 (1) (intro.) of the statutes, as affected by 1997 Wisconsin
12 Act 27, section 1857pm, is amended to read:

13 49.175 (1) FUNDS DISTRIBUTION. (intro.) Except as provided in sub. (2), within
14 the limits of the appropriations under s. 20.445 (3) (a), (br), (cm), (dc), (dz), (e), (em),
15 (jg), (jL), (k), (L), (Lm), (mc), (md), (nL), (pm) and (ps), the department shall allocate
16 the following amounts for the following purposes:

17 **SECTION 23.** 49.175 (1) (d) of the statutes is repealed.

18 **SECTION 24.** 49.185 (5) of the statutes is amended to read:

19 49.185 (5) APPLICABILITY. This section applies beginning on the date stated in
20 the notice under s. 49.141 (2) (d), ~~or on November 1, 1997, whichever is later.~~

21 **SECTION 25.** 49.19 (11s) (a) of the statutes is amended to read:

22 49.19 (11s) (a) The department shall conduct a demonstration project under
23 this subsection pursuant to a waiver from the secretary of the federal department of
24 health and human services beginning on January 1, 1996. To the extent permitted
25 in the waiver, the department may apply pars. (b) to (d) to all recipients of aid under

1 this section or to a test group of recipients of aid under this section determined by
2 the department. Paragraphs (b) to (d) do not apply to persons who are subject to s.
3 49.25, 1997 stats., and shall apply only while a waiver under this paragraph is in
4 effect and only with respect to recipients covered by the waiver.

5 **SECTION 26.** 49.19 (20) (a) of the statutes is amended to read:

6 49.19 (20) (a) Beginning on January 1, 1999, or beginning on the first day of
7 the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d),
8 1997 stats., whichever is sooner, no person is eligible to receive benefits under this
9 section and no aid may be granted under this section. No additional notice, other
10 than the enactment of this paragraph, is required to be given under sub. (13) to
11 recipients of aid under this section to terminate their benefits under this paragraph.

12 **SECTION 27.** 49.191 of the statutes is repealed.

13 **SECTION 28.** 49.193 of the statutes is repealed.

14 **SECTION 29.** 49.195 (1) of the statutes is amended to read:

15 49.195 (1) If any parent at the time of receiving aid under s. 49.19 or a benefit
16 under s. 49.148, 49.155 or 49.157 or at any time thereafter acquires property by gift,
17 inheritance, sale of assets, court judgment or settlement of any damage claim, or by
18 winning a lottery or prize, the county granting such aid, or the Wisconsin works
19 agency granting such a benefit, may sue the parent on behalf of the department to
20 recover the value of that portion of the aid or of the benefit which does not exceed the
21 amount of the property so acquired. The value of the aid or benefit liable for recovery
22 under this section may not include the value of work performed by a member of the
23 family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,
24 s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work
25 experience component under s. 49.193 (6), 1997 stats. During the life of the parent,

1 the 10-year statute of limitations may be pleaded in defense against any suit for
2 recovery under this section; and if such property is his or her homestead it shall be
3 exempt from execution on the judgment of recovery until his or her death or sale of
4 the property, whichever occurs first. Notwithstanding the foregoing restrictions and
5 limitations, where the aid or benefit recipient is deceased a claim may be filed against
6 any property in his or her estate and the statute of limitations specified in s. 859.02
7 shall be exclusively applicable. The court may refuse to render judgment or allow
8 the claim in any case where a parent, spouse or child is dependent on the property
9 for support, and the court in rendering judgment shall take into account the current
10 family budget requirement as fixed by the U.S. department of labor for the
11 community or as fixed by the authorities of the community in charge of public
12 assistance. The records of aid or benefits paid kept by the county, by the department,
13 or by the Wisconsin works agency are prima facie evidence of the value of the aid or
14 benefits furnished. Liability under this section shall extend to any parent or
15 stepparent whose family receives aid under s. 49.19 or benefits under s. 49.148,
16 49.155 or 49.157 during the period that he or she is a member of the same household,
17 but his or her liability is limited to such period. This section does not apply to medical
18 and health assistance payments for which recovery is prohibited or restricted by
19 federal law or regulation.

