

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 07/09/2001

Received By: isagerro

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Carreon

This file may be shown to any legislator: NO

Drafter: isagerro

May Contact:

Addl. Drafters:

Subject: Public Assistance - Wis works

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

LFB:.....Carreon -

Topic:

Require DWD to promulgate rules for screening domestic abuse victims

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>
/?	isagerro 07/09/2001	gilfokm 07/09/2001		_____			
/1			rschluet 07/10/2001	_____	lrb_docadmin 07/10/2001		
/2	isagerro 07/10/2001	gilfokm 07/10/2001	jfrantze 07/10/2001	_____	lrb_docadmin 07/10/2001		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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FE Sent For:			7/10	Self 7/10			

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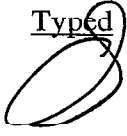
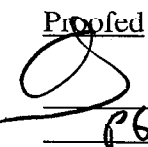
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1?	isagerro	1-7/11mg 19-01		 PB			

7-10-1

FE Sent For:

<END>

2001

Date (time)
needed

Session

LRB b 2022 11

ISR King

BUDGET AMENDMENT

See form **AMENDMENTS — COMPONENTS & ITEMS.**

SENATE AMENDMENT TO SENATE SUBSTITUTE AMENDMENT 1 TO 2001 SENATE BILL 55

At the locations indicated, amend the substitute amendment as follows:

✓ #. Page 597., line 3.: after that line insert:

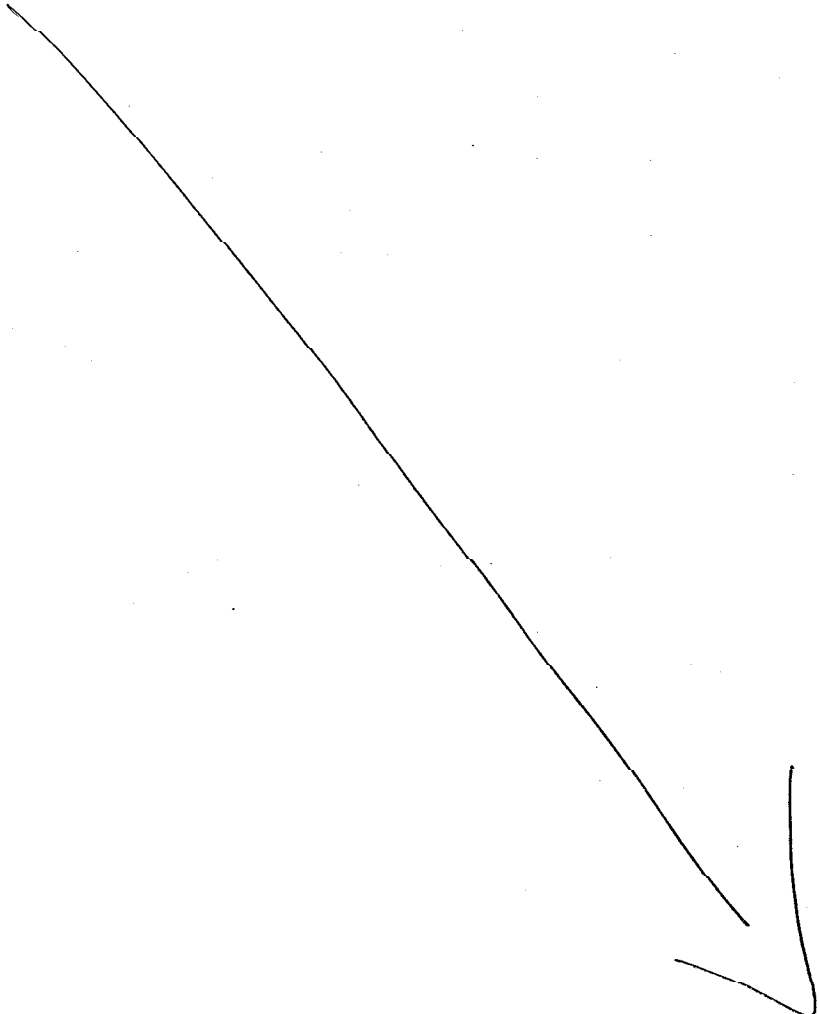
#. Page, line

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1 ~~limit~~ may be extended on a case-by-case basis by the department or by the Wisconsin
2 works agency with the approval of the department.

