

1999 DRAFTING REQUEST

Bill

Received: **12/9/98**

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 - misc**

Extra Copies:

Topic:

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

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 12/17/98	gilfokm 12/29/98	martykr 12/30/98	_____	lrb_docadmin 12/30/98		S&L
/2	yacketa 01/8/99	gilfokm 01/8/99	hhagen 01/11/99	_____	lrb_docadmin 01/11/99		S&L
/3	yacketa 01/24/99	gilfokm 01/25/99	jfrantze 01/25/99	_____	lrb_docadmin 01/25/99		S&L
/4	yacketa 02/2/99	ygeller 02/3/99	martykr 02/3/99	_____	lrb_docadmin 02/3/99		S&L

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/3	yacketa 01/24/99	gilfokm 01/25/99	jfrantze 01/25/99	_____	lrb_docadmin 01/25/99		S&L

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1/4 2/3 jg *km 2/3* *cb Rm 2/3*

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/2	yacketa 01/8/99	gilfokm 01/8/99	hhagen 01/11/99	_____	lrb_docadmin 01/11/99		S&L

FE Sent For:

Jb 1/25 *Jb / Cp*
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FE Sent For: *12-1-8-99 Kmg* *CA 1/11* *CA/JF 1/11*

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By/Representing: Sajna

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Drafter: yacketa

May Contact:

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Subject: Public Assistance - misc

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Topic:

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Instructions:

See Attached

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1?	yacketa	1-12-98 King	km/29	cmh/28 km/28			S&L

FE Sent For:

<END>

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May Contact:

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Instructions:

See Attached

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/?	yacketa			_____			

FE Sent For:

<END>

CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

Date: December 7, 1998

To: Steven Miller, LRB

From: Jennifer Sajna, (6-8219) *MS*
SBO

Subject: 1999-01 Biennial Budget Drafting Requests

I have two additional drafting requests for the 1999-01 biennial budget.

- 1) **W-2 Contract Provisions (see attached)**
- 2) **Chapter 20 – appropriation clean-ups:**

- Repeal 20.445(3)(jg)
- Amend 20.445(3)(a) to allow DWD pay a vendor to identify additional Maintenance of Effort funds.
- Amend 20.445(3)(br) to remove references to learnfare and PFR.
- Amend 20.445(3)(cm) to remove provisions that are effective before October 1, 1997.
- Amend 20.445(3)(dz) to ^{delete} references to the JOBS program, PFR, any child care cost not covered under s.49.155, New Hope, and Aid to 18 yr old students. *Parental Responsibility Pilot*
- Repeal 20.445(3)(jm).

Please have the drafter call me if she has any questions. Thanks.

InterOffice Memo

Department of Workforce Development
Division of Economic Support

Date: December 7, 1998

To: Jennifer Sajna
State Budget Office

From: Bob Nikolay
Bureau of Strategic Planning and Budget

Subject: **STATUTORY LANGUAGE REVISIONS: CLEANUPS IN SECTIONS 49.141 AND 49.143, STATS.**

The following statutory language changes related to the W-2 contracts are recommended for inclusion in the 1999-2001 biennial budget.

1. **Section 49.141 Wisconsin works; general provisions** - This section should be amended to delete subsection (2) in its entirety. These provisions were necessary prior to the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). With the creation of the Temporary Assistance for Needy Families (TANF) block grant which replaced the Aid to Families to Dependent Children (AFDC) program, waivers to implement the provisions of W-2, with the exception of the child support passthrough, were no longer needed.

2. **Section 49.143 Wisconsin works; agency contracts** - This section should be amended as follows:

- a. The last sentence in sub. (1)(a) should be deleted in its entirety.
- b. Subsection (1)(am)1 should be repealed and recreated to read:

The department shall contract with a Wisconsin works agency to administer Wisconsin works if that agency has met the performance standards established by the department under the immediately preceding contract. The contract shall be for the term of at least 2 years. When the contract expires, a Wisconsin works agency may apply for a new contract under the competitive process established under par. (a). A Wisconsin works agency may elect not to enter into a contract under this subdivision if the Wisconsin works agency informs the department by the date established by the department that Wisconsin works agency has made that election.
- c. Subsection (1)(am)2 should be modified to state:

A Wisconsin works agency that has not met the performance standards established by the department may apply for a contract under the competitive process established under par. (a).
- d. (1)(at) should be repealed.



SOON | D-NOTE
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1186/1

TAY...:k...
RMR

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

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ^{Don't} ^{Sen Cat} 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.