20 **SECTION 30.** 49.20 of the statutes is repealed.

21 **SECTION 31.** 49.21 of the statutes is repealed.

22 **SECTION 32.** 49.25 of the statutes is repealed.

23 **SECTION 33.** 49.26 (1) (h) 1. as. of the statutes is amended to read:

24 49.26 (1) (h) 1. as. The individual has failed to request a hearing or has failed
25 to show good cause for not cooperating with case management efforts in a hearing.

1 ~~If the individual is a recipient of aid under s. 49.19, the hearing shall be requested~~
2 ~~and held under s. 49.21(1). If the individual is a member of a Wisconsin works group,~~
3 ~~as defined in s. 49.141(1)(s), the~~ The hearing shall be requested and held under s.
4 49.152. The department shall determine by rule the criteria for good cause.

5 **SECTION 34.** 49.27 of the statutes is repealed.

6 **SECTION 35.** 49.36 (2) of the statutes is amended to read:

7 49.36 (2) The department may contract with any county to administer a work
8 experience and job training program for parents who are not custodial parents and
9 who fail to pay child support or to meet their children's needs for support as a result
10 of unemployment or underemployment. The program may provide the kinds of work
11 experience and job training services available from the program under s. 49.193,
12 1997 stats., or s. 49.147 (3) or (4). The program may also include job search and job
13 orientation activities. The department shall fund the program from the
14 appropriation under s. 20.445 (3) (dz).

15 **SECTION 36.** 49.36 (3) (g) of the statutes is repealed.

16 **SECTION 37.** 49.89 (7) (c) of the statutes is amended to read:

17 49.89 (7) (c) The incentive payment shall be an amount equal to 15% of the
18 amount recovered because of benefits paid under s. 49.19, ~~49.20, s. 49.20, 1997 stats.,~~
19 and 49.30 or 253.05. The incentive payment shall be taken from the state share of
20 the sum recovered, except that the incentive payment for an amount recovered
21 because of benefits paid under s. 49.19 shall be considered an administrative cost
22 under s. 49.19 for the purpose of claiming federal funding.

23 **SECTION 38.** 73.03 (35) of the statutes is amended to read:

24 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),
25 (2dj), (2dL), (2dr), (2ds) or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx) or

1 (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx) or (4) (am) if granting the
2 full amount claimed would violate the a requirement under s. 560.797 (4) (e) 560.785
3 or would bring the total of the credits granted to that claimant under s. 560.797 (4)
4 (e), or the total of the credits granted to that claimant under all of those subsections,
5 over the limit for that claimant under s. 560.768, 560.795 (2) (b) or 560.797 (5) (b).

6 **SECTION 39.** 102.29 (9) of the statutes is amended to read:

7 102.29 (9) No participant in a work experience component of a job opportunities
8 and basic skills program who, under s. 49.193 (6) (a), is 1997 stats., was considered
9 to be an employe of the agency administering that program, or who, under s. 49.193
10 (6) (a), is 1997 stats., was provided worker's compensation coverage by the person
11 administering the work experience component, and who makes a claim for
12 compensation under this chapter may make a claim or maintain an action in tort
13 against the employer who provided the work experience from which the claim arose.
14 This subsection does not apply to injuries occurring after February 28, 1998.

15 **SECTION 40.** 106.115 (1) (b) of the statutes is repealed.

16 **SECTION 41.** 106.18 of the statutes is repealed.

17 **SECTION 42.** 120.13 (27m) of the statutes is amended to read:

18 120.13 (27m) TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to
19 and from school for indigent pupils who reside in the school district and who are not
20 required to be transported under s. 121.54. In this subsection, "indigent pupils"
21 means pupils eligible for free lunches or reduced-price lunches under 42 USC 1758
22 or aid to 18-year-old students under s. 49.20 ~~or for whom aid to families with~~
23 ~~dependent children is being received under s. 49.19, 1997 stats.,~~ or who are members
24 of a Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is
25 participating in Wisconsin works under s. 49.147 (3) to (5) or any combination

1 thereof, as determined by the school board. If a school board determines to provide
2 transportation under this subsection, there shall be reasonable uniformity in the
3 transportation furnished such pupils whether they attend public or private schools.
4 The cost of transporting pupils under this subsection may not be included in the
5 school district's shared cost under s. 121.07 (6) (a).

