

2001 DRAFTING REQUEST**Bill**Received: **01/06/2001**Received By: **isagerro**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Blaine**This file may be shown to any legislator: **NO**Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Public Assistance - Wis works**

Extra Copies:

Pre Topic:

DOA:.....Blaine -

Topic:

Limit on participation in the child care subsidy program

Instructions:

See Attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|------------------------|--------------------|------------------------|----------------|----------------------------|-----------------|-----------------|
| /1 | isagerro 01/07/2001 | jdye 01/07/2001 | rschluet 01/07/2001 | _____ | lrb_docadmin 01/08/2001 | | S&L |

FE Sent For:

<END>

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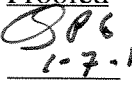
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| /? | isagerro | 1/7 jld |  1-7-1 |  1-7-1 | | | S&L |

FE Sent For:

<END>

Sager-Rosenthal, Ivy

From: Blaine, Robert
Sent: Saturday, January 06, 2001 1:37 PM
To: Sager-Rosenthal, Ivy
Cc: Kraus, Jennifer
Subject: Child care cap

Now, here are my thoughts on the child care issue I raised yesterday.

We would like to add language to the statutes which give us the authority to scale back the child care program in the event that it will be over-budget. There are several ways the program could be scaled back. We could change eligibility requirements as specified under s. 49.155 (1m). Or we could just shut the doors and use waiting lists. It is my understanding that DWD can do the latter right now under administrative rule. Regardless of the route chosen, we want to be more explicit that what we've allocated for the program is our limit, and if it looks like that limit will be exceeded, further participation needs to be limited.

What we are envisioning is another subsection in (1m) which states that in the even that the department projects that the program will exceed the allocation levels under s. 49.175 (1)(p), it may undertake steps to limit participation in the program with the approval of the DOA secretary. I think this would work and be fairly straightforward if the department were to use waiting lists. Would it be possible, though, to do something further which allows them to alter eligibility requirements? I guess I'm not sure whether you can give a department that kind of power, to disregard the statutorily set eligibility standards when it (rather arbitrarily) determines it will be over budget. Our preference (as you may guess) is to have as broad a section as possible which gives us the most options for curtailing the program.

I think this amendment could be added to either our child care draft (1302) or the TANF allocations draft (1303). Since you've already done a redraft of 1302 and are still working on 1303, maybe doing it in the latter would be easier?

You can treat this e-mail as an actual request for more language. Let me know if you have any questions or need further clarifications.

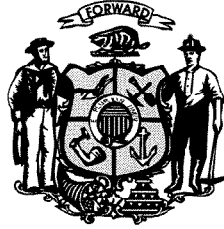
Robert Blaine

State Budget Office
Wisconsin Department of Administration
(608) 266-8219
robert.blaine@doa.state.wi.us

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: January 6, 2001

To: Steve Miller, LRB

From: Robert Blaine, DOA

Subject: Budget Draft -- Department of Workforce Development (DWD) Division of Economic Support (DES) statutory language requests.

Attached is one statutory language request regarding DWD's direct child care program. This language would enable the department to restrict participation in the program in the event that it projects expenditures will exceed available revenues.

If you or your staff have any questions, feel free to contact me at 266-8219 or through E-mail at robert.blaine@doa.state.wi.us.

STATUTORY MODIFICATIONS

Department of Administration:
2001-03 Biennial Budget

Analyst: Robert Blaine

Subject: Direct Child Care Participation Restriction

Request: Create language to the statutes which gives the Department of Workforce Development the authority to restrict participation in the direct child care program in the event that the department projects expenditures will exceed available revenues. The language should be broad enough so that the department could use a range of tools, from altering eligibility requirements as specified under s. 49.155 (1m) to closing participation to new participants and utilizing waiting lists.

This language could be a part of 49.155 (1m) and state that in the event that the department projects that the program will exceed the allocation levels under s. 49.175 (1)(p), it may undertake steps to limit participation in the program with the approval of the DOA secretary.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1843/1

ISR:.....