STET

Program

Under current law, DWD ~~is~~ required to award initial contracts to administer Wisconsin works (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, 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 ^{scored comma, not a stricken comma} 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.

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, 772nn, 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).

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).~~

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).

1 SECTION 3. 20.445 (3) (cb) of the statutes is amended to read: *dash*
collection *county*

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

→ NOTE: Bud

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).

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

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

16 49.193 (8) *strike the period*

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).

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

section 627b,

2-1-99

1 20.445 (3) (dz) *Wisconsin works and other public assistance administration*
2 *and benefits.* The amounts in the schedule for administration and benefit payments
3 under Wisconsin works under ss. 49.141 to 49.161, the job opportunities and basic
4 skills program under s. 49.193, the learnfare program under s. 49.26, the work
5 experience and job search program under s. 49.36, and the food stamp program under
6 s. 49.124 and the parental responsibility pilot program under s. 49.25; for payment
7 distribution under s. 49.33 (8) for county administration of public assistance benefits
8 and medical assistance eligibility determination and payments to American Indian
9 tribes for administration of public assistance programs; to provide state aid for
10 county administered public assistance programs for which reimbursement is
11 provided under s. 49.33 (9); for child care costs under ss. 49.191 (1) and (2), 49.193
12 (8) and 49.26 (1) (e); for the new hope project under s. 49.37; for aid to 18-year-old
13 students under s. 49.20; for funeral expenses under s. 49.30; and to transfer to the
14 appropriation account under s. 20.835 (2) (k) the amount determined by the
15 department of revenue under s. 49.175 (1) (b) 2. Payments may be made from this
16 appropriation to counties for fraud investigation and error reduction under s. 49.197
17 (1m) and (4). Moneys appropriated under this paragraph may be used to match
18 federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002
19 (1), the department may transfer funds between fiscal years under this paragraph.
20 All funds allocated by the department but not encumbered by December 31 of each
21 year lapse to the general fund on the next January 1 unless transferred to the next
22 calendar year by the joint committee on finance.

NOTE: NOTE: Par. (dz) is shown as affected eff. 2-1-99 by 2 acts of the 1997 legislature and as merged by the revisor under s. 13.93 (2) (c). Prior to 2-1-99 it reads:NOTE:

23 (dz) *Wisconsin works and other public assistance administration and benefits.* The amounts in the schedule for administration and benefit payments under Wisconsin
24 works under ss. 49.141 to 49.161, the job opportunities and basic skills program under s. 49.193, the learnfare program under s. 49.26, the work experience and job
25 search program under s. 49.36, the food stamp program under s. 49.124 and the parental responsibility pilot program under s. 49.25; for payment distribution under
26 s. 49.33 (8) for county administration of public assistance benefits and medical assistance eligibility determination and payments to American Indian tribes for
27 administration of public assistance programs; to provide state aid for county administered public assistance programs for which reimbursement is provided under s.
28 49.33 (9); for child care costs under ss. 49.191 (1) and (2), 49.193 (8) and 49.26 (1) (e); for the new hope project under s. 49.37; for aid to 18-year-old students under

1 s. 49.20; and for funeral expenses under s. 49.30. Payments may be made from this appropriation to counties for fraud investigation and error reduction under s. 49.197
2 (1m) and (4). Moneys appropriated under this paragraph may be used to match federal funds received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002
3 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each
4 year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

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,
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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).

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

→ NOTE: Bud

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

→ NOTE: Bud

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

8 20.445 (3) (L) *Welfare fraud and error reduction; state operations.* From the
9 moneys received as the state's share of the recovery of overpayments and incorrect
10 payments under ~~ss. 49.125 (2), 49.191 (3) (c), 1997 stats., 49.195, stats., and 49.497~~
11 (1), the amounts in the schedule for the department's activities to reduce error and
12 fraud in the food stamp, aid to families with dependent children, Wisconsin works
13 program and medical assistance programs. s. 49.191 (3) (c), 1997 stats., 49.195, 1997 stats.,

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. 2; 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).

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

15 20.445 (3) (Lm) *Welfare fraud and error reduction; local assistance.* From the
16 moneys received as the state's share of the recovery of overpayments and incorrect
17 payments under ~~ss. 49.125 (2), 49.191 (3) (c), 1997 stats., 49.195, 1997 stats., and~~
18 49.497 (1), all moneys not appropriated under par. (L) for county and tribal activities
19 to reduce error and fraud in the food stamp, aid to families with dependent children,
20 Wisconsin works program and medical assistance program.