6 **SECTION 43.** 253.10 (3) (d) 1. of the statutes is amended to read:

7 253.10 (3) (d) 1. Geographically indexed materials that are designed to inform
8 a woman about public and private agencies, including adoption agencies, and
9 services that are available to provide information on family planning, as defined in
10 s. 253.07 (1) (a), including natural family planning information, to provide
11 ultrasound imaging services, to assist her if she has received a diagnosis that her
12 unborn child has a disability or if her pregnancy is the result of sexual assault or
13 incest and to assist her through pregnancy, upon childbirth and while the child is
14 dependent. The materials shall include a comprehensive list of the agencies
15 available, a description of the services that they offer and a description of the manner
16 in which they may be contacted, including telephone numbers and addresses, or, at
17 the option of the department, the materials shall include a toll-free, 24-hour
18 telephone number that may be called to obtain an oral listing of available agencies
19 and services in the locality of the caller and a description of the services that the
20 agencies offer and the manner in which they may be contacted. The materials shall
21 provide information on the availability of governmentally funded programs that
22 serve pregnant women and children. Services identified for the woman shall include
23 ~~aid to families with dependent children under s. 49.19,~~ medical assistance for
24 pregnant women and children under s. 49.47 (4) (am), ~~the job opportunities and basic~~
25 ~~skills program under s. 49.193,~~ the availability of family or medical leave under s.

1 103.10, the Wisconsin works program under ss. 49.141 to 49.161, child care services,
2 child support laws and programs and the credit for expenses for household and
3 dependent care and services necessary for gainful employment under section 21 of
4 the internal revenue code. The materials shall state that it is unlawful to perform
5 an abortion for which consent has been coerced, that any physician who performs or
6 induces an abortion without obtaining the woman's voluntary and informed consent
7 is liable to her for damages in a civil action and is subject to a civil penalty, that the
8 father of a child is liable for assistance in the support of the child, even in instances
9 in which the father has offered to pay for an abortion, and that adoptive parents may
10 pay the costs of prenatal care, childbirth and neonatal care. The materials shall
11 include information, for a woman whose pregnancy is the result of sexual assault or
12 incest, on legal protections available to the woman and her child if she wishes to
13 oppose establishment of paternity or to terminate the father's parental rights. The
14 materials shall state that fetal ultrasound imaging and auscultation of fetal heart
15 tone services are obtainable by pregnant women who wish to use them and shall
16 describe the services.

17 **SECTION 44.** 560.75 (11) of the statutes is repealed.

18 **SECTION 45.** 560.795 (3) (e) of the statutes is repealed.

19 **SECTION 46.** 560.797 (4) (e) of the statutes is repealed.

20 **SECTION 47.** 767.078 (1) (b) (intro.) of the statutes is amended to read:

21 767.078 (1) (b) (intro.) Except as provided in par. (c) ~~or (d)~~, in a case involving
22 a dependent child, if the child's parent who is absent from the home is not employed,
23 the court shall order that parent to do one or more of the following:

24 **SECTION 48.** 767.078 (1) (c) of the statutes is amended to read:

1 **767.078 (1) (c) An order is not required under par. (b) or (d) if the court makes**
2 **written findings that there is good cause for not issuing the order.**

3 **SECTION 49. 767.078 (1) (d) of the statutes is repealed.**

4 **(END)**



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0497/3
PJK:jlg:km

DOA:.....Sajna - Child support program enhancement funding

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

SOON
(1-7)
D-note

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get cut

1 AN ACT *x*; relating to: state incentive payments to counties and making an
2 appropriation.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of workforce development (DWD) makes state incentive payments to counties that meet child support collection and administrative efficiency criteria. The payments are made according to a distribution formula that is calculated to provide incentives for a county to increase its child support collections and paternity establishments and that prohibits the state incentive payment to a county, in combination with any federal incentive payment to the county, from exceeding 5% of the county's child support program costs. The bill eliminates the part of the formula that prohibits the total of state and federal incentive payments from exceeding 5% of a county's child support program costs.