3 **SECTION 1660nk.** 49.147 (5) (b) 2. b. of the statutes is created to read:

4 49.147 (5) (b) 2. b. The department or, with the approval of the department, a
5 Wisconsin works agency may also extend the time limit under subd. 2. a. if the
6 department or Wisconsin works agency determines under s. 49.1473 that the
7 participant's compliance with the time limit would make it more difficult for the
8 participant to escape domestic abuse or would unfairly penalize individuals who are
9 or have been victimized by domestic abuse or who are at risk of further domestic
10 abuse.

11 **SECTION 1660no.** 49.147 (5g) of the statutes is created to read:

12 49.147 (5g) TEMPORARY WAIVERS. If a Wisconsin works agency determines under
13 s. 49.1473 that a participant's compliance with any of the hours of work or other
14 activities assigned to the participant under sub. (3), (4), or (5) would make it more
15 difficult for the participant to escape domestic abuse or would unfairly penalize
16 individuals who are or have been victimized by domestic abuse or who are at risk of
17 further domestic abuse, the Wisconsin works agency may temporarily waive or
18 reduce any of these assigned hours.

19 **SECTION 1660p.** 49.1473 of the statutes is created to read:

20 49.1473 Wisconsin works; *domestic abuse screening and training*
family violence option (1) ~~UNIVERSAL~~
21 NOTIFICATION. (a) ~~A Wisconsin works agency shall notify each individual applying for~~
22 ~~or participating in the Wisconsin works program of all of the following:~~

- 23 1. ~~That, if the individual is or has been a victim of domestic abuse or is at risk~~
24 ~~of further domestic abuse, he or she may not be required to meet certain eligibility~~
25 ~~requirements or participation requirements for the Wisconsin works program if the~~

1 individual's compliance with the eligibility requirements or participation
 2 requirements would make it more difficult for the individual to escape domestic
 3 abuse or would unfairly penalize individuals who are or have been victimized by
 4 domestic abuse or who are at risk of further domestic abuse.

5 2. That any information provided to the Wisconsin works agency or the
 6 department by the individual regarding domestic abuse shall remain confidential.

7 3. That counseling and supportive services are available for past and present
 8 victims of domestic abuse and for individuals who are at risk of further domestic
 9 abuse.

10 (b) A Wisconsin works agency shall provide the individual with the information
 11 under par. (a) orally and in writing at the time that the individual applies for the
 12 Wisconsin works program and at the time that the individual's eligibility for or
 13 progress in the Wisconsin works program is reviewed. Subject to sub. (5), the
 14 department shall promulgate rules specifying procedures for notifying individuals
 15 of the information under par. (a).

16 ~~WISCONSIN SCREENING AND TRAINING~~ (a) Subject to sub. (3), the department shall
 17 ~~no new H~~ promulgate rules for screening victims of domestic abuse and for the training of
 18 Wisconsin works agency employees in domestic abuse issues. The rules shall allow
 19 an individual to voluntarily and confidentially disclose that he or she is or has been
 20 a victim of domestic abuse or is at risk of further domestic abuse. The rules shall also
 21 specify the evidence that is sufficient to establish that an individual is or has been
 22 a victim of domestic abuse or is at risk of further domestic abuse. Each Wisconsin
 23 works employee who determines an individual's eligibility for the Wisconsin works
 24 program or who reviews an individual's progress in the Wisconsin works program

1 shall be trained in domestic abuse issues in accordance with the rules promulgated
2 under this paragraph.

3 (b) Subject to sub. (1), each Wisconsin works agency shall establish procedures,
4 in accordance with the rules promulgated by the department under par. (a), for
5 screening victims of domestic abuse.

6 ~~NON REFERRE~~ (2) (3) If a Wisconsin works agency employee identifies an individual
7 as a past or present victim of domestic abuse or determines that the individual is at
8 risk of domestic abuse or if the individual identifies himself or herself as a past or
9 present victim of domestic abuse or as an individual who is at risk of further abuse,
10 the Wisconsin works agency shall provide the individual with information on
11 community-based domestic abuse services, including information on shelters or
12 programs for battered individuals, sexual assault provider services, medical
13 services, sexual assault nurse examiners services, domestic violence and sexual
14 assault hotlines, legal and medical counseling and advocacy, mental health care,
15 counseling, and support groups. The Wisconsin works agency shall provide the
16 information to the individual orally and in writing in accordance with guidelines
17 developed by the department. The Wisconsin works agency shall also provide
18 referrals for community-based counseling and supportive service providers to the
19 individual if the individual elects to receive the services.