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. 2; 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).

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

1 46.215 (1) (j) To make payments in such manner as the department of
 2 workforce development may determine for training of recipients, former recipients
 3 and potential recipients of aid in programs established under ~~ss. 49.193, 1997 stats.,~~^{s.}
 4 and ~~49.26 (1).~~^{s.}

X

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252.

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

6 ~~SECTION 12. 46.22 (1) (b) 2. a. of the statutes is repealed.~~

7 SECTION 13. 46.22 (1) (b) 2. e. of the statutes is amended to read:

8 46.22 (1) (b) 2. e. To make payments in such manner as the department of
 9 workforce development may determine for training of recipients, former recipients
 10 and potential recipients of aid in programs established under ~~ss. 49.193, 1997 stats.,~~^{s.}
 11 and ~~49.26 (1).~~^{s.}

X

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252.

12 SECTION 14. 49.141 (2) of the statutes is repealed.

13 SECTION 15. 49.141 (2g) (a) of the statutes is renumbered 49.141 (2g).

14 SECTION 16. 49.141 (2g) (b) of the statutes is repealed.

15 SECTION 17. 49.143 (1) (a) of the statutes is amended to read:

16 49.143 (1) (a) Except as provided in par. (am), the department may award a
 17 contract, on the basis of a competitive process approved by the secretary of
 18 administration, to any person to administer Wisconsin works in a geographical area
 19 determined by the department under sub. (6). ~~The department shall award contracts~~
 20 ~~under this paragraph before the date that is specified in s. 49.141 (2) (d).~~[✓]

History: 1995 a. 216, 289; 1997 a. 27, 36, 236, 318.

21 SECTION 18. 49.143 (1) (am) 1. of the statutes is repealed and recreated to read:

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

8 **SECTION 19.** 49.143 (1) (am) 2. of the statutes is amended to read:

9 49.143 (1) (am) 2. A ~~county or tribal governing body~~ Wisconsin works agency
10 that has not met the ~~aid to families with dependent children caseload~~ performance
11 standards established by the department may apply for a contract under the
12 competitive process established under par. (a).

History: 1995 a. 216, 289; 1997 a. 27, 36, 236, 318.

13 **SECTION 20.** 49.143 (1) (at) of the statutes is repealed.

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

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

16 49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.
17 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job
18 opportunities and basic skills program ~~begins to count~~ counts toward the 60-month
19 limit ~~beginning on October 1, 1996~~.

History: 1995 a. 289; 1997 a. 27, 191, 237, 283.

20 **SECTION 23.** 49.155 (1m) (c) 3. of the statutes is amended to read:

21 49.155 (1m) (c) 3. The individual was eligible for a child care subsidy under s.
22 49.191 (2), 1997 stats., on or after May 10, 1996, and received a child care subsidy
23 on or after May 10, 1996, but lost the subsidy solely because of increased income, and
24 the gross income of the individual's family is at or below 200% of the poverty line for

1 a family the size of the individual's family. This subdivision does not apply to an
2 individual whose family's gross income increased to more than 200% of the poverty
3 line for a family the size of the individual's family.

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

4 **SECTION 24.** 49.175 (1) (intro.) of the statutes, as affected by 1997 Wisconsin

5 Act 27, is amended to read:

section 1857 pm,

NOTE: NOTE: Sub. (1) (intro.) is amended eff. October 1, 1999 or the date stated in the Wisconsin Administrative Register under s. 767.29 (1) (f), whichever is earlier, by 1997 Wis. Act 27 to read: NOTE:

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

History: 1997 a. 27, 105, 236, 237, 252, 318.

10 **SECTION 25.** 49.175 (1) (d) of the statutes is repealed.

11 **SECTION 26.** 49.185 (5) of the statutes is amended to read:

12 49.185 (5) APPLICABILITY. This section applies beginning on the date stated in
13 the notice under s. 49.141 (2) (d), or on November 1, 1997, whichever is later.

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

14 **SECTION 27.** 49.19 (11s) (a) of the statutes is amended to read:

15 49.19 (11s) (a) The department shall conduct a demonstration project under
16 this subsection pursuant to a waiver from the secretary of the federal department of
17 health and human services beginning on January 1, 1996. To the extent permitted
18 in the waiver, the department may apply pars. (b) to (d) to all recipients of aid under
19 this section or to a test group of recipients of aid under this section determined by
20 the department. Paragraphs (b) to (d) do not apply to persons who are subject to s.
21 49.25, 1997 stats., and shall apply only while a waiver under this paragraph is in
22 effect and only with respect to recipients covered by the waiver.