The state incentive payments, as well as grants to counties for programs to revise child support orders and assistance to counties for establishing paternity and obtaining child support, are paid from a general purpose revenue appropriation. The bill eliminates that appropriation and provides for payment of the incentive payments, grants and assistance from moneys transferred from the support collections trust fund, into which is deposited child support paid by persons who are ordered by a court to pay child support for their dependent children.

For further information see the *state* 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.** 20.445 (3) (cb) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 2.** 20.445 (3) (k) of the statutes, as affected by 1997 Wisconsin Act 191,
3 section 8, is amended to read:

4 20.445 (3) (k) *Child support transfers.* All moneys transferred from the
5 appropriation account under par. (r), to be expended under the Wisconsin works
6 program under subch. III of ch. 49 and to be distributed as provided in s. 49.24 and
7 for the support of dependent children in accordance with applicable federal and state
8 statutes, federal regulations and state rules, for county child support order revision
9 programs under s. 49.23 (1), for state incentive payments under s. 49.23 (2) and for
10 assistance to counties in establishing paternity and obtaining child support.

11 **SECTION 3.** 49.23 (1) of the statutes is amended to read:

12 49.23 (1) From the appropriation under s. 20.445 (3) ~~(cb)~~ (k), the department
13 shall award grants to counties for programs to revise child support orders. Each
14 county receiving a grant shall review child support orders awarded to persons who
15 receive benefits under s. 48.57 (3m) or (3n) or 49.148 or whose children receive
16 benefits under s. 49.19 and to persons who do not receive benefits under s. 48.57 (3m)
17 or (3n) or 49.148 and whose children do not receive benefits under s. 49.19 and shall
18 initiate actions to revise the orders based on that review. Each county receiving a
19 grant shall review child support orders awarded to persons who receive benefits
20 under s. 48.57 (3m) or (3n) or 49.148 or whose children receive benefits under s. 49.19

1 and child support orders awarded to persons who do not receive benefits under s.
2 48.57 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19
3 in proportion to the number of those 2 categories of orders in the county's child
4 support case load. Before a county may initiate an action to revise a child support
5 order under this subsection for a person who does not receive benefits under s. 48.57
6 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19, the
7 custodial parent of the children must voluntarily consent to the revision.

8 **SECTION 4.** 49.23 (2) (a) (intro.) of the statutes is amended to read:

9 49.23 (2) (a) (intro.) From the appropriation under s. 20.445 (3) ~~(eb)~~ (k), the
10 department shall provide state incentive payments, in a total amount of not less than
11 \$259,000 in each fiscal year, to counties that meet the child support collection and
12 child support administrative efficiency criteria, according to a distribution formula
13 determined by the department that does all of the following:

14 **SECTION 5.** 49.23 (2) (a) 3. of the statutes is repealed. g

15 **SECTION 6.** 49.25 (8) (a) of the statutes is renumbered 49.25 (8) and amended

16 to read:

17 ~~49.25 (8) PILOT COUNTY CHILD SUPPORT ASSISTANCE. From the appropriation~~
18 ~~under s. 20.445 (3) ~~(eb)~~ (k), the department shall provide funds to pilot counties for~~
19 ~~assistance in establishing paternity and obtaining child support.~~

20 **SECTION 7.** 49.25 (8) (b) of the statutes is repealed.

21 **SECTION 8.** 49.27 (10) (e) of the statutes is amended to read:

22 49.27 (10) ~~(e)~~ *Child support assistance.* From the appropriation under s. 20.445
23 (3) ~~(eb)~~ (k), the department may provide funds to pilot counties for assistance in
24 establishing paternity and obtaining child support.

