

2003 DRAFTING REQUEST

Bill

Received: 09/19/2002

Received By: btradewe

Wanted: Soon

Identical to LRB:

For: Administration-Budget

By/Representing: Fath

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Agriculture - miscellaneous  
Dom. Rel. - child support

Extra Copies: Pam

Submit via email: NO

Pre Topic:

DOA:.....Fath - BB0188,

Topic:

Denial of state-issued grants and loans, CREP

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>
/?							State
/P1	btradewe 09/23/2002	csicilia 09/25/2002	jfrantze 09/26/2002		sbasford 09/26/2002		State
/1	btradewe 10/15/2002	csicilia 10/15/2002	jfrantze 10/16/2002		sbasford 10/16/2002		

FE Sent For:

<END>

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FE Sent For:		1 q5 10/15 02	Jb10/16	Self 10/16 <END>			

**2003 DRAFTING REQUEST**

**Bill**

Received: **09/19/2002**

Received By: **btradewe**

Wanted: **Soon**

Identical to LRB:

For: **Workforce Development**

By/Representing: **Troy Sterr**

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

Drafter: **btradewe**

May Contact:

Addl. Drafters:

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

Extra Copies: **Pam**

Submit via email: **NO**

**Pre Topic:**

No specific pre topic given

**Topic:**

Denial of state-issued grants and loans, CREP

**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>
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/P1	btradewe 09/23/2002	csicilia 09/25/2002	jfrantze 09/26/2002		sbasford 09/26/2002		

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 09/19/2002

Received By: btradewe

Wanted: Soon

Identical to LRB:

For: Workforce Development

By/Representing: Troy Sterr

This file may be shown to any legislator: NO

Drafter: btradewe

May Contact:

Addl. Drafters:

Subject: Agriculture - miscellaneous  
Dom. Rel. - child support

Extra Copies: Pam

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Denial of state-issued grants and loans, CREP

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>
		1/1 cjs 9/25 02	6/9/26	Self 9/26			

FE Sent For:

<END>

**Kahler, Pam**

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**From:** Sterr, Troy  
**Sent:** Thursday, September 05, 2002 11:32 AM  
**To:** Kahler, Pam  
**Subject:** Child support statutory changes for the biennial budget



Summary.doc

I have attached a document that has the child support statutory changes that DWD wants to include in the biennial budget. There are still a few other outstanding issues we are working on that will require statutory change; those items are not included in the attached document.

Please note that the paper dealing with changes to the Uniform Interstate Family Support Act references technical changes to chapter 769 without providing specifics. I will need to send you a copy of the actual changes the interstate commission is proposing.

Please let me know if you have questions.

Troy D. Sterr  
Budget Analyst  
Bureau of Budget and Planning  
Department of Workforce Development  
201 East Washington Avenue, Room 422  
Madison, WI 53702  
(608) 266-3338

## STATUTORY MODIFICATIONS

Department of Workforce Development  
2003-2005 Biennial Budget Request

**DIN Number:** DIN56XXSTAT#9

**Topic:** Denial of state-issued grants and loans

### **Description of Change:**

Amend s. 93.70 to require the Department of Agriculture Trade and Consumer Protection (DATCP) to deny grants issued under the Wisconsin Conservation Reserve Enhancement Program to an applicant whose name appears on the child support lien docket. DATCP may issue the grant if the applicant provides an approved alternative payment plan, which is an agreement to pay off support arrears.

### **Justification:**

Until December of 2001, the Department had been sending the certification of delinquent child support obligors that we provide to the Department of Revenue to other state agencies listed in that section that issue grants and loans pursuant to s. 49.855(7). This statutory language was repealed as a part of the 1999-01 biennial budget and replaced with language in each of the relevant statutory provisions requiring an agency that issues grants or loans to check the lien docket under s. 49.854, and deny grants or loans if an applicant for the grant is listed on the child support lien docket. However, if an applicant provides the issuing agency with a copy of an approved alternative payment plan agreement, the applicant may be awarded the grant or loan.