History: 1971 c. 125, 215, 217; 1973 c. 90, 147, 186, 328, 333; 1975 c. 39, 82, 94, 224, 307, 422; 1977 c. 29, 203, 271, 418, 449; 1979 c. 32 s. 92 (4); 1979 c. 34, 206, 221, 352; 1981 c. 1, 20, 93, 314, 317, 391; 1983 a. 27, 161, 192, 245, 310, 430, 447; 1985 a. 29, 120, 176, 281, 332; 1987 a. 27, 307, 399; 1989 a. 31, 107, 122, 359; 1991 a. 39, 178, 269, 313, 315, 316, 322; 1993 a. 16, 99, 326, 395, 437, 446, 481; 1995 a. 12; 1995 a. 27 ss. 2852 to 2871, 9126 (19); 1995 a. 77, 198, 225, 289, 295; 1997 a. 27, 35, 39, 252.

1 **SECTION 28.** 49.19 (20) (a) of the statutes is amended to read:

2 49.19 (20) (a) Beginning on January 1, 1999, or beginning on the first day of
3 the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d),
4 1997 stats., whichever is sooner, no person is eligible to receive benefits under this
5 section and no aid may be granted under this section. No additional notice, other
6 than the enactment of this paragraph, is required to be given under sub. (13) to
7 recipients of aid under this section to terminate their benefits under this paragraph.

History: 1971 c. 125, 215, 217; 1973 c. 90, 147, 186, 328, 333; 1975 c. 39, 82, 94, 224, 307, 422; 1977 c. 29, 203, 271, 418, 449; 1979 c. 32 s. 92 (4); 1979 c. 34, 206, 221, 352; 1981 c. 1, 20, 93, 314, 317, 391; 1983 a. 27, 161, 192, 245, 310, 430, 447; 1985 a. 29, 120, 176, 281, 332; 1987 a. 27, 307, 399; 1989 a. 31, 107, 122, 359; 1991 a. 39, 178, 269, 313, 315, 316, 322; 1993 a. 16, 99, 326, 395, 437, 446, 481; 1995 a. 12; 1995 a. 27 ss. 2852 to 2871, 9126 (19); 1995 a. 77, 198, 225, 289, 295; 1997 a. 27, 35, 39, 252.

8 **SECTION 29.** 49.191 of the statutes is repealed.

9 **SECTION 30.** 49.193 of the statutes is repealed.

10 **SECTION 31.** 49.195 (1) of the statutes is amended to read:

11 49.195 (1) If any parent at the time of receiving aid under s. 49.19 or a benefit
12 under s. 49.148, 49.155 or 49.157 or at any time thereafter acquires property by gift,
13 inheritance, sale of assets, court judgment or settlement of any damage claim, or by
14 winning a lottery or prize, the county granting such aid, or the Wisconsin works
15 agency granting such a benefit, may sue the parent on behalf of the department to
16 recover the value of that portion of the aid or of the benefit which does not exceed the
17 amount of the property so acquired. The value of the aid or benefit liable for recovery
18 under this section may not include the value of work performed by a member of the
19 family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,
20 s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work
21 experience component under s. 49.193 (6), 1997 stats. During the life of the parent,
22 the 10-year statute of limitations may be pleaded in defense against any suit for
23 recovery under this section; and if such property is his or her homestead it shall be
24 exempt from execution on the judgment of recovery until his or her death or sale of

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

History: 1977 c. 29; 1981 c. 93, 317; 1983 a. 27; 1985 a. 29; 1985 a. 332 s. 251 (1); 1987 a. 27, 307; 1989 a. 31, 96, 173; 1993 a. 16; 1995 a. 27, 289; 1997 a. 27.

17 **SECTION 32.** 49.20 of the statutes is repealed.

18 **SECTION 33.** 49.21 of the statutes is repealed.

19 **SECTION 34.** 49.25 of the statutes is repealed.

20 **SECTION 35.** 49.26 (1) (h) 1. as. of the statutes is amended to read:

21 49.26 (1) (h) 1. as. The individual has failed to request a hearing or has failed
22 to show good cause for not cooperating with case management efforts in a hearing.
23 ~~If the individual is a recipient of aid under s. 49.19, the hearing shall be requested~~
24 ~~and held under s. 49.21 (1). If the individual is a member of a Wisconsin works group,~~

1 as defined in s. 49.141 (1) (s), the The hearing shall be requested and held under s.
2 49.152. The department shall determine by rule the criteria for good cause.