25 (END)

D-note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0497/2dn

PJK;jlg:km

Jenny:

This redraft removes the treatment of ss. 49.25 (8) (a) and (b)✓ and 49.27 (10) (e)✓, since ss. 49.25 and 49.27 are repealed in LRB-1186. If LRB-1186 does not go into the budget and this draft does, the sections removed from this draft will have to be restored. As we discussed, this draft retains the appropriation for "assistance to counties in establishing paternity and obtaining child support" even though that specific language appears only in ss. 49.25 (8) (a) and 49.27 (10) (e), which are repealed in LRB-1186.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

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

LRB-0497/2dn
PJK:jl:km

January 7, 1999

Jenny:

This redraft removes the treatment of ss. 49.25 (8) (a) and (b) and 49.27 (10) (e), since ss. 49.25 and 49.27 are repealed in LRB-1186. If LRB-1186 does not go into the budget and this draft does, the sections removed from this draft will have to be restored. As we discussed, this draft retains the appropriation for "assistance to counties in establishing paternity and obtaining child support" even though that specific language appears only in ss. 49.25 (8) (a) and 49.27 (10) (e), which are repealed in LRB-1186.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

Kahler, Pam

From: Sajna, Jennifer [jennifer.sajna@doa.state.wi.us]
Sent: Tuesday, January 19, 1999 9:41 AM
To: Kahler, Pam
Subject: RE: Draft 0497/2 ←

Yes - thanks!

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

> From: Kahler, Pam [SMTP:Pam.Kahler@legis.state.wi.us]

> Sent: Tuesday, January 19, 1999 9:43 AM

> To: 'Sajna, Jennifer'

> Subject: RE: Draft 0497/2

>

> Hi, Jenny:

> Do you mean to add to this draft an amendment to s. 49.24 (1) that
> moves up the fiscal years to this coming biennium (1999-2000 and 2000-01)?

>

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

> From: Sajna, Jennifer [mailto:jennifer.sajna@doa.state.wi.us]

> Sent: Monday, January 18, 1999 3:27 PM

> To: Kahler, Pam

> Subject: Draft 0497/2

>

>

> Can you update the fiscal years (same dollar amounts in 49.24(1) in this
> draft? Thanks



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0497/3
PJK:jlg:km
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DOA:.....Sajna - Child support program enhancement funding
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

SOON
(1-17)
D-note

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- 1 AN ACT *A*; relating to: state incentive payments to counties and making an
- 2 appropriation.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of workforce development (DWD) makes state incentive payments to counties that meet child support collection and administrative efficiency criteria. The payments are made according to a distribution formula that is calculated to provide incentives for a county to increase its child support collections and paternity establishments and that prohibits the state incentive payment to a county, in combination with any federal incentive payment to the county, from exceeding 5% of the county's child support program costs. The bill eliminates the part of the formula that prohibits the total of state and federal incentive payments from exceeding 5% of a county's child support program costs.

The state incentive payments, as well as grants to counties for programs to revise child support orders and assistance to counties for establishing paternity and obtaining child support, are paid from a general purpose revenue appropriation. The bill eliminates that appropriation and provides for payment of the incentive payments, grants and assistance from moneys transferred from the support collections trust fund, into which is deposited child support paid by persons who are ordered by a court to pay child support for their dependent children.

✓
Insert A →

For further information see the *state* 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:

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 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 2.** 20.445 (3) (k) of the statutes, as affected by 1997 Wisconsin Act 191,
3 section 8, is amended to read:

4 20.445 (3) (k) *Child support transfers.* All moneys transferred from the
5 appropriation account under par. (r), to be expended under the Wisconsin works
6 program under subch. III of ch. 49 and to be distributed as provided in s. 49.24 and
7 for the support of dependent children in accordance with applicable federal and state
8 statutes, federal regulations and state rules, for county child support order revision
9 programs under s. 49.23 (1), for state incentive payments under s. 49.23 (2) and for
10 assistance to counties in establishing paternity and obtaining child support.

11 **SECTION 3.** 49.23 (1) of the statutes is amended to read:

12 49.23 (1) From the appropriation under s. 20.445 (3) ~~(cb)~~ (k), the department
13 shall award grants to counties for programs to revise child support orders. Each
14 county receiving a grant shall review child support orders awarded to persons who
15 receive benefits under s. 48.57 (3m) or (3n) or 49.148 or whose children receive
16 benefits under s. 49.19 and to persons who do not receive benefits under s. 48.57 (3m)
17 or (3n) or 49.148 and whose children do not receive benefits under s. 49.19 and shall
18 initiate actions to revise the orders based on that review. Each county receiving a
19 grant shall review child support orders awarded to persons who receive benefits
20 under s. 48.57 (3m) or (3n) or 49.148 or whose children receive benefits under s. 49.19

1 and child support orders awarded to persons who do not receive benefits under s.
 2 48.57 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19
 3 in proportion to the number of those 2 categories of orders in the county's child
 4 support case load. Before a county may initiate an action to revise a child support
 5 order under this subsection for a person who does not receive benefits under s. 48.57
 6 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19, the
 7 custodial parent of the children must voluntarily consent to the revision.