1999 Wisconsin Act 9 also created the Wisconsin Conservation Reserve Enhancement Program in s.93.70. Under this program, farmers can apply for grants issued by DATCP in exchange for agreeing not to farm the land near water boundaries. Because this program was not in existence at the time s.49.855 (7) was repealed, the language relating to the denial of grants based on the lien docket was not incorporated in s. 93.70

Section #. 36.11 (6) (b) of the statutes

36.11 (6) (b) The board may not make a grant under par. (a) to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

**History:** 1973 c. 335; 1975 c. 39, 41, 224, 400; 1977 c. 29, 418; 1979 c. 32 s. 92 (8); 1979 c. 221; 1981 c. 20; 1983 a. 27, 366; 1983 a. 435 s. 7; 1983 a. 484; 1985 a. 62, 120; 1985 a. 332 ss. 47, 49, 50; 1985 a. 332 s. 251 (1); 1987 a. 27, 287; 1989 a. 31, 56, 121, 177, 359; 1991 a. 39, 203, 250, 269, 285, 315; 1993 a. 16, 213, 227, 399; 1995 a. 27 ss. 1757 to 1762y, 9130 (4); 1995 a. 201, 404, 448; 1997 a. 3, 27, 128, 237; 1999 a. 9, 29; 1999 a. 150 ss. 7, 351; 2001 a. 16, 22.

1 AN ACT ...; relating to: making a grant or loan to an obligor who enters into a  
 2 payment agreement.

**Analysis by the Legislative Reference Bureau  
 HEALTH AND HUMAN SERVICES**

**OTHER HEALTH AND HUMAN SERVICES**

~~Under current law, the department of workforce development (DWD) provides to the department of revenue (DOR) the names of individuals who are obligated to pay child or family support, maintenance, medical expenses of a child or birth expenses (support) and who have failed to make one or more payments. DOR uses the information to intercept income tax refunds that would be paid to those delinquent obligors. DWD provides the certifications that it makes to DOR to various specified state agencies that make grants or loans to individuals. Any individual who is the subject of such a certification is prohibited from receiving a grant or loan.~~

~~Also~~ under current law, if an individual who has a court-ordered obligation to make periodic payments of support fails to make a payment, the amount of the delinquent support automatically becomes a lien against all of the individual's property. ~~DWD is required to~~ maintain a statewide support lien docket that lists the delinquent obligors and the amount of support that each owes. DWD is required to provide a copy of the lien docket to each county register of deeds and each county child support agency.

This bill eliminates the requirement that DWD provide to the various specified state agencies the certifications that it provides to DOR. Instead, each agency is prohibited from making a grant or loan to an individual whose name is included on the statewide support lien docket. An individual whose name is on the lien docket may still receive a grant or loan, however, if the individual provides to the agency a copy of a payment agreement that has been approved by a county child support agency for the payment of the delinquent support.

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

1 SECTION 1. 21.49 (2) (e) of the statutes is amended to read:

2 21.49 (2) (e) Delinquent in child support or maintenance payments and who  
 3 does not owe past support, medical expenses or birth expenses, as established by the





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-0158/P1

RCT. 1:0000 cjs

SOA (in 1/23)

Agency budget draft

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

DNste

not for

1  
2

AN ACT...; relating to: denial of Conservation Reserve Enhancement Program  
payments to person in arrears in child support payments.

*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

Current law authorizes DATCP to participate in the federal Conservation Reserve Enhancement Program (CREP) under which payments are made to landowners for measures to improve water quality, erosion control, and wildlife habitat. Also under current law, if an individual who has a court-ordered obligation to make periodic payments of child or family support, maintenance, medical expenses of a child, or birth expenses (support) fails to make a payment, the amount of the delinquent support automatically becomes a lien against all of the individual's property. DWD maintains a statewide support lien docket that lists the delinquent individuals and the amount of support that each owes. DWD is required to provide a copy of the lien docket to each county register of deeds and each county child support agency.

This bill prohibits DATCP from making a CREP payment to an individual whose name is included on the statewide support lien docket unless the individual provides to DATCP a copy of a payment agreement that has been approved by the county child support agency.

FE-S

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



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

LRB-0158/P1dn

RCT:/:....

cjs

Troy Sterr:

To receive federal funding, a state's CREP program must be approved by the federal Department of Agriculture. You may wish to consult with the Department of Agriculture, Trade and Consumer Protection to determine whether this proposal would cause any problems with the receipt of federal CREP funding.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: becky.tradewell@legis.state.wi.us



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

LRB-0158/P1dn  
RCT:cjs:jf

September 26, 2002

Troy Sterr:

To receive federal funding, a state's CREP program must be approved by the federal Department of Agriculture. You may wish to consult with the Department of Agriculture, Trade and Consumer Protection to determine whether this proposal would cause any problems with the receipt of federal CREP funding.