20 (4) EXTENSION OF TIME LIMITS AND TEMPORARY WAIVER OF PARTICIPATION
21 REQUIREMENTS. (a) If a Wisconsin works agency identifies an individual as a victim
22 of domestic abuse or if the individual identifies himself or herself as a victim of
23 domestic abuse, the department or Wisconsin works agency shall review whether to
24 grant the individual an extension of the participation time limits as provided under
25 ss. 49.145 (2) (n) 3. b. and 49.147 (3) (c) 3., (4) (b) 3., and (5) (b) 2. b., whether to

1 temporarily waive required hours of work or other required activities as provided
 2 under s. 49.147 (5g), and whether the participant has good cause for missing
 3 assigned work or other required activities as provided under s. 49.148 (1) (b) 4. or (c)
 4 or for not cooperating with paternity establishment efforts and the collection of
 5 support under s. 49.145 (2) (f) 1.

6 (b) If the department or Wisconsin works agency grants the individual an
 7 extension of any of the participation time limits or temporarily waives participation
 8 requirements as provided under par. (a), the Wisconsin works agency shall develop
 9 a services plan for the individual. The plan shall include all of the following:

10 1. Any required hours of work or training activities that are temporarily waived
 11 and the period of time during which the temporary waiver is in effect.

12 2. The period of time that any participation time limit is extended for the
 13 individual.

14 3. The counseling or support services that may be provided to the individual
 15 by the Wisconsin works agency or community domestic violence or sexual assault
 16 organizations.

17 (c) The services plan shall be reviewed by the Wisconsin works agency at least
 18 every 6 months.

19 (d) To the extent consistent with granting an extension or temporary waiver
 20 under this section, the services plan shall be designed to lead to work for the
 21 individual.

22 ~~Before promulgating rules to implement this section and~~ *the under sub. (1)*
 23 ~~establishing the procedures under sub. (2) (b) and guidelines under sub. (3), the~~ *establishing the*
 24 department and Wisconsin works agencies shall consult with all of the following:

1 (a) Statewide domestic violence and sexual assault organizations that have
2 extensive experience in developing and providing professional training on the issues
3 and barriers faced by victims of domestic violence and sexual assault for
4 professionals and organizations seeking to effectively address domestic violence and
5 sexual assault issues.

6 (b) The Milwaukee Commission on Domestic Violence and Sexual Assault.

7 **SECTION 1660rc.** 49.148 (1) (intro.) (except 49.148 (1) (title)) of the statutes is
8 repealed.

9 **SECTION 1660rg.** 49.148 (1) (a) of the statutes is amended to read:

10 49.148 (1) (a) *Trial jobs.* For a A participant in a trial job, shall receive the
11 amount established in the contract between the Wisconsin works agency and the
12 trial job employer, but not less than minimum wage for every hour actually worked
13 in the trial job, not to exceed 40 hours per week paid by the employer. Hours spent
14 participating in education and training activities under s. 49.147 (3) (am) or in
15 counseling or support services for victims of domestic abuse shall be included in
16 determining the number of hours actually worked.

17 **SECTION 1660rj.** 49.148 (1) (b) 1. of the statutes is amended to read:

18 49.148 (1) (b) 1. Except as provided in subd. subds. 1m., for and 3., a Wisconsin
19 works agency shall pay a participant in a community service job under s. 49.147 (4),
20 a monthly grant of \$673, paid by the Wisconsin works agency. For every hour that
21 the participant misses work or education or training activities without good cause,
22 as determined under subd. 4., the grant amount shall be reduced by \$5.15. Good
23 cause shall be determined by the financial and employment planner in accordance
24 with rules promulgated by the department. Good cause shall include required court
25 appearances for a victim of domestic abuse. If a participant in a community service

(End)

*Victoria Cameron 7/9/01

- just require DWD to promulgate the
rules for screening and training

- req. W-Z agencies to provide info to
participants re: domestic abuse
services that are available.