3 History: 1995 a. 27 ss. 2319 to 2324, 2898g to 2898r, ³¹⁰¹ to 3120b, 9130 (4), 9145 (1); 1995 a. 289; 1997 a. 3, 27, 239.

3 SECTION 36. 49.27 of the statutes is repealed.

4 SECTION 37. 49.36 (2) of the statutes is amended to read:

5 49.36 (2) The department may contract with any county to administer a work
6 experience and job training program for parents who are not custodial parents and
7 who fail to pay child support or to meet their children's needs for support as a result
8 of unemployment or underemployment. The program may provide the kinds of work
9 experience and job training services available from the program under s. 49.193,
10 1997 stats., or ^{s.} 49.147 (3) or (4). The program may also include job search and job
11 orientation activities. The department shall fund the program from the
12 appropriation under s. 20.445 (3) (dz).

13 History: 1987 a. 413; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. ²⁷ ss. 2135 to 2142; 1995 a. 289; 1997 a. 27.

13 SECTION 38. 49.36 (3) (g) of the statutes is repealed.

14 SECTION 39. 49.89 (7) (c) of the statutes is amended to read:

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

21 History: 1977 c. 29; 1979 c. 221; 1981 c. 20; 1983 a. 27, 465; 1985 a. 29 ss. 1051, 1052, 3200 (23); 1987 a. 27 s. 3202 (24); 1989 a. 31; 1995 a. 27 ss. 3152 to 3177, 3214,
3215, 9126 (19), 9130 (4); Stats. 1995 s. 49.89; 1995 a. 407; 1997 a. 3.

21 SECTION 40. 73.03 (35) of the statutes is amended to read:

22 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),
23 (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)~~ 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).

History: 1971 c. 40, 215; 1973 c. 90; 1975 c. 39; 1977 c. 143; 1977 c. 196 s. 130 (7); 1977 c. 313; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221, 350; 1981 c. 20; 1981 c. 79 s. 18; 1983 a. 275 s. 15 (4); 1983 a. 524; 1983 a. 538 s. 269 (3); 1985 a. 12, 29, 273; 1987 a. 4, 27, 186; 1987 a. 312 s. 17; 1987 a. 328, 378, 399; 1989 a. 31; 1989 a. 56 s. 259; 1989 a. 74, 335; 1991 a. 39, 219, 313, 316; 1993 a. 16, 112, 205, 490; 1995 a. 27 ss. 3434g to 3440m, 9145 (1); 1995 a. 209, 233; 1997 a. 27, 35, 191, 237, 252.

6 **SECTION 41. 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.

History: 1975 c. 147 ss. 24, 54; 1977 c. 195; 1979 c. 323 s. 33; 1981 c. 92; 1985 a. 83 s. 44; 1985 a. 332 s. 253; 1987 a. 179; 1989 a. 64; 1995 a. 117, 289; 1997 a. 38.

15 **SECTION 42. 106.115 (1) (b) of the statutes is repealed.**

16 **SECTION 43. 106.18 of the statutes is repealed.**

17 **SECTION 44. 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, 1997 stats., ~~or for whom aid to families~~
 23 ~~with dependent children is being received under s. 49.19~~ or who are members of a

1 Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is
2 participating in Wisconsin works under s. 49.147 (3) to (5) or any combination
3 thereof, as determined by the school board. If a school board determines to provide
4 transportation under this subsection, there shall be reasonable uniformity in the
5 transportation furnished such pupils whether they attend public or private schools.
6 The cost of transporting pupils under this subsection may not be included in the
7 school district's shared cost under s. 121.07 (6) (a).

History: 1973 c. 94, 290; 1975 c. 115, 321; 1977 c. 206, 211, 418, 429; 1979 c. 20, 202, 221, 301, 355; 1981 c. 96, 314, 335; 1983 a. 27, 193, 207, 339, 370, 518, 538; 1985
a. 29 ss. 1725e to 1726m, 1731; 1985 a. 101, 135, 211; 1985 a. 218 ss. 12, 13, 22; 1985 a. 332; 1987 a. 88, 187; 1989 a. 31, 201, 336, 359; 1991 a. 39, 226, 269; 1993 a. 16, 27,
284, 334, 399, 450, 481, 491; 1995 a. 27 ss. 4024, 9126 (19), 9145 (1); 1995 a. 29, 32, 33, 65, 75, 225, 235, 289, 439; 1997 a. 27, 155, 164, 191, 237, 335.