Rebecca C. Tradewell  
Managing Attorney  
Phone: (608) 266-7290  
E-mail: [becky.tradewell@legis.state.wi.us](mailto:becky.tradewell@legis.state.wi.us)



**STATUTORY LANGUAGE REQUEST**  
**2003-05 BIENNIAL BUDGET**

**TOPIC:** Denial of State Issued Grants and Loans  
**TEAM:** EDUC  
**ANALYST:** Fath  
**AGENCY:** DWD  
**NUMBER:** 445

BB0188

**Date:** October 14, 2002  
**To:** Steve Miller, LRB  
**From:** Erin Fath, DOA  
**Subject:** Statutory Language Request

DWD request 5603-STAT#9: Denial of State Issued Grants and Loans

Attached is a request for a statutory language change that DWD submitted to LRB prior to submitting it biennial budget request to DOA.

**LRB-0158/P1** was included with this request as part of DWD's biennial budget submission to DOA.

I am submitting this request now to get it into DOA's statutory language tracking system as a DOA statutory language request item.

If you have any questions, please call me at 6-8219, or send me an email at: [erin.fath@doa.state.wi.us](mailto:erin.fath@doa.state.wi.us).

Thank you.

## STATUTORY MODIFICATIONS

Department of Workforce Development  
2003-2005 Biennial Budget Request

**DIN Number:** DIN5603STAT#9

**Topic:** Denial of state-issued grants and loans

**Description of Change:**

Amend s. 93.70 to require the Department of Agriculture Trade and Consumer Protection (DATCP) to deny grants issued under the Wisconsin Conservation Reserve Enhancement Program to an applicant whose name appears on the child support lien docket. DATCP may issue the grant if the applicant provides an approved alternative payment plan, which is an agreement to pay off support arrears.

**Justification:**

Until December of 2001, the Department had been sending the certification of delinquent child support obligors that we provide to the Department of Revenue to other state agencies listed in that section that issue grants and loans pursuant to s. 49.855(7). This statutory language was repealed as a part of the 1999-01 biennial budget and replaced with language in each of the relevant statutory provisions requiring an agency that issues grants or loans to check the lien docket under s. 49.854, and deny grants or loans if an applicant for the grant is listed on the child support lien docket. However, if an applicant provides the issuing agency with a copy of an approved alternative payment plan agreement, the applicant may be awarded the grant or loan.

1999 Wisconsin Act 9 also created the Wisconsin Conservation Reserve Enhancement Program in s.93.70. Under this program, farmers can apply for grants issued by DATCP in exchange for agreeing not to farm the land near water boundaries. Because this program was not in existence at the time s.49.855 (7) was repealed, the language relating to the denial of grants based on the lien docket was not incorporated in s. 93.70



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Denial of State-Issued Grants and Loans

1 AN ACT ...; relating to: denial of Conservation Reserve Enhancement Program  
2 payments to person in arrears in child support payments.

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*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

Current law authorizes DATCP to participate in the federal Conservation Reserve Enhancement Program (CREP) under which payments are made to landowners for measures to improve water quality, erosion control, and wildlife habitat. Also under current law, if an individual who has a court-ordered obligation to make periodic payments of child or family support, maintenance, medical expenses of a child, or birth expenses (support) fails to make a payment, the amount of the delinquent support automatically becomes a lien against all of the individual's property. DWD maintains a statewide support lien docket that lists the delinquent individuals and the amount of support that each owes. DWD is required to provide a copy of the lien docket to each county register of deeds and each county child support agency.

This bill prohibits DATCP from making a CREP payment to an individual whose name is included on the statewide support lien docket unless the individual provides to DATCP a copy of a payment agreement that has been approved by the county child support agency.





State of Wisconsin  
2003 - 2004 LEGISLATURE

SOON (in 10/15)

LRB-0158/1

RCT:cjs

Stays

rmy

↓  
(Now a ~~NOT~~ budget draft)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Do NOT GEN

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- 2 payments to person in arrears in child support payments.

*Analysis by the Legislative Reference Bureau*

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State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-0158/1

RCT:cjs:jf

DOA:.....Fath – BB0188, Denial of state-issued grants and loans, CREP

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

- 1     **AN ACT ...; relating to:** denial of Conservation Reserve Enhancement Program  
2             payments to person in arrears in child support payments.

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*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

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