8 **SECTION 4.** 49.23 (2) (a) (intro.) of the statutes is amended to read:

9 49.23 (2) (a) (intro.) From the appropriation under s. 20.445 (3) ~~(eb)~~ (k), the
 10 department shall provide state incentive payments, in a total amount of not less than
 11 \$259,000 in each fiscal year, to counties that meet the child support collection and
 12 child support administrative efficiency criteria, according to a distribution formula
 13 determined by the department that does all of the following:

14 **SECTION 5.** 49.23 (2) (a) 3. of the statutes is repealed.

15 (END)

15 →

Insert 3-14 ✓

D-note

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0497/3ins
PJK:jlg:km

INSERT A

Also under current law, in fiscal years 1997-98 and 1998-99 DWD[✓] paid child support incentive payments to counties to offset reduced federal child support incentive payments. The bill provides that DWD will pay child support incentive payments to counties to offset reduced federal child support incentive payments in fiscal years 1999-2000[✓] and 2000-01.

(END OF INSERT A)

INSERT 3-14

SECTION 1. 49.24 (1)[✓] of the statutes, as affected by 1997 Wisconsin Act 27, section 1882n[✓], is amended to read:

49.24 (1) From the appropriation under s. 20.445 (3) (k), the department shall provide child support incentive payments to counties to offset reduced federal child support incentive payments. Total payments under this subsection may not exceed \$3,178,000 in fiscal year ~~1997-98~~ 1999-2000 or \$3,850,000 in fiscal year ~~1998-99~~ 2000-01[✓].

NOTE: NOTE: Sub. (1) is shown as amended eff. 1-4-99 by 1997 Wis. Act 27. Prior to 1-4-99 it reads: NOTE:

(1) From the appropriation under s. 20.445 (3) (k), the department shall provide child support incentive payments to counties to offset reduced federal child support incentive payments. Total payments under this subsection may not exceed \$3,178,000 in fiscal year 1997-98 or \$3,850,000 in fiscal year 1998-99.

History: 1997 a. 27.

(END OF INSERT 3-14)

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

LRB-0497/3dn
PJK:jlj:km

Jenny:

This redraft adds the amendment that you requested to s. 49.24 (1) [✓] regarding moving up the fiscal year dates.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

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

LRB-0497/3dn
PJK:jlg:lp

January 19, 1999

Jenny:

This redraft adds the amendment that you requested to s. 49.24 (1) regarding moving up the fiscal year dates.

Pamela J. Kahler
Senior Legislative Attorney
266-2682

Kahler, Pam

From: Paasch, Lynda
Sent: Monday, January 25, 1999 7:59 AM
To: Kahler, Pam
Subject: FW: LRB Draft: 99-0497/3

Pam,
Please let me know that you received this message.

Thanks,

Lynda Paasch

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

From: Sajna, Jennifer
Sent: Friday, January 22, 1999 6:04 PM
To: Paasch, Lynda
Subject: RE: LRB Draft: 99-0497/3

Sorry Pam -- I should have looked at this more carefully -- the \$ amount for child support incentives needs to be \$3,850,000 in both years -- Thanks

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

From: Paasch, Lynda [SMTP:Lynda.Paasch@legis.state.wi.us]
Sent: Tuesday, January 19, 1999 3:55 PM
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: 99-0497/3

Following is the PDF version of draft 99-0497/3.