8 **SECTION 45. 253.10 (3) (d) 1. of the statutes is amended to read:**

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

1 ~~aid to families with dependent children under s. 49.19~~, medical assistance for
2 pregnant women and children under s. 49.47 (4) (am), ~~the job opportunities and basic~~
3 ~~skills program under s. 49.193~~, the availability of family or medical leave under s.
4 103.10, the Wisconsin works program under ss. 49.141 to 49.161, child care services,
5 child support laws and programs and the credit for expenses for household and
6 dependent care and services necessary for gainful employment under section 21 of
7 the internal revenue code. The materials shall state that it is unlawful to perform
8 an abortion for which consent has been coerced, that any physician who performs or
9 induces an abortion without obtaining the woman's voluntary and informed consent
10 is liable to her for damages in a civil action and is subject to a civil penalty, that the
11 father of a child is liable for assistance in the support of the child, even in instances
12 in which the father has offered to pay for an abortion, and that adoptive parents may
13 pay the costs of prenatal care, childbirth and neonatal care. The materials shall
14 include information, for a woman whose pregnancy is the result of sexual assault or
15 incest, on legal protections available to the woman and her child if she wishes to
16 oppose establishment of paternity or to terminate the father's parental rights. The
17 materials shall state that fetal ultrasound imaging and auscultation of fetal heart
18 tone services are obtainable by pregnant women who wish to use them and shall
19 describe the services.

20 History: 1985 a. 56, 176; 1991 a. 263; 1993 a. 27 s. 378; Stats. 1995 s. 253.10; 1995 a. 309; 1997 a. 27.

20 **SECTION 46.** 560.75 (11) of the statutes is repealed.

21 **SECTION 47.** 560.795 (3) (e) of the statutes is repealed.

22 **SECTION 48.** 560.797 (4) (e) of the statutes is repealed.

23 **SECTION 49.** 767.078 (1) (b) (intro.) of the statutes is amended to read:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1186/1dn

TAY...
kind

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*) ^{of} (*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 the department has been counting JOBS participation with respect to the 60-month limit. I think the change 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. *that*

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

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.

an
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

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?

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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

Kahler, Pam

To: Yacker, Tina
Subject: LRB-1186

Tina:

I talked to Jenny about something else that I thought I should probably delete from my draft (LRB-0497) because of the repeals of ss. 49.25 and 49.27 in your draft (LRB-1186) and found out that you will probably have to make at least one change to your draft, so I did not redraft it to delete the treatment of s. 20.445 (3) (cb). If you are so inclined, you can delete the treatment of s. 20.445 (3) (cb) when you do your redraft. Thanks.

Pam

Yacker, Tina

From: Sajna, Jennifer [jennifer.sajna@doa.state.wi.us]
Sent: Thursday, January 07, 1999 4:27 PM
To: Yacker, Tina
Subject: 1186/1

Except for the reference to 18 year olds in s.120.13 - this looks good to me. Thanks

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

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

1

W/out Gen. Cat.
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:

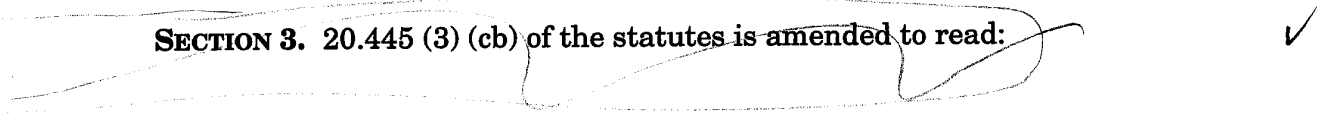
1 **SECTION 1.** 20.445 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
2 is amended to read:

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) (c), 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) (c), 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 ^{who are} 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:

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

LRB-1186/2dn

TAY...:k:....

amy

Jenny:

In addition to eliminating the reference to aid to 18-year-old students in s. 120.13, this draft eliminates the treatment of s. 20.445 (3) (cb) since that paragraph is repealed in LRB-0497. This is a little pre-reconciliation measure. Should you determine that either this draft or LRB-0497 is to be excluded from the budget, please let Pam or me know right away so that we can redraft the missing provisions.

Tina A. Yacker
Legislative Attorney
261-6927

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

LRB-1186/2dn
TAY:kmg:hmb

Monday, January 11, 1999

Jenny:

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