Sager-Rosenthal, Ivy

From: Carreon, Victoria
Sent: Tuesday, July 10, 2001 10:27 AM
To: Sager-Rosenthal, Ivy
Subject: LRBb2022/1- Domestic Violence

Ivy,

The negotiators of the TANF package did not want DWD to be required to consult with other agencies before promulgating rules, so this draft needs the following changes:

1. Page 1 line 5, delete "subject to sub. (3)"
2. Page 2, line 6, delete "subject to sub. (3)"
3. Page 2, delete lines 23 to 25 and lines 1 to 6 on page 3

-Victoria

Sager-Rosenthal, Ivy

From: Carreon, Victoria
Sent: Tuesday, July 10, 2001 10:31 AM
To: Sager-Rosenthal, Ivy
Subject: More on the domestic violence draft

Rob would also like to delete the sentence beginning on page 2, line 2 and ending on line 5, since the intent was not to require training statutorily.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb2022/1

ISR:kmg:rs

2
RMP

LFB:.....Carreon – Require DWD to promulgate rules for screening domestic abuse victims

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

Thanks!

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 597, line 3: after that line insert:

3 "SECTION 1660p. 49.1473 of the statutes is created to read:

4 49.1473 Wisconsin works; domestic abuse screening and training. (1)

5 (a) ~~Subject to sub (b)~~ the department shall promulgate rules for screening victims
6 of domestic abuse and for the training of Wisconsin works agency employees in
7 domestic abuse issues. The rules shall allow an individual to voluntarily and
8 confidentially disclose that he or she is or has been a victim of domestic abuse or is
9 at risk of further domestic abuse. The rules shall also specify the evidence that is

1 sufficient to establish that an individual is or has been a victim of domestic abuse or
2 is at risk of further domestic abuse. ~~Each Wisconsin works employee who determines~~
3 ~~an individual's eligibility for the Wisconsin works program or who reviews an~~
4 ~~individual's progress in the Wisconsin works program shall be trained in domestic~~
5 ~~abuse issues in accordance with the rules promulgated under this paragraph.~~

6 (b) ~~Subject to sub. (1)~~ each Wisconsin works agency shall establish procedures,
7 in accordance with the rules promulgated by the department under par. (a), for
8 screening victims of domestic abuse.

9 (2) If a Wisconsin works agency employee identifies an individual as a past or
10 present victim of domestic abuse or determines that the individual is at risk of
11 domestic abuse or if the individual identifies himself or herself as a past or present
12 victim of domestic abuse or as an individual who is at risk of further abuse, the
13 Wisconsin works agency shall provide the individual with information on
14 community-based domestic abuse services, including information on shelters or
15 programs for battered individuals, sexual assault provider services, medical
16 services, sexual assault nurse examiners services, domestic violence and sexual
17 assault hotlines, legal and medical counseling and advocacy, mental health care,
18 counseling, and support groups. The Wisconsin works agency shall provide the
19 information to the individual orally and in writing in accordance with guidelines
20 developed by the department. The Wisconsin works agency shall also provide
21 referrals for community-based counseling and supportive service providers to the
22 individual if the individual elects to receive the services. ” .

23 (3) Before promulgating the rules under sub. (1) and establishing the
24 guidelines under sub. (2), the department and Wisconsin works agencies shall
25 consult with all of the following:

1
2
3
4
5
6
7

(a) Statewide domestic violence and sexual assault organizations that have extensive experience in developing and providing professional training on the issues and barriers faced by victims of domestic violence and sexual assault for professionals and organizations seeking to effectively address domestic violence and sexual assault issues.

(b) The Milwaukee Commission on Domestic Violence and Sexual Assault.”

(END)



LFB:.....Carreon – Require DWD to promulgate rules for screening domestic abuse victims

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 597, line 3: after that line insert:

3 “SECTION 1660p. 49.1473 of the statutes is created to read:

4 **49.1473 Wisconsin works; domestic abuse screening and training. (1)**

5 (a) The department shall promulgate rules for screening victims of domestic abuse
6 and for the training of Wisconsin works agency employees in domestic abuse issues.

7 The rules shall allow an individual to voluntarily and confidentially disclose that he
8 or she is or has been a victim of domestic abuse or is at risk of further domestic abuse.

9 The rules shall also specify the evidence that is sufficient to establish that an

1 individual is or has been a victim of domestic abuse or is at risk of further domestic
2 abuse.

3 (b) Each Wisconsin works agency shall establish procedures, in accordance
4 with the rules promulgated by the department under par. (a), for screening victims
5 of domestic abuse.

6 (2) If a Wisconsin works agency employee identifies an individual as a past or
7 present victim of domestic abuse or determines that the individual is at risk of
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16 information to the individual orally and in writing in accordance with guidelines
17 developed by the department. The Wisconsin works agency shall also provide
18 referrals for community-based counseling and supportive service providers to the
19 individual if the individual elects to receive the services.”

20 (END)