Note: Request sheet already changed

Jfd

DOA:.....Blaine - ~~Child care cap~~

Limit on participation in the child care subsidy program

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Sevon

Do not gen

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

Under current law, DWD administers the child care subsidy program. Under this program, an individual who meets certain financial eligibility requirements and who is the parent, foster parent, or guardian of a child who is under the age of 13 or, if the child is disabled, under the age of 19, may be eligible for a child care subsidy if the individual needs child care to work or to pursue basic or technical college education ~~to maintain employment~~.

Under this bill, if DWD determines that moneys ~~appropriated~~ allocated for the child care subsidy program are insufficient to provide the child care subsidy to eligible individuals, DWD may develop a plan to limit participation in the child care subsidy program, including ~~establishing~~ new eligibility criteria for the program. DWD must submit the plan to the secretary of administration for approval and upon approval of the secretary of administration, DWD may implement the plan.

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

specifying

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

1 **SECTION 1.** 48.651 (1) (intro.)^X of the statutes is amended to read:

2 48.651 (1) (intro.) Each county department shall certify, according to the
3 standards adopted by the department of workforce development under s. 49.155 (1d),
4 each day care provider reimbursed for child care services provided to families
5 determined eligible under s. 49.155[✓] (1m), unless the provider is a day care center
6 licensed under s. 48.65 or is established or contracted for under s. 120.13 (14). Each
7 county may charge a fee to cover the costs of certification. To be certified under this
8 section, a person must meet the minimum requirements for certification established
9 by the department of workforce development under s. 49.155 (1d), meet the
10 requirements specified in s. 48.685 and pay the fee specified in this section. The
11 county shall certify the following categories of day care providers:

12 History: 1983 a. 193; 1985 a. 176; 1995 a. 289, 404; 1997 a. 27, 35, 252; 1999 a. 9^X

12 **SECTION 2.** 49.155 (1m) (intro.) of the statutes is amended to read:

13 49.155 (1m) ELIGIBILITY. (intro.) A Wisconsin works agency shall determine
14 eligibility for a child care subsidy under this section. ~~Under this section~~ Except as
15 provided in sub. (2m)[✓], an individual may receive a subsidy for child care for a child
16 who has not attained the age of 13 or, if the child is disabled, who has not attained
17 the age of 19, if the individual meets all of the following conditions:

18 History: 1995 a. 289; 1997 a. 27, s. 1766 to 1775, 1838 to 1857^X; 1997 a. 41, 105, 237, 252; 1999 a. 9.

18 **SECTION 3.** 49.155 (2m) of the statutes is created to read:

19 49.155 (2m) PLAN TO LIMIT PARTICIPATION. If the department determines that
20 moneys allocated under s. 49.175 (1) (p)[✓] are insufficient to provide a child care
21 subsidy to individuals who meet the requirements under sub. (1m)[✓], the department
22 may develop a plan to limit participation in the child care subsidy program. The plan
23 may specify requirements that an individual must meet to be eligible for a subsidy
24 that are different from those specified under sub. (1m)[✓]. The department shall submit

1 the plan to the secretary of administration for approval. If the secretary of
2 administration approves the plan, the department may limit participation as
3 specified in the plan.

4 **SECTION 4.** 49.155 (3) (a) ✓ of the statutes is amended to read:

5 49.155 (3) (a) A Wisconsin works agency shall refer an individual who has been
6 determined eligible under sub. (1m) or under a plan approved by the secretary of
7 administration under sub. (2m) ✓ to a county department under s. 46.215, 46.22 or
8 46.23 for child care assistance.

9 History: 1995 a. 289; 1997 a. 27, s. 1766 to 1775, 1838 to 1857; 1997 a. 41, 105, 237, 252; 1999 a. 9.

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1843/1

ISR:jld:rs

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FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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8 (END)