<< File: 99-0497/3 >> << File: 99-0497/3dn >>



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0497/4
PJK:jlg:lp

rm is run

DOA:.....Sajna - Child support program enhancement funding
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

*SOON
(1-25)
J-note*

*do not
gen cut*

1 AN ACT relating to: state incentive payments to counties and making an
2 appropriation.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

OTHER HEALTH AND HUMAN SERVICES

Under current law, the department of workforce development (DWD) makes state incentive payments to counties that meet child support collection and administrative efficiency criteria. The payments are made according to a distribution formula that is calculated to provide incentives for a county to increase its child support collections and paternity establishments and that prohibits the state incentive payment to a county, in combination with any federal incentive payment to the county, from exceeding 5% of the county's child support program costs. The bill eliminates the part of the formula that prohibits the total of state and federal incentive payments from exceeding 5% of a county's child support program costs.

The state incentive payments, as well as grants to counties for programs to revise child support orders and assistance to counties for establishing paternity and obtaining child support, are paid from a general purpose revenue appropriation. The bill eliminates that appropriation and provides for payment of the incentive payments, grants and assistance from moneys transferred from the support collections trust fund, into which is deposited child support paid by persons who are ordered by a court to pay child support for their dependent children.

Also under current law, in fiscal years 1997-98 and 1998-99 DWD paid child support incentive payments to counties to offset reduced federal child support incentive payments. The bill provides that DWD will pay child support incentive payments to counties to offset reduced federal child support incentive payments in fiscal years 1999-2000 and 2000-01.

For further information see the *state* 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.** 20.445 (3) (cb) of the statutes is repealed.

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 **SECTION 2.** 20.445 (3) (k) of the statutes, as affected by 1997 Wisconsin Act 191,
3 section 8, is amended to read:

4 20.445 (3) (k) *Child support transfers.* All moneys transferred from the
5 appropriation account under par. (r), to be expended under the Wisconsin works
6 program under subch. III of ch. 49 and to be distributed as provided in s. 49.24 and
7 for the support of dependent children in accordance with applicable federal and state
8 statutes, federal regulations and state rules, for county child support order revision
9 programs under s. 49.23 (1), for state incentive payments under s. 49.23 (2) and for
10 assistance to counties in establishing paternity and obtaining child support.

11 **SECTION 3.** 49.23 (1) of the statutes is amended to read:

12 49.23 (1) From the appropriation under s. 20.445 (3) ~~(cb)~~ (k), the department
13 shall award grants to counties for programs to revise child support orders. Each
14 county receiving a grant shall review child support orders awarded to persons who
15 receive benefits under s. 48.57 (3m) or (3n) or 49.148 or whose children receive
16 benefits under s. 49.19 and to persons who do not receive benefits under s. 48.57 (3m)
17 or (3n) or 49.148 and whose children do not receive benefits under s. 49.19 and shall

1 initiate actions to revise the orders based on that review. Each county receiving a
 2 grant shall review child support orders awarded to persons who receive benefits
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 5 48.57 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19
 6 in proportion to the number of those 2 categories of orders in the county's child
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 8 order under this subsection for a person who does not receive benefits under s. 48.57
 9 (3m) or (3n) or 49.148 and whose children do not receive benefits under s. 49.19, the
 10 custodial parent of the children must voluntarily consent to the revision.

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12 49.23 (2) (a) (intro.) From the appropriation under s. 20.445 (3) ~~(eb)~~ (k), the
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 16 determined by the department that does all of the following:

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 19 section 1882n, is amended to read:

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 21 provide child support incentive payments to counties to offset reduced federal child
 22 support incentive payments. Total payments under this subsection may not exceed

23 ~~\$3,178,000~~ in fiscal year ~~1997-98~~ 1999-2000 or \$3,850,000 in fiscal year 1998-99
 24 2000-01.

25

(END) ✓

→ \$3,850,000 ✓

D-note
(over)

D-note

This redraft changes the limit
incentive payment ~~to~~ ^{to} limit
\$3,850,000[✓] in each fiscal year.

PJK

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

LRB-0497/4dn
PJK:jlg:hmh

Monday, January 25, 1999

This redraft changes the incentive payment limit to \$3,850,000 in each fiscal year.

Pamela J. Kahler
Senior Legislative Attorney
266-2682



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0497/4
PJK:jlh:hmh

DOA:.....Sajna – Child support program enhancement funding
FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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24 ~~1998-99~~ 2000-01.

25